

BLOODIED BUT UNBOWED - Horror Stories from Legal Computing

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Introduction

The theme of this paper is the importance of human relation skills when installing systems. The attitude of the user towards his computer system is the single most important factor in its success, and this attitude is strongly influenced by their interaction with the system installers.

For example, we have all observed that two users can have entirely different attitudes to some less than perfect feature of a system. The first user thinks of it as a minor irritation which he accepts as part of the system. The second user regards the same problem as a reason for sending back the entire system.

Unfortunately, many computer professional lack human relation skills, and worse, regard such skills as of less worth than "pure" technical expertise. It seems that people who are good with computers usually cannot handle people.

All project managers have cringed from time to time, when an irate user complains that a programmer has treated him with contempt. The programmer, when questioned, has no idea that the user is upset or that he behaved in a way that was perceived as arrogant - "I just told him that I'd designed the screens so that an idiot could use them".

The legal computing market represents a most challenging environment for testing one's system installation skills. If you fail, you are faced with not just an unhappy user, but also with the full weight of the law, in the hands of a solicitor brandishing writs and other tools of his trade. With no more effort than it takes you to write a couple of sorts and an enquiry program, he can have you spending thousands on barristers and days in the supreme court.

It is therefore an ideal environment to test your skills in dealing with users.

This paper uses an amalgam of case studies to show what happens if you do not follow tried and tested procedures of project management and user interaction. It is important to emphasise that I am not describing any particular case, and resemblance to actual events is coincidental.

Legal computing

Lawyers seek to purchase a computer system which will be capable of data and word processing and should be capable of handling various other functions such as time recording, information retrieval, electronic mail, diaries, communication with government bodies, automatic conveyancing etc. A typical lawyer's office with a computer system might consist of four partners, eight other fee earners, an office manager, and sixteen secretaries and other support staff.

The computers system will be a mini with say three screens being used for word processing and two screens for accounting and other functions. There are two word processing quality printers and one line printer.

The benefits sought from such systems are:

- (i) Reduction in typing costs and improvement of presentation from the use of work processing techniques. Since lawyers make very heavy use of precedent material, this is the key benefit.
- (ii) Improvement in the financial management of the practice through the computerised accounting and time costing systems. Many solicitors do not have training in business management and consequently do not run their practice as a business.

Smith & Jones - the horror story

Our case study tells the story of a fictional solicitor's firm, Smith & Jones. They purchased hardware from a hardware supplier and software from a software house.

Let us examine what happened as Smith & Jones changed from an expectant user, looking forward to their new system and all the benefits it would bring to their practice, to a disillusioned user issuing writs to both the hardware and software companies. Errors were made by the suppliers at every stage of the project. I discuss these errors individually in the rest of this paper.

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The benefits were oversold

The suppliers did a survey of Smith & Jones' office and made estimates of the staff savings and other benefits that would arise from the use of the computer system. In their eagerness to make the sale, they failed to point out that the computer could not achieve any benefits or savings on its own. Unless Smith & Jones were prepared to apply proper management techniques to their office, using the computer as a tool to do this, then the net result would be increases in costs, not savings.

In general practice, the solicitors used their word processor to generate far more drafts of the same documents than under the manual system, with no saving in typing costs. When they became disenchanted with the system, they said that the system was useless because they had not reduced staff as promised by the supplier. In the same period they had increased revenues without increasing staff, but they refused to recognise this as a benefit of the computer.

The background politics of the firm were not recognised

When you enter your user's office, you need to identify who are your friends and who are your enemies. In Smith & Jones, one partner was very enthusiastic about the new system, two partners did not care one way or the other as long as their daily routine was not affected, and one partner was opposed to the new system. The office manager was incompetent and was terrified that the computer would find him out. He had to pretend to the partners that he was in favour of the new system and in fact purchased a micro computer of his own, which he put in his office as a sign of his computer knowledge.

