

## Lawyers and Decisions: So Many Choices, So Little Time

By [Carla Landry](#) on January 26, 2021

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Decision fatigue. It actually is a thing. It has been a subject of articles and studies for decades. An [article](#) in New York Times Magazine focused on it nearly 10 years ago. And in case you are ever incarcerated, your chances of getting the parole board to set you free are much greater at 8:50 am than at 4:25 pm because of that fatigue. So for whatever reason you might need this information, keep it in mind.

We make a myriad of decisions every day. How many is that? Some [35,000](#), researchers estimate. There's no wonder that the ones we make early in the day, seem to be the most deliberate and intelligent. During the climate of the pandemic and amidst new, more virulent strains of Covid, there are even more decisions to be made than usual. Is the vaccine safe? What should I do about my 401K? Homeschool, neighborhood pod, virtual or classroom? How can I make work-from-home actually work?

Which brings me right back around to processes. If you'll recall, the biggest argument for good legal processes is that it takes the routine and makes it, well, routine. When you have good processes, you have fewer decisions to make and you can dedicate your efforts to the matters that require your sharpest mental energy.

If you've ever peered helplessly at the waiter over the top of a 20-page restaurant menu, it's clear that when faced with too many decisions, it's difficult to choose. This leads to procrastination and indecision at best. Worst case? You'll make questionable, even poor decisions.

Decision-making is both tiring and time-consuming. Of the 35,000 decisions we make daily, many of them are easy, with comparatively low-stakes. Others are obvious. But, all too many of the decisions we must make are unnecessary. That's when it makes sense to put processes in place to reduce the need to choose. For example, contract lawyers may use templates that standardize certain aspects of the process so that there is no need for them to reinvent the wheel for each new matter.

### What it Takes to Make a Decision

Why is decision-making so exhausting? The decision-making process is relatively complicated. UMass Dartmouth identifies [seven steps for decision-making](#):

- Identify the decision
- Gather information
- Identify alternatives
- Weigh the evidence
- Choose among alternatives
- Take action

- Review your decision

No surprise here. But it's clear that decision-making takes time. For an easy decision, the steps may happen so quickly that you are largely unaware of the process. But even simple decisions, like which movie to watch, can create mental fatigue in light of all the other decisions we make every day. That's when we turn to our partners and say: I don't care. You choose.

The stakes are higher, however, for many of the professional decisions we make daily. Every decision may not have life-altering outcomes, but many have the ability to affect the bottom line or harm client relationships. They also have the ability to put partners in the position of having to make difficult phone calls to explain budget overruns.

### **Add Another Benefit to LPM and LPI**

We've discussed the benefits of legal project management and legal process improvement in detail over the past few months in terms of productivity, job satisfaction, risk-reduction, efficiency and client satisfaction. Add one more salient benefit to the list: Your lawyers will spend less time making routine decisions and more time meeting and exceeding client expectations. It's a win for the firm and for your future viability.