Practice Lean! Implementing Technology-Driven Lean Six Sigma in a Law Firm

frank a urbanic, Texas Tech University

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## Practice Lean! Implementing Technology-Driven Lean Six Sigma in a Law Firm

**By: Frank Urbanic**

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1 The author received his Bachelor of Business Management from Texas A&M University in 2003 and his Master of Business Administration from The University of Oklahoma in 2009. He became a certified Lean Six Sigma Greenbelt through the University of Oklahoma College of Engineering in 2009. Special thanks to Dr. B. M. Pulat at the University of Oklahoma for starting the author on his Lean journey and assisting the author with this paper.
I. INTRODUCTION

What if someone told you that you could earn more money and work just as hard as you work now? Alternatively, what if someone told you that you could work a fraction of the time you currently work yet still make the same amount of money? Lean Six Sigma makes both of those options possible. Understanding Lean Six Sigma will provide an attorney with a framework for analyzing and improving the law firm’s operations. Succinctly, Lean Six Sigma is a methodology for ongoing process improvement within an organization “that combine[s] both common sense techniques and data-based tools to eliminate waste, reduce defects and delight customers.”

Technology can be used as part of the process improvement. Thus, technology-driven Lean Six Sigma is a law firm’s use of technology according to Lean Six Sigma principles. Law firms that implement technology-driven Lean Six Sigma will be more efficient and have greater client satisfaction.

One of the great things about Lean Six Sigma is that people do it all the time without ever knowing it. Simply straightening up a room and throwing away clutter is the application of Lean

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3 See id.
4 See id.
5 Lisa J. Damon, Applying Lean Six Sigma Methods to Litigation Practice, PRACTICAL LAW, Dec. 2013/Jan. 2014, at 28, 31 (“Lean thinking increases speed, reduces waste and simplifies processes, and Six Sigma increases accuracy and focuses on the client’s objectives. If a lawsuit is viewed as a process, the Lean Six Sigma methodology can be applied to attack waste in each step, from the initial complaint through settlement or trial.”).
7 See THE HUNOVAL LAW FIRM, A Faster Process Powered by Six Sigma http://www.hunovallaw.com/process (last visited Oct. 18, 2014) (taking “a profoundly different approach: a better process and heavy investment in IT yields better timelines and reduces errors... which means savings for our clients.”).
Six Sigma principles.\textsuperscript{8} Researching case law via an online database instead of books in the library is also the application of Lean Six Sigma principles.\textsuperscript{9} Knowing Lean Six Sigma’s principles will put process improvement into the conscious thought. This can yield efficiencies that may not be as obvious.

Over time in a typical law office, where there is constant pressure to maximize the use of every minute, attorneys and staff would likely take steps to become more efficient. Technology has undoubtedly helped achieved that goal. However, simply adding technology will not suddenly turn a law office into an efficient operation. Without a framework for analyzing processes, a law office will not be maximizing its return on the investment in technology. Evaluating a law office’s processes from a Lean Six Sigma perspective will ensure that the office is getting the greatest possible benefit from its technology.

The purpose of this paper is to show how a law firm could become more efficient and provide greater value to clients by implementing technology-driven Lean Six Sigma. This paper begins with a brief overview of Lean Six Sigma.\textsuperscript{10} Part III discusses how technology-driven Lean Six Sigma can be applied to the legal profession.\textsuperscript{11} Part IV analyzes how technology-driven Lean Six Sigma can improve a law firm’s processes.\textsuperscript{12} The final section discusses the impact that technology-driven Lean Six Sigma could have on a law firm.\textsuperscript{13} The principles discussed in this paper can be applied to a law firm of any size.

\textsuperscript{8} Dr. B.M. Pulat, Lean Six Sigma Fundamentals Certification Workshop Slideshow, Day 2 Afternoon 44 (2009) (5S of workplace organization: sort, straighten, shine, standardize, and sustain).
\textsuperscript{9} Id. at 29 (listing “Technological improvements” as a way to reduce flow time).
\textsuperscript{10} See infra Part II.
\textsuperscript{11} See infra Part III.
\textsuperscript{12} See infra Part IV.
\textsuperscript{13} See infra Part V.
II. WHAT IS LEAN SIX SIGMA?

