

# ***Genres keep a law firm moving forward***

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## **Introduction**

Nowadays, in the law field, there are fewer cases that can be done by one lawyer. A single lawyer doesn't have the ability and experience to complete a case by themselves. But they can provide perfect and comprehensive legal services with the help of a team. Law firms have become the main social organizations in the legal service industry and have become an indispensable part of the development of China.

In Bower Ward's "What Keeps Managing Partners Awake?", the author points out law firm cultures and values arise from the common law partnership origins of group law practices. Many of those values are more like those of a college fraternity than a modern business. The successful law firms strive for teamwork, collaboration, mutual respect, and placement of the firm and client interests ahead of those of individuals. Striking the balance is a continuing problem in both large and small law firms. Law firms have tried many methods to improve the effectiveness of their team. Genre is the tool that law firms use to accomplish their goals.

There has been much research about the role of genres in law firms. Shumin Li and Yanping Wu in "Investigation on file formation and management of kai Feng law firm" talk about their survey on all 17 law firms in kai Feng from June to July 2004 to

understand the situation of file formation and management in law firms and to expand the services of file administration departments in "non-traditional" fields. Li and Wu defined that the case file is a real record of lawyers' business activities and an important professional file of the state. In "Reducing Information Asymmetry from The Management Control Perspective: Discussion of Practices in Transparent Companies." In this article, authors Espejo and Daciê describe the financial statement as tables reflecting the capital profit status for a period of time, which included the balance sheet, an income statement, a cash flow statement or a statement of changes in financial position, schedules and notes. Lucas Pujolcols in "Core Self-Evaluations, Perceived Job Characteristics and Job Satisfaction: Evidence from Two Independent Samples of Highly Skilled Argentinian Workers" made a triangle model of core self-evaluations, perceived job characteristics, and job satisfaction. Self-evaluation is a reflection of job satisfaction, which is directly proportional to work attitude that has been scholarly and managerial concerns to improve in the workplace, as they have been found to significantly affect both organizational effectiveness and well-being levels.

But so far, there has been no discussion about how these genres work together to develop a law firm. To complement this research, I conduct a research project about what genres keep a law firm balanced and help it move towards its goal. I also explore how the genres work within the firm. I'm going to focus on a law firm in China. My research is aimed to find out the main genres that make the law firm move towards its general goal and how they do this.

## **Methods**

There are many positions in the law firm and the work in the law firm is totally

different between different posts, so I interviewed three people from different positions: a lawyer, a financial staff, and an administration staff. I prepared the same questions for different people and then asked different questions as follow-ups based on their answers. I conducted each of the interviews through the phone between October 20, 2019 to October 26, 2019. First, I needed to know what genre the employees in different positions think is the most important to them to working in the law firm. I sent the interviewees the same questions about what genres they usually used during their work and what are these genres used to do. I also asked different questions about their different jobs to help them think and answer questions. After receiving their answers, I prepared some more detailed interview questions for them according to their answers and gave them a call. Finally, I would use the detailed record of conversations with them to summarize the functions of the genres and find out the relationship between them.

## **Results**

I will analyze each of the three genres, their compositions, and what the interviewees think about them.

### *The Case File*

The form of a case file is a table of the information of the case on the top, a list of the materials of the case, and the materials on the list are followed. Different kinds of agencies have different case information tables and a list of the materials, litigation and non-litigation, criminal agency volume and civil agency volume, and counsel volume. For example, the form on the top of a civil case file list is the lawyer's business receipt registration form which includes case number, category, time (date of acceptance and closing date), and personnel concerned. This page would be made

out in triplicate, so the lawyer, finance department, and administration department each have one. The financial department will record these case files as a reference for the lawyer's monthly income. The administration department will file every lawyer's case file, help analyze human resources of the firm, make sure every member develops and progresses in the law firm and strengthens mutual cooperation and solidarity.

Yunqi Yang, a lawyer in the law firm said "The most important genre for me is the case file: these files included all the activities and materials through cases. The law firm will evaluate a lawyer according to case files, which decide on my income." The director of the law firm will supervise lawyers' performance from the case file. "No matter what work report we made in the meeting are, the case file is the largest evidence to be considered by the leadership to evaluate our work," Yang said. From her statement, I understand the role of the case file for a lawyer is like the role of an examination result for students. It would be considered as performances and level of a lawyer and also related to the income of the lawyer.

The case file is not only a reference of evaluation in the law firm. The Chinese government always supervises the work of the law firm to a certain extent in order to ensure that lawyers maintain the correct implementation of national laws. According to the relevant provisions of the "Administrative Measure for Lawyers' Business Archives," every case file should be reviewed and sealed by the director of the law firm and transferred to file management personnel to go through the formalities. So, the case file is also an aspect of reference for the judicial administrative organs and local archives administrative departments to provide professional guidance, supervision, and inspection.

## *Financial Statement*

The financial statement is a table reflecting the capital profit status for a period of time, which included balance sheet, an income statement, a cash flow statement or a statement of changes in financial position, schedules and notes (Espejo and Daciê, 379). “Most of my work is to summarize revenue and expenses, and all this information comes to the financial statement” Qian Xia, a financial staff in the law firm said. The financial statement could investigate the completion level of planned indicators, such as funds, costs, and benefits. The information of the statement helps the leaders and managers to analyze and check whether the business activities of the law firm meet the system requirements. And using the financial accounting report data and other information for analysis could provide a preparation of the next plan.

