



## **WSSFC 2023**

### **Practice Management Track – Session 4**

# **Efficient, Effective, Economic Use of Your Time**

***Presented By:***

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## About the Presenters...

**Brittney Busalacchi** is a partner with the Baraboo law firm of Cross Jenks Mercer & Maffei, LLP. She focuses her practice on family law and serves as guardian ad litem in various family cases, “CHIPS” (Children in Need of Protection or Services) cases and guardianship and protective placement matters. Brittney received her Bachelor of Arts degree in 2009 from Marquette University and her Juris Doctorate from the University of Wisconsin Law School in 2013. She is a member of the State Bar of Wisconsin, Wisconsin Family Law Section, Collaborative Family Law Council of Wisconsin and the Legal Association for Women. Brittney recently authored a portion of *The Guardian ad Litem Handbook (5th Edition, 2nd Supp.)*, published by State Bar of Wisconsin PINNACLE. Brittney is also actively involved in developing a Pro Se Family Law Clinic in Sauk County, WI.

**Mark J. Goldstein** is President of Goldstein Law Group, S.C., a boutique law firm serving as outside general counsel to businesses large and small, with a focus on workforce and employment issues, business and commercial litigation, and corporate law. He is a frequent speaker and author on labor and employment law issues, the legal practice, and other topics. Mark is a member of the American Bar Association and, the State Bar of Wisconsin. He is on the board of the Milwaukee Bar Association, and active on various other boards and committees. Mark received his law degree from the University of Wisconsin Law School in 1994 and his bachelor’s degree from the University of Wisconsin-Madison in 1989.

**Katelyn M. Quigley** is a partner with the Appleton law firm of Claringbole Quigley (Claringbole Law, LLC). She received her undergraduate degree from Marquette University, graduating summa cum laude, and her law degree from the University of Wisconsin Law School. Ms. Quigley has spent the entirety of her career practicing in Appleton, focusing primarily on family law. She is a member of the Outagamie County Bar Association and the State Bar of Wisconsin. In her free time, she enjoys spending time with family and friends, traveling, and cheering on all Wisconsin sports teams.

**Gretchen G. Viney**, *Clinical Distinguished Professor Emerita*, was formerly director of the Lawyering Skills Course at the University of Wisconsin Law School, where she also taught Guardian ad Litem Practice and Real Estate 1. She previously practiced law in Baraboo. She received her B.A. with highest honors from the University of Wyoming and her J.D. with honors from the University of Wisconsin Law School. During her long career, Professor Viney was a frequent continuing legal education presenter, particularly on the topic of guardian ad litem practice.

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## Solutions

# Time Management 101: Let's Get Real

Generic organizing and time management tips don't apply for every lawyer. Here are the basics for finding a time management system you can stick to while complying with the ethics rules and building your business.

GRETCHEN G. VINEY

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Because the Code of Professional Conduct implicates time management principles in “diligence” (SCR 20:1.3) and “communication” (SCR 20:1.4), lawyers are bombarded with advice about time and life management, procrastination, and prompt response to client concerns, all coupled with dire warnings about the ethical consequences of poor time management habits. The volume of advice is overwhelming. For example, a 2013 American Bar Association publication by Amy L. Jarmon, *Time and Workplace Management for Lawyers*, contains a “summary” appendix of more than 130 “quick tips.” Likewise, if we google “time management for lawyers,” we raise more than 190 million hits.

When lawyers seek out and review these time management resources, they should approach them critically. My experience raises a number of caveats:

- Time management experts usually are not lawyers. Many, if not most, time management strategies are aimed at business managers; the strategies may not work for lawyers.
- Context is important. Effective time management strategies for lawyers may depend on the type of law practice. What works for a probate lawyer may be quite different from what works for a general practitioner, and that may be quite different from what works for a litigator. Effective strategies may also depend on the size of the practice. What works in a huge firm with a burgeoning staff may be quite different from what works for a solo or small firm with little or no staff. Time management literature often fails to recognize the importance of context.
- Time management people often wear us out with time management strategies and costs. Often, the strategy becomes the goal rather than the strategy being the means to a goal, not to mention that the strategy often involves buying a product or system that is almost always expensive.
- Most sustainable, successful time management strategies are personal, developed by the individual lawyer based on what works and, unfortunately, what does not. While reading multiple resources is useful for gleaning approaches to time management problems, lawyers generally must pick and choose among specific suggestions to find a good fit. Some of the best time

management ideas arise from sharing idiosyncratic stories about what works or what does not because personal style is often more important than one size fits all.

