More Than Knowing The Law Transcript

Systems for success: Driving a culture of good work habits with Paul Zaparas

**Heather:**  You're listening to More Than Knowing the Law, the podcast that explores how to minimize risk through building good business culture and approaches presented by the Legal Practitioners Liability Committee.

Hello, and welcome to more than knowing the law. I'm Heather Hibberd, Chief Risk Manager at the Legal Practitioners Liability Committee. In this episode, we're exploring how a good business philosophy coupled with good systems and processes can have a really positive impact on risk management without compromising the bottom line.

And to share his approach with us, I'm pleased to be speaking with Paul Zaparas. Paul is a partner at Zaparas Lawyers, a firm that specializes in personal injury law. The firm has around 148 employees and offices in Metro Melbourne, Country Victoria and in Queensland.

Zaparas Lawyers are a great example of a firm that has successfully created a company culture that values good systems and processes and is led by senior team members. If you are striving for excellence in your law practice, this episode is a must-listen. Here's Paul.

Welcome, Paul, it's great to have you here with us today. Thank you for coming along to this podcast.

1:35  **Paul:**  Thank you, Heather. It's a pleasure to be here.

1:37  **Heather:**  Now you and I have spoken already about the way that you practice in your firm. But for the listeners, could you tell us just a little bit about your firm, the size and the sort of practice areas that you have?

1:50  **Paul:**  Yeah, absolutely. Our firm is Zaparas Lawyers. We specialize almost exclusively in personal injury law representing injured people, so plaintiffs. The size of the firm is we have about 148 employees in total, 55 of those are lawyers and the rest, about 90 odd support staff and back-office staff as well.

We have numerous offices geographically. headquarters are in Oakleigh. We also have offices in Epping, in Sunshine, Werribee, Cranbourne. We have offices up in Bendigo. And we also have offices in Queensland, in Brisbane and on the Gold Coast. And like I said, we exclusively represent plaintiffs in personal injury claims.

2:38  **Heather:**  Wow, so that's a lot of people and real estate to be managing and dealing with. Can you tell us a little bit about your practice management philosophy and your approach to how you manage that variety of lawyers and offices?

2:54  **Paul:**  The philosophy has evolved over time, because the firm was started about 40 years ago by my father, Peter. And for a long time, it was a relatively small firm, Peter had entered into partnerships over the years with other individuals. So the firm did evolve in various iterations. But since the late 90s, he went back to a sole practitioner model. And then it's really been in the 2000s and in the last 10, to 15 years in particular, that we've had quite significant growth.

So growing from a single office in Oakley to the size that we are now which is significant. In terms of managing the practice, what we found is that the best way to do that is to have teams within the firm. So practice teams. So we've split the firm up into WorkCover, transport, accident, public liability, superannuation, and we have team leaders within each of those practice groups.

And they're responsible not only for maintaining a file load, but also for mentoring and guiding junior lawyers and the team leaders report as well to the executive leadership team and the partners.

4:12  **Heather:**  How do you encourage that supervision because we see in some firms that the supervisors are so busy doing the work that they don't tend to supervise as much as they should.

4:23  **Paul:**  It's a balancing act, because the supervisors are great at doing their filework, that's why they've risen to that level, they tend to be incredible lawyers. Certainly, the supervisors that we've got in our firm are incredible lawyers with really great client care, but they're also great leaders and great mentors.

So we've tried to manage that by decreasing the expectations that we have regarding the file load that the supervisors carry so that they can divert some of their energies to, a significant amount of their energies to mentoring their team and to guiding their team, but it's always something we're looking to improve and refine, because the supervisors are very driven individuals in our firm, and a lot of them really do enjoy, still enjoy the fileworks. So it's trying to get that balance right, which is always a challenge.

5:12  **Heather:**  It's actually quite inspiring to see that you actually have reduced the file load for supervisors to recognize that their supervision work is real work for the firm.

5:22  **Paul:**  It is real work. There's absolutely no doubt about that. If anything, sometimes we have to push back on our supervisors regarding their file load because they're such driven individuals. So they try and do both. And that's very difficult.

5:36  **Heather:**  The management structure and approach at Zaparas is unique to what we have generally seen in firms, and arguably allows a greater focus on things that could potentially lead to claims risks. Was there an "aha" moment that led to the kind of arrangements and structure that you have in place, or did evolve over time?

5:56  **Paul:**  It certainly evolved over time, I think there's partner involvement still. So a partner sits above every single file within the firm. But clearly, once we got beyond a significant size, the ability for a partner to be really heavily connected with every single file became more and more difficult.

