

Born again

Many firms toy with the idea of quality assurance but find it tough to take the next step. Craddock Murray Neumann is one that did, and it hasn't looked back. JULIE LEWIS reports.

KATHERINE HICKS compares it with being pregnant: it kept her awake at night, gave her cravings (for free weekends rather than chocolate), and when it was over, the hard work had just begun.

"It really is the beginning of a whole new life," the Craddock Murray Neumann practice manager says. And despite the gruelling gestation, the firm would not turn the clock back. "At university we are all trained to stand up in the High Court and argue a point of law," partner Julian van Leer says. "We receive absolutely no training on how to manage a business. One of the things that these sorts of systems do is force practitioners to look at the business side of what they do and manage that business side."

After nine months of meetings, mulling over work practices, training and persuading staff, preparing a shelf of documents, and subjecting themselves to rigorous internal and external audits, Craddock Murray Neumann recently gained accreditation under the LAW 9000 quality assurance scheme.

Greg Dwyer, director of practice development at the College of Law, says the firm's journey is a good example of what the process is like for the average legal business. There certainly are some quick converts to the system, he says; they do whatever it takes to get accredited in the shortest possible time, hiring consultants or devoting a staff member entirely to it. But they are unusual.

Craddock Murray Neumann's experience is much more typical, according to Dwyer.

In van Leer's case, he was not convinced it was necessary. "I was sceptical because I thought we were already doing things well and I wondered how engaging in this process would make us do things better."

The deadening lexicon of management-speak embraced by the quality assurance world also put him off. "It is couched in a language which is both inaccessible and appears not to say anything. However, what I think was happening is that I was allowing the language to get in the way of the process, and the process itself is valuable."

What's it all about

That process, at its most basic, is about identifying how a firm does what it does administratively (from who can access the safe to how it copes with the loss of key staff) asking if that is the best way to do it, and improving things if it is not. Quality assurance requires firms to record the policies, practices and procedures that come out of that exercise, and to ensure that everyone in the firm is aware of and applies them. Finally, quality assurance is about regular review of these policies and procedures and their application to make sure the quality is maintained.

As with many firms, quality assurance had been on Craddock Murray Neumann's radar for years. Practice manager Hicks had used one of LAW 9000's antecedents, QIL, in a previous workplace, and had floated the idea to the management team. The time just never seemed right.

"We knew it was going to be an awful lot of work," van Leer recalls. "As practitioners we were all so busy with our own matters that it was difficult to put time aside to devote to developing the systems necessary.

"And we already had many systems in place that were working well. It was not apparent that engaging this process would make the systems work better."

Craddock Murray Neumann is a diverse firm. Founded in 1987, it focused on administrative law, commercial, and community-based work via Legal Aid. Debt recovery and insolvency law for institutional clients has become a major source of income. It is on the panel for major corporations and government departments, but also continues to provide conveyancing, family law, wills and estate services. It has a significant, mostly pro bono, land rights practice.

The catalyst for Craddock Murray Neumann came when the management team decided it wanted to build up the firm's government law work.

"We knew ... we'd have to put systems in place that would enable an increase in work without an exponential increase in administration costs," Hicks says.

That led it to upgrade its IT system, and the new Locus Affinity package suddenly made it a lot easier to contemplate quality assurance. "There is a lot of work in LAW 9000 that would be very labour-intensive if you had to do it manually," according to Hicks.

Getting started

The management team attended the two-day LAW 9000 course at the College of Law, and van Leer came out convinced the business could benefit. He could see "the process of codifying our practices and procedures would cause us to revisit them and review them, and through that process improve them," he says.

Hicks felt overwhelmed: "I thought it was unachievable."

The key for her was an early talk with Graham Le Roux, CEO at Kells, whose practical approach and belief that they could do it gave her the courage to start.

"He said, all you've got to do is make a list of what you haven't got, start going through it, and get it done."

Essentially, that is what she did. She began with a gap analysis to identify all the management systems advocated by LAW 9000 that already existed and were up to the LAW 9000 standard, and those that didn't or weren't.

She then put a timetable together, listing what needed to be done to fill in the missing pieces and when each would be worked on. She repeated this process twice more during the nine months to ensure that all the gaps had been identified and filled.

Van Leer gives the example of risk management as one area which the practice pin-pointed as needing work.

