

Ep #118: Running Your Law Firm on Hard Mode? Simplify Capacity with the Tetris Strategy



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John E. Grant

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I know I talk a lot about the honest reckoning with capacity, but it's such an important concept that today I'm going to add a new metaphor about capacity to my collection. This one's inspired by a 1980s video game that as a solid Gen Xer was a hallmark of my youth, but my kids love it too.

I'm going to argue that thinking about how to turn your law practice's capacity into a boring version of that game is the key to a more efficient practice overall.

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.

A quick note. The concepts from today's episode should be useful to you no matter what kind of practice you have or what tools you use. If you'd like, stay tuned at the very end where I will briefly talk about how my software tool GreenLine supports the principles and practices from today's show.

Hey everyone, welcome back. So, I talk a lot about the honest reckoning with capacity and I'm going to do it again this week, but I've got a little bit different framing that I've been using lately on some of my calls with clients and even discovery calls with prospective clients. And I thought I'd run it by all of you because I think it could be a useful way to think of things a little bit.

And I'll start by just restating the obvious, we all have finite capacity. And that is true at an individual level, it's true at a team level, it's true at a firm level. And that we're not especially good as humans at understanding what the dimensions of that capacity really is.

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And so, a lot of why I like Kanban board, a lot of why I like tools like calendar blocking and calendar bucketing is that it starts to give you some sort of a visual form for how much capacity you have and it forces you into a practice of being more intentional about how you fill up that capacity. And that is the flip side of the coin for me, the brutal assessment of your priorities.

And there are a lot of metaphors we can use to talk about it and I've used them in the past. I sometimes talk about how for teams that are feeling overwhelmed or people that are feeling overwhelmed in their personal lives, that I use a metaphor of a bathtub that's overflowing.

And the first best move when your bathtub is overflowing isn't to go grab a bunch of towels, it is to go turn off the tap. It is to be intentional about what's coming in, and then that helps free up a little bit of the urgency, a little bit of the brain fry that can happen when you're overwhelmed, so that you can be more intentional about what needs to happen to clear the drain or otherwise get the bathtub back down to a normal level. It might not be a bathtub, it might be a bucket. If we're going to continue the water metaphor, that's pretty common.

Those of you that have followed or read the book *Traction* or followed the EOS leadership type way of thinking, they didn't invent this metaphor, but they glommed on to the notion that when you have a jar or a bucket or whatever that is finite, you need to first put in the big rocks, the important stuff, and that way you make sure that you're preserving capacity for those important things, and then you can fill in around it with the pebbles and the sand and the water, right? And the other things that will fill up the container to full.

Although even as I say that out loud, right? I think it's a terrible idea to fill your container to full. We're all tempted to do it. In fact, we have a tendency to overfill our containers. But the thing that I also talk about in terms of capacity is Little's Law, which tells us that if you utilize all of your available

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capacity, that actually slows down the overall system. Your ability or your team's ability to deliver any one unit of work is proportional to the total amount of work you have in progress in your system at any one time.

And for that, I often use the freeway metaphor and the idea that you can be bopping along on a freeway going reasonably close to the speed limit and the freeway is busy, but it is not in a traffic jam, but all it takes is a few extra cars or maybe even one of those cars to do something stupid, who knows, but that will take up enough of the capacity of the freeway that the whole thing just grinds to a halt. And Little's Law is really clear about this.

There's a graph, I've posted it before, I can put it in the show notes again today, that shows that somewhere between 75 and 90% utilization of any resource, it doesn't matter what it is, then the ability of that resource to deliver work efficiently and effectively and on a timely basis really deteriorates, right? The cycle time or the delivery time goes through the roof. It spikes.

So, to come back to that EOS metaphor, and it's been a while since I've read the book, so maybe *Traction* talks about this, I don't remember, you want to get the rocks in there for sure, but you don't necessarily want to pack the jar or pack the bucket full of all these other tasks. You also have to preserve some open space, some slack in your system.

So, those are all metaphors I've used before. If you've been listening to the podcast for any length of time, that's review. If you haven't, if you're new to the podcast, there's lots of episodes. I'll put them in the show notes. I won't list them off here because the numbers are not necessarily good radio, but I've covered these in a lot more depth.

The metaphor I want to use today is the game of Tetris or really any of the sort of falling block knockoffs that are all over the internet and the app store these days. But I'm a Gen Xer, so Tetris is definitely a cornerstone of my childhood experience.

