

#### THE MPF WEBINAR SERIES

# What Every Managing Partner Needs to Know About Highly Effective Firm Administrators

John Remsen, Jr. (Moderator)
President and CEO, Managing Partner Forum
President, TheRemsenGroup

**Oliver Yandle, JD, CAE** (Moderator) Executive Director, Association of Legal Administrators

**David F. Bartz, Esq.**President, Schwabe Williamson & Wyatt

**Denise L. Gaskin, Ph.D.**Chief Operating Officer, Schwabe Williamson & Wyatt

**Scott A. Remington, Esq.** President, Clark Partington

**Gary T. Swisher, II, CLM**President, Association of Legal Administrators
Chief Administrative Officer, Clark Partington

**September 18, 2017** 





#### **MPF WEBINAR #4**

September 20, 2017 - 12:00-1:00pm ET

Title: What Every Managing Partner Needs to Know

**About Highly Effective Firm Administrators** 

A Competent, Trusted COO Makes all the Difference in the World

**Description:** Like it or not, your law firm is a business. As such, it's critically important to hire, value and

appreciate the important role that trusted and competent administrators and support staff play

in order to keep your firm running smoothly and efficiently.

As managing partner, your role is that of CEO. Your principal firm administrator serves as COO. He/she is an essential part of your leadership team and should have a strong voice within firm leadership and, importantly, a seat at the table. Getting the right COO in place and valuing the important contributions he/she makes can be a "game-changer" for you and your firm.

In this MPF Webinar, we feature two pairs of managing partners and firm administrators. Oliver Yandle, Executive Director of the Association of Legal Administrators, will serve as co-moderator of the program.

Join us for a fast-paced, interactive panel discussion to learn:

• Why administrators are so important to running a successful law firm

- The importance of clearly defined roles and job descriptions for firm leaders
- How to develop and maintain a highly efficient and productive working relationship with your COO

John Remsen, Jr. (Moderator)

Speakers: President, TheRemsenGroup

Oliver Yandle, JD, CAE (Moderator)

Executive Director, Association of Legal Administrators

David F. Bartz, Esq.

President, Schwabe Williamson & Wyatt

Denise L. Gaskin, Ph.D.

Chief Operating Officer, Schwabe Williamson & Wyatt

Scott A. Remington, Esq. President, Clark Partington Gary T. Swisher, II, CLM

President, Association of Legal Administrators Chief Administrative Officer, Clark Partington

Media Links: Website: ManagingPartnerForum.org

Twitter: twitter.com/mpartnerforum

LinkedIn: linkedin.com/company/managing-partner-forum

YouTube: youtube.com/user/MPartnerForum

REV: September 6, 2017

#### **FACULTY BIOGRAPHICAL PROFILES**

#### David F. Bartz, Esq.

President Schwabe, Williamson & Wyatt 503-796-2907 - dbartz@schwabe.com

Dave Bartz helps transportation and construction businesses throughout the Pacific Northwest resolve disputes, gain approvals and keep projects moving forward. In more than 30 years of practice he has been involved in many of the most complex and high-profile projects in the region, including the deepening of the Columbia River channel and the West Coast National Oceanic and Atmospheric Administration's (NOAA) relocation to Newport, Oregon.

An accomplished trial lawyer, Dave has extensive experience representing clients in state and federal courts and before administrative agencies including the U.S. Environmental Protection Agency (EPA), Washington Department of Ecology, and the Oregon Department of Environmental Quality (DEQ).

Dave's deep industry background involvement allows him to understand the big picture and find innovative strategies that work for the long term. His creative, bold ideas have given rise to the phrase, "Let's Bartz it!" for clients and colleagues who face challenging issues.

Known for his diverse experience throughout the transportation and construction industries, Dave advises key principals and stakeholders including ports, airlines, ship operators, marine transportation companies, tribes, developers, owners, financial institutions, and asbestos removal and construction companies. He has served as lead environmental counsel to the Port of Vancouver for more than 25 years, and is General Counsel to the Columbia River Steamship Operators Association.

#### Denise L. Gaskin, Ph.D.

Chief Operating Officer Schwabe, Williamson & Wyatt 503-796-2878 - dgaskin@schwabe.com

Denise Gaskin is Schwabe's Chief Operating Officer and a member of the Executive Committee. She provides leadership to the team that oversees the firm's administrative functions, including finance, technology, talent management, marketing and business development.

