Omega

White Paper

Leverage Service and Support from Technology Vendors

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Introduction

We've all heard — or even experienced — the horror stories: A user contacts a vendor's support department describing system crashes when typing rapidly, and the vendor advises the user to "Slow down;" or the firm calls customer support to deal with a problem, and the call is moved to three different customer service representatives, requiring the user to repeat the issue each time. These scenarios have done little to change the perception many firms and law departments hold that a technology vendor generally provides poor service and support.

So it might be surprising to hear that Fitzgerald, Abbott & Beardsley LLP of Oakland, California, is generally pleased with the service and support it receives from its technology vendors, who are relatively responsive and accessible. That wasn't always the case, however. Let's face it, the inhouse or outsourced IT department — the initial point of triage — can't always solve the problem, and you need the support of your technology vendor. Fortunately, if Fitzgerald can't solve the problem itself, its vendors can and do.

Many firms and law departments aren't yet getting the support they should. That might be because they don't yet know exactly what they should expect or what information they need to provide their vendors to get the service and support they need. To begin evaluating a vendor's ability to provide acceptable support, ask the following:

> *Can you reach your vendor's support desk and speak to a real person?*
> *Do you only have to explain your problem once? Or is your call "bounced" from one customer service representative (CSR) to another and you have to repeat your problem many times?*
> *Does your vendor provide you with acceptable solutions to your problems?*
> *Does your vendor let you know when the solution is available or implemented? Or are you constantly calling the vendor to get the status?*
> *Does your vendor have a standard escalation policy?*

If you don't have good responses to these questions, the rest of this article will help determine what support you need and how to get it in order to get the best return-on-investment for your technology purchases.

What Firms and Law Departments Should Expect

What you should expect from your vendor is different from expectations of your inhouse support or contracted outsourced support that may initially "triage" your problem. Inhouse support may be "super users" who are product experts or full-time employees dedicated to supporting your organization's technologies. Outsourced support includes companies or individual consultants who install and take care of your organization's technologies. They may or may not know anything about your vendor's specific product. Typically you would work with your inhouse or outsourced support to troubleshoot the problem first before reporting it to the vendor.

Technology vendors are recognizing that excellent support is fundamental to a successful system implementation and long-term customer satisfaction. As a result, they offer a range of service and support offerings, such as training, software upgrades, consulting, day-to-day customer support and conversion services.

All of these offerings — as well as minimum/maximum response times, guarantees, etc. — should be outlined and agreed upon in the Master Service Agreement or MSA (otherwise known as the Service Level Agreement or SLA). In this way the firm or law department and its vendor lay the ground rules for how the organization will be supported, including what actions will be taken in the event of a serious disruption.

Your Expectations

Let's cover what you should expect from a quality technology vendor in terms of service and support.

Availability

The SLA should outline how quickly the vendor will respond to the specific issues faced by the organization. For example, an "inoperable" situation, meaning work on a mission-critical application is impossible, should be handled within 24 hours. An "important error," or one that causes the product to function improperly even though the system is still functioning, needs a quick response or a work-around until the problem is permanently resolved. A minor error or cosmetic problem that doesn't impact the smooth operation of a product does not require such immediate response. A week or longer should be expected, and it may never be resolved. After all, what you might consider a cosmetic problem may not be so for

other firms or law departments. It will be up to the vendor to decide whether or not to make a product change.

Note that even if you haven't paid for after-hours support at the beginning, you should expect the vendor to be available for emergencies anyway. However, expect to pay additional fees if it has not been contracted.

Experience, Experience, Experience

If the vendor's CSRs don't know their product, even an unlimited level of availability won't help. For example, Jaeckle Fleischmann & Mugel, LLP, of Buffalo, New York, won't purchase software or hire a consulting firm without proof that the technology vendor or consultants have a level of knowledge that greatly exceeds their own. Prior to contracting with a new technology vendor, Jaeckle first validates that the vendor is certified in the products they are supporting and verifies past project references. Vendors passing these criteria are placed on a "short list" and are brought in for one or more technical interviews before a final decision is made. This strategy has definitely paid off.

For example, while Jaeckle's inhouse IT staff were able to perform much of the data conversion when the firm converted its time, billing and accounting software, they needed help with synchronizing client and matter information with their document management system. Jaeckle brought in its technology consulting firm, which employs technology consultants dedicated to the legal industry. The consulting firm quickly developed a software "connector" between the two systems to share client and matter information, and the firm was able to complete the conversion.

