

Ep #115: Spring Cleaning Your Law Practice: Managing Capacity, Catching Up, & Letting Go



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John E. Grant

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It's that time of year when our natural instinct is to do a little spring cleaning. It's part of embracing the season, and I want to encourage you to do just that. But in today's episode, I'm going to urge you to do that deep clean on something other than your living space. I want you to think about clearing out your commitments.

You're listening to *The Agile Attorney Podcast*, powered by GreenLine. I'm John Grant, and it is my mission to help legal professionals of all kinds build practices that are profitable, sustainable, and scalable for themselves and the communities they serve. Ready to become a more Agile Attorney? Let's go.

Hey everyone, if you're new to this podcast, you should know that I've got a whole Agile Lawyering 101 series that you can access in my feed starting at episode 101. It's the most thorough material I've produced on what it means to take an Agile approach to your law practice from a mindset, systems, and practices perspective.

Episode 108 on strategic planning for your law practice really resonated with people, but I'm going to recommend you start at episode 101 and build up to it from there. You'll find it wherever you listen to podcasts.

Hey everyone, welcome back. If you're a long-time listener to this podcast, you already know that I'm a big fan of Cal Newport. He's the author of some really useful books, including *Deep Work* and *A World Without Email*, but I'm an especially big fan of his call to action to embrace seasonality from his latest book, *Slow Productivity*. And that's the idea that our work, like everything else in the natural world, has rhythms, and it's worth paying attention to those rhythms rather than just trying to grind through them.

And I feel like right now we're at this interesting moment in the season. We're past the pressure of the New Year, the resolutions, the fresh starts, the optimistic goal setting, but we haven't quite hit the busyness of summer. We maybe haven't hit the stride for the full year yet. We're in this kind of

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liminal space in between. And I think that makes it a really useful moment to stop, look around, and just take stock of where we actually are in our law practice, in our lives, versus where we thought we'd be by now at the beginning of the year.

And on top of all that, I don't need to tell you this, but the world is a lot right now. Certainly on the level of just being a human being trying to live our lives, there's the global uncertainty, political upheaval, relentless pace of change and anxiety. And as humans, our brains are wired to scan the horizon for threats, and right now there is no shortage of things to find. That kind of sustained background noise is exhausting even if you're trying to filter it out.

And then there's sort of this professional dimension in our work lives, which has got its own version of overwhelm right now. The pace of change in the legal industry is just a lot. There's all these new tools and the AI stuff and these claims of their new capabilities. Maybe they work, maybe they don't, but they're coming out faster than any of us can meaningfully evaluate them.

It seems like every week there are two or three new things that someone or some article is telling you that you need to pay attention to, either to adopt it or to avoid it or otherwise just have an opinion about it. And all of that combined with what's going on in the world in general is this sort of giant capacity drain. Even if you're not actually adopting these tools, tracking the stuff takes energy, and if you are adopting them, well, I'm going to get to that in a minute.

But all of these things in the personal world, the professional world, they're eating into our capacity, our time, our energy, our emotional bandwidth in ways that are sometimes easy to underestimate, but I think we feel them. And that's exactly why right now is an amazing moment to stop, look around, take stock, and again, do a little spring cleaning.

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And I've used that word capacity a lot already. You hear me talk about it all the time in this podcast, that the first thing you have to do to be more productive in your life or your work is to start with that honest reckoning with capacity. The reason we get overwhelmed is because we're not good as humans at assessing what we're capable of and how much we already have on our plates. And then when we get to this place where we have a certain level of saturation with all the commitments we've made, the work we're doing has a tendency to grind to a halt.

I was actually rebuilding a presentation the other day that includes a slide that shows Little's Law on a graph. And one of the things I know intellectually, but it even surprised me when I saw the actual graph, is how staggering the growth in delay becomes once you get over about 80% utilization. At 70%, it takes you roughly three and a half times as long to deliver any one piece of work as it would have taken you if you had no other commitments at all.

And that's a long time, but it's not terrible. At 80%, it grows to five times as long, but at 90%, it takes 10 times as long. And that's the danger zone, right? That's where we have to be so careful that we're not putting too much on our plates because that gridlock can happen really suddenly.

And I think we're in this place where the honest reckoning with capacity, you know, it's hard enough in general, but it's harder than ever right now. We already know about the human optimism bias. It's one of the most documented findings in behavioral science. It was part of Daniel Kahneman and Amos Tversky's Nobel Prize-winning work on behavioral economics.

And the short version is that we humans are wired to overestimate what we can accomplish in a certain amount of time and underestimate how hard that thing is going to be to actually do in practice. And that is a tough combination. It's a lose-lose.

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And I think maybe lawyers are especially susceptible to this, partly because we're high functioning, high capacity people and partly because we're knowledge workers, and knowledge work is hard to gauge the capacity around. And I'll give you a hint, it's one of the reasons I like Kanban boards so much, is they force you to use a visual proxy for what your capacity actually is.

