

TIME MANAGEMENT FOR THE TIME IMPAIRED

By Derrick H. Wilson

As lawyers, our primary currency is time: time to work up a case, prepare a will, prepare documents or the like. At times, it seems that managing time, however, is almost overwhelming. The following are a few tips to make managing time at work and home a little bit easier:

1. Control your space. If I went into your office right now, what would be on your desk? Is there a logical flow to how things get into your office and leave your office? Are you able to find things on your desk if you need to? When I wander around my firm, I can tell a lot about how a person manages their day by looking at their desk. I've been at the offices of other lawyers where they have literally 25 files on the desk and can't find a paper clip to save their life. I've been to other lawyers offices where that have perfectly clean desks with nothing on it. (I often wonder if those are "show" offices that are never actually used.) After only thirteen years of practice, I have devised a system that seems to work for me. I have two outboxes: one for any out-going mail, correspondence and the like; and one for timesheets since the person who enters my time on a daily basis is different from my secretary. Any magazines, articles, and the like that I have to read such as advance sheets, also go in a particular place on my desk. My secretary knows going in my office that anything that needs to go out will always be in the one basket. Likewise, she always puts anything I need to review in the center of my desk. At any given time, I try to have only one file on my desk. My thought process is pretty simple. Barring some bizarre mutation, I can only review one file at a time. When I finish that file, it goes in my outbox and my secretary re-files the file. This gives me a lot of workspace I need to spread out any papers I need to review such as medical records. More importantly, at the end of the day, I can look at my desk and be confident that, for the most part, the tasks that I need to get finished on a particular day have, in fact, been done and I don't have a pile of things waiting for me in the morning.

2. Use FIFO, not LIFO. As an undergrad, I had to take one accounting class and the only thing I recall is the different ways of doing inventory. FIFO, first in first out, is where the first item coming into the warehouse should be the first thing going out of the warehouse. This is opposed to LIFO which is the last thing in is the first thing out, unless something is an absolute emergency. It makes sense to do your older work items first. There are times when a more interesting matter comes along or a particular partner may want you to do something which is more glamorous than what you are doing right now, but, for purposes of the workflow, it is important that the older items don't keep getting pushed back further and further. Your secretary also has to have the same philosophy. If you are in a busy practice, it is easy to forget about what is actually sitting on your secretary's desk. My secretary does a good job of sorting through items and trying to make sure that the oldest items get out first so there isn't a backlog of old work.

3. Schedule follow-ups. On some cases, particularly ones where there isn't an insurance company on either side of the case or it's not a personal injury case, it is easy for the case to fall between the cracks. You send out the discovery in January and as you are looking through the file

three months later in preparation for something, you notice that the discovery has never been responded to. In our office, we try to docket a follow-up 35 days or so after service of discovery to ensure that it's flagged when it's not responded to. Everybody has a tickler system for Motion responses, statutes of limitations, deadlines for filing answers and the like, but sometimes discovery is the thing where it is easy to fall through the cracks. Likewise, if a person is supposed to get back with you on a particular issue such as a settlement offer or to check service on a complaint, docket forward 14 days.

4. Schedule maintenance time. At least once a month, if possible, plan on blocking out some time at the office or at home to go through all of those advance sheets that you haven't gotten to or other items that are not expressly related to clients.

5. Utilize the salami principle. I read a good book a number of years ago that talked about managing stress as well as time management. The author noted that, oftentimes a project looks overwhelming when you try to look at the project in its entirety rather than little parts. The salami principal says that if you look at the whole loaf of salami, it is hard to imagine going through it, but if you take it a slice at a time, it is much more manageable. Sometimes you waste a large amount of time trying to cover too many things at one time rather than breaking out one issue, getting through it, finishing it and going to the next issue. That's the basics of the salami principle - take one thing, deal with it, and move on to the next.

