

KEYHOUSE RISK MANAGEMENT SEMINAR 2010

WEDNESDAY 6TH OCTOBER 2010 – (10am to 1.30pm) AVIVA STADIUM, LANSDOWNE ROAD, DUBLIN 4



KEYHOUSE RISK MANAGEMENT OVERVIEW BRIAN SWEENEY



Risk Managem	nent TKEYHOUSE	
	Agenda	
0:00 - 10:15	Keyhouse Risk Management Overview Presented by Brian Sweeney	
:15 - 11:00	Introduction to Risk Management. Presented by David Rowe (Outsource)	
:00 - 11:15	Break	
1:15 - 11:45	Overview of Standard Operating Procedures Presented by Brian Sweeney	
1:45 - 12:30	Risk Management Software Features Presented by Brian Stephen Keogh	
2:30 - 13:00	Q & A followed by a 1 minute QUIZ	

	Risk Management	KEYHOUSE
	Risk Management Overview	
	Our aim is to help clients deal these new c	hallenges.
	Met with the Insurers to get some clarity in	1 Jan 2010.
>	Their view - all firms should have Case Mar a basic requirement.	nagement as
>	Changed conditions require changes in wor for Partners & Fee Earners.	k practices
>	Research shows that Case Management can major efficiencies and reduce costs.	deliver

Effective Risk Management will lead to better work quality, happier clients and increased profitability.

Risk Management	KEYHOUSE		
Risk Management (Overview		
Objectives today.			
Highlight new and current fer Management.	atures in Case		
Highlight new and current feather Accounts and Time Recording		,-	
Highlight the fact that the im systems and procedures are g firm.			



INTRODUCTION TO RISK MANAGEMENT DAVID ROWE OUTSOURCE





What is Risk Management?

"Managing the potential for loss through an inability to meet business objective" – Lexcel

Or

The identification, assessment and prioritisation of risks followed by the application of resources to minimise the probability and impact of those events

out-source

What is Risk Management?

What can go wrong and what is the potential damage caused?

How can I limit the number of things going wrong?

Accepting that things will go wrong - what systems and control can I put in place to limit the effect of things that do go wrong?

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Risk Management – the build up

- Volumes of business up year on year (until 2007)
- PI insurance premiums fell (less premium for more risk)
- Firms found it difficult to service the volume shortcuts taken
- The financial dynamics of property markets changed almost overnight

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the build up cont'd

- Clients and financial institutions started looking for potential escape routes and made claims
- The profession saw a significant increase in claims against it
- The insurers began incurring significant losses
- · Premiums increased
- Insurance companies began to take a more selective approach

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the build up cont'd

- Insurance companies became interested in the risk profile of the profession
- When they looked they did not like what they saw and now regard the profession as high risk and substantially unmanaged
- · Now likely to insist on firms managing risk

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The stakeholders - the insurance companies

- See solicitors as high risk, following high claims
- · Will pick and choose
- · Will look for systems to mitigate risk
- · Will audit their clients
- Want to work with firms to improve their risk profile
- Accept that problems occur, looking for post loss corrective actions

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The stakeholders - The Law Society

- Looking to establish a panel of approved risk management providers to the profession
- A standard or more likely a number of standards will emerge
- Assisted all but 13 firms in getting cover last renewal
- Are concerned that the profession adapts to the mindset of the insurers and changed market conditions

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The stakeholders - the profession

- Trading conditions difficult and feel they cannot take more of a burden
- Renewal in December 2009 very difficult, multiple forms, uncertainties in getting cover at all and huge premium increases
- Feel overregulated and see risk management as more of the same

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The key areas to address

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QM Essentials

- · Taking on clients
- File management
- Regulatory compliance
- Risk management

QM Excel

- · Use of IT
- Managing people
- Financial Control
- Practice Management

Q/

Taking on clients

- · Who and on what terms
- · Can we do the work?
 - Resources and expertise
- · How do we staff it?

