

Bonus Ep: The Fundamentals of Process Improvement with Joe Bockerstette



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With Your Host

John E. Grant

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

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John: When I talk with lawyers about process improvement, one of the objections, or at least the concerns, that I hear most often is my practice is too unique or what we do can't be boiled down to a formula. And I get it. Legal work is complex, it's contextual, and we want our clients to feel like the value we deliver is bespoke. But what if the belief that our work is too complex is actually holding your practice back?

In this week's episode, I'm joined by process expert Joe Bockerstette, who spent decades mapping workflows in environments as varied as manufacturing lines, consumer packaged goods, county public defender's offices, and corporate legal teams.

And what Joe makes clear over and over is that the fundamentals of how work gets done are universal. Every practice, no matter the size or specialty, runs on processes, deliverables, customers, and value. And when you understand those fundamentals, you can create clarity, reduce rework, and streamline the work your team does every single day.

A quick programming note before we start. This is the first of two bonus episodes you'll hear in the podcast feed as we wrap up the year. And starting on January 7th, be sure to tune in beginning with episode 101 for my Agile Attorney 101 series, where I'll be revisiting the foundations of applying a more Agile approach to your legal practice.

You're listening to *The Agile Attorney Podcast* powered by Agile Attorney Consulting and GreenLine Legal. 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.

All right everyone, welcome back. I am excited this week to bring on a really good guest, Joe Bockerstette. And Joe has some really amazing depth and history in the world of process improvement with some pretty big

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entities and then brought forward into doing work with lawyers and legal teams.

And so, I'd love to sort of have Joe share his journey and what he's learned along the way and hopefully we'll find some takeaways. I'm sure we'll find some takeaways that are useful for everybody out there. So Joe, welcome to the show.

Joe: Hi John, thanks for having me. This will be an enjoyable time.

John: Yeah, looking forward to it. As I teased, and I don't mean to make any assumptions around age or anything else, but you've been at this a while. Give my listeners, our listeners, a sense of kind of your history in this world of process improvement more broadly.

Joe: Sure. So I started out in Cincinnati, Ohio. I'll try to go quick. My undergrad's engineering. I have an MBA from University of Cincinnati and Xavier. Immediately went into consulting for PWC, Coopers & Lybrand at that point for me, was trained very, very early in just-in-time by one of the Japanese gurus. This was mid-eighties, so this was pre-Lean and pre-Agile and pre-naming anything. And at that time, just-in-time was only applied to automotive. So there was a very sort of standard methodology used in a specific way.

And one of our large clients in Cincinnati was Procter & Gamble. And so I was assigned to Procter & Gamble and we were given the responsibility to figure out how to utilize just-in-time in a process consumer packaged goods environment. So radically different than the automotive environment. It took us a year to figure out how to do it. And once we applied the methodology in a process-based CPG world was fantastically successful. So I spent the next five years of my life doing nothing but that for all the CPG firms around the country.

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And I left, lifestyle reasons. And spent about 15 years in Fort Wayne, Indiana owning small businesses, which is a whole nother level of experience and learnings that's quite, quite different from big consulting. And we ran CPG firms there. The largest that we had, we made the handbag called the Vera Bradley handbag, which you might not know, but ladies tend to know about.

John: I've heard of it. Yep, I know it.

Joe: That's right. And I sold out and started an angel investing firm. Spent about five years running an angel firm. So we did some really fun and interesting investments. Moved out to Phoenix to retire in 2010 and my wife quickly thought it'd be good if I unretired. And so I joined a business enterprise mapping as managing partner in 2013. And we're a process-based mapping and improvement firm.

And so we apply the technologies of business mapping, understanding how the business model works today, what the opportunities come with that, and what we'll do differently going forward to get better results. So, in my what, 15 years or so with BEM, we've worked in a wide, wide variety of environments, applied process-based technologies to everything imaginable and have learned a ton about the foundational elements of process, what works well, what doesn't work well, and why.

John: Okay. So I have so many questions and as we talked about briefly before I started recording, I think you and I have some shared experiences, although you've got a lot deeper in certainly in the manufacturing world than I have. You know, I've come through mostly the technology world and, you know, which at least has in common with legal, the fact that they both are predominantly knowledge work environments.

I'd love for you to reflect on what is it about physical environments, whether it be manufacturing, supply chain, things like that, that you find translate

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well into knowledge work and you know, sort of the invisible work environment.

Joe: Right. So the fundamentals remain the fundamentals, whether you're in manufacturing, whether you're in service, whether you're in administrative, whether you're a mine, mortgage lending, legal, finance, the fundamentals stay the same, right? It begins with understanding what business model you're operating relative to the purpose you're trying to accomplish.

That business model is constructed through a series of business processes. Just pick something, pick, I don't know, finance since everybody has finance, right? The purpose of finance is to manage cash, to manage the production of financial statements, to assist other operators in the business to improve their operations, right? So there are a few fundamental purposes.

Finance is going to be constructed of, I don't know, 10 or 15 business processes. Every business process has a primary purpose for which it delivers a primary deliverable whose intended to fulfill a customer's needs, right? And it consists of a series of tasks in order to produce that deliverable that serves that customer's needs. Right?

And we think of that in terms of the customer value model. What's the deliverable we're producing? What's the responsiveness around that deliverable? What's the cost to produce it and what's the support we provide on top of it? Everything I've just described applies to every business on earth, right? Those foundational elements all pick up and translate everywhere you go.

John: Right. That's so consistent with how I tend to approach things and almost to the point, I mean, one of the things I run into sometimes and I'm curious if you have seen this too, but knowledge work teams don't always think they have a deliverable, right? They sometimes think that just by

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communicating information or something that they've gotten the job done and one of the things that I find to be effective for the teams that I work with is I will sometimes invent physical or at least printed, you know, digital printed deliverables, even where one doesn't currently exist.

I have a lot of catchphrases and one of them is the tangible manifestation of value. And so I try to say, okay, great, maybe yes, you had a phone conversation, but what have you done to actually communicate it? And maybe an email is enough. Oftentimes a formal document is slightly better. It doesn't have to be perfect, but I do like there to be something that we can point to and say, that's what we're building. I mean, I have my reflections, but I'd love to hear sort of your perspective on why doing something like that might be useful in a knowledge working environment.

Joe: Yeah so, well, not only might it be useful, it really drives the business, right? So a deliverable can be a product, can be a service, can be intellectual, can be informational, right? So a deliverable, the purpose of a deliverable is to satisfy a customer's needs. Right? Now, let's take a report, just to pick something simple, or let's take a client meeting. That's a good example. Let's take a client milestone meeting with a client, right? So there is a process to produce that milestone meeting. The deliverable from that process would be the interaction with the client and the document or digital document produced to fulfill that interaction, right?

So that meeting has a purpose. What are we trying to accomplish? What's the specification of our deliverable that will enable us to accomplish it? How will we produce that deliverable to specification? How will we know the efficacy was successful? The client came away satisfied that they received what they needed to conduct a successful meeting, right? All those foundational principles still hold up. So there's a process to produce a midpoint presentation. I have a primary deliverable. I need to spec that deliverable. I then need to create a process that successfully produces and delivers it.

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John: Yeah, yeah, I love that. And it's again, part of what I have observed in doing this work. Everybody knows how to have a phone call or how to have a meeting, right? And you can have a lot of assumptions about what it is to have a meeting, and we, we maybe will do it out of habit. But that's different from having a specification or what I will often say, a quality standard, right, for the meeting.

Joe: That's right.

John: What are the qualities of an effective client update meeting or a client milestone meeting? And...

Joe: Precisely. You might have a checklist. What's your intentional purpose? That's the way to think of it, right? If I'm going to have a communication, I need an intentional purpose that I try to achieve in that communication. Then what's the best way to deliver that purpose, right?

John: Yes. And then you can build to that purpose and you can also know whether you have succeeded or not, right? Because you've actually got a standard that you're comparing against.

Joe: Well, and then let's extrapolate that a little bit. I've got four practice areas. Let's make sure each practice area delivers that in a consistent way, right? One of the things we see very, very frequently in the white collar environment is different people doing the same things different ways. Right?

John: Have you been in a law firm before? That seems like... yeah.

Joe: I've been in lots of places before, right? And so just standardizing around what we believe is a best method will begin to improve both the effectiveness, what, well, effectiveness is the delivery of value, right? And efficiency, which is the cost of that delivery. Both in terms of waste and money, right? It's however you want to monetize that cost of effort, right? First, you want to be effective, because without effectiveness, efficiency

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doesn't matter. But once you're effective, you want to do it in an efficient way.

John: Yeah, I come of it and I have a very tenuous relationship. I try to avoid the word efficiency because I think people come up with a lot of assumptions around efficiency. The first and foremost being speed. I love the quote, if you don't have time to do it right, what makes you think you'll have time to do it twice?

Joe: Yeah, so efficiency in terms of work really comes down to waste, right? So it is the wasted resources to produce that deliverable and the outcome it provides. Resources are people, time, equipment, facility, computers, right? Resources are more than just people's time, right? An organization acquires assets with a purpose to produce value. So efficiency is the extent to which those assets produce value.

John: Yeah.

Joe: All assets, right?

John: And rework is one of the most pernicious forms of waste.

Joe: We worked with a client once, it was research, clinical research client, and they would have seven meetings before they began to actually review a document, right? Because the first meeting, all you did is you brought people to the table only to tell them, okay, we're now going to review this document, please go off and read it. Cycle, cycle, cycle, cycle. And then in the seventh meeting, you actually started to deal with the content of what the meeting was about.

John: Okay. And was that a good practice because they were actually building their team awareness and getting to the point where that seventh meeting was incredibly effective, or did you find some opportunities to maybe streamline that?

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Joe: It's, I'd, safe to say, there was plenty of waste.

John: Okay. Because like, you know, I do think that there's a sweet spot there, right?

Joe: There is a sweet spot, right.

John: Because I think that it is really common, you know, one of the things I see in the legal world and you know, high level, I have seen and I and I have data to back up the fact that there are not enough lawyers in the world relative to the demand for legal help, which means that most lawyers I'm aware of, unless they're brand new starting out or are in a place where they have more work than they know what to do with rather than not enough work.

And that can lead to something of a ready-fire-aim attitude towards I just have to push this far enough down the road to get it off my plate for now. And that can be useful in terms of generating activity, but not productive in terms of producing the outcome or the deliverable that you actually need to produce.

Joe: That's right. Yeah. I can tell you when we map business processes with clients, I'm going to say 25 to 33%, and I'm making this number up just from memory and experience, we're mapping new processes, right? So these are processes the client knows they need but we're not doing, right?

We have a purpose we're not accomplishing with our work and we need to create a set of standard tasks that produces a standard deliverable that achieves a purpose that's filling a hole in the organization's business model.

I'll tell you one that's common and you probably don't see this so much in legal is document management and information, data management, right? It is really common to find document management just sporadically, chaotic throughout the organization, when documents are part of the value created

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and delivered by the firm, but they're stored all over the place without a central coding system, without central control and without accountability to the location and outcome of that document, right?

Really, really common in a white collar environments, right? So inventing or creating's a better word, a document management business system is a pretty common thing we'll do with clients to try to put that value under central control.

John: Yeah. Well, and I think that's something that some law firms do reasonably well. I think it's safe to say, certainly based on what I've heard, some law firms have taken it too far, where they've created incredibly rigid structures that are difficult to work with.

And then lots of law firms don't have anywhere close to the level of management and support that they would want in order to be more effective and I think for me at least, it ties back to the notion of waste that you brought up already because time spent looking for something that ideally should have a place and be easy to find is wasted time.

Again, the flip side of that in terms of you know, finding that Goldilocks zone is lots and lots of time spent coding and numbering and updating and checking in and checking out and if it's too rigid a structure, then it might actually be waste on the other side of the equation and it's a matter of trying to find that right place.

But I want to come back and your approach to process improvement work through mapping is fascinating to me, partly because I'm big on the Kanban method and, you know, using Kanban boards and I think of that as fundamentally a business mapping exercise and depending on how fractalized you make the sections of a Kanban board, you can zoom in and zoom out on different parts of your process.

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But one of the things I think I read in some of the materials you sent me is that you really take a client-first approach to mapping. So you're not going in and telling people what the process should be, you're really providing a space and a framework for them to describe in their own words what things actually are.

Joe: Yeah, that's exactly true. So let me talk sort of contextual and how you get to where we get to. So one of my favorite quotes, because it goes back to my days working at Procter & Gamble, every organization is perfectly designed to get the results it gets.

And so there are two implications of that I love in the business context. Number one, that tells us we can understand why we get the results we get and what the causality is underneath that, right? So we can deconstruct the business to understand what's wrong relative to what we're trying to achieve. Always, always doable, every single time.

And number two, though, that makes us accountable for addressing those deficiencies, what we call red clouds in our business. A red cloud is a problem or opportunity preventing you from achieving your goal. And so when we're mapping a business, we're capturing the commensurate red clouds that help us understand why things are the way they are and what we can do about that. Right now.

In the business model world, think of a business as architecture. The founder of our business, Don James, was an electrical engineer, he's since retired, but he used electrical schematic principles and applied it to workflow. So that's the foundation to our methodology. So we begin by deconstructing what's your business model? And we use 12 standard business systems, the value proposition systems, customer product management, procurement, operations, service.

So those are the systems that create gross profit, if you will, or value for the business, then resource systems, finance, equipment, facilities, HR, IT. And

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so when you look at why do we get the results we get, take a business system, doesn't matter which one, understand what's happening inside that business system, feed that back in terms of process language, as I said with finance earlier, you now have let's say 15 processes, AR, AP, general ledger, tax management, cash management, treasury, whatever.

And then once we understand that, what's the purpose, what are the processes that are contributing to that purpose, how does each process fit relative to each other in that purpose, and then let's understand how each of those process operates today. We bring our expertise and methodology to a facilitation exercise.

We bring the people in the room with the client and say, you tell us how you do business today and we interpret that in process language so that we can help you understand why you're getting the results you're getting and what you can do differently to get better results. It's very much a 50-50 partnership.

The other thing that's fun about that is it starts the change management exercise the minute we engage with the client, right? We're teaching them a different language, if you will. They're teaching us how they do business. We're able to apply those to the fundamental sort of universal principles and you're very rapidly able to get at, okay, here's why this is happening. Here's what we're going to need to do about it.

John: And I think I'm not stretching it to say those 12 components exist regardless of the size of the business. So even a very small law firm, it may be that only a few people are wearing lots and lots of hats, and that's almost certainly the case.

Joe: Yeah, so we've used that architecture for 31 years now and it's held up every single time. It takes more or less emphasis depending on size of the organization, type of the organization, but the fundamentals are still in place, right? Like you may be missing something, it doesn't mean you don't

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need it. It might mean that you're just not doing it as well as you should be, right? So it's a great lens to look at any business model and how the place operates and what the frustrations are and what the opportunities are to get better.

John: Yeah, it's fascinating, you know, for me having had exposure to industries outside of law, I will often talk about the procurement function and lawyers don't think they have procurement or they think procurement is about keyboards and staplers. But when you're producing the legal deliverable, you have raw materials. Those raw materials are information and you have suppliers for those materials and the most common supplier is your actual client.

Joe: Yes. Yeah, we're working with a mortgage lender right now and procurement in their environment is contracted services. So they apply outside contractors to much of what they do. And so procurement for them is a contracted services management versus the management of hard goods being float. Principles still apply though, right? You've got contracts, you've got services provided, you've got the accountability against those services, you've got payables, you've got purchase orders. All the fundamentals still exist.

John: I think one of the challenges, certainly one of the challenges I encounter in smaller firms, smaller practices, and frankly, some of these are even true in larger firms, which is when your client is both a customer for your end product and also a supplier in your value creation platform, it can be really challenging to separate in your mind and then also help the client separate in their mind when they are fulfilling which function.

Joe: That's a great, great, great example. Here's how you think about that, right? When the customer is your supplier, they have a responsibility to provide you with a specification that you're attempting to deliver to them as a customer. So help me help you. If you don't adequately specify exactly what you want from me, deliverable, responsiveness, cost, support, then

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my likelihood of delighting you on the other end goes down, right? So we're in a mutually beneficial relationship. We're in essence business partners. You're my, by virtue of being my supplier and customer both, we're business partners towards this same purpose.

John: Although even there, and you know, I don't want to torture this too far, but oftentimes the reason that a client will come to a lawyer is they feel like they've got this sort of general malaise, they know that something's not quite right. I mean, sometimes it's very acute, right? I don't want to dismiss that. But even when it's acute, they don't always know the contours of the problem.

And so it's funny, to me, the relationship keeps morphing, which is initially the client comes to the lawyer and says, yeah, this bad thing is happening, I need help. And then the lawyer, almost in a consultative role is saying, okay, here's how you should think about this thing that's happening to you. Here are some avenues that we might pursue, some strategies we might use, some specific actions we can take.

And then it's a reflective moment, right, which is a checkpoint. Does this sound right to you? Which of these avenues seems proper? Which of these strategies feels right, right? I can tell you what I think as a professional, but ultimately it's your case. But then once we've agreed on that strategy, then the relationship changes back again and it's like, okay, great, in order for me to pursue this strategy, you now have to provide me with the raw materials like your financial statements or your family tree or whatever it happens to be.

Joe: Think of it as an intake process, right? In order for me to delight you as a customer, I've got an intake process that begins our relationship and I'm trying to understand and help you understand what I need from you in order for me to be successful in meeting your needs as a customer, right? So it can be a checklist, it can be facilitated session, like when we start relationships, we start typically with a one-day workshop that's a

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combination of teaching and facilitation back, so it's a very collaborative day that helps each of us sort of understand the other.

Same principle for an attorney on the front end, right? There is a piece of knowledge, a content of knowledge I need to acquire, and a relationship we need to establish. And so my intake process is creating that intentional purpose around, okay, you giving me what I need in order to satisfy you on the end.

John: And another thing that I drew from the materials that I looked at from you is this idea that these activities are very modular, or can be very modular. What you're describing as an intake process or what I described as sort of a consultation. Consultative, I mean, we literally call it a consultation, right? In legal.

Joe: Right, exactly. Right.

John: And that is that consultative function. But that is a module and that in and of itself has little mini phases. There's sort of a mini intake to get ready for the consultation. There's a certain amount of raw materials and information you need for that to be effective. and then there's an output.

When I'm approaching process improvement work, I often find that it's useful to find a microcosm somewhere, and often that's using sort of theory of constraints, bottleneck approaches to say, okay, where's the work getting stuck and how can we focus on building our maturity and intelligence and approach to this particular thing in order to alleviate the bottleneck, but then also based on what we've learned at the bottleneck, we now have a structure and sort of an increased organizational maturity that we can repeat this in other parts of our process.

Joe: Yeah, so using the consultative exercise as an example, you may have a larger system, we'll call client acquisition. And client acquisition might have, let's say 10 processes using your example. Number one, the

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purpose of client acquisition is to bring a new client into the firm with a contract or some sort of contracted relationship that we seek to fulfill, right? And then the question is, well, what deliverables do we need in order to successfully execute that intention? 10, just to pick around, okay.

So, if I've got 10 deliverables I need, I need this checklist completed, I need this information received, I need this communication. And so now I've got 10 deliverables. I need to spec each of those deliverables so that I'm clear about what it is I need in that deliverable in order to be successful. And then I need to design processes to make each of those happen and define, and you know, a process is typically 15 to 25 tasks, right?

The purpose of a process is to produce a deliverable that matters in that overall system intention, right? So I need 10 processes to produce 10 deliverables. They need to align with one another. We each need to understand what they include. We have supplier-customer relationships and suddenly you start to build out a whole system that works and then that travels to other practice areas or whatever such that I can sort of standardize on best practice around the firm.

John: Yeah, I love that. I sometimes, and I might overuse metaphors, but I refer to it as creating recipe cards. And it's basically saying, okay, what are the ingredients? What are the raw materials we need? How do we develop the steps, but then also...

Joe: What are the instructions to do it, right?

John: Yeah.

Joe: Yeah, exactly.

John: And I really like my recipe cards to have photos because I want to know what it's supposed to look like, certainly at the end, but I also may want to know what's it supposed to look like at different steps along the way.

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Joe: You are, you are dead on track, exactly.

John: And if we have that, then lots of great things start happening. Some of which you've talked about already. One is consistency and predictability inside of the practice, inside of the firm.

That then creates all kinds of interesting opportunities from my perspective around load balancing, because if you've got enough resources, you can say, hey, you know, yeah, this is a recipe you haven't cooked before, but at least you know the structure of our recipe card, you know what it's supposed to look like, you can come provide surge capacity or emergency capacity or whatever else in order to execute this part of our function for a while.

That's maybe several steps down the road. I don't want to get too far ahead of it.

Joe: That's okay. Let me pile on one more dimension, which is critical in white collar environments particularly, is what data is needed to travel along with that information and that deliverable. I can't tell you how much trouble we see in clients who don't adequately capture the consistent customer data, client data, on the front end. Why do they not capture it? They don't have it specced as a standard way. Their information system has a lot of free flowing codes, right?

So I don't have structure and so I find clients with six different records in six different practice areas, different information. I go to bill them and I don't collect, right, because I had a bad something or other. And so my receivables are six months old and I don't know why. All of that coincides, right? I have to spec my deliverable and I have to know what information and data I need to go along with that.

John: Right. Yeah, and there's so many elements to that that I love because that can be data about the process itself. And again, I'm going to

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torture the recipe metaphor, but if you make a particular batter, it may perform worse or better depending on how long it sits on the counter, or it might call for going in the fridge, you know, I'm going to stretch it too, too far. But at some point there is such thing as too long and therefore it's not going to be effective anymore. There might also be too short where whatever, you need to knead bread for a certain amount of time in order for it to become bread.

Joe: One of the things we hear a lot in this sort of area is, okay, I've got five practice areas, each of them is different. Different, right? Okay, well great. So let's go study those differences, right? Let's go map each of the five practice areas and see how different they are. Almost universally what you'll find is 75, 80% are the same and there's maybe 20, 25% uniquenesses that need to be accommodated, but don't drive the bus.

And so we can standardize around a common set of processes and practices with some unique differences that get accommodated in process design, right? In our mapping methodology, we have ways of addressing all because we see this question virtually everywhere we go, right? Good, if you want to go map all five, we'll be happy to provide you service and get paid to do that. I'm telling you at the end of the day, 80% is going to be the same, right? Because the fundamentals are the fundamentals.

John: Yeah, no, my metaphor for that, and like I said, I use too many maybe, but I talk about figuring out what parts of your practice can be sheet music and what parts of them should be jazz solos. And we often think we're doing a lot of jazz solos, but we need a lot more sheet music in our lives.

Joe: Precisely, very well put, very well put. And once we assess all of that, it turns out to be a lot more common than we thought, right?

John: Right.

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Joe: And a lot more manageable than we thought.

John: Yeah. And manageable in a lot of dimensions, right? Manageable in terms of managing a team and coordinating people's efforts around producing a thing, but also manageable in terms of the individual cognitive load that people have to bear in order to produce that result.

Joe: When everybody does everything, nobody does anything particularly well because of context shifting. We just have too much floating in our heads, too much simultaneous stuff. You're better off creating more focused task with less width, less breadth and more depth and doing that well, right?

John: Yeah, I've said it I think in recent episodes, but one of my favorite things to do with my smaller firm clients is convince them to drop practice areas entirely. Right? To your point, sometimes there are practice areas that maybe have 70, 80, 90% overlap. Sometimes there aren't.

And sometimes if you're, I'll give a great example of maybe an estate planning and probate practice. That's great as long as the probate or the trust administration is going more or less according to plan.

But if you have a trustee that maybe isn't fulfilling their duties or you have a beneficiary that gets balky or maybe legitimately is annoyed about something and it starts down a litigation pathway, your practice that is built around largely transactional work probably isn't going to be well equipped to pivot into an antagonistic litigation posture.

And that's before we even start talking about rules of procedure and all the court things and everything else. It's, it's a different value premise and ultimately a different business model for capturing value, delivering and capturing value.

Joe: Let me take off on that if I may. So let's talk about the value proposition, right? Again, every business has a value proposition. A value

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proposition is comprised of four elements, right? So the first element is who's your client? And clients are, you know, demographic, geographic, size, shape, type, whatever they may be.

But the more you understand exactly who your target client is, the better you can construct a business to serve it. So who's your client? Number two, what's their painful problem, right? They have a reason to want to potentially hire you. And the more painful their problem, the more valuable you can be in crafting a solution that they're happy with, right? So let's understand what's their painful problem.

John: And in legal, it's interesting because we can almost always boil it down to one or both of two things. It's helping people mitigate a risk of some sort or navigate a complex situation of some sort. Oftentimes it's both, but we can really get to that pain point very quickly.

Joe: And then number three, what is our solution that solves that painful problem? The more unique our solution, the greater the efficacy of our solution, the more valuable we are to the client to solve their problem. We don't have to be perfect, although there's nothing wrong with that, we just have to be better than the alternatives, right? In order to choose us.

And then lastly, what's the net benefit to the client? The net benefit is their cost of doing business with us relative to the value we provide back to them for that cost. And it's all in the eye of the beholder. It doesn't matter if we think we're valuable, it only matters if the client thinks we're valuable. If you have a winning value proposition on those four dimensions, you can run a successful business. If you don't, you will struggle in finding your way, finding your niche where you can be successful.

John: Yeah, and I love that because there's, perfect is a nice thing to shoot for, but I number one, I agree with you, it's not the necessary thing to shoot for. Just being better than the alternatives is a great place to start. And then

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once you're there, then being better tomorrow than you were today or better today than you were yesterday will take you pretty far over time.

Joe: And being uniquely qualified in a particular niche provides great incremental value over a generalist. Like you and your business, right? You're, you're a niche advisor and consultative provider and that creates a specific subject matter expertise that prospects would I think would find pretty admirable, right?

John: It seems to be true. Yeah, I mean I certainly, as we talked about since I started recording, I don't do a lot of work with very large law firms because they just don't have the kinds of problems that I have sort of marinated myself in. Although I do work with legal teams inside of large law firms. So it really is kind of the scope. I don't necessarily have any interest in doing what you did and spending five years on a single problem in a single firm.

Joe: We became really efficient at it, I can tell you that.

John: Yeah, I'm sure. I'm sure.

Joe: Yes.

John: You have some specific experience in legal environments. I'd love if you're able to share, you know, the contours of what some of your engagements have been like, I'd love to hear it.

Joe: Yeah, so we've worked in prosecution, indigent defense, police, sheriff, county. I'm trying to think. Many legal departments, like every client we work with, we end up in the legal department working as part of that exercise as well.

John: I'd love to hear your experience, only because here in Oregon where I sit, we are starting to emerge, but I think still very much in what people would consider to be a public defender crisis.

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Joe: Yeah, so I'll tell you my favorite story about that. We worked with a terrific client representative, very bright young guy, who, he, we were working in the engineering group of this county. He wandered into what we call a system alignment workshop. So we have posters on the wall, string, tape, and scissors, people running around trying to connect stuff and understand what the hell was going on.

John: And it looks like the madman in a crime drama. Yes. Yeah.

Joe: Crazy, crazy. He walked into the room from his office down the hall, looked at it, turned to us and said, I want one of those. So we ended up working in public defender from that pace forward. We had something like 12 attorneys in the room on day one, right?

So your challenge is, well we can't do that here, right? We can't do that here. That's just not allowed. That's the law. I'll take a sidebar. So in one of the police departments we worked in, they said we can't do that here. They had a very, very large product storage warehouse of crime scene stuff, etcetera. And they had on the books to add another one for like 12 million bucks.

So we went into challenging that. Do you really need to keep this stuff for 20 years? That sort of thing. Well, yeah, we have to do that. Well, let's go find out if that's true. Turns out, don't take any of this exactly right, but this is directionally true, you only need like five years. And so they were able to dispose of an enormous amount of stuff, negating the need to add the \$12 million warehouse, right? So, a simple...

John: Pretty good ROI on their investment in you.

Joe: Yeah, a simple procedural change, right? So the county that I refer back to, they identified a million dollars in paper savings, right? So the fundamentals stay the same, right? You're trying to streamline a process to get to an outcome faster and with less work than you had previously.

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John: And challenging those assumptions, and I often talk about the hardest part about challenging assumptions is recognizing when you've made one. And also that's where the benefit of a, of fresh eyes, sort of the consultant's prerogative, or I've talked in the past about being a useful idiot to my clients sometimes...

Joe: Yes, exactly.

John: ...because I ask the questions that they maybe are too close to be able to see anymore.

Joe: Well, and unlike you, you're an expert in a particular industry or business model type. We're experts in a functional area, process and workflow design. So it travels well, right? And we can work, well, we have, we've worked with some of the largest procurement operations in the world. So that helps us understand what procurement can be when we get to those other organizations that aren't as advanced, for example.

John: Well, Joe, we're kind of coming up on time. Any sort of high-level advice you have and I'm thinking specifically, you know, my primary audience is what I sometimes think of as large small law firms and the people who run them and care about them. So what are some things that would be helpful in that scenario?

Joe: Yeah, so I guess the last thing I would say is think of this, all value is delivered through the work that you perform. So when you think about your business and the red cloud opportunities that you have and why things do or don't work the way you want them to, it's all deconstructed into what work are we doing and how are we organized to do that work?

I often see organization structures that are way out of sync with the actual workflow and accountabilities, right? So if you begin by understanding what am I trying to accomplish, what departments do I have, what's the purpose of each of those departments, what work am I delivering, fairly quickly you

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get into why things are going off the rails a bit and what I might do differently.

Some can be IT, some can be just communication, some can be accountabilities. What happens organizationally is we try to find the superheroes and then we give them too much, right? We give them six departments because we know they'll deliver so to speak. If things can get all out of whack just in streamlining and managing the work itself to produce the outcomes you're trying to produce. Start with the work and build from there and things will fall into place better.

John: Yeah, well and to just reflect on and maybe add to it a little bit, the work and the value and the change that you're creating for the customer or for the client is the key, right? The work, you know...

Joe: Yeah, that value proposition, right?

John: Yeah, so yes, it may be that within your particular law practice, you use an hourly billing model to get your compensation for the work that you do, but your product isn't the hours you work, right?

Joe: That's right.

John: The product is still the deliverable. Yeah.

Joe: It's the value. That deliverable provides the value. Exactly. Exactly. You got it. Yeah.

John: Great. Well, Joe, thank you so much for spending some time with me today.

Joe: John, it's been a pleasure.

John: Yeah, we'll put some information in the show notes about how folks can get in touch with you.

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Joe: Okay, thank you very much.

John: All right. So Joe did a great job wrapping up his core principles and I'm just going to leave it at that. I hope you enjoyed this bonus episode and as I mentioned in the intro, be sure to keep an eye out for my Agile Attorney 101 series starting with episode 101 that will release on January 6th, 2026.

If you have any questions or topics or thoughts that you'd like to hear me discuss on the podcast, including in those 101 episodes, please don't hesitate to reach out to me at john.grant@agileattorney.com.

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.