Lean Six Sigma is an approach to improving processes that combines concepts from two disciplines frequently used in businesses—Lean thinking and Six Sigma.\footnote{JOHN MORGAN & MARTIN BRENIG-JONES, LEAN SIX SIGMA FOR DUMMIES 34 (2d ed. 2012).} Lean is a philosophy of continuous improvement through waste identification and reduction.\footnote{John E. Murdock III & Nancy Lea Hyer, LEAN LAWYERING, 3 (Jul. 28, 2012) http://www.lawpracticeoperations.com/Lean_Lawyering_as_of_1_4_13__2_.pdf.} Six Sigma improves processes by focusing on data to improve quality.\footnote{Id. at 16.09 (Matthew Bender).} Tools in the Lean Six Sigma arsenal may be used to streamline a law office’s operations.\footnote{JOHN MORGAN & MARTIN BRENIG-JONES, supra note 14, at 23.} Technology can support these efforts.\footnote{Id. at 24.}

A. Lean Overview

Toyota developed the modern concept of Lean through the Toyota Production System (TPS).\footnote{Damon, supra note 5, at 30.} Taiichi Ohno, Toyota’s TPS champion, described the TPS approach as being “about understanding how the work gets done, finding ways of doing it better, smoother and faster, and closing the time gap between the start and end points of our processes.”\footnote{Id. at 24.} Lean focuses on eliminating waste in the activities of an organization.\footnote{Id. at 8.} It achieves that goal by using various tools and methods to analyze or take apart process workflows.\footnote{Damon, supra note 5, at 30.} Wasteful steps are eliminated; steps that add value to the final product or service remain.\footnote{James B. Ayers & David Frederick Ross, LEAN SIX SIGMA FOR THE OFFICE 4 (2d ed. 2009).}
B. Six Sigma Overview

Six Sigma’s focus is quality improvement.\textsuperscript{24} It began at Motorola in the 1980s, and General Electric further developed it in the 1990s.\textsuperscript{25} “Sigma” is a statistical term that stands for the amount of variation seen in outputs that can be measured.\textsuperscript{26} As the sigma value for a process increases, the amount of variation from the ideal output decreases—the outputs more closely resemble the ideal output.\textsuperscript{27} Six sigma equates to only 3.4 defects per million outputs—extremely high quality.\textsuperscript{28} Six Sigma is mainly viewed as a “philosophy toward variation reduction, and not necessarily the end goal.”\textsuperscript{29}

The Define-Measure-Analyze-Improve-Control (DMAIC) process is at the core of Six Sigma.\textsuperscript{30} It employs “statistical thinking and techniques to attack specific problems created by unknown causes of variation.”\textsuperscript{31} Those techniques include “rigorous process definition, metric development and measurement, process capability studies, and root cause analysis, followed by the installation of process improvements.”\textsuperscript{32}

\textsuperscript{24} Id.
\textsuperscript{25} Id.
\textsuperscript{26} Mike George et al., What is Lean Six Sigma? 27 (2004).
\textsuperscript{27} William Lareau, Office Kaizen 2 31–32 (2011).
\textsuperscript{28} Morgan & Brenig-Jones, supra note 14, at 32.
\textsuperscript{29} Pulat, supra note 8, at Day 5 Morning 6.
\textsuperscript{30} Morgan & Brenig-Jones, supra note 14, at 33.
\textsuperscript{31} Id.
\textsuperscript{32} Id.
C. Lean + Six Sigma

Lean Six Sigma results from the synergy produced by combining Lean and Six Sigma.33 It is described as “a methodology that maximizes shareholder value by achieving the fastest rate of improvement in customer satisfaction, cost, quality, process speed, and invested capital.”34 Fusing the two methodologies provides the greatest benefits because each methodology can achieve gains that the other cannot.35 Furthermore, organizations that start out in one methodology will be driven to incorporate aspects of the other methodology into their practices if they hope to rapidly achieve high quality and efficiency.36

