

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs



Full Episode Transcript

With Your Host

John E. Grant

[The Agile Attorney](#) with John E. Grant

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

Have you ever put a ton of time and attention into a piece of legal work only to realize that it's not quite hitting the mark for your client? Or maybe you've delivered a technically flawless document, but your client's just sort of "meh" about the whole thing, like they just don't seem to be satisfied?

Today we're going to talk about a framework that can help you hone in on exactly what your clients need and expect from you so that you can design and deliver legal services that are the best possible fit. It's called the Fit for Purpose framework and I think it will really help improve the way you think about your legal products and services. 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 pursuing my mission to help lawyers and their teams harness modern ways of working so they can build practices that are profitable and sustainable, and so they can scale their impact for themselves and the communities they serve. Each episode I offer principles, practices, and other ideas to help legal professionals of all kinds be more agile in your legal practice.

Hey there and welcome back to *The Agile Attorney* podcast. Today's episode is the third installment of this three episode arc where we've been exploring some key concepts from the world of product development and entrepreneurship. And looking at how they can be applied to help lawyers and law firms and legal teams better deliver products and services to their clients.

A couple of episodes ago, in episode 17, we talked about the idea of the Minimum Viable Product or MVP. And just as a quick recap, the MVP approach is all about starting with the simplest possible version of a product or service or deliverable that still delivers value. And then iterating

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

and improving that product or deliverable based on real world feedback. It's a great way to avoid overinvesting your time and resources into something that might not quite hit the mark with your customer.

It's also a great way to ensure that you invest your time and energy in the early stages of building a deliverable into creating something that's actually usable if you need to submit it in a pinch. As opposed to creating some half built work in progress that you may not be able to actually file or send off because it's functionally incomplete. So, the key takeaway from the MVP methodology or idea is that it's better to invest in building something that's viable even if it's suboptimal as opposed to investing and building an incomplete version of a more idealized deliverable.

Then in episode 18, we talked about jobs to be done theory, sometimes JTBD. And this is a framework that emphasizes the importance of understanding the underlying needs and motivations that drive people to hire a particular product or a service. So, by shifting our perspective to consider what are the jobs that our clients are trying to get done. Then we can design and deliver legal services that better align with their goals.

And I'll reiterate the example I gave last week about what are the jobs that a client is looking for when they hire a will or an estate plan. And some of those jobs are a little bit more obvious. They want to provide for their loved ones. They want to leave a legacy. They might want to prevent their beneficiaries and heirs from fighting too much. They might have a job to be done that has to do with minimizing taxes or other sort of undesirable charges or fees that might come into play. But there's this hidden job to be done for a lot of people, which is, I really just need to get my financial planner to quit nagging me to finish my will.

Today I'm going to introduce you to a third concept that I think really complements both of those previous ideas really well and it's called the Fit for Purpose framework. It comes from the world of lean and kanban

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

methodology. And at its core, Fit for Purpose is all about finding that Goldilocks solution where you have not too little of a product or a deliverable, not overbuilding or overdelivering your thing. But building something that is just right for what your customer needs when they need it.

It's a lot like jobs to be done theory, but it actually dives a little deeper in some key components and that's what I want to talk about with you today. And I'll start by talking about this thing that the Fit for Purpose framework does, which is breaking down any product or service into three core components that all feed into how your customer uses and perceives the product or service you're building. Number one, is the design component, number two is the implementation component and number three is the service delivery component.

And for any product or service to hit the mark or especially for a legal service to hit the mark, it needs to be fit for the client's purpose in all three of these areas. And I'll dive into each one of them a little bit deeper right now.

So, the design component is all about how the service or product is conceptualized and structured. Are you creating legal documents or processes that are really tailored to your clients' specific needs and goals? And also, we're going to meet the broader needs of goals of maybe the court system or the particular regulators or the financial entities that have an interest in the contracts that you're drafting, whatever it happens to be.

And it's interesting because one of the things that we, of course, need to remember is that for a lot of legal work, there are multiple customers beyond just your immediate client. If you're drafting a contract or a settlement agreement, for example, it needs to be understandable and usable, not just for the parties involved but also for any third parties who may need to interpret it down the line, like judges or arbitrators.