In addition to technology expertise, the vendor also needs to have experience in the legal industry. Understanding the legal needs and terms behind each application gives vendors the ability to quickly troubleshoot, integrate, and customize applications and network services. When you're having problems, the last thing you'll want is a legal "newbie" trying to understand and troubleshoot your application at the same time.

To make sure they have the experience required, test them out. Speak to other clients about their experiences. Validate the vendor's certifications and references. Ask the vendor if they have staff with particular experience in legal technology and applications. Make sure to get what you pay for in terms of service, not just the technology.

Empathy

From a client's perspective, the greatest expectation, and the one that most frequently creates disappointment, is that the support team understands a problem — not just mechanically but in terms of its personal meaning to the caller. What appears to the vendor to be a small issue may have multiple implications for the caller: personal stress, accuracy and timeliness of job performance, reputation, ability to serve clientele, pressure from their employer, etc. The vendor that has people on its support team who are capable of being empathetic — listening, understanding, and responding quickly and competently on multiple levels is the most likely to provide the best support service.

It's important for the CSR to listen carefully to what the caller is saying and to look for the meaning behind the question on the professional level, providing a concern for accuracy and an understanding of the sense of pressure and the political ramifications within the caller's office. Thoroughness is the "back end" of the best response — the CSR will "stick like glue" to the problem until the caller is completely and personally satisfied.

Dedicated Project Manager or Technology Account Manager

Speaking of experience, the vendor should offer either a dedicated project manager or a technology account manager who knows the organization's specific situation and the company's own system. He or she will oversee the system implementation and provide business workflow consulting to ensure you get the most from your product. For ongoing support, many vendors appoint a technology account manager to service the contract directly. That account manager understands how you do business and can serve as the "client advocate" to the vendor.

These managers help keep the firms and law departments on track, further directing questions in ways that help the organizations understand what they need and continuing to offer a critical place to reach out to once they go live.

Maintenance Program

An organization's own internal maintenance program should include technical hardware/software support and software updates and, depending on the technology purchased, scheduled upkeep of networked systems, security policies, backup and virus protection systems so that problems can be prevented as well.

Many organizations think of vendors' maintenance programs as "extended warranties" that include three major areas:

Direct Support — this is the helpdesk or telephone support. Those CSRs are there to help you use the product as it was designed. They may be called upon to help a client determine the best way to create a new report requested by the managing partner and make recommendations to make it as meaningful as possible.

Problem Resolution — the CSRs provide you with a "work around" as a temporary solution when a more permanent solution may take weeks or longer.

Enhancement/Upgrades — the CSR should assist you in implementing new features or upgrades.

Data Conversion Assistance

Key to a proper implementation is a well-coordinated data conversion, especially when it deals with financial data. Before converting a time and billing system, for example, ensure that the vendor has expert programming professionals with extensive experience in converting client/matter demographics, work-in-process (WIP), accounts receivable and billing history information, as well as general ledger balances, accounts payable, conflict of interest and other key data. The vendor should also have direct experience with both the existing system and the new system to which you are converting. Data conversions can be complex processes, and you can expect multiple phases to ensure that all data can be properly converted and tested before going "live" with your new system. You should never be "down" or unable to input and track billable hours during the conversion. Ask questions to make sure you understand your prospective vendor's conversion process thoroughly.

Disaster Recovery (DR) Assistance

Every business and organization should prepare for a serious incident that can prevent it from continuing normal operations. This can happen any time. Losing electronic data from e-mail, document management or billing systems might be catastrophic if there's no disaster recovery plan in place.

Expect the technology vendors to help, especially if the firm is small with only one site. Work with the vendor to establish a plan, know where the data is stored and how to get to it. Many vendors can assist with automated failover of systems used for external communication, such as electronic mail and websites. Some vendors can also help in architecting DR solutions for internal applications such as billing, accounting, document management and case management. Businesses with multiple sites can have applications failover to another

site, for example, if one application's main system goes down. A good disaster recovery plan should be developed and tested in coordination with your IT staff and technology vendors.

Training/Knowledge Transfer.

You should expect quality and comprehensive training tailored specifically to the way your organization works. Vendors can conduct courses onsite or through instructor-led and fully interactive, Web-based training. It should all be geared toward transferring knowledge from the vendor to the IT staff so they can better understand how the system functions and how to conduct basic troubleshooting.