Now, the reason I say that it's harder than ever is that AI is playing a significant role in recalibrating what we think of as our capacity. And it's not just AI, it's any technology, but AI is obviously the hotness right now, and if you've started to adopt AI, I think you'll recognize some of this. And the problem is that AI can do some things genuinely fast and reasonably well. It does meeting summaries, organizes notes, maybe helps you work through an outline.

And in doing those few things, it tends to create a sense that your overall capacity has expanded by a lot. And maybe it has expanded, but probably only a little and not nearly as much as your very human, very optimistic brain wants to believe. And what that leads to is taking on more and more commitments, and then those commitments catch up with us.

And I can speak with a little bit of authority on this, partly because I study it and I help other people with it, but actually, partly because it's been happening to me lately. I spent most of the first part of this year feeling behind. I have been behind, and partly that was because I took on this big 101 series for the podcast that I'm very proud of, but I had to fit in all my other work around it.

And partly it's because I have found a few ways to incorporate AI into my workflows that have generated some better results or faster results, but they haven't made me quite as much faster or better overall at doing the work as I probably initially believed they would.

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And so partly I'm doing this episode as a little bit of a mea culpa. If I owe you something and I haven't delivered it yet, I'm sorry, this is partly why. I don't like being in this space and I'm working on it. I'm still digging out myself. But it's a very human place to be, right? Even when you know better, it's easy to find yourself here.

And I think a lot of us who were pretty good at it for a long time, I think this recalibration around AI has caused us to sort of lose track of what our honest capacity really is. And so I want to admit that that's real for you, for myself, but also call it out so that we can do something about it.

The good news is I do know what to do about it. And so I'm going to spend a little time walking you through what my process has been for the spring cleaning because this is the same process that I use with all of my clients when I'm coaching them on how they can deal with the overwhelm in their lives. Specifically, there are three kind of high-level maneuvers or moves that I want to talk about. But before I do, I do want to call out briefly that the flip side of the honest reckoning with capacity is what I've called the brutal assessment of priorities.

And there's a couple of parts to that. One is that when you recognize your capacity is finite, that forces you to make choices about how you prioritize your commitments, or even whether you commit to something at all. And that's healthy. That's the thing we need. It's why we want the honest reckoning to begin with. But the reason I call it brutal is that the act of prioritizing any one thing, by definition, is the act of deprioritizing everything else, and we don't like doing that. So it feels brutal in the moment. But again, it's necessary.

And this leads to the first of the three moves, which is something we don't like doing, but when we're already at or over capacity, the first thing we need to do is figure out the new things that are coming on and try to delay or say no to committing to new work. I often say, when the bathtub is overflowing, yes, there's a lot of things you need to do, but the best first

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move is to turn down or turn off the tap. It's what's going to keep the mess from getting worse.

And the reason why is that every new commitment you take on is going to add to that gridlock I talked about a minute ago. If you're already at 75, 80%, 85% capacity or worse, up over 90%, then each new unit of work that you take on is going to have a really significant impact on the delay or the rate at which you deliver any of the promises that are on your plate.

The key thing about Little's Law is that the graph isn't linear. It grows really gradually at first, and that's kind of what we're used to. We get accustomed to, "Oh, I can take on one more thing and it won't have a big impact." But when you get to that back half at those higher utilization levels, the slope changes and it accelerates really, really quickly.

Now, the second thing to think about in the spring cleaning is another one of my trusty standbys, which I call "close the closable." And that's the act of looking inside of the work that you've already committed to, maybe represented by cards on your Kanban board or however you're tracking that stuff. But you've got to figure out what are the things that you can comfortably move off of your plate in a way that ideally honors the commitment you've made.

And I start by saying, look at the work that's close to done, and then do what you can to get it done. Prioritize your finite capacity to actually moving that stuff across the finish line. It's the stuff that you've already invested significant time and energy in, and so doing what it takes to get it that little bit further so that it's done and dusted means you don't have to worry about it anymore and the person you made the commitment to is going to be satisfied.

The next best thing, if you can't get it all the way to done, is to at least try to get it to a natural resting place. Say if you've got the kind of practice where you file things with the court or an agency, get those things filed. Get them

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off your plate, and then at least you've started the clock on whatever comes next.

Now, the third move in the spring cleaning exercise is probably the hardest one, and it's actually a subset of the close the closable recommendation. And that's this thing where you need to recognize that some of the things that are on your plate right now probably shouldn't be there.

These might be commitments you made in a more optimistic moment that just aren't realistic anymore. They could be things that are sitting in your backlog for so long that they've started to become irrelevant, or they might be commitments that you made that were contingent on someone else holding up their end of the bargain.

My favorite one here is stop chasing clients for homework. If they don't get it back to you after a certain amount of time, you are allowed to just drop the matter entirely. If you've got the kind of practice where you're already overloaded, it's not going to impact your finances, and it is going to free up a significant amount of your time and your brain space.