6. Find a schedule that works for you, not everybody else. Some people will always be early birds and some people will never be able to get to the office until 9:00. So long as the work gets done, it largely doesn't matter. Find a schedule that works for you, however, to get at least a ½ an hour of time where no one is around. A managing partner of a large local firm once told me that he got in the office every morning by around 6:30 a.m. He said he got more done in the first two hours of the day than he did pretty much the rest of the day because no one was around to distract him. The clients didn't call, he didn't have to go through the mail, or deal with other office people. I am typically in the office between 7:45 a.m. and 8:00 a.m. Our office doesn't officially open until 8:30 a.m. so I have 45 minutes to plan my day. You may well find that it takes about 30 minutes for you to actually start getting in the groove of work in the morning. I have a friend who likes getting his young children up in the morning and spending time with them so he doesn't get into the office until about 9:00 a.m. or 9:30 a.m., but then stays in the office until 6:30 p.m. or 7:00 p.m. routinely. He has an hour or so at the end of the day to work on projects without interruptions.

7. Work efficiently. In college, I worked at a restaurant waiting tables. My manager drilled into me his mantra about being as efficient as possible. Even now, every time I go to a restaurant, I note how many times a server may walk by a table without cleaning a table five or six times, even though the server doesn't have anything his hand. There are lots of lawyers who spend 12 hours a day at a law firm, but don't get as much done as a person who spends six hours a day at the same firm because they aren't as efficient. An attorney and I were comparing notes a few weeks ago about an associate in her office. She complained that the associate seemed to be there all the time, but on average was billing two hours a day and they couldn't understand why. It appeared that

either (1) the associate did not have enough work to get by with and just wasn't telling anyone; or (2) the associate was wasting considerable time without any explanation. If you are in a firm, the timesheet is almost sacred. There will be times you look down at the end of the day and try to figure out what you did the entire day. Record all time contemporaneously, even on non-client matters. I know a lot of personal injury lawyers who don't keep track of time and I always wonder why. How are you to figure out if a particular case or a particular area of practice is generating a profit and the real value of the case when all is said and done if you don't know how much time you put into it? If you try to reconstruct your day at the end of the day, you will never ever be able to get everything right. If you are completely rushed, at least put the client's name down on a sheet so later on you know that something was done on that particular case. Likewise, if you find yourself during the course of a day spending an exorbitant amount of time on non-billable matters, ask yourself why? If an insurance company, for example, will not pay for inter-office conferences, which is common these days, at least record it as non-billable time so you know where the time went. If you find yourself on a particular day taking 20 intake calls that take five minutes each, that's an hour and a half of time which is unaccounted for unless it's noted somewhere. That time has value if it generates business. I also generally record any substantial time I spend on bar-related activities or the like so it doesn't look as though I simply haven't been doing anything the entire day.

8. Use dead time. As I dictate this, I am driving to a hearing two (2) hours away from my office. I could be listening to talk radio or CDs, but this is a little more efficient use of my time. I may also catch up on phone calls as I am driving along (generally using a hands-free device). At times, I go to hearings with advance sheets in hand since I know that about half the time my hearing will not go as scheduled and I will be waiting around for half an hour to an hour. If I end up having lunch by myself, often times I will go through one magazine or the like. I try not to take work home, if at all possible, and doing these little things helps me do that.

9. Make time for yourself. I have met lawyers from different states who talk about working 60-70 hours a week. That really isn't a life. Perhaps the financial rewards are worth it to those people, but that's not my cup of tea. You need to make time for yourself and you need to take care of yourself. I see a lot of lawyers who look tired and I think their practice suffers as a result. One of the best ways to combat this problem is to start working on a minor exercise program. A recent article in *Men's Health* magazine noted that ten minutes of exercise in the morning can boost your energy levels by 50% and has a number of other health benefits. Before becoming a parent, I used to get up 30 minutes early every morning and catch the news while biking on my exercise bike and doing a few other exercises. When I came into the office, I felt a lot more energized. Now, having a toddler, I am unable to do the full 30 minutes that I used to do, but I can still squeeze in 10-15 minutes in the morning. This is time you are not going to miss, but it is time that you will get a lot of benefit out of. The lawyers I know who have an active lifestyle seem a lot happier and seem a lot more productive. Established research proves that high stress can directly cause health problems. An exercise program addresses the health problems and also directly reduces the stress.