- Lawyers may not have a choice about certain time management strategies or tools, even if those are ineffective or superfluous. For example, a malpractice carrier may require a double-write or triple-write calendar system even if the lawyer has never missed a deadline with a one-write system.

## Overview of Approaches

Most time management literature adopts, or combines, one or more of these overall approaches.

**Get Organized.** This type of system focuses on organizing things, organizing tasks, and organizing people. The downside here is that sometimes it's hard to herd cats.

**Set and Achieve Goals.** Under this popular approach, an individual sets long-term, mid-term, and short-term goals, and then achieves, achieves, achieves. All activities are goal oriented and every task is evaluated by the filter: Does this help me reach my goal? People who know how to set and achieve goals generally do accomplish what they set out to do and often in a timely way. The weakness here is that, as Steven Covey and coauthors famously wrote in *First Things First* (Covey Leadership Ctr., 1995), it means little to climb the ladder if the ladder is leaning against the wrong wall. Also, life has a way of interfering with all these goals that we spend so much time setting.



**Gretchen Viney,**  
*U.W. 1978, is a distinguished clinical professor at the U.W. Law School, Madison, where she is the director of the Lawyering Skills Program. She previously practiced law in Baraboo.*

**Acquire a Magic Tool.** Often, time management systems are commercial, so someone is trying to sell the latest and best product: calendaring system, computer program, case management program, time-keeping and time-alerting systems, and so on. These mostly electronic tool-based systems work for people who like, and use, new toys. For the rest of us, these systems can be alluring but useless over the long haul because we quit using them.

**Learn More and Better Techniques.** Under this approach, time management is a discrete skill that can be mastered by learning and applying the basic techniques of time management. These basics usually involve, in one form or another, the following: using a planner, creating “to do” lists, setting goals, delegating, organizing, and prioritizing. Intricate systems may result, or stand-alone “tools in the toolbox” may be advanced. The techniques are often interconnected: When one piece fails, the crafted system tumbles. The touted solution is that we must become better at using tools and techniques, but sometimes we become overwhelmed trying to master new techniques.

## Ideas to Ponder

Given the importance of competence and diligence in the legal profession, we cannot afford to ignore the importance of “Time Management 101” skills. We also cannot achieve a higher level of life management unless we know how to use the clock. In the end, sustainable micro and macro time management strategy is relatively straightforward: 1) evaluate yourself and your goals; 2) look at creative ways to use existing time; 3) investigate ways to find more time in your day; and 4) learn to control yourself and how you spend your time. If you consider these four steps and create a realistic action item or two under each, you will improve your time management skills.

Looking at 3. and 4., the following simple, basic suggestions may help create more time in the day

and control how time is spent.

**Organize Your Work Area.** One of the biggest time wasters is searching for things, rummaging around for things, moving stacks from one place to another, moving papers from one place to another, and generally shuffling stuff around in your office. The modern equivalent is searching through electronic files, folders, and indexes.

To avoid the time waste, keep your physical and electronic work environments in some sort of order. When working on a number of files at once, those files (or parts of them) will be on your desk or open on your computer, or both. The goal is to make sure that nothing else is there, or that whatever is there is necessary to the current task.

“ Do not spend inappropriate amounts of time on tasks that do not require that degree of accuracy or completeness. ”

**Plan Your Day.** We can plan life goals and five-year goals and year-end goals and monthly goals and weekly goals, but if we do not know what we need to do today, the planning is for naught. You may have a to-do list, you may have notations on your calendar, you may have sticky notes (paper or electronic) on your desk top. In whatever way you plan for today, stick to the resulting plan. If you decide not to follow the plan, make that a conscious decision, not a “whoops.” Some people prefer to plan the day first thing in the morning; others plan for tomorrow at the end of today.

**Schedule Your Tasks.** At least until you have a feel for how you spend your time, it probably is a good idea to schedule nearly all the tasks of life on your calendar. Schedule the unbudgeable appointments first: court appearances, meetings involving other people, obligations that are outside motivated or that involve others. Then schedule long-term and short-term projects, broken into small tasks, if possible.

For example, if you know you must write a brief, break that project into tasks and schedule each task as an appointment on your calendar. You can always reschedule these “task” appointments should your priorities change or outside-motivated obligations impose, but then your choice will be a choice, not a “whoops.”

