MULTITASKING GONE MAD
How to Practice Law Effectively in a Wired, Demanding, Distracting World

Presented to:

OHIO STATE BAR ASSOCIATION
Columbus, Ohio
(and live webcast locations)
July 22, 2011

Presented by:

Irwin Karp

Copyright © 2011 Irwin Karp. All rights reserved.
Speaker’s Biography – Irwin Karp

Irwin Karp is a productivity consultant with Productive Time in Sacramento, California. He is also an attorney, and was previously the managing partner of a small environmental law firm representing business for over 17 years. Irwin is a graduate of the George Washington University Law School where he was a member of the Order of the Coif and the Law Review.

For the past eight years, Irwin has conducted training programs and has consulted with business, government, bar associations, law firms and service professions on organizing and time management to increase productivity. He provides in-house customized workshops, consulting and one-on-one coaching on time management, e-mail overload, paper flow, workflow, clutter control, project management, delegation and effective meetings. He also presents Continuing Legal Education programs on lawyer productivity topics for bar associations around the US and Canada.

Irwin is a member of the State Bar of California and serves as a Special Advisor to the Executive Committee of the Law Practice Management & Technology Section. He is also a member of the following professional organizations:

- Association for Continuing Legal Education
- National Association of Professional Organizers
- National Study Group on Chronic Disorganization

Irwin’s purpose in creating Productive Time was to share his expertise in streamlining organizational and workload challenges in order to help busy individuals and firms get organized and get things done. His training programs and consulting offer effective, customized strategies and techniques for using your time wisely. Clients feel he is very practical, establishes rapport quickly, connects genuinely with people, is easy to talk to, engaging, and humorous in his work.

Irwin was formerly a professional white water river guide and now continues to raft on rivers in the west with his group of aging river buddies.
MULTITASKING GONE MAD
How to Practice Law Effectively in a Wired, Demanding, Distracting World

AGENDA

- Impact of Multitasking on Law Practice
- Coping Mechanisms
- Overcoming Time Traps & Managing Time Wasters (Telephone, Drop-ins, Management by Crisis)
- Focus – The Key to Productivity
- Managing paper & document flow
- Overcoming procrastination
- Overcoming e-mail overload
- Managing your smart phone
- Develop Your Personal Action Plan

CONTENTS

- Power Point Slides .............................................. 1 – 20
- The Manual: Multitasking Gone Mad ...................... 21 – 59
  - Worksheets:
    - Identify the causes of your procrastination .... 40
    - Your anti-procrastination action plan .............. 41
    - Your personal action plan .............................. 49
  - Articles:
    - Multitasking Gone Mad – Coping in a Wired, Demanding, Distracting World ......................... 50
    - How to Regain Control from Your BlackBerry ....... 56

Copyright © 2011 Irwin Karp. All Rights Reserved.
What is Multitasking?

• **SIMULTANEOUS PERFORMANCE**
  Attempts at parallel processing of tasks.

• **TASK SWITCHING**
  Alternating your attention between two or more tasks.

  “Multitasking? I can't do two things at once. I can't even do one thing at once.”
  ~ Helena Bonham Carter

What we covered in Morning Session:

• Organization & time management principles
• Project Management techniques for lawyers
• What you need to get done – determining your priorities & planning your workload
• How you get things done – Focus: key to productivity
• Communications skills / Delegation skills
• Personal Action Plan

What we will cover in Afternoon Session

• Impacts of multitasking on practice
• Coping mechanisms
• Overcoming time traps & managing time wasters (phone, drop-ins)
• Managing paper & document flow
• Overcoming E-mail Overload
• Overcoming Procrastination
• Effective Meetings
• Personal Action Plan
Three Major Types of Multitaskers

Dr. David Meyer
Psychology Professor
University of Michigan

• DESPERATE
  – ex: speaking on phone while researching on internet is only way to keep up.
• IMPULSIVE
  – ex: stop drafting in mid-sentence to check e-mail without thinking about consequences.
• DELUSIONAL
  – ex: multitask with pride; you actually believe you’re good at it.

Oh, the pressure…
Oh, the effect on work …

• Everyone expects instant answer -- there’s a pressure to respond.
• Do we have a choice? Manage expectations!
• Gnawing sense of anxiety that you are missing something (worry, stress, distraction).
• Study: Excessive checking of e-mail has a greater adverse effect on IQ than smoking pot.
• Wall St. Journal headline – “Multitasking Makes You ________.”

The key to productivity is
FOCUS

“You will never find time for anything. If you want time, you must make it.”

~ Charles Buxton
Adverse impacts of multitasking

- Attention deficit trait
- Chips away at capacity for concentration
- Short attention spans
- Increase chance of mistakes
- Miss important things
- Inefficient – takes longer for everything
- Stressful – not healthy
- Negative impacts on relationships

Most Effective Tool = FOCUS

How does that relate to MULTI-TASKING?

Psychologists say that what we call multi-tasking is actually “TASK SWITCHING”

[“Continuous Partial Attention”]

What happens in the brain

- Brain does not allow us to concentrate on two complex tasks simultaneously
- Multitasking interferes with focus, reduces efficiency, causes stress, & creates a time lag between tasks.

- “Executive control function:”
  - Goal shift in switch from task A to task B
  - Cognitive rule activation – turns off rules for task A & turns on rules for task B
  - Over time loss in your effectiveness can be 20-40%

- Brain orders up adrenaline fight or flight - stressful
The most effective time management tool is **FOCUS**

How do you FOCUS?
- Time blocking
  - Planned unavailability
  - Appointment with yourself
- Minimize timewasters

---

**Be wary of “Multitasking”**

Learn to **FOCUS**

- Technology provides distractions.
- It’s virtually impossible to concentrate on two things at once.
- Turn everything off for an hour while you focus on an important task.
- Minimize interruptions - resist the temptation to check e-mail for that hour.

---

**PRIORITIZE**

Ask Yourself:
**WHAT IS THE MOST EFFECTIVE USE OF MY TIME RIGHT NOW?**

- What am I doing that does not have to be done now?
- Beware the “Tyranny of the Urgent”
Major Time Traps
- Management by Crisis
- Telephone
- E-mail
- Interruptions - drop-in visitors
- Meetings
- Miscommunications
- Failure to delegate
- Disorganization & clutter
- Procrastination
- Recording Time

“Stuff” Comes into the pipeline – you need systems & procedures to manage the information
- Collecting: capture – receive
- Filtering – what do you need to know
- Processing – delete, review, act, sort, store
- Retrieving: finding it again

COLLECTING
- Paper (in-box)
- E-mail (in-box)
- Reading material
- Notes (thoughts, research, meetings, discussions)
- Phone calls.
FILTERING

- Eliminate unwanted or unnecessary information
- E-mail filters & deletions
- Pre-screening by your secretary
- What do you need to know? (get off multiple cc: lists)
- Cancellation of publications you never read

PROCESSING / STORAGE

- Set times to go thru inbox, e-mail, voice mail
- Categorize items by project and importance
- Decide what needs action and what doesn’t
- Establish priorities
- Have reminders for action items - calendar
- Make appointments to complete action items
- Use a filing system

Parallel Filing Systems

- Use the same naming system for:
  - Paper files
  - Word documents
  - E-mail folders
  - Document Management system
RETRIEVAL
• Know how to access your systems
• Develop an Index

Manage the Telephone
• Bell’s first act on inventing the phone
• Manage the phone – don’t take calls when you are “unavailable”
• Return calls in bunches
• Develop a mini-agenda for phone calls
• Firm “rules” on telephone answering

Effective Use of Voice Mail
• Leave detailed information and ask for detailed information back
• Leave times when you can be reached
• Make messages brief
• Leave clear questions
• Leave your phone number twice
Interruptions / Drop-in visitors:
- “Have a minute?” - Consider: “No”
  – But wait, who’s making that request?
- Make appointment to discuss later
- Have a signal
- Put up a sign w/ an availability time
- Put a time limit on the visit
- Explain situation – suggest alternative
- Visitor – save up your questions

Clutter & Disorganization
- Clutter comes from indecision
- Disorganization interferes with ability to focus
- Waste valuable time looking for things
- Creates stress by a constant reminder of all that you have to do

Why be concerned about clutter?
- Missed opportunities
- Frustration & Stress
- Distraction
- Misplaced documents
- Wasted time / overwork
- Impressions of colleagues
Paperwork

- Process paperwork with a system:
  
  **RAFT**
  - Refer
  - Act
  - File
  - Toss

- **Action files:**
  - Use tickler file

---

How to Declutter your desk, credenza & floor …..