Policies needed

- S68 letter
- Conflicts of interest policy
- Engagement letter
- Anti-money laundering policy



File management

- Are their appropriate controls before taking on a new matter
- · Does the firm have a case management system
- Is work supervised at the appropriate level as the matter progresses
- · Are files subject to peer review
- Does the firm use a standard set of precedent documents
- Is there a system to ensure key file deadlines are met (e.g. Statute of limitations)
- · Are there controls around granting of undertakings
- Is there a defined file closure procedure

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File management cont'd

Policies and documents required

- Defined file opening procedures
- Defined file closing procedures
- Standard precedent bank
- Case diary/case management system
- Register of undertakings

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Fees

- · What is an appropriate fee and can we vary it if the scope changes?
- Is the fee quoted likely to lead to profit?
- · Who will pay us and when can we bill?
- · Policies needed
 - Billing/WIP policies
 - Credit control procedures
 - Budgets



Use of IT

- Protection of client confidentiality
- · Calendaring, documenting and managing deadlines
- · Utilising technology as a safety net and to aid production of routine legal work

Policies needed

- Back ups
- IT and computer usage policy
- Disaster recovery plan



Managing people

- How do you recruit? How do you verify?
- Do you hold regular team meetings?
- · Do you review others work for standards?
- Do you require solicitors to keep CPD records and insure they are adequately trained for their area of work.

Policies needed

- Contract of employment
- Office manual and staff manual
- Training policy
- Appraisal and annual review



Financial control

- · Do we have a proper accounting system
- Is there appropriate supervision of the bookkeeping function
- · Are client accounts reconciled on a regular basis
- Does the firm monitor its financial performance on a regular basis
- Is there adequate control around the banking process office/client

Policies & documents needed

- Industry/specific accounting package
- Defined job description for bookkeeper
- Regular management accounts
- Budget
- Up to date bank mandates

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Practice structure

If you are a partnership do you have a partnership agreement?

Who manages the practice?

If you are a sole practitioner how do you deal with continuity?

Do you have defined roles and an organisation chart?

What is the reporting structure?

Policies and documents needed

- -Partnership agreement
- -Organisation chart
- -Job descriptions
- -Management structure

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The factors determining your insurance premium

- · Your claims record
- The areas of law you practice in
- · The size of your firm
- · The number and location of offices
- · Supervision levels
- · Fee income
- · Your excess
- · Your commitment to best practice and risk management
- Professional disciplinary record
- · Complaints record

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Reasons for claims

Many claims stem from poor administration and lack of supervision. Common problems include

- Failure to comply with time limits causes over 60% of personal injury claims and 30% across other areas of work
- · Communication problems with the client
- · Lack of supervision
- · Cases being handled at too low a level
- Delay, often caused by inexperience, stress or overwork
- Breach of undertakings

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What can you do?

- · Nothing and wait for the panic
- Put in place your own controls and systems
- · Sign up to a standard
- · Have a Risk Management Audit done
- · Differentiate your firm

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Our insurance contacts

- · Liberty -auditor
- RSA joint auditor
- Chartis standard approved
- Excel standard approved
- SMDF standard approved
- Quinn standard approved

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How to attract insurance companies

- · Treat renewal as a priority
- · Act well in advance of renewal date
- Make integration of risk management systems a key component of renewal strategy
- · Take responsibility at senior level
- Demonstrate willingness to meet required standards
- · Engage with recommended consultants
- · Obtain audit specific to firm
- Sell yourselves
- · Treat it like a business tender

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How to minimise premia cont'd

- · Keep all your options open
- · Target the likely insurers through the right medium
- · Do not use multiple brokers to the same insurer
- Look at your insurer as a long term partner try not to change every year
- Go forward with a risk management standard achieved or having signed up to achieve one.

