

## Ep #29: Getting Team Buy-in for Change



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**John E. Grant**

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## Ep #29: Getting Team Buy-in for Change

One of the biggest challenges in a law practice, or really in any organization, is how to engage the entire team around process improvement or operational changes to the way people work. In today's episode, I'm going to answer a listener question on that topic. And I'll give you some of my tools and concepts for fostering an environment that is not only open to change, but actively recruits your people to be willing participants and even leaders in those improvement efforts. Ready to become a more agile attorney? Let's go.

Welcome to *The Agile Attorney* podcast powered by Agile Attorney Consulting. I'm John Grant and I've spent the last decade helping lawyers and legal teams harness the tools of modern entrepreneurship to build practices that are profitable, scalable, and sustainable for themselves and their communities. Each episode I offer principles, practices, and other ideas to help legal professionals of all kinds be more agile in your legal practice.

Welcome back to the podcast. In today's episode, I'm going to answer a listener question and actually a couple of questions and these come from an attorney named Mike. And Mike works for a nine-attorney law firm that focuses on business law. So, they are basically a community or a regional firm, good sized obviously, and they help the businesses in their region with all of the general business issues, not an uncommon type of practice. And I've actually known Mike for a while.

Mike has been following me for longer than most and has been adopting some of the Kanban practices and methods in his personal practice. But as I think you'll see reflected in his questions, he sometimes is struggling to get broader buy-in inside of his firm, not necessarily with other attorneys, but certainly with the team members and the staff. So, Mike's first question is, "How do you get staff buy-in for Kanban and other methodologies?" And then he goes on to elaborate.

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“There seems to be pushback whenever the staff needs to have another account or learn some other piece of software or other service.” And then he also adds, “We don’t have a lot of turnover here,” which is, again, not uncommon. A lot of these firms are relatively stable and that’s a good thing. So, the core of the question, how do we get staff buy-in? And I’ll sort of add that for any change offering at all. And there’s a whole discipline in the world called change management and there are change management professionals.

But a lot of what the Kanban method is, is a change management toolset. There are specific things out of the Kanban methodology that are very specifically trying to embrace and help team members adopt what we call *managed evolutionary change*, and I’ll talk more about that in a minute. But first, I want to back up just a little bit and I’m probably going to make some assumptions about Mike’s firm that may or may not be valid, so I’m going to just call that out that I’m making some educated guesses.

This may not exactly be right within Mike’s firm but these are things that I’ve seen in similar law firms and in other places. So, I feel relatively confident in these guesses. And I’ll actually call a couple of things out as an anti-pattern. And I think I’ve used this term before on the podcast, but just so you know. This is something you kind of hear more in the Agile world or the technology world. An anti-pattern is a common response to a recurring problem that is usually ineffective, but it’s common.

It’s the normal thing that a lot of people or a lot of teams or practices do, but it isn’t effective. And it actually risks being really counterproductive. And yet, for some reason, whether it’s human nature, whether it’s cognitive biases, whether it’s just the way we’ve always done things, we tend to want to cling to these anti-patterns.

So, it’s not a good thing, but it is a pattern and we want to recognize that it can be challenging to break these patterns. And the best way to do it, is to introduce new methodologies but not just from this top down place, but

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through a culture and a practice of experimentation. We need to use data and sort of a systemic approach to try to say, “Okay, you’ve been working this one way, but let’s run an experiment and see if working this other way might be a little bit better.”

And so, the anti-pattern that I see a lot with firms this size is for them to think of this kind of team engagement or training or other work as something that leadership or management needs to do. And then present it or pass it down to the rest of the team. It’s common for firms this size to have hierarchies and systems and cultures that are really kind of rooted in the way that firms worked in the middle of the last century.

And I’m guessing that’s especially true for Mike’s firm, just given his mentions of longevity. And I actually, I’m not going to disclose the firm, but I’ve taken a look at the website and seen who the attorneys are and there is a lot of experience in that team, which is the positive way of saying that a lot of the lawyers have been around for a while.

And just as sort of a random quick aside, but as I’ve mentioned and probably some of you know, I’m a fourth generation lawyer. And when my grandmother passed away a few years ago and she lived to be 99, I was going through a trunk of things that actually belonged to my grandfather, who I never met. He predeceased my birth. And one of the things I found was the phone list from the law firm that he worked in, which was actually his father’s firm.

And the phone list on it was, I think, from the date on it was 1950, something. I don’t have in front of me right now. But there were two lists of people on the list. The first list was attorneys. The second list was girls.