- Don’t expect to do it all at once
- Develop a plan of attack
- Visualize what you’d like it to look like
- Get five banker’s boxes:
  - Action now
  - Action later
  - Specific projects To be filed
  - To read

---

Declutter - II

- Do a gross sort – pull out materials that can clearly be discarded
- This is an initial cut - don’t stop to read things at this point or you will bog down
- Review documents in “action now” box first so you don’t miss an important deadline
- Proceed sequentially through the boxes
How to maintain an organized desk

• Have a home for everything
• When things start to get out of control - do some “emergency repairs”
• Have only one file open at a time
• “Tidy up” as you switch gears
• Create a placeholder as you close a file
• Process your paperwork at set times
• Straighten your desk at the end of each day

Management by Crisis
Last Minute “Rushes”

• A crisis interferes with priorities
• Genuine crisis = an unanticipated event
  – Something sitting on your desk too long is not a genuine crisis
• Lack of planning is not a true crisis
• Follow-up: what lessons can you learn to prevent reoccurrence in the future

OVERCOMING PROCRASTINATION
Learn to Kick the Habit

What we are going to cover:

• Causes of procrastination
• Downside of procrastination
• Different styles of procrastination
• Some time management techniques
• Tips for overcoming procrastination
• Personal Action Plan
Ohio Rules of Professional Conduct

**RULE 1.3: DILIGENCE** - “A lawyer shall act with reasonable diligence and promptness in representing a client.”

- Comment:

  [3] Delay and neglect are inconsistent with a lawyer’s duty of diligence, undermine public confidence, and may prejudice a client’s case. **Reasonable diligence and promptness are expected of a lawyer in handling all client matters and will be evaluated in light of all relevant circumstances.**

---

**Mark Twain on Overcoming Procrastination:**

“The secret of getting ahead is getting started. The secret of getting started is breaking your complex overwhelming tasks into small manageable tasks, and then starting on the first one.”

---

**How do you define Procrastination?**

Webster: To put off doing something unpleasant or burdensome until a future time; to postpone such actions **habitually.**

Putting off an activity to sometime later in the future that **needs to be done now.”**
What are the most frequent causes of Procrastination?
• Not a priority
• FEARS (unknown; failure; success)
• Boredom
• Disinterest
• Perfectionism
• Always wait for last minute
• Deadline high – adrenaline rush
• Should have said “no”
• I don’t give a rip

What’s the down-side of Procrastination:
• Can cost us money
• Stress / Anxiety / Sleeplessness
• Loss of self-esteem
• Embarrassment / Guilt
• Impaired credibility
• Damage to career
• Damage to relationships

PROCRASTINATION

“Nothing is so fatiguing as the eternal hanging on of an uncompleted task.”
    ~William James
Sapadin – Styles of Procrastination

<table>
<thead>
<tr>
<th>Procrastination Type</th>
<th>Personality Type</th>
<th>Psychological Need for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERFECTIONIST</td>
<td>Critical</td>
<td>Control</td>
</tr>
<tr>
<td>DREAMER</td>
<td>Fanciful</td>
<td>Being Special</td>
</tr>
<tr>
<td>WORRIER</td>
<td>Fearful</td>
<td>Security</td>
</tr>
<tr>
<td>DEFIER</td>
<td>Resistant</td>
<td>Non-conformity</td>
</tr>
<tr>
<td>CRISIS-MAKER</td>
<td>Over-emotional</td>
<td>Attention</td>
</tr>
<tr>
<td>OVER-DOER</td>
<td>Busy</td>
<td>Self-reliance</td>
</tr>
</tbody>
</table>

Distinguishing Procrastinators from Producers – “Self Talk”
(from The Now Habit by Neil Fiore, Ph.D.)

**Procrastinators**
- “I have to”
- “I must finish”
- “This is so big”
- “I must be perfect”
- “I don’t have time to play”

**Producers**
- “I choose to”
- “When can I start?”
- “I can take one small step”
- “I can be human”
- “I must take time to play”

The power of choice:
Guilt Free Play / Quality Work

How to Overcome Procrastination

- Psych yourself – attitude – positive self-talk
- Focus on best use of your time
- Weekly Review - block off time
- Break large project down into small pieces
- Stop whining – just do it
- Work on it for 15 minutes – may get on a roll
- Give in & do nothing
Tips for Anti-Crastination

- Start anywhere
- Start; even if not in mood
- Start day w/ most difficult task
- Find some pleasure in the task
- Be realistic

- Note: task won’t get easier over time
- Defeat the anxiety – start working on project
- Chip away in small chunks
- Think of a reward
- Consider the consequences
- Think of the satisfaction
- Believe in yourself

Since contemporaneous recording of time affects the bottom line so clearly, why is there resistance?

- Intermittent flow & focus on work
- Procrastination
  - Overwhelmed; rebellion; pathology
- Causes unnecessary anxiety
- Slippage: forgotten; small increments; or under-reported.

Some techniques for billing on a daily basis:

- Block out time for billing
- Discipline yourself – use transitions
- Use abbreviations
- Dictation – running tab
- Keep a clock handy
- Input directly into computer (templates)
- Use a pad, time sheet, pre-printed templates
- Find a method that works for you
Ask yourself the following question when you are tempted to delay an unpleasant task:

"Will it be any easier later?"

Weekly Review

• Review progress, accomplishments & areas where you need to catch up
• Evaluate what worked well and what didn’t in the previous week
• Did you move to the NEXT ACTION?
• A to do list is not a commitment
• Block out time for tasks on your calendar

What makes for an Effective Meeting …

• Clarity about purpose & objectives.
• Set an agenda and stick to it.
• Start & stop on time.
• Conduct of the meeting.
  – Keep it moving.
  – Keep it on point & in line w/ objectives.
• Purpose of meeting is accomplished.
• Outcome & tasks summarized.
Staying on Time:

• Start & stop meeting on time
• Stay on time w/ agenda items
• Recognize when consensus reached, decision made, or item thoroughly discussed & close the item
• Develop ground rules – time limit for each speaker

Closing the Meeting:

• Review decisions
• Review action plan (action items, due dates, persons responsible)
• List unresolved or new issues for future meetings
• Consider asking participants to evaluate process
• Circulate decisions & action items

Types of E-mails:

• Client questions
• Internal questions
• Assignment of tasks
• Sharing of information
• Inter-office memos
• Broadcast e-mail (multiple cc’s)
• E-mail sending attachments
Signs of E-mail Overload:

- Volume – high number
- **Full in-box** – use as “to do” list
- Missed deadlines – can’t find the due date
- Unanswered e-mails
- Large numbers of attachments
- No system to record all the details
- Gnawing sense of anxiety that you are missing something (worry, stress, distraction)

How to cope with the e-mail deluge

- Frequent checking of e-mail is a big time waster – why?
  - Diverts your attention – disconnects from focus.
  - You may not deal with it then, it piles up in in-box.
  - You need to get back to where you were.
- Check at regular intervals throughout day
  - Check it on an hourly basis & triage?
  - Check during transitions.
  - Determine how often you really need to check.

PROCESSING YOUR E-MAIL

The RAFT System - Make Decisions!

- **Refer** – forward to someone else move to @waiting
- **Act** – reply
task on your “to do” list
schedule on your calendar
- **File** – print; folders
- **Toss** – delete key
E-mail messages you send

- Use specific subject line
- Use bullet points for different issues
- Describe attachments
- Decide who really needs a copy
- Request – do not reply to all
- “NNR” – no need to reply
- “EOM” – end of message

Tools to Manage Your E-mail in Outlook

- Preview Pane
- Use of color
- Subject Matter Folders
- @ Action, Waiting & Reading Folders
- Flags
- Action Items to Calendar
- Action Items to Tasks

How to FOCUS (Rather than Multitask)

- Manage your technology
- Create boundaries
- Turn things off
- Exercise self control
- Check messages in transition
- Prioritize – action plan
- Set aside blocks of time for priorities
- Pay attention to your attention
- Stay in the moment
Turn Things Off Occasionally

- Give it a rest
- Don’t become addicted
- Eliminate distractions
- Rejuvenate yourself
- Allow time to concentrate

Ohio Rules of Professional Conduct
RULE 1.4: COMMUNICATION
(a) “A lawyer shall … (3) keep the client reasonably informed about the status of the matter; (4) comply as soon as practicable with reasonable requests for information from the client.”

Comment
- [1] Reasonable communication between the lawyer and the client is necessary for the client to participate effectively in the representation.
- [4] A lawyer’s regular communication with clients will minimize the occasions on which a client will need to request information concerning the representation. … Client telephone calls should be returned promptly or acknowledged.”

Communicate w/ clients & colleagues on use of tools

- Discuss expectations on response time
- Seek advice
- Reach mutually agreeable way of working
How you manage your technology and your attention span is ultimately up to you!

It takes a conscious mind to determine where you want to focus your attention.

