

Effective and Profitable Outsourcing: 10 Tips from 10 Years of Experience

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Taran Virtual Associates - The Legal Outsourcing Network has been providing legal outsourcing services to lawyers throughout Canada for the past 10 years. TVA's clients are busy lawyers who are finding that legal outsourcing allows them to maximize their profitability and increase career satisfaction. Lawyers are outsourcing court appearances, discoveries, drafting, and research to contract lawyers on a flexible, task-by-task basis. If you are considering using legal outsourcing services, there are several factors to consider before doing so. What follows is a checklist of issues to consider, questions to ask, and steps to take within your own office to maximize the effectiveness of legal outsourcing and ensure that it works for you.

- 1) **Do not procrastinate.** Like with any delegation of work, the more time you can give to the service provider, the more likely they find the ideal contract lawyer to assist you (ideal meaning a contract lawyer with the appropriate level of experience and time to complete project). Review a list of all of your files regularly to identify projects and contact your service provider immediately if you are considering outsourcing the project. (Note: Even if you have not left much time for project completion, call anyway – your service provider is there to help and, while assigning last minute work is not ideal, there is a possibility they can assist).
- 2) **Get your client's consent.** Review your retainer or letter of engagement with your client to ensure that the client has consented to work being delegated or outsourced.
- 3) **Use on-shore professionals.** The use of properly accredited and insured Canadian lawyers will avoid many of the criticisms that have been leveled against outsourcing legal services off-shore.
- 4) **Ask for references.** It is a good idea to speak to colleagues who have taken advantage of outsourcing, and to confirm how long the service provider has been in business.
- 5) **Review the qualifications.** Ask about the depth of your service provider's pool of talent to ensure that their lawyers are 'not learning on your client's dime' and that they have experience and practice in the relevant area. This is the primary difference between delegating internally and outsourcing. Ask whether your service provider is willing to provide details with respect to their contract lawyers, including: the process they use to select and screen; resumes, transcripts or other background information; years of call; and areas of practice.
- 6) **Confirm quality control.** Ask whether the service provider manages the deadlines and reviews the work product. For example, confirm that as a matter of course the service provider has a lawyer review the work product of the contract lawyers to ensure quality before it is delivered to you.
- 7) **Protect the lawyer-client relationship.** Ensure that appropriate protection is in place to preserve your client relationship.
- 8) **Avoid conflicts and protect confidentiality.** Ensure that your service provider has an appropriate conflicts check system in place, as well as appropriate policies to protect confidential information.
- 9) **Ensure instructions and budget are confirmed in writing.** To properly clarify the parameters of the project, ensure that the following instructions are confirmed in writing: the relevant facts, scope of the project, expected deliverables (e.g. memorandum of law or just the cases), financial budget, and deadline. If you prefer to provide verbal instructions, ensure that your service provider confirms these instructions back to you in writing.
- 10) **Communication is key.** Obtain the service provider's commitment to communicate with you during the project, particularly if there are unforeseen complications that may impact on the ability to deliver on time or on budget. Get contact information to enable you to communicate with the service provider or contract lawyer in an emergency, outside of typical office hours.

In summary, when used correctly and in concert with the right service provider, legal outsourcing can increase your profits, control your costs, assist with managing the growth of your practice, increase your career satisfaction, and enhance client service.

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