

**A SURVEY OF FACTORS THAT INFLUENCE SERVICE DELIVERY IN LAW  
FIRMS IN NAIROBI, KENYA**

**BY**

**KIPTOO ANGELA JEBICHII**

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## DECLARATION

This research project is my original work and has not been submitted for a degree in any other university or any other award.

Name: KIPTOO ANGELA JEBICHII

REG. NO: D53/CTY/PT/20912/2010

Sign..........

Date: 3/12/12

### Declaration by the Supervisor

I confirm that the work reported in this research project was carried out by the candidate under my supervision.

Name: SHADRACK BETT

Sign..........

Date: 4/12/2012

### Declaration by the Chairperson

I confirm that this research project has been submitted with my approval as the Chairperson of the department.

Name:

Sign..........

Date..........

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## ABSTRACT

Quality of legal services needs to move to the forefront of the practice agenda practitioners in the legal industry. This study is therefore a survey of factors that affect service delivery in law firms in Nairobi, Kenya. The objectives of the study are: to find out how legal procedures influence service delivery of law firms in Nairobi, Kenya; to find out the effects of stakeholder relationships on service delivery in law firms in Nairobi, Kenya; to find out if availability of enough personnel to dispense with legal services influences service delivery of the law firms in Nairobi, Kenya; and to examine the competence of staff members of law firms in Nairobi and the effect of such competence on service delivery in the law firms. This study will help identify the loopholes in the current practice and open up discussions on this area as an integral part of cementing service delivery practices in the Kenyan legal industry.

The study relied on previous studies by other scholars and researchers to determine what has been done in this study area and also to identify gaps in those studies. The study used a descriptive research design, where a target population of 112 respondents was chosen and divided into strata. Stratified random sampling technique was used to sample the population. From each stratum, 20% of the respondents formed the sample size from which data was collected. Questionnaires were used to collect the data, which was then analyzed qualitatively and quantitatively.

The study concluded that indeed legislation or legal procedures, stakeholder relationships, availability of human resources and staff competence or training are essential factors that affect service delivery in law firms. It was however noted that legal procedures are often complicated and legislation conflicting. The study recommended that there is need for harmonization of legislation as well as simplification of legal procedures. The need for collaboration between law firms and stakeholders was also emphasized. Human resources are vital in the delivery of services and as such should be motivated and encouraged to bear the right attitude for effective service delivery. Finally, continuous training to employees concerned with service delivery was recommended to enhance quality.

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## LIST OF ABBREVIATIONS

ICJ	International Commission of Jurists
ICT	Information and Communication Technologies
KNBS	Kenya National Bureau of Statistics
LSK	Law Society of Kenya
TQM	Total Quality Management

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the Study

#### 1.1.1 Background of the Problem

Service delivery in organizations is a subject that has generated great interest in the current century and has thus been investigated extensively. A service can be defined as “any primary or complementary activity that does not directly produce a physical product—that is, the non goods part of the transaction between buyer (customer) and seller” (Virtual University of Pakistan, 2009).

Al Mansour (2007) has defined a service system as an integration of all the components involving a large number of individual employees working with the purpose to satisfy the varying needs of customers. According to him, meeting the multiple needs and conflicting priorities of such a wide base of customers can be a challenge in service industries, yet service systems need to be available to provide its service when the customer needs it. Indeed the customer is at the heart of service delivery. Studies have shown that the term service delivery is inextricably interlinked with quality (<http://www.scribd.com>),. In essence, therefore, the customer is the main focus of service delivery. On the other hand, quality, or the ability to meet the customers’ requirements, is vital in service delivery.

With a wide variety of meanings and connotations attached to quality, the term ‘quality’ has been deemed a difficult and elusive term to define, having thus been referred to as a “slippery concept” (Pfeffer and Coote, 1991). Magutu, et. al (2010) concede that the word quality implies different things to different people and it has thus been defined with different perspectives and orientations, according to the person, the measures applied and the context within which it is considered. They further state that amid the wide gamut of such definitions, there seems to be no consensus definition, but they all deal either with the product or the services producing these product or services. Despite the difficulty in definition, different scholars are agreed on the fact that one will know quality when it is seen. Johnson, 1991 (Cited in Dayisi, et. al., 2011) says, “Quality encompasses every aspect of your firm and is actually an emotional experience for the customer. Customers want to feel good about their purchases, to feel that they have gotten the best value. They want to know their money has

been well spent, and they take pride in their association with a company with a high quality image". According to Smith, 1991 (Cited in Dayisi, et. al., 2011), quality is "performance to the standard expected by the customer. The US Department of Defense defines quality as "doing the right thing the first time, always striving for improvement, and always satisfying the customers" Romano,1992 (also cited in Dayisi, et.al.,2011) on the other hand defines quality as meeting the customers' need the first time and every time. Quality has also been defined by Cole, et. al., 2001 (cited in Magutu, et. al., 2010) as the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs. Goetsch and Davis, 1997 (cited in Dayisi, et. al., 2011) assert that quality is a dynamic state associated with products, services, people, process and environments that meets or exceed expectations.

Cua, et.al. (2001) in their study concluded that there is a positive causal relationship between effective implementation of quality principles and organizational performance. Quality authorities like Joseph Juran (1950's); Edward Deming (1950's) and Philip Crosby (1980's) have put forth several approaches to improve company performance. These approaches are embodied in a set of quality management practices, known as Total Quality Management (TQM) (Magutu et.al, 2010). The definition of TQM has been summarized by Wiklund *et al.*, (2003) as a management approach of an organization, centered on quality, based on the participation of all its members and aiming at long run success through customer satisfaction and benefits to all members of the organization and to society (Magutu, et.al, 2010).

The traditional view is that quality is defined solely as meeting customer specifications. The total quality view is that quality means satisfying customer needs and exceeding customer expectations (Virtual University of Pakistan, 2009).

The concept of quality service delivery is however still novel and an emerging issue in the legal industry, particularly in Kenya. Law firms have for a long time been run in a strict sense as professional, as opposed to commercial, institutions. Hence such concepts as 'service delivery' have not really been at the fore. It is therefore imperative to find out factors that influence service delivery in the legal industry; hence this study, which is felt, will help determine how quality management can contribute to organizational financial performance and customer satisfaction in the legal sector. The paper is premised on the fact that quality in

service delivery leads to customer satisfaction, which will in turn result in strong relationship that will ensure customer loyalty and ultimately business profitability.

### **1.1.2 Background of the Study Area**

Law firms in Kenya comprise legal practitioners or advocates currently numbering nine thousand, four hundred and eighty (9,480), out of whom four thousand and eighty two (4,082) are currently licensed as practising advocates (LSK, 2012). By law, one must be a member of the Law Society of Kenya in order to practice as an advocate of the High Court of Kenya. There are currently five hundred and sixty three (563) law firms within Nairobi, Kenya (LSK, 2012). As per the 2009 population census conducted in Kenya, Nairobi has a population of 3,138,369 (KNBS, 2009) out of whom approximately 60% are within the active range, about a half of whom may at least require legal services at some point. That brings the average number of clients per law firm to around 863, which is too small a number for a law firm to run profitably, hence the intense competition amongst law firms as they are intent on getting and retaining as many clients as possible.

Law firms in Kenya, just as in every other part of the world, exist in different sizes, majorly small-sized, medium sized and large scale. According to New York lawyer Robinson, Irwin Jay (2002), a law firm, no matter what its size or prestige, may no longer be able to separate itself or insulate itself from the illegal or improper acts of its partners or lawyers even if only a small number of partners or lawyers are involved in such acts. As further enunciated by an American lawyer and author, Nagle, Barry (1999), bigger is not necessarily better: it is usually possible to find small-firm lawyers with expertise as good as or better than their large-firm competitors. A study conducted by Cua, et.al (2001) also concluded that capacity utilization and organizational size did not provide a significant explanation of organization performance. As also stated by MacKay, Karen (2004), client service issues are the absolute first priority; these issues comprise the external forces that influence law firm operations. Most firms must meet at least some minimum standard of client service. However, most firms also fail to define these standards. Client service standards vary by individual lawyer, by practice area and/or by office. Regardless of the variance, though, law firms absolutely must deliver on this issue of client service (MacKay, Karen, 2004). For purposes of this study, therefore, the various law firm sizes will not be differentiated for the reason that the quality of service expected of a law firm is standard across the categories, size notwithstanding.

Al Mansour (2007) noted that demand on service quality increases as the society becomes more advanced economically, matured culturally and knowledgeable educationally. This connotes the position in the legal industry which, in the last few years, has been undergoing radical accelerating change driven by globalization, competition, technology and changing client needs. There is also a major shift from the active legal service areas including finance, banking, insurance, corporate, property and litigation, to the emerging areas that include trans-continental mergers and acquisitions especially in such sectors as banking, insurance, telecommunications, energy, infrastructure and intellectual property. Law firms are progressively moving from the heretofore entrenched notion of being strictly professional organizations with the players being viewed as academic and theoretical, to that of being commercial or business-oriented organizations, in which time and money is expended.