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But before I fully explain the metaphor, I'm going to give you a little context for how I was talking about it just earlier this week. And this was an attorney that reached out to me for a discovery call to give you a little context. They're a relatively small practice in a, I would say like the second or third biggest metro area for their state. So middle state, middle metro area, middle market, pretty solidly average in terms of what a lot of small firms and small practices have going on in their lives and their businesses.

And this particular attorney reached out to me for the reason so many people do is that they're just feeling a sense of overload, overwhelm, too many things going on, too many balls in the air, stuff like that. And I think they found me through a CLE that I had done. I wasn't, not sure if it was for that state bar or maybe a local bar, but occasionally I'll give talks that get recorded and put into the various CLE systems, which is great. I love doing that.

But this attorney was just looking for some advice, some clarity about how to make their practice feel more sustainable, right? Less overwhelming overall. And one of the things that I zeroed in on pretty quickly, both from our conversation and also looking at this attorney's website, is that they were trying to do a lot of different types of law.

In this case, it was a lot having to do with commercial contracts. So, they had a practice that was both about contract drafting and that could be business-to-business contracts, there were some commercial leases involved, things like that. But then also handling the litigation side. So, obviously disputes about the contracts, commercial landlord tenant disputes, some construction defect type things, all the things that happen when those contracts fail over time.

And this is a mentality I see a lot and it's not wrong that people that are involved on the litigation side are often better drafters on the drafting side because you see the things that can go wrong and you then are able to obviously feed that back into your drafting and the contracts and the other

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things that you do and also the advice that you give to the client. So, the mental model is a good one where, yes, by doing all of these things, I am a better overall attorney.

But my problem with that is from an operations standpoint, those are very different practices to maintain, to keep track of, the shape of the work is very different in a contract drafting workflow than it is for a litigation workflow. Not only that, the cadences are different, the sort of time drivers or calendar drivers, the litigation obviously has a lot more firm deadlines.

The contract drafting and negotiation is a little bit more open-ended. Maybe more than anything, they have very different client needs in a social emotional or psychological sense where the place where a client is emotionally, psychologically when they are trying to enter into an agreement or maybe come up with a contract template they can use, whatever it happens to be, is very, very different than the head space where they are when they're dealing with an actual dispute, right?

Just the dispute itself is overwhelming, but then the process of litigation and the uncertainty of having this thing hanging over your head, it just hits different, right? It's definitely no fun for most people, but it requires a different kind of customer care from the lawyer, from the provider. And I talk also about lawyering as effectively a caregiving or fundamentally a caregiving profession, and I think that is true as well.

So, when we're talking about the shape of the work, there's sort of the practical tactical stuff, but then there's also the social emotional work that you as an attorney are having to do in order to provide the kind of care that you need to provide to create a good client experience as you're navigating them through the process.

And so, to take it back to my Tetris metaphor, the thing that occurred to me, and I've been playing with this in my head for a while, but I think this is the first time I said it out loud quite in the same way, is that these different

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shapes and forms and needs of these different practice areas are effectively different shapes falling from the sky in your Tetris game.

And the challenge from that honest reckoning with capacity standpoint is when you have lots of different types of shapes, you have to spend a lot of your time and attention and energy figuring out where each shape is going to go. You can move it left and right, you can twist it, right? I don't need to describe the game to you, but all of that stuff takes a lot of mental energy.

And I think I've talked before on this podcast, although maybe not as much as I do in real life, that one of my favorite things to do as a consultant, as an advisor is to talk people into dropping practice areas entirely. And I don't have a strong opinion about what practice area they should drop. I think there's lots of very viable ways of looking at it.

But frankly, the way that I think about it, and you all know I think in Kanban boards, is that if I'm designing a workflow for a practice, I want to be able to fit an entire practice whenever I can onto a single Kanban board so that all of the work that we're doing is following a pretty common, pretty consistent process. There might be nuance in the different matter types. That's okay.

But what I want is the high-level phases of work from intake to close out to be reasonably applicable to almost everything that you do because that gives you the ability to see all of your work in one place relative to all of the other work that you have on your plate or in your bucket.

And I will tell you, I have taken this to an extreme with some practices and some have listened and some haven't, and I understand this is just advice. It's not my choice. But I have convinced estate planning attorneys to drop their probate practices or estate planning attorneys to drop their planning practice and just focus on probate. And the reason why is that those are very different workflows. They also come from very different places, very different customer needs, client needs, social, emotional care, all the rest.

