

Law Practice TODAY

Virtual Help: An Outsourcing Relationship With a Virtual Assistant Can Complete Your Team

by *Edward Poll*

April 2006

Lawyers function best as members of a team. No lawyer can do everything. A paralegal or administrative assistant whose qualifications and skills meet your needs will effectively extend the reach and quality of your practice. You can hire such a person to work full time, on your payroll. However, technology increasingly affords an efficient alternative: the VA, or virtual assistant.

VA Relationship

VAs are paralegals or other administrative specialists who work offsite and online, creating work product to your specifications and tailored to your practice. They represent an extension of the outsourcing that lawyers and law firms have done for years. Once that outsourcing was limited to mailing and records storage services. More recently it has come to include transcription of voice files for depositions, accounting support for billing, data entry, litigation support graphics, and legal research. Such outsourced services are transparent to the client – to such an extent that they now can be performed a continent away.

The relationship with a virtual assistant is complex and rewarding. As an independent business owner, the VA is neither employee nor subordinate. VAs more closely resemble an accountant or any other business consultant with whom the lawyer has an ongoing, collaborative relationship. They become familiar with your practice and attuned to your business needs as much as any service provider engaged for a substantial length of time.

VA Selection

An excellent example of a virtual assistant practice is The Relief, a Tacoma, Washington-based firm that delivers remote administrative and legal assistant/paralegal support services to solo and small practice professionals. Danielle Keister, principal of The Relief, graciously shared with me her insights on what makes the VA relationship work from the service provider's perspective. She recommends taking these factors into account when engaging a VA:

- Is there an informative, well constructed Web site, as evidence that the VA has the technical skill and sophistication to conduct an effective online business relationship?
- Conduct a personal consultation, face to face or by phone. It is not appropriate to ask for resumes or for work history beyond professional references, but the VA should be willing to provide information on experience and qualifications.
- Request a business track record. Look for a VA who has been successfully in business for at least three years, and one who is actually IN business (not just working part time or providing an incomplete service package).

- Does the VA provide a realistic cost structure? Inappropriately low rates can signal a lack of business sense and indicate a practice that is not profitable (and won't be around for long). Because you want to rely on the VA long-term, you want assurance that their business is viable. Proper VA rates will average between \$30 and \$65 per hour. And if the work provided is paralegal in nature, don't forget that this work can be billable client hours that you can mark up at a profit.

VA Qualifications

Beyond these business considerations, think through the professional qualifications that you want from the VA. If you're seeking paralegal services, you should expect a certificate of completion from an accredited educational institution. Do your own research on that institution and don't rely blindly on "ABA-approved" status. Make sure your VA paralegal can demonstrate knowledge of local rules regarding court and civil procedure, in addition to practical insights pertinent to your practice. Other relevant skills include the ability to:

- Organize files and chronologies
- Prepare documents for summons, complaints, answers, motions and other proceedings
- Conduct investigations and summarize depositions
- Perform legal research
- Coordinate with outside vendors for trial preparation
- Create and maintain client files.

A virtual assistant should be able to conduct all these activities electronically from a remote location. That assumes and requires compatible email, word processing, document management and database capabilities. If your word processing system is WordPerfect, engaging a VA who works only in Word can complicate and not simplify your life. The same is true for other software products: Excel versus Lotus, Quicken versus QuickBooks. There are of course other document exchange tools – fax, overnight courier, even surface mail. But effective electronic integration is a must.

VA Versus Employee

One of the most important considerations about the outsourced VA relationship is to ensure that it is in fact an engagement of an independent contractor. Do not make the mistake of thinking that every part-time or offsite paralegal or legal assistant qualifies. The IRS has very clear guidelines to determine whether a hired individual is an independent contractor or an employee for federal tax purposes. An employee is subject to the will and control of the employer not only as to what shall be done, but as to how it shall be done – an employee does not have independent control of the work process. By contrast, The Relief, as a true independent contractor, states on its Web site: "Our expertise is based on over 20 years top-level administrative experience and training. Our legal support services for attorneys and investigators are based on paralegal and investigative training and experience." If you engage a service provider who cannot provide the same assurance, they likely are not a true VA.

VA Versus Temp

Note also that a VA relationship is different from that with a temporary employment agency. Temps can be a viable solution to small firm or solo personnel needs, but if you need anything other than the most

basic clerical assistance it would be wise to consider and select a temporary on a long-term basis, known as “temp to perm.” This option accommodates extended projects and protracted litigation, but should only be pursued with a temporary agency that specializes in temporary legal personnel.

The VA Advantage

Virtual assistants are an outsourcing strategy that can give lawyers the best of all solutions to the need for help. You get a professional team member, selected to your criteria, attuned to the business and professional needs of your practice. You are relieved of the cost (and potential liability) that in-house staff can represent. Best of all, you have an efficient solution to “The Business of Law”®, one that frees you to do the client representation and development work that you want to do. As Ms. Keister remarked to me, “When I first started, I wondered if attorneys were so above the crowd that concerns like working at a profit, operating efficiently, finding ideal clients and dealing with problem ones were just too petty and far beneath them. Since then, I’ve seen that they have the same marketing and operating issues that any other business has.” Help from a knowledgeable virtual assistant can be a major step in resolving them.

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Edward Poll, J.D., M.B.A., CMC, is a coach to lawyers and certified management consultant who shows attorneys and law firms how to be more profitable. Ed's latest book is [Collecting Your Fee: Getting Paid From Intake to Invoice](#) (ABA 2003); he is the author of [Attorney & Law Firm Guide to The Business of Law, 2d ed.](#) (ABA 2002); *Secrets of the Business of Law: Successful Practices for Increasing Your Profits*. To make suggestions or comments about this article, call (800) 837-5880 or send an e-mail to edpoll@lawbiz.com. You can also order a free e-zine or visit Ed on the web at www.lawbiz.com.

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