Summary Review:
• Write things down, plan & prioritize
• Focus by blocking out time for major tasks
• Stay in the moment
• Manage time traps & distractions
• Be wary of switching tasks – exercise self control
• Work something to a natural stopping point
• Take charge of your attitude & reactions
• Ask: “what’s the most effective use of my time right now?”
• Take some time to laugh & relax & recharge

If you have any questions or need additional information, please contact:

Irwin Karp
Productive Time
Helping Busy People Get Things Done
Phone: (916) 446-6846
E-mail: ikarp@productivetime.com
Web: www.productivetime.com
MAINTAINING FOCUS
THE KEY TO PRODUCTIVITY

Focus:

The most important time management tool is FOCUS. It is the direct opposite of multitasking. So, we need to learn how to manage & control the myriad interruptions that will chip away at our day if we let them. If you feel that you must answer your phone whenever it rings, if you have an open door policy at all times, if you check e-mail whenever your message light flashes, then you will need to change habits. You can’t do the same thing you’ve been doing over and over again and expect to get different results. It takes time and practice to break old habits and develop new habits. And small changes, over time, can make a big difference.

Time Management = Self-Management.

How to Achieve Focus:

- Focus is the greatest time management (self management) tool there is.

- Set aside several times during the course of the day when you will process your incoming information. At these times, check your voice mail, check your e-mail and check your in-box. Each individual needs to determine the appropriate number of times in his or her practice to allow for staying on top of information while not interrupting periods of focused concentration.

- Use “Time Blocking” – make an appointment with yourself to complete an important task and write it in your calendar. This will be the period of the day when you are unavailable – period!

- Hold calls, keep your door closed, do not accept drop-in visitors, do not check e-mail, and try not to daydream.

- Schedule approximately 60 - 90 minutes of uninterrupted time. If you do this the first thing in the morning, it is done. The day will not slip away from you. At least you know the scheduled task will get done.

- Try to determine the times of the day when you are most productive and schedule your periods of “Planned Unavailability” during those times when possible.
“The main thing is to keep the main thing the main thing.” Always ask yourself: “Is what I am doing or about to do helping to achieve the goals and objectives of my practice?” Justify all of your activities based on achieving those objectives.

If you get pulled off a task or need to switch gears, do a one-minute focus on priorities. Ask yourself: “What is the best use of my time right now?”
OVERCOMING TIME TRAPS and MANAGING TIME WASTERS

No amount of prioritizing will work if you allow time wasters to creep into your day! We need to manage the time wasters that steal project time and interfere with focus.

Blocks to effective time management

There are three areas of impediments to effective time management. These are the major time wasters:

How we manage ourselves:

- Disorganization and clutter
- Trying to do too much
- Inability to say NO
- Perfectionism
- Procrastination
- Old habits
- Inattentiveness – Lack of focus

How we manage our relationships:

- Telephone conversations
- Interruptions
- Voice mail & E-mail
- Lack of clear communication
- Missing information
- Drop-in visitors
- Failure to delegate

How we manage our tasks:

- Failure to set goals and prioritize
- Ineffective systems
- Failure to schedule time for important tasks.
- Responding to repeated crises (putting out fires)
- Ineffective meetings

- The “Tyranny of the Urgent”
  - This is the smaller stuff that interferes with the big picture, high priority items. It’s all the little things that can knock your priority system off task and eat up your day.
• However, you must monitor these low priority items to see if they have resolved themselves, been taken care of by others or still need attention. Be sure that you do not neglect the less important tasks so long that they become urgent.

**Telephone**

Alexander Graham Bell’s first official act with the telephone, at the very moment that he perfected his invention, was to interrupt his co-worker: “Watson, come here, I need you.” The telephone has been interrupting our flow ever since. What if Watson had been focusing on a priority task at the time of Bell’s phone call?

• The phone can derail you if you let it. The phone generally rings at an unexpected time & interrupts the project you are working on.
• Manage the phone; don’t let it manage you:
  • Just because the phone rings does not mean that you have to answer it at that moment. If you have made an appointment with yourself – keep it. Remember, this is “planned unavailability.”
  • Think of all the times that you do not answer the phone (when you are out). Don’t answer it when you are busy & focused.
  • Screen calls when you are “unavailable” through your secretary or voice mail.
• Managing your telephone interruptions does not mean ignoring them – you must return phone calls in a timely manner. Batch your calls and schedule several times during the day to return calls.
• Use voice mail with specific information:
  • Leave voice mail with a detailed inquiry and ask for detailed information back
  • Schedule appointments for calls to avoid telephone tag.
• Develop a written mini-agenda for phone calls – prepare before you call; it keeps you on track and shortens the call.

**Drop-in visitors**

• “Have a minute?” If you are busy and say, “What’s up?” it’s all over. Say, “No, this is not a very good time.” However, be smart about who is at your door. There are times where it is prudent to accept the interruption.
• Be clear & polite; explain your situation; suggest an alternative.
• Make an appointment to discuss the issue at a later time. You must eventually get back to the visitor. (Sometimes, however, the problem solves itself).
• Put up a sign that says “I need a quiet hour – I’m working on a project; please come back at ____.” This lets them know when you will be available.
• If you don’t get back in a timely fashion, you increase the urgency and the other party may not take no for an answer the next time.
• If you accept an interruption, put a time limit around it. If an interrupter enters your office, stand up. They will not sit and you can slowly edge toward the door. When you’ve answered, end by asking if there’s anything else.
• Pre-empt the regular visitors by going to their office first.
• Sometimes we interrupt our secretaries with frequent, sequential visits. Try to bunch requests and assignments, so their flow is not interrupted.

Management by crisis

• “Emergencies” that come about because of failure to plan are not true crises.
• A genuine crisis is an unanticipated event
• Determine real deadlines before your react
• Leave some cushion every day for unanticipated situations
• Follow-up: what lessons can you learn to prevent reoccurrence in the future?
• Be prepared through back-up plans, realistic timetables & deadlines, improved communications and periodic project status review.
OVERCOMING INFORMATION OVERLOAD

In order to determine how organized you need to be, what you need to do and what information you need, you must be clear about your job functions and caseload. This provides the context for all of your efforts. It helps determine how you spend your time (e.g., your priorities) and what incoming information you need to deal with and what you can ignore.

You may have more to do than you can possibly accomplish. There is always more information out there than you can possibly know. Therefore, you need to have a clear idea of how you plan to use incoming information and have a systematic place to put it.

We are living and working in the age of information overload. Daily, we are inundated with information received via e-mail, telephone, voice mail, the Internet, fax, express mail, cell phone and reams of paper (pleadings, cases, documents, memos, correspondence, journals, newsletters, magazines, etc.). We gather other pieces of information in meetings and casual conversations. We need to be able to manage the flow. If all of these information sources require attention – when do you get any work done?

Dreams of the paperless office notwithstanding, lawyers are bombarded with paper until it occupies the desk, spills over onto the credenza and cascades to the floor. The in-box is full, the piles are growing and you waste time looking for stuff. Some days it’s probably impossible to find the top of your desk. While many large firms and even some smaller operations have resorted to electronic document management systems, walk around virtually any firm and you will find lawyers’ offices loaded with paper.

Clutter (paper or electronic) is the result of postponed decisions -- revisiting the same piece of paper or e-mail message many times before deciding what to do with it. You have enough to do as it is, so why waste time searching for messages or shuffling paper and looking for misplaced documents?

Signs of information overload could include, among other things: misplaced documents, unanswered e-mails or phone calls, always working in a crisis mode, or just the gnawing sense of anxiety that you are missing something. Failure to properly manage workload, workflow and information could result in missed deadlines or failure to adequately communicate with clients leading to adverse consequences such as malpractice claims or disciplinary actions.

Information comes from so many sources, with so many attendant interruptions, that it is critical to your productivity and competent practice to have a system in place for managing all of this information by:
➤ Collecting:

- Paper in box
- E-mail in-box
- Reading material
- Notes (from thoughts, research, meetings & conversations)
- Phone calls

➤ Filtering:

- Eliminate unwanted or unnecessary information
- E-mail filters and deletions
- Pre-screening by your secretary or legal assistant
- Cancellation of publications you never read

➤ Processing & Sorting:

- Go through your e-mail, voice mail and in-box
- Categorize by project and importance - establish priorities
- Decide what needs action and determine when you will do it
- Establish reminders for action items - calendaring & appointments
- Establish and use a Filing System

➤ Retrieving:

- Know how to access your systems
MASTERING PAPER & DOCUMENT MANAGEMENT

Manage Your Desk
- Keep only what you need on your desk
- Store only the work that you plan to do today on your desk
- Place your phone & computer appropriately
- Avoid unidentifiable piles
- Process your routine paperwork at set times

Develop standard procedures for tasks
- Notes from telephone conversations
- Sorting your mail
- Starting projects
- Closing out projects

When starting a new project
- Give it a name
- Add to your project list
- Label appropriate files (both physical folder and computer file)
- Add contacts to your system

Closing out a project
- Remove unreadable notes & multiple copies from file
- Archive files on your computer directory
- File paper documentation
- Remove from your active project list

CLUTTER CONTROL & PAPER MANAGEMENT

- This section of the workshop will focus on how to declutter your office so you can concentrate better without distraction. It will provide ways to manage your paper flow so you can prevent clutter, make decisions and find things when you need them. We will review a variety of techniques and systems to help you conquer clutter and assume control of your desk. It’s up to you to change your habits and implement a system that works for you.

