# Managing Innovation and Change in a Law Firm

**By Merry Neitlich**

**SUMMARY**

With the continuing redefinition of the business climate many law firms are finding the need to design and implement short and long-term business plans and strategies which may prompt significant changes within the firm.

Changes might include a myriad of innovations such as the acquisition of a small practice group or department, a technology advance, more effective use of social media, deeper analysis of competitive intelligence, or a new policy requiring partners to be more accountable for the ROI on their client development efforts.

When a major change comes to play in any organization certain responses typically occur. Using the researched-based findings of the Concerns Based Adoption Model (CBAM)* from the University of Texas, the remainder of this article will address the needs, concerns and levels of use that typically happen during the implementation of new innovations.

Many times a change is implemented for all of the right reasons. Perhaps a committee comprised of attorneys, and IT and marketing professionals have researched and documented the need for the new innovation. Perhaps a consultant was brought in to help select just the right program. The intentions of this new change are for the good of the firm; almost everyone agrees. Why then are there frequently problems with the actual implementation and use of new innovations?

The reasons generally have little to do with the merit of the program. Rather, the resistance to change, or keeping the status quo, has to do with concern over actually using the new innovation. Questions as to how individuals will be evaluated on their effective use of the innovation and when significant competency of the change is expected are often the real culprits of resistance.

Often times the firm will provide training, practice and a break-in period for the innovation to be learned. Why then don't these factors eliminate the struggle in accomplishing the change?

Factors such as firm culture, firm management, levels of concern over the new change and varying levels of effective use may all come to play as to why the innovation is producing more negative feelings than positive outcomes.

In many instances a firm may try to rush through this process without a plan to overcome resistance. The innovation seems urgent and justified to the committee and it is pushed into being. This can dramatically raise the level of concern of participants. When a firm steps back and explores individual concerns, the probability of a shortened and successful implementation greatly increases.

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\* The CBAM Model© is the acronym for the Concerns Based Adoption Model. It is a change process model copyrighted at the University of Texas in Austin. This monograph is adopted from the sustained research at the University's Research & Development Center.

In order to create a positive transition of the initial firm-wide implementation concept, plans should begin early in the process. Clearly stated expectations and a safe learning environment will greatly enhance the probability of success. The firm should prepare to deal with cultural issues such as:

- What are the front-end concerns of each individual that the innovation effects?
- How might this affect each individual?
- What is expected from each person and over what time frame?
- Does this process negate or put into question some basic givens about the firm's culture?

Perhaps the firm might schedule meetings to deal with individual concerns. Discuss the training format from orientation to mechanical use to routine use to full integration. Allow participants to verbalize anticipated stumbling blocks and concerns.

The training and implementation process might need to be reexamined and refocused several times during this process. This will effectively decrease the level of concern and increase the effective level of use of all participants.

The change process in any organization, according to the CBAM research, is fairly constant. By giving more meaningful planning time to this process we can expect to greatly:

- Reduce training and implementation time.
- Reduce the level of concern of all participants regarding the innovation.
- Increase effective levels of use.
- Create comradery, a sense of pride and accomplishment through the successful implementation of the innovation.

**INTRODUCTION**

As more and more law firms delve into changes designed to increase the overall effectiveness of the firm many are discovering they share concerns in implementing these changes.

These commonalities can grind even the most innovative idea to a pulp if pro-active planning is not adequate. Those who are involved in the delivery of changes in a law firm continue to discover that repairing the damage of a poorly planned innovation is more costly and time consuming than a carefully planned pro-active approach.

The CBAM research attempts to understand (1) how people change in both their feelings about their use of new programs, and (2) what processes and characteristics of individuals and settings facilitate or inhibit the change process.

## THE HEART OF THE MODEL

The CBAM Model points out that "change is a process" by describing four phases of making a successful change. Within every phase, there are characteristics of an effective innovation change program.

CBAM assumes that individuals grow in both their feelings toward and their use of new programs and that in order to enhance that growth, one must tailor assistance to specific developmental needs.

Individuals involved in this process usually move through three global stages in their concerns about the new approach. Self-concerns manifest during introductory phases. (How will this affect me?) Initial use is characterized by concerns about management of the program (Will I ever get it all organized?). Only when these prior concerns are resolved do concerns about impact on learners take over (Are they learning what they need?). Research on the CBAM has identified seven Stages of Concern about any innovation that reflect this general trend (see Figure 1).

### STAGES OF CONCERN

STAGE 0 . . . . . . . . . . . . AWARENESS

STAGE 1 . . . . . . . .. INFORMATIONAL

STAGE 2 . . . . . . . . . . . . . . PERSONAL

STAGE 3 . . . . . . . . . . MANAGEMENT

STAGE 4 . . . . . . . . . . . CONSEQUENCE

STAGE 5 . . . . . . . .. COLLABORATION

STAGE 6 . . . . . . . . . . . . . REFOCUSING

FIGURE 1

As individuals become more familiar and comfortable with an innovation, they became more skilled and coordinated in its use, and more sensitive to its actual impact on the firm. The Levels of Use of the Innovation (see Figure 2) are the second aspect of the change process which describes individual's actual use of the innovation.