Application of Lean Six Sigma to the legal profession began relatively recently.37 Seyfarth Shaw leads the legal profession in Lean Six Sigma adoption.38 Seyfarth Lean is Seyfarth Shaw’s consulting arm that applies Lean Six Sigma to its practice.39 It “focuses on project management techniques, facilitation, leadership, process mapping, quality improvement and fact management.”40 Seyfarth credits Lean Six Sigma with reducing the cost of their services by 15–50%.41

33 Id. at 34.
34 MICHAEL L. GEORGE, LEAN SIX SIGMA COMBINING SIX SIGMA QUALITY WITH LEAN SPEED 15 (2002).
35 Id. (noting that “[l]ean cannot bring a process under statistical control” and “[s]ix Sigma alone cannot dramatically improve process speed or reduce invested capital.”).
36 Id. (mentioning a company that “started with Six Sigma, then spent several months trying to reduce lead time, … only to realize they were reinventing Lean!”).
40 Id.
41 SeyfarthLean, supra note 37.
III. APPLYING TECHNOLOGY-DRIVEN LEAN SIX SIGMA TO THE LEGAL PROFESSION

To help understand how technology-driven Lean Six Sigma practices can benefit a law firm, a firm’s activities can be divided into three groups. These are: operations management, knowledge management, and project management.

Operations management is the overarching discipline that organizations use to “describe, evaluate, and improve what they do.”¹⁴² A law firm’s operations consist of numerous processes.¹⁴³ Viewing those processes from a Lean Six Sigma perspective will provide insight into how the processes can be improved. Technology-driven Lean Six Sigma can then “be used to redesign legal services to reduce cost without compromising profit margins.”¹⁴⁴

A law firm’s collective wisdom or aggregated experience is its intellectual capital—its knowledge.¹⁴⁵ Not managing it results in waste and inefficiencies.¹⁴⁶ Knowledge management in a law firm seeks to give the firm “the ability to identify, capture and leverage the internal knowledge of individuals.”¹⁴⁷ That internal knowledge can be combined with the information and knowledge from external sources to “enhance the ability of all law firm staff, to create and share information and knowledge across the firm, to provide excellent client service, and to compete in an increasingly aggressive professional legal services environment.”¹⁴⁸

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¹⁴³ E.g. billing, client consultation, drafting documents, research, marketing, discovery, and trial preparation.
¹⁴⁶ Id.
¹⁴⁷ Id.
¹⁴⁸ Id.
Technology can help with speed and efficiency in the creation and transfer of legal knowledge. With the move towards cloud computing and collaborative software, attorneys should no longer be constrained by the boundaries of space and time when accessing, retrieving, gathering, and sharing information.

Legal project management’s goals are to create efficient work methods, offer clients better predictability, and improve communication. Since those are also goals of knowledge management, legal project management is a natural area for a law firm to incorporate technology-driven Lean Six Sigma practices. Skills used in project management “include the ability to break down legal tasks into essential components, schedule deadlines, and manage the people producing the work.” Technology will help a law firm manage projects better by making communication between team members and clients faster and more accurate.

IV. HOW TECHNOLOGY-DRIVEN LEAN SIX SIGMA HELPS IMPROVE PROCESSES IN LAW FIRMS

Technology is the vein that runs through process improvements in a law firm. It will assist a firm in using two of the most potent tools in Lean Six Sigma’s arsenal—value stream mapping and poka-yoke. Technology will assist firms in gathering data from the client and the firm’s internal processes so that it can be analyzed for quality improvement. Finally, technology will often be the tool implemented to improve the process.

49 Id. at 361–62.
52 See id.
53 Granat & Kimbro, supra note 44, at 768.
A. Value Stream Mapping

Value stream mapping is a primary tool in Lean Six Sigma’s comprehensive analytical toolbox. It involves graphically depicting the various steps in a process. Activities are separated into two different groups—value added activities and non-value added activities. Value added activities are things the client pays you for. Non-value added activities do not change the product; the customer is not willing to pay for them. The goal is to identify then eliminate or reduce the non-value added activities. Even value added activities can be improved.