It is therefore in realization and recognition of these sweeping changes that most law firms have recently moved to consider service delivery more seriously as a strategic measure that will not only ensure customer satisfaction but also sustainability and profitability in their legal practice. Law firms are also striving to carve a niche for themselves and maintain a sustainable competitive advantage. Ubilla Jaime, et. al (2000) states that although law firms must adapt to this growing trend, common principles and core values (such as trust, transparency and ethics) must be respected.

For that reason, the concept of Service delivery is now gaining relevance in legal practice. However, without the right infrastructure to deliver those services correctly, most law firms are bound to fail in their attempts at gaining a sustainable competitive advantage in practice. It is therefore felt that research should be done to determine factors that influence Kenyan law firms in service delivery.

## **1.2 Statement of the Problem**

The legal industry in the 21<sup>st</sup> Century has entered the new global market, which is characterized by rapid information change, intense information flows and increasing competition from both within and without law firms. Studies on Africa in general and other parts of the world have been carried out. Adekoya (2003), while examining the current state of the legal services market in Africa, noted that apart from litigation, where there is no competition from any other group, in all other aspects of legal services, there are other

professionals who are encroaching on the legal turf of lawyers. Adekoya (2003) made an example of estate surveyors who are hiring lawyers to carry out in-house conveyancing work, accountants giving taxation advice and providing business advisory and legal opinion services, while management consultants are providing immigration and government regulatory compliance services. As such the legal market is under attack and being encroached also by non-legally qualified persons and establishments, such that less and less work is becoming available to law firms, and more lawyers are joining the profession every year. In Kenya, therefore, the competition to retain market share and profitability is therefore fierce and practising law is becoming increasingly difficult and demanding.

Magutu, et.al (2010) concluded that the different background of each organization and differences originate from critical factors including: the degree of comprehensiveness of quality management practices throughout the organization, degree of employee involvement, time span of quality management programmes and the degree of completion of the programmes when reporting. McCulloch (1993) found out that the language of quality management needs to be carefully adopted.

Considering the huge public and private persons' reliance in the Kenyan legal industry for a plethora of legal services and the fact that quality in service delivery is critical in ensuring effectiveness and efficiency in law firms, there is an urgent need to examine the factors that affect delivery of quality services in Kenya. No such study has been done in Kenya and it is against this background that this study is being conducted, with the purpose of investigating the factors that influence service delivery in law firms in Nairobi, Kenya.

### **1.3 Research Objectives**

#### **1.3.1 Broad Objectives**

The study sought to find out the factors that influence service delivery in law firms in Nairobi, Kenya.

#### **1.3.2 Specific Objectives**

The study further sought to achieve the following specific objectives:

- (i) To find out how legal procedures influence service delivery of law firms in Nairobi, Kenya.

- (ii) To find out the effects of stakeholder relationships on service delivery in law firms in Nairobi, Kenya.
- (iii) To find how availability of skilled human resources to dispense with legal services influences service delivery of the law firms in Nairobi, Kenya.
- (iv) To examine the role of training and competence of staff members of law firms in Nairobi in service delivery.

#### **1.4 Research Questions**

The study sought to answer the following four research questions:-

- (i) How do legal procedures influence service delivery of law firms in Nairobi, Kenya?
- (ii) What are the effects of stakeholder relationships on service delivery in law firms in Nairobi, Kenya?
- (iii) How does the availability of skilled human resources to dispense with legal services influence service delivery in law firms in Nairobi, Kenya?
- (iv) What is the role of training and competence of staff members of law firms in Nairobi, in service delivery?

#### **1.5 Significance of the Study**

There is need for Quality in service delivery to be embraced by the law firms within the Kenyan legal industry. Any pursuits to this end would necessarily entail harmonization of the practices, relating to legal service provision. Quality in service delivery is very critical to this end. It is hoped that this study will help by way of in-depth analysis to identify the loopholes in the current practice and open up discussions on this area as an integral part of cementing legal practice within the country.

The findings and recommendations of this study should be helpful to the legal practitioners especially in improving service delivery. It will also benefit the law society (regulating body) in the country in policy formulation and in their bid to harmonize practice and ensure that it conforms to international standards of service delivery. For researchers and scholars, this will be a useful platform for not only sourcing information but also for drawing suggestions for further research.

## 1.6 Scope of the study

The study was limited to law firms within the Nairobi area in Kenya, where an investigation was conducted on factors affecting service delivery. The study reviewed the work of other scholars and researchers to determine what has been done previously in related areas. The study further defined the research design and target population out of which the sample size was obtained. The researcher also outlined the data collection method and analysis and finally presented a brief report on the summary of findings, answers to the research questions, conclusion and recommendations, and gave suggestions for further studies.



## CHAPTER TWO

### LITERATURE REVIEW

#### 2.1. Introduction to Literature Review

This chapter presents a review of literature related to the study. The material is drawn from diverse sources as presented by various researchers, scholars, analysts and authors. A number of factors are thought to affect the delivery of services in the legal industry, and those identified within the literature are presented within this review.

#### 2.2. Theoretical and Empirical Review

##### 2.2.1. Service Delivery

Because of the inseparability and intangibility features of service, customer service in service businesses is usually more important than in manufacturing businesses (Sachdev & Verma, 2004). Studies show that customer service and quality are inextricably interlinked. According to Scribd (<http://www.scribd.com>), there exists in each department, each office, each home, a series of customers, suppliers and customer supplier interfaces referred to as “the quality chains”, which can be broken at any point by one person or one piece of equipment not meeting the requirements of the customer, internal or external. They further state that failure to meet the requirements in any part of a quality chain has a way of multiplying, and failure in one part of the system creates problems elsewhere, leading to yet more failure and problems, and so the situation is exacerbated.

Various authors have provided different conceptualizations of service quality over time. According to Sachdev & Verma (2004), such conceptualizations include Gronroo’s (1984) three component structure – technical, functional and reputational quality; Lehtinen & Lehtinen’s (1982) three components – interactive, physical and corporate quality; Hedvall & Paltschik’s (1989) 2 dimensions – willingness and ability to serve; and physical and psychological access; Leblanc’s & Nguyen’s (1988) five components – corporate image, internal organization, physical support of the service producing system, staff/customer interaction and the level of customer satisfaction; Garvin’s (1988) nine components – performance, features, conformance, reliability, durability, service, response, aesthetics and reputation; Oliver & Rust’s (1994) three components - functional quality, technical quality and environmental quality; and Parasuraman, Zeithaml and Berry’s (1985;1988)

conceptualization of five components – tangibles, reliability, responsiveness, assurance and empathy, which eventually led to the development of SERVQUAL (Sachdev & Verma, 2004).

Parasuraman, Zeithaml & Berry (1985) developed the SERVQUAL model for comparing service performance with customer service quality needs. They concluded that customers ranked the importance of the SERVQUAL dimensions regardless of service industry; that the customer is frequently directly involved in the delivery of the service and as such introduces an unknown and unpredictable influence on the process. The customer also adds uncertainty to the process because it is often difficult to determine the exact requirements of the customer and what they regard as an acceptable standard of service. This problem is magnified by the fact that, standards are often judgmental, based on personal preferences or even mood, rather than on technical performance that can be measured (King, 1985). The SERVQUAL model (gap model) was therefore developed to ease comparison of service performance with customer service quality needs.

According to Brown and Bond (1995), "the gap model is one of the best received and most heuristically valuable contributions to the services literature". The model identifies seven key discrepancies or gaps relating to managerial perceptions of service quality, and tasks associated with service delivery to customers. According to ASI Quality Systems (1992), Curry (1999) and Luk & Layton (2002), the first six gaps (Gap 1 - Customers' expectations versus management perceptions; Gap 2 - Management perceptions versus service specifications; Gap 3 - Service specifications versus service delivery; Gap 4 - Service delivery versus external communication; Gap 6 - customer expectations versus employees' perceptions; and Gap 7 - employee's perceptions versus management perceptions) are identified as functions of the way in which service is delivered, whereas Gap 5 (customer expectations versus their perceptions of the service delivered) pertains to the customer and as such is considered to be the true measure of service quality. The Gap on which the SERVQUAL methodology has influence is Gap 5 (ASI Quality Systems, 1992; Curry, 1999 and Luk & Layton, 2002).

A service delivery model, developed by Sandeep Mehta (2012), identifies four key areas of service delivery: Customer, Resources, Project and Program. It further identifies nine sub

areas, through which the 4 key areas are interwoven, made up of Communication, Relationship, Identifying Problems / Providing Solutions, Planning, 24 x 7 Support, Technology, Implementation, Quality and Integration. According to Mehta, the model can be applied irrespective of industry and/or technology (Mehta, 2012).