Remember, you must also schedule your life. If you do not work at certain times, cross off those times. If you have a standing obligation, cross off that time. If you have a family event, cross off that time. Keep your home calendar transcribed onto your office calendar if you are permitted to do so. That way, you will not accidentally schedule over your mother’s birthday dinner or your child’s school program. This does not mean that you may not choose to do so, but at least you will be making a choice.

**Choose When to be a Perfectionist.** Many time management resources advise “don’t be a perfectionist.” That’s great advice for a middle manager in a huge company, but not such great advice for a lawyer. For lawyers, I would revise the advice: Do not spend inappropriate amounts of time on tasks that do not require that degree of accuracy or completeness.

## Meet Our Contributors

*Why do you do what you do?  
What's the best advice you ever received? Share your weirdest courtroom story...*

Lawyers have a lot to say. Our authors are no exception. Whether its personal, insightful, or fun, it’s always interesting.

[Check out our Q&A with the author below](#)

The issue, of course, is identifying which tasks those are and how to define inappropriate. Lawyers must quickly learn what tasks must be close to perfect and which can be good enough.

“ The volume of email increases exponentially each year; handling the onslaught is an ongoing project, and problem, for lawyers and law firms. ”

**Embrace Interruptions.** This advice is not the same as “practice procrastination.” Of course, do not look for distractions. But to be effective, we must learn to work despite interruptions. Frequently, interruptions are not time wasters but opportunities arriving at inopportune times. A quiet hour may be useful if the reason it is quiet is because no one is calling – like at 7 a.m. or 7 p.m.

An artificially constructed do-not-disturb hour may be a good time management tool but may be a terrible practice management tool. Do you really want to be uninterrupted if the interruption is a new, valuable client? Expect interruptions and do not let them derail you.

**Manage Your Email.** The avalanche of email will crush you if you do not come up with a good system to sort, read, respond, and save. The obvious best practice is to automatically sort incoming email into separate folders via “rules” or other built-in programs and then follow a systematic routine to review the various folders. After review, the email is moved from the in file to a permanent resting spot in accordance with your practice management or law firm rules. The volume of email increases exponentially each year; handling the onslaught is an ongoing project, and problem, for lawyers and law firms.

**Schedule Social Media and Internet Time.** If you keep up with colleagues, friends, current events, professional events, and emerging legal issues by visiting social media and internet sites, you can preserve time by strictly scheduling these visits and ending them when the metaphorical bell rings.

**Respect Others.** A popular time management strategy is to delegate work to others. Perhaps the advocates of that strategy have never been in the position of delegatee or have not noticed the effect of thoughtless or clumsy delegation. A good rule of thumb is to remember that people are not time management tools. These “delegatees” are people who have their own schedules and who have presumably engaged in their own goal setting, planning, and scheduling. Managing my time more effectively by interrupting someone else is arrogant.

If by “delegate” we mean sharing the load in a team-building, cooperative way, then this may be a healthy way to run our practices and manage our time. If by “delegate” we mean that we have too much to do and we intend to dump some of it on someone else who also has too much to do, then we may be helping our personal time management problems but we are creating other, probably more serious, problems along the way. People are not time management tools, they are people.

## Conclusion

In the end, lawyers manage their time so that they can serve their clients diligently and competently, not so they can support the world of self-help management resources. Evaluate your goals, find a few tools that address the specific time management problem you encounter, evaluate the process periodically, and focus on what works in your personal and professional life.

### Meet Our Contributors

**What did you do to survive this long, snowy winter?**

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## **Other Resources**

David Allen:

[Getting Things Done](#)

[TED talk](#)

Oliver Burkeman:

[Four Thousand Weeks – Time Management for Mortals](#)

[Why Time Management is Ruining Our Lives](#)

[Blog](#)

Adam Grant:

[Productivity Isn't About Time Management. It's About Attention Management.](#)

Cal Newport:

[Deep Work](#)

[A World Without Email](#)

[Deep Questions With Cal Newport podcast](#)

[Blog](#)

Tim Urban:

[Wait But Why](#)

[TED talk](#)

Notebooks:

[Leuchtturm1917](#)

Mindfulness practices:

[Ten Percent Happier](#)

[Center for Healthy Minds](#)

Other:

[Global Day of Unplugging \(3/1/24\)](#)

[Digital Sabbath](#)

[The Pomodoro Technique](#)

## **Efficient, Effective, Economic Use of Your Time**

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## **Additional Time Management Resources by Category**

*Submitted by Gretchen Viney*

*Preface: You may notice that many of these articles are quite old. Yes, they are! The authors of all time management literature for lawyers generally just churn the same information over and over: same suggestions, new year.*

### Comprehensive Treatises

*One practical suggestion is to skim the tables of contents from multiple time management treatises to see if any of the topics touch on areas in your time management skill set that may need attention. Here are the names of some popular or lawyer-specific treatises:*

David Allen, Getting Things Done: The Art of Stress-Free Productivity, (Penguin, 2002).

