

Case Study:

Dave Maxfield Consumer Protection Law

For nearly 25 years, Dave Maxfield has represented everyday people in their cases against banks, credit reporting agencies, debt collectors, and insurance companies. While he has represented clients in both class actions and mass arbitrations, most of his day-to-day work is centered around individual litigation and arbitration. It's a business model that combines complex consumer litigation with a significant volume of cases, but the firm itself only consists of Maxfield and two paralegals. Not surprisingly, Maxfield's practice is structured around maximizing efficiency and speed at every stage of the process.

The vast majority of the cases his firm accepts are taken on a contingency basis, only generating revenue after a successful settlement, trial or arbitration. For his practice to thrive, Maxfield's team must be extremely selective during the intake process.

"The cases that I take on need to have both a strong legal claim and be financially viable," Maxfield says. "To help more people tomorrow, I have to be able to stay in business and pay my own bills. That means that my intake process has to be good. I have to take on a lot of cases, and I need to be able to resolve them to my clients' satisfaction pretty fast, whether that be through settlement or trial."

Challenge

Client intake is a crucial operation for any volume-driven law firm, but it can also be a painfully expensive one. To find one viable case, Maxfield's team may need to screen dozens of potential clients. These vetting conversations are detailed and can be time consuming, each often requiring at least 30 minutes of staff time, or more. Only a few years ago, it was normal for Maxfield himself to spend hours each week on intake calls, time more ideally spent focusing on his existing caseload.

It was a painfully inefficient system, but a common one for consumer firms. While larger firms may have a team of paralegals to handle these intake interviews, that's rarely the case for smaller practices. As a result of his selectivity, Maxfield estimates his firm accepts less than 10% of the people who contact him, meaning that 90% of his and his staff's time spent in screening results in no new client and will never be compensated. That's a huge time investment simply to tell someone, "Sorry, I wish we could help."

To build his business, Maxfield needed a modern client intake and management solution capable of automating client interactions. For a long time, there wasn't one.

"We tried a few intake systems, but none of them worked for us," Maxfield says. "At one point, we used Lexicata [now Clio Grow], but it couldn't do what we wanted it to. We tried the intake system that came baked into MyCase, our old case management system. We even tried to do it with Trello. They were all a little clunky, and we didn't have success with any of them."

For an efficiency-minded lawyer like Maxfield, who is perhaps best known in legal circles as the co-author (with Larry Port) of the *The Lean Law Firm*, a "first of its kind" novel published by the American Bar Association, the situation was beyond frustrating. There just didn't seem to be a better option for the needs of Maxfield's high-volume practice. That all changed thanks to a chance elevator conversation with a like-minded colleague who had been working on a solution of his own.

Solution

Several years ago, Maxfield found himself sharing an elevator with fellow consumer attorney Ray Gallo, who was in the early stages of developing Leverage, a new legal CRM with a robust, fully automated intake system designed for managing mass actions and arbitration swarms. Having seen lackluster results from other intake software, Maxfield says that he "wasn't convinced" that Gallo's platform — designed for mass actions — was the right solution for his individual consumer practice.

"A little while later, though, I was working on a case against a car dealership," Maxfield says. "In the old days it would have been a class action, but everybody had signed arbitration agreements. We decided to do a mass arbitration, and we needed a way to screen, sign, and manage a lot of clients. I realized that Leverage would be a great way to put a lot of pressure on the dealership, so I got in touch with Ray Gallo."

The advantage that Leverage provided for his firm was obvious almost immediately. The platform's fully automated intake system gave Maxfield the ability to screen potential clients at a scale that would have been impossible (or just too expensive) without it. It also completely changed the status quo of the case.

As Maxfield recalls, "We were able to say to the dealership 'If you want to force us to do all these arbitrations, we can. We have the capability to quickly sign up a thousand people. If you really want to do a thousand individual arbitrations, we can do that too.' They didn't want to do that. They wanted to settle. After that case, I got very interested in Leverage."

Maxfield's firm soon began using Leverage as their primary intake system, sending potential clients directly from the firm's website to the platform's automated online questionnaires, with intelligent, automated selection of the right next question, and the right next questionnaire. Leverage's automated intake workflow allows his team to quickly — and cost-effectively — identify viable cases. Maxfield's office can now screen more potential clients each week than ever before, with a significant decrease in staff time, and little of Maxfield's own time required.

"Having the ability to ask those kinds of contextual questions in an automated, online system is really helpful," he says. "It's much faster for me to figure out if this is a case that I want, or if it's one that I really don't want. Most of the time, that's a 'No' decision, and that's not an inconsequential thing. I just don't have to take the time to talk to someone on the phone for 25 minutes only to figure out that there's nothing I can do for them personally."

Prior to Leverage, his team often spent a substantial amount of time during their intake calls explaining why they couldn't accept a given case. While it may be a good business practice to let people down easily, those paralegals are still on the clock. Now, when a potential client doesn't make it through the online screening process, Leverage allows his team to "gently reject" them with an automated email response that includes ideas and suggestions for what they may want to try next.

As a fully featured legal CRM, Maxfield notes that Leverage also provides a wealth of useful tools for his firm. He's now able to manage and sort clients in new ways, allowing him to quickly identify specific categories and groups for client service, or post-case follow-up marketing. If he needs to send a follow-up email to clients in a given state or county, for example, it's just a matter of running a quick search query.

"Leverage is so customizable, so programmable, and it tracks all of our interactions," Maxfield says. "I'm able to ask people (or categories of people, selected based on their own answers to our questions) to provide us with specific things, like documents or signed agreements. The system will gently stay on them to get that done. Later, at a glance I can see if they've actually sent us the things we've asked for."

His firm also makes heavy use of Leverage's secure client communication tools, including the robust email system. One of the key features of this system is the ability to separate prospects from existing clients, effectively creating a "separate email server, just for prospects" which dramatically reduces the opportunity for human error in the many email groups his firm manages.

These features, as well as the CRM's more standard client management tools, have allowed his three-person law office to punch far above its weight. He notes that there are many additional Leverage features — online payment processing through Stripe, video updates for client-valued personal connection, and automated email follow-ups — that his firm has yet to take full advantage of.

"We use Leverage every day," Maxfield says. "It's the backbone of our practice."

Results

For Maxfield, the biggest advantage of the Leverage platform is the bottom line. The platform's automated intake system has enabled him to exponentially increase his client base, with minimal corresponding increase in cost. Leverage also provides his firm with the right data analysis tools to enable future success. For the first time, he's able to track his firm's KPIs in a meaningful way.

"It's a funny thing to talk about results, because I didn't really have the capability of keeping those sorts of numbers before Leverage," Maxfield says. "If you were to ask me about the number of cases I accepted before Leverage, I wouldn't even know how to answer that. But now I can. I just need to look at the reporting section on Leverage, and I can tell you exactly what that number is."

While having the ability to measure his firm's KPIs through Leverage is important for Maxfield, it's not everything. Instead, he credits the platform with giving him a new way to level the playing field for his clients.

"Over the past 10 to 15 years, arbitration provisions have become the standard practice in most consumer transactions. These companies use this to their advantage, because they know that these arbitration agreements prevent people from turning individual cases into a class action. Leverage gives us something to push back with."

When a company decides to force individual arbitrations like this, Maxfield's firm is able to respond by saying, "That's OK. We have a platform where we can reach out to everyone who has the same problem that my client has. I can sign up a bunch of them, and it won't cost me anything. You're going to have to arbitrate every one of them with me. Every arbitration is going to cost you X amount of dollars. If you want to go that way, we can go that way."

Increasingly, Maxfield says, they don't.

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