### **Delivery of Legal Services**

According to Yarrow, G & Decker, D, (2010), there are differing views regarding the distinctiveness of legal services relative to other professional services. Some view such services as merely another area of specialist knowledge, while others attach a 'special' or elevated status to these services, as frequently dealing with matters that can have high importance for the consumer who is acquiring the service, as they address matters that may directly affect an individual's rights for instance inheritance, divorce and custody matters, property rights for instance house sales/purchases or business contracts and also liberty issues for instance various aspects of criminal law.

Despite consensus among various authors that service delivery dimensions apply similarly irrespective of organization (Parasuraman, Zeithaml & Berry, 1985;1988 ; Mehta, 2012), Yarrow, G & Decker, D (2010) have attempted to differentiate the legal profession from other organizations and professions. According to them, legal professionals occupy a unique and important role in society. Like some other professions they are required to apply specialized knowledge and skills in matters that are of considerable importance to individuals, to business and for the fabric of society more generally. There are, therefore, a multitude of reasons why a society may want to ensure that those entrusted with the relevant responsibilities, and whose work can directly affect aspects of an individual's rights, property and liberty, operate within an appropriate framework of accountability and supervision. Yarrow, G & Decker, D (2010) nonetheless recognize that the potential magnitude of the adverse effects of legal services being improperly provided (for example, in the economic sense of quality of service being poor), along with the need for legal services to contribute to a stable, authoritative, broader legal system, may be held to give a special complexion to legal services, as compared with other professional services.

A research carried out by an American Law Firm, McKenna (2006), concluded that clients want advisers who understand their business, who deliver on time, on budget, and "remove

themselves from the fence.” The research findings show that clients want their lawyers to be as commercially focused as they are. They also demonstrate that law firms have been complacent about service. McKenna (2006) found these findings consistent with the conclusions reached by other recent research carried out in the legal services industry : research by Winmark Limited (2006) which showed that there are many ways in which law firms can unintentionally undermine even the strongest of client relationships; and research by Nisus Consulting (2006) which showed that, although law firms have made efforts to focus on client service in recent years, they have yet to close the yawning gap between performance and client demand.

McKenna (2006) has therefore identified what it refers to as the “10 core elements of service” These are factors that the law firm measures itself against, and are in fact capable of replication by other law firms. The 10 core elements are identified as (1) Responding to clients’ needs quickly and effectively; (2) Talking to clients proactively about legal issues affecting their business; (3) Giving advice in the context of the client’s commercial objectives; (4) Problem solving ability; (5) The accessibility and availability of the team; (6) Working constructively with the team; (7) Managing the work overall; (8) Providing value for the fees paid; (9) Being clear about fees so that there are no surprises; and (10) Clients’ overall satisfaction with the law firm.

### **2.2.2. Legal Procedures/Legislation**

The word ‘regulation’ is often used loosely and imprecisely to refer, in some cases, to private or self-regulation by the profession, and at other times to public or government regulation of the profession, including independent and statutory regulation (Simmons, 1997). Self regulation is ordinarily by the Law Society of Kenya, while government regulation is through the Judiciary. There is also an array of legislative instruments that are intended to regulate professional conduct. These comprise both principal and subsidiary legislations, the principal one being the Constitution, and other statutes which include The Advocates’ Act (Chapter 16 of the Laws of Kenya) Law Society of Kenya Act (Chapter 18 of the Laws of Kenya), The Advocates’ (Admission and Practising Certificates) Regulations, The Advocates (Disciplinary and other Proceedings) Rules, The Advocates (Accounts) Regulations, The Advocates (Professional Requirements) Regulations, The Advocates (Remuneration and Taxation of Costs) Rules and the Rules of Professional Conduct and Etiquette.

The totality of these statutory regulations are aimed to control, guide or influence the conduct of individual advocates so as to protect the legal profession by promoting confidence among the clients who expect legal services (Lugaziya,2010). In a paper titled the “Role of an Advocate in a Changing World,” the author argues that as society becomes more complex, there has been an increasing burden on the role of a lawyer because the interactions in the society have created relations that demand regulation through the instrumentality of law. Law establishes and protects society by setting the standards of conduct, the corresponding duties, and the consequences for breach of those duties and standards by either individuals or institutions or both (cited in Lumumba, 2005).

To foster service delivery, the above legislative instruments enjoin Advocates to enforce the law and observe a high standard of conduct, adhere to, and practice law, by maintaining the values of their profession which will lead to the integrity and respect for the Advocates. As noted by Lugaziya (2010), advocates practice in Courts. If they are not respected, the Courts where they practice cannot be respected either, and that spells doom for the judicial system.

Recent Kenyan legislation has also recognized quality service as a consumer’s right. Article 46 (1) (a) of the Constitution (2010) protects consumer rights by providing that Consumers have the right to goods and services of reasonable quality. There has also, for a long time, been a legislative prohibition of the advertisement of legal services by advocates Kenya on the ground that as a result of advertising, the quality of service will suffer as it will lead to cut throat competition where profit will be the dominant objective and therefore service to the client and the cause of justice will be diminished (High Court Petition No. 126 of 2011). Whereas advertising of legal services has in many other jurisdictions been allowed as a strategy to improve competitiveness and increase levels of service delivery - Simmons (1997), - the same has only very recently been allowed in Kenya, (High Court Petition No. 126 of 2011) hence it remains to be seen how well the practice will fair in terms of improvement of service delivery.

Legal procedures, in particular the existence of very technical rules of procedure coupled with the delay in disposal of cases and outright denial of justice, all point to corruption, which is a great enemy of justice and efficient service delivery. Corruption has become one of the major in-roads to quality justice delivery, and without curbing the improper judicial

behaviour, corruption will continue to eat into our legal system, and the courts, rather than being the citadels of justice, will become its grave (Lugaziya, 2010).

Lugaziya (2010) quotes a 1996 Tanzanian Presidential Commission a report on the state of the Tanzanian legal profession which, quite similar to the Kenyan situation, read: “Within the legal profession in Tanzania, corruption has reached endemic proportions. It poses a remarkable threat to the rule of law, as well as to the independence of the judiciary. Corruption is a conduct or practice that can flagrantly be done by any person being a civilian or an official, including an Advocate. This leads to the violation of the existing rules, regulations, procedures and laws for the purpose of realization of personal or group gains or benefits. This must be urged to stop for the betterment of the judicial system and the public.” In spite of the above warning, corruption has not, but increased, with chaos being experienced in court registries, as those advocates who can pay “facilitation fee” are the ones who get “assistance”.

Indeed, as the International Commission of Jurists, Kenyan Chapter has noted, (ICJ- Kenya, 2010), the Kenyan judiciary has for a long time been dogged by such problems as chronic case backlog, rampant corruption and inept personnel. It has also been accused of failing to meet the basic internationally accepted standards insofar as judicial independence, efficiency and accountability are concerned. (ICJ-Kenya, 2010) further notes that the frequent shifting of Magistrates and Judges from one station to another has added to the impasse. These problems have led to the virtual collapse of the judicial system, which in turn has had serious implications on access to justice by majority of the citizenry.

The ICJ-Kenya (2010) sees the passing of a new Constitution as a grand opportunity towards achieving real and sustainable reforms in the judiciary just as in the other key institutions of governance. It is hoped that full implementation of the Constitutional Order will aid in addressing some of the inherent challenges, hence promoting the enhancement of service delivery in the legal profession.

### **2.2.3. Stakeholder Relationships**

The scholars who have written on this topic do not appear to have consensus on how to define a stakeholder. In an internal Memo report from the Stanford Research Institute (which

appears to be the originator of the term “stakeholder” according to Freeman) they defined stakeholders as “those groups without whose support the organization would cease to exist” (Freeman, 1984). Freeman (1984) referred to stakeholders as “any group or individual affected or is affected by the achievement of the organization objectives” However, in his 2004 publication, Freeman redefines the earlier definition to refer to stakeholders as “those groups who are vital to the success and survival of the organization” (Freeman, 2004)

Clarkson (1995) distinguishes stakeholders as primary and secondary, based on how vital the interdependence between the firm and the stakeholder is to the survival of the firm. Primary stakeholders are those “without whose continuing participation the corporation cannot survive as a going concern”. Secondary stakeholders are not as vital, but nevertheless have a role to play. Friedman (2006) lists the main stakeholders of the organization as customers, employees, local communities, suppliers and distributors and shareholders. He states that there are other groups who are also stakeholders, but to a lesser degree. These include the media, the public in general, business partners, future generations, past generations (founders of organizations), academics, competitors, non-governmental organizations, trade unions and trade associations. Managers are treated differently in the literature. Some regard them as stakeholders; others embody them in the organization’s actions and responsibilities. Aoki (1984) referred to managers as referees between investors and employees.