As we all know, the financial statement is a genre for accounting used to manage company finances. But I find in a law firm not only should the financial statement be read by the accountant but also the lawyers. Yue, a partner of the law firm, said, “We must understand the financial situation of the bailor.” Actually, many lawyers would use the financial statement too. In practice, lawyers engage in non-litigation business, civil and commercial litigation, or handling economic cases of criminal defense. They should always analyze the financial situation in cases with financial statements. It will affect the lawyer’s own work efficiency and make clients think the lawyer is incompetent, if lawyers leave the work of analysis of the financial statement (as case material) to the financial department all the time. Because financial statements are frequently used in many organizations to organize internal finance and external presentation of the company’s financial situation, it is important for lawyers who need to read about the company in a case and for accountants who need to deal with

finance in their daily work.

### *Year-End Summary*

Everyone in the law firm should write their own year-end summary at the end of a year. This is not only a method for the director to evaluate staff, but a self-evaluation for themselves. A self-evaluation and planning are to summarize and analyze what a person had done in a period of time, identify problems, and draw experience and lessons and use these lessons to guide the next stage of work. This genre allows people to correct themselves in time and not deviate from the goal of progress.

Xinyue Liu, an administration staff of the law firm, thinks year-end summary is the most useful genre for her. “I answer the phone while the lawyer is away, entertain clients, order and register office supplies, pick up and deliver express. Anyway, I’m doing a lot of stuff.” Compared with other positions, the work of an administration staff member is different. When anyone in the law firm takes any office properties, they should register them on a claim registration form. If they take presents, they must register them on the gift collection form and also the meeting receptions should be submitted on a conference reception requisition application. Lawyers on business trips need to submit an expense claim sheet and invoice to administration when they come back. They must also buy social insurance and solve social insurance related affairs of everyone in the law firm. All this work should be done by administration staff.

The content of her summary is very general compared with others’ accurate summary of one project. It should include these parts: How does she feel about this year’s work? What has she learned? What are the advantages and disadvantages? What will she do next? The summary will be reported in the annual meeting, and the director will evaluate the summary. “Our works are more showing up in daily work,”

Liu said. The director of the law firm is paying attention to her daily work from time to time. As far as I am concerned, the year-end summary is more like a self-evaluation and planning for the future because the director already knows her performance strengths and weaknesses from the observation.

## **Discussion**

I have developed three metaphors to describe the role of these three genres in the law firm as “body,” “clothes,” and “mirror.” The case file is the “body:” the main business of every law firm is to accept the agents and solve the cases. The case file is a record of this business, which highlights the meaning of the law firm. The financial statement is the “clothes.” The role of clothes is to protect and keep the body warm, and make people have a preliminary understanding of us. Just like our clothes, the financial statement also has that effect inside and outside of the law firm. And finally, the year-end summary is a “mirror” because it allows us to see ourselves.

### *Body*

The body is the physical manifestation of our human beings. The law firm is an organization organized for accepting commissions and resolving cases. The records of commissions and cases are the main business of the lawyer and the law firm. Without this core genre, the law firm could not exist or function. The law firm’s finances, year-end summary, and also the evaluation of the director is based on this. Using them appropriately, keeps the body of the firm growing healthily.

### *Clothes*

Our clothes can protect us, keep our body warm, and make people have a preliminary understanding of us. This is just like financial statements for law firms. The

management of the law firm could use the financial statement to master the economic activities and financial results of the firm, analyze the advantages and disadvantages in the business activities, and develop operations and management. The financial statement could provide financial information to investors, creditors, and potential investors to compare with other companies in order to determine investments and loan directions. And the financial statement will be summarized through administrative levels. The state will use these data to carry out macroeconomic control. The financial statements protect the law firm and keep it orderly, showing the strength and condition of the law firm to the outside. It also supports the work of the other genres that are a part of the body above.

### *Mirror*

The mirror can reflect our appearance. If we think there is anything untidy, we can organize ourselves in the mirror. This is like the role of the year-end summary in a law firm, which is a self-evaluation. Timed self-evaluation helps us to regulate ourselves at work. As Lucas thinks, self-evaluation is related to perceived job characteristics and job satisfaction, which is the decisive factor in the working atmosphere. So, focus on self-evaluation is a good way to supervise the wellbeing of staff and the good working conditions of staff are conducive to the development of the law firm. We can use this “mirror” to examine our strengths and weaknesses and make improvements for the new year.

### **Conclusion**

There are many genres we used in the community of the law firm, such as dossier of cases, the power of attorney, pleadings, company plan, project proposal, financial statement and so on. Every genre affects the growth of the law firm. A case file,



financial statement, and year-end summary may be the three big ones that effectively lead the law firm to keep towards its goal together. According to the above, each of the genres have impact on both the inside and outside of the firm, and there is also interaction between each other. Their roles are like the body, clothes, and mirror for the individual employees. The case files are used by the director to evaluate lawyers' performances and used by financial staff to combine with financial statements to calculate lawyers' income. All access and reimbursement records and insurance of the administrative department would analyze and then summarize in the financial statements. The year-end summary is a self-evaluation that everyone in the law firm should write, which is an important basis for advancing work, method of reinforcing community values, and a way to receive leadership support and recognition by colleagues. But different law firms have different structures and working styles. This study is based on a law firm in China. Other researches may ask, how are other law firms in other countries organized? How do they rely on genres? These future avenues of research will help us better understand the important role genres play in legal communities.

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### **Author Bio**

Fengqi Li is a senior criminal justice major from China. She will graduate from Western Oregon University this summer with her bachelor's degree. She wants to be a lawyer or a police officer in the future. In order to learn more about law, she completed an internship at a law firm during the holidays. She hopes that her commitment to justice can help more people no matter who they are.