Mary Vandenack provides the transcript from Legal Visionaries podcast on Integrated Healthcare for Wellbeing.

TRANSCRIPT:

Mary: On today's episode, my guest is Dan Siegel. Dan is an attorney from Philadelphia, Pennsylvania area. He is a nationally recognized authority on legal ethics, technology, cybersecurity, techno ethics, data protection, business law, office practice, and workflow management. I don't know if I told you Dan, but I gave an ethics presentation earlier today and I quoted you like several times over. So, thanks for all the information. Dan also provides techno ethics and professional responsibility counsel to sole, small, and mid-size law firms on cybersecurity, technology, and other related issues. I asked Dan to participate in this episode to discuss the topic in his latest book, which was written with co-author Allison Shields who has also been a guest on our podcast titled How To Do More In Less Time: The Complete Guide to Attorney Productivity and Improving Your Bottom Line. Thanks for joining me today, Dan.

Dan: Thanks and thanks for having me.

Mary: So why did you and Allison decide to write the book on productivity?

Dan: Well, the book, I've been doing a program called How to Do 90 Minutes of Work in 60, for years and years and years and it's the most popular program I teach. No matter how long we run the program, people never want to leave at the end and it's fun. As a result, I had been talking about writing this book and I was on the ABA, the law practice book publishing board and really couldn't get traction for it on the topic primarily I think because it was all technology focused or primarily technology focused. Then Alison volunteered to co-author it with me so that we could have both practical time management productivity tips and the technology tips, and the synergy between us is wonderful and we work together well. We wrote the first book, it was well received and now we're on book two.

Mary: Yeah, I say both of you are pretty amazing. So in the book on productivity, I think one of the things you talk about, and I just have to say the reason I think it's so important and you get so listened to on this is I was just at an ACTEC meeting and our technology committee, every meeting we have somebody present on how to organize yourself and I think you talk about step one is setting goals, is that right?

Dan: Yeah.

Mary: Take me down the path. And so how do you go about doing that?

Dan: Well, I'm a creature of habit. Most of what I do has to be sort of predictable and efficient. It's how I get things done and still can be home tonight at 5:00 or 5:30 for dinner. So, you have to have goals about what you want to achieve both on a daily and long-term basis. You need to have a strategy of how you're going to get there, and you need to implement it but doing so in an efficient way because you can just meander, or you can focus. And so those are sort of the ways that we look at this when we put the book together.

Mary: Can you give me an example of a goal that I might want to set?

Dan: We do it here and it deals with some of the publicity. I'm in a very small office. It's me, and another attorney, and a paralegal, and that's our staff. And for flexibility, I'm the only one who's here five days a week. They're here four days a week and if we need them they'll help out. But if they need to deal with their kids, that's fine. So, we're trying to do all of our legal work, also run a technology business that's sort of like a boutique business and get everything done efficiently in terms of marketing. And while we have some people who help us with some things, we do all of our own blog posts, our writing, everything like that. So, we have the goals of how much we want to do in terms of all of those items. Then we have timelines for what we're going to do.
We track our work in terms of where we are on the workflow, and we put that in and we actually integrate it with our legal workflow so we can reach the goals and we know we'll get this done and we'll have X number of blog posts. I do most of the podcasts, so I have to do it that way and it works. If the goal setting is more clients, that's a different challenge, especially in a community where I am where everyone's on a billboard but me, but we focus on all of those goals and then set our strategy.

Mary: So is part of the goal setting process, you're doing the technology business, you're doing the legal business, I know you're really active, you write a column for law practice division, you're writing books. So do you decide okay, my legal practice is going to constitute 20% of the week or how do you sort of divvy that up because any one of those things you do could overtake and become an 80-hour week really easily. So how do you set the goals in a way that allows you to do each and do each effectively? Because I've known you for a number of years and I know you've achieved that. I think it's pretty amazing. I still struggle with that.