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So, I'm not saying it's impossible to have both of those practices under the same organization, but it is less efficient, right? There is a tax, a switching cost in terms of managing those two different workflows. They have different revenue models even, I forgot to mention that.

So, in this case, right, for this attorney, there is the litigation practice and then there is the transactional practice and those are very different flows on a Kanban board. There's not really a good way to sort of jam them together other than in the most simplistic board, and simplistic boards are great to get you started, but they're not necessarily going to yield the insight that is going to help you get even better over time.

So, in this case with this attorney, I said, you know, think of each of these different types of practice you have as a different shape that's falling from the sky in your Tetris board, which is really kind of a bucket. And if your job in Tetris, right, the goal of the game is to line things up so that the bucket is completely full with no gaps, which I know cuts a little bit against my caution about capacity that I just made a few minutes ago.

But the key thing in Tetris is that when you get those things lined up, the blocks go away. So, if I'm going to torture my metaphor for a minute, I think of that maybe as your ability to get the work through your system all the way to done in an efficient way so that you've delivered the value that you need to deliver to the client and you can get that particular matter off your plate and not worry about it anymore and that frees up capacity for you to do the next piece of work.

And in the game of Tetris, of course, it's all those shapes that make it fun and interesting, right? We play Tetris for fun. We use it as a puzzle to stretch our brains and maybe get it thinking about things that aren't work or whatever else is going on in our lives. It's a distraction, but it's a useful one. But the complexity is part of what makes it fun in Tetris.

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But you don't necessarily need or want to have that complexity in your law practice. I think it's okay to try to make your law practice a little bit boring at first. I want to make the game easy or I want to put your practice on easy mode. And the best way I know to make Tetris easy is to limit the number of shapes that are falling from the sky.

And for different people that can mean different things, right? If you're just using the squares, then obviously the squares are really easy to stack in and fill the buckets in ways that those lines are going to start disappearing once you start filling the bucket in a certain way, right? It's not especially complicated. Same thing for the long lines or the rectangles, whatever they are. The shapes that don't have elbows in them, right? Those are the simplest ones.

And there are some people out there, and you probably know some of them, who have made very good law practices based on relatively simple shapes. The people that are maybe just doing estate planning, not to diminish the complexity or the importance of estate planning, but the contours of it are relatively straightforward for most people most of the time.

One other thing, and not to torture this metaphor too far, but the complexity of the shape is somewhat dependent on your experience and interest and sort of excitement even about that particular practice area. So, even if you have a relatively obscure or complex thing that you do, when you get more familiar with it and you have more experience, expertise at delivering it, you can sort of simplify the shapes. That's part of what expertise brings you.

But here's the other thing is even if you're working with relatively complex shapes, right? So there's the one that's kind of L-shaped that has a single elbow. There's the one that is sort of squiggly shaped that has the two elbows. Those are harder to place, but they're hard to place when you're trying to place them in among all of the other different shapes you're working with.

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But if you only had that shape falling, then you could pretty quickly get to a pattern and a cadence where you know how to rotate and move that shape so that it's going to lock into place with all of the other units of that shape. So, even with the more complicated shapes by limiting the number of different types of shape that you're working with, you are simplifying your ability to fill that bucket and importantly, to get all of those lines across at the bottom or wherever they happen to be so that the work gets done and it goes away and it frees up capacity for you to do more work.

So, that's the main thing I want to talk about. I'm going to give it to you in a slightly different context, which is a workshop that I did with a completely different firm, completely different geography, completely different practice area, a little bit bigger practice where there were multiple attorneys involved and in particular, there was a relatively, well, new's not the right word. I would say a mid-career associate that was on this team who was, oh my gosh, this person just radiated smarts, right?

It was really clear to me that they were a analytical and conscientious attorney doing the good work of unpacking complex situations and helping clients through those complex situations. It was really, frankly, pretty fun and impressive to see.

But it also became clear over the course of the workshop that that attorney's personal need to deal with these highly complex situations and make sense of them and go deep and really get into the weeds of these sticky problems was counter to the business owner's strategy for how they were trying to build the practice in a way that was going to be profitable and sustainable.