- Clutter is the result of postponed decisions -- revisiting the same piece of paper many times before deciding what to do with it. You
have enough to do as it is. Why waste time shuffling paper and looking for misplaced documents? The old notion that you should handle each piece of paper only once has been discredited as impractical. However, each time you handle a piece of paper you should make a decision on the next action for that document.

Good organization is the foundation of effective time management. This means developing a system that works for you so you can easily find things when you need them. Time spent looking for a misplaced item is wasted time. Clutter is distracting. Piles of paper on your desk and around your office make it difficult to focus on the task in front of you. Clutter could be costly in terms of both reduced billings and overwork, or worse yet, missing an important deadline with the risk of malpractice. The quality of your work will be enhanced when there is less clutter and fewer distractions.

**How To Declutter Your Desktop (credenza, floors ....)**

- Your desktop is your primary piece of office real estate. If it is severely cluttered, neither moving to a vacant office nor securing a second desk is a viable solution.
- If the paper on your desk resembles layers of geologic time, straighten the paper into piles first. Remember that it’s taken a while to become cluttered. Don’t expect to declutter all in one sitting.
- Visualize what you’d like your office to look like and develop a plan of attack
- Sort the piles of paper into major groupings and place in five banker’s boxes labeled:
  - Action now
  - Action later
  - Specific projects
  - To file
  - To read.
- Work near a trashcan and toss what you don’t need to keep.
- This is an initial cut – move through the paper and make quick decisions on the groupings. Don’t stop to read each document at this point or you will get bogged down. Eliminate outdated reading material. Have your secretary help you.
- Review the documents in the “action now” box first. Make sure that you are not missing an important due date.
- Then proceed sequentially through the other boxes. Make a decision on each piece of paper as you handle it.
• Process the paper from the action and project boxes alongside your calendar/planner (paper, computer, PDA, etc.) and schedule both due dates and specific dates and times when you will work on the task involved. [We will discuss the RAFT method and retrieving this paper through a tickler file system later].

• As you go through the boxes, develop a list of projects that the paper relates to (if you don't already have such a list). Keep a label maker and manila files handy and label preliminary holding files for the project or subject documents.

• Once you have decluttered, organize your desktop so you have only what you really intend to work on that day nearby. Put the rest away in tickler files, in drawers, on shelves, in standing racks on your credenza, or in your system of project, reference or reading files.

How To Maintain An Organized Desk - Use a System To Process Your Paperwork and Keep Your Desk Clutter Free

• Now that you've decluttered your desk, how do you keep it that way?

• First of all, have a home for everything (your mother’s sage advice) so things always go back to the same place. This will save search time.

• Maintain an inbox and an outbox.

• Consider moving your inbox off your desk so the arrival of mail is not an interruption and a chance to say: “let’s just see what this is...” Some people process their incoming paperwork at their secretary’s desk, so much of the paper never enters their office in the first place.

Process your paperwork – emptying the inbox:

• Your inbox is not a storage receptacle. It is only for items you have not yet touched. Once you remove something from your inbox – DO NOT PUT IT BACK for a later decision! Make a decision on that document and move it along to its next action.

• Schedule time to “process” your incoming paper on a regular basis (once or twice a day).
  o Note: if you are in trial or have a pending deadline, you may very well miss several days of processing your incoming paper. When you are next in the office, process this backlog. (Have your secretary pre-sort into folders for you, pulling out the time sensitive documents).
• Make a decision on the next action when you look at a piece of paper:
  o If you can complete it quickly, do so at the time.
  o Respond by jotting a note at the top and get it in your out box – actually use your out-box.
  o Make small decisions quickly (e.g., whether to attend a conference, whether to order a new book).

**Use a system to help you process your paper.**

• You can’t always control what you get, but you can control how you deal with it.
• Use the RAFT System to process your mail, accomplish paper sorting and ease paper decisions:

```
  R   A   F   T
  Refer Act File Toss
```

This system can also be used for periodic decluttering of your desk when you need to do maintenance.
• When you get a new matter, start a file. That way the paper will be in a recognizable category from the outset. Open only one file at a time on your desk – this will eliminate the danger of misplacing paper.
• Organization requires ongoing maintenance, so take a break every once in a while and blitz through the clutter using the RAFT system. It is easier to maintain it as you go.
• Use a tickler file for action items to be handled in the future - get the paper out of the piles and into a place where you can find it when you need it - 12 files for the months / 31 files for each day.
• Have manila folders and a label-maker on hand. When you receive a document that represents a new matter, make a preliminary file and put it in a vertical rack on the side of your desk or credenza – do not put it back in a pile. That way the paper will be in a recognizable category from the outset. Have your secretary create a permanent file when you review your workload with him or her.

**How to maintain a non-cluttered desk:**

• Once your desk is decluttered, open only one file at a time.
• Try to keep your desk clear of any papers that are not involved in the project that you are working on. This will eliminate the danger of misplacing paper in the wrong file. Misplaced
documents often creep into other files when too many files are open on your desk at the same time.

- As you switch gears from project to project, do a quick tidy up and put the paper in its home. Move files that you are actively using throughout the day to standing racks on your credenza.
- Focus is the best time management tool of all. When there is only one project spread out on your desk, your ability to concentrate on that task is greatly enhanced. You are not distracted by all the reminders of the other things that you have to do.
- Straighten your desk at the end of the day. Return files to their home. Place the file that you intend to work on first thing the next morning in the center of your desk. That saves time the next day – you can focus and begin your work right away if not confronted with clutter.

**How To Develop a Functional Filing System For Your Office**

In one form or another, you will need to maintain the following files for your office: Project files (active / inactive / archives); Official case pleadings files; Reading files; Tickler files (for action items); and Reference files. In addition, you need business, financial and personnel files.

**Filing system overview**

- Once you decide what documents you need to keep, you need a filing system. This means someplace other than your floor. Many lawyers keep papers out in plain view rather than filing them because of the fear that they will never find them again. You know, “out of sight, out of mind.”
- Work with your staff to develop effective, user-friendly classifications systems and filing categories.
- Remember that the purpose of filing system is retrieval – not storage. The key question to ask yourself is: **“Where will I find this?”** (Or, “where will I look for this?”) NOT, “where should I put this?” Be selective in what you decide to file.
- Determine whether your filing system will be centralized or decentralized.
- Your filing system should be tailored to your practice area, matters handled & projects, and set up in a way most
comfortable for you. Typical examples of records involving subfolders within files are:
  - Litigation: pleadings, discovery, motions, correspondence (incl. e-mails), research, exhibits, notes (incl. meetings & phone conversations)
  - Practice management groups dealing with transactional issues, environmental law, copyright, trademark & patent would have specialized filing systems.
  - While there’s a tendency to categorize according to type of documents, another method would be to tell a story in some sequence with all of the above documents organized by subject rather than type.
  - The best systems are: repeatable, predictable, have orderly rules, and are simple to use. Filing categories and subcategories should be standardized within practice groups or areas of practice.

- This section is about handling paper. For moving toward an office with less paper, consider case management software linked to document management software. Consider attending legal tech trade shows & conferences, or hiring a law office computer consultant, for information about those programs.

**Project Files – Creating and naming the files**

- Each matter you are handling is a separate project.
- Develop a master list for all your project files: Number, name of the matter, name of client, and a brief description of the matter -- put on a side tab of the project file and place active files in step racks or between bookends on your credenza.
- Maintain an index to all of your project files on your computer’s word processor (assuming that you are not yet using a case management program coupled with a document management program.)
- Keep active files in your office; use an expandable file for each project. Consider indexing each file.
- Keep inactive files outside your office, but nearby.
- Closed matters could be sent to offsite storage.

**Tickler File System for your Action Items**

- This is your “to do” place for paper. It is not storage – it’s where you put paper that needs attention and action.
- Maintain at or near your desk in a desktop rack system so you use it.
- Create 43 folders: label 12 for each month and 31 for each day.
- Place any documents requiring action in the current month in the folder for the appropriate day. If action is to occur in a subsequent month, place it in the appropriate monthly folder.
- At the beginning of each month, sort into appropriate daily folder.
- Cross-reference due dates and appointments and schedule time to work on these action projects in your calendar/planner.
- Review your tickler file and your calendar/planner at the end of each day for the next day’s work and prepare your daily “to do” list.
- Try not to keep moving things back in the tickler file.
- If documents are too large for the tickler file, put a slip of paper or copy of the document’s cover sheet under the appropriate date in the tickler file with a notation as to where to find the document in your project files.

