
Winning through Practice Excellence

By Gerry Riskin

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What I love about strategic planning is its divergence, in that strategy takes an organisation in a distinctive and unique direction away from (and hopefully ahead of) its competitors. In contrast, the achievement of best practice tends to be convergent in that most (if not all) firms are seeking to implement optimal quality standards, the best available systems, and the most streamlined efficiencies that are currently available. Hence, whilst strategy can be seen as a zero sum game in which firms seek competitive and economic advantage at the expense of other firms, the attaining of best practice can to some extent be seen as a non-zero sum in that firms can all gain or suffer together. This assumes of course that everyone is straining towards the same standards of excellence, but where some firms are striving hard and some are not, then the attaining of best practice can lead to a competitive advantage in which true excellence becomes a winning competitive formula.

I find, particularly in emerging areas of the world, that firms are often keen to see how they can implement best practice processes derived from firms in the UK and USA in order that they can improve their quality assurance to 'best of breed' standards globally. In seeking best practice solutions I see most firms trying to do roughly the same things — achieve good client service and quality standards, develop efficient and hygienic financial management, gain better productivity, improve processes, manage people well, engage in holistic training and development, get partners to develop better business and generally optimise the firm's performance and profitability. Almost always, when we conduct a strategic review, we pretty quickly discover that firms are far from being as efficient as they can be. Clearly, the legal profession still has a long way to go in terms of operational effectiveness.

Hence, a 'best practice make-over' seeks to concentrate on getting the firm to an improved operational state. It is of course good to know what the best firms in the USA and UK are doing in terms of best practice standards. The advent of new providers of legal services and a quick purview outside the legal profession however shows the danger of incestuous benchmarking within the traditional legal services market. In seeking to copycat leading firms, growing firms run the risk of merely aping average practices and replicating poor practice rather than best practice.

My objective and philosophy in advising law firms on matters of operational effectiveness is therefore to try to move way beyond the traditional law firm and wherever possible to learn from innovative and forward-looking organisations both in professional services and in B2B firms everywhere. This can turn a convergent effort (in which all firms tend to ape each other) into a divergent one (in which firms can gain competitive advantage by beating rivals through practice excellence).