

Workload Checking

In order to avoid fee earners becoming overloaded it is necessary to schedule new and transferred cases into the workload of suitably qualified fee earners and the procedures necessary to do this successfully may be as suggested below.

Identification of matters

There must be a system for recording each matter and the type of matter which it is. If possible a numerical rating should be given to each matter to indicate the likely amount of work which may be involved. An approximate estimate of the number of hours which the matter might require with a loading for time pressure could be used for this purpose. This rating might require to be amended as a matter became more or less complex as it progressed.

Each matter should be recorded at its outset. The practice of maintaining a matter on a miscellaneous file until it has become fairly active should be avoided.

Individual pieces of work for the same client should be separately identified and kept as separate files.

Fee earners' workloads

If a time recording system is in use, a proper system must be established to ensure that time records are kept up to date.

Any computerised time recording system should include the facility to identify "lapsed time" so as to indicate those matters which have been inactive for a given period.

Arrangements should be in place to enable information to be extracted, for each fee earner, on:

- (i) The number of active matters.
- (ii) The type of each matter.
- (iii) The total of the original estimated hours for all matters less the hours spent on all current matters.
- (iv) The amount of time spent, but not billed, on each matter.
- (v) Whether the work has taken too long or been done too hastily.
- (vi) Whether there is any time pressure from particular matters which might affect the completion of other matters.

A file review system should be operated so that another fee earner reviews a sample of the work of each fee earner at regular intervals

Supervision

It must be clear who is responsible for supervising work. This is particularly important where work is passed to a fee earner by more than one partner. If possible each fee earner should only have a single supervisor.

Allocation of work

There must be a proper system to ensure that work is passed to the appropriate person to be dealt with, and to ensure that too much work is not retained by or delegated to any one person. It may be necessary when allocating work of particular urgency or complexity to re-allocate existing work to another fee earner.

Delegation & sub-delegation

Work which has been delegated by one person to another must not be sub-delegated by the recipient without the prior approval of the originator.

Performance review & training

Arrangements should be made to review, at least annually, the level of competence and training requirements of each fee earner.

Points to remember

- Estimate the number of hours which the matter might require and enter on a matter record.
- Amend time rating as matter progresses.
- Separate matters for the same client should be dealt with as separate matters.
- Ensure time records are kept up to date.
- Identify lapsed time to ensure that matters do not remain inactive for more than a fixed period.
- Ensure records of this type allow details to be extracted for each fee earner.
- Allocate responsibility for the supervision of each matter.
- Allocate work only to fee earners with appropriate experience.
- Revise fee earner workloads where necessary to accommodate new matters.

- Do not allow sub-delegation of matters by the fee earner to whom the job has been allocated.
- Review the level of competence and training requirements of each fee earner annually.