Marshall J. Cook, Time Management: Proven Techniques (Adams Media, 1998)

Steven R. Covey, The Seven Habits of Highly Effective People (Fireside/Simon & Schuster, 1990). *This is now a "classic" and worth reading if you can find a copy.*

B. Eugene Griesman, Ph.D, Time Tactics of Very Successful People (McGraw-Hill, Inc., 1994) *Also a classic.*

Amy L. Jarmon, Time and Workplace Management for Lawyers (ABA, 2014)

*I doubt that Prof. Jarmon ever practiced law in a firm setting because the recommendations in this book eventually are impractical. For example, Appendix A ("Quick Tips for Better Time and Work Management") contains more than 100 tips, most of which are not quick at all! But the book is certainly comprehensive.*

Kevin Kruse, 15 Secrets Successful People Know About Time Management (Second Edition 2015)

Mark Powers and Shawn McNalis, Time Management for Attorneys: A Lawyer's Guide to Decreasing Stress, Eliminating Interruptions & Getting Home on Time (ABA, 2008).



### Life Perspective

*These articles give you the "life perspective" view of time management, emphasizing that we cannot manage our time if we do not manage our lives.*

#### Time Management for Lawyers: A Psychological Perspective

Article by Amiram Elwork, from the Michigan Bar Journal [on-line], February, 2010.  
<https://www.michbar.org/file/barjournal/article/documents/pdf4article1648.pdf>

#### Another Way for Lawyers to Think About Time Management

Dan Lukasik for "Dan's Blog"

<http://www.lawyerswithdepression.com/articles/category/dans-blog/time-management/>

*This is just one of a series of blog entries about time management. Even if you are not depressed, the real-life, practical suggestions offered on this blog are some of the best for simple adjustments that make time and life more manageable.*

### Traditional Workshop Materials

Search for "Irene Leonard" and you will find hands-on practical tips for arranging your work and your days. These materials are representative of those you would receive at a basic all-day time management training seminar. Here is an introduction:

<https://www.coachingforchange.com/pub27.html>

#### Time Management and Productivity Tips for Lawyers

*This is a downloadable collection of a series of articles.*

Editors of "Attorney at Work"

<https://www.attorneyatwork.com/time-management-and-productivity-tips-for-lawyers/>

### Quick Tips and "Do This Now" Perspective

*The following articles or excerpts from blogs typify practical, right-now snippets of time management advice.*

#### 7 Time Management Problems and How to Avoid Them

Article by Irene Leonard

<https://legal.thomsonreuters.com/en/insights/articles/lawyer-time-management-issues>

#### 17 Time Management Strategies to Help You Tackle Your To-Do List

Article by Brian Tracy, Karima Mariama-Arthur and Young Entrepreneur Council (June 20, 2023). <https://www.success.com/the-best-time-management-strategies/>

#### Avoid a Malpractice Claim Using Time Management Skills

Article by Dan Pinnington from Law Practice, Vol. 38, No. 3 (May/June 2012).

#### Buried Alive? Master Email Overload

Article by Tracy C. Parks from Law Practice, Vol. 38, No. 3 (May/June 2012)

Time Management: Tricks and Techniques

Article by Michael J.P. Schewe and Courtney Ward-Reichard, from *Law Practice*, Vol. 38, No. 3 (May/June 2012).

Procrastination

*If procrastination is an issue for you, see if you can find some practical suggestions here.*

Brian Tracy, Eat That Frog! 21 Great Ways to Stop Procrastinating and Get More Done in Less Time, Third Edition (Berrett-Koehler Publisher, Inc., 2017).

The Balanced Lawyer: Pulverize Procrastination

Article by Jeff Davidson, from *The Practical Lawyer*, Vol. 60, No. 3 (June, 2014)

The Pomodoro Technique

*Just google this phrase and you'll find lots of articles about it. Here's wikipedia's take on it:*

[https://en.wikipedia.org/wiki/Pomodoro\\_Technique](https://en.wikipedia.org/wiki/Pomodoro_Technique)