



Taking the Work Out of Your Workflow

*How to Map Your
Processes*





What is process mapping? Here's a great definition:

Structural analysis of a process flow (such as an order-to-delivery cycle), by distinguishing how work is actually done from how it should be done, and what functions a system should perform from how the system is built to perform those functions. In this technique, main activities, information flows, interconnections, and measures are depicted as a collage on a large sheet of (commonly brown) paper, with different colored 'Post-it' notes or slips of paper. This graphic representation allows an observer to 'walk-through' the whole process and see it in its entirety. Also called brown papering.

We've compiled the information in this brief ebook to serve as an introduction to the exercise of process mapping, which is an important first step toward improving your organization's efficiency and effectiveness.



Why You Should Map Your Processes

Why should you map your processes? Because "that's the way we've always done it" isn't a justification for anything. Frankly, this is the most common justification for policies, procedures and protocols that are irrational, inefficient, or violate common sense.

Why else? Because checklists are key. Just read the best-selling book called *The Checklist Manifesto: How To Get Things Right* by Atul Gawande . The book illustrates the critical importance of checklists in many professional fields but doesn't spend much time talking about the legal applications. However, you'll immediately see its application to the legal world and to the practice of law. There is high value in compiling checklists (which are essentially process maps) for all significant practice areas you're involved with. Checklists and written protocols are important for business continuity and as part of your business succession plan. They also allow you reduce errors, ramp up new employees quicker, and delegate tasks to support staff that you may have otherwise had reservations about delegating.

Ideally, checklists should be used for every process. By "used," we mean that the items on the checklist are actually checked off (on paper or electronically) as they are completed; and someone actually verifies or certifies that all steps were followed at the end of the process. This could be a simple paper checklist which someone follows and is then signed and dated at the end. At that point, it could be scanned into the file if you're trying to reduce paper.

How to Document Your Processes

The steps involved in any particular legal process cannot (safely) only reside in someone's head. This doesn't have to be terribly complicated. The idea is to write down the steps involved in the main workflows which occur in your office. You want to note what tools are used in each step (software or hardware or whether steps are completed manually), who performs it, and how long each step typically takes. You also want to know how often the process occurs each month.