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Common myths

- Risk management is a bureaucratic exercise of no value
- Risk management is an event you have to comply with once a year
- · Doing nothing is an option
- The insurance companies insist on a particular provider
- All panel members offer similar services at a similar cost with a similar approach

out source

The Outsource risk management team

- David Rowe Managing Director
- Declan McPhillips Head of Risk Management services
- Other risk management team
 - Michael Tyrrell
 - Julie Brennan
 - Gerard Brady
 - Sinead Edwards



Conclusions

- Risk management is not a one year wonder, you do not have a choice
- · Embracing it probably means a change in culture and style
- · A tick the box approach will not suffice, it must permeate through the firm
- · There is a lot of work in implementing a risk management strategy initially and some to maintain it
- · Managing, reducing and controlling risk is good for your firm, good for the profession, good for the insurer, and good for your pocket

For further information on Risk Management contact:

David Rowe Managing Director Outsource Hambleden House 19-26 Lower Pembroke Street Dublin 2

STANDARD OPERATING PROCEDURES OVERVIEW BRIAN SWEENEY



Risk Management

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What is a Standard Operating Procedure?

"It is a set of instructions covering those features of operations which lend themselves to a definite or standardized procedure without loss of effectiveness".

What is its Purpose?

"First, they establish the tools and controls needed for a given task". $% \begin{center} \end{center} \begin{center} \begin{$

"Second, they provide a knowledge base for the business".

"Finally, they represent a definition of best practices that should be adhered too at all times" .

Risk Management

*KEYHOUSE

How do SOPs translate to Keyhouse?

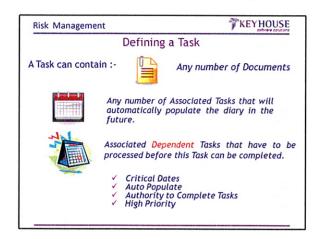
A $Standard\ Operating\ Procedure\$ is just a Caseplan or Workflow.

Caseplans reflect the tasks for a particular area of work e.g. Plaintiff Litigation or Probate.

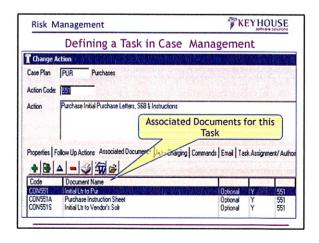
A task can be as simple as a basic reminder or as complex as several documents being processed at key stages.

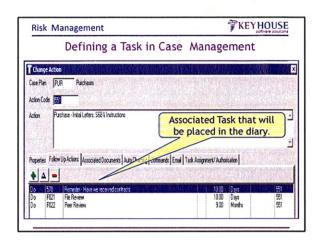
Standard Operating Procedures = Workflow = Caseplans.

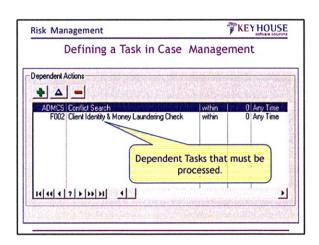
*KEYHOUSE Risk Management Using Keyhouse for your SOPs Case Plan/Type SOP for File Management B + A - S S W - S **Associated Tasks** for the File Management 10 — Complaint Procedure— 11 Log Complaint 12 Notify Partner of the complaint 13 Lette to Client Actinowhedging Complaint 14 Betwee Complaint 15 Complaint resolved Satisfactorily 16 Complaint resolved Unsatisfactorily Procedure mind el ris inini 4