With a background in psychology, collaboration, communications and wellness, Denise brings a unique perspective to the firm. Her teambuilding philosophy underlies and strengthens all aspects of Schwabe's operations and client service.

Denise has worked in the legal field as a Chief Operating Officer since 2008. Before that, she worked as an administrator for a seven-county behavioral health organization in western North Carolina.

#### Scott A. Remington, Esq.

President Clark Partington 850.432.2399 - sremington@clarkpartington.com

Scott Remington divides his time between the practice of law and serving as the firm's President & Managing Shareholder. He practices in the areas of Commercial Litigation, Intellectual Property Litigation, Government Relations & Lobbying, Securities & Shareholders Disputes, and Real Property Litigation. Scott's clients include individuals, banks, and businesses across the Southeast. He has substantial experience in other areas of commercial litigation, including bankruptcy, corporate wind up and involuntary dissolutions. Scott has an active local government consulting and lobbying practice throughout the state of Florida.

As President, Remington is responsible for day-to-day oversight of the firm's five offices and approximately 100 employees stretching across the Florida Panhandle into Lower Alabama. Prior to serving as President, he was a member of the Firm's Executive Committee and Chairman of the Commercial Litigation Department. Remington regularly represents clients before public boards and bodies. For his work in the public sector, he was recently recognized as #29 on the Independent Weekly's "Power List"—a list of the 100 most influential people in the community. He is the President-Elect of the Board of Directors for Autism Pensacola, and the Chairman of the Board of Directors for Good Works Partnership, Inc., a not-for-profit entity that operates a 30 bed cold weather shelter for women and children. Scott is active in the Episcopal Church serving as Florida Chancellor for the Episcopal Diocese of the Central Gulf Coast and as a member of the National Church's Planning, Budget & Finance Committee.

In his free time, he enjoys reading a good book, fishing, and playing tennis. In 2010, Remington was the Pensacola Country Club Men's Singles Tennis Champion. Most weekends, you can find him with his wife, Amie, and their three children—Virginia, Tom & Harry—chasing "Molly," their beloved Boykin Spaniel, around Cordova Park.

#### Gary T. Swisher, II, CLM

Chief Administrative Officer Clark Partington 850.208.7053 - gswisher@clarkpartington.com

Gary T. Swisher II, CLM is Clark Partington's Chief Administrative Officer.

Gary graduated from the University of South Florida with a degree in Accounting and completed his fifth-year requirement for the CPA exam. He has been designated a Certified Legal Manager by the Association of Legal Administrators.

Gary is known for his can-do attitude and passion for helping colleagues and clients. He is very active in the Association of Legal Administrators, serving in numerous roles since 1998, including his current role on the International Board of Directors as President (2017-2018). In his spare time, Gary enjoys golf and fishing, supporting worthy causes within the community, and spending time with his family.

#### Oliver P. Yandle, JD, CAE

Executive Director Association of Legal Administrators 847.267.1570 - oyandle@alanet.org

Oliver Yandle took the helm of the Association of Legal Administrators (ALA) in July 2012, the largest international organization providing support to people in the legal management profession. With nearly 8,000 members in 30 countries, Yandle steers an organization of leaders in the legal management industry who are experts in management, finance, human resources, systems and technology, facilities, marketing and practice management.

Prior to ALA, Yandle served as the executive vice president of the Commercial Law League in Chicago. Oliver's law association experience includes holding the executive director position at the International Association of Defense Counsel, in Chicago, Illinois and he served as an adjunct instructor of legal analysis and writing at the Washington College of Law at American University.

In addition to his legal experience, Yandle has had a long-standing career in association work. He has held senior directors positions at SmithBucklin in Chicago, Illinois, at the International Bridge, Tunnel and Turnpike Association in Washington, D.C. and at the Intelligent Transportation Society of America in Washington D.C.

He is active in both the Society of Association Executives (ASAE) where he holds the Certified Association Executive designation, and the Association Forum of Chicagoland, where he served as Chair of the Board of Directors.

