

Ep #65: Scale Your Practice with a Mesh Management Approach



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Most law practices start to scale by building a support structure around the expert. The idea is to protect that expert from having to do too much work that doesn't fully require their expertise. And that's a great starting point. But eventually that model hits a ceiling. Because no matter how well you support the expert, they remain the bottleneck and you probably feel that in your practice.

So in today's episode, I'm going to show you a different way to scale your practice. One that distributes leadership across your team, empowers your people, and ultimately builds a sort of mesh management system that can help your practice scale far beyond the limits of any single person, especially when that person is you.

You're listening to the *Agile Attorney Podcast*, powered by Agile Attorney Consulting. 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, welcome back. So, last week's episode, I finally got into my long ago promised dental chair theory of lawyering, where I talked about law practices as an expert system and how a lot like in a dental office or in a high-end hair salon, the expert is often the finite resource. And I encourage you to go back and listen to that one if you missed it because it talks about managing the flow of work through your system as this essential skill if you want to be able to scale without overwhelming yourself as the expert.

But here's the thing, even if you do everything right under that model, eventually you're going to hit a limit. You max out the capacity of the chair or the expert, usually you, and the expert becomes the bottleneck. And that's what I want to dig into today. Because there's another way to scale an expert system and today I'm going to show you what that looks like.

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So again, just a recap, right? A law practice is an expert system. It's designed to deliver expert information and expert outputs and expert outcomes for the clients. And most law practices, especially in the early phases of growth, sort of follow that classic expert led model where you build systems and hire people to support the expert so the expert can focus on the higher value work. And it's a solid strategy. It's the one from dental practices where you've got hygienists and schedulers and assistants keeping the dentist focused on the stuff that only the dentist is trained and licensed to be able to do. And of course, the same thing happens in a law practice with your support staff, your associates, your paralegals, etc.

And the trick as we talked about in last week's episode is to make sure you're managing your commitments relative to your capacity. And that's not just your personal capacity, that's the whole practice's capacity. And I talked about using the idea of the chair itself as a tool that helps limit work in process and sort of forces you to monotask on a single customer at a time. And again, go back, listen to that one, you'll get some great advice around it.

But again, once your practice grows past a certain point, it doesn't matter how well you've managed the capacity. You're going to be limited by the expert's capacity as the bottleneck in the system. Everyone in your firm may be working to support you, but that also means they can only get so far without you. So the whole system slows down and works at the rate at which you alone can deliver your expert work. It's classic bottleneck theory. So what do you do then?

To get there, let me take you on a quick detour. And I want you to think back to the earliest days of communication networks, and this is before any of us were alive. But the era of the telegraph. And you may know or you may have studied, telegraph lines basically ran alongside railroad tracks so that the messages contained in a telegraph message were routed much the same way that physical trains were.

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And the typical telegraph message didn't make it from Boston to Santa Fe in a single transmission. It would have to get relayed from station to station. And the individual telegraph operators were the experts. They were sending and receiving messages in Morse code, and then in addition to decoding the message itself, they also had to figure out where to send the message next down the line in order to get it one station closer to its eventual destination. It was a hugely manual process, but it was effective for its time. And it was still a whole lot faster than sending physical letters via the mail.

Then came the telephone era. And with early telephones, we moved to a centralized switching center where human operators connected calls by physically plugging cables into the right ports. It was faster, it was a little more centralized, but there still was this human operator in the middle who was the expert in making those connections and knowing which port to plug the wires into.

But eventually the technology improved and we developed rotary phones and then touchtone phones where coded signals, at first clicks generated by the rotary and then beeps generated by the touchtone, could actually automate the routing process. And once we didn't need humans to do the manual switching, something interesting happened because the need for centralized hubs also started to shrink. And we created a system where we could distribute the work of routing calls and then eventually data into many smaller nodes that were distributed across the network.

And in today's world, the modern data networks are astonishingly flexible, right? They're still doing the same fundamental job as the old telegraph operators, picking the right circuits and routing information to the right place. But they do it in this distributed way. There are literally millions of nodes throughout the network that we think of as the internet, creating a mesh of coverage. And each node has enough intelligence to make decisions locally that allows it to find the optimal route for the

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communication to travel without needing to root everything through a central hub.