Dan: Well what we do, and I'll talk from me because I do more different things than my associate primarily works in the law firm and does some of the marketing, but mostly in the law firm. Pam and I sort of tag team the technology and the law. But certain things, I do my writing, I do my course planning and all of that type of work only on Sunday, and I do it at my kitchen table on Sunday, which is my home office. So, you won't see me doing that here other than maybe a quick edit of a column so I get someone else to read it. In terms of the businesses, over time we realized what the proper balance between time is between the law and the tech, particularly because of how the law firm just has really grown. And so, we have our own workflows for everything. We have everything in our office has a deadline, there is nothing that we do that does not have a deadline attached to it, even if it's a fictional one. And then we put them all together into the workflow and some of its visual. If you look at my desk right above me is a little chart that we change all the time with my updated deadlines or what's coming up that's essential. And so we'll do all of the major things and then figure out what are the highest priority items that you can do when you take a break or when you have a few minutes and we put them into a workflow and everything is written down, whether it's electronically or on a board. We also adopted one of Allison's suggestions, that I talk about all the time, which is we always have a must-do list for the day, which is our three-item list. If you came in here right now, you would see the list. The list is actually a bunch of phone numbers because these are people I had to call today and if I don't call them today, this day is not a success for me and that's while I'm doing all my other work.

Mary: We are going to take a brief break from our episode for a word from one of our sponsors.

Mary: Okay, let's continue our episode. Now you've used the word workflow several times and I know that the meaning of that is obvious to you, but I'm not sure that's obvious to everybody else. So, I just ask you to tell me what you mean when you refer to workflow.

Dan: We use what's called case or matter management software. But what we do is we break everything down into steps so that we know, and I'll give you an example that today we discovered long story, we have an appellate brief due next Wednesday. We didn't know we were going to write it until next Wednesday. The workflow began yesterday when I essentially entered my appearance in the case. As soon as I did that, Pam, who's in charge of putting all of those in our system, puts in a workflow that tells me I need to do certain things, which include filling out certain court forms, preparing certain preliminary documents. She's assigned to do certain aspects of it. She gets reminders of that, that I won't even see. So before today was done, she had created the record and everything else. So, we break everything down into small steps and we diary or create tickles or whatever people want to call it because you can do it in a lot of different ways. And the example I always use is giving people directions how to get somewhere. If you want to get from my office to my house, if I tell you to go down the road but don't tell you to turn right at the second traffic light, you're never getting there. So, we break everything down into steps we have, and we know who's responsible for every one of those steps that ultimately gets us to wherever we need to be. If it's a brief, the ultimate filing, if it's something else, whatever it is. And so, workflow to us is step by step by step, but making sure everyone knows their role. And so, I even do it, you talk about columns. I have reminders and those reminders then I add in when I think of what I'm going to write about, they get put in there and so everything comes up and I don't have to think about or remember any of those deadlines because whatever deadline you try to remember, you will forget. But when the computer tells you, you know. But to me, workflow is step by step by step.

Mary: Which reminds me wasn't it you that wrote a book on checklists as well?

Dan: Yes.

Mary: Okay. And so, whether it's checklist, process map, to-do list, the point is make a list of how I'm going to leave the studio tonight and go to my next stop with detailed directions.

Dan: Correct.

Mary: Which comes to another point, I think that's actually a piece of effective delegation, which you talk about because I don't know how you delegate if you don't know where you're going from and to give that to somebody else. So, can you speak a little bit about effective delegation?

Dan: Yeah, and delegation, I will tell you that and candidly, checklists were the two challenges for me when I went from a pure solo to a small firm. But delegation means giving people the highest work level they're capable of that you no longer have to do. And so, my paralegal office manager, Pam, is extremely capable. So today, in this case, we have something called a docketing statement that's filed for every appeal in Pennsylvania in our two intermediate appeals courts. Well, we saw that the one that was filed was incorrect. She immediately knew what had to be done, correct it, and filed it. I've never seen it. I don't have to see it because she knows what has to be done. There's certain other documents like that that 95, 98% of the time she will do and I don't even have to look at it. So, I'm delegating to her work that I never have to see or have to see for a moment that I could say, "Oh, I have to do it myself." Also, it's having really good people around you. Not settling as I recently told someone for employees. But it's having those people creating the lists and knowing who can do what where you don't have to sort of worry about them. We developed a separate practice area that was referred into us three years ago. Krista, my associate, handles it and I probably don't see 98% of what she does. I'm happy. I know she's capable. Gets it done and it's done right. Clients are happy. I don't even have to see it and that's comfort. But I delegate it to her. Years ago I wouldn't have.

Mary: She's been doing it for a while though, right? I'll give you my thoughts. Somebody taught me this about delegation because I think as a generality you see what I call some people think delegation is what I call dumping. I'm going to dump this pile of stuff all on somebody. I'm going to dump 100 estates on a new associate's desk and he's never actually done an estate before. I call that dumping and overdelegating or then there's the under delegating. And so what I was taught was kind of like to make it a process where say this project I delegate 10% of it the first time, 20% of it, 30%. Always using that checklist or process map and the process until I get to the point where what you're saying is that you can delegate 98% of some of what you do to somebody else and have confidence it's going to be done right. But for those who haven't done it before, does doing some kind of process like that potentially work?