Yandle is a native of Louisiana and holds a BA in journalism from Loyola University of the South in New Orleans, and a JD from Washington College of Law at The American University in Washington, D.C.

#### John Remsen, Jr.

President
TheRemsenGroup
404.885.9100 - jremsen@theremsengroup.com

John Remsen, Jr. is widely recognized as one of the country's leading authorities on law firm leadership, management, marketing and business development. Since 1997, TheRemsenGroup has worked with more than 350 law firms to help them develop and implement long-term strategic objectives to improve cohesiveness, performance and profitability. John is a frequent speaker and author on law firm leadership and marketing topics. In 2002, he created The Managing Partner Forum, a highly-acclaimed conference series for managing partners and law firm leaders. More than 1,100 managing partners from 850 law firms in 43 states have participated. In 2013, he was inducted a Fellow in the College of Law Practice Management. A native of West Palm Beach, Florida, John holds an MBA degree from The University of Virginia (1985) and a Bachelor's degree in Business Administration from the University of Florida (1980).

Empowering Your Law Firm Administrator



#### **Welcome to Today's Session**

What Every Managing Partner Needs to Know **About Highly Effective Firm Administrators** 

Join us for a fast-paced, interactive panel discussion to learn:

- Why administrators are so important to running a successful law firm
   The importance of clearly defined roles and job descriptions for firm leaders
   How to develop and maintain a highly efficient and productive working relationship with your COO















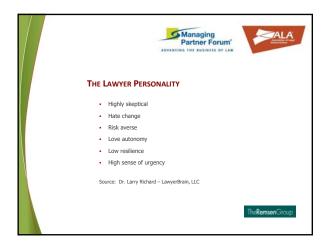








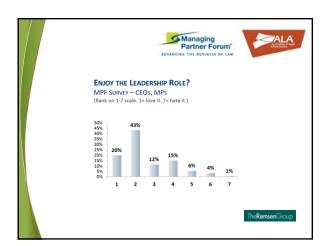


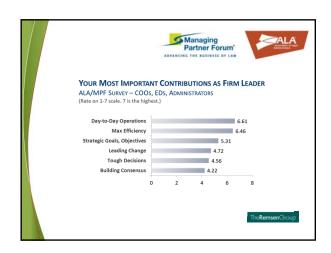






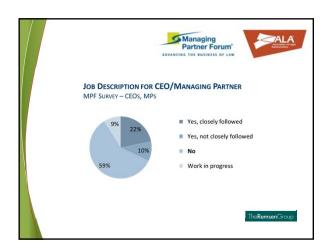


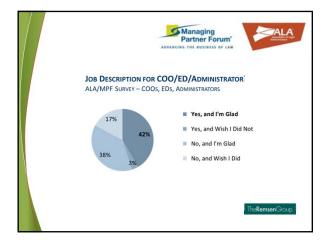




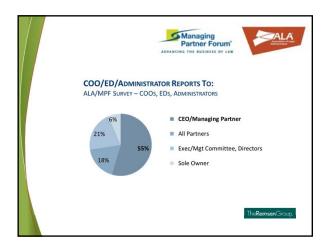


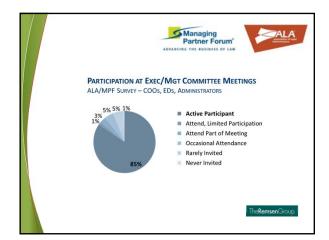


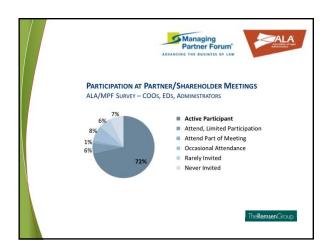


























# Hiring a Legal Management Professional

# Defining The Administrator's Role

Oftentimes a legal administrator's responsibilities are similar to those of a corporate Chief Operating Officer. The administrator should have responsibility for the overall day-to-day operations of the firm, including supervision of support staff, but specific duties and tasks may vary from one firm to the next. Likewise, the administrator's role will continue to change as the firm allows him or her to assume additional responsibilities. Refer to these <u>sample job</u> <u>descriptions</u> for an idea of the traditional responsibilities of a legal administrator. They can be used as a template for crafting a more tailored description for your administrator based on your firm's philosophy, organizational structure and goals. Ideally, the job description will be developed before the search process begins and can, therefore, be provided to final-round interview candidates.