So, I’m not saying that Mike’s firm is rooted quite in that sort of sexist practice of the middle of the last century. But it gives you a sense that we’ve certainly made some strides, but there are these sort of hierarchies between, now we would call them maybe attorneys and staff or attorneys and non-attorneys and that’s true in a way. But it isn’t always productive for

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building the culture of improvement and change and client service that we might be looking for.

So, again, getting back to this question of how do we get buy-in from the members of our team in any sort of change activity? And an important thing to note is that a core principle from Agile, from Lean, from all these methodologies that I tend to draw from, is this idea of respect for people. This really is, yes, we're trying to improve our systems. We're trying to improve our efficiency. We're trying to improve our operations, but we're doing it as a team.

And we're leading with respect for the people on our team, which means our job is to engage and work with those people in carrying out the improvement activities and again experiments that we want to run to try to make things better. And introducing a Kanban system within a law practice is an experiment. We hope that it's going to make things better. My experience is that it often makes things quite a bit better, but that doesn't mean that it's just going to kind of magically come in if you drop it from on high.

We need to introduce it in a way that is going to be meaningful and effective, really on a personal level for each member of a team as well as for the team itself more broadly, sort of as its own entity. And in the Kanban method we actually talk about three specific principles that we call the change management principles. And you've heard me talk about some of them before, but I'll just list them.

Number one is, start with what you do now. That is a key thing and there's actually a couple of sub parts to that one. Number one is understanding current processes as actually practiced. And again, I've talked about that before.

Number two is respecting existing roles, responsibilities and job titles. And so, if you're coming in with some sort of proposed change and you're going to change current processes or change current roles or responsibilities or

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titles. That right out of the chute is going to be a red flag for a lot of people, and if they're not involved in the conversations, if they're not involved in the design and the decision making around those changes, you're almost certainly going to get pushback.

Number two is, agree to pursue improvement through evolutionary change. And I said that a minute ago. We talk about this idea of managed evolutionary change when we're introducing these new ideas and these new principles. And that means working with the team to agree that we're going to do some change and then make sure that we're checking in with them and working with them and involving them so that those changes feel manageable.

We're not going to do these big bang things. And introducing new software systems and new tools can often feel like a big bang thing, especially if the people weren't involved in the decision making around even engaging in the change to begin with, and then certainly the design of the system.

Number three in the change management principles is to encourage acts of leadership at every level. And that's something that I really think is lacking in a lot of law practices. We know that there are leaders and the lawyers and the managing lawyers or the senior partners, whoever it happens to be, have sort of this innate leadership, because they're experts in the domain of the law practice. But just because they're experts in the legal domain doesn't mean that they know all there is to know, or that they're the core experts on the execution of the work.

And so, we want to make sure that we're engaging folks who are the on the ground, line workers involved in the day-to-day activities that deliver the quality legal work product to your clients. And make sure that we're utilizing their knowledge and their experience and their creativity and their sort of desire to make things better, obviously for themselves because everybody has sort of an egotistic component to doing the work.

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But I also think helping make sure that they're engaged around improving outcomes for your clients. And that could be improving the quality of the legal work, that could be improving the velocity at which you deliver that work. That could be improving the quality of the client experience. You can't always make it go faster, but at least you can make the experience better while it's taking whatever it takes in order to do the work.

So, one of the things that I wonder if it's true, and again this is an educated guess, but it's also highlighting a common anti-pattern that I see with firms the size of Mike's, again nine attorneys. Is that there's often a lot of shared staff, and so paralegals, assistants, whoever are going to be working for multiple attorneys or maybe all of the attorneys.

But each attorney has a slightly different way of doing things. And it can be challenging for team members to sort of keep track of all those little peccadillos or personal preferences. And when I worked in a larger firm and it was quite a bit bigger than the one Mike is working for, but one of the things that I observed as someone whose job it was to do process improvement and project management and things like that. Was that it often behaved more like a federation than a firm.

Each lawyer had their own specific way of working, their own approach to things. And it made it really challenging from a process improvement standpoint to engage in any sort of work because it was really hard to get the staff on board around keeping track of who needed to do what. And changes for one person kind of upset the apple cart for everybody else.

And that, frankly, is one of the reasons why I prefer a lot of times working with smaller firms. Because it can be useful to make sure, it's a lot easier. I should say to make sure that all of the people on the team are sort of working towards the same goals, that have the same ideas. I always talk about putting your oars in the water at the same time, but even with smaller firms, that can be a problem.

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And so, there's actually a specific tool that I use that I'll talk about, when I'm working with a new firm. And one of the things that I love to do and frequently do. In fact, I just did one about a week ago with a new firm is a multi-day workshop to introduce the Kanban methodology. But really it's about engaging the team around the possibilities and the potential around process improvement techniques or the need to engage in process improvement at all within the firm.