### LEVELS OF USE

LEVEL 0 . . . . . . . . . . . . . .. NON-USE

LEVEL 1 . . . . . . . . . . ORIENTATION

LEVEL 2 . . . . . . . . . . PREPARATION

LEVEL 3 . . . . . . . MECHANICAL USE

LEVEL 4a . . . . . . . . . . . . . . ROUTINE

LEVEL 4b . . . . . . . . . .. REFINEMENT

LEVEL 5 . . . . . . . . . .. INTEGRATION

LEVEL 6 . . . . . . . . . . . . .. RENEWAL

FIGURE 2

Using the concepts from the Level of Concern and the Level of Use we can view the change process in four phases:

1. Orientation and Preparation
2. Implementation
3. Maintenance
4. Refinement

## The Orientation and Preparation Phase

This stage identifies individuals with concerns that are personal and informational in nature. These individuals want to know more about how the new programs will affect them. Training programs that are most helpful in assisting the learners at this stage are:

*Learner's Involvement in Planning*
There are several reasons why the learners and potential users of the innovation should be engaged at this stage. The support structure can be designed to specifically meet the needs of those who will use the innovation. These participants are most often able to anticipate problems in implementing the program. This allows the firm to plan initial activities that are most relevant to the users. Secondly if participants of the innovation plan its implementation they are more likely to buy into its success.

Every potential user of the change does not need to be involved in all aspects of the planning. But it is possible to have some individuals highly involved and for others to have some input at various points of the planning. For example, some might give input into designing the time lines and overall plan, while others may coordinate arrangements, and still others may assist with surveying participants' needs.

*Clearly Stated Expectations*
If the objectives of the change are clearly stated participants will know exactly what is required of them. This is the time to introduce a time line of expectations and how the innovation will be used to assist the firm.

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*A Comfortable Learning Environment*
The training environment bears a high correlation to successful implementation. During this learning process individuals must be able to ask questions and request help without fear of being evaluated.

*Active Involvement and Practice during Training*
After initial concerns have been addressed through dialogue and exchange of ideas, the final aspect of the Implementation Phase occurs. This is the actual training or "how do I do it" stage. Individuals should have an opportunity to actually practice the initial use of the innovation, again, in a safe and comfortable environment.

<u>The Implementation Phase</u>

Participants are now mastering the behaviors needed to use the innovation effectively. Their concerns at this stage tend to be management-related. This is the Mechanical Level of Use.

*Opportunity for Follow-Up*
At this stage, the learners should have the chance to ask for clarification of how the innovation is to be used. The experiences provided in training usually require time for practice and reflection. Providing a formal opportunity, rather than a "call if you need something" is a useful strategy for solving problems at this stage.

*Continuous Assessment of Needs*
Learners should be given the chance to express their concerns and questions as they arise. Effective implementation truly depends on knowledge of the participants' needs for encouragement as well as needs for additional information and skills.

*Reinforcement of Effort*
The learners' efforts to use the innovation should be recognized and rewarded. Follow-up at this stage tends to be problem-oriented or skill-building in nature. It should also provide continued moral support and understanding. Learners need positive feedback about their efforts to use the innovation, helping them build a feeling of accomplishment. This is essential if commitment to continued use is to remain high.

<u>The Maintenance Phase</u>

At this phase use becomes routine and no particular concerns are expressed. At times, if the innovation effort stops here, users might lose ground or settle back into old routines of low-use or non-use of the innovation. Continued development or training activities will encourage continued and higher levels of use.

*Ongoing Firm Support*
Those in charge of the innovation need to express understanding and support for the change process if implementation is to be sustained. The firm administration must state clearly that the new program is a priority and that needs will be attended to when expressed. This is a good time to check and see if expectations of the firm are too high or too low. A firm-wide message that "change takes time" can be a key point for continued success of the innovation.

<u>The Refinement Phase</u>

Competing for an individual's time and energy can be a factor which reduces the chances of progressing information to successful program refinement. If refinement of the innovation is a desired outcome by the firm a pro-active program should be delineated for all participants. Additional training or group sessions, which air concerns as well as accomplishments, may boost levels of use quickly into the refinement arena.

*Opportunities for Leadership*
During this phase certain individuals at high Levels of Use may come forth with creative and interesting ways of solving common problems. If these people are recognized and supported they may demonstrate just how important individuals are to the firm and to the success of the implementation. This method can sweep many individuals into the Refinement Phase.

**CONCLUSION**
Law firm innovations can be successful if development, training and support activities are designed according to the developmental needs of the participants. Initial activities should be directed at informational and personal concerns. Hands-on skill development training should occur next, followed by specific and timely problem solving. Finally, self-analytical and learner-oriented application activities should be recognized and held in high regard. The continuous support of participants, monitoring of progress and needs, and firm-wide attorney and administrative support all greatly increase the likelihood of a truly successful innovation. Leaving out any one of these steps greatly reduces the chance for a successful implementation of the innovation.

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