Remember: Industry consultants and experts agree the success of a firm's administrator hinges, in part, on establishing and adhering to a clearly defined job description. Therefore, this document is an important piece of the overall process.

Once a hire is made, be sure to provide the administrator with a sufficient amount of time to get acquainted with the lawyers and staff, and to get acclimated to the culture and tone of your office. While there isn't a specific benchmark for this "settling in" period, anywhere from four to eight months should be sufficient. In the long run, the time allowed for this will be time well spent. Also, keep in mind that the administrator, especially in those early months of employment, will need frequent interaction with the lawyers who previously administered the firm.

In order for your administrator to operate effectively, the chain of command must be clearly identified. This will avoid unnecessary confusion and frustration for the administrator, lawyers and staff.

Due to the confidential nature of the firm's business and personnel administration, the administrator requires a private office. The need for an assistant or secretary is subject to firm size and the scope of the administrator's duties.

# Acceptance and Feedback: The Keys to Success

The management or executive committee and all lawyers in your firm must accept the legal administrator – both the position and the person – and view that role as vital to the firm's success. If lawyer support is lacking, there will be a corresponding lack of support from the staff. The partners or shareholders of a firm must also be willing to accept the notion of someone other than a partner or shareholder making recommendations, participating in their meetings and contributing to the agenda.

As mentioned earlier, don't forget the value of constructive feedback to your new administrator. The better understanding he or she has of what you want and how well those expectations are being met, the more the overall relationship will benefit your firm and its operations.



# Key Performance Indicators to Meet Your Strategic Goals

By Roberto Rossi Steffens

"What is not measured cannot be managed."

Uttered decades ago by statistician William Edwards Deming, this sentiment remains current, portraying something indispensable to management and also to any successful endeavor: the use of performance indicators.

The reality for organizations — including the legal industry — is that resources are limited, change happens quickly and customers are becoming more demanding. Running a business becomes more complex as competition increases and people can get the job done from virtually anywhere around the globe. In this scenario, efficiency is the key feature that defines the success of each organization.

According to *The American Lawyer* magazine, law firms on average are showing lower revenues per lawyer in recent years. It's becoming increasingly important to know what is making money and what isn't. When the firm knows the time, cost and effort it takes to manage their cases, it becomes easier to maximize resources and profit. One way to do that is by using key indicators to dictate your strategic plan.



When the firm knows the time, cost and effort it takes to manage their cases, it becomes easier maximize resources and profit.

#### **IDENTIFYING KEY INDICATORS**

Key performance indicators allow you to check efficiency levels of processes. Plus, they can be customizable based on your office needs. There are various types of indicators (quantitative, qualitative, internal, external, comparative, directional and actionable) that are measurable; some examples of these include compliance, productivity, waste, delay, input, output and turnover. In addition, measurements can be executed when needed or feasible.

Indicators make it possible to monitor the performance of activities, projects, organizations, regions, countries or even global scenarios. By measuring what is being executed, an organization can manage resources and adjust strategies accordingly to achieve the proposed

objectives.

It also becomes easier to compare performance levels between different initiatives, which may enable identification (and dissemination) of best practices and eventually promote a timely relocation of resources.

Many people think that the only function of performance indicators is to show what's happened in the past. But they show much more than that, including the basis for future projections and decisions. These become more transparent and objective, leading to gains in efficiency and legitimacy — both fundamental aspects in the current globalized and competitive market.

Previously, two major obstacles to the use of performance indicators were the scarcity of data and the lack of tools to analyze it. Managers hardly had the necessary information for effective decision-making. Nowadays, however, technology makes data availability practically endless.

#### WHAT SHOULD BE MEASURED?

Good indicators should generate valid and understandable data. They should also represent reality and be obtained at justifiable cost, effectively providing useful information to management whenever necessary. What actually determines which indicators have such characteristics is another key item for management: strategic planning.

Organizations that have clearly defined their mission, vision, values, goals and action plans — and have also done a <u>SWOT analysis</u> (strengths, weaknesses, opportunities and threats) — will be better able to determine which indicators are really useful for their activity.