To put this in law office terms, take the drafting of a motion as an example. A value added activity would be the attorney sitting down and typing the motion. It is crucial that the motion be correct, so the client pays the attorney to ensure it is drafted correctly. A non-value added activity would be walking to the printer to pick up the finished motion. It is non-value added because the attorney’s walk to the printer has nothing to do with how well the memo turned out. Furthermore, the client does not pay the attorney for how well he or she walked to the printer.

54 See Pulat, supra note 8, at Day 2 Morning 10 (defining a value stream as “all actions (value creating or not) required to bring a product/service/form from concept to delivery/completion.”); Murdock & Hyer, supra note 15, at 3; How to, supra note 16 (describing a similar tool as a “process map”).
55 OFFICE KAIZEN 2, supra note 27, at 127.
56 See Kunkle, supra note 39, at 44.
57 See id.
58 See id.
59 See id.
60 See supra note 59 (“At all times, the goal is to establish processes that create maximum value with minimum waste.”).
60 Id. (“If a process adds value, it is evaluated for waste elimination to maximize efficiency. If it does not, it is evaluated for elimination.”); c.f. Prodoc Legal Forms Software, THOMPSON REUTERS, http://legalsolutions.thomsonreuters.com/law-products/law-books/collections/prodoc (last visited Oct. 16, 2014) (showing how a powerful legal forms software can produce better motions in less time).
61 See Kunkle, supra note 39, at 44 (“Consider the last process you touched. Did anything wait unnecessarily? Did anything need to be redone? How far did the work travel between value-added activities? Did the work ever wait in in-baskets or out-baskets? Was work ever tied up in transportation between offices, people or outside agencies? If so, then you are creating waste that costs you and your clients real dollars.”).
A value stream map would evaluate the walk to the printer for waste. The goal would be to decrease the amount of time it took to perform that activity. Moving the printer closer to the attorney’s desk could reduce it. Or, sending it electronically—leveraging technology—could eliminate the step altogether.

Some law firms are employing this tool to improve quality and consistency. Seyfarth maps out the various processes including mergers and employment law defense. They now have over 400 process maps in an interactive digital database. Additionally, this activity has helped Seyfarth find areas that could be standardized or automated.

The Hunoval Law Firm, which handles numerous foreclosures, mapped out the activities required to send out a notice of hearing to begin the foreclosure process. The team took into account the actions of people, the involvement of computers, and how they would measure progress. In the end, the team not only reduced the time it took to send out hearing notices by 88%, they found other activities that could be improved.

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62 Id.
63 Id.
64 Kelly Rizzetta, Innovative Managing Partner: Seyfarth’s J. Stephen Poor, LAW 360, (Oct. 11, 2012) (allowing “any one of Seyfarth’s more than 800 lawyers [to] pull up a digital flowchart [to take] him or her through the hundreds of steps and contingency scenarios that go into a particular transaction or legal process.”); Sachdev, supra note 62.
65 Sachdev, supra note 62.
67 Id.
68 Id. at 50, 55.
B. Poka-yoke

_Poka-yoke_ is a Japanese word that symbolizes “error proofing.” It involves techniques that are “designed to lower the probability of defects or errors.” These techniques include checklists and templates.

Every law firm today likely has at least some templates in Microsoft Word format. Names are easily replaced with a simple copy paste. A more efficient, and Lean, route would be to use a software package specifically designed for producing legal documents, such as ProDoc.

Even a simple text-based checklist can be taken to the next level. Instead of keeping one printed checklist or an electronic checklist stored on one attorney’s computer, the checklist could be placed within collaborative software such as Microsoft OneNote. That way, the law firm can eliminate the non-value added activity of hunting down the paper copy or traveling to that one computer with the saved checklist. Electronic checklists also can be easily updated as processes improve.

