

How Overseas Firms are Boosting Profits, by Hiring Lawyers who Bill Nothing!

Do your lawyers struggle to keep up with developments in the law, write articles and seminar papers and market their services, as well as getting through their legal work?

UK, US and European law firms have developed a role to deal specifically with these problems. It's called the Professional Support Lawyer (PSL). These roles are offered not just in capital cities like London, but also in regional centres.

A PSL does not earn fees directly for the firm, but supports the fee earners, thereby increasing their capacity to generate fees. One analysis done in a UK firm concluded that one full-time PSL could increase firm revenue by £1,000,000 per year¹.

They are usually quite experienced lawyers, doing the development work that the partners don't have time to do. Often they are dedicated to a particular section of the firm, in a field in which they themselves have legal expertise.

The role originally began as a way for female lawyers to come back into a law firm part-time, after having a baby. However it has developed into a career path in its own right, with both men and women taking up the role. Many PSLs now work full-time and move from firm to firm in that capacity.

What does a PSL do? The role is a combination of:

- Training and supervision
- Marketing
- Know-how development.

The training and supervision role

PSLs devise training courses for fee earners, supervise the work of junior lawyers and contribute to induction programs for the firm.

Having this type of support facilitates greater leverage using clerks and junior lawyers. Leverage is often constrained by the requirement for partners to supervise, as the partners are busy generating billable hours. PSLs can answer a junior lawyer's queries promptly, point them in the right direction, and can also develop training materials and tools to help the juniors to be productive sooner. Having a professional support role also helps the firm to recruit and retain good fee-earners.

The marketing role

¹ Chris Muris, *Revenue created by know-how work*, PLC Magazine April 2003 (based on working on capturing and propagating know-how for 40 hours per week over the course of 45 weeks, using a ratio of one PSL to twenty lawyers).

PSLs work in conjunction with the law firm marketer, to keep the lawyers briefed on issues involving clients and relevant industry sectors. The PSL is involved in business development, meeting with clients to identify their needs and build relationships. The PSL may represent the firm on industry committees and in professional associations. They also contribute to client seminars by identifying suitable topics and formats and producing case studies for the fee earners to present.

The knowhow role

A firm's competitive advantage is underpinned by its intellectual property, and in this area PSLs make a major contribution. They help develop the "knowhow" of the firm. Clifford Chance, a leader in knowhow development, uses a "Knowledge Staircase" model, where the firm's development of intellectual property in a field moves in the following steps:

1. information is incomplete or not readily available
2. basic facts and data are widely available
3. useful documents are captured and shared
4. disparate knowledge is synthesised into best practices and widely leveraged
5. new leading edge thinking is regularly created.

Good PSLs reap as much value as possible from the firm's intellectual activity. Advices to clients and customised documents can be de-identified, re-used and recycled. Such work may be converted into a briefing paper for internal use or an article for publication or to be circulated to clients. An article could become a speech and vice versa. PSLs identify new topics for articles, and may write or edit articles themselves. A new document could be adapted and repackaged for other clients or industry sectors. PSLs can identify topical issues and emerging areas of law, and develop methodologies to keep the firm at the cutting edge in its fields of practice.

PSLs also develop practice tools such as legal updates and practice notes, and contribute to the firm's web site and intranet. They develop and maintain precedent documents and undertake legal research, but their role extends far beyond that of the Precedent Manager or Librarian.

Credentials

What sort of people get jobs as PSLs? It's not a junior role. Usually at least 5 years' post-admission experience in private practice is required. Some have MBA's or qualifications in information management.

The role appeals to lawyers with experience in private practice who are looking for a more creative way to use their legal skills and experience.

They need to have good communication, training and presentation skills. Because they work with a large number of people they need to be team players and be able to balance the needs of the various practitioners.

As there is no established procedure for a PSL to follow in their daily work, they need to be innovative thinkers, and be able to work with evolving legal concepts.

How do they add value to the firm?

Although PSLs are not directly producing billable hours, they make a significant financial contribution by enabling the fee earners to be more productive.

Better knowledge tools enable lawyers to produce work more quickly, saving hours of fee earner time. Lawyers can complete more fixed-fee jobs in a given period of time. If the work is hourly-paid, the work can be completed more quickly, freeing up hours for “resale” on other income-generating activities. Alternatively, work can be priced more competitively if required, without losing profit.

With clients increasingly placing downward pressure on fees, firms need to get more mileage out of each unit of intellectual activity. Clients are not prepared to pay for a firm’s inefficiencies; firms must continually search for better ways of operating.

Training, marketing and know-how development are all essential in this competitive environment. They are hard to combine with billable work, but it seems that if you make them the job of a competent and enthusiastic lawyer, you will have all these things in abundance.

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