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Roughly three years ago, ALA began developing a code set that could change the way the industry hires employees, evaluates efficiency and staffs back-office operations. Find out what effect it could have on the way your organization does business.

*by Erin Brereton, Owner, Chicago Journalist Media*

**You may have heard someone in ALA use the phrase UPBMS** in the past year; if you aren't sure what it means — or what impact it stands to have on the industry — we've got the answers to your most-pressing UPBMS questions to get you up to speed on ALA's ambitious undertaking.

#### **WHAT DOES UPBMS STAND FOR?**

The ALA Uniform Process Based Management System (UPBMS) is a set of codes being developed to provide a standard framework for defining and classifying legal operations.

#### **WHAT PROMPTED THE INITIATIVE?**

In 2014, ALA's newly formed Professional Development Advisory Committee (PDAC) began examining ALA's published

and educational course content to determine if it was sufficiently serving all potential audiences.

Fairly early on in the effort, the group decided that to conduct a proper analysis of all the data, it needed to find a way to classify the various topics ALA had covered, which included identifying the specific segments of the legal industry ALA's courses and other offerings had targeted — which had been intended for paralegal managers, which were designed for HR professionals, and so forth.

Clarifying which legal industry roles comprised ALA's audience, however, wasn't easy. Titles can mean different things from firm to firm. A legal secretary at one law firm can be a vastly different role at another; some firms might want an HR course to focus on payroll procedures, whereas other firms' HR professionals may not be at all involved with that activity.

As work progressed, the committee realized the problem extended far beyond its content concerns — and that the classification system it'd been discussing could potentially provide something the legal industry desperately needed: a taxonomy that would standardize support roles, potentially improving hiring, efficiency and other aspects.

“As a result of that, we said, why don't we consider creating a new standard that would be implemented and used by the entire industry, so they were all operating off the same kind of language?” says ALA Executive Director Oliver Yandle, JD, CAE.

With support from its Board of Directors, ALA organized a Standards Development Team, with PDAC committee member Bill Mech, Executive Director, Cunningham, Meyer & Vedrine P.C., serving as Team Leader. Their goal was to promote the continued development of a role-based taxonomy, consisting of numeric codes, paired with descriptions and definitions.

“The effort snowballed into a really serious recognition in the Board and from Oliver [Yandle] that we were on to something,” Mech says. “Developing this taxonomy was not only important to ALA; it had industry-wide importance beyond even our own use.”

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#### HOW CAN THE CODE SET BE USED?

The codes have a number of potential applications — for example, to strengthen the hiring process. If law firms had a uniform definition of each role, they would potentially be able to create a more accurate job description for open positions, which could help firms attract the most qualified candidates.

On an even broader scale, the codes could help law firms improve overall operations — an increased focus for many since the Great Recession prompted clients to start pushing back on annual billable hour rate increases, according to Yandle.

“Clients started demanding a lot more efficiency in the delivery of legal services, and a lot more transparency,” Yandle says. “To be more successful, you need to have a deeper, detailed understanding of all back-end processes. There may be a duplication of efforts going on; there may be ways to reduce the time it takes certain things to be done — unless you measure it and have a way to categorize and analyze the information, you're really just guessing.”

By only tracking attorneys' time, and not support functions, firms can't accurately convey the true costs associated with



delivering services. They risk losing business to clients who think they can handle the work for less.

“If you look at legal spend, what law firms sell has been stagnant, if not going down slightly. A lot was brought in house,” says ALA taxonomy team member Adam Stock, Chief Marketing and Client Services Officer at 220-attorney San Francisco law firm Allen Matkins Leck Gamble Mallory & Natsis LLP. “That means more competition for law firms, so they need to do things differently. The set of codes are about efficiency and describing what they do.”

Law firms aren't the only entities that stand to benefit from using the code set; other legal-focused organizations may also find the system useful, according to Catherine Alman MacDonagh, Chief Executive Officer and Founder of the Legal Lean Six Sigma Institute, who recently joined the code set committee.

“It would certainly fit many smaller law departments, legal aid offices and law firms that have a real interest in creating a high-performance environment,” MacDonagh says. “It's something for organizations of all sizes to use.”

#### WHAT WILL THE CODES COST TO IMPLEMENT?

ALA's code set is available for free. “Once public, they're for everyone to take and use,” Mech says. “That's notable; ALA is really viewing this as a way to give back to the legal community in a very, very tangible way.”

“ALA’s code set will be updated on an ongoing basis, at least for the foreseeable future, with at least one new version being issued annually.”



#### WHO IS ON THE COMMITTEE?

The Standards Review Committee includes a diverse array of industry professionals, including ALA members, nonmembers and law firm in-house corporate legal department representatives.

#### WHAT'S THE PROJECT'S CURRENT STATUS?

The development team created the initial code set partially by examining how other industries develop standards, reviewing typical structural approaches, and comparing processes with other organizations that were developing standards.

“We’re learning as much as we can from other efforts,” Mech says. “For example, there’s a whole science behind coding sequence, the numbering and creation of the codes. It took us at least three iterations before we settled on the right one — because it’s not only complex enough to reflect everything we have to say, but also flexible enough to be able to change in the future.”

Industry members were able to contribute suggestions from May to June 2016 after the initial code set was shared on ALA’s site. The input was incorporated into the second and most current adaptation, version 1.1.

#### WHAT'S PLANNED FOR UPBMS' FUTURE?

Given the nature of code sets, continuous updates are somewhat necessary, according to Toby Brown, Chief Practice Management Officer at 1,000-plus-attorney firm Perkins Coie, who is involved in a separate effort to create a matter-based legal industry

standard and has spoken to ALA’s committee about its taxonomy effort.

“Standards aren’t static,” Brown says. “The world is always changing; the standard needs to be able to evolve with reality.”

ALA’s code set will be updated on an ongoing basis, at least for the foreseeable future, Mech says, with at least one new version being issued annually. “When we publish a version, we immediately start working on changes,” he says. “It’s a never-ending process. There’s no hard and fast deadline [for the next version’s release] because it’s a little bit of a judgment call to assess a volume of changes by committee.” Within a year, being in a position to publish the next version is certainly feasible.”

In the meantime, ALA is working, through its website, speaking engagements and other opportunities, to inform the legal community about the code set’s existence, how to use it — and why ALA is spearheading the effort.

“Our members are the ones who are responsible for managing all of these processes; they have the best understanding of what it takes to deliver legal services and are often at the center of responding to client demands for greater transparency,” Yandle says. “So who better than the organization that represents those professionals to come up with a uniform taxonomy in a uniform language to help firms deliver even better client service?”

With each new release, ALA will hopefully be able to further clarify each support staff members’ role — and help law firms and other organizations better understand the value firms’ legal teams provide.

“This effort is about developing and then showcasing our deep understanding of how we do our work so we can be more productive,” MacDonagh says. “We’re going to be able to explain the likelihood of each and every possible scenario happening and really show how we manage a project — and that we can do it collaboratively.”



#### ABOUT THE AUTHOR

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