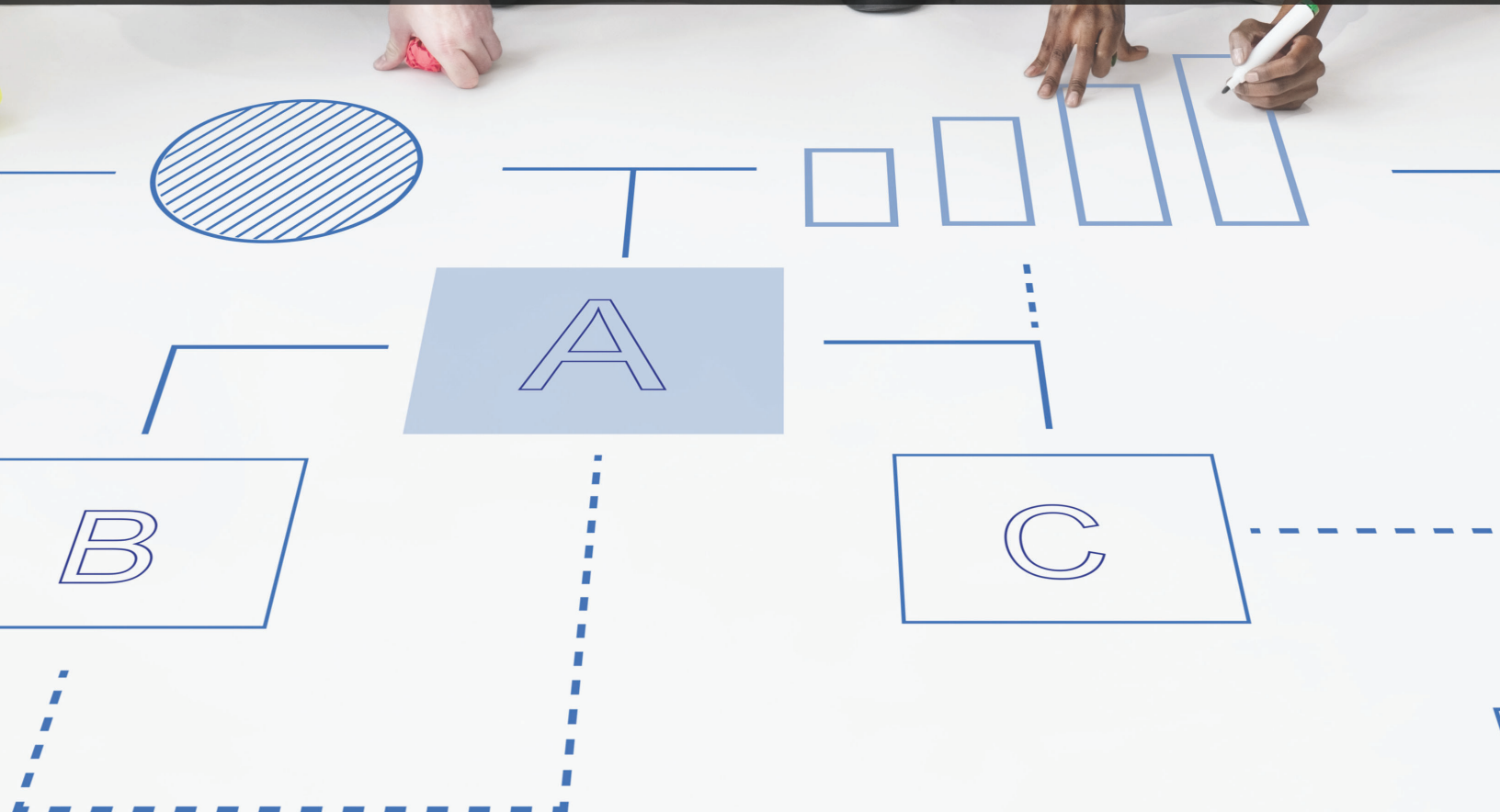
How to Build the Flow

For each step of a process, you want to record:

- **A description of the step.** For example, “Have Initial Meeting with Client” might be a description.
- **What tools are used?** This may include a software program, a voice recorder, a tablet or anything like that.
- **Who does it?** Who typically handles this step?
- **How long does it usually take?** Write down a range of time - you want a minimum number of minutes, a maximum number of minutes and an average.
- **Any decisions made at this step?** If decisions need to be made, what are they? Are there any factors or rules one should consider when making the decision?

How to Document the Flow

Most people do this in the word processor by simply numbering and describing the steps involved in any particular process. If you want to graphically represent the process, then you could use programs like SmartDraw or web services like Lucidchart.



Example Process: Opening a Probate Estate

Let's say a firm opens new probate estates approximately 3 times per week. Here are the steps:

1. Client contacts us.

We normally receive a call from a loved one of the decedent and it is typically a spouse or child who will be appointed the fiduciary of the estate. The initial calls can last anywhere from 15 to 60 minutes depending upon how many questions they have. We schedule an initial meeting during this call normally for 2 weeks out. The call is always handled by one of the attorneys (Robert, Sarah or Paul).

2. Paper and electronic files are created.

Amy fills out a new file form and submits it to accounting (Michelle) electronically so that the matter will be created in the accounting system. Once Michelle emails Amy the client and matter ID, Amy creates the paper file (red rope with sub folders), labels the file with decedent name, client & matter ID. This entire process takes 35 to 50 minutes but averages 45 minutes to complete.

3. Initial client communication is completed.

Print initial fiduciary questionnaire, cover letter and list of items to bring to the initial meeting and mail to fiduciary. Process completed by Amy and normally takes 15 to 20 minutes.