A leading edge thinker of his era. Rhenman<sup>2</sup> designates “the individuals and groups which depend on the company for the realization of their personal [and, presumably, group] goals and on whom the company is dependant” as stakeholders (Freeman, 1984, p. 41). The stakeholders of a firm are viewed as being a critical factor to the survival of the organization. According to Friedman (2006), the concept is about how the organization should be and how it should be conceptualized. He states that the organization should be thought of as “a grouping of stakeholders” and its purpose should be to manage the interests, needs and viewpoints of the stakeholders. Managers must manage the organization for the benefit of the stakeholders, ensuring that their rights are taken care of and that they participate in decision making processes. The scholar argues that this is critical to the long term survival of the corporation. In a broader view, the concept of stakeholder view can be expressed in the sense that the role and purpose of the organization is not anymore guided by profit making and maximization of shareholders’ wealth; but also to defend an image and values respecting

the special relationships that arise and develop between it and all its stakeholders (Friedman, 2006).

In 'The Stakeholder Strategy', Svendsen (1998) investigates firms which are building collaborative stakeholder relationships as part of their business strategy, for instance Wal-Mart, Marks and Spencer, Saturn, BankBoston and British Telecom to BC Hydro, Motoman Inc., Stillwater Technologies, and Van City Credit Union. She demonstrates how managements across the world are continuing to develop and implement their strategies by developing collaborative relationships with the stakeholders in their firms. Svendsen (1998) concludes that in an increasingly volatile world, "the ability to balance the interests of all stakeholders will be a defining characteristic of successful companies in the next decade. This is not to say that companies will be able to satisfy everyone's interests all the time. However, companies that have a strong set of values and that can communicate their business goals clearly will maintain stakeholders support when the results are not in their favor."

The interests of these various stakeholders should be considered by an organisation because their reactions to the actions or non actions of a firm can put it on a collision with the interest of the firm resulting to environmental turbulence and therefore threaten the survival of a firm. Managers must formulate and implement processes which satisfy all and only those groups who have a stake in the business by ensuring that their interest and relationships are integrated in the firm's processes to guarantee long-term success of a firm.

The customer has been shown to be the focus of every organization insofar as service delivery is concerned (Parasuraman et.al., 1985; Romano, 1992; Dayisi, et.al., 2011) hence the major stakeholder in any organization. Other stakeholders and players in the Kenyan legal sector are progressively embracing the importance of quality in service delivery. The Law Society of Kenya, which exists to, among others protect the public through the regulation of the practice of law, and to serve as a professional association to support the professional development of its members has appreciated the need to strive to exercise leadership by providing services that help its members (legal practitioners) understand and meet standards of competency, civility and professionalism, and ensure that the highest quality of legal services are provided to the public (LSK Strategic Plan 2007-2012).



Worthy of note is also the government as one of the major stakeholders in law firms. The government at all levels has a constitutional responsibility for ensuring the right of access to justice and the right of every citizen to be treated equally before the law (Constitution of Kenya, 2010). Government institutions that are major players in law firm businesses include, but are not limited to, the Judiciary, Parliament, Police, the executive through the Ministry of Justice and Constitutional Affairs to ensure access to justice for all, Kenya Anti-Corruption Commission and the Kenya Law Reform Commission. The existing stakeholder relationship ranges from issues of taxation, legal existence, speedy and competent resolution of cases by the judiciary, to issues of policy. Findings by the ICJ (2010), however, show that lack of staff; insufficient financial means; lack of database to facilitate planning, monitoring and evaluation; lack of motivation among staff due to low salaries, job instability and high work load; and means of transport and communication for supervision of activities are the most pressing factors limiting effective performance in the judiciary. Given the great dependence by advocates on the judiciary in discharge of their day-to-day responsibilities, the lack of efficiency in the judiciary is therefore a drawback to efficient service delivery by law firms. To reinforce the quest for efficient service delivery in law firms, ICJ-Kenya (2010) suggests that it is incumbent upon the Kenyan judiciary to enhance, among others, speedy settlement of cases and elimination of backlog, use of ICT and automation of the Courts, improved access to justice, Judicial training and Continuing legal education, research support for judges and a comprehensive Judicial Code of Ethics.

#### **2.2.4. Availability of Human Resources**

Human resources, or people, are quite important in any organization more so, if they are matched to the strategic and operational needs of the organization and are fully utilized. It is these people who invariably implement the strategic plan (Armstrong, 2009). It is therefore important that an organization not only obtains and keeps the number and quality of staff required but also selects and promotes people who fit the culture and the strategic requirements of the organization. That notwithstanding, an argument has further been advanced in Armstrong, (2009) that matching resources to organizational requirements does not simply mean maintaining the status quo and perpetuating a moribund culture. It can and often does mean radical changes in thinking about the competencies required in the future to achieve sustainable growth and to achieve cultural change.

Armstrong (2009) further states that human resourcing policies should address two fundamental questions, firstly, what kind of people do we need to compete effectively, now and in the foreseeable future?; and secondly, what do we have to do to attract, develop and keep these people? The integration of business and resourcing strategies is based on an understanding of the direction in which the organization is going and of the resulting human resource needs. It encompasses understanding (1) the numbers required in relation to projected activity levels; (2) skills required on the basis of technological and product/market developments; (3) strategies to enhance quality or reduce costs; (4) the impact of organizational restructuring as a result of rationalization, decentralization, delayering, mergers, product or market development, or the introduction of new technology; and (5) plans for changing the culture of the organization in such areas as ability to deliver, performance standards, quality, customer service, team working and flexibility which indicate the need for people with different attitudes, beliefs and personal characteristics.

The identification and interpretation of people requirements calls for human resource planning. According to Quinn (1983) (cited in Armstrong, 2009), human resource planning is 'a decision-making process that combines three important activities: (1) identifying and acquiring the right number of people with the proper skills, (2) motivating them to achieve high performance, and (3) creating interactive links between business objectives and people-planning activities'. Armstrong (2009) states that human resource planning involves not only quantitative analysis in order to ensure that the right number of the right sort of people are available when needed, but also with ensuring the availability of people with the right type of attitudes and motivation who are committed to the organization and engaged in their work, and behave accordingly. It is based on assessments of the requirement for these qualities, and measurements of the extent to which they exist, by the use of staff surveys, the analysis of the outcomes of performance management reviews and opinions generated by focus groups. These assessments and analyses, according to Armstrong (2009), can result in plans for improving the work environment, providing opportunities to develop skills and careers and adopting a 'total reward' approach which focuses on non-financial 'relational' rewards as well as the financial 'transactional' rewards. They can also lead to the creation of a high commitment management strategy which incorporates such approaches as creating functional flexibility, designing jobs to provide intrinsic motivation, emphasizing team working, de-emphasizing hierarchies and status differentials, increasing employment security, rewarding

people on the basis of organizational performance, and enacting organization-specific values and a culture that bind the organization together and give it focus.

To improve customer service in an organization, it is imperative that employees are empowered. Empowerment is the act of allowing an individual or team the right and flexibility to make decisions and initiate action. Speed is a critical necessity for success in today's competitive, global market place. One way to enhance speed and responsiveness is to force or allow decisions to be made whenever possible at the lowest level in organizations. Customers identify themselves with efficiency and speed and that's the essence of empowerment.

Mckenna (2006), in stating the importance of having the right people in a law firm, stated that clients' relationship with the firm is often based on the confidence that they have in a handful of individuals. Therefore, matching the right lawyers to appropriate tasks is fundamental to delivering value to the client and the lawyers must have suitable experience and skills. It further states that over-resourcing will affect the client's bill, while under-resourcing will put strain on the entire process, and both reflect badly on the law firm.

### **2.2.5. Training**

Training involves the use of formal processes to impart knowledge and help people to acquire the skills necessary for them to perform their jobs satisfactorily (Armstrong, 2009). According to Armstrong and Baron (2002), people and their collective skills, abilities and experience, coupled with their ability to deploy these in the interests of the employing organization, are now recognized as making a significant contribution to organizational success and as constituting a significant source of competitive advantage (cited in Armstrong, 2009). On the other hand, Oakland (1989) (cited in Priporas & Psychogios, 2007) states that training is the single most significant component in trying to improve quality. Oakland (1989) points out that "quality training must be continuous to meet not only changes in technology, but also changes involving the environment in which an organization operates, its structure, and perhaps most important of all the people who work there" (p.46).