Likewise, I know lawyers who haven't taken a vacation for 4-5 years. I really can't figure out how they do it. Every so often, I can feel myself dreading going to the office, dreading dealing

with a particular client and the like. Everyone needs time to recharge their batteries. When I go on vacation, I never take any work and I generally do not call into the office, but if something is going on, I will call into the office one time. The office staff is well aware that absent an absolute emergency, I am not to be disturbed. If you are unable to take a vacation due to your kid's school schedule and the like, take a mental health day. A mental health day is simply taking off one day where it is absolutely and totally devoted to you doing whatever you want. This may be a day where you can play golf all day long, hang out at your house and read a book, or sit in front of a computer screen and play video-games for 12 hours. Whatever you do is your concern, but it has to be 100% about you and not anybody else. This isn't selfish, this is self-preservation. To the extent you can, take lunch somewhere other than your desk. It happens occasionally, but it is important psychologically to get away from the office and outside the four corners of your building sometime during the day. When you have lunch with people in your office or other lawyer colleagues, make a pact that, to the extent possible, you won't discuss work. There is nothing more annoying for me than leaving my office going to lunch and talking about the same things we just talked about at the office. Lunch time is my time to think about something else.

10. Prioritize your day. On any given day, there are certain items that you can put off until the next day and there are certain items you really need to get done. Psychologically, there is something important about having a list of items and checking them off item by item so you know at the end of the day all of the things that you need to have done, have been done. Force yourself to stay at your desk until the critical items are done.

11. Get some type of electronic organizer. I became a Palm convert 5 or 6 years ago after my alternative system of square yellow Post-It notes seemed to be lacking. Every day I would make myself a little to do list, but by the time I added things on and crossed things out, oftentimes I couldn't make heads or tails out of it. Likewise, my secretary couldn't schedule things when I was out of the office. One of the nicest things about a Palm Pilot that is often overlooked is that if a client has ever called me and I put it down in my To Do list to return their call, I always have that number with me and I can pull it up whenever I need to. Even though they are more expensive, consider a Palm/phone combo. There are a number of these out and the nice advantage of it is that it is much less to pack on a daily basis and also everything is integrated. Any phone number in your address book on your Palm can be dialed using your phone. In my Palm Pilot I have a number of things that would typically end up in my wallet such as my Bar Association numbers, any passwords I need and the like. For the real techno-geek, you can also import into your Palm Pilot copies of the Indiana Trial Rules, Child Support Guidelines, and Parenting Time Guidelines with some add-on products available for the Palm. As importantly, with the Palm Pilot, you can quietly sit in Court playing Galaxia while the Court thinks you are looking at your calendar. In our office, we have a program called PhoneSlips that integrates any information from my Palm Pilot with the firm calendar so my secretary can add certain things and, when she does, an inter-office message is sent to me telling me that she has added certain things so I can double-check it. You can also set alarms on your Palm Pilot to go off when critical dates are coming up such as statute of limitations, key hearing dates, spouse's birthday and the like.

12. Try remote desktop access. If you are running Windows XP Pro, this operating system comes pre-installed with remote desktop. This is similar to PC Anywhere. This program lets you dial into a particular computer at your office from home. When the program comes up at home, you are looking at the exact same screen that you would be if you were looking at your desk. You can pull up programs from that machine and work on them, close them out, and save them on the machine at the office even though you are working from home. You can access any inter-office e-mail system and the like to send messages to your secretary or anyone else even though you are not in the office. During the last couple of weeks, I had some work done at my house and while waiting for the repair guys to show up I was able to check my e-mail, respond to some client inquiries, pull up a couple of documents I was working on and send a couple of notes to my secretary.

13. Like what you do. The best time management system is worthless if you feel that every hour is a day in purgatory. Lawyers who like what they do are going to be more productive and have a more positive outlook. Your legal career may never seem like a vacation, but it shouldn't feel like a prison sentence.

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