C. Data Collection, Exchange, and Analysis

Data comes from inside and outside the law firm. When it comes from outside the firm, it

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69 WILLIAM LAREAU, OFFICE KAIZEN TRANSFORMING OFFICE OPERATIONS INTO A STRATEGIC COMPETITIVE ADVANTAGE 151 (2003).
70 Id.
71 Id.
72 Prodoc, supra note 60 (“With ProDoc automated forms, you can draft accurate legal documents for estate planning, family law, litigation, criminal law, and more – faster.”).
74 See id.
often comes from the client. The client defines value, so it is crucial that the law firm maintain good communications with its clients to ensure they are meeting their clients’ needs.\(^7\) Data gathered from inside the firm will not only examine the quality of work produced by the firm, but it will also evaluate the law firm’s financial health.\(^6\)

Client portals can be an efficient way of gathering information from clients. A client portal is a secure website that a client can access.\(^7\) This site would allow clients to “log into an area where they can communicate, view and download documents, collaborate on document editing and upload private information.”\(^8\) Using this technology would eliminate countless steps that do not add value and significantly reduce the time to complete steps that do add value.

Seyfarth calls their process for collecting data outside the firm the “voice of the client.”\(^9\) Effectively gathering data from clients helps Seyfarth “establish clear goals, desired business outcomes and benchmarks for measuring success.”\(^8\) One of Seyfarth’s “biggest accomplishments is the creation of a Web-based portal for client collaboration and case management.”\(^1\) It is “made up of databases, calendars, tracking systems and financing systems that allow clients to work with Seyfarth’s lawyers in a seamless and transparent manner.”\(^8\)

A law firm can experience inefficiencies resulting from “high product cycle times, high product costs, excess review and revision time, and malpractice claims.”\(^8\) Technology can help fix those problems by allowing more efficient project management. Seyfarth’s effectiveness in

\(^7\) Kunkle, \textit{supra} note 39, at 44.
\(^6\) Granat & Kimbro, \textit{supra} note 44, at 774.
\(^7\) \textit{Id.} at 770.
\(^8\) \textit{Id.}
\(^8\) \textit{Id.}
\(^1\) Sachdev, \textit{supra} note 62.
\(^8\) \textit{Id.}
\(^8\) Reice, \textit{supra} note 59.
project management can be attributed to its employment of technology-driven tools. Seyfarth uses “a suite of diagnostic tools to measure processes, cycle time and monitor risk[;] [r]eporting tools help clients and teams track matters, tasks and budgets in real time.”

Although the previous examples were from a large law firm, smaller law firms can still benefit from data collection and analysis. Systems can be put in place to gather data on a variety of law office functions such as payment collection, document generation, and responsiveness to clients. Law practice management solutions such as MyCase are becoming more prevalent and less expensive.

A law firm is a business that must generate a profit. Therefore, counsel should understand certain key metrics—regardless of the firm’s size. For example, income, expenses, and hours worked are all data that directly relate to a firm’s profitability. This data “needs to be collected to make informed judgments about law firm strategy and direction.” Technology will be essential to making this happen. While many law firm management solutions such as AbacusLaw support various billing processes, they may not provide enough data for business analysis and strategic planning purposes. If a firm seeks to operate at peak efficiency, then it may need to seek software that allows it to track profit drivers. Tracking these drivers will allow the firm to measure per-partner profits and evaluate the profitability of fixed fees.

84 Lamb, supra note 79, at 47.
85 Id.
87 Client Communication With Legal Management Software, MyCASE http://www.mycase.com/features/client-communication (last visited Oct. 16, 2014) (showing all the ways clients and attorneys can communicate).
88 Granat & Kimbro, supra note 44, at 774.
89 Id.
90 Id. at 775 (“Today, there are software tools that can aid the lawyers in collecting and analyzing required data.”).
92 Granat & Kimbro, supra note 44, at 775 (“These drivers are: (1) Leverage; (2) Rate; (3) Productivity (Utilization); (4) Realization; and (5) Margin.”).
93 Granat & Kimbro, supra note 44, at 775.
V. THE IMPACT OF IMPLEMENTING TECHNOLOGY-DRIVEN LEAN SIX SIGMA IN A LAW FIRM

Lean Six Sigma will help a law firm improve the quality of its work and eliminate waste. The firm will cut costs, become more profitable, and be more competitive. Technology will play an essential role in this.