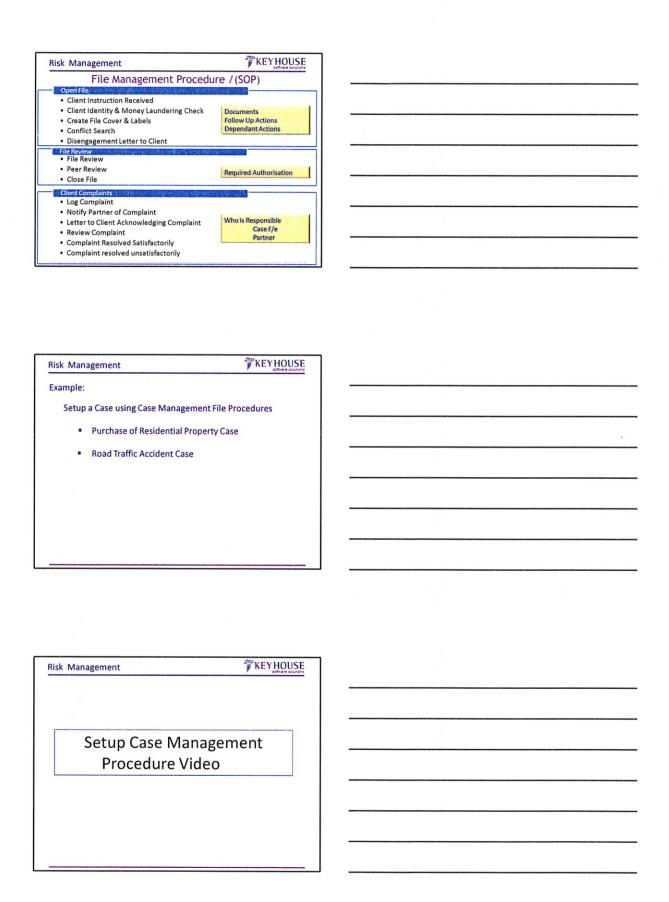








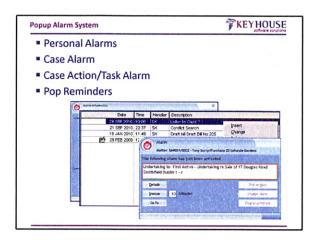


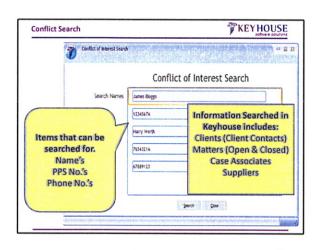


KEYHOUSE RISK MANAGEMENT SOFTWARE FEATURES STEPHEN KEOGH

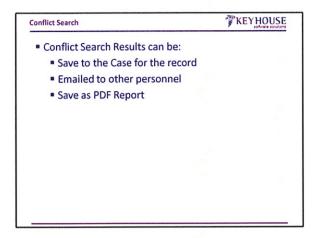


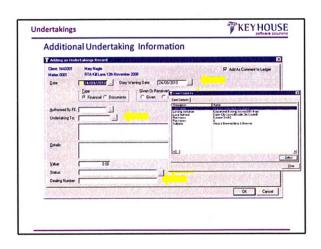


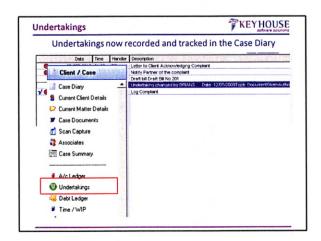


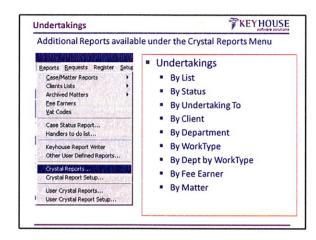


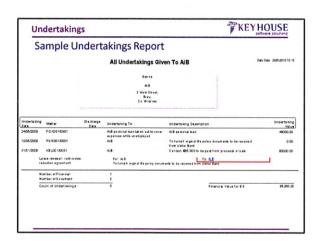


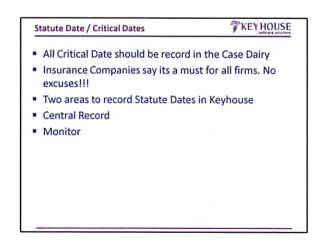


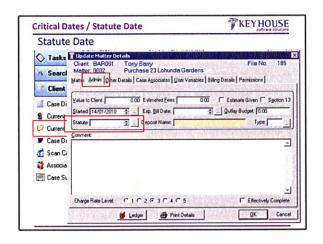




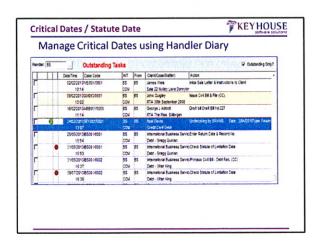


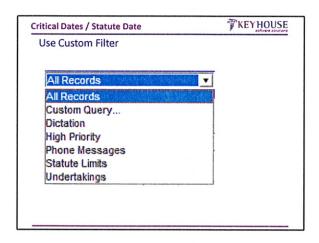


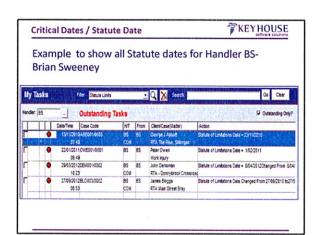




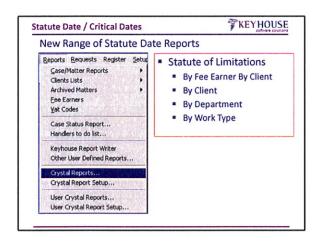


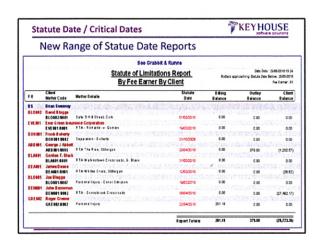


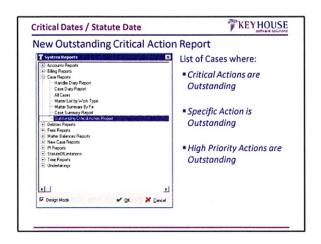








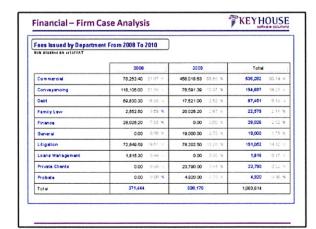


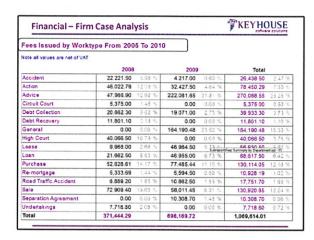


Critical Dates / Statute Date	
Critical Dates are easy to record and manage	
Keep it Simple to Start	
Enter File Review Date	4
■ Enter Statute Date	
■Manage Dates from Handler Diary	
 Monitor with Critical Actions Reports and 	
New Range Statute Dates Reports	
- Punyuous n	1
Case Reporting ************************************	
Case Activity Report	
Combines Diary and Time into one report. <u>Sample</u>	
New Case Summary Report. <u>Sample</u> Critical Action Report	
 Critical Action Report Range of New Undertaking & Statue Date Reports 	
Case Status Report	
New Enhanced Dormant Matters Report Sample	