If you are sensitive to human behaviour you will recognise these various attitudes and deal with each individual in an appropriate way. You will seek out ways to demonstrate to the indifferent partners how the computer can help them. You will try to find out the fears of the opposing partner and allay them. You will assess the competence of the office manager and decide whether to shield him because with your help, he can cope with the new system, or to seek his removal because he will

not be able to make the adjustment. In Smith & Jones' case, the supplier's project manager failed to recognise these undertones. He allowed himself to be manoeuvred into position where the office manager was in charge of the project, reporting to the partner who was against the project from the start.

The user did not take responsibility for the system

As a result of the initial overselling, the user was led to believe that he had no responsibility for the new system. The computer would somehow collect cash faster, reduce operating expenses, and generate revenue without any effort on their part. The project manager should have recognised this attitude at an early stage and forced the issue. Instead he tried to take on these responsibilities himself and found himself in the position of trying to do the office manager's job as well as his own.

The exact level of support to be provided was not defined

The suppliers did not spell out in their proposals how much training and installation support would be provided. Consequently, Smith & Jones expected a much higher level than was initially provided. This soured the relationships and set an adversarial rather than cooperative relationship between the parties. As new word processing operators joined the firm, it was expected that they would be trained free of charge. The supplier's staff were balancing weekly and monthly computer runs, and entering file creation data.

Project meetings were not held

There were no minuted meetings between the users and the suppliers during the implementation. Such meetings serve the dual purpose of communicating progress and problem areas to the parties and of setting schedules and responsibilities.

The project meeting can enhance the feeling of a common purpose between all concerned and remove the "them and us" feeling which often arises. The minutes give a record of agreements between the parties and provide an action check list for each attendee. Informal communication is also very important. Having established the attitudes of the key people, it's important to keep in touch with them.

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For example, the operator might have failed to print a receipt through his own error. Within hours every partner is convinced that the system is incapable of printing receipts. A brief chat each time that you visit can identify and resolve such problems.

Incompetence was not recognised

You will have to assess the user staff and decide if they will be able to cope with the new system. In this case the accounting staff, from the manager down, were incompetent. The manual system was a mess, and so computerised mess was duly created. Computer systems are not as forgiving as manual systems. There comes a point where you must say to your user, "You need to give these people more training or replace them". To do that, you need to have established a sense of trust between yourself and the user so that he believes what you say.

The suppliers failed to react to real problems of their own making

Up to this point, you may have gained the impression that Smith & Jones were very unreasonable and deserved what happened to them. This may be true, but the real cause of the breakdown in relations was the way in which the suppliers behaved when the computer hardware started to perform unreliably. The hardware supplier refused to recognise the simple facts that the printers jammed several times per day, that disk errors were destroying one day's work per week, and that the system needed more memory than they had recommended. If you have problems of this kind, or if your software has bugs in it, then you must fix them immediately. The suppliers in this case refused to accept responsibility for these problems; they blamed:

- the power supply
- the air conditioning,
- the quality of the paper used,
- static electricity,
- the word processing operators,
- the accounts clerks.

The client patiently fixed each of these apparent causes with no result. This saga took place over several months. Eventually, the software house and the hardware supplier finally started to blame each other. This was the final straw for the user so he decided to sue both parties.

Aftermath

We have seen how several mistakes in the human relations area created an adversarial attitude between the user and the suppliers. When the hardware failed to perform and the suppliers would not take responsibility, the court actions started. These took years to resolve, cost the suppliers huge sums in legal fees and were eventually settled out of court:

- * Smith & Jones received a second computer free of charge,
- * The entire system was re-installed free of charge,
- * Hardware maintenance was obtained from a third party, and consequently the hardware runs reliably,
- * Smith & Jones hired a competent office manager who sorted out the manual system before re-installation,
- * The hardware supplier's reputation was destroyed in the legal market,
- * The software house decided to stop selling legal systems and concentrate on less hazardous activities.

Bloodied but Unbowed

This story should not end on a negative note. If you treat your users correctly, you will find that you can build a good working relationship which will last over the years and will be a source of satisfaction to both of you. Your users will be happy with their computer systems and will be glad that you walked in their door.

Most of the errors discussed above can be avoided by following tried and trusted project management techniques. However the techniques are of limited use if you are insensitive to the human factors that lie behind the working environment of hardware and software.