"Whereas we had previously identified risks such as risks in litigation, physical dangers, the need to insure against fire, loss of information, those sorts of things, we had done so as the issues arose in the practice, rather than sitting down and analysing the whole of the practice and all of the risks we face," he says.

That has changed. "We now have a methodical process where we assess those risks on a regular basis and, where we identify changes that should be made. The system requires, in order for us to maintain accreditation, to ensure the changes are implemented."

Motivating the team

The biggest challenge was getting everyone enthused about the process and implementing the procedures, Hicks says. "It's hard to get someone who has got to do six billable hours a day to invest some intellect and some time in it."

"They had their own work practices and often it meant they had to stop doing it the way they had been doing it 20 or 30 years and start a new way."

In particular, because the firm wanted to make the most of the new IT system, many of the new procedures required staff to use the computer to do things they had previously done on paper.

"Asking our law clerk ... who knows more about computers than most people, to use the computer is very different to asking the partner who has never used a computer before," says Hicks.

But as standardisation is needed to get the most out of quality assurance, it was essential everyone participated. At first, Hicks held regular meetings to explain the new procedures to staff, but that was not successful. So she began to hold individual training sessions for an hour every Friday, announcing on the noticeboard each week's topic. Costs agreements, for example, was one.

"Everyone knew how to do costs agreements but not necessarily using the new system," Hicks says. "So the people who had it under their belt ... would continue working. The ones that needed more training would come along to the training session and we would go through it step by step."

Compliance climbed from 59 percent to 100 per cent as a result.

Hicks drafted most of the new policies, processes and forms herself, and sent them out for discussion before they were adopted. In this way, staff could contribute their expertise and ideas. But some things were not negotiable. LAW 9000 requires lawyers to fill out a mandatory checklist when opening a new file. It asks them to confirm they have done such things as conduct an identity check of the client, made a cost agreement, and spoken to a supervising partner about the matter. Some solicitors saw this as just more paperwork, and argued they did these things as a matter of course anyway. But Hicks explained it was necessary for accreditation and consistent with good risk management.

Lots of positives

Some of LAW 9000's innovations can be daunting, solicitor Julia Sweeney admits. In her case, the nurse-turned-personal injury lawyer, who specialises in medical negligence, dreads sending out the customer satisfaction surveys, which were introduced as part of the process.

"I'm terrified sending them out, especially with the bill," she says. But she can see the value of supplying clients with a non-threatening method of giving their lawyers feedback.

"If people aren't telling you to your face 'When you are giving me advice, I don't actually understand a word you're saying' ... how are you going to know?" In fact, coming from the hospital system where quality assurance was the norm, she was surprised to find it was so little used in the law. "I think it should be done," she says. "And I think there should be more emphasis on the positives that come out of it, the clients that come back, the people who you know are doing a good job for you."

Receptionist and administrative assistant Elspeth MacTavish has been struck by the clarity of the system. "It's a step-based process with a clear direction," she says. She is unperturbed about adjusting to the new way of doing things: "Rather than brushing my teeth up and down, I do it in a circular movement."

Three months before the firm's audit was due, the auditor from SAI Global, the accrediting body for LAW 9000, came in for a pre-audit review, then in March he spent three days doing the accreditation audit. He required evidence that every system was in place, talked to staff, and looked at their work to see they knew and were applying the procedures, and knew what the firm's objectives were.

When he told Hicks he would be recommending accreditation she "breathed a sigh of relief". He will be back in December for the next audit. "They come back on a regular basis and the bar will be lifted," she says. "He will expect to see us improve ... It is an ongoing process. It never ends."

Constant Improvement

For van Leer, the audits are part of the attraction. "It is very easy to have a system and continue to do things, particularly in a legal practice, in a way that people have always been doing them. ... One of the things about the quality process is that it ensures that not only do you have the system but that you are complying with it," he said.

The quality process has ensured the firm gets the most out of their new computer system, with all files now stored electronically and easily accessible.

"The partners have desktop access to very sophisticated analytical tools of our practice. Whereas we were previously relying on weekly or monthly reports, we are now able to see in real time how the practice is going."

Van Leer is not sure how much time he has devoted to implementing the system, because it is difficult to separate from the extra time spent on management as a result of it.

"We have realised it is important to take time out of your day as a lawyer and devote more time to managing the business than we have previously, and the system forces you to do that."

But he is sure it was worth it.

"Better management pays large dividends in my experience, and this is all about better management. It would be impossible to put an exact dollar figure on it but I have no doubt that it would have paid for itself."