It is universally accepted that a massive dose of training is needed to infuse quality-related improvement ideas in all disciplines. An important aspect of perfecting the art of providing

exceptional customer service experiences is the level of training that is imparted to the employees. Effective training and exceptional customer service experiences actually go hand in hand; both being imperative and complimentary to each other. Effective training modules serve as an important tool enabling the service delivery team in delivering exceptional customer service experiences day in day out which alternatively ensures customers loyalties towards the business (cited in <http://ezinearticles.com>). Individuals must be motivated to learn. They should be aware that their present level of knowledge, skill or competence, or their existing attitude or behaviour, need to be developed or improved if they are to perform their work to their own and to others' satisfaction (Armstrong, 2009) (p.554). Indeed, as observed by Heinemann and Judge (2003), quality organizations require that employees demonstrate customer-service skills, self-direction, development and team-development skills. Focusing on the customer is part of a process that leads to continued improvement in the organization, which in turn results in customer satisfaction and then retention. (Cited in Dayisi, et. al., 2011)

Similarly, law firms have to provide personnel who have the necessary skills to efficiently control a matter from beginning to end. There is need to develop lawyers to have a comprehensive range of skills to meet their clients' varying needs. The range of skills therefore needs not only be academic or case- specific; it should be such as to bring out an all-rounded person. McKenna (2006) observes that law firms need to go beyond simply satisfying their minimum contractual obligations; they need to remain focused on the client even after the end of the transaction. They also need to understand what relationship management entails - it's about putting the needs of the client first. They further state that law firms need to have the flexibility to give each individual client the service they require and that above all, law firms need to produce senior lawyers adept in the skills of relationship management. In that vein, McKenna (2006) has established a training programme known as 'Excel' which is designed to imbue its junior lawyers with the skills to deliver proper client care. The topics covered in the programme include planning, personal development, understanding the law firm's business, interpreting financial information, finance for lawyers, building competitive advantage through people, project management and business development. The company must establish procedures for identifying the training needs and for providing such training. It is necessary that the nature of training given should be adapted

to the requirements of the labour market and the specific needs of the industry for which the training was intended.

### **2.3. Critical Review of Major Issues**

This chapter has sought to analyze some critical issues surrounding service delivery in the legal industry. The chapter has noted that quality in service delivery is quite essential law firms as it is in any other commercial organization. Innovation and efficiency are increasingly key characteristics of successful law practices. They have become necessary for survival (MacKay,2004). While most law firms profess commitment to the delivery of quality legal services, they fall short in practice. As reflected in some studies that this chapter has sought to delve into, it is clear that the legal profession not only in Kenya but in various other countries across the world, has not matched rhetoric with action. A number of factors have been shown to contribute to this. First is the fact that the legal procedures in place are not only cumbersome but also muddled with corruption. Secondly, there is lack of a collaborative approach between law firms and their various stakeholders, especially the judiciary, in provision of legal services. The availability of an adequate number of personnel to effectively and efficiently render services in law firms cannot be overemphasized. However, numbers alone may not necessarily lead to the desired changes in legal services and outcomes. It needs high levels of concern, commitment and competence among the personnel responsible for the management and delivery of legal services. The changes in the legal profession also call for development of new competencies and skills among all personnel. This can best be achieved through continuous training programmes.

### **2.4. Summary of Gaps to be filled by the Study**

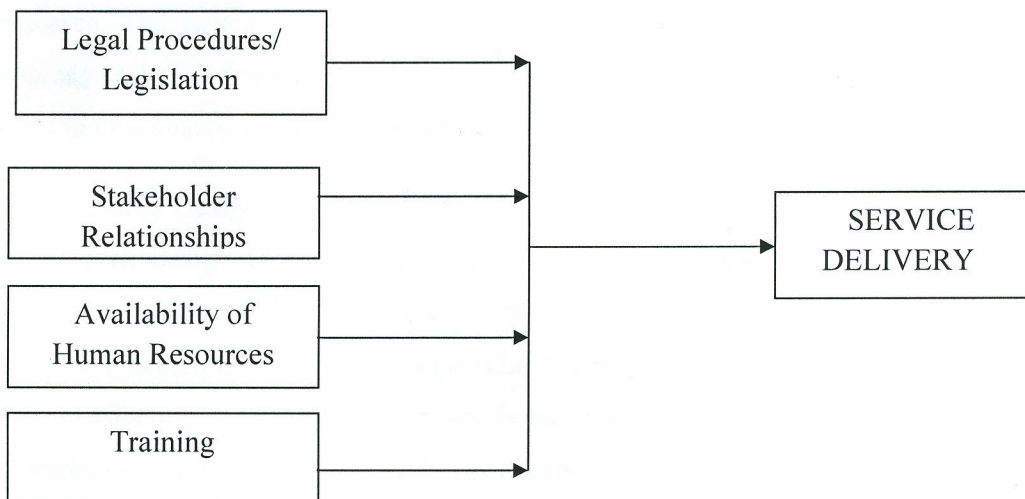
Research shows that there is a gap between the level of client service that law firms should be offering, and that which they actually attain. In an increasingly competitive legal market, client service is becoming an area in which law firms compete. The discrepancy between expectation and reality actually presents an opportunity for pioneering firms to differentiate themselves from the herd – by rising to the challenge and bridging the gap. While the existing literature points to the deep impact that such factors as legislation, staff training, availability of personnel and stakeholder relationships on service delivery in organizations and law firms generally, there is nonetheless a scarcity of research on these aspects of service delivery in the legal industry in Kenya. To address this gap in the literature, this particular study is

conducted to specifically explore the factors that influence service delivery in Kenyan law firms, the spotlight being on law firms within the Nairobi region.

## 2.5. The Conceptual Framework

### Independent Variables

### Dependent Variable



**Figure 1: Conceptual Framework of Service Delivery in Law Firms**  
(Source: Author, 2012)

As Figure 3 (conceptual framework) shows, legal procedures or legislation, stakeholders, availability of staff and staff competence or training shape the legal industry in service delivery. The result of this relationship is quality or effective service delivery coupled with customer satisfaction. This study therefore advocates for the fact that in discharging service to clients, law firms must effectively manage quality and efficiency by ensuring that all the four components function effectively.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1. Introduction

According to Kothari (2003), research methodology gives details regarding procedures used in conducting the study. It includes all techniques, methods and procedures adopted in the research. The issues described in this chapter include the study design, target population, sources of data, a description of instruments or tools used to collect data, the techniques to be used in data analysis and the expected output.

#### 3.2 Study Design

A research design is a specific plan for studying the research problem. It contains the blueprint for the collection, measurement and analysis of data (Mutai, 2000). This study adopted a descriptive research design. The descriptive design was applied to investigate the factors affecting service delivery in law firms situate in Nairobi, Kenya. Descriptive research determines and reports the ways things are (Kothari, 2003). This design is used in surveys that require a natural setup without manipulation of the environment. It was therefore found to be appropriate in this case because the study involves fact finding and enquiries to describe the service delivery situation in law firms in Nairobi.

#### 3.3 Target Population

The target population of this study was law firms located in Nairobi, Kenya. According to the Law Society of Kenya, there are 563 law firms carrying on business in Nairobi. The composition of the population is tabulated as follows: -

**Table 3.1 Target Population**

Years of Existence	Population Frequency	Percentage %
0-5 years	140	24.87
6-10 years	172	30.55
Over 10 years	251	44.58
Total	563	100

(Source: Author, 2012)

### 3.4 Sample Design

Stratified Sampling was applied to obtain data from the population. This is a probability sampling technique involving the division of the survey universe into sub-populations called ‘strata’, which are then sampled independently (Mutai, 2000). Stratified sampling ensures greater statistical precision while giving a fair representation of the entire population that satisfies the requirement for efficiency, representativeness, reliability and flexibility.

The population was grouped into three strata with population sizes of 140, 172 and 251 respectively. The sample size of each stratum was proportionate to the population size of the stratum when viewed against the entire population. This means that the each stratum had the same sampling ratio. In this survey, a sampling ratio of 20% was used. The researcher then randomly sampled 28, 34 and 50 subjects from each stratum respectively. The sample size is tabulated as follows: -

**Table 3.1 Sample size**

<b>Years of Existence</b>	<b>Population Frequency</b>	<b>Sample Ratio/Percentage</b>	<b>Sample size</b>
0-5 years	140	20%	28
6-10 years	172	20%	34
Over 10 years	251	20%	50
Total	563	20%	112

(Source: Author, 2012)

### 3.5 Data Collection Procedures and Instruments

The survey applied self-administered questionnaires as the main approach to data collection. In a book titled “*Research Methods*” by the Virtual University of Pakistan (2006), a questionnaire consists of a set of questions presented to a respondent for answers. The respondents read the questions, interpret what is expected and then write down the answers themselves. Each item in the questionnaire was developed to address a specific objective or research question. The factors that were tested were derived from literature related to legal services and service quality in general. A combination of closed-ended, or structured, and open-ended or unstructured questions were used. According to the Virtual University of



Pakistan (2006), closed-ended questions include all possible answers or prewritten response categories, and respondents are asked to choose among them. Unstructured questions are questions which give the respondent complete freedom of response and the researcher does not have to come up with appropriate response categories allow respondents to answer in their own words. They do not contain boxes to tick but instead leaves a blank section for the respondent to write in an answer. They permit a greater depth of response. These procedures enabled the researcher get in- depth qualitative information from the questionnaires within the shortest time possible.