And it's that evolution, that distribution of decision making and expertise throughout the system that contains the lesson that I think we can bring back into law practice management. And I think it's probably safe to say that most expert led law practices are kind of stuck in those early telephone eras, right? The expert is the hub and everything routes through you. You're kind of expected to be everywhere at once. You field all the questions, you review all the documents, you make all the decisions, and if you're not available to fill that role, then things just sort of grind to a halt.

But if you think about building your law practice instead of that sort of top down traditional expert led model or sort of this hub and spoke type system, which is maybe a little closer to what I'm talking about, then you can actually start to distribute the expertise of your law practice system out into multiple nodes inside of your practice. You can accomplish that sort of mesh coverage that we now have in the telecommunications network.

And let me give you yet another metaphor from another industry about how that can work. As you probably know, my hometown of Portland, Oregon is something of a foodie Mecca, right? And one of our local celebrity chefs is a guy named Rick Gencarelli. And Rick's a guy who put in his dues training as a chef in San Francisco and New York before ultimately, kind of when he started a family, I think, he decided he wanted a little more flexibility and autonomy in his life while still making and selling excellent food.

So he moved to Portland in about 2009 and he started a food cart called Lardo, and it was focused on making delicious chef quality sandwiches. And he mastered this tight, sort of focused menu that regularly saw lines forming down the street from his cart. And so, eventually, he was able to build on that early success to expand into a brick and mortar restaurant, one that is conveniently within walking distance of where I'm sitting right

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now, where he was really intentional about building systems and training his team to replicate the quality of work that he'd previously been delivering mostly on his own.

And what happened as he started to get himself out of the role of being the expert delivering the expert work, in this case, the delicious sandwiches, and he moved into a role where he was more and more focused on defining the product and developing policies and procedures for creating the product, then training his team to execute consistently to the standards that he had developed. And finally, sort of acting as this quality assurance role to ensure that the consistency and the quality of the product remained high.

And obviously this didn't all happen at once. This took sort of a series of years, I think, to get it unlocked. But once he did that, and once he stepped into more of that executive role where he was able to focus on system design, on product design, on quality assurance, he was able to then distribute his expertise more broadly across the various nodes in the system, the people that were working for him. And the nodes themselves actually became reinforcing, where multiple people were capable of delivering that quality work, and then performing quality assurance on each other, that also allowed them to then be able to adjust to fluctuations in demand and capacity or to strange situations like maybe weather or a power outage.

All of a sudden, it was no longer a system designed around the capacity of the expert. It became a system where the expert was designing and empowering the system itself to do that expert work without him. And for Rick Gencarelli, that allowed him to scale even further. First, he opened up some additional Lardo locations, including one in downtown Portland, one at the Portland Airport, and eventually one in Las Vegas. And then eventually he was able to launch other restaurant concepts altogether.

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He took what he learned and he opened a place called Grassa, which is this great pasta focused restaurant that also has multiple locations in Portland. And not to rub it in, but I can walk to one of those as well. And eventually he developed a 3rd concept called Bluto's, which is a Mediterranean restaurant. And each place has its own vibe, its own menu, but the DNA of Rick's expertise is baked into the systems of all of them. On any given day, he doesn't have to be in the kitchen at any of those restaurants, but his values and his standards are still present in every dish that goes out of the kitchen.

Now, I know a lot of lawyers who already understand stories like that, and they really want to accomplish that level of scale in their own practices. But very few of them actually make it happen. Why not? I think it's because in any given moment, it almost always feels more quote unquote efficient to just be the expert than it does to take the time to build the expert system.

Say you're reviewing a draft document written by an associate or paralegal and the draft needs improvement. Now you've got a choice. You can make the improvement yourself and get the work out the door quickly, a.k.a. efficiently, or you can take the extra time it takes to send the draft back for rework, ideally with some clear instructions about what needs to happen to make it right. And obviously the latter is going to be better in the long run as the people on your team get better and better at producing a good quality draft the first time. But we're always inclined to want to do the thing that is faster in the short term.