**Professional reading files:**

- Designate periods of time on your calendar when you will catch up on your professional reading.
- Develop a “to-read” file.
- When processing your mail, determine realistically whether you will ever read a publication; if not toss or send to the library. If undecided, place in a designated reading area off your desk and mark the date received. If you haven’t read it in say two weeks, then toss.
- To cut down on bulk, use the “rip and clip” method. Review the table of contents, determine what you want to read and rip the selected articles out of the publication. Staple the articles and place in a “to-read” file.
- When you are leaving the office for appointments, grab a few articles to read during the inevitable wait periods. You will likely accomplish more reading.
- For publications, periodicals and newsletters that you must keep, place them in designated magazine box files in your bookcase.
**Reference files:**

- Develop a set of reference files for the following information: cases – by case name (also by topic); forms; articles.
- Develop simple names for your topic files. These are your personal files, so you should name them the way that you will think of the topic. Alphabetize these files and develop an index.

**Index**

- Keep a master index of your files and update the index regularly. Review the index when deciding a document needs to be filed and mark the file name on the top front.
- Sort by matter number, case number, client number (taking account of multiple matters), or name. Be consistent. Many firms use some form of alpha-numeric filing with both names & numbers.
- Be actively involved in development of the index. Do not solely delegate to your secretary. Use the index when processing your inbox to determine where papers should be filed.
- Folders for your computer files should parallel the titles of your paper files.
- Develop a system of folders for storing project e-mail.

**Maintenance**

- Once the system is in place, maintain the system.
- Seek consistency in filing – particularly within practice groups or for similar types of matters.
- File regularly – at least twice a week. Place the most recent document in the front of the file.
- While you can delegate filing to your secretary, don’t abdicate responsibility for the system. You should be involved in developing and understanding a system that works for you and your firm so you can retrieve documents when you need them.
- Don’t overload either folders or file drawers. If you can’t get your hand into the drawer, you will not use the system.
- Pre-sort at your desk into a folder tabbed A-Z, or send it to outbox with the file designation in pencil at the top.
• Move old files - purge your files on a periodic basis – every six months or, at least, yearly. Consider a file “clean-out day” in your office or practice group. Set up a retention schedule and provide for a document life cycle.
OVERCOMING PROCRASTINATION

The Ohio Rules of Professional Conduct indirectly address the issue of procrastination.

RULE 1.3: DILIGENCE

“A lawyer shall act with reasonable diligence and promptness in representing a client.” (emphasis added; note - italics in the rule).

Comment

[3] Delay and neglect are inconsistent with a lawyer’s duty of diligence, undermine public confidence, and may prejudice a client’s cause. Reasonable diligence and promptness are expected of a lawyer in handling all client matters and will be evaluated in light of all relevant circumstances. The lawyer disciplinary process is particularly concerned with lawyers who consistently fail to carry out obligations to clients or consciously disregard a duty owed to a client. (emphasis added)

Comment to the ABA model rules [not adopted in Ohio]

“[3] Perhaps no professional shortcoming is more widely resented than procrastination. A client’s interests often can be adversely affected by the passage of time or the change of conditions; in extreme instances, as when a lawyer overlooks a statute of limitations, the client’s legal position may be destroyed. Even when the client’s interests are not affected in substance, however, unreasonable delay can cause a client needless anxiety and undermine confidence in the lawyer’s trustworthiness. (emphasis added).
Dr. Laura Sapadin, a psychologist, wrote a book called *It’s About Time* analyzing different styles of procrastination and suggesting methods for overcoming procrastination. She posits six separate styles of procrastination, and the rationale we create for each:

1. *The Perfectionist* – “I’d like to finish, but I want it to be perfect.”
2. *The Dreamer* – “I’d like to start, but I hate all these bothersome details.”
3. *The Worrier* – “I could do it, but I’m afraid.”
4. *The Defier* – “I could do it, but why should I have to do it?”
5. *The Crisis-Maker* – “I could do it now, but I get motivated at the last minute.”
6. *The Overdoer* – “I’d do it now, but I have so many other things to do.”

Dr. Sapadin notes that more than one of these styles are usually present in procrastinators in various combinations. She believes that overcoming procrastination is not just a matter of implementing better time-management techniques, but also requires an understanding of the psychological underpinning of procrastinators. The psychology is beyond the scope of this workshop.

Procrastination becomes a habit and we find artful excuses to indulge the habit regardless of its effect on our clients, co-workers and ourselves. Have you ever fretted over a task, while it lurked in the back of your mind until you finally sat down to do the task and it didn’t seem so bad? Procrastination can be caused by, among other things, the fear of success, fear of failure, perfectionism and the ever-popular “I work best under pressure” syndrome. While we leave the psychology for another time and place, we need to explore some self-management techniques to overcome procrastination:

- Psych yourself up with a good attitude – exercise positive self-talk
- Focus on the best use of your time  (Ask yourself: “What’s the best use of my time right now?”).
- Start somewhere (anywhere) when a task seems daunting. Any little bit of progress tends to spur you on.
- Break the project down into tasks and subtasks. Break a large task down into small chunks and start work on one of the chunks – the project isn’t so daunting if it’s broken down into small pieces. This is where the project management process can help in overcoming procrastination.
- Create time limits for completion of a task.
- Visualize the outcome.
Schedule time on your calendar to work on a task that you have been postponing.

Make yourself work for just 15 minutes; set a timer (if you’re on a roll keep going). Any little bit of progress tends to spur you on.

Give in & do nothing. – stare at the file for 15 minutes and see if the discomfort causes you to get started.

Stop thinking about it – just do it! Start somewhere.

Build in rewards (e.g., chocolate).

Be decisive. Overload can make us indecisive. Get information you need and get on with it. Avoid paralysis by analysis.

Strive for excellence, not perfection. Nothing will ever be perfect – don’t “overwork” a task (don’t spend more time & energy than is commensurate with the task)
How to Overcome Procrastination

Identify the causes of your procrastination:

• When do you procrastinate?
  1. ____________________________________________
  2. ____________________________________________
  3. ____________________________________________

• How do you procrastinate?
  1. ____________________________________________
  2. ____________________________________________
  3. ____________________________________________

• Why do you procrastinate?
  1. ____________________________________________
  2. ____________________________________________
  3. ____________________________________________

• What’s the downside of procrastination?
  1. ____________________________________________
  2. ____________________________________________
  3. ____________________________________________
Your Anti-Procrastination Action Plan

List one task or project on which you are procrastinating & the final deadline, if any. List why the task is important and determine why completion is a problem for you. List three specific actions you can take to change your approach to each issue, and the benefits of completion. Commit to taking these actions.

- Procrastinated Task: ______________________________________________________

- When is the final deadline? _____________________________________________

- Why is the task important? _____________________________________________

- Why is completing this task a problem for you?
  ___________________________________________
  ___________________________________________
  ___________________________________________

- Three actions you can take to change your approach:
  1. _________________________________________________________________
  2. _________________________________________________________________
  3. _________________________________________________________________

- Benefits of completion: _______________________________________________
“You Don’t Bill, You Don’t Eat”
(how to keep track of that time)

- Contemporaneous recording of time:
  - Articles have been written and studies have demonstrated that contemporaneous recording of time, as you switch from activity to activity, results in more billable hours being captured. Hence, more $$$ to the bottom line and easier to meet your billable hour obligations.

- So, if it affects the bottom line so clearly, why is it not fun? Why do some resist?
  - Because it could interrupt our flow and our focus
  - Roots of procrastination (overwhelm; negativity; rebellion; psychopathology)
  - Both naggers & enablers can fuel procrastination
  - Let’s find other ways to channel our intransigence or our rebellion (graffiti?)
  - Undone time sheets cause unnecessary anxiety to you & your colleagues.
  - “Unpleasant” tasks are not as unpleasant once you get them over with.

- Techniques for real time recording of billable hours:
  - Set up a personal system to make time keeping easy. Keep an easy to use time tracking sheet near your daily action plan &/or phone. Keep a digital clock near your time sheet.
  - As you transition from task to task, enter start & stop times with minimum notations on the matter & task. Key to your action plan list to minimize amount of data entry.
  - This is where time management and time keeping come together. The more focused you are / the fewer interruptions you permit / the fewer the transitions between tasks and the easier the timekeeping.
  - Tally the data for each matter & record on your daily time record at the end of the day. (If it works better for you in the morning or just before lunch or whenever, do it then).
  - Block out time for completing billing
  - Use computerized time-keeping system – input directly
  - Discipline yourself – find a method that works for you
  - Use dictation – keep a running tab
- Use a note-pad or time sheet
- Use a pre-printed template form
- Use abbreviations
- Use the log on your phone – will show phone numbers and call’s elapsed time
- Use edit time on documents
How to Run Effective & Productive Meetings

Preparation of the Agenda

- Determining what goes on the agenda: purpose & objectives of the meeting
- Relative importance of items.
  - Non-controversial items first (e.g., easy announcements)
  - Place items of greatest concern near beginning
  - Place items that require concentration or creativity near beginning
  - Place controversial items in the middle
  - Finish meeting with something more positive – e.g., discussion item; some positive news or recognition
- Realistic allocation of time to each agenda item.
- Distribute agenda in advance.
  - Clarifies purpose so attendees understand topics & objectives
  - Helps participants think about what they may want to say
  - Provides focus for the discussions
- Review agenda before meeting.
  - The agenda is your “script” for the meeting
  - Refresh yourself on the goals
  - Visualize how you would like the meeting to proceed
  - Ask if anything could go wrong. How could it be prevented?