So it was more of an evolutionary process to realize that we as partners had to give up a little bit of control and trust really senior lawyers to take on that supervisory role. And to trust them also to run their files without being micro managed at the partner level. So that I think it's been a gradual process, it's a learning curve for the partners as much as anyone else I think.

6:41  **Heather:**  And the partners' role then, you do have a file load yourself as a partner, how does that work?

6:47  **Paul:**  So, we do, a large part of our role is supervisory, we as partners still try and maintain a file load as well, because I think it's important to maintain that file load, it enables you to empathize more with what your staff are going through, if you are in the trenches with them.

The partners role is really one of guiding all of our lawyers, we have an open-door policy at the firm. And that applies from entry-level lawyers, right up to our really, really senior supervisors. And so we will often even have very junior lawyers popping into our office to seek guidance on files, especially if they can't, if a supervisor is on annual leave or running a trial and a junior lawyer needs instant guidance and the partners are always available for that. So the partners are still very, very heavily involved in file work at a supervisory level.

7:39  **Heather:** But still managing the firm as well?

7:44  **Paul:** Absolutely. That's critical. So and in that respect, the executive leadership team is a really important part of the firm in terms of helping the partners develop the strategic direction that the firm wants to move in. And so we'll meet regularly and really try and knock through the strategic issues and challenges that the firm faces.

8:06  **Heather:** And while we're talking about that, in the last year, we've been promoting what we've called the work habit, which is firms having good systems, precedents and processes. And I know your firm has all of those things. Can you give us an example of a process that you've put in place that you think works well?

8:23  **Paul:**  For us, what works really well is a dedicated team, which we call the Critical Dates Team to keep track of really important dates in the plaintiff's personal injury journey. So I'll give a bit of context around this, especially in the WorkCover jurisdiction and also in the transport accident jurisdiction and the public liability jurisdiction, there are really important sort of drop-dead dates that one can't afford to miss and as professional indemnity insurer, I'm sure you've seen your fair share of them.

8:54  **Heather:** Yes, yes, indeed, That's music to my ears that you're on to that issue.

8:58  **Paul:** Well, it's a critical issue, because the big one that many people, even if they don't practice in personal injury law are aware of is a statute of limitations, the time limits to bring a claim under the limitations of actions act, even Victoria and all the jurisdictions have equivalent time limits.

So in the WorkCover, and TAC space, that's a six-year time limit, in the public liability space, a three-year time limit, so it's critical that date not be missed. But there's also arguably even more important critical dates, especially in the WorkCover process when a serious injury application is lodged.

So when one begins the process of trying to recover damages for an injured work, once that process starts, there are really critical drop-dead dates where one needs to dispute a rejected serious injury application, for example, or lodge a statutory counteroffer or lodge a read if one hasn't been able to resolve a matter in processes that are mandated by the act.

If anything, those dates are more important than the statute of limitations dates, because they're much harder drop-dead dates in many instances. So we have a team that is dedicated just to keeping track of every single one of those dates and ensuring that lawyers never miss those dates. It's like a safety net in effect, and that developed quite gradually over time. It's just the way that the firm evolved, but it is a team that we really can't do without.

10:17  **Heather:**  Yeah, I'd have to agree with that. Because I think everyone could relate to the fact that sometimes you get so busy that it's easy to miss something, even if you have put it in your diary. Or if you happen to be sick or away or keeping track of those dates, and having several pairs of eyes on it is great risk management.

10:35  **Paul:**  Exactly. It's like it's a redundancy, in effect. That's a perfect example, what you just gave, if someone's sick, and emergency arises that take someone out of the office for a few days, having a dedicated team that then can ensure that those critical dates are not missed is really important from a risk-management point of view.

10:53  **Heather:** Yeah, and you wouldn't say that it's the lawyers abdicating their responsibility, it's really just the safety net sitting underneath them.

11:01  **Paul:**  We see it as a safety net, absolutely. And it's interesting that you say that, because there have been periods of time where we have looked at this and thought, "Should we do away with this critical data team, should we put the onus of responsibilities on our lawyers exclusively and should we also maybe build into our practice management software, sort of like a redundancy into that or reminders and failsafe?"

And every time we look at it, and discuss it at an ELT level, we're always coming back to the fact that we want to keep that critical data team and want to have it as a supplement to our lawyers. The expectation is always that our lawyers are well and truly across that, and that's how they're trained. And that's how they're mentored and supervised. But it is good to know that there's that safety net there.