### **3.6 Data Analysis**

Data was analyzed both quantitatively and qualitatively. Quantitative data analysis was done through descriptive statistics by creation of tables and percentages, presentation by use of charts and graphs and interpretation. Qualitative data was analyzed through content analysis based on the information derived from open-ended questions, and presented through narratives.

### **3.7 Limitations of the Study**

The successful completion of the study was met by a few challenges. The researcher was suspected of collecting information so as to pass it on to competitors. However, the researcher assured the respondents that the information would be used purely for academic purposes and that utmost confidentiality would be upheld.

There was also lack of co-operation from some respondents demonstrated not only by failing to return the duly filled questionnaires but also, for those who returned questionnaires, giving limited information. The researcher nevertheless informed the respondents the importance of the study and the fact that they were in fact amongst the beneficiaries.

## CHAPTER FOUR

### DATA ANALYSIS, PRESENTATION AND INTERPRETATION

#### 4.1. Introduction

This chapter analyses the data that was collected from respondents. Analysis has been done in frequency tables and percentages, presented in graphs and charts, and interpreted. Analysis is both qualitative and quantitative. Quantitative analysis has been done to the closed-ended questions by creation of frequency tables and percentages. The data is presented in graphs and interpreted. Qualitative analysis has been done to analyse information collected in open-ended questions.

#### 4.2 Presentation of Findings

##### 4.2.1 Response Rate

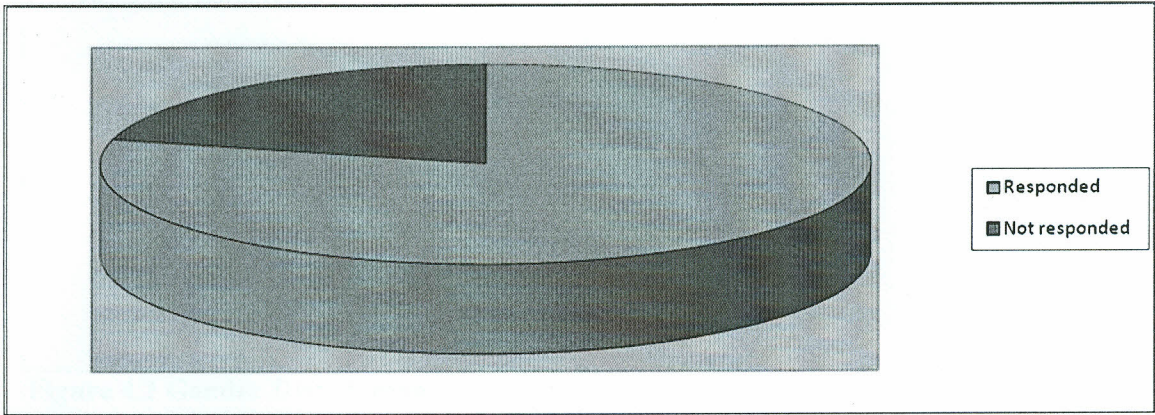
The response rate was as follows:-

The data was collected using questionnaires and with reference to specific objectives of the study. The researcher prepared and issued out 112 questionnaires to the respondents. However, 24 questionnaires were not responded to. Therefore, the study analysed 88 questionnaires.

**Table 4.1 Response Rate**

Categories	Frequencies	Percentage
Responded	88	79
Not responded	24	21
<b>Total</b>	112	100

**Source: Author (2012)**



**Figure 4.1 Response Rate**

**Source: Author (2012)**

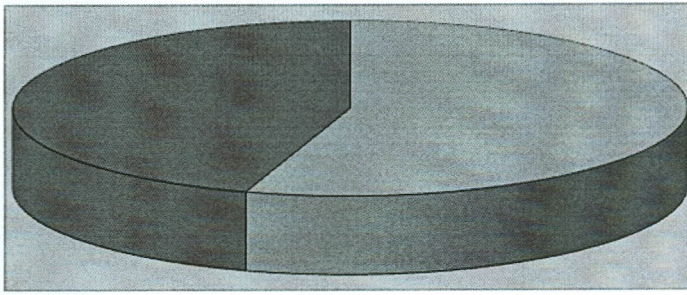
From the table and figure above, it is evident that 79% questionnaires have been analysed, while 21% of the questionnaires were not responded to.

#### **4.2.2 Gender Distribution**

**Table 4.2 Gender Distribution**

<b>Categories</b>	<b>Frequencies</b>	<b>Percentage</b>
Male	48	55
Female	40	45
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 4.2 Gender Distribution**

**Source: Author (2012)**

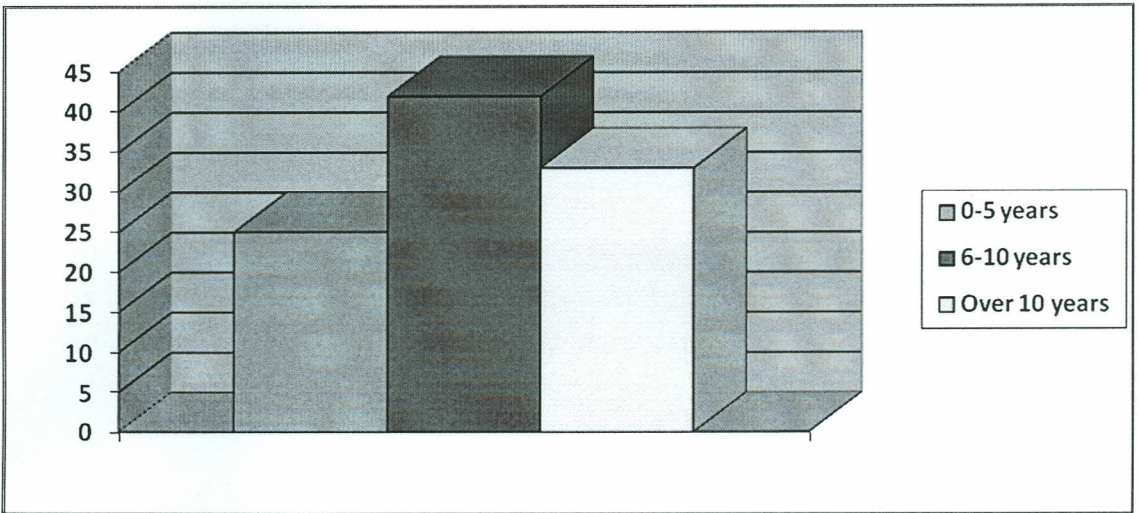
From the table and figure above, the study realized a slightly higher response rate from respondents of the male gender than those of the female gender. Female respondents were at 45% & while male respondents were at 55%.

#### **4.2.3 Years of Existence of the firm**

**Table 4.3 Years of Existence of the firm**

<b>Categories</b>	<b>Frequencies</b>	<b>Percentage</b>
0-5 years	22	25
6-10 years	37	42
Over 10 years	29	33
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 2.3 Years of Existence of the Firm**

**Source: Author (2012)**

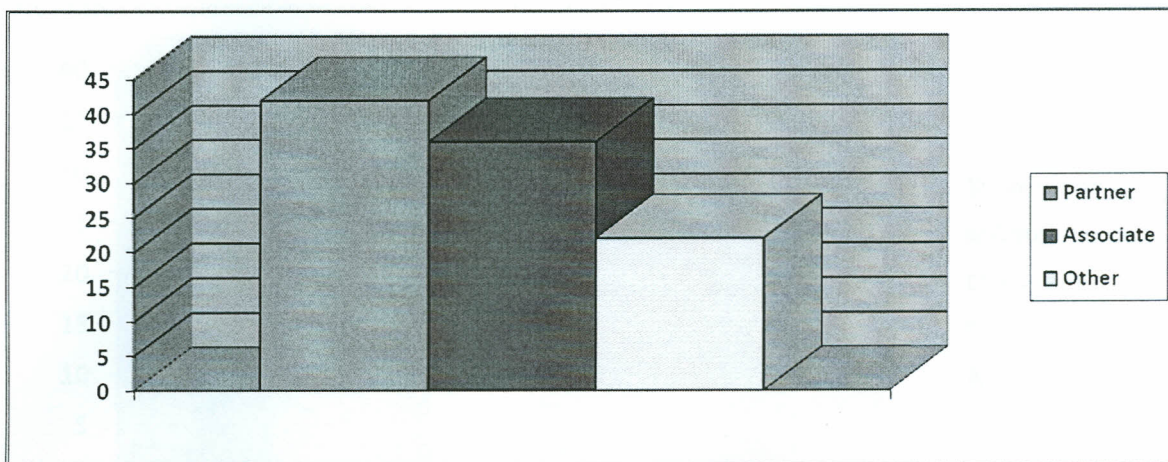
From the table and figure above, the study realized a response rate of 25% from law firms that had 0-5 years of existence, 42% from law firms of 6-10 years of existence and 33% from law firms of over 10 years' existence.

