

What Job is Your Client Hiring You to Do?

By [Joseph B. Altonji](#) on April 14, 2017

My wife and I had a recent real estate experience that illustrates an underlying challenge for law firms when it comes to sustained innovation. A few years ago, to help our daughter while in med school, we purchased a condominium convenient to the school and medical complex, which is *not* in our home community. Fast-forward four years and its time to sell since our daughter will be moving on post-graduation. This brings us to the beginning of the story.

Hiring a realtor to handle a sale, as most readers of this column can attest, involves multiple competing needs and factors. What price will you get? What does the realtor charge? What is his or her marketing approach? What does the seller need to do? The list goes on. As you might expect, we interviewed several candidates, including one we liked personally who had originally helped us buy the place. In the end, we picked someone we had never met before, who had come to us through a relocation network. Why? The simplest answer is that she best understood the “*Job to be done.*” What we needed in a realtor was not so much the one who would *necessarily* get us the highest price, or charge the smallest commission, or become our friend, or any of the other things that might go into such a choice. We needed the person who would sell our place for a fair price, quickly and easily, with as little work on our part as possible. Plus there was an additional consideration – a big chunk of the on-site responsibility for making and keeping the place presentable, dealing with showings and such would fall to our daughter who still has a busy hospital schedule and med school to contend with, and has never done this before. We needed someone who would take over the process and make it easy on her too. The realtor we selected got that – jumped in, helped with cleaning and arranging professionals, moving furniture, and otherwise proverbially holding our daughter’s hand. She understood and delivered on the job we needed done – which wasn’t just “selling a condo.”

Clayton Christensen, Taddy Hall and Scott Cook (of Intuit) first debuted the “Theory of Jobs to Be Done” in an HBR article entitled [Marketing Malpractice](#) in December 2005. This theory is the foundation of Christensen’s and Hall’s current book (with Karen Dillon and David Duncan) entitled [Competing Against Luck](#). Their work focuses on what it takes as an organization to deliver *consistent* innovation over time. The foundation for consistent innovation, for the authors, lies in understanding your client or customer’s “Job to Be Done” – why, precisely, are you being hired? And to do what, exactly? Only by truly understanding that job to be done, can an organization hope to deliver consistent innovation, particularly disruptive innovation, over time.

Which brings us, finally, to law firms. We consistently hear that law firms are incapable of “real” innovation, although what that really means is that they are incapable of the disruptive innovation that would break their own business model. Such disruption is hard for most incumbent industries – usually some outsider ultimately breaks the model. A big part of the reason for this, though, is that far too many lawyers simply assume they understand their client’s job to be done with little evidence to back that up. What is a client really looking for when they hire you? Sometimes *the client* doesn’t even have a conscious answer to that question. A couple of examples might help:

- Several years ago, we interviewed a major commercial real estate owner on behalf of a law firm that handled their commercial leasing paperwork around the country. The law firm thought of themselves as a significant, national real estate firm, and wondered why they weren’t getting development work from this very satisfied client. As it

turns out, the client was hiring an efficient and effective “lease management solution” and did not at all view that solution as relevant to development – no matter how happy they were with it.

- We are regularly told by middle market firms that their lawyers were “just as good as” those on Wall Street (or in global firms) and they could not understand why anyone would hire those big firms when they would get the same work done much more cheaply by hiring them. Any such statement, even if true, reflects a clear lack of understanding of what “job” the client believes it is hiring the firm to do. It is not just drafting a document, or negotiating a deal. It is something much more than that including delivering confidence to executives, or shareholders, plus maybe reducing the need to manage the process. Or something else. “You are hired to assure my CEO has confidence we’ve done the best we can” is not the same as “CYA.”

We could raise many more examples. The key, though, is that if the goal is to successfully innovate, it must start with a thorough understanding of the job your clients are hiring you to do. What does an older non-working spouse going through a divorce need from her divorce attorney? What does a high-profile doctor being sued for malpractice really need from their lawyer? In neither case is it simply legal help or defense. Its far more about putting lives back on the right track. Innovation does not necessarily involve major IT initiatives or a complete overhaul. Its really about doing a client’s job in a better way than other existing solutions – or in some cases doing a job for which a current solution doesn’t actually exist. Understanding this might allow lawyers practicing in these areas to innovate. Some have.

We will continue to focus on innovation in upcoming blog posts. For now, Christensen and his colleagues have offered some tremendous insights into innovation that would be well worth considering as we think about legal innovation. Starting with a real understanding of your client’s “Job to Be Done” would seem obvious if it weren’t so often neglected.