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

Or you're getting into the people law concept like a parenting coordinator. And this is actually something I've seen come up a lot in the context of parenting plans in divorce cases. Too often I see lawyers that draft these plans in a highly technical sort of legalistic way that is designed to satisfy the courts requirements. Or a lot of times the courts have even sort of mandated a structure that is pretty good at making it understandable from the concept or from the perspective of the court and the court staff, but it ends up being kind of difficult for the actual parents, the parties to understand and follow.

And when the parties can't use it, it has to be a working document and if the parties can't wrap their heads around it, if they don't remember it, if they don't know how to get to the information they need when they need it. It can lead to all sorts of unnecessary conflict and even additional legal expenses if the parties have to keep going back to court or hiring a parenting coordinator to sort out their disagreements.

So, redesigning those documents, really thinking about the design phase with the end users in mind using plain language, clear formatting, a lot of white space. Different indicators that point people to the information they need, and maybe even some concrete examples about what the parenting plan says you should do in certain situations. It can go a long way to preventing those downstream issues and improving outcomes for the families that are involved.

And we've seen some great real world examples of how redesigning legal documents can make a huge difference for everyday people. There's a great example out of New York City where they completely overhauled the design of their court summons form a few years ago. And they made it so that the document highlights the most critical information that somebody needs to know and provides them with clear instructions for what the recipient of the summons needs to do.

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

And that change or those sets of changes resulted in significantly better response rates and people not defaulting on their court matter, and it reduced confusion, it improved usability. I will create a link in the show notes for more information about that project. It's a really fascinating case study.

The implementation focuses on how the service is actually executed. Are your internal workflows effective at producing your design consistently? Do your team members understand not just what they need to do, but what the end user of your product is trying to accomplish with it? Does your team have the right tools and resources and training to implement the design?

I'll draw from a cooking example. You may have designed a recipe that calls for a somewhat advanced cooking technique. Maybe a particular knife skill or a sauce that involves a delicate emulsion. If you're running a restaurant, you'll want to make sure that your sous chefs and line chefs have both the tools and the skill to execute your vision for that recipe.

The third component of the Fit for Purpose framework is the service delivery component, which is about how your clients actually experience and interact with your products and services and deliverables. And this can encompass everything from how you communicate with your clients to how you present and package your work product. And the goal is to make sure that the touch points you have with your client has a clear sort of helpful tone, is aligned with their needs and expectations in that Fit for Purpose way. You want to deliver enough to meet the need of the client without going overboard.

And to illustrate this, I'll turn to an estate planning example. So, for many parts of an estate plan, the user of all the legal work that you do is going to be someone other than the client. And so, an estate planning lawyer will often give the client guidance on things like where to store their planning documents. Who they should talk to about their plan to make sure that the

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

people who need to access certain documents like a healthcare directive, can actually find them in an emergency.

I've seen lawyers who go so far as to create a little cover sheet or a user guide for each individual document in the plan. And that guide has sections like what this document is, what it does, who can use it, when it applies and how to use it. And those lawyers give a lot of thought and care into making sure they're hitting the needs of their clients, but also of the other potential customers of the estate plan, the other users of those documents.

And this generates a good Fit for Purpose feel for the client who's actually paying them for the work. Because when the client sees the clarity of those instructions it really increases their peace of mind around the whole estate planning process. And also, it improves the sense of value that they're getting from that law firm, probably makes them happier to pay their bill, more likely to refer other people and so on.

So, when you're evaluating the fitness for purpose of one of your legal offerings, it can be useful to think across all three of those components, design, implementation, and service delivery. And going back to the restaurant example. The most incredible recipe can be flawlessly executed by the kitchen crew, but if the wait staff is rude or careless when they deliver it to the customer. Then the customer may perceive the whole thing as low value or not fit for the purpose of what they were hoping to get out of a fancy restaurant.

And this is something unfortunately I see a lot in law practices. The design of the work product is pretty good, it's reasonably well executed. But for a lot of lawyers the service delivery is little more than an email or some other sort of throw it over the fence delivery method. That can leave the client feeling like their needs aren't really being met even when the work product is excellent otherwise.