Strategic planning is not one of those practices that come one day and disappear soon after — on the contrary, it is a widely tested, improved and consolidated management tool used by the world's largest organizations. Those companies that develop and put into practice their strategic plan show better performance.

On the flip side, those that fail to evolve and don't attend to customer needs take the risk of losing market share, and worse, long-term sustainability.

It should be noted that the relationship between the use of indicators and strategic planning depends on the conditions involved. Each type of professional activity has its own particulars. Even your strategic planning process may eventually need revisions since the environment is constantly changing.

Strategic planning is a powerful tool that ensures necessary and continuous adaptations happen efficiently. When performance indicators are

based on the strategic plan, they provide the right information to check for success.

# **ABOUT THE AUTHOR**

Roberto Rossi Steffens is an Administrator with more than a decade of experience in the corporate world developing work systems related to legal management. He's acted as a team leader, support coordinator management and collaborator on several projects at the General Counsel's Office of the Central Bank of Brazil. He's also an international member of ALA. Email Steffens <u>here</u>.



ROBERTO ROSSI STEFFENS Support Management Coordinator, Central Bank of Brazil



# Your Firm Administrator It's The Best Investment Your Firm Can Make By John Remsen, Jr.

You've always thought that you could run a business. After all, you see successful businessmen in your community every day and, while you respect them for their accomplishments, you can't help but feel that you could do as well, if not better, in running your law firm.

Be careful what you ask for. As managing partner of your law firm, you have a business to run. And it's a substantial enterprise. Our data indicate that a firm of 20 or so lawyers might bring in annual revenue of near \$8,000,000. "Dollars in the door" is often not the problem for smaller and mid-sized law firms. The problem is how to invest those dollars to create even more dollars in the future. Or, put another way, how to enhance your firm's return on its investments in human capital – its lawyers and staff.

#### We All Know the Problem . . .

And it shows up in our survey data year-after-year. At the MPF Spring Leadership Conference held in April, we asked 62 managing partners to identify their most important contributions as firm leaders. Their answers, in order of value, were:

- Initiating change for long-term success.
- Building and maintaining consensus among partners.
- Promoting and encouraging sharing and teamwork.

In prior years, "building and maintaining consensus" has consistently been the number one answer. "Focusing attention on long-term strategic objectives" has also been among the top answers in prior surveys. And, generally, these are the areas toward which an effective managing partner should be focusing his or her time.

Yet, when we asked where they actually spent most of their management time, the same managing partners overwhelmingly acknowledged that day-to-day administrative matters of the firm had to be their first priority. We see this again and again. The more important contributions of leading a law firm gets pushed to the side as firm leaders grapple with day-to-day administrative tasks. Refer to the attached survey results for details.

It's a common problem, but one for which a remedy is at hand.

#### **The Managing Partner Forum**

Your Firm Administrator: It's The Best Investment Your Firm Can Make

Page Two

#### Managing Partners Should Think and Act Like CEOs, not Managing Partners

Simply put, a CEO (and as managing partner of your firm, that's what you are) should not be bogged down in day-to-day administrative activities. It is not the highest and best use of your time, which should be focused on big picture, strategic initiatives. And you know this.

So here's where a trusted, competent firm administrator (I like the title "Chief Operating Officer") can make all the difference in the world. Our panel of experts at the Spring Conference agreed: law firms would be well served by hiring and empowering a strong COO to manage administrative matters of the firm. They also agreed that the COO should be given important responsibilities, along with a seat at the table at partnership and executive committee meetings.

To think of such a key player as overhead that the firm "can't afford" is short-sighted. In a corporate environment, the CEO doesn't run the corporate IT department, or the HR function, or the marketing program, or even the financial operations of his or her company. And the law firm CEO shouldn't either. Appropriately skilled administrators are an investment in the firm's future — a future the managing partner should lead, not simply manage.

By the way, I like the title of "Chief Executive Officer," not managing partner, for the leader of the firm. More leading (and less managing) would be a good thing for most law firms.

#### But Many Won't Take the Leap . . .

Does your firm have a strong COO supporting your leadership? If not, why not?

