

Bill Your Time Today

Advocating Without Apology
For Your Billable Time

ADVOCATING WITHOUT APOLOGY FOR YOUR BILLABLE TIME

I. UNDERSTANDING WHY ATTORNEYS SHOULD NEVER APOLOGIZE FOR BILLING

A. The Scope of Apologetic Billing Behavior

Many attorneys unconsciously apologize for their billable time through their actions — failing to bill for valuable work because they're uncertain if it's "truly billable" or don't know how to describe it in billing narratives. This apologetic approach affects time spent on internal communications, extended research, strategic thinking, organizational case tasks, and routine client interactions.

Practical experience with hundreds of attorneys (and my own experience) show that most attorneys lose conservatively at least 30 minutes of billable time daily (2.5 hours weekly) due to this apologetic billing behavior.

B. The Financial Impact of Undervaluing Your Work

The financial consequences are substantial and often underestimated. For the average attorney, losing 30 minutes daily amounts to 125+ hours annually. At an average billing rate of \$350/hour, this represents \$43,750 in lost revenue per year. Firms with multiple attorneys experience exponential losses, potentially reaching millions in unbilled time. This impacts not just current income but also profit sharing, bonuses, and long-term earning potential, affecting firm-wide profitability, realization rates, and economic sustainability.

C. Professional Impact Beyond Financial Loss

Undervaluing your work by not billing for it has far-reaching effects. Attorneys who consistently undervalue their time may be perceived as less productive than peers despite working the same hours, potentially affecting performance reviews and advancement opportunities. Many attorneys compensate by working longer hours to meet billable targets, leading to poor work-life balance and potential burnout.

D. Common Scenarios Where Work Goes Unbilled

Attorneys typically underbill their work in predictable scenarios across different practice areas:

- **Internal Office Communications:** Strategy meetings with partners, case discussions with colleagues, mentoring sessions with junior attorneys, and team coordination conversations often go unbilled despite their critical value to case progression.
- **Research That Took Longer Than Expected:** Attorneys frequently cut time when research becomes more complex than anticipated, especially with novel issues, limited precedent, or when numerous sources must be reviewed.

- **Strategic Thinking Time:** Planning case strategy, analyzing potential arguments, considering settlement approaches, and evaluating case strengths are frequently unbilled despite being among the highest-value services attorneys provide.
- **Administrative Case Tasks:** Case organization, document management, timeline creation, and deadline tracking often go unbilled despite their essential role in effective case management.
- **Brief Client Communications:** Quick emails, status updates, and short clarifying calls are routinely unbilled, especially when numerous. However, these communications often represent critical responsive service.

II. THE PSYCHOLOGY OF UNDERVALUING YOUR WORK

A. The Thought Patterns Behind Undervaluing

Undervaluing your work stems from specific thought patterns that create internal barriers to billing appropriately. Common thoughts include:

- 'I can't bill for that'
- 'I don't know how to bill for that'
- 'The client probably wouldn't want to pay for this'
- 'That took too long; I should cut some time'
- 'I'm not sure if this is billable'
- 'This was just a quick interaction'
- 'Other attorneys wouldn't bill for this'
- 'This is administrative, not legal work'
- 'I had to learn this, so I shouldn't bill full time'
- 'I'm just thinking/planning, not producing anything'
- 'This call/email was too brief to bill for'
- 'I'm not efficient enough at this yet'

B. Emotional Drivers of Undervaluing Your Time

These thought patterns generate specific emotional responses that drive self-undermining behavior:

- Fear of client or partner criticism creates anxiety about billing fully
- Guilt about charging clients for work that feels routine or administrative, despite its value, leads to voluntary cutting
- Uncertainty about billing appropriateness creates hesitation and avoidance
- Perfectionism triggers dissatisfaction with time entries, resulting in procrastination or omission
- Impostor syndrome makes attorneys question their efficiency and value, leading them to discount their time

C. The Brain Science: Why We Undervalue Our Work

- Our innate "motivational triad" drives us to avoid pain, pursue pleasure, and conserve energy. When uncertain about billing (pain), the easiest path is to avoid the decision (conserve energy) by not billing.
- Our brains prefer immediate rewards over delayed benefits, making the instant relief of skipping difficult billing decisions more attractive than the delayed reward of appropriate compensation.
- This neurological pattern creates a self-reinforcing cycle that becomes increasingly automatic without conscious intervention.

D. The Three Major Barriers to Contemporaneous Billing

Three primary barriers prevent attorneys from adopting contemporaneous billing habits:

- **Over-Prioritizing Legal Work:** Many attorneys have internalized a hierarchy that places "real legal work" above billing activities, viewing time entry as administrative rather than an essential professional responsibility.
- **Prioritizing Others' Immediate Needs:** Attorneys frequently prioritize responding to emails, calls, and requests from partners and clients over their own need to bill, despite the significant personal cost.
- **Perfectionism About Tomorrow:** Many attorneys engage in "perfectionism fantasy" thinking, believing they'll magically have better billing habits "tomorrow" despite lacking the systems, habits or skills today.