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

Alright, so switching gears a little. Another important concept in the Fit for Purpose framework is this idea that it can be more useful to target and build your product or service offering around people who have common Fit for Purpose criteria. Or to put it in the context of last week's show, people who have similar jobs to be done. And this is instead of grouping them by more sort of objective demographic type characteristics.

So, the idea is, it can be more useful to create some reasonably detailed archetypes that represent groups of people with similar purposes or jobs to be done. The specific technique is called creating user personas or user models that represent a suite of characteristics and needs that are commonly shared by a target customer base. But again, when you do personas, you probably want to focus more around people's needs than around those objective traits like age or gender.

It's easy to go down the rabbit hole of yeah, this is a 32 year old woman with an x, y, z degree that lives in this type of house and blah blah blah. That can be helpful to color it but you really want to try to get to what are the things that they need out of the types of products and services that you do.

I have a former client who's a great example of this. She's a divorce lawyer who lives and works in a place where there's a major biotech employer with a particularly complex retirement plan. And dividing that plan correctly in a divorce requires some pretty specialized knowledge and experience. So, this lawyer has built a niche practice that is focused specifically on employees of that company who are going through a divorce.

And by tailoring her expertise and her team's expertise to the unique needs of that group, she's able to provide a ton of value to her clients. And also command premium rates compared to the more generalist divorce firms in the area. And because this employer is so large, there's enough divorcing employees each year to make up a pretty significant portion of her practice.

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

And I think it's just a great example of how zeroing in on a specific persona and really understanding the distinct purposes that they have, the jobs to be done that they need can really help a lawyer carve out a lucrative and fulfilling niche practice area.

So, another thing that the Fit for Purpose framework, and here I'm specifically talking about the *Fit for Purpose* book written by David J. Anderson and Alexei Zheglov. And you'll notice I haven't mentioned it upfront and that's because I actually don't recommend that you go pick up this book. It's got some great information and concepts in it, but it is not an easy read. I think it's a little bloated. And I think that a lot of the specific recommendations aren't realistic, or at the very least are pretty unwieldy for a small business like a law firm.

So, it's an interesting one. I'll put a link to it in the show notes, but don't rush out and buy this one. The ones that I've talked about in earlier episodes are going to be a way better use of your time and energy. Now, one of the things that the *Fit for Purpose* book advocates for is gathering a lot of detailed client feedback to guide these sort of process improvement and development efforts. And I agree, client feedback is incredibly valuable. And I think that most lawyers don't get enough of it.

But I also recognize that it can be challenging for smaller firms to do that, to collect and analyze feedback on anything close to the scale that they're recommending in this book. So, I'm going to talk you through some of the client feedback concepts, but obviously I think it's important for you to find a balance and adapt these ideas to fit your firm's context and resources.

And specifically, the book recommends a particular technique that generates this Fit for Purpose score. And I won't dive deep on it, but I think understanding the components of the score can be helpful in understanding how you might sort of use these concepts in your practice. And you'll

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

probably recognize some of these as things that you've seen out in the wild.

So, the first component of the Fit for Purpose score involves asking your customers about what are the reasons for choosing your particular product or service? What are the needs that they're trying to address? And we talked about it in the estate planning context already but in any area of law.

If it's immigration you might have a set of potential things that clients care about, and you can ask them, "Which of these is most important to you?" Or maybe you can ask them to rank them in terms of how important are they if you know that most of them apply to most people. But really getting to understanding the why behind what somebody has done to reach out and actually hire you or consider hiring you to do a piece of work.

The next thing is for their major reasons, the main components of why they hired you. You ask them to rate how well your product or service met their expectations. So, it's not a question of how happy are they. It's a question of how well did it serve your need? How well did it fit your purpose? And the recommendation from the book is actually to give people a six part scale ranging from a score of zero to a score of five. And I'll talk about that more in a second.

But the third component is after they've given you that ranking on the six part scale, you give them sort of an open-ended opportunity to explain their rating. And that's where you can get some narrative information about what people are thinking. And like I said, the six part rating scale is especially interesting to me for a couple reasons. As you might imagine, a zero means that this product or service didn't fit my purpose at all. If I rented a tuxedo to go to a renaissance fair, it is really not fit for the purpose that I was looking for.