Maybe your partners don't value anything but dollars in the door. In fact, the leaders of almost every smaller and mid-size firm will tell you their firms are both under-led and under-managed. As we've discussed, that's a penny-wise and pound-foolish approach to running a law firm. The law firm economic surveys reveal that the most profitable firms have higher overhead per lawyer. They are investing substantially in their futures, including areas such as administrative staff (not secretaries and paralegals, but rather HR, IT, marketing, and finance professionals), associate development, marketing and technology.

Or maybe your partners don't' like the idea of giving a non-lawyer so much power and control? They key here is trust and open communication between the managing partner and the firm administrator. Under the leadership of now retired Executive Director John Michalik, the Association of Legal Administrators addressed this issue in several ways, including the creation of a job descriptions repository on which law firms can draw.

Or, maybe it's just too hard for those who have risen to the role of managing partner to give up all that independent authority. The relationship between a managing partner and an empowered chief administrator requires that the managing partner let loose of some of the indicia of authority. An effective COO needs an autonomous sphere of responsibility. In short, a COO needs a seat at the table as much as the managing partner does.

# **The Managing Partner Forum**

Your Firm Administrator: It's The Best Investment Your Firm Can Make

Page Three

And other partners in the firm must be directed to bring issues within the COO's sphere of authority to the COO, not their old colleague in the corner office. Managing partners and chief administrators must function as a team characterized by easy communication and cooperation. And each must have the other's back.

Or maybe it's the money. Perhaps the firm's partners just don't want to surrender additional assets for what they perceive to be a substantial overhead expense. We recommend that bringing in a COO is no place to skimp on compensation. Again the ALA, under the direction of Rosemary Shiels, has conducted numerous salary surveys intending to establish compensation benchmarks for administrative expertise. A firm should expect to pay an annual salary of between \$125,000 and \$250,000 for the managing partner's right-hand man (or woman).

#### **Evolution of the Firm Administrator**

In the 1970's, retired military officers were often hired as firm administrators on the assumption their military training would apply to the law firm's management matters.

In the 1980's, many firms (including my former firm, Gunster, and NYC powerhouses like Wachtell and Skadden) hired non-lawyer CEOs and empowered them to run the place more like a business. Again, we don't see too many of them out there anymore.

Today, many firms have hired professionals with strong finance and/or HR backgrounds. We see many CPAs in these roles. But, all too often, they do not have a seat at the table and they are not valued members of the firm's leadership team as they should be.

#### **MPF Recommendations**

- Educate Your Partners about the Importance of Investing in Your Firm's Future
   Share articles like this one, circulate highlights of the law firm economic surveys, and read most anything written by David Maister. It's not all about today's billable hours and collections, the most successful firms are investing in the future.
- 2) Hire and Empower Trusted and Competent Senior Administrative Staff
  As previously mentioned, this is not the place to skimp. Get good people and let them do
  their jobs. For example, I often run into younger, growing firms where the managing
  partner's secretary has evolved into the firm administrator role. He or she may or may not
  have the skill set required as the firm grows larger and the demands of the position grow
  along with it.

#### 3) Give Your Firm Administrator a Seat at the Table

Your firm administrator is an important member of your firm's leadership team. As such, he or she should be included in executive/management committee and partnership meetings. If you don't have the trust and confidence that your administrator can be a valuable contributor at these meetings, maybe it's time to hire a firm administrator who can.

4) Create Job Descriptions for Firm Leaders (including Senior Staff) and Firm Committees We also recommend that you create job descriptions for this and other important roles in the firm setting forth duties and responsibilities, as well as reporting relationships. <u>Click here</u> to see several examples of COO job descriptions on the MPF Website. This should also be done for important committees of the firm, as well.

#### The Bottom Line

Of course, in the end, it's about the firm's bottom line. Investing in administrative talent can be expensive in terms of time, money, and operational change. And there is no easy way to quantify a return on the investment.

But this I know from more than 20 years of working with hundreds of law firms, and observing and participating with law firm leadership:

There is a world of difference in the operations and the profitability of law firms with great administrators and those without!

###



#### **About the Author**

John Remsen, Jr. is President and CEO of <u>The Managing Partner Forum</u>, the country's premiere resource for managing partners and law firm leaders. He is also President of <u>TheRemsenGroup</u>, one of the country's leading consulting firms for mid-size law firms. He can be reached at 404.885.9100 or JRemsen@ManagingPartnerForum.org.