A. Eliminate Waste & Improve Quality

A firm can improve the quality of its work by identifying and eliminating waste. Technology-driven Lean Six Sigma can help eliminate the eight common wastes: defects, overproduction, waiting & delays, non-utilized talent, transportation, inventory, motion, and extra processing. This subsection briefly describes each waste category and provides technology-driven solutions.

Defective work product is waste. Automation can significantly help in this area. Automated document generation software can cut down on the number errors in legal documents. Additionally, storing client information in an online database can help ensure that accurate client information is available at all times. If all client information is stored digitally, then it may be wasteful to maintain paper copies. Efficient
knowledge management can also eliminate overproduction. The knowledge management infrastructure should allow attorneys to build upon what the firm already knows. This means that one attorney can begin working on an issue where an attorney who previously worked on that issue left off. There will be no need to reinvent the wheel each time the same issue arises. Technologies include automated document assembly, enterprise search, document management systems, web 2.0 collaboration tools (e.g. wikis, blogs, teamsites), legal research/opinions collection, firm intranets, and extranets.

Knowledge management technology initiatives that Seyfarth has introduced include enterprise search, extranets, and the use of SharePoint to show clients, inter alia, the percentage of the project completed and the percentage of the budget spent. Similar solutions may be used on a smaller scale in smaller law firms.

The time it takes time to get back up to speed after an interruption is waste. Counsel may eliminate this waste by eliminating various distractions such as smartphone alerts and social media messages. Waste due to delays can also occur when activities that could be performed outside the office are performed only inside the office. There is a smartphone or tablet app for many activities conducted in a law office. Use those apps outside the office to reduce the time it takes to resolve an issue.

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102 Id.
103 Id.
107 GIMBAL, supra note 2, at 2.
108 Id.
An organization does not utilize talent when it does not use the skills and talents of its resources to the fullest.\footnote{GIMBAL, supra note 2, at 2.} An attorney’s talents are not being put to full use if that attorney has to spend time flipping through the pages of a book to find a case. Slash the search time by using Lexis or Westlaw. Additionally, ediscovery tools and services can free counsel from countless hours of examining discovery.\footnote{Ediscovery Solutions: Ediscovery Software & Ediscovery Services, KROLL ONTRACK, http://www.ediscovery.com/solutions/ (last visited Oct. 18, 2014).}

Transportation waste happens when there is “unnecessary or inefficient movement of equipment, documents or information . . . .”\footnote{GIMBAL, supra note 2, at 3.} Use a cloud-based client management system instead of wasting time carrying that client’s folder from office to office. Microsoft OneNote is a relatively inexpensive solution.\footnote{Microsoft OneNote | The digital note-taking app for all your devices, MICROSOFT, http://www.onenote.com (last visited Oct. 18, 2014).} A more robust solution would be a legal practice management system such as Firm Central.\footnote{Firm Central, supra note 106.}

Inventory waste occurs when there is excess work in progress.\footnote{GIMBAL, supra note 2, at 3.} Reduce the time it takes to get signatures on documents by setting up an electronic tracking and signature system that sends alerts. E-signature solutions such as e-SignLive support integration of electronic signatures into current systems and workflow.\footnote{Electronic Signature Software and e-Signature Solutions, SILANIS, https://www.silanis.com/products/overview (last visited Oct. 18, 2014).}

Wasted motion happens when the movement of people does not add value.\footnote{GIMBAL, supra note 2, at 3.} If it takes multiple clicks to find the file you are looking for, then declutter your computer’s desktop or

\footnote{GIMBAL, supra note 2, at 2.}
organize the electronic documents in your documents folder.\(^\text{118}\) Add a second computer monitor if you frequently minimize windows when switching between tasks.\(^\text{119}\)