#### 4.2.4 Years of Service in the firm

**Table 4.4 Years of Service in the firm**

Categories	Frequencies	Percentage
0-5 years	29	33
6-10 years	35	40
Over 10 years	24	27
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 4.5 Position in the Firm**

**Source: Author (2012)**

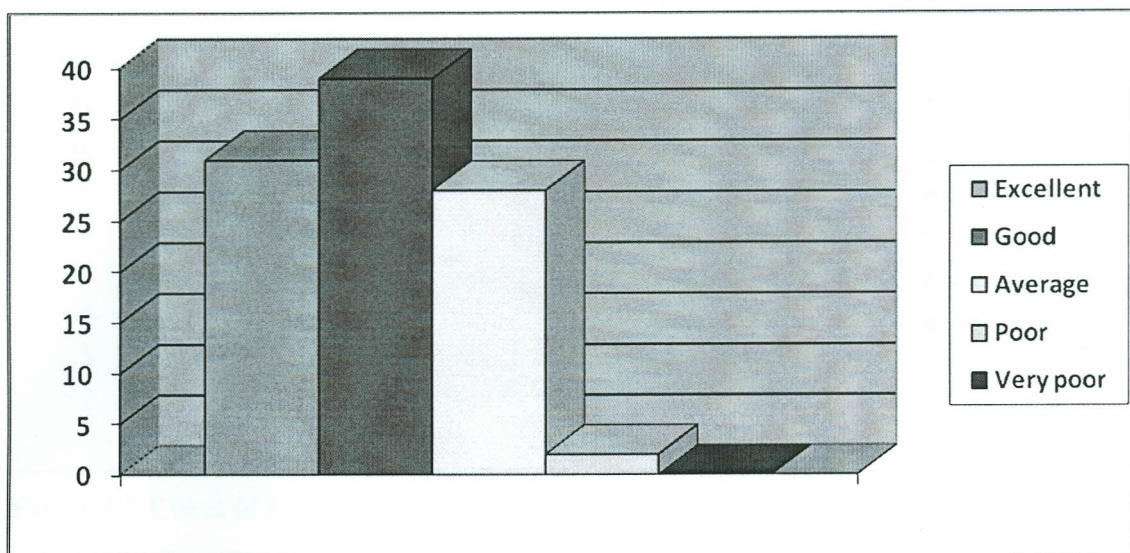
From the table and figure above, 42% of the respondents were partners in their law firms, 36% were associates and 22% represented others. Those in the ‘Others’ category constituted pupils and paralegal staff in the law firms.

#### 4.2.6 Service Delivery

**Table 4.6 Rating of Quality of Legal Services in Law Firms in Nairobi**

Categories	Frequencies	Percentage
Excellent	27	31
Good	34	39
Average	25	28
Poor	2	2
Very poor	0	0
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 4.6 Rating of Quality of Legal Services in Law Firms in Nairobi**

Source: Author (2012)

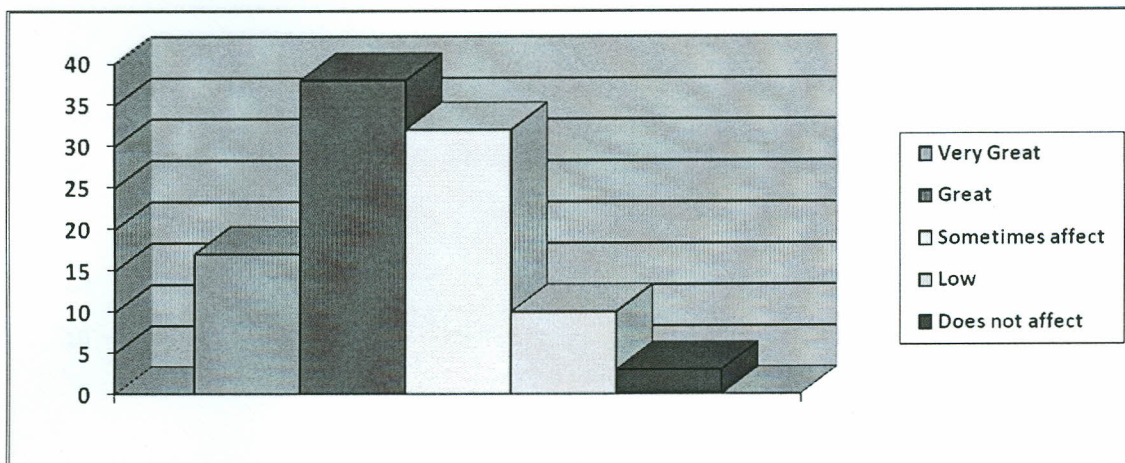
From the table and figure above, the study revealed that 31% of the respondents rated the quality of legal services rendered by law firms in Nairobi as excellent. 39% of the respondents rated it as good, 28% average and 2% poor. No respondent considered the quality of services very poor.

#### 4.2.7 Legislation/Legal procedures

**Table 4.7 Effect of Legislation/Legal Procedure on Service Delivery**

Categories	Frequencies	Percentage
Very Great	15	17
Great	33	38
Sometimes affect	28	32
Low	9	10
Does not affect	3	3
<b>Total</b>	<b>88</b>	<b>100</b>

Source: Author (2012)



**Figure 4.7 Effect of Legislation/Legal Procedure on Service Delivery**

**Source: Author (2012)**

From the table and figure above, the study revealed that 17% of the respondents rated the effect of legislation on service delivery in law firms as very great. 38% of the respondents said it is great, while 32% said that legislation sometimes affects service delivery and sometimes does not. On the other hand, 10% of the respondents were of the view that the effect of legislation is low, while 3% were of the view that legislation does not affect service delivery in law firms.

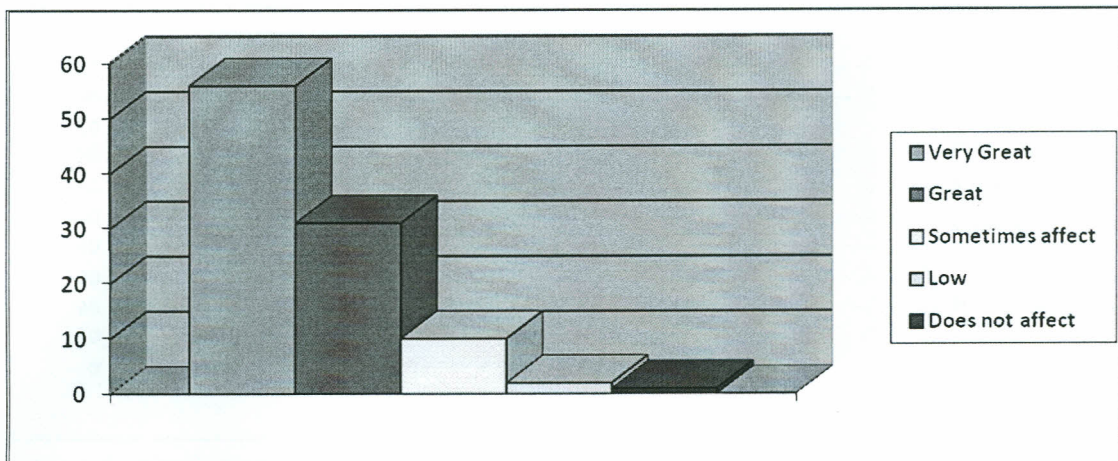
#### 4.2.8 Stakeholder Relationships

**Table 4.8 Effect of Stakeholder Relationship on Service Delivery**

Categories	Frequencies	Percentage
Very Great	49	56
Great	27	31
Sometimes affect	9	10
Low	2	2
Does not affect	1	1
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**





**Figure 4.8 Effect of Stakeholder Relationship on Service Delivery**

**Source: Author (2012)**

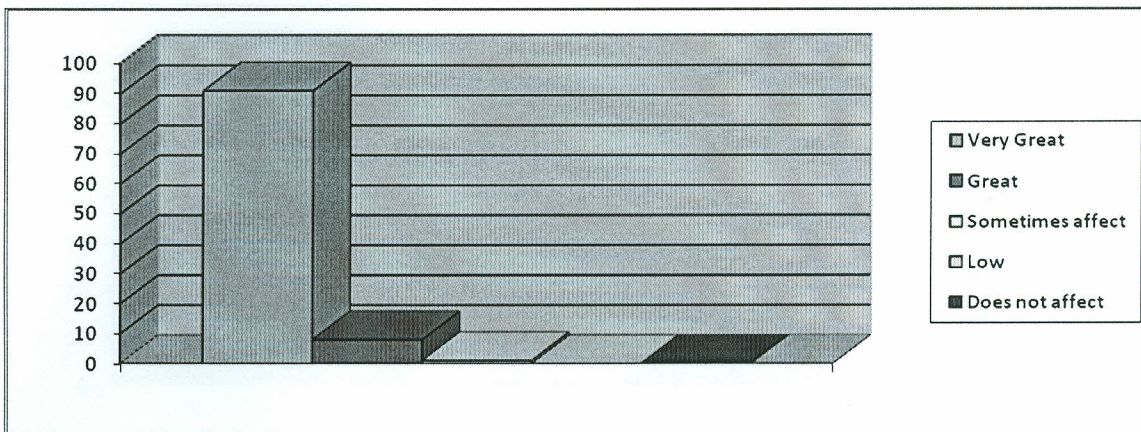
From the table and figure above, the study revealed that 56% of the respondents rated the effect of stakeholder relationships on service delivery in law firms as very great. 31% of the respondents said it is great, while 10% said that stakeholder relationships sometimes affect service delivery, but sometimes do not. On the other hand, 2% of the respondents were of the view that the effect of legislation is low, while 3% were of the view that legislation does not affect service delivery in law firms.