And so, the technique I use is an Agile retrospective. And I feel like I've talked about it before on the podcast, but I actually went back through my episodes and I couldn't find it, so maybe I haven't talked about it yet. I'll do sort of a high level overview now and then maybe I'll save a deeper dive for another episode. But a retrospective is a really common tool in Agile and it's actually one of the four ceremonies of the scrum methodology. And again, I won't dive into the weeds of that.

But it's important to know that the retrospective is something that we do that is not about the work itself, not about the delivery of client work, of the actual work product of the firm. It's an opportunity to take a step back and think about the work itself, about the processes we're using, about our structures, our organizations, our tools, things like that. So that we can ultimately come up with some things that might help us deliver the work better or organize better in order to deliver the work.

And I'll also say and this isn't necessarily a sales pitch, but facilitating a retrospective is a skill set. And I think it can be hard for teams to just sort of run one using their existing teams and personnel because there's just all of the historical baggage, for lack of a better word, around the relationships and the roles and the titles and the hierarchies and things like that. And so, it can be really useful to invite outside help into your practice, to run a retrospective. And I do it for a lot of teams, but there are a lot of Agile coaches and trainers that can do it as well.

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It can be a really effective tool and probably for the first time if I'm doing it with a team, I usually count on it taking anywhere from one to two hours. Two hours is a little on the long side, but for a larger team it might be necessary. One hour is a little short for the first time, so 90 minutes, maybe ballpark, but it can be really effective.

So, in the retrospective, we actually ask the team three specific questions and only three. But we're really intentional about how we get the answers to those questions and I'll talk about what they are in a minute. But I'll sort of run you through it, I guess as if I were kind of doing it with your team. So, the first thing that I will do if I'm doing this in person, I make sure that I show up with lots of packs of sticky notes.

I also bring boxes of Sharpies and part of the reason I do this is, I want people writing on the sticky notes, but I want big picture things. I don't want people to get into the weeds. And so, the use of a three by three sticky note and a sharpie very specifically limits the canvas that people have to work with and it sort of forces them to use bigger order thinking without getting too deep into the weeds on things.

There are also tools for doing this online. I use a tool called Miro, but there's dozens. There's Muro. There's Figma. There's different sorts of whiteboard tools inside of Zoom or Google or wherever you want to be. There's also some specific retrospective software, I think that's probably overkill for what we're talking about. But there are ways to do this virtually and during the pandemic I got pretty good at managing these virtually because we didn't have a choice.

So, if you can imagine a room, a conference room or a big enough room and everyone's sitting around a table. They each have a pack of sticky notes. They each have a sharpie in their hand. And I will introduce the first question, which is, what are the things in this practice, in this law firm that are going well, that we want to make sure we keep doing even if we start to

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change other things? So, it's usually an opportunity to kind of set the stage around what we're doing here.

People are a little bit nervous at first, but the instruction is a couple of different things. So, number one, I'm going to set a two minute timer and when I'm in person, I actually like to use a good old fashioned hourglass because I think that there's enough digital things in our lives. Again, obviously, if I'm doing it virtually, then we're using a digital timer. But the idea is that there's going to be a two minute window for each person to write down as many answers as they can think of to that question and each answer goes on a separate sticky note.

And so, at the end of that two minutes, what we find is that each person will have between probably two and maybe seven or eight sticky notes in front of them. Each one is a different answer to the question, what's going well in this practice? The other thing in terms of just expectation setting or level setting is, what is the scope of that question and I generally say that it is from your personal perspective, number one. And it's within the context of your work life.

So, these are things that can be going on at work. They can be very specific to the work. But they also can be reflective of your experience in the firm, with the business, with the team. And so, it's intentionally a little bit open-ended, but obviously we want to keep it within the context of what's relevant to the law practice. So again, at the end of that two minutes, each person has a few stickies in front of them.

And then while they've been doing that, I've either gone to a whiteboard or sometimes I'll use the big easel pad, sticky notes, and I'll put one on a wall. But I've created a space for them to put those answers. And what I will then do is, ask each member of the team to read their answer. Give maybe 10 to 15 seconds of context, that can be a little challenging for some people, but again, this is sort of part of the engagement process with the team.

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But then I want them to put each answer up on the whiteboard or the easel pad. And I ask the first person to leave lots of space between their answers. And that way the next people as they come up, if they have an answer that is similar to something that's already up on the wall then I want them to group those answers. And so, this is the part that obviously takes a little bit of time and it varies depending on the number of people on the team, but it does a couple of things that are really important.