Unnecessary rework is waste attributable to extra processing.\(^\text{120}\) Automated document generation software such as ProDoc can give you peace of mind in the accuracy of your documents and reduce the need to rework.\(^\text{121}\) Getting the right information from the client and clearly communicating the cost back to them will help minimize over-processing.\(^\text{122}\) This can be done through client portals.\(^\text{123}\)

**B. Develop Culture of Continuous Improvement**

A pillar of Lean Six Sigma is *kaizen*—continuous improvement.\(^\text{124}\) Process improvements will come from both inside and outside the organization.

As a law firm goes down a path of process improvement and waste elimination, individuals within the law firm will begin to see the positive results. Members of that firm will constantly be looking for ways to do things more efficiently.\(^\text{125}\) Improvements will build upon improvements—yielding even greater gains. This cycle is how a law firm builds a culture of continuous improvement.

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\(^1\text{118}\) See *id.*
\(^1\text{119}\) Ivan Berger, *The Virtues of a Second Screen*, THE NEW YORK TIMES (Apr. 20, 2006) http://www.nytimes.com/2006/04/20/technology/20basics.html?_r=1 (citing a study showing that a second monitor increases productivity 20 to 30 percent).
\(^1\text{120}\) GIMBAL, *supra* note 2, at 4.
\(^1\text{121}\) *Prodoc, supra* note 60.
\(^1\text{122}\) Graban, *supra* note 73.
\(^1\text{123}\) Granat & Kimbro, *supra* note 44, at 770.
\(^1\text{124}\) LAREAU, *supra* note 69, at 149 (The term *kaizen* comes from two Japanese words. It means “small, continuous improvement on everyone’s part.”).
\(^1\text{125}\) Graban, *supra* note 73 (“People go from just doing their job to figuring out how to do their job better.”).
Clients may also help a law firm develop a culture of continuous improvement.\(^{126}\) Seyfarth’s feedback from clients allows them to “make any adjustments to strategy, approach or service delivery” throughout the engagement.\(^{127}\) Seyfarth collects information from clients in the following ways: “[q]uarterly phone or in-person assessments[,] [m]onthly updates[,] [p]ost-matter debriefs and lessons learned[,] [a]nd [o]ngoing internal team process assessments.”\(^{128}\) Seyfarth then uses that data to evaluate individual attorneys and identify firm-wide areas for improvement.\(^{129}\) Technology undoubtedly plays a huge role in these processes. Collecting this amount of data and evaluating it for process improvement would be far too time consuming and labor intensive to do without a heavy reliance on technology. This shows that not only can technology be injected into a process to eliminate wasteful activities, but technology can also enable sustained process improvement by providing the mechanism through which the firm may constantly evaluate the process.

**C. Alternative Fee Structures**

One of the biggest impacts that Lean Six Sigma has had on the legal industry is the move towards alternative fee structures. As the environment for legal services becomes more competitive, clients’ expectations for cost-effective services have increased.\(^{130}\) This has increased pressure to offer alternatives to the typical hourly billing fee structure.\(^{131}\)

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\(^{126}\) Lamb, *supra* note 79, at 47.
\(^{127}\) Id.
\(^{128}\) Id.
\(^{129}\) Id.
\(^{131}\) Id.
Seyfarth is known for its alternative fee system. These arrangements account for approximately 20 percent of Seyfarth’s revenues. Seyfarth’s mapping activities allow it to offer flat-fee services. After identifying non-value added activities during a mapping activity, technology can be infused into the process to eliminate times when a matter flowing through the process is just sitting there “collecting dust and having no value-added work applied to it[]." Lean Six Sigma is essential to Seyfarth’s ability to offer alternative fee arrangements.

D. Send Signal About Value

A law firm that practices technology-driven Lean Six Sigma will attract clients that understand the importance of bringing value to customers. The benefits of Lean Six Sigma are widely known in the corporate world. Telling a prospective corporate client that your firm applies Lean Six Sigma principles tells that potential client that you value their inputs and place a priority on saving them money. They know that you will work efficiently.