Staying on Time

- Starting & stopping on time
  - Start meetings at the appointed time
  - Starting late sends message that it’s ok to be late
  - Close the door so it’s more apparent when stragglers enter
  - Do not repeat information for latecomers
  - End at the appointed time unless there’s consensus of group to continue [option – put the item on agenda for next meeting].
- Staying on time with the agenda items
  - Purpose of item – information; decision; brainstorming; discussion.
o Close each item before moving on to next item
o Make sure that participants understand what has to be accomplished within the allocated times for each item
o For discussion item, allow participants time to talk things through
o Recognize when consensus has been reached and move on.
o Use the agenda as a guide throughout the meeting
o Refer back to agenda when things get off track.

**Keeping discussions on track**

- Staying focused on the matter at hand
  o In ground rules, state that each person will have a time limit (for example, two minutes) to state their views.

- Avoiding tangents
  o Facilitator should keep focus on agenda
  o Be gentle, but firm with people who ramble off the subject
  o Say, for example: “That’s a valid point, but it’s not part of this discussion. Let’s park it for a future meeting.”
  o Ideas that are not related to current agenda item can be written on a separate flip chart sheet and “stored,” “parked” or “held” for a future meeting. Then, get right back to the point while the scribe writes the item on the flip chart.

**Record Keeping**

- Recording viewpoints during discussion
  o Scribe should record opinions or ideas on flip chart – can then ask someone who seems to be repeating one of those points – “Does #3 state your position?” or, “So you agree with #5?”

- Recording decisions
  o Summarize resolution or decision on each agenda item before moving on to next

**Closing the meeting**

- Leader should summarize results of the meeting
  o Review decisions & implementation assignments
  o List unresolved or new issues for future meetings
  o Clarify whether flip chart notes need to be typed up & distributed (if so, by whom & when)

- Create an action plan to implement decisions
  o action items, responsible person & due date
OVERCOMING E-MAIL OVERLOAD

- Checking e-mail frequently is one of the biggest time-wasters. Do not check e-mail every time the bell rings or an envelope pops up on your screen (better yet, turn off the signal).
- Check e-mail multiple times a day at regular intervals (determine what is appropriate for your practice) or during transitions.
- Process your e-mail when you check your inbox: respond; delete; “tickle” for a later response in a pending folder.
- Set up a system of substantive folders, to parallel your word processing documents and paper filing system. Move informational messages to appropriate folders. You don’t want an inbox cluttered with unresolved e-mails.
- Don’t send messages simply because it’s easy. And limit the number of copies – would you send so many if it was paper? Messages beget messages.
- Try to get your message down in the first 3 lines – be direct & brief and ask for a specific response.
- Remove yourself from multiple information lists.

Become familiar with the tools in your e-mail program. The techniques to help you manage your e-mail discussed in this section will be demonstrated at the workshop. They apply to Outlook 2003. (Note that this sign “>” in the discussion below means “click.”)

• **Folders:**
  - Move both received and sent items to the client or matter folder to have a complete record of e-mail correspondence on the matter.
  - Have the e-mail folder name parallel the name on the paper folder and the Word or WordPerfect directory for that matter.
  - Move the items by dragging & dropping into the appropriate folder. To avoid moving into the wrong folder with that method, as an alternative you can right click on an e-mail, then click “move to folder,” highlight the appropriate folder and click “ok.”

• **Tools to review incoming e-mails in your inbox:**
  - **Colors:**
    - Use flags to highlight important items (> Actions > Follow Up > Flag)
- Have names of designated senders appear in different colors in your in-box (> Tools > Organize > Using Colors > select name & color > Apply Color)

- **Views:**
  - You can preview the first 3 lines of an e-mail by changing views. Since so many subject lines are poorly written, this allows you to sort through incoming e-mail more quickly by getting a sense of the subject matter. (> Tools > Organize > Using Views > Messages With Auto Preview)
  - You can also view the entire e-mail in a preview pane on your screen. (> View > Reading Pane > Right or Bottom – depending on where you want the message to appear)
  - There are differing opinions on whether these tools make your computer more subject to viruses. You should discuss this issue with your IT department or consultant before using these tools to make sure that they are safe for the configuration of your computer system.

- **Special Folders for Pending Items:**
  - Many inboxes remain full because they are used as a digital “to do” list – reminders of matters that need attention. But these will be displaced by other e-mails and slip further down the screen and potentially be lost as reminders.
  - These e-mails usually require action, or a response, or are simply reading material. Set up folders to hold these matters (Action / Waiting / Reading). To get these to the top of your folder list, set them up as:
    - “@ Action”
    - “@ Waiting”
    - “@ Reading”
  - For example, if you need to take action on a particular e-mail, but can’t do it right away, move it to the “@ Action” folder by dragging & dropping or right clicking to move to folder (see discussion of technology tools earlier in these materials).
  - You can do the same with a Sent item - when you are waiting for a response - and move it to “@ Waiting.” Items that you have delegated by e-mail can be moved to this “@ Waiting” folder.
- Do the same with an e-mail that is for reading in the future by moving it to “@ Reading.”

- **Moving e-mails to your calendar:**
  
  - If you want to deal with the action items required by an incoming e-mail on a date certain, you can move that matter to your calendar.
  
  - To move an e-mail to your calendar, drag and drop the e-mail onto the calendar icon and a dialog box will pop up. Type in the subject line and assign it a date as either an all day event or at a time certain. Click “Save and Close.” The subject will appear on your calendar on the designated date. When you click on the item, it will open the dialog box again and the e-mail will be attached to the calendar item.
  
  - After you move the item to your calendar, it will still remain in your in-box and you can now move it to “@Action” as a back-up reminder or move it to the subject matter folder in order to clear it out of your inbox.
YOUR PERSONAL ACTION PLAN

List three ways that you multitask rather engage in single focus. Determine why it is that you do this. List three specific actions you can take to change your approach in each instance. Commit to taking these actions in one area for at least 21 days to develop new habits.

I

☐ Multitasking challenge: _________________________________

☐ Reasons that you do this instead of single focus:
  ________________________________________________________
  ________________________________________________________
  ________________________________________________________

☐ Three actions you can take to change your approach:
  1. ________________________________________________________
  2. ________________________________________________________
  3. ________________________________________________________

II

☐ Multitasking challenge: _________________________________

☐ Reasons that you do this instead of single focus:
  ________________________________________________________
  ________________________________________________________
  ________________________________________________________

☐ Three actions you can take to change your approach:
  1. ________________________________________________________
  2. ________________________________________________________
  3. ________________________________________________________

III

☐ Multitasking challenge: _________________________________

☐ Reasons that you do this instead of single focus:
  ________________________________________________________
  ________________________________________________________
  ________________________________________________________

☐ Three actions you can take to change your approach:
  1. ________________________________________________________
  2. ________________________________________________________
  3. ________________________________________________________
MULTITASKING GONE MAD
Coping in a Wired, Demanding, Distracting World

By Irwin Karp, Productive Time

We all have more to do than we can possibly accomplish. That’s just a fact of modern work life. It means that prioritizing your work and focusing on those priorities is essential to getting the most important things done. It requires that we manage our attention in our hyped-up world of electronic interruptions and reduced attention span.

Many of us start our day with several important matters to complete by the end of the day. Have you ever gotten to the end of that day and found that you didn’t touch, let alone finish, your priority tasks? You could have been diverted by newer tasks, e-mail, phone calls, chats, instant messages, web surfing, drop-in visitors or a host of other workplace interruptions. In short, you attempted to multitask your way through the day, doing two or even three things at the same time. Multitasking has been defined as doing two or more things at the same time, none of them well.

More than 250 years ago, the Englishman Lord Chesterfield offered the following advice to his son: “There is time enough for everything in the course of the day, if you do but one thing at once, but there is not time enough in the year, if you will do two things at a time.” As cited in an article in The New Atlantis entitled “The Myth of Multitasking,” Chesterfield believed that single task focus is both a practical way of accomplishing one’s priorities and a sign of a strong mind, whereas “hurry, bustle, and agitation are the never-failing symptoms of a weak and frivolous mind.” In summing up the advice to his son, Lord Chesterfield went on to say, “The faculty of voluntarily bringing back a wandering attention, over and over again, is the very root of judgment, character and will.”