Number one, that two minute window of basically ideation, of generation is a very specific technique that is designed to make sure that everyone has equal opportunity to think and to express the answers that are important to them. The anti-pattern or the other alternative, if we just sort of turn it into a verbal conversation. There's a human tendency to do one of two things. Either the first person that shouts out an idea has now caused everyone else in the room to focus on that concept and that cuts off the ideation.

We're now all of a sudden having a discussion about the first thing that came up as opposed to generating lots and lots of ideas. The other sort of phenomenon that happens is that as soon as somebody from management or leadership speaks up, everyone else tends to fall in line behind the things, the concepts that they've come up with and we don't want that. We really want to make sure, encouraging acts of leadership at every level. We want to make sure that everyone has a voice and that everyone's voice in this process is equal.

And when I'm managing this process, I'm usually pretty careful to make sure that leadership is going last or close to last. I want to get other things out. And I've often worked with leadership before we do the retrospective to sort of encourage them to participate, but not try to lead. This is part of the benefit of having a third party facilitator in is that it allows the leader to actually play the role of team member more than playing the role of boss. And I think that can be really valuable for the team and obviously for them as well.

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And the thing that inevitably happens, after we've gone through everybody's answers and we've put all the stickies on the wall, is we have groupings of common answers. There are things that people are experiencing together, that are going well within the practice and it feels good to sort of see all those stickies get up on the wall and see these groupings and reflect on. There are lots of things in this practice that are going well and we want to preserve those. We should be proud of those.

And also, there is a sense of community, yeah, great, we all came up with similar answers. And so that fosters a sense of camaraderie and teamwork. It also is a bit of a setup because the next question that I ask is the much, much harder one, which is, what are the things in this practice that aren't going well that we need to either stop doing entirely, or change in some way?

And again, same process, two minute timer. Everyone writes their answers individually. And then we give them the opportunity to read their stickies and put them on the wall and group them and discuss them in a way that comes up. And the good news is, because we started with the good things, people are generally willing to express what the things are that aren't going well. And again, depending on the level of psychological safety that already exists within the firm, sometimes the answers will be more measured, sometimes they'll be more honest.

It's actually an interesting indicator for me as a trainer and as a consultant to sort of get a feel for how open the team is to discussing things, and that could be a little bit raw, could be a little bit harsh. The more honest the team is in their answers to this question the more I feel like we're going to be able to engage in going straight into some of the improvement work.

If the teams are a little bit more cautious, a little bit more measured then I probably have more work to do as a facilitator to encourage the psychological safety and make sure that people understand that this is a safe space for ideation. We want to make sure that that is the case. And

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just like with the first question, there is tremendous power in seeing the groupings emerge. Nobody is on an island. When there are things not going well, it's usually pretty obvious, but it isn't necessarily stuff that people have previously been comfortable talking about out loud.

And so, generating that list or those concepts that we need to work on, can be a really powerful way to organize the team around the need to do improvement work.

Then the third question and, again we go about this the same way is, what should we try that is new or different in order to address some of these things that we see as challenges inside of our practice? And I give specific instructions that these can be things that are already in process because when I'm coming in, part of this is a discovery exercise for me. So, I want to know what's already kind of on the fly or in process with this firm.

But I also give people permission and again I try to be very clear that people can express ideas for change that maybe they haven't brought up with. And I want to make sure they're comfortable doing it so I will say, "If you are willing to share ideas that you've had, but you haven't necessarily spoken out loud yet, now is a great time to do so." So, they have permission to do it, but not necessarily a mandate to do it. But either way, the same thing happens.

We get this great sort of flood of potential ideas around things that we can do to improve things within the practice. Again, the ulterior motive in this and sort of the sub pattern that I'm trying to encourage is, making it clear that there is an opportunity to change things. And so, we're making it obvious that, yeah, there's problems and we want to address them.

And we're going to work as a team to maybe come up with some ways, maybe things that come up on the board during the retrospective or oftentimes, over the course of the couple day workshop that I do. We'll come up with some new things as well, but it's setting the stage and basically setting the expectation that we're going to do some work here. But

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we're going to do some work specifically grounded in solving some of the problems that we identified in that what's not going well, section.

That went a little deeper into retrospectives than I meant to, but hopefully that's helpful. So, again, coming back to Mike's question, how do we get staff buy-in for Kanban and other methodologies? My answer is, you have to engage them around the change. I guess number two, we need to make sure that we're proposing ways to solve problems that the team is experiencing. It's not enough to just solve problems that the lawyer or the management is experiencing. We want to ground it in their experience and we want to harness their ideas in order to engage in these changes.

So, Mike, hopefully that's helpful. I did say two questions. I'm going to hold the second one and maybe I'll do another episode on it a little bit later. If you have any questions for me that you'd like to hear me address in a podcast episode, please send them my way, until then, I'll talk to you next week.

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