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Professional Development

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Peer to Peer **September 2009**

From Trainer to Performance Consultant

Learning Better Work Practices Is the Goal

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One of the joys that I have in my line of work is that I get to work with talented trainers from law firms all over the country — from AmLaw 100 to the small one-location, one-trainer firms — who share some common responsibilities. Most spend a good deal of time training new hires, participating in rollouts of new technology and providing targeted ongoing training classes either live in the classroom or remotely using a variety of distance learning technologies. All trainers wear many hats. I propose they add yet another duty and here's why: Performance is not improving.

We all know that training is about the transfer of knowledge. But for training to add value to your firm, learning must be tied to business processes and workflow of individuals and teams. In order for learning to be effective, it needs to include changes in behaviors, work practices, systems and relationships.

THE TRAINER APPROACH

So what is wrong with training? Trainers often start with the premise that the solution to everything is training.

Training is not always the answer. When a new technology is introduced to a firm, training is put forth to get users up to speed with the new tool. But is sitting in a class going to get people to use what they have learned? Will they be motivated to use what they learned back at their desks? A secretary that is not motivated to use technology will still be unmotivated and non-productive after a day of training.

Common trainer measurements don't tell much of a story either. The number of classes held, the types of classes held, the number of users who attended classes and the variety of classes offered are all good data to collect. These findings, however, do not tell us how training has improved performance or productivity.

THE PERFORMANCE CONSULTANT APPROACH

Performance consultants take it a step further by measuring results through tools such as assessment. By measuring the skill set prior to training and then again after the training initiative, you measure results. Performance consultants don't look for a single solution to a performance issue. Instead, they take a more systematic approach to determine what contributes to performance and what impedes it.



The purpose in performance consulting is to:

- **Ensure that people have what they need to excel**
- **Eliminate barriers to performance**
- **Identify what has to be in place for attendees to apply what they have learned**

A performance consultant considers the following questions:

- **Do people have consistent, clear direction?**

People don't always know what they are supposed to be doing, or they might have habits that need to change. When an attorney receives e-mail with a document attached, does he know what the steps are to save the document, make edits and return the document to the sender?

- **Do people have access to relevant information?**

You might be surprised how much information is still distributed on paper, which quickly becomes outdated. While consulting with one firm, I saw the firm's trainer put a newly hired attorney in a classroom by himself with the firm's training guide. The guide was so outdated that the firm had changed its template and macro suite and updated its document management system since the last time the training manual had been revised. It was useless to the new attorney. Poor work habits develop as users attempt to work around what is not understood. Use your firm's intranet for ongoing training tips and best practices as well as technology updates.

- **Do people have defined and efficient processes?**

Many people develop their own work habits and processes early in their careers and don't often change as new technologies are introduced. We all know attorneys who still print e-mail messages and file them in paper files. I once discovered an attorney who would print e-mail, dictate any replies and give the tape to his secretary to transcribe. She would save the replies in a draft folder and print them for the attorney to review. He would mark changes with his red pen, and she would transfer his changes to the message and then send it. This is the same process the attorney and secretary used for paper letters 20 years earlier! Just walk your firm's hallways to see plenty of examples of outdated or inefficient processes.

- **Do people have resources and skills to be effective?**

If law firms are going to produce properly formatted and stable legal documents, the word processing environment should be configured so that users can create well-formed documents. Invest in a template and macro package that is designed for your firm, and then teach users how to create properly formatted legal documents using your firm's best practices. Make sure printers are in easy reach and in good working order, and coach everyone how to change his default printer. Encourage practice after training sessions so that skills can be sharpened and perfected. Implement a skills-assessment program for document-production skills.

- **Are there consequences?**

When people have been trained how to do something and assessed so that we know they have the skills to perform at a certain level yet they still don't comply, what are the consequences? When I ask this of most people, they automatically think of negative consequences. But it doesn't have to be that way. When you recognize and praise someone for doing something good, he or she will do it again. It's human nature. So give praise and recognition to those who perform well and withhold it from those who do not. Lack of recognition is the consequence.

GETTING STARTED

Gather and Analyze Data. Where do you start? Start by learning. Gather as much data as you can. Begin with the traditional training and help desk reports. Learn about professional development and, specifically, learning tracks for associates. Talk with HR about current or past initiatives. Does your firm have a mentoring program? What are the requirements to be a mentor? Take a good look at your firm's website. What does the firm say about itself?

Interview Work Teams. Talk to associates, partners, secretaries and paralegals. Work with one group at a time. How does the work start? Once they have a client engagement, what happens? Follow the work. Who drafts the documents? How do they find the document that they use as a start? What do they do with that document? Do they copy and modify that document, or do they start with a new document template and copy in what they want to use? Perhaps the intervention here would be to change the order of events. Would this team perform better by having the associate locate the content to be used in the first draft and let the secretary put it into a document template before handing it off to the associate for editing? Change the process to change the outcome.

Ask Questions, But Don't Start Solving Problems.

While you are interviewing work teams ask questions, but don't start solving problems. Hold back. Gather information and identify trends. Keep it professional. Everyone will come in with his or her own agenda. Challenge the relevance of

others' actions. Stay factual. Are users as efficient and effective as they can be? How long does it take to get a document out the door from beginning to end? What processes are in place to fix documents that have problems? What is the policy for reusing documents?

Observe. You will be surprised how much you can learn by watching people in their own work world. Through observation, I discovered the attorney who dictated his e-mail replies. I set up shop in the cubicle down the hall from the secretary. I was able to identify several things that negatively affected performance by simply watching people work and asking questions.

Analyze Work Product. Take a sample of documents from various work or practice groups and analyze the formatting of these documents. While sitting in the lobby of a law firm, I was browsing through a book of articles published by a variety of the firm's partners. I found several missing paragraph numbers and inconsistent paragraph indents. The in-house, nicely bound publication featured all of the articles — formatting flaws and all!

Design and Implement a Solution. Small tweaks here and there might provide better results in the end. Training could very well be the intervention used to increase the skills of our users. Perhaps it will be a recognition-and-reward program that will encourage use of the skills learned. Maybe coaching is the right intervention to increase skills and to improve the processes of an individual or work group. Coaching an associate on how to build a better document or a partner on how to efficiently deal with the amount of e-mail he receives each day could make a big difference in the daily performance of the attorneys.

Measure Results. Track and measure the results of your work. Did the turnaround time on documents improve? Assess document production skills after training. Did skills improve? Are all secretaries able to perform at a designated level? Does the attorney you coached regarding e-mail management file his e-mail faster, and is he more confident in his abilities?

We will always be trainers, but to make sure that training pays off, identify what has to be in place for people to apply what they have learned. When you improve performance, you inevitably improve your firm's bottom line. **ILTA**

Performance Vocabulary

ASSESSMENT: the method to find out what is and is not happening in training

ANALYSIS: the method to find out why performance is at a certain level

INTERVENTION: a purposeful act designed to solve a problem, change behavior or improve performance

CONSULTING: the role we play when we engage in assessment, analysis and recommending interventions

EVALUATION: placing value on situations, activities and results

PERFORMANCE: how well people do work that is of value to the firm

PERFORMANCE IMPROVEMENT: the application of specific interventions to remove barriers to performance and encourage the desired performance **ILTA**



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