#### 4.2.9 Human Resource Availability

**Table 4.9 Effect of Human Resource Availability on Service Delivery**

Categories	Frequencies	Percentage
Very Great	80	91
Great	7	8
Sometimes affect	1	1
Low	0	0
Does not affect	0	0
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 4.9: Effect of Human Resource Availability on Service Delivery**

**Source: Author (2012)**

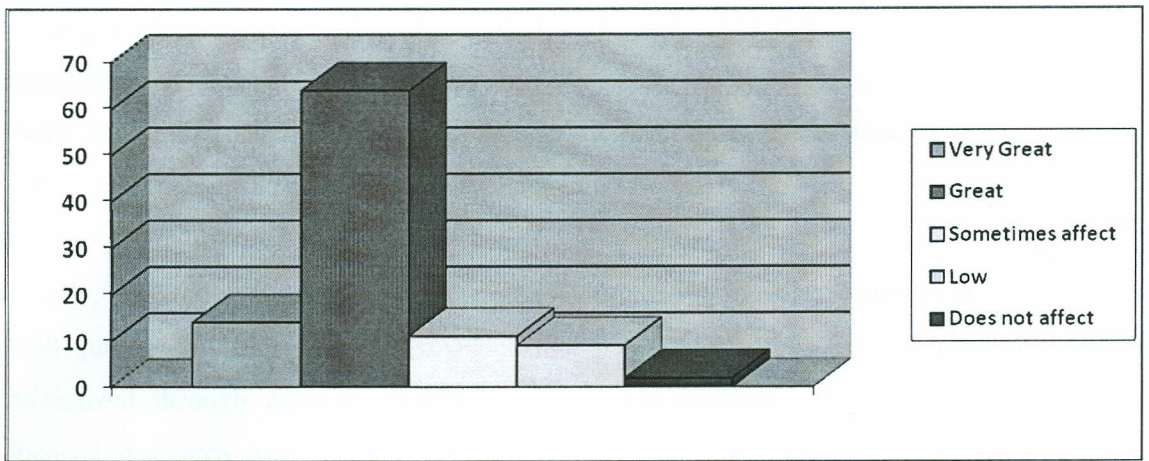
From the table and figure above, the study revealed that 91% of the respondents rated the effect of availability of human resources on service delivery in law firms as very great. 8% of the respondents said it is great, while 1% said that availability of human resources sometimes affects service delivery and sometimes does not. On the other hand, none of the respondents were of the view that the effect of availability of human resources is low, or that availability of human resources does not affect service delivery in law firms.

#### 4.2.10 Training Assessment

**Table 4.10 Effect of Employee Training on Service Delivery**

Categories	Frequencies	Percentage
Very Great	12	14
Great	56	64
Sometimes affect	10	11
Low	8	9
Does not affect	2	2
<b>Total</b>	<b>88</b>	<b>100</b>

**Source: Author (2012)**



**Figure 4.10 Effect of Employee Training on Service Delivery**

**Source: Author (2012)**

From the table and figure above, the study revealed that 14% of the respondents rated the effect of legislation on service delivery in law firms as very great. 64% of the respondents said it is great, while 11% said that employee training sometimes affects service delivery and sometimes does not. On the other hand, 9% of the respondents were of the view that the effect of employee training is low, while 2% were of the view that legislation does not affect service delivery in law firms.

### 4.3 Summary of Data Analysis

All the respondents accepted the fact that all law firms should improve the quality of their services in order to attract and retain clients. According to the responses, quality in service delivery has impacted positively on the firms' performance and growth. The findings of this study reveal that the service quality systems and policies will continually bring better performance to firms if well planned and implemented. As they indicated, the accuracy of these quality improvement systems and policies as well as their quick and, generally, effective implementation lead to an increased demand for legal services. Customer delivery is essential towards maintaining relevance in the market and achieving market leadership in the profession.

The study revealed that legislation plays a critical role in service delivery. However, majority of the respondents noted that legal procedures are often complex, hence complicating, instead

of simplifying, service delivery processes. On the other hand, it was noted that stakeholders, particularly clients and the judiciary, play a major role in service delivery. However, ineffective linkages and collaboration among law firms and various stakeholders were said to constrain the ability to provide legal services effectively.

Finally, research showed that employee satisfaction is the most important factor in providing high quality service. The study revealed that potential client interaction problems can be minimized through adequate training, empowering employees to make more customer-focused decisions and rewarding them for positive customer-oriented behavior. It was universally agreed that the need for continuous training need is not only crucial but also very urgent. Indeed, it was noted that lack of a proper training policy and strategy for the legal, paralegal and support staff has resulted in their inability to offer adequate support services in the law firm.

## CHAPTER FIVE

### SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

#### 5.1. Introduction

This chapter presents a brief report on the summary of findings, answers to research questions, conclusion, recommendations and suggestions for further studies.

#### 5.2 Summary of Findings

##### 5.2.1 Legislation/Legal procedures

38% of the respondents said that the effect of legislation on service delivery in law firms influence is great. It was observed that legal procedures are often rigid and complicated. They are also tedious due to the use of manual systems of operation. Legal procedures are sometimes used to hamper speedy conclusion of cases as well as business transactions. At times legislations have been known to conflict, hence hampering or slowing down the process of service delivery.

##### 5.2.2 Stakeholder Relationships

From the research, 56% of the respondents rated the effect of stakeholder relationships on service delivery in law firms as very great. The identified stakeholders include the judiciary, clients, government agencies for instance the police, lands office and the companies registry. The study recognized that most services offered by law firms at some point require the action of government agencies, such as the land and companies registry without whom most transactions cannot be completed. The Judiciary plays a key role in delivery of justice, enforcement of contracts and the inefficiencies experienced there affect the services that law firms offer their clients

##### 5.2.3 Availability of Human Resources

A massive number of respondents constituting 91% were of the view that the availability of human resources has a very great effect on service delivery in law firms as very great. Law firms should ensure that all their staff members - Partners, Associates, Pupils and support

staff - fully appreciate the importance of high quality service delivery standards to legal practice.

#### **5.2.4 Training Assessment**

64% of the respondents said that training has a great influence on service delivery in law firms. It was generally accepted by the respondents that a massive dose of training is needed to infuse quality-related improvement ideas in the law firms. Preference is for training to be focused on what is immediately relevant to the law firms' respective circumstances. Heavy investment in training is believed to be capable of producing impressive end results.

### **5.3 Conclusions**

In this paper, service quality in law firms was reviewed. Four major variables –legislation or legal procedures, stakeholder relationships, human resource availability and training needs– were studied. It is evident from this study that efficiency in service delivery is paramount in legal practice. Effectiveness in the running of the legal industry as a whole depends on the level of effectiveness in the factors affecting service delivery. Whereas the study found out that legislation and legal procedures are factors that influence service delivery in law firms, their effect on service delivery was found to be lower than all the other variables under study. This was basically due to the fact that legal processes have been termed to be complex and legislations at times conflict, hence hampering, rather than fostering, service delivery.

Service delivery is a process that encompasses all stakeholders. Indeed the study found out that stakeholders are a major factor that influences service delivery. Without clients, law firms are undoubtedly out of business. Most of the services rendered by law firms at some point require the action of government agencies such as the land and companies registry without whom most transactions cannot be completed. The Judiciary also plays a key role in delivery of justice and enforcement of contracts. The inefficiencies experienced in the judiciary have a direct effect on the services law firms offer their clients. As such, the members of the legal profession must be willing to co-operate with other stakeholders and on their own be willing to offer their best in service delivery.

Human Resources are critical in any service delivery endeavour. The standard of services rendered by law firms are determined by, among others, the employees' availability and

adequacy, competence and willingness to work. The employees should thus possess service attributes such as reliability and responsiveness. They should understand their roles and responsibilities as well as set objectives and schedules of the firm, and provide accurate and proper feedback on any challenges or events that may affect their ability to meet the client's expectations.

It can also be concluded that training is a key component in service delivery by law firms. It increases employees' involvement in service delivery and interactions with clients. Employee training has also been established to improