

FIVE PRACTICE ESSENTIALS

An understanding of the key areas of legal practice management is essential to provide a quality legal service.

Doing quality legal work involves a lot more than just knowing the law. There are many practice management actions necessary to provide quality service. Effective communication, deadline management, people management and record management are just some of the basics you must perform for every client matter to ensure quality.

An understanding of the key areas of legal practice management and the important things to do in each of those areas is essential to complement your knowledge of the law and deliver a quality legal service. The Quality Legal Practice Framework is a tool LPLC has developed to help busy practitioners identify these key areas and the important things to cover.

The framework breaks down practice management into five key areas that work together to deliver quality. They are governance, engagement, work, people and risk management.

Governance

Practitioners and firms should establish a direction with clear goals and objectives so they know where they are going and what they are trying to achieve. With competing demands on their time, clear objectives will help them identify the important actions to focus on for the best outcome. A clear definition of the work the firm and each individual will do is a good starting point. With defined areas of work, practitioners can focus on choosing the right clients and setting up the right tools and processes to do the job. They can also focus on developing the people skills required to produce high quality work in those specific areas of practice. Regular work in defined areas of practice also helps you identify common risk situations and practices to avoid or manage those risks.

Good governance also requires an understanding of all regulatory and ethical obligations. An ethical compass is essential, as is best practice regulatory compliance – not just technical compliance. The objective should always be to do the right thing as a firm and an individual on each client matter.

Engagement

Every new engagement creates a new duty of care and doing an assessment of the client, the matter, and your capacity to do the work is important risk management. Not every client is the right client for you, and it's both difficult and dangerous to take work you are not experienced in or set up to do. Even if it is the right type of client and the right work, you may not have the capacity to take it on and do it well. Follow the LPLC Engagement habit and decline if it's not the right client, right work or right time.

Work

Quality legal work requires systems, precedents, processes and effective communication.

Systems include the technology and infrastructure to operate the firm such as hardware, software, connectivity and the skills to effectively use these tools. It's how you communicate with clients, produce the work and access third party platforms such as PEXA and the courts. Your systems must be efficient, reliable and secure. Fit for purpose practice management software can provide many benefits as detailed in the LPLC's Jan/Feb *LLJ* column "Digital Systems the New Normal".

Precedents are your tools to do the work. It's how you generate a volume of consistent quality work, avoid errors, increase efficiency and meet client time expectations. Every matter should start and end with a checklist, so all relevant information is collected, necessary steps identified and nothing is inadvertently missed. A comprehensive advice letter should be provided on every matter and using a precedent letter allows you to do this efficiently. Having precedent letters and tools like pro forma file notes for common situations allow

TIPS

- Providing quality legal work requires more than just good legal knowledge.
- There are key practice management components that need to be implemented to provide consistent quality legal work.
- The five key components are governance, engagement management, work systems and processes, people management and overall risk management.



you to quickly do the work and generate written advice to clients, particularly in high risk situations.

Processes should be in place and documented so everyone knows what to do, how to do it and when to do it. Consistency, even if you work by yourself, leads to efficiency and avoids oversight. Processes for critical steps such as client engagement, making file notes, confirming advice in writing, data entry, cyber security and electronic funds transfer should be in writing, easily accessible and not left to chance.

Communication is the critical connection between you and the client. You can't be a good adviser without the skills to collect information and effectively communicate your advice to the client. Communication should be appropriate for the client and their circumstances. Consider using tools like whiteboards, videos, diagrams and similar fact stories to assist the client's understanding. The golden rule is to always confirm important matters with the client in writing. Written advice not only creates focus and clarity, but also allows the client to go over the advice at their own pace and in their own time. Where possible, give clients time to make important decisions. If you cannot communicate effectively with a client, you may not be the appropriate practitioner for them and both parties may benefit from a change of practitioner.

People

Firms need people with the right skills to do the required tasks, but this doesn't just happen by itself. Firms and leaders must determine the skills required to operate the firm in accordance with the firm's business strategy. They should define the people they require, prepare detailed job descriptions and actively seek people with the right skills and attributes. People performance should be measured and accountable but supported with training, clear delegation and proactive supervision. Firm culture is an important factor that influences people performance and the behaviour and performance of the firm's leaders is critical to a high-performance workforce.

Risk management

All legal work should have a risk management focus. What are the risks each client matter brings and how are you going to manage those risks? Setting up your governance, work intake, work production and people, is putting the building blocks in place to produce quality legal work. Doing all these things well, should lead to the production of high quality work, but it is still important to be alert to risk and foster a risk aware culture.

Sometimes things go wrong, you have a near miss, or you identify a weakness. These are opportunities to improve. Don't be tempted to blame the client, think it's a one-off or just bad luck. With an open and honest approach take every opportunity to improve. Identify the true cause of the weakness and take action to rectify it.

Summary

We know that lawyers are busy people and it's hard to find the time to make changes, but change and continual improvement in pursuit of high quality work is a key to success. That's why LPLC has developed the Quality Legal Practice Framework as a tool to help firms and practitioners understand the key practice management components and things they can implement for high quality legal work. It's not one size fits all but takes the most relevant things and makes them fit for purpose for your firm or individual role – doing something in each area of the framework will make an impact. Support your comprehensive legal knowledge by combining it with good practice management across the five areas of governance, engagement, work, people and overall risk management and it will result in the provision of high-quality legal services. ■

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