The need to pay attention and stay focused hasn’t changed; it’s just become more difficult. We live in a world that Dr. Edward Hallowell, in a book published a couple of years ago, described as CrazyBusy – Overbooked, Overtaxed & About to Snap. He terms it a world gone ADD. Dr. Hallowell should know – he wrote the definitive book on Attention Deficit Disorder, Driven to Distraction, over a decade ago. But, since most of us are not clinically diagnosed with ADD, he came up with a new term to describe the syndrome – ADT – “attention deficit trait.”
ADT is a result of, or perhaps the cause of, multitasking. I am not talking about the idea that we all have multiple projects and will be working on more than one project in the course of any given day, perhaps any given hour. Multitasking for the purpose of this analysis is the concept of doing two or more things at the same time.

The term multitasking has been around since the dawn of the computer age – it describes the ability of computers to process two or more different things simultaneously. Watch your computer's response time, however, when you have multiple programs open – it slows down.

Wikipedia now has separate entries for computer multitasking and human multitasking. We are concerned, deeply concerned, with the latter. While mothers have multitasked for centuries, and multitasking while driving started with the car radio (not cell phones), it’s the combination of heavy workloads & multiple priorities, information overload, technology, and the 24/7 always-on mentality that has created current cause for concern.


Continuous partial attention (or CPA, which can lead to ADT) is defined as “A state in which most of one's attention is on a primary task, but where one is also monitoring several background tasks just in case something more important or interesting comes up.” (from WordSpy). As a result, a recent article in The Atlantic noted that researching on the internet and a steady stream of e-mails have the cumulative effect of “chipping away” at our “capacity for concentration and contemplation.” I recently spotted yet another description, which appeared in the Sacramento Bee a few weeks ago, describing our tendency to multitask as “simultaneous engagement”!

**The impact of multitasking**

The late Peter Drucker, one of the nation’s foremost management gurus, said, “to be effective, every knowledge worker ... needs to dispose of time in fairly large chunks. To have small dribs and drabs of time at his disposal will not be sufficient even if the total is an impressive number of hours.” That was written more than forty years ago, in The Effective Executive, long before e-mail and the BlackBerry impacted our attention and our work styles and the concept of multitasking entered our jargon.
So if we are all multitasking, we need to ask what it is doing to the quality of our work, our focus (or lack thereof) and, perhaps most important, our health & well-being.

While it may seem as if you are accomplishing more things when you attempt to do two or more tasks at the same time, all of the research and literature on the subject finds that doing so is less efficient than single tasking. Multitasking is a more complicated way of working, and we are more error-prone as we try to run two parallel threads. It can be crazy-making as well as inefficient and stressful.

A study of a group of Microsoft employees a couple of years ago noted how easily people were distracted by e-mail and how long it took to get back to work on a task after an interruption. The study found that it took an average of 15 minutes to return to “serious mental tasks” such as report writing after responding to e-mails. Other studies cited in the media said that it could take up to 25 minutes of recovery time to get back on track. What happens once we are in cyberspace is a tendency to look at other e-mails, browse web sites, look at the news and get pulled in several, ultimately unproductive, directions. Dr. Hallowell calls that situation “screen-sucking.”

Multitasking is really task switching, as our brains cannot handle two simultaneous thought processes at precisely the same time. Hence, we flip back and forth with the attendant lag time as we switch gears and then switch back again. Because we are only partially paying attention to each task, we can miss things (such as when one checks e-mail while on a conference call), or make errors. Some of the adverse effects of multitasking are: lapses in attention and focus, loss of concentration, unclear communications, short-term memory loss, and stress.

The Wall Street Journal cut to the chase several years ago in an article proclaiming “multitasking makes you stupid.” WSJ cited numerous studies that demonstrated the pitfalls of doing too much at once.

**This is your brain on multitasking**

Psychiatrists, psychologists and neuroscientists have demonstrated that multitasking interferes with focus, reduces efficiency, causes stress, and creates a time lag between tasks. Since the brain does not allow us to do two complex tasks simultaneously, the back-and-forth transitions between the tasks eat up both time and energy.

An article in *The Atlantic* late in 2007 concluded, “Neuroscience is confirming what we all suspect: Multitasking is dumbing us down and driving us crazy.” Here are some of the main findings as reported in a host of articles from newspapers, magazines and web sites.
A study at Carnegie Mellon University’s Center for Cognitive Brain Imaging found that managing two mental tasks at once reduces the brain power available for either task. The Center director Dr. Marcel Just said, “It doesn’t mean that you can’t do several things at the same time. But we’re kidding ourselves if we think we can do so without cost.” A “core limitation” of the human brain “is an inability to concentrate on two things at once” according to Rene Marois, a Vanderbilt University neuroscientist.

Dr. David Meyer of the University of Michigan concluded that “multitasking is going to slow you down, increasing the chances of mistakes. Disruptions and interruptions are a bad deal from the standpoint of our ability to process information.” He identified the “executive control” processes associated with the brain’s prefrontal cortex and other neural regions of the brain. In a report published in the American Psychological Association’s Journal of Experimental Psychology, Dr. Meyer and his colleagues noted that time is lost when a person switches from one task to another. The more complex the tasks, the greater the time lag in making the switch from one to another.

According to the research, the executive control function occurs in two stages. The first is goal shifting when the brain is told to switch from task A to task B. The second is the cognitive rule activation for the particular task that essentially turns off the rules for dealing with task A and turns on the rules for dealing with task B. This happens unconsciously and can take several tenths of a second. The time and energy involved adds up and it can actually take longer to complete both tasks then if they were handled sequentially to completion. So, those who multitask are actually less efficient than those who focus on one task at a time. According to the researchers, over time the loss in effectiveness can be as much as 20% to 40%.

The classic example is chatting on a cell phone while driving. The time that it takes for the executive control function to kick in when task switching can mean the difference between having or avoiding a collision when traveling at 65 miles per hour. A one second delay in response time at that speed could be fatal.

Even if you’re just sitting at your desk, multitasking could be bad for your mind and body. Trying to do two important tasks at the same time is ultimately stressful. The brain responds by ordering adrenaline which provides energy in a fight or flight mode, but doesn’t really make the tasks any easier. A repeated diet of stress hormones is simply not good for your health.
Why we keep multitasking despite its obvious drawbacks

As stated at the beginning, we’re harried and generally have more to do than we can accomplish in a given day. So, we try to do several things at once to “save time.” We really believe that we can accomplish more that way despite all the evidence to the contrary. That evidence shows that to be successful, actions requiring thought and analysis need to be done one at a time. Certain activities that are automatic and require no deliberative thought processes (such as walking or riding an exercise bike) can be done simultaneously with another activity requiring concentration (such as conversation or reading).

Multitasking gives the illusion of importance. The constant flow of electronic information is like one giant computer game. Let a few moments of silence go by and we click on “receive” to see if anyone sent us an e-mail. It is very compelling. It may make us feel needed and connected. Or, we may pay continuous partial attention so we don’t miss an opportunity. We think that colleagues or clients expect instantaneous responses, even if we’ve never discussed expectations with them.

We simply can’t resist. “It’s fun,” Dr. Hallowell says. But things that are fun over time can become habit forming or addictive. The term “crackberries” confirms the addictive nature of the device. Even when we know we shouldn’t, the pull is so great. And then we get to the end of the day wondering why, after working hard all day, we haven’t accomplished the priorities that we set forth at the beginning of the day. Take to heart a headline from The Onion – “Study Finds Working at Work Improves Productivity.”

Get out of the multitasking rut and concentrate on concentrating

Staying focused is an ongoing struggle for most people. The pervasiveness of multitasking only makes it harder. Being aware of and reducing your own multitasking habit could result in more time for thinking, greater productivity and more effective work habits.

