Contents

About the Authors

Mark Powers, president of Atticus, has been coaching attorneys on practice management and marketing for nearly 20 years. An international speaker, Mark has coached thousands of attorneys in his work with the Law Society of Scotland, the American Bar Association, and bar associations in Arizona, Florida, Massachusetts, Mississippi, New York, Connecticut, South Carolina, Texas, and the Midwest. Mark also conducts a program titled “Rainmakers” for attorneys across the country who wish to build client-development skills and a boot camp–style program called the “Practice Builder” for solo, small, and mid-size firm practitioners. In addition, he leads troubleshooting retreats that deal with partnership issues, difficult retirement scenarios, client development, and productivity problems. Mark is known for his expert advice on legal marketing, and in 1995 he co-authored *The Making of a Rainmaker: An Ethical Approach to Marketing for Solo and Small Firm Practitioners*, published by the Florida Bar. He has been featured in publications such as *Lawyers Weekly USA, Money* magazine, *Journal of the American Bar Association*, *Journal of the Law Society of Scotland*, *Florida Bar News,* and *Massachusetts Bar Association Lawyers Journal*, among many others. Prior to beginning work with the legal profession, Mark served as the chief executive officer and president of a multimillion-dollar, privately held company and as a corporate manager in a *Fortune* 500 company based in Connecticut. A native of Massachusetts, he has a master’s degree from Northeastern University. His undergraduate studies include bachelor’s degrees in economics and criminal justice.

Shawn McNalis is a former Imagineer with the Walt Disney Company and credits her 15-year career with Disney for her creative, collaborative approach to advising attorneys. In partnership with Mark Powers for 12 years, Shawn is a senior practice advisor and trainer for Atticus and co-authored *The Making of a Rainmaker,* commissioned and published by the Florida Bar in 1995. A former columnist for the *Massachusetts Lawyer’s Weekly* and a faculty member of the Massachusetts Bar Association Institute in 1998, Shawn has authored and co-authored numerous articles on law practice management that have appeared in the ABA’s *Law Practice Management Magazine*, *Journal of the*

Association of Legal Administrators, *ABA Family Law Section Magazine*, *The Florida Bar News, The Lawyer's Competitive Edge*, *The Florida Bar Workers Compensation Section Journal*, and *Massachusetts Bar Journal*, among many others. Frequently quoted in *Lawyer's Weekly USA* and past coach for the Orlando *Sentinel*'s "Career Makeover" column, she was a contributing author for the *Association of Legal Administrators Online Encyclopedia*, published in 2002. Shawn has been a featured speaker at meetings of the Law Society of Scotland, the New York State Bar Association, the Florida Bar Association, the Massachusetts Bar Association, the South Carolina Bar, and the 2003 Coaching Convention in Tokyo.

Preface

Our mission at Atticus is to keep our attorney clients focused on what is really important in life, to provide the training and skills necessary to build and maintain a sustainable practice, and to provide a structure of accountability and support for goal achievement.

Atticus was founded in 1989 to provide in-depth, ongoing support and accountability programs for lawyers and law firms that will effectively accomplish the following:

- Increase gross revenues and personal incomes
- Reduce stress and the number of hours in the office
- Develop greater career satisfaction
- Allow more time for family and personal interests

When first we began working with attorneys, we were focused on helping them to develop new business. It was our belief then, and still is, that without new business coming through the door on a regular basis, a law practice will not survive. We found our ideas to be well received. Everyone accepted that developing new business was a crucial skill, but as it turned out, it seemed to be a difficult task for our attorney clients to accomplish. Believing we were focused on the greatest area of need, we persisted in teaching seminars and advising our attorney clients on developing their business, or, as we say, developing clients. Along the way we discovered that in fact there was a need much greater than client development, and until this need was filled, no other need could be resolved.