And this is something none of us love doing, but I really want to give you permission that it is okay to decommit. It is okay to prune. Go through your in-flight work or your backlog, and hopefully it's on a Kanban board where you can see it, but wherever you store it, find the things that you can honestly let go of and let them go. Or find the things that you honestly can't handle, eat the crow, admit that maybe you shouldn't have taken them on in the first place, and then let them go.

And I'll reference here something that changed the way I think about this, which is the *Freakonomics* podcast episode titled "The Upside of Quitting." It's a little bit of an oldie but goodie by now, but I think that particular episode is a really good one.

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Now, after you've done that bit of spring cleaning, or actually alongside the spring cleaning, the other trick is that you've got to put some structure and scaffolding in place to help keep yourself clean. And I think there are two toolsets here that will really help with that.

The first one is WIP limits or Work In Progress limits. And if you're already using a Kanban board, WIP limits are a really essential tool. And effectively what they are is a numerical representation of your finite capacity. It's a ceiling on how many things you're allowed to have in progress at any one time. And what they do is force that prioritization conversation before you take on new work rather than after you're already buried. In my workshops, we do a specific exercise, it's really more of a game, that really drives home the usefulness of WIP limits.

And I never get tired when we're playing that game of seeing the moment when people realize just how much more productive they can be when they take on less work at once. Working on fewer things at once helps you get more out the door over time. It's counterintuitive, but once you understand it, it is borderline magical.

The second practice I love, whether or not you're using a Kanban board, is using calendar blocks and calendar buckets. And I'll unpack what each of those are. Calendar blocks are simple, they're appointments. It's a one-to-one relationship between a chunk of time on your calendar and a particular piece of work.

And we're used to scheduling appointments for meetings, but it is perfectly valid, and I actually strongly encourage you to make appointments with your work, whether or not there's another person involved. If you need a couple of hours to do a deep dive on something, schedule those hours. It's actually one of the core practices from Cal Newport's *Deep Work* book.

Calendar buckets are a little different. They're chunks of time reserved on a recurring basis on your calendar. But instead of being reserved for a

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particular piece of work, we reserve them for a particular type of work. One that I've talked about before and talk about a lot with my clients is 5% time, which is the idea that everyone on your team should be reserving at least 5% of their overall capacity for on-the-business work instead of in-the-business work.

That's process improvement, template development, system design, all the sharpening the saw stuff that makes the rest of the work go better once you do it. And 5% doesn't sound like a lot of time, but it translates to roughly half a day every other week, and in order to actually accomplish it, you have to put it on your calendar on a recurring basis. That's the bucket.

And I'll give you one I use myself. I've got a one-hour block every Friday morning that is simply titled "Finance Friday." And I never know exactly what I'm going to do, but I do know that I need to pay attention to my finances for at least an hour every week. Paying my bills, sending my bills, working with my bookkeeper, whatever it is. And I honor that block pretty consistently.

But even if I need to reclaim that time for whatever reason, one of the other nice things about calendar buckets is you're allowed to horse trade them. So if I have maybe a client meeting that comes up and I need to use that time, it's okay, but I have to answer the question, "Where am I going to move Finance Friday?" I can do it on Thursday. That's no big deal, but I have to protect the time even when I need to move the particular bucket.

And that's really what this whole exercise, this whole episode is about, right? Protecting your capacity and reserving it for the right things. And yes, spring cleaning is about clearing the clutter, but it's also about giving yourself permission to operate at a sustainable level, to protect the space for the work that actually matters and to let go of the stuff that's been quietly weighing you down.

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You don't have to do it all. You just have to do the right things. And you can do it with the capacity you actually have, not the magical thinking capacity that you wish you had with some fancy technology tool.

A quick note about how my software tool, GreenLine, supports the practices from today's episodes. And let me be clear, I don't think GreenLine is magical because it will help you increase your capacity. But I know it will get you and your team to make better use of the capacity that you already have. And there's a certain magic in that.

I talked about Kanban boards a lot today, and while there are a lot of tools out there that use the Kanban interface in some way, GreenLine really is the only one that is purpose-built for legal teams while also supporting the more advanced practices from the Lean and Agile methodologies. Stuff like WIP limits, service level expectations, blocker tracking.

You don't see any of those things in the other tools. But they're exactly the features that not only help you see your work so you can do the spring cleaning I've been talking about today. They put the structure and scaffolding into place so that your team keeps things tidy over the long haul.

To learn more about how GreenLine can work for you and your law practice, head on over to greenline.legal and hit that "Book a Demo" button. We'd love to show you what we're building.

Alright, that's it for this week. If you found this episode useful, please share it with a friend or a colleague, maybe someone who could use a little spring cleaning in their own law practice. And if you're here because someone recommended the show to you, I strongly encourage you to go listen to episode 101 and then follow it through the rest of The Agile Lawyering 101 series.

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As always, this podcast gets production support from the fantastic team at Digital Freedom Productions, and our theme music is “Hello” by Lunareh. Thanks for listening, and I will catch you again next week.