III. ADVOCATE WITHOUT APOLOGY FOR YOUR BILLABLE TIME

A. The Unapologetic Advocacy Mindset

Just as you advocate without apology for your clients' interests, you must develop a mindset of advocating without hesitation or guilt for the full value of your own professional services:

- **Recognize Your Professional Worth Without Qualification:** Your expertise, judgment, and time are valuable resources that deserve fair compensation without discount or apology.
- **Reframe Billing as Professional Responsibility:** Proper billing without apology creates transparency and accountability. Detailed, contemporaneous billing gives clients clarity about services rendered.
- **Apply Legal Advocacy Skills to Your Own Billing:** The same unapologetic advocacy skills that make you effective for clients can be applied to advocating for your time — clear communication, persuasive narrative, evidence-based justification.
- **Adopt an Evidence-Based Approach:** Just as you build cases on evidence without apology, build billing practices on data about the value you provide without discount.

B. Advocacy Techniques for Common Scenarios

1. Advocating for Internal Communication Value

- **Frame Collaboration as Strategic Development:** Document how team discussions directly benefit the client by identifying options they might not otherwise consider.

- Document Specific Outcomes: Keep notes on key decisions, insights, or strategies that emerged from internal discussions to support their billable value.
- Create Value-Focused Narratives: This collaboration created direct client value by bringing multiple perspectives to a complex issue.

2. Advocating for Research and Analysis Time

- Document Complexity Factors: Note specific elements that made research challenging to justify the time invested.
- Highlight Risk Mitigation Value: Thorough research prevents costly mistakes and identifies strategic opportunities that superficial analysis would miss.
- Frame Efficiency Appropriately: The standard for billing isn't how quickly the fastest attorney could complete the work — it's whether the time spent was reasonable.

3. Advocating for Strategic Thinking Time

- Document Thinking Processes: Keep notes on your analytical process to demonstrate the substantive work involved in "mere thinking."
- Highlight Decision-Tree Value: Strategic thinking isn't passive contemplation — it's active creation of decision frameworks that guide the entire matter.
- Quantify Risk Management: This analysis directly saved the client potential exposure by identifying and addressing risks before they materialized.

4. Advocating for Case Management Value

- Connect Organization to Outcomes: Effective case management directly impacts results by ensuring nothing falls through the cracks.
- Highlight Efficiency Creation: This organization creates long-term efficiency that ultimately saves the client money throughout the matter.
- Document Complexity Management: Managing the logistics of this complex matter requires professional judgment and attention.

5. Advocating for Communication Value

- Track Cumulative Impact: Note the aggregate time spent on brief communications to demonstrate their substantial total value.
- Highlight Relationship Management: Responsive communication builds trust and ensures alignment between our work and client objectives.
- Connect to Risk Management: Proactive updates prevent surprises and allow for early course correction when needed.

C. Overcoming Resistance to Self-Advocacy

- **Addressing Internal Resistance:** Recognize self-limiting beliefs about your value. Challenge perfectionist tendencies that prevent billing. Develop comfort with appropriate self-assertion.
- **Navigating External Pushback:** Prepare clear, value-focused explanations for billing inquiries. Develop diplomatic responses to challenges about time entries.
- **Managing Client Expectations:** Proactively educate clients about the value of different types of legal work. Frame appropriate billing as part of professional responsibility.

IV. ADVOCATE WITHOUT APOLOGY BY SEEING THE PROBLEM AND SOLUTION MODELS

A. The Model Framework Overview

To effectively advocate for your billable time, understand the underlying problem models through which thoughts create results. In any circumstance, our thoughts (what we believe) determine our feelings (emotional state), which drive our actions (what we do or don't do), ultimately producing our results (outcomes).

B. The Undervaluing Model in Action

Let's examine how the model plays out in a typical scenario:

Circumstance:	You've spent 20 minutes discussing case strategy with a partner
Thought:	"I can't bill for internal discussions"
Feeling:	Frustrated, resigned
Action:	Don't bill for the conversation
Result:	0.3 hours of valuable time lost + practice not billing for internal discussions

Understanding that it's not the circumstance (the conversation) but the thought ("I can't bill for this") causing the problem reveals the opportunity for change.

V. REDEFINING BILLABLE TIME

A. What Is Truly Billable Time?

The foundation for effective self-advocacy is a clear definition of billable time:

Billable time is time spent adding value to a matter that moves the case forward (however slight).

