Although voicemail is now an established system in most offices, it will not work to its full potential if law firms run the technology themselves rather than outsource it through a third party, says Milan Zala

Making your voice heard

A number of law firms are cutting costs by downsizing their surplus workforce in the wake of a slowdown in the global economy. But some are also beginning to challenge their existing in-house practices in favour of downsizing and outsourcing non-core activities to achieve quantifiable cost savings.

When technology first came on to the legal scene more than 15 years ago, many lawyers were doubtful of its relevance to a traditional profession such as the law. A great number of lawyers were sceptical about changing old habits in favour of new ones in the supposed interests of speed, productivity and, ultimately, profits. Despite this, the technological revolution for the legal profession began. So where are we now?

Many firms have integrated the advancements of technology as part and parcel of the services they provide. Other practices are only just beginning to embrace the various facets of the revolution as they see the huge benefits enjoyed by many of their larger counterparts. But even today, with constantly evolving technologies and business departments with ever increasing amounts to spend on technology and communications, are firms becoming wiser in assessing the value of the benefits new technology offers?

During the early stages of the revolution, there was huge debate as to whether such large technological infrastructure investments would yield the sought-after savings and returns on investment (ROI) that were promised. And for the most part, suppliers delivered on the promises, but this was as much to do with retraining staff with new working practices developed in the wake of the revolution and revising firms' business models as it was implementing the new technological and communication networks.

However, as the global economy took shape, it became impossible for law firms to keep up with the pace of change, partly due to the fact that firms were, in many cases, still waiting to reap the full benefits of their initial technology implementations.

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The benefits experienced by law firms that have adopted new technology have often been reduced to incremental amounts because of a number of factors. One of these is the wide array of choice that the pace of advancement has provided — which has certainly had a negative impact on ROI.

Some of these failures are down to technology focusing on the peripherals of the practice (such as integrating new applications with the existing technology) as opposed to having an impact on the heart of the practice, in the way that the personal computer and word processing software achieved in the early days.

The result is a change in attitudes among practice partners and managers alike to try to obtain tangible benefits out of any new investment by looking at new processes that can save valuable administration time for the workforce and make ROI quantifiable and easy to measure. In the early days, ROI was conditional on so many factors that it became almost impossible to quantify.

Take voicemail. Its introduction caused an outcry when it first came onto the scene, but virtually all law firms have now implemented it in some form or other. The reason was to save secretaries' time in taking messages so that they could focus on client generating activities.

However, with the advent of the communication revolution came a new set of problems. Voicemail quickly became impersonal and clients hanging up with phone rage has become a common occurrence. To top it all, most if not all secretaries still have to take messages for their fee earners. And in some law firms it is doubtful that calls are always captured by the voicemail systems: they are sometimes lost in the archaic systems some firms operate.

And from the caller's perspective, the experience can be intensely irritating: it can take anything from 10 to 40 seconds before you even get to leave a message. Wasn't the purpose of voicemail to avoid all this and reduce administration? How do you measure ROI on the implementation of voicemail against this background?

Voicemail was supposed to increase efficiency and productivity by allowing staff to focus on client work, but it has ended up adding a further layer of administration than existed at the start of the 'revolution'. So much so that today clients are increasingly being charged for a fee earner's administration on top of the actual client work. Sure, this administration is supposed to be catered for in the target hours that all fee earners have, i.e. 6.5 hours a day, but if you reduced the administration element wouldn't you increase the chargeable element? What makes this interesting is that it clearly shows the shift in the attitude of managers today towards administration saving technology and communication, where many firms are looking at call management software or live messaging services to help generate the savings that voicemail promises.

Trying to quantify such changes into real ROI also becomes easier. If a fee earner retrieves 10 voicemail messages a day, this could take anything between 10-15 minutes a day depending on the length of the voicemail messages, the time to access the system and the lost concentration time. If you eliminate voicemail and let the secretaries take messages, they would waste 45-60 minutes a day after writing the appropriate message to their boss (taking into account an average secretary to fee earner ratio of 3:1). Worse still is a combination of both where fee earners still use voicemail and secretaries still take messages.

The messages conveyed in some voicemail recordings again seem to defy reason: if a client reaches a recording he/she knows the person is not available and therefore does not need to be reminded in the message leading to aggravation and hence hanging up. The daily practice of some fee earners to leave a voicemail recording outlining their movements that day also seems nonsensical.

The end result is valuable time being taken away from client and hence chargeable work. One only has to factor in the chargeable rates and the number of employees to see the true value of the fee income being wasted.

But it does not end there. Any new spend must also have tangible benefits for clients. Sure, there are those partners who prefer to have their own PA to deal with clients through relationships developed over many years and some clients are vocal in expressing a preference for speaking to a secretary or at least a live person rather than a voicemail. But no system is ever going to be perfect or cater for the needs of every employee.

So how are managers responding? Well, in a nutshell, they are redefining the traditional role of the secretary against the new technological era — where speed of document production and getting deals done is everything — and the global nature of the economy. This is evident in many firms that are downsizing their staff following a thorough review process. Further, some firms are redefining the traditional secretarial structure by splitting roles into document secretaries and PA secretaries.

By classifying the PA/message taking role as a business process, a number of City firms are looking at outsourcing that function to third party providers to focus both fee-earners and support staff on critical fee generating work. They are able to achieve the necessary ROI through the extra 15 odd minutes recouped daily by each fee earner.

A reduction in administration for fee earners could lead to an increase in target hours, providing real and quantifiable benefits to law firms. With the growing trend for firms to charge clients for non-legal services, such as extending the concept of charging for photocopying to items such as telephone messages that can be attributed to specific files, the arguments for downsizing and outsourcing voicemail are becoming increasingly potent.

Although voicemail was intended to free up more of secretaries' time, most still have to take messages for the fee earners at their firm

Firms have outsourced other business areas in the past, such as their accounting and IT functions, and a number of firms are now reviewing their call management procedures, voicemail systems and policy for live message-taking.

What is interesting is how firms are starting to move into the more integrated client-facing business processes and are using technology and communication spends to help them outsource non-core business processes to third party providers, enabling them to focus on what they do best — provide legal services.

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