Although our clients enthusiastically embraced our ideas on client development, they would repeatedly complain that they did not have time to implement the strategies and techniques provided in our seminars and coaching sessions. The attorneys knew they needed new business, and they worried about their current client list being too small. Despite all this, they did not believe they had the time to spend on client development. Initially, we regarded their failure to take consistent action as a form of resistance. Going out and developing new clients carries with it some risk of rejection, and it is natural to be hesitant at first. However, the inability to take action seemed to run deeper.

Upon further investigation, we discovered that many attorneys have no time for client development because they don't know how to *make* the time. Even if they were willing to implement new client development strategies, they were rendered incapable by their inability to get organized and manage themselves and their time. In spite of their outward appearance, many otherwise highly skilled practitioners are adrift in the sea of chaos that is their practice.

We found this to be especially true among small firm and solo practitioners. These very bright, well-respected individuals were overwhelmed by the combination of their legal work and the managerial duties that came with being an owner or a partner. They were so overwhelmed that they felt they couldn't effectively integrate any new skill, however much they desired it.

Not only did they not have any education in how to manage their time in the practice of law, they believed the task to be next to impossible. They had come to think of the law office as a place that was *inherently* chaotic and crisis-driven. They were convinced to the degree that if they hadn't already learned it, there was no training out there that would meet their needs.

They were right in the sense that time management skills are not taught in law school. Historically, the best way to learn about time management was to be lucky enough to be mentored by, or at least exposed to, someone who could manage his or her time well. If you had a good model, you learned from him or her. If not, you worked away with increasing inefficiency. Unfortunately for most people, working inefficiently leads to a lot of frustration and a constant feeling of being out of control.

In an effort to help clients regain a sense of control over their practices, we began to develop a time management curriculum specifically tailored to the law office. We pulled what good advice we could from a broad range of time management studies. These ranged from philosophies that were beautifully simplistic but light on implementation to those designed for improving production-line efficiencies. None of these approaches worked in totality because the law office is a unique environment. Fortunately, at the time, we were working with many generous clients who acted as willing guinea pigs in formulating the right approach.

A pivotal conversation occurred shortly after we began our search for solutions. In a coaching conversation with an attorney in Tallahassee, Florida, we began discussing the typical types of tasks that he undertook on a regular basis. To him, the number and types of tasks seemed limitless. In an effort to distinguish them and make sense of it all, we divided them up according to when they would occur. We started with his year and discussed the tasks and activities that occurred annually. This list included items such as end-year partnership bonus calculations, the firm's holiday open house, and the fishing trip he took every summer. We then looked at tasks that occurred on a quarterly and a monthly basis, such as quarterly filing of taxes and the monthly partners' meeting. We continued to make task lists for weekly events and, finally, daily events.

A pattern began to emerge. His days, weeks, months, and years were filled with tasks and activities that could be predicted and those that could not. We discovered that this was a clue to understanding the mystery of law practice time management and the high degree of anxiety surrounding it.

We saw that if we could create a format for standing blocks of time to accommodate the commonly recurring, predictable tasks, these would serve as the dependable "anchors" in the attorney's calendar. These anchors were in the "must do" category, and by scheduling them first, his calendar became more stable. Unfortunately, there were still the less-predictable tasks to deal with. We looked at how we could design the ideal week and the ideal day to help him handle the predictable tasks and yet be flexible enough to handle the unpredictable tasks that would come up on demand.

It was around those early coaching conversations that we built our primitive concepts of what we call the **time template**. With the input over the years of hundreds of other attorneys, we have refined our time management techniques to include training on managing interruptions, the fine art of delegation, client selection, and so on. The time template remains the centerpiece of each.

We realize that no one can ever control 100% of their time, but a good 75% to 80% of your time can be more predictable if you implement the time management tools and strategies provided in this book. Complete the Exercises designed to help you manage your time more effectively and study and adapt the Examples we have included, both of which are located in the book and on the accompanying CD-ROM. Implement the practice-specific forms also included on the CD-ROM as part of your daily practice. When we speak of your life, we mean your life as a lawyer and as an individual. A law practice and a personal life don't have to be mutually exclusive. It really is possible to have a practice that serves your life instead of enslaving you.