Report	
	_
Time Recording FKEYHOUSE	
 Insurance Companies like to see Firms using T/R 	
 Easy to record Time Activities in Keyhouse 	
Discipline !!!!	
■ Save you Time & Money	
 Monitor WIP (See Top WIP Report & KPI's) 	

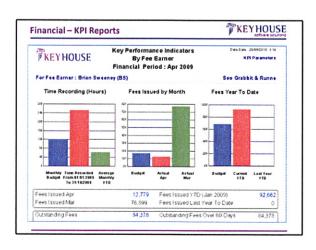
Financial KEYHOUSE SAM Accounts (Controls & Checks) Overdrawn Client Account Estimate Fees Bank Reconciliation Money Laundering Automatic Nominal Control Account Checks Trial Balances ■ Cheque Requests Bill Drafting Monitor • Month End (Procedures) Age Debtors Reports (KPI for F/e to Monitor) WIP Reports Firm Case Analysis Report

Financial – Firm Case Analysis	KEYHOUSE
 Includes the following for each year 	ear
 Number of Case by Departme 	nt
 Number of Case by Work Type 	2
 Fees Issues by Department 	
Fees Issues by Work Type	
 Includes the following for combine 	ned number of years
 Top Fees Issued by Client 	
 Top Fees Issued by Client for e 	each Department
 Top Fees Issued by Client for e 	each Work Type





Number of Cases by Depa	rtment)			
	2008	2009	2010	Total
Commercial		17	6	23
Conveyancing	1	14	11	26
Debt		2	3	
Family Law		2	2	4
General	-	2	2	4
Litigation		22	8	30
Private Clients		3	2	
Probate			1	1
Totals	1	62	35	96



Other Items File Manager Deeds & Wills Legal Papers Phone Log Manage Complaints Case/Matter Security Restrict Access to confidential Cases (e.g. Family Law) Quick & Easy to Setup Risk Management Fixey House Thank You Q&A Q&A