11:47  **Heather:** Yeah. And you know, we're all human, we can all make mistakes. So I think that's a fabulous process. Is there a tool that you couldn't live without, in the systems and processes that you've put up? Besides those wonderful people that keep track of the dates?

12:03  **Paul:** Yeah, look, for me, it jumps out of that, practice management system is we use a system called Lawmaster. And we're constantly refining it, developing it. And we have workflows within that system that people have to sort of step through.

And it's always a work in progress. And the important thing, I think as well is whenever we're looking to refine or improve upon it, we try and get as much input as we can from our staff. And critically, we try and we really do seek out input from our legal assistants, the support staff for our lawyers, because there, it's usually the legal assistants nine times out of 10, who are working through that workflow as much as the lawyers. And so we always do seek their input.

12:44  **Heather:**  Yeah, I think that's really good. Legal Assistants are really the unsung heroes of risk management, because they're the ones who actually see what's going on on the file and know when dates are coming close and are getting missed...

12:57  **Paul:**  Absolutely, so in a way we've almost got three levels of checking, we have the lawyer who's ultimately responsible, their legal assistant is more often than not on their back. And then we do have that critical data team as well, that final check in that process to make sure we don't miss important deadlines.

13:13  **Heather:**  And the use of the workflows, I would say that would have to be one of our top 10 things to do in practice management, to have good workflows and to be continually reviewing them. So I think that's a great idea to keep doing.

Some people might be listening to this and thinking, "Oh, that's all very well, you're investing in all of these systems, and you've got extra people checking dates, and you've got less work budgets for your supervisors..." How does that affect the bottom line? How do you maintain the bottom line with what some firms might think extra things that you don't need?

13:45  **Paul:**  Well, I mean, they're not extra things, I suppose. They're essential.

13:49  **Heather:** Indeed, I'm not saying they are, but that seems to be the attitude of firms who don't have them.

13:55  **Paul:**  The reality is that if one gets fixated too much on what... One of the examples you gave was having, say, lower targets for supervisors. And that's certainly something that we have. Giving supervisors lower targets means that they can then mentor and get more out of the four or five lawyers who are working underneath them.

So in the end, the profitability of the firm becomes superior because you can leverage off that extra work that's being done by the junior lawyers. So it's easy to sort of miss the big picture I think sometimes when one just looks at, one can get sucked into the incredible output of your more senior lawyers, without realizing that just releasing some pressure there means that they can get greater output out of their very junior lawyers, and that helps the bottom line even more.

For us, we don't really concern ourselves too much about the bottom line. For us, the focus of the firm has been on fundamentally our clients. I'm sure most firms or everyone will say that, but we really have lived and breathed our clients first for 40 years. So Peter, my dad who started the firm has always been client-centric, and that culture has been stamped into the DNA of the firm.

So our clients are our absolute focus. Now, that's very easy when you're a one-man-band. As we've grown, we've understood that in addition to putting our clients absolutely front and centre, our people are of critical importance as well. And we also have significant links to the community and in supporting local community clubs, and so on.

And we find if we can focus on those three areas, so putting our clients front and centre, looking after our people and having a great environment for them to work in, and also having connections with a community that the bottom line really always flows from that.

15:52  **Heather:**  I think that makes perfect sense, even though for some people that might seem counterintuitive. What do you think are some of the barriers to people not doing the sorts of things that you're doing? Have you got any thoughts about that? Have you seen those sort of barriers in other firms?

16:07  **Paul:**  I haven't had any experience in other personal injury firms, if one is fixated solely upon having fee earners, and hiring fee earners, then having a critical data team could be seen as a barrier, I suppose. And ultimately, the barrier is one of diverting capital to invest in certain areas of the firm. So, developing your workflow, having the right practice management software, and always tweaking it and so on, that costs money, and diverting money down that path is often something that one has to sort of balance up.

But it's a bit of a false economy, if you're going down the path of not investing in your firm and in your systems and in your people, it just means that your capacity for growth is restricted.

16:51  **Heather:**  Yeah, I think for some people, they don't really understand why it's important. And then there's also that lack of how to go about it, how to do it. Have you got any thoughts on how people can overcome that third barrier? How do you go about setting up these processes and systems?

17:10  **Paul:**  Well, you have to partner with good external providers. So the practice management software needs to be the right practice management software. Our IT consultant, Ace Infotech, is a fantastic support for us. But I think critically, in many respects, we've grown because we've listened to our staff.