Now, even if you take that send it back approach, there are some steps beyond that, which is to take those instructions and go upstream of the quality review, even upstream of the initial drafting to create tools and templates and policies that define upfront what a good quality output for that type of document looks like. And when you do that, you have a situation where the drafters are drafting to a quality standard and you're reviewing against that same standard. And eventually different people on

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your team become capable of reviewing each other's work against that standard. And now, that's when you get the whole team of people who can make delicious sandwiches with your name on them without you having to be in the kitchen all of the time. So this is why making policies explicit and implementing feedback loops are both these sort of core parts of the Kanban method.

Now, there's yet another thing that sometimes gets in the way. I actually have one client right now that is really wrestling with this. And it's this voice of concern that if you're going to spend all of that time and effort building expertise in your people, what happens if they just take that and walk out your door? They might go work in their own practice, they might go work for a competitor. There's actually this old joke about it in the business world. You may have heard it. And it's basically a CFO complaining to the CEO about all of the time and money that the company spends on training their people. And the CFO actually says, "What if we make all of that investment and people just leave?" But eventually the CEO responds, "Yeah, but what if we don't train them, but they stay?"

And that's the thing. Obviously, you want to try to keep your people from wanting to leave by creating a good work environment, a good culture, a sense of purpose, opportunities for growth. But even then, you're not going to keep everyone. But by building the systems that deliver quality, you create resilience and flexibility, I might call it agility inside of your own practice that allows you to weather the changes.

And if you the expert want to get out from the middle, you want to stop being that hub, you want to get off the hamster wheel, I would say this is the only thing that is going to allow you to move from being the bottleneck to being sort of the architect and designer of your firm. It is what allows you to stop operating like that old school switchboard at the operator and start functioning more like a modern smart network.

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Now, another one of the keys is that these policies, these tools, these templates, these procedures, they shouldn't just be a top down exercise. It should be something that is actually happening with the input and participation and ownership of everybody on your team. And I actually had a recent experience with this with a law firm owner who reached out to me because he wanted my help building out sort of a robust set of policies and procedures for the people in his practice to follow. Which, again, I totally approve of.

But the thing is, he wanted me to do it by working only with himself and his office manager and nobody else on the team. And knowing what I know, I pushed back on that. I really strongly suggested that we bring in the full team, 8 people total, including attorneys and support staff, to do some diagnostic sessions, to do some workshops and really figure out what was really going on in the firm so that we could adapt and respond and build policies, procedures, tools, templates, etc. that were going to meet what the people on the ground were seeing.

And I maintain that's the superior approach because the people doing the work have insights that the leaders just simply can't see from the top of the org chart. And in this particular situation, so far at least, the law firm owner has resisted. He's convinced that he already knows the issues and he just needs help executing the solution. And I'm pretty adamant that if that's the way he wants to work, I'm not going to be the right person to help him. There might be some gains that you can get from that approach, but I know from my experience that doing that a little bit more investment takes a little more time, you have to deal with more personalities, etc. But getting all of the people involved is going to produce a much better quality, a more sustainable and a more durable approach, not just in the long term, really in the short term as well.

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And that's the danger of top-down management, right? It feels efficient in the moment, but it blinds you to the realities of your own system and it keeps you stuck in the middle as the bottleneck.

And again, I won't pretend like I invented these ideas. These aren't new concepts like this has been around for decades. It's the central lesson of books like *The E-Myth* and others. But most practices fail to truly embrace them because they're stuck with this belief that things need to route through the expert. And it's that belief that is holding people back from meaningful abilities to scale.

I think you're going to get a far better outcome from this sort of mesh management approach where you're distributing your expertise throughout the people in your system. You're sharing your knowledge, you're communicating your values, your quality standards with everyone on your team and also listening to them about their values and their knowledge and their expertise so that together you're building something that is better and more robust than any one of you could do on your own.