4. Engagement agreement is prepared.

This is handled by Amy with instruction from the attorney in advance of the initial meeting and the printed engagement agreement is added to the file. This usually takes 15 to 20 minutes.

5. Initial meeting with Fiduciary is completed.

These usually last one hour (or 10 minutes more or less) and one of the attorneys handles it. The attorney goes over the information provided by the Fiduciary, creates a list of any additional items needed and has the fiduciary sign the engagement agreement. Amy makes a copy of the agreement for the client and we keep the original.

6. Probate forms are completed.

Amy completes the following forms using the fillable PDF forms available from the Probate Court. This is slightly inefficient because the same information has to be re-entered in each form; and some of the forms don't have enough space to type everything so must be printed and finished in a typewriter.

- Form 1.0 - Surviving Spouse/Next of Kin
- Form 2.0 - Application to Probate Will
- Form 2.1 - Waiver of Notice of Probate of Will (if required)
- Form 2.2 - Notice of Probate of Will (if required)
- Form 2.4 - Certificate of Service of Notice of Probate of Will (if required)
- Form 3.0 - Appointment of Appraisers (if required)
- Form 4.0 - Application for Authority to Administer Estate
- Form 4.5 - Entry Appointing Fiduciary - Letters of Authority

The foregoing forms are printed and signed by the attorney where applicable. Amy then drafts a cover letter to the fiduciary, a postage-paid return envelope and mails the forms and letter to the fiduciary to sign and return. This entire process takes about 2 hours (although it may take 10 minutes more or less).

7. The estate is opened at probate court.

Once the forms have come back signed, Amy fills out a check request form for the deposit necessary to open the estate and obtains the check from Michelle. She also makes two copies of each form and puts them in the file. The attorney then takes the entire file to the Probate Court, deposits the initial fee, files all of the original forms, obtains time-stamped copies of the copies, obtains the certified Letters of Authority and returns to the office. This process takes 2 hours on average (although it may take 10 minutes more or less).

8. Pleadings are returned to client.

Amy takes one set of the time-stamped pleadings, drafts a cover letter and sends them to the fiduciary. This process takes 10 to 15 minutes on average.



The Benefits of Process Mapping

A detailed accounting of every aspect of a process, such as was created in the example on the previous page, enables you to see opportunities for improvement. A lot of little things could be done to make the example process more efficient.

- A pamphlet could be created which is sent to new clients explaining the probate process. If this could be sent to the client, it would cut down on the time involved in the initial client phone conference and initial client meeting.
- The file could be maintained exclusively electronically rather than both paper and electronic.
- Many clients may be happy to receive an emailed PDF copy of pleadings and filings. This would save on sending out hard copies and drafting correspondence.
- Templates could be created for all of the standard correspondence, which would speed it up; and those templates could be linked to Outlook or a case management program which automatically pulls in the client's information so that it doesn't have to be entered again into every letter.
- A program could be used to generate the probate pleadings which would be much faster than using the court's PDF forms. Information would only have to be entered once and it would transfer from form to form.

In addition to revealing opportunities for improvement, writing down what is supposed to happen at each step and who is responsible for it creates accountability. It also significantly reduces the possibility that a step will be omitted; and it makes it much easier to train new employees. If you're the one putting the written process together by gathering the relevant information, then it's a great way to learn.

About Affinity Consulting Group

At Affinity Consulting Group, we inspire, enable, and empower legal teams of all sizes to work smarter. Our holistic approach incorporates people, process, and technology. Our passionate, well-connected industry experts work hand in hand with you to help you better understand and optimize your business—from software to growth strategy, and everything in between. Our vast network of partners and deep industry expertise ensure that we can deliver cost-effective, custom-tailored solutions to even your toughest business challenges. If we don't do it, we know someone who does. Please visit our website to learn more: <http://affinityconsulting.com>