As we've grown and hired people, they bring a fresh set of ideas, a fresh perspective, often they'll come from another firm and things have been done differently at that firm. And so they'll bring those concepts and ideas, I think it can be as easy as listening to your staff with an open mind, because we've had some really, really incredible lawyers join our firm with just some fantastic new initiatives and ideas that they proposed and listening to them with an open mind and trialling their suggestions have just done wonders for us as a firm.

18:06  **Heather:**  Is there anything that’s changed for you in the last 12 months with all of the COVID interventions and things?

18:13  **Paul:**  Yes, certainly, I mean, the last 12 months have been extremely disruptive for everyone. The biggest change, obviously, is the ability to work remotely. Even this sort of setup that we have now is something that would have been totally foreign to me 15 months ago, but it's very common now.

So the ability to conduct meetings with clients, I mean, we never really contemplated meeting with a client in any capacity other than face to face, and had been like that for many, many years. And now we give this as an option. So many clients would rather have a Zoom meeting or a Teams meeting, then come into an office and meet with their lawyers face to face, especially if a lot of our meetings would be short updates of 10 or 15 minutes or so.

So that's a very big change for us. Our firm has moved and has embraced more flexible arrangements, we still see a role for the office. And we see it as important more than anything else in terms of fermenting the right culture. And also in terms of mentoring and training and helping our really junior lawyers grow.

We think that is best-done face to face in person. But there's no doubt that there's also a role to play for remote interactions like this and working from home as well. What's been amazing, frankly, over the last 12 months, I think is how the entire legal community adapted to the challenges that COVID raised. In March last year when COVID first hit and everyone went into lockdown, we were really uncertain about how the legal community would adapt. But it's been amazing, barristers, the courts, our clients, our appointed legal firms, and insurers have all just really pivoted amazingly to ensure that injured individuals can still access benefits and entitlements, can still access justice.

20:00  **Heather:** Yeah, I know, it's been a phenomenal year, hasn't it in the way that things have changed? Do you think the systems and processes that you had helped you in the COVID sort of transition with all of your workflows?

20:13  **Paul:**  Yeah, we certainly feel that it did. When COVID hit, I don't think anyone had planned for the upheaval that COVID had brought. But we actually had invested a fair bit in our IT, most of our lawyers already had laptops. So the transition to working from home, it was bumpy for about two or three weeks, but then it became quite smooth after that.

So certainly, the investment that we'd done in our IT systems, and in our workflow meant that we were able to transition to a work from home set up a lot more quickly than we had anticipated we would.

20:48  **Heather:**  Paul, final question, what are some key things that you think are advantageous when trying to manage and eliminate risk?

20:56  **Paul:**  I'd say that, in my experience, I think the most important investment that one can do from a risk management point of view is investing in one's staff, in one's people, and ensuring that there is the right sort of scaffolding around your lawyers to learn on the job, to refine their skills and develop their skills and grow as lawyers.

I just think that the best way to do that is just to have mentors, and supervisors, really, really good mentors and supervisors. The oldest way of training people, but in many respects is the best way. We take mentorship in our firm very, very seriously. And we've actually just started rolling out a mentoring program amongst our more senior lawyers, where we're investing in training our senior lawyers on how to be really, really incredible mentors, and supervisors.

And we're really confident that that will pay tremendous dividends in the long term in terms of enabling our really junior lawyers to become better lawyers and to grow as individuals and achieve so much more in their professional lives. So for me, that really is the greatest take home message, I think, in terms of risk management.

22:08  **Heather:**  Yeah, that is fabulous advice. And I don't think I could say anything more to that. So thank you so much, Paul, for speaking to me today. It's always a pleasure to chat to you. Thank you.

22:19  **Paul:**  Thank you, Heather, good to speak to you again.

22:27  **Heather:** Thanks so much to Paul for being so open and generous with us today. The key takeaways from this episode are that there is great value in having teams devoted to monitoring and addressing critical dates to eliminate chances of those dates being missed.

Legal Assistants are an important part of the team and add another layer of safety. If you focus on your clients, staff, and connections to community, then the bottom line flows from that. It's a false economy if you're not investing in your firm, and your systems and your people because they contribute significantly to your capacity for growth.

Listen to staff with an open mind and be willing to trial their ideas. And finally, mentorship is fundamental to risk management. To connect with Paul and discover more resources on this topic, visit the show notes. Link is in the description of this episode. You have been listening to More Than Knowing the Law. And I'm Heather Hibberd. If you would like more information about the topics we have discussed today, and links to helpful resources to manage your risk, visit LPLC.com.au.