Beyond that, you want to build that expertise into your systems in ways that empower people to act independently. You need to give them the tools and the authority to move work forward without necessarily waiting for your green light every single time. That means educating people not only on what they need to do or how they need to do it, but why it's important. In what ways does this work accomplish the goals of the client or serve the values or the vision of the firm? How does it tie in with your practice's mission, your client's goals?

And then you've got to sort of shift your mindset about your own role as the expert. You've got to commit to stop being the hub and start being the architect, the educator, the trainer, the designer so that you are building and improving the system and not running every single transaction through yourself.

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And if you can do that, over time, again, it doesn't happen overnight. This is something you have to commit to over the long term. But just like in modern communication networks, you will eventually distribute intelligence throughout the system. And decisions will happen closer to where the work is happening. And as a result, the system itself becomes faster, it becomes more resilient, it becomes more adaptable, and those are all the things that lead to a meaningful ability to scale.

So let me try to sort of bring these concepts around scalability home. Starting with what we talked about last week in the Dental Chair Theory of Lawyering episode, this sort of expert led model where you're using your team to protect the expert, to take certain tasks off of the expert. It's a great starting point as long as you manage your commitments relative to the capacity of your team and you're really clear about making sure that you're protecting the expert and delivering that great work.

But if you want your practice to grow beyond the limits of your own expert capacity, you've got to start thinking in terms of that mesh system, that mesh management methodology. And that again means empowering your people and truly empowering them, even if it feels a little uncomfortable at first, because it means that you're going to be stepping back. And in the Kanban method, it's one of the core principles, which is to encourage acts of leadership at all levels of the organization.

This again is how you create resilience, it's how you create adaptability, it's how you create scale. You stop holding all the decision making power and you start trusting your team to help carry the load. And if you want a review on that, I talked about a lot of these concepts back in episode 22 when we talked about writing effective law firm policies, which gets to the need to capture not just the what or the how, but that why statement that communicates the purpose behind the policy.

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A few other things to sort of put these concepts into practice, right? One step is to work on your law practice strategy. And if you need help for that, you've probably heard, I've been touting this Agile Attorney Pocket Guide to Law Firm Strategic Planning. I think it's a great starting point. You've been hearing me pitch it the last several episodes. And you can get your copy at agileattorney.com/sps.

The next step is you need to protect some of your and your team's finite capacity to consistently work on the business and not just in it. It's that 5% time that I've talked about in other episodes. But whatever time amount you choose, you have to really set it aside and dedicate it to developing the tools and the policies and the templates, all the things that are going to help you embed your quality standards across your firm and into the work of the firm so that you, the expert, don't have to be the constant standard keeper or the enforcer of high quality work for every single element of your practice.

And then the last thing, at least for now, is to focus on implementing feedback loops so you can see how your systems are working. And by that, I mean both objective feedback, like getting flow level metrics out of your Kanban system. I talked about that last week, as well as subjective feedback from regular check-ins, the retrospective with your team, or the reviews that you're getting from your client. And that's how you validate what's working and what still is an opportunity for improvement.

And I'll just say, because I'm not always explicit about this, if you want help with any of this, or if you'd even just like my assessment of where you are in your journey towards scaling your practice or developing your strategies, please don't hesitate to set up a discovery call with me. And you can do that at agileattorney.com/discovery. I love talking with law firm owners, practice group leaders, team leads, whatever it is, right? I am a nerd about this legal ops stuff. And it's not just about workflow, it's about culture, it's

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about organizational design, it's about product design. And I would love to chat about it with you.

And with that, I'm going to call it good for this week. So, once again, if you found this episode useful, please forward it to a friend or colleague. And to keep up with all of my advice or ramblings on these topics, I've been told by my podcast team that our language is changing. So you don't subscribe to a podcast anymore, you follow it. I guess subscribing is something you do for the newfangled paid podcasts that are out there. And this is not one of them.

That podcast team is the fantastic folks at Digital Freedom Productions who make me sound good. And our theme music is Hello by Lunara. Thanks for listening and I'll catch you next week.