Technology can help a firm find out what the client values and provide that value to the client. Richard M. Reice of Seyfarth Shaw sets out a roadmap for law firms implementing Lean Six Sigma. Step one is to “communicate with the client and understand its needs, expectations

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132 Amanda Bransford, GCs Know Elite Law Firms Don't Come Cheap, LAW 360, Jun. 22, 2012.
133 Sachdev, supra note 62 (noting that managers wanted to “bring technology closer to their customers, to make it easier to do business with the firm and harder to leave for a competitor.”).
135 Kunkle, supra note 39, at 44.
136 Damon, supra note 5, at 30.
138 Reice, supra note 59 (noting that implementing Lean Six Sigma in a law firm requires “adopting a clients’ view of what value is and producing a legal product using labor that is appropriately skilled and priced to efficiently produce a product in as streamlined and efficient manner as possible.”).
and goals with respect to each type of matter.”

Next, the firm maps the process’s value stream. Third, the firm reviews the mapped process with the client, obtains feedback, and makes adjustments. The firm should then “put in place an implementation, communication and change-order plan to monitor process efficiency and effectiveness.” Finally, “the law firm and client establish metrics to ensure the process, as mapped, is providing the expected predictability in terms of cycle time, product quality and billing.”

Technology can help with each step on the roadmap. On demand live video chat software such as Skype makes it easy to communicate with a client from anywhere in the world with an internet connection. Collaboration software through a cloud service may be used to capture client goals, expectations, and other communications between the firm and client. Value streams may be mapped with software such as Microsoft Visio. Practice management platforms such as AbacusLaw and Amicus can help track the various metrics that are important to the firm and the client.

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139 Id.
140 See id.
141 Id.
142 Id.
143 Id.
144 See Granat & Kimbro, supra note 44, at 772 (noting that these technologies can allow simultaneous communications with “other partners in the law firm, different representatives from the client, opposing counsel, and sometimes representatives from the other party represented by counsel.”).
145 See id.
146 Damon, supra note 5, at 32.
E. Move Faster and More Efficiently Than Established Law Firms

Implementing Lean Six Sigma in an established law firm “means challenging current methods of doing business.” While an established firm may implement Lean Six Sigma with success, it faces challenges from members who may be unhappy changing processes that have been done the same way for decades.

Technology-driven Lean Six Sigma affords young law firms an incredible opportunity. Law office management solutions such as AbacusLaw, Lexis Law Firm Practice Management suite, and Clio can give a small law firm knowledge-management capability on par with large firms. Using value stream mapping and other techniques in the Lean Six Sigma tool bag can eliminate the waste that larger firms would keep. Adding technology to the process improvements will have a multiplying effect and allow the small law firm to offer an even greater value to its clients.

VI. CONCLUSION

Implementing technology-driven Lean Six Sigma in a law firm can yield enormous benefits. The firm will be able to eliminate waste in its operations. This greater efficiency will

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148 Reice, supra note 59.
149 See SeyfarthLean, supra note 37; id.; Granat & Kimbro, supra note 44, at 772 (“Learning how to use these online collaboration tools can be a challenge for a lawyer who has never used them.”).
free up time. Members of the firm may use that time to take on more projects or pursue other endeavors.

This paper merely scratched the surface of Lean Six Sigma. There are many more tools and methods of analysis in the Lean Six Sigma arsenal than discussed in this paper. Even without additional tools, a reader of this paper should now be able to approach a process with a Lean Six Sigma mindset. This involves constantly looking for ways to eliminate wasteful activities. Injecting technology into a process can yield significant improvements. Furthermore, technology can allow for the collection of data and help foster a culture of continuous improvement. A law firm using technology-driven Lean Six Sigma will be better positioned to meet the demands of the legal profession’s rapidly changing landscape. Hopefully, the prospect of running a more efficient and profitable law firm will encourage readers to learn more about Lean Six Sigma and begin a Lean journey of their own.