



## GUIDANCE NOTES FOR LEGAL PRACTICES

# Delegation

Ensure that your firm has a written delegation policy. This should be agreed by all directors or members and included in your office manual. Poor delegation can lead to claims, complaints and fee earner disaffection.

### Allocation of work

Partners/supervisors should determine the allocation of work within the team

Where should the job go? Factors to consider:

- workloads
- fee earner experience
- fee earner seniority
- specialist skills
- knowledge of client
- fee earner availability

If the fee earner is part of another team, discuss the job with their supervising partner before it is delegated. Consider the above factors.

### Team working

- If the firm is instructed on a large matter, delegate parts of the job. This increases efficiency and provides costs savings to the client
- Inform the client of the team and charge out rates in the retainer letter
- Use team meetings to update the team on the bigger picture and to discuss individual progress. This helps motivate and promote better understanding
- If possible, involve all the team in a client meeting
- Ensure that one partner/supervisor has overall responsibility for leading and co-ordinating the work

### Handover procedure

- Ensure that the fee earner is fully briefed
- When delegating, highlight the time scales, meeting dates and time limits and ensure they are diarised. Insert key dates in your diary as well
- Highlight important points about the matter
- Tell the client who will have conduct of the file. Does the retainer letter need amending? Advise the client of charge out rates
- Manage the client's expectations. The client may expect you to retain overall control. Make sure the fee earner frequently updates you. What level of involvement do you want in decision-making? Tell the fee earner this
- Ensure that the client is not charged for duplicated time
- Keep a record of matters you have delegated and take responsibility yourself for monitoring progress
- Comply with supervision procedures. Please refer to our Supervision factsheet
- If appropriate, notify any change of fee earner to your accounts department
- Keep a record of matters you have delegated and take responsibility for monitoring progress

### Specialist skills

- Use delegation to promote and develop specialist legal skills
- If the client provides multiple jobs, focus the work on specific fee earners. This will promote knowledge of the client's affairs and preferred methods of working. It will strengthen the relationship and increase efficiency

### Common problems

Do not delegate problem files. This will only exacerbate the problem and de-motivate fee earners.

- Do not delegate matters which you have delayed and which are threatened with imminent time limits
- Does the fee earner have the requisite skill, knowledge and time to deal with the job?

There are potentially a number of issues around coordination of work, especially on a single large project or on a number of interlinked matters. Plan how this will be done – to aid communication, along with team meetings, consider adopting project management techniques and ensure that it is always clear on any project who will do what by when.

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