

# LEGAL MANAGEMENT

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## CM Feature

COMMUNICATIONS AND ORGANIZATIONAL MANAGEMENT

# Downsizing Digital Distractions

Are emails, IMs and other tech tools throwing even your most focused employees off course?

When you're waiting for an important email, the tinny ping that rings out to indicate you've received a message can be a relief.



**ERIN BRERETON**  
Owner, Chicago Journalist Media

*"Technology doesn't solve a bad habit. Telephones, email, IM — they're really not [the problem]. It's about teaching people how to manage that potential distraction."*

### PAUL UNGER

Partner,  
Affinity Consulting Group



When you're trying to work, however, the noise can be an annoying — and potentially costly — distraction. Just when you're almost done with page one ... *ping*. I just need to check the last version of this document ... *ping*. I just *ping* need a minute *ping* to focus *ping* to get this done *ping ping ping ... ping*.

Communication-based tech tools like text messaging (invented in 1992, according to *PCMag*) and instant messaging (which AOL says it introduced in 1997) were initially touted as ways to increase workplace productivity.

However, many organizations are now beginning to realize that some tech innovations may have actually had the opposite effect.

Affinity Consulting Group Partner Paul Unger, who has been addressing tech-related distractions in his attorney time management seminars for the past two years, says the every-few-minute interruptions can cause serious continuity issues.

"On average, most lawyers are getting around 150 emails a day," Unger says. "If it takes 15 [or more] minutes to return back to work, you can't get anything done."

A recent CareerBuilder study found that 50 percent of employers viewed cellphones and texting as the biggest productivity issue in the workplace. Email, which 23 percent felt caused the most workday delays, is also a frequent interruption.

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## QUICK HIT 1



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**PHILIP GORDON**

Shareholder and Co-chair,  
Privacy and Background  
Checks Practice Group,  
Littler Mendelson P.C.

**THE PRODUCTIVITY PARADOX**

Continuous emails, instant messages (IMs) and other messages from fellow employees and clients, while often necessary, can slow work down significantly. A study conducted by University of California-Irvine Department of Informatics Professor Gloria Mark found that it can take workers 23 minutes to return to their original task after a disruption.

In today's tech-centric workplace, the average worker loses 2.1 hours of productivity every day to interruptions, according to IT research and consulting firm Basex.

Law firms and departments are no exception.

"There's no question having more communication options provides a potential for greater distractions," says Philip Gordon, Shareholder and Co-chair of the Privacy and Background Checks Practice Group at employment and labor law firm Littler Mendelson P.C., which has more than 1,000 attorneys.

Michael Airdo, a founding member of 17-attorney firm Kopon Airdo and Chair of the International Association of Defense Counsel's Technology Committee, says quality and profitability may be affected as a result — particularly at firms with an hourly billing system.

"If you're in the office eight or ten hours a day, but distracted for some of that, that's time you're not able to bill as work," Airdo says.

Intel has estimated that email overload alone can cost large companies as much as \$1 billion a year in reduced productivity, according to the *Harvard Business Review*.

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*"If you're in the office eight or ten hours a day, but distracted for some of that,*

**CONQUERING TECH DISTRACTIONS**

If buzzing cellphones, constant IM conversations and other tech interruptions are causing delays in your office — and potentially threatening your bottom line — the following suggestions can help you encourage employees to focus on the task at hand, instead of incoming messages.

*that's the time you're not  
able to bill as work."*

#### MICHAEL AIRDO

Founding Member,  
Kopon Airdo and Chair,  
International Association  
of Defense Counsel's  
Technology Committee



- **Email**

Electronic mail remains the most prevalent business communication tool, according to storage and information management company [\*Iron Mountain\*](#). But it can also be a difficult time drain.

"In a lot of other professions, like sales, when somebody gets an email, it may only take two to three minutes to process it," Unger says. "When a lawyer gets an email, more often than not, it's a lot more involved. When you have emails trickling in every two, three, four minutes, it can become problematic."

Some firms, according to Airdo, are suggesting ways to avoid email communication, including face-to-face conversations.

"They're saying, instead, knock on someone's door and talk about an issue, or pick up the phone rather than communicating through email because it can create a distraction," he says.

Even with increased personal interactions, though, chances are, attorneys will still use email. Unger recommends utilizing Outlook to set reminders for each step of a project and using a document management system to store messages in a location where the attorney, and other firm members, can easily access them.

"It requires an additional couple of clicks to pick a client and matter," Airdo says. "But dragging and dropping a message into a folder doesn't resolve it. And if you need to walk down the hall and ask Bob for an email, or wait for him to forward it to you so you have the complete file, that's just a recipe for disaster."

## QUICK HIT 2

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The Littler Mendelson Executive Employer Survey Report July 2015 found that employees wanting to use more personal devices at work was more than half — **51 percent** — of companies' top concern.

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- **Instant and Text Messaging**

Like many other forms of tech communication, texts and instant messages can be time-saving ways to exchange information.

The number of lawyers using IM and chat services increased 11 percent from 2013 to 2014, according to the American Bar Association's (ABA) [\*TECHREPORT\*](#). Forty-seven percent of firms said they used an enterprise instant messaging system last year, according to the [\*International Legal Technology Association's 2014 Technology Survey\*](#).