Consulting Services

Vendors or consulting firms have programs designed to help their clients maximize their technology investment. They can evaluate how an organization is using the various systems and help them streamline the process to make them bigger, stronger and more aggressive, as required. This evaluation can take place as part of the organization's initial purchasing process or as a separate project to help better take advantage of the technology.

Reasonable Pricing

In evaluating a vendor, quality and experience should be weighed first with cost as a secondary consideration. Much like the legal services billed by a firm to its clients, firms should expect to pay more for experienced legal technology professionals, faster response times and more personalized service. Often technology vendors will offer a number of billing alternatives, such as a services retainer or service contract, that can reduce the normal billing rates in exchange for an upfront commitment from the organization.

Software maintenance is typically 20 to 22 percent per year, paid in advance. Hardware maintenance can be between 15 and 18 percent annually. For expanded coverage expect to pay 5 to 10 percent or more per year. These percentages represent percentages of the original purchase price. Vendors provide a set number of hours per month of telephone service. Most have a "use it or lose it" approach, where if you don't use those support hours that month, you start all over the next month. Some vendors give you a fixed number of support hours per year that can be used all at once or spread throughout the maintenance year.

Punctuality

In a team environment, if one member is late another piece of the project may be delayed, ultimately pushing the delivery date back. Keeping on track with open communication can avoid delays and accommodate shifts. Most of all, the vendor needs to be punctual. If the vendor can't deliver, they shouldn't commit.

Enthusiasm

A vendor should enjoy what they do and that enthusiasm should reflect in their interactions with their clients. They should take pride in leaving the system in better shape than when they found it. Their highest objective should be to make their clients successful — and you should expect a positive attitude.

You Have Responsibilities, Too

A successful relationship with a technology vendor requires a true symbiotic "partnership." Service and support aren't one-way streets. Getting what you need from your technology vendor requires you to provide the vendor with some things as well. Let's discuss what the vendor might require from you.

Be Ready to Understand the Vendor's Support System.

IT managers need to learn the vendor's support system. Trying to "short-circuit" the vendor's process often leads to situations where your problem falls into a "process crack." Your vendor provides you with escalation procedures — follow them.

Ask the Right Questions.

Make sure you understand the services and support the vendor offers. When you purchase a product you are also purchasing the vendor's ability to maintain and update that product. When you check a vendor's references, ask the referring law firm about the company's ability to support its product.

Use Management Influence Sparingly.

There are times when an emergency occurs and management on both sides of the fence needs to get involved. This solution is generally very stressful for everyone and should be used sparingly. Don't cry wolf.

"Reward While Sweat Is Still on the Brow." (Ross Perot)

If a technology vendor assisted in a smooth upgrade or resolved a situation quickly, be sure to pay on time and give written or verbal praise. An appreciated vendor will go the extra mile when necessary.

Be Patient

If you have a minor problem it might take several days for a vendor to respond. An urgent "inoperable" problem that prohibits you from using the software for the intended purpose should be answered within the day. In any case, the vendor will solve the problem as soon as possible. They might never fix a cosmetic problem; or, if they have developed a product that meets the needs of the entire market but doesn't work exactly as you would like it to, it might not be what the vendor would consider a "problem." Also, don't expect fast response time from your vendor if you're not willing to be available to answer questions about the issue.

Provide Detailed Information When Reporting a Problem

Your vendor cannot help you resolve an issue if you report "it just isn't working." Try to remember your steps before you encountered a problem, and report those steps to your CSR. If you can recreate the problem and cause the failure deliberately, that is of tremendous value to the vendor. The more information the vendor has about the problem and the circumstances surrounding it, the faster they can help you.

Expect Changes

Changes occur, especially during the implementation phase as you better understand the underpinnings of the product. If you cannot adequately plan, be realistic and expect to pay for changes and revisions that crop up as a result of the project. If possible, negotiate a reasonable charge in advance that will be mutually acceptable to both.

Get Trained.

Take the time to get sufficiently trained on the new technology — this will save valuable time in the future. You pay more in support calls if you're poorly trained.

Get to Know Them.

To help eliminate the "blame-game," learn about your vendors. Building a relationship at some level will make the vendor an even stronger advocate for you and your organization.

Conclusion

The more firms and law departments can work together as partners with their technology vendors, the easier it will be for the organization to get what it wants — and needs — from its vendors. This in turn will enable them to best take advantage of its technology investment. If you need more from your vendors now, talk to them; revise the maintenance agreement; ask more questions; better train your team; work together. A little investment now will ensure a larger return on that investment in the future.