The Four Cs of Recovering Billable Hours

Completeness, Control, Context, and Consumption Lead to Best Practices

by Hana Woldin

Billable hours are the lifeblood of law firms. The attorneys who produce those hours work in many different ways. Therefore, a time capture approach that focuses on the attorneys' distinct workflows is necessary to recover billable hours. In our experience, effective time capture embodies the principles of *completeness, control, context* and *consumption.*

Completeness

Time capture is not helpful if it only captures 60% of attorneys' time, somewhat helpful at 80% capture, but highly valuable at 90% capture.

Completeness means that attorneys can use time capture as a single resource to jog the memory. The complete record tells attorneys *what* they were doing, so they don't have to spend time rummaging through document histories and sent emails to figure out what they did with their days. With the record at their fingertips, they are in the position to summarize their activities and explain *why* for the benefit of the client.

To be complete, time capture must be:

1. **Ubiquitous –** focusing on the attorney's attention, wherever it might be —including work with non-traditional systems or non-firm based systems.
2. **Passive** – capturing the attorney's workflow without interruptions or timers.
3. **Attorney Centric –** surrounding the attorney across multiple platforms and locations to capture at the 90% level.

Time capture that reflects these principles gives the greatest return and maximizes recovery for the firm.

Control

Attorneys' #1 concern with time capture is the fear of "Big Brother." If attorneys do not feel that information is specific to them and under their control, many will treat it as surveillance and attempt to "hide" from it.

The best practice to encourage attorney adoption is to ensure the attorney has control over:

1. **What** information is captured.
2. **Who** can view their timesheet.
3. **How long** the information is retained (*by policy, to eliminate discovery issues)*

Attorney control can be implemented through the following features:

1. **Thresholds –** The attorney should be able to set limits (*do not capture my emails unless I spent more than 10 minutes writing one*).
2. **Blacklist –** The attorney should be able to decide which information is relevant, and which information he or she does not want captured at all. (*do not capture my spouse's phone number; do not capture how long I spent on espn.com*).
3. **Pause –** The attorney should have the option to pause time capture with one easy click on the desktop (*stop capture for 5 minutes; resume capture*).
4. **Opt in/Opt out –** The attorney should have the option to decide whether time is captured at all.
5. **Automatic Deletion –** Information should be on a path to automatic destruction within a fixed period of time, after it is no longer useful for helping recover billable hours.

In our experience, most firms already have tools to oversee their employees' use of technology. Time capture should not be considered another system for monitoring attorneys, but rather a private resource to help attorneys remember and recover billable hours. When attorneys feel control over the time capture, they are exponentially more willing to try it.

Context

The time capture system should put time into context. It should link single activities with details from the firm's back end systems and other activities the attorney has done in the past. The attorneys should easily be able to make the link between *what* they did and *why* they did it.

Captured time should be linked with:

1. **Matters –** Time spent on a document that is associated with a client matter, should be matched to that matter, giving the attorney a much stronger *why* hint.
2. **Contacts –** A phone call should appear as a name and a firm rather than just 10 digits.
3. **Threads** – Time from different emails on the same thread should be grouped together, so the attorney can understand how his or her time was spent on this correspondence across several days.
4. **Other contexts –** A conversation thread should show all the time spent on phone calls, emails and meetings associated with people on that thread.

These three principles; capture, control and context, when combined, create the most valuable information for the attorney. The next step is to deliver the information to the attorney in a frictionless and efficient method.

Consumption

Attorneys are reticent users of technology, but voracious consumers of information. Time capture works best when it is delivered as an informational resource that is pushed to the attorneys (for example as a widget or an email) for them to *read*, not a tool they must learn to *use*. On average, 60% of attorneys would embrace time capture if it were in the form of consumable information. This adoption rate is 200%-300% greater than the tool-based approach.

Attorneys have different work styles, so different delivery methods should be available to convey the information in whichever manner is most convenient for the individual. These can include:

1. **An email** the attorney can receive in their inbox or on their mobile device.
2. **A piece of paper** printed by an assistant and delivered to the attorney to mark up or review.
3. **A widget in SharePoint or the firm's intranet** that delivers contextual information about the attorney's activities.
4. **A web view** with the ability to "click through" to explore more deeply (for "power users").

When attorneys consume the information in the most simple manner, they recover an additional 3-4 billable hours per month.

A minority (20-30%) of attorneys want to learn more about their time beyond simple reports. The time capture system should accommodate these "power users" to allow greater depth but not burden those who just consume. When this balance is struck, the "power users" can become evangelists that encourage others to learn more and accept time capture.

Key components of serving these power users include:

1. **Exploration –** the capability to filter and associate time across contexts to show how time relates to knowledge; not just "*What did I do yesterday*" but across days "*What have I done with this person in the last month?*"
2. **Editing features –** such as merging, labeling, blacklisting, sorting and deleting entries.
3. **Creating Entries for Billing –** the ability to export time from the time capture system into the time entry system with one click.

Delivering information in the most convenient way on an individual basis will maximize attorney adoption.

Recover More Billable Hours

Every attorney works differently. So, the problem of losing billable hours cannot be solved uniformly. Time capture must be flexible enough to conform to the individual needs of each attorney. To do this, the system must have:

1. **Completeness** – Whatever technology the attorney is using, the time capture system must be there, passively capturing work without interrupting workflow.

2. **Control** – The attorney must have complete power over what information is captured. An attorney will not agree to adopt time capture if it is seen as "Big Brother".

3. **Context** – The time capture system must be able to draw a link between the single correspondences and the broader relationship with the attorney's contacts.

4. **Consumption**– There must be multiple delivery mechanisms to reflect whatever is most convenient for

the individual. This could mean passive delivery or active access through a web view.

These four principles form an attorney centric approach to time capture. Since each attorney has different working styles, the attorney centric approach maximizes the return for the firm. In our experience, a firm that employs approaches to time capture that implement the “4 Cs” will **recover an additional 6 billable hours per attorney per month.**

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