Dan: Not unless you train people.

Mary: So you have to train them.

Dan: That's what you're talking about.

Mary: Yeah.

Dan: Because you're starting with 10%, that's right. If you start with 50 or a hundred, you'll be calling a carrier and that's not what you want to do. So, you need to train people. And the need sort of to train and know the workflow is the genesis of our book on checklists and why I finally came around because as a pure solo, I had everything in my head. I knew how to handle this, this, or this, but suddenly other people are here, including Pam, who had worked with me at another practice but hadn't done what I was doing here. And they're like, well it's in your head. And we started and literally Pam and then Molly, who was here, and then it was the other co-author of the checklist book, forced me to do a brain dump. And we started converting what I knew how to do so that they knew and then they learned, and as they learned, they got more trust and they were smart, capable people and they developed the trust. But I don't view it as dumping because to me, dumping means giving people the busy work. I want to get people working at their highest possible levels, not making them feel like they're at the bottom. And that sounds like what you're talking about, where you build them up. It's the idea of dumping where this is the junk work that no one wants to do and sometimes we all got to do that.

Mary: Yeah. And that that's a good reminder because we do all have to. I had somebody one time who complained that she was being treated like a secretary, which we don't have. And I'm like, "Well I do that kind of work some days too." But one of the other things that you talk about is limiting distractions. And so, this is an era and I think just before we started, I was making my standard, okay, have all my notifications turned off because they'll take me over the deep end if I keep getting distracted all day. But you've talked a lot about limiting distractions and managing email, which is really two different things. So, let's start with all the multiple distractions. So people get emails, texts. My favorite is somebody will call me on my VOIP line, call me on my cell, send me a text because I didn't answer, and then send me an email and then somebody's knocking on my door to check to see if I got the email or whatever the case is. You have so many forms, so how do you limit the distractions? Some days I'm like this whole remote thing works better because I'm just going to go home, shut my door, and nobody can knock on it. But that only eliminates one source.

Dan: Yeah, well distractions are hard. We're in our office primarily, but Pam and Krista often will work from home if they need to or whatever. And distractions are a hard part of it, but I try to limit them in certain ways. Some I'm good at, like anything else, some we're not so good at. But if it's really important we have this DND system. I put a yellow Post-It on my door where I cannot be bothered. And I have a feeling we're going to get to that level in the next day or two because I have three appeals to argue next week. But for the most part, distractions are you can manage them in certain ways. My cell phone is not generally a distraction. Why? I don't give clients my cell phone number unless there's some extraordinary circumstances. I don't take texts from clients. People during the day know I rarely look at my phone. So, if you text me, I may or may not even notice it till the end of the day. If you want to communicate with me, either email or call the office. We explain to clients that when they call us, I'm not necessarily going to drop everything for a client that instant and take the call. If I'm working on, let's say your matter, Mary. I'm going to focus on your matter and not take a call that's going to leave me off of that. But then when I can call you back at four or five o'clock, I will focus on you and give you that same level of attention. So, we limit the distractions by trying to build up the expectations of the other people. And to me, the biggest distraction is email. I'm still not the best at dealing with it, but I deal with it a lot with some techniques but it's probably the hardest thing we all deal with.

Mary: I think email is. Yeah, I was hoping you could tell me how to solve that problem today. Because my goal every night is to, by the end of the day, to be under a certain amount in my inbox and then I go to sleep and people are in other time zones and I wake up, and my inbox is like, how did that happen? And you some days feel like you're just starting it all over again. Well, we're kind of getting to the end of our time for this episode and you're going to join me on a couple other episodes in the future on different topics. But what I want to ask you before we end for this episode, is there any top tips that would help people with productivity that I haven't asked you about yet today?

Dan: Well, to me, it is writing things down. Old-fashioned paper of what needs to be done. Your must-do lists. Sometimes you don't have to always write it, but what I'm not going to do, have a plan for the day. If need be, schedule your work. So, you could see me schedule for two hours and I'm going to write a brief for whatever the case may be, and then follow it as much as you can and make sure the others who work with you understand what your circumstances are on that day or time.

Mary: Well thanks Dan. As we reach the end of our episode, I do want to thank our sponsors Interactive Legal, Carson Private Client, and Foster Group. That's all for now. Thanks for listening to today's episode and stay tuned for our weekly releases.