"Just like email, you can't get rid of instant messaging," Unger says. "Within firms, it's invaluable because there's a lot of back-and-forth communication, and it cuts back on email."

However, when text or instant messaging is combined with other abundant communication — essentially, media multitasking — it can have a detrimental effect. An experiment by Carnegie Mellon's Human-Computer Interaction Lab found that gadget-based multitasking reduces brain

power by 20 percent, according to *The New York Times*.

To help prevent multitask-related productivity loss, some law firms, Airdo says, are “suggesting young associates ... put their cellphone on DND [do not disturb] and actually focus on preparing for a deposition [or other task].”

Firms aren’t suggesting attorneys ignore client contact. Instead, Airdo says, they’re telling attorneys to periodically stop, check for messages, then return to off-the-grid work for an hour or two.

“The reality is, some of our clients will text,” he says. “It’s hard to say, ‘You can’t ever use your phone,’ because the reality is, you need to be available to clients.”



The banner features a graphic on the left with icons for a laptop, data, a bar chart, and a globe, connected by lines. The text reads: **2015 ALA Compensation and Benefits Survey**. Below this is the tagline *Your advantage for competing in the business of law*. The ALA logo (Association of Legal Administrators) is on the right. A blue diagonal section on the far right contains the text **Purchase Now**.

- **Mobile Devices**

Sixty-five to 94 percent of attorneys say they work on mobile devices regularly or occasionally at home, in hotels, in transit, and at airports, according to the ABA's *TECHREPORT*.

Employees also often bring tablets, smartphones and other portable devices to the office. The Littler Mendelson Executive Employer Survey Report July 2015, in fact, found that more than half (51 percent) of companies' top concern was employees wanting to use more personal devices at work.

“Smartphones are incredibly useful,” Unger says. “They’re also an enormous source of distraction.”

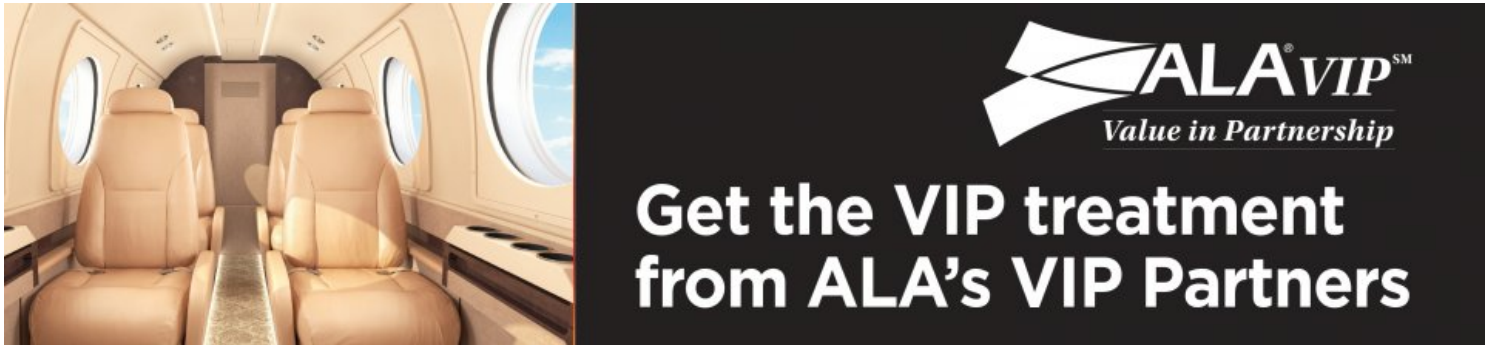
In addition to efficiency, using personal devices at the office can cause some potential data security issues, says Gordon. Eradicating portable devices from the workplace, however, isn’t a likely solution.

Instead, firms can train employees on tech use, and talk to them about the need to be industrious during work hours.

“You can let employees know that if their supervisors have a perception they are distracted by technology during the workday and aren’t getting work done, it will have an impact on their performance appraisal,” Gordon says. “And managers and reviewers should be reminded that’s a factor to consider when evaluating subordinates.”

## COMMOTION-FREE CONCENTRATION SUCCESS

At some firms, even with a steady stream of tech distractions, certain employees will remain productive. Others, Gordon says, won't, due to interruptions or factors such as job dissatisfaction or socializing.



If your firm has noticed some attorneys are churning out less work or clients are complaining about quality, you may benefit from implementing policies or training to encourage employees to focus on the task at hand — instead of incoming emails and other disruptions.

Presenting tech-related changes as process improvements instead of new rules can help encourage employees to fully embrace the suggestions.

In the end, though, your firm's tech interruption prevention efforts will likely hinge on one key aspect: firm members' willingness to handle their time responsibly.

"Technology doesn't solve a bad habit," Unger says. "Telephones, email, IM — they're really not [the problem]. It's about teaching people how to manage that potential distraction."

#### **ABOUT THE AUTHOR**

**Erin Brereton** is a legal industry marketing consultant and freelance journalist who has written about the legal industry, finance, business and other topics for more than 50 legal associations, magazines, websites and other publications.

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