This value-based approach shifts focus from task categorization to value assessment.

B. Challenging Common Misconceptions About Billable Time

- Only direct work product is billable (ignoring preparation and analysis)
- Client-facing work is more billable than internal work (despite the essential value of internal collaboration)
- Quick tasks aren't billable (ignoring cumulative value)

- Administrative aspects aren't billable (despite their essential role in case management)
- Thinking time isn't billable (despite being among the highest-value services)

C. The Billing Bookends Framework

A powerful concept for capturing often-missed valuable time is the "billing bookends" framework — recognizing and billing for the essential work that happens before and after the main task:

Before-Task Bookends	After-Task Bookends
Evaluate the propriety of...	Evaluate appropriate follow-up response
Analyze appropriate response to...	Analyze and assess finalized work product
Strategize the legal implications of...	Strategize further handling in light of same
Assess outstanding issues regarding...	Identify next steps based on outcomes
Plan approach for handling...	Prepare recommendations regarding...

D. The Comprehensive View of Legal Value

Legal value extends far beyond the obvious work product:

- **Strategic Value:** The thinking, planning, analysis, and evaluation that shapes case direction
- **Procedural Value:** The organization, management, and coordination of case elements
- **Substantive Value:** The research, drafting, and review that creates work product
- **Relational Value:** The client communication, counseling, and responsive service

VI. MASTERING VALUE-FOCUSED BILLING NARRATIVES

A. The Four Components of Effective Billing Narratives

- **Action:** The verb describing what you did (analyze, evaluate, strategize, review)
- **Task:** What you performed the action on (motion, correspondence, research)
- **Value:** How this action/task benefited the case or client
- **Extra Value:** Additional justification or context for time spent

B. Transforming Task-Focused to Value-Focused Language

Task-Focused (Invites scrutiny)	Value-Focused (Justifies time)
'Review and summarize Acme Inc. background documentation.' (2.5 hours)	'Analyze and evaluate financial statements of Acme Inc. to identify potential legal and regulatory issues and strategize for handling of same.' (2.5 hours)

C. Practice Area-Specific Narrative Techniques

Document Review and Analysis

Vague: 'Review contract documents'

Value-Foc used: 'Analyze key provisions of purchase agreement to identify potential ambiguities that could expose client to post-closing liability'

Value-Foc used: 'Evaluate representations and warranties sections to ensure adequate protection of client interests and alignment with business objectives'

Transaction and Deal Management

Vague: 'Work on merger agreement'

Value-Foc used: 'Draft merger agreement provisions addressing regulatory approval requirements to ensure compliance with applicable regulations'

Value-Foc used: 'Negotiate key terms with counterparty counsel to enhance client's position and facilitate efficient closing'

Expert and Witness Preparation

Vague: 'Prep expert for deposition'

Value-Foc used: 'Prepare expert witness for deposition testimony to strengthen foundation for key opinions in anticipation of opposing counsel's challenges'

Motion Practice

Vague: 'Draft motion to dismiss'

Value-Foc used: 'Draft motion to dismiss addressing jurisdictional challenge to advance client's litigation objectives and preserve appellate rights'

Client Communications and Management

Vague: 'Prepare for client call'

Value-Foc used: 'Develop comprehensive case status update for client to manage expectations regarding litigation timeline and assessment of cost-benefit analysis'

Negotiation and Settlement

Vague: 'Settlement discussions'

Value-Foc used: 'Negotiate settlement terms with opposing counsel to advance client's business objectives and minimize post-litigation liability'

VII. LEVERAGING TECHNOLOGY FOR BETTER BILLING

A. Using AI to Create Better Billing Narratives

Artificial intelligence tools present a powerful solution for attorneys struggling with narrative creation. By combining the billing blueprint framework with AI, attorneys can quickly generate value-focused narratives that properly capture and justify their time. The approach involves uploading the billing blueprint and client guidelines to an AI platform, then using specific prompts to generate appropriate narratives.

B. Effective AI Prompts for Common Undervalued Activities

For Internal Office Communications:

Using the billing principles as reference, please generate a billing narrative for: A 30-minute discussion with a senior partner about strategy for responding to opposing counsel's motion to dismiss. We evaluated potential counterarguments and discussed which cases would be most persuasive to cite. Please avoid using terms like: 'confer,' 'discuss,' 'interoffice communication,' or 'meeting with [partner name].'

Sample Result: "Analyze and evaluate strategic options for opposition to motion to dismiss; identify and assess strength of potential counterarguments and relevant precedential authorities to maximize persuasive impact in forthcoming response brief."

For Research That Took Longer Than Expected:

Using the billing blueprint as reference, please generate a billing narrative for: Three hours spent researching a novel jurisdictional issue. The research was complex because there is limited precedent in our jurisdiction, requiring review of analogous cases in other jurisdictions.

