Email Help from Assistant

A November 2010 discussion on SoloSez, the email listserv for general practice, solo and small firm lawyers

In my continuing quest to delegate, I'm looking long and hard at email. How can I have my assistant help with it? I questioned the collective about this issue last summer, and the few responses were mixed. I present the issue again.

Here's my idea:

Give my assistant complete access to my email. Have her login and process things that I stick in a folder (Gmail label) for her.

Most of that would be e-faxes and phone messages from Ruby. But she could also handle some client email:

Bob emails me a copy of his ticket. She can file the ticket, email him back to confirm receipt, and add a task for me to review it.

Maybe I'm crazy to consider this. But I already trust her with just about everything else. I never even see the mail until she's processed it. Heck, most days she takes care of all mail without me even seeing it.

What do you guys think?

I've been helping out a friend in his office a few hours a week, and I keep his e-mail open at my computer while in his office and while at home. I can respond to potential client e-mails by calling to schedule an appointment, then confirming the appointment by e-mail. The boss can see it all on his blueberry. I can see when he answers something as well and I can send a followup to add information that he didn't include because he was in a hurry or feeling lazy.

Since you trust your assistant with just about everything else, and since it seems to be working, I say go for it. Just don't let her sign checks. And read through your outgoing mail on a regular basis to make sure she isn't consistently saying something that's incorrect. Also, make sure she signs outgoing mail as Jane Doe, Assistant to Andrew Flu-Shot, so there will be no question about who said what.

Marilou Auer, a nonlawyer

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With any delegation you need to consider the appropriate level of supervision, monitoring, and followup required for tasks. As the attorney you always responsible and accountable and i would argue some tasks are nondelegable as a solo. I still open all my own mail. I am the only person authorized to process credit card charges and there is no way in hell I would trust ees to deposit checks or write checks to pay the firm bills. But that's me. Keep in mind in cincy we live near casinos and every other week there is a story on the news about ee theft or embezzlement and how the money went to the casinos. I am a nurse and I see my supervision of my LA similiar to that of a nurse supervising assistive personnel such as aides and nursing assistants ie having a dependent (not independent) scope of practice. What you are proposing sounds reasonable.

LaTonia Denise Wright

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Do not under any circumstances have anyone send anything out in your name unless you have written it. As discussed in another thread, this is like lending someone your stationery.

Here's what's done in some BigLaw firms: your assistant/secretary/paralegal etc. sends out an email marked something like this:

From: Jane Doe [on behalf of Andrew Flusche]
To: Catherine Client

Robert Roth, New York

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I've been thinking about this too and I know from a lot of my clients I send the email to them but then I get the reply from their assistant showing the "on behalf of", which I assume is some delegation function within Outlook or whatever email client they are using.

As a lawyer, as long as it is clear it is her (or him) replying for you then no problem.

If you aren't ready to go all in, could you set up a new email and either direct the Ruby messages and e-faxes there OR, leave your email as is and create a new email address that you only give out to family and clients or something? Give her control over the email address that has all the administrative crap in it.

But I'm still trying to figure out how to work this in my own office so I'm no expert, clearly.

Michele Allinotte, Canada

Looks like you might need Exchange rather than Outlook. See http://office.microsoft.com/en-us/outlook-help/send-an-e-mail-message-on-behalf-of-someone-else-HA001136767.aspx?CTT=1

Robert Roth

Or rather, Outlook *and* an Exchange server.

Stephanie Hill, Minnesota

I received several good words of warning against giving my assistant complete access to my account. So I decided to rethink my plan.

Now I've got our Ruby messages and faxes setup so she is the only one who gets them. But they also get logged into our practice management system. Once she handles one, she marks it as complete in our system.

I think this plan puts trust in her but also has accountability. I can easily see what's outstanding, but it's not cluttering up my email.

To quote a phrase popular since the Cold War, "trust, but verify."

Robert Roth

Some options:

1) Have your assistant receive a copy of all your emails; give her the ability to "flag" messages in your inbox after she has reviewed them for importance. You'll read and reply on your own. Your assistant can also add things to your PMS.

2) Have your assistant receive all your emails and allow her to respond to all emails (at her discretion) from her own account, being up front about who has written the email.

3) Set up a folder for drag-and-drop so you can rapidly move messages from your folder into your assistant (you'll be screening them.) Have your assistant write DRAFT emails and put them in a folder where you can review them before sending. Or, have the assistant receive a copy of all emails but require her to submit all replies to your emails, to you in draft form. (She may or may not still have discretion to reply to her own.)

4) Forward emails as appropriate to your assistant, asking her to handle them. Leave all the headers and forwards in place so the client can see what's going on:
a) Me > you: Andrew, can I get a copy of my ticket? Thanks. Yours, Erik.
b) You > assistant: Assistant, please take care of this.
c) Assistant > me: Dear Erik, as per Andrew's request below please find attached a copy of your ticket...

Erik Hammarlund, Massachusetts

In my office faxes and Ruby messages are sent to me and my assistants.

As my accountant told me long ago - the one person who steals from you is the person you trust - or you wouldn't have given that person access.

Deb Matthews, Virginia

Thanks, Deb! That's why I've been very reluctant to trust anyone. Definitely *not* going to give any employee power over the bank accounts.

I was surprised to learn that the most restrictive check card offered at my bank (BB&T) allows $500 or $1000 in daily purchases (I can't remember which). I can't believe they don't offer a $50 limit for petty cash type purchases. I'd be comfortable with that, combined with the bank's instant transaction alerts.

Andrew

Andrew Flusche, Virginia