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

The five on the six part scale is the product or service exceeded my expectations. But what's interesting about the overall scale is that the best possible score, the one that you're actually looking for is the four, which is my expectations were fully met. That's the best score you can get. If you've exceeded expectations, that sounds great. And we want to be in a world where we are maybe delivering and delighting our customers, there's certainly a place for that. But it's also a sign that you might be overdelivering or overbuilding in a particular area.

And I really like how this six part scale with the four being the ideal score sort of reframes the goal of the rating and of the feedback loop and helping you find that Goldilocks sweet spot. It's not always trying to dazzle clients with above and beyond white glove service. It's about coming up with a consistent deliverable that is going to meet the needs of most of the people as much of the time as possible.

So, let's think about these concepts and about how we might put them into practice in your law practice. Number one, in terms of design, obviously, I think this is the place where lawyers actually do a reasonably good job.

You want to make sure that your standard legal documents or templates are up to date, that they are current in terms of case law but also, that they're usable. That they've got the right sort of design and spacing and font so the people who actually need to get through them can do it in a usable way. Sometimes that might mean creating clear section headings. Sometimes that might mean creating an overview document, a roadmap of some sort.

But making sure that the design is going to meet both the legal and technical needs, but also the usability needs of the particular work product that you're putting out. When it comes to the implementation component, it's all about making sure that your teams have the right tools and knowledge and context for creating deliverables and implementing your

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

design in a very consistent way. If it's a well designed document, but it is inconsistently created then a lot of that design effort might go to waste. Because you're creating variability or other problems, other noise in the system that is ultimately going to detract from the overall fitness for purpose.

And I've talked about this in past episodes, but I really like talking with my team or working with the team to make sure that they're involved in the implementation process. You might be the designer in terms of being the lawyer, the subject matter expert that really knows how to create the document in a way that is going to be both legally effective and useful to the end user.

But then engage your team when it comes to implementation. Don't assume that you know the best way to do things. Involve them, get them to the point where they have to engage with your design. They have to understand it. They have to be able to give feedback and suggest improvements, both maybe to the design itself, but certainly to the way that they execute that design and implement that design.

It's not necessarily about creating a step-by-step set of instructions so that people would do it exactly how you would. There may be a role for that, but I think you're going to get much better delivery and much better consistency if you let the team be involved in the implementation process.

And then on the service delivery front, I said this again, but really think about how your communication is landing with your customer, how the experience is. Are you better off delivering something through a phone call rather than just checking over the fence in an email? Are you better off setting up a meeting to go through it?

You really are going to create a much better experience for your client, for your customer, if you're sort of working through it with them, giving them a

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

little bit of hand holding. Again, doesn't necessarily have to be to the level of white glove service. And in fact, you probably don't want to get to the point where you seem sort of wooden or overly official. But you do want to really engage with them to make sure that you're not just delivering the legal work, but that they understand what it is that you're delivering and that they know how to use it.

The one other takeaway I'll give you is if you're not already using this concept of client personas. Again, there's lots of information out on the internet. I think I even have a persona template and I will put it in my resources page, theagileattorney.com/start and make sure that it's available for you. I haven't looked at it in a while. So, I might try to clean it up a little bit before I put it up there.

But there's lots of other places where you can get persona templates. If you're a Mural user or Figma, there's a lot of templates and tools like that as well. Even Canva, I think, has some user persona templates that you can work with. So, it's not something you have to get from me. But it can be a really useful tool and a really useful exercise. Again, don't just do it in a vacuum. Do it with your team. Do it with other people.

You're going to get better outcomes if you have more brains in the room, more different perspectives, people that are seeing things maybe from a slightly different angle than you are. And the last thing I'll say, and I probably should say this at the end of almost every episode I do. This is a lot of new information. You don't have to take it all in all at once. This is an iterative process. Start by picking one or two key areas to focus on.

Gather some feedback from your team, from your clients, maybe from colleagues, maybe from other people that are involved in your process. And then make little adjustments based on what you learn because over time it's those incremental changes that are going to add up to a much bigger improvement in the fitness for purpose of your products and services

Ep #19: Fit for Purpose: Designing Legal Services To Meet Client Needs

as you build them. That's it for today. Thanks for tuning in and I will see you next week.