And I didn't use this Tetris metaphor with them, I'll have to send them this episode because I've been thinking about them obviously. But basically, I think that the business owner had been looking to simplify their shape pattern and make sure that they could build a marketing pipeline that selects for a certain shape, build an intake pipeline that is able to move and

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turn those shapes into the right way. I really do like to torture metaphors. And otherwise sort of move those things through the practice in a way that is consistent and predictable.

But this very smart associate who had this personal need for complexity kept bringing in matters or even maybe turning some matters into more complex shapes that were harder to fit into the overall bucket. And for the business owner, that's an interesting challenge, right?

Because obviously very smart attorney, you don't want to lose this person. I think that they are obviously, I said a good lawyer, but also the right energy, a good cultural fit. Everything is going well in terms of this employee employer relationship, but the employee's need for this more complexity, right? To scratch the personal itch around doing the deeper, more complex legal work was throwing a little bit of a wrench into the operations of the firm overall.

And the thing we came up with, although like I said, we weren't using this Tetris metaphor, but I'll use it now, is that you can actually create buckets within your bucket. So, if there is a particular chunk of the Tetris board that we cordon off and say, "Hey, associate who wants the complex work, you can do some of the complex work, but your bucket is only this big to do it. You have to fill up this smaller unit and you can do the complicated work that is giving you the personal satisfaction and the intellectual challenge inside of these constraints.

But then it's this smaller bucket that I've given you, I know how to place it as a business owner, as the law firm owner, into my larger Tetris board that says, okay, I'm going to fit it into here and even if it doesn't fill up quite right, at least I know that I'm only applying a finite amount of the firm's resources, the firm's total capacity to this work and we still are doing the majority of our work are these more simple shapes that are filling the bucket quickly and driving both the volume and the revenue and the customer satisfaction or

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client satisfaction that is going to do what it needs to do for us from a business standpoint."

So, I'm going to leave it at that for now. If you're a law firm owner, think about what the overall bucket looks like and how you can sort of either limit the number of shapes you have or compartmentalize certain types of work so that it's easier to fit into that overall capacity, that finite capacity that you know you and your team have.

If you're an individual worker and you feel like you just have work overflowing in your day, think about ways again, maybe to limit the types of work that you're doing, if that's an option, and there's always some way to do that. It's maybe not easy, but I think you can work towards that. Or on top of that, or maybe not or, probably and on top of that, think about ways to really compartmentalize the different types of work that you have to do.

I've talked in the past about calendar blocking versus calendar bucketing. I think that's a really good approach. I won't revisit that now, but I'll put a link to that episode in the show notes as well. But really making sure that you are simplifying your Tetris game of managing your capacity as much as possible because we like Tetris to be complex when it's a game, but we want our mental energy that goes to how we fill up our own personal capacity buckets, especially at work. It's a lot more rewarding, I think for most people when that process is a little bit boring.

So, one of the things I think about when I'm helping GreenLine users set up their workflows for the first time is how well we can fit an entire practice onto a single board. And as you just heard, I obviously have my opinions about simplifying things, but wearing my software hat, it isn't necessarily my job to edit people's practice areas.

But if we need to do separate boards for different workflows, then I do think it's useful to at least highlight the tradeoffs. And like I said in the episode, once you've got your workflows designed, however many you need to

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have, then those designs help filter the new work coming into your systems. It creates structure so that if you have to think too hard about how some new matter is going to fit, then that's a pretty good signal that you may not want to be taking that case to begin with. Or if you do really want to take it, then at least you'll be confronted with the tradeoffs from the start.

And that's the power of clearly defining your workflows and of having a tool that gives them shape and structure. Yes, they make the game of managing your overall case load a little more boring, but boring in that arena means you can use your finite time and energy and intellect to focus on the more interesting and beneficial parts of your practice.

So, if you'd like to see how that works, head on over to greenline.legal and hit that book a demo button. And even though it says book a demo, I am happy to just make it a discovery call to talk through your frustrations and your needs. Obviously, I think GreenLine is a great tool for a more Agile legal practice, but I truly want you to find balance in your practice in whatever way makes the most sense to you.

All right, that's it for this week. If you found today's Tetris metaphor useful, I'd love for you to share this episode with a friend or colleague who might just be running their practice on hard mode when they don't have to be.

And if today's discussion sparked a question for you or if there's a topic you'd like to have me dig into on a future episode, please don't hesitate to email me at john.grant@greenline.legal. I always love hearing from listeners.

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.