



When You Have Too Much on Your Plate

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Most attorneys share a common fear of downtime, along with a related inability to turn work away. I'm not talking about work you're unqualified to do. Most of you are smart enough to avoid the risks associated with dabbling. I'm talking about work you are qualified to do, but don't have sufficient time to do well. I get it; no matter how successful an attorney is, there is always the fear that lean times are ahead.

If you're fortunate enough to be situated at a firm with extra hands, taking on an overload of work is rarely a negative. In fact, it's essential to make sure those spare hands are kept busy, which in turn provides additional opportunity for the firm to generate profit.

An excess of work at a solo or small firm, on the other hand, can lead to disaster. A rushed, disorganized representation. Bad word of mouth. Perhaps malpractice. Write-downs and write-offs. Lawyer burnout.

Let me define what situation I'm talking about; not just the natural occasional overload one experiences in the ebb and flow of matters. Rather, a consistent level of workload which is beyond the level of concentration and sustainable energy endurance of most attorneys. If you need to close your door for a moment to think honestly about whether this is you — or your partner — please do so.

If you or a colleague find yourself in this situation on a consistent basis, please consider implementing one or more of these well-tested suggestions:

1. **Put the pen down.** Notify clients who have fallen behind on payment that you will have to suspend work on their matter until they catch up. And then actually do it! Spend your time instead on clients who pay their bills.

2. **Fire *at least one undesirable client*.** This may be the one who makes your hair stand up when you hear their voice. It could be the one who contacts you repeatedly with nonsense, the time for which you never seem to be able to bill. Perhaps it's the one who complains about each bill and pays slowly even after an accommodation.

You probably have more than one of each, so take your pick. The resulting psychological relief will renew your spirit.

3. **Raise your rate for new clients.** There is never a more appropriate time to increase your rate than when you have more work than you can handle. Keep increasing your rate for new clients until such time as you see a minor impact on your conversation rate from prospect to client. (That presumes you actually know what it is currently, hint hint!) You will wind up with less crushing work and more profit per hour.

4. **Raise your rate for existing clients.** When you see a consistent change in your conversion rate, stop increasing your rate. Send out a notice to existing clients, (assuming your engagement agreement supports this, and in accordance with any time interval specified), letting them know that your rate will increase to \$X (your new current rate) as of a date at least thirty to sixty days hence.

For clients with past due balances, include in the letter an offer to delay the increase for an additional thirty to sixty days provided they *bring their balance to a current status* before the date the increase is scheduled to go into effect.

5. **Delegate more.** Attorneys at solo and small firms are frequently stymied at how to affordably delegate. When the profit margin is tight, every penny counts. I get that. However, one's perspective can mischaracterize a potential profit as an expense.

First, what do you have to delegate? Is it attorney work? Paralegal work? Administrative assistance? Marketing expertise? Before you can



effectively delegate, you need to make a list of what type of work you could have delegated and about how much time would have been needed. Don't skip this important task. Over time, as your detailed list grows, you will really know, rather than guess based on an inaccurate memory, what the best option is for you.

In today's marketplace, you don't have to make a commitment to hire someone full-time to get the assistance you need. In fact, with the shortage of qualified applicants for full-time positions, especially in suburban and rural areas, you stand a better chance of finding the talent you need for just the volume of hours you need. Which is pretty much a formula for profit.

If the hours you need are administrative in nature, weigh the hours you will free up at your billable rate against the cost to pay someone who will be more capable and efficient doing the job at a lesser rate. Again, a formula for profit.

These are just five quick suggestions which all work. If you're not sure what your strategy should be, how to get started, or want to brainstorm more ideas for your unique set of facts and circumstances, I encourage you to schedule a call with me.

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