Sample Result: "Analyze jurisdictional challenge presented in pending matter; evaluate limited existing precedent within jurisdiction and identify analogous authority from other jurisdictions to develop strategic response; assess applicability of external principles to present facts."

VIII. THE SOLUTION MODEL: TRANSFORMING YOUR MINDSET

A. Building a Self-Advocacy Mindset Model

The key to becoming a zealous advocate for your billable time is replacing problematic thought patterns with self-advocacy alternatives:

Circumstance:	Same billing scenario (e.g., 20-minute partner discussion)
Thought:	"How might this add value and move the case forward?"
Feeling:	Curious, open, confident
Action:	Find appropriate way to bill for the value provided
Result:	Captured billable time, properly valued work

B. Developing Effective Bridge Thoughts

Situation	Undermining Thought	Bridge Thought
Interoffice communication	"I can't bill for that"	"How can I describe the value added by this strategic discussion?"
Research that took longer	"This took too long, I should cut some time"	"How might this amount of time have been necessary to do this work properly?"
Client emails	"These are just quick emails"	"How are these communications moving the case forward?"
Strategizing/thinking time	"I was just thinking, not producing anything"	"How did this thinking time lead to better strategy for the client?"
Case organization	"This is just administrative work"	"How does this organization create efficiency and value for the client?"
Reviewing partner edits	"I'm just learning from the partner's changes"	"How does understanding these edits improve my work on this and future matters?"
Analyzing a new issue	"I had to spend time getting up to speed"	"How does my thorough understanding benefit the client's position?"

C. The "Bill Without Apology" Technique

- Acknowledge the apologetic impulse — Recognize the urge to discount or apologize for your time
- Bill unapologetically anyway — Enter the full time despite the discomfort, without qualification or discount

- Create evidence of unapologetic billing — By billing without apology, you demonstrate to yourself that your work deserves full compensation
- Build momentum of unapologetic advocacy — Each instance of billing without apology makes the next easier

D. The Anchoring Advantage Approach

The Anchoring Advantage technique uses cognitive psychology principles to improve focus and billing simultaneously:

- Draft your narrative before starting work using the four-part framework
- Use this narrative to prime and focus your work on specific valuable outcomes
- Update the narrative as needed based on actual work performed
- Contemporaneously enter your time as you complete the task

IX. BECOMING A LONG-TERM ADVOCATE FOR YOUR VALUE

A. Creating Sustained Self-Advocacy Habits

- **Identity-Based Approach:** See yourself as someone who values your professional time appropriately.
- **Environment Design:** Structure your physical and digital workspaces to support billing advocacy.
- **Social Reinforcement:** Build relationships with colleagues who respect and model appropriate self-advocacy.
- **Continuous Learning:** Regularly update and refine your billing practices based on experience and results.
- **Outcome Tracking:** Monitor and celebrate the financial and professional benefits of effective self-advocacy.

B. Client Education and Value Communication

- **Proactive Value Explanation:** Include brief value statements in regular client communications.
- **Education About Legal Processes:** Help clients understand the full spectrum of work required for effective representation.
- **Value-Based Reporting:** Structure status updates around value delivered rather than tasks completed.

C. Expanding Your Self-Advocacy Beyond Billing

- **Negotiating Compensation:** Apply value articulation skills to compensation discussions.
- **Business Development:** Communicate your distinctive value proposition to potential clients.
- **Leadership Advancement:** Effectively advocate for your contributions to the firm.

CONCLUSION: YOUR JOURNEY TO ZEALOUS SELF-ADVOCACY

Becoming a zealous advocate for your billable time represents one of the highest-leverage opportunities for improving both your financial results and professional satisfaction. By reclaiming just 30 minutes of previously unbilled time daily, you stand to gain over 125 hours of billable time annually — without working additional hours.

Beyond the financial impact, this transformation offers profound professional benefits: reduced stress from billing backlogs, enhanced client relationships through clearer value communication, and greater confidence in the worth of your services. Perhaps most importantly, it eliminates the need to work extra hours to compensate for unbilled time, creating space for greater work-life balance.

The journey begins with awareness — recognizing the specific patterns in your practice where you undervalue your work. It continues through mindset transformation — replacing limiting thoughts with empowering alternatives. And it culminates in systematic implementation — creating habits and systems that make effective self-advocacy automatic.

As you apply these strategies, remember that perfection isn't the goal; progress is. Each instance of billing appropriately for work you previously would have undervalued represents a victory — not just financially, but in professional self-worth and integrity.

Your time and expertise are valuable. You deserve to be compensated for all the value you provide to clients. By becoming a zealous advocate for your billable time, you can reclaim lost revenue while maintaining the highest standards of professional integrity.

You've got this!