Gadgets and inattentiveness, and the desire to move on to another opportunity, let you switch from task to task. How you manage the technology and your attention span, however, is ultimately up to you. Even if you get the external interruption under control, be wary of self-interruptions. For example, you might be working on a document for 10 or 15 minutes without any external interruption but then, for no apparent reason, you stop to check your e-mail or make a phone call. The ability to focus on a single task for a fixed period of time, and I do mean longer than 10 or 15 minutes, is the greatest way to get things done.
Here are some techniques for overcoming multitasking:

- Manage your technology (e-mail, smart phone, BlackBerry) instead of having it manage you. (See the attached article *How to Regain Control from Your BlackBerry*). Create boundaries for how often you check and when you turn things off.
- Write down all of the things that you need to do. Prioritize so the most important tasks become your action plan. Look at your calendar. Figure out when you will accomplish your priority tasks.
- Set aside blocks of time during the day to perform your priority tasks. Set time to focus for 20 minutes, or a half-hour, or even an hour if you can swing it. Don’t allow yourself be interrupted during those times. Check the phone and messages in transitions between those blocks of time before starting work on your next single task.
- Pay attention to how you use your time and where your attention is focused. Throughout the day, ask yourself: “what is the most effective use of my time right now” and act accordingly. Manage your attention and try to stay focused.
- Exercise some self-control. Realize that you do not have to answer every phone call when it rings, nor do you have to check your e-mail all the time. Turn off ringers, beepers, pop-ups, buzzers, etc. and check your e-mail in transition after you have completed a discrete task.
- If you must entertain an interruption, make a note of where you were before dealing with it. That will help you to pick up again much more quickly.
- Try to stay in the moment and keep your focus. Exercise self-management of your attention. Put up a sign to remind yourself to stay focused.

**Conclusion – get a grip**

Dr. Edward Hallowell, the above-cited author of the terms “crazy busy,” “attention deficit trait,” and “screen-sucking,” said, “In a futile attempt to do more than is possible, the brain paradoxically reduces its ability to think clearly.”

Getting out of the multitasking trap will take some self-discipline. It will take a conscious mind to determine where you want to focus your attention. Ironically, you might actually get more done by doing less.
How to Regain Control from Your BlackBerry

By Irwin Karp

The BlackBerry & the Treo are ubiquitous addictive functional devices. They are known as smart phones. Sometimes I wonder if the name is appropriate because they may be smarter than we are.

Look around. People are on their blackberries at the airport, walking around town, in meetings, while driving (yes, while driving) and over family dinner. They are very practical devices that have created their own kind of manic behavior. Research in Motion, the manufacturer of the BlackBerry has an extensive advertising campaign in print and on the web with real people answering the question: “Ask Someone Why They Love Their Blackberry.”

By the way, I use the term “blackberry” in a generic sense, just like certain other brand names. I happen to use a Palm Treo myself, but the purposes are essentially the same and I will use the term “blackberry” to describe the devices.

Blackberries are tools that are supposed to make us more productive. Yet managing the onslaught of information, and the continuing concern that something is being missed, can have a negative effect on productivity. The advantage of the blackberry is that you can work from anywhere, anytime. The disadvantage is precisely the same. Hence they are known as “crackberries” and I’ve heard of a repetitive stress situation called “blackberry thumb.” Yet, mobile professionals are so wired to these things that various forms of aberrant behavior ensue.

On my way to present a program at a law firm in Washington, D.C., several months ago, I followed a very well-dressed, distinguished looking gentleman down Pennsylvania Avenue for about ten blocks. He had his arm out in front of him with his blackberry cradled in his palm the entire way, just waiting for a vibration. He did get a couple of messages during his brief walk. Couldn’t he just as well have checked when he arrived at his office?

The tools that we think are making us more productive can rob us of concentration, harm relationships, and keep us from focusing on critical tasks. One of the leading thinkers and practitioners on attention deficit disorder, Dr. Edward Hallowell, wrote a book last year called CrazyBusy
where he noted that, due to the nature of our information age, many of us exhibit attention deficit traits although we do not have clinical ADD. Dr. Hallowell stated that “we need to be careful that we don’t allow our electronic devices – and the curious magnetism they exert on our minds – to take control of us....”

We need to learn how to manage the tools rather than have them manage us. One of my favorite blackberry stories, which I tell in my programs on managing e-mail overload, is that of a colleague checking his blackberry in the locker room after emerging from the shower. There he stands stark naked, dripping wet, checking his blackberry before even drying off. I said, “Be careful, you might electrocute yourself.” Without skipping a beat, or looking up from the blackberry, he said, “I’ve already checked – low voltage!”

Just because you can doesn’t mean that you should. So how do we learn to let go? Didn’t we all get by before we had all of these high tech tethers? Please understand that I am not suggesting that we get rid of our blackberries. I use one myself and have no intention of giving it up. But, I have learned how to manage and use it as a tool to enhance my productivity.

Here are some suggestions for taking back some control.

**Be wary of multitasking – learn to focus:**

E-mail will interrupt your work if you let it. Research in England several years ago found that checking e-mail as it comes in, and thereby letting it become a distraction and interrupt your flow of concentrated work, results in a greater loss of IQ than smoking marijuana. Now I don’t know how the researchers monitored the control group or measured the difference between the two groups, but they were making a point. Distraction interferes with focus, and lack of focus leads to work taking more time than it needs to take.

Did you ever attend a meeting where many of the participants are constantly checking their blackberries? They are not engaged in the meeting. While there is the impression of great productivity, there is also the risk of missing something important. In *CrazyBusy*, Dr. Hallowell states that “it is a myth that you can perform two tasks simultaneously as well as you can perform one. It is fine to believe that multitasking is a skill necessary in the modern world, but to believe it is an equivalent substitute for single-minded focus on one task is incorrect.”

**Determine a reasonable interval for checking messages:**

In order to keep e-mail from interfering with your ability to focus and get things done, try to develop a reasonable interval for checking e-mail given your responsibilities. Lawyers are often tied up for some period of time
during court hearings, depositions, negotiations, client meetings, closings, etc. We make do with checking our blackberries during breaks. We should bring the same practice into the office when we are trying to concentrate on a project.

Many lawyers that I work with say it is difficult to let a period of time go by before responding to e-mails because they have spoiled the senders by developing the habit of immediate response. If they don’t respond almost instantaneously, the sender wonders what’s going on with them.

If your interval for check and response time is immediate, then you will be continually distracted. Yes, you will get through your e-mails faster, but what else will you have accomplished?

**Discuss expectations with colleagues and clients:**

Don’t assume your supervisor’s or client’s expectations on response time to e-mail. Last year, the lawyers in the litigation practice group of a large law firm entered their conference room for a program on “overcoming information overload.” Every associate put a Treo down on the table in front of them; none of the partners did so. I asked why the associates had their blackberries with them since we were going to do a two-hour workshop. Answer: “so we can respond immediately to a partner’s e-mail.” I pointed out that none of the partners had their blackberries in the room.

The chair of the practice group asked the associate, “Who ever said that we expected immediate response to our e-mails?” The associate responded that he assumed it. But, the issue had never been discussed within the practice group, nor had mutual expectations and responsibilities been established.

With some exceptions, such as if you have an IP practice, most people do not expect instant turnaround on e-mail. Try to check on an hourly basis or when you are making a transition between tasks. To determine what is expected of you, discuss the situation with colleagues and clients and reach a mutually agreeable response time. Don’t just assume.

**Unplug periodically – give it a rest:**

Last December, the *Wall Street Journal* had a story on “BlackBerry Orphans” which discussed the impact that chronic use of the devices is having on family dynamics. It was the most read and, ironically, the most e-mailed story that day. The side-bar to the article had a 12-step program for blackberry addicts. Among the suggestions are: leave the device in your car or at home when you are attending a function for your child; set boundaries (let colleagues know that it will be turned off for a designated period of time); declare a blackberry-free zone in your home.
Just the other day, a story in *The Recorder* in San Francisco reported on the effect of billable hour requirements on associate retention and considered flexible work schedules. While blackberries provide the freedom for such flexible work schedules, they can also interfere with the reasons for seeking such flexibility in the first place. The article referred to an accounting firm that apparently adds a message to all e-mails entering or leaving the server after 7 P.M. on Fridays: “Are you sure you want to send this message or can it wait till Monday morning?”

**Don’t be rude:**

Have you ever been in a discussion or meeting with someone who steals glances at his or her blackberry? It’s hard enough to be a good listener without additional distractions.

Carrying the 12-step theme even further, the website CrackBerry.com, the self-described “#1 site for BlackBerry Users & Abusers!” has developed “13 steps to breaking a CrackBerry Addiction” because they didn’t think 12 steps were enough. Step 6 suggests that the abuser “make a list of all persons we have harmed through our rudeness, inconsideration and pretentious self-involvement, and make amends to them all.”

**Conclusion – determine what’s right for you:**

How we decide to use our available tools is a personal choice. I’m just suggesting that you recognize when your behavior is borderline addictive rather than purposeful. Discuss expectations with colleagues. Learn how to disengage with the device to concentrate on projects, rejuvenate yourself and spend uninterrupted time with family. You may actually be more productive in the long run.

______________________________

*Irwin Karp is a productivity consultant with Productive Time (www.productivetime.com) in Sacramento, California. He presents practical time management seminars for lawyers at bar association CLE programs and customized in-house workshops at law firms around the country. Irwin is also an attorney, former managing partner of a small environmental law firm, Special Advisor to the Executive Committee of the Law Practice Management and Technology Section, and a member of the Association for Continuing Legal Education. Irwin can be reached by phone: (916) 446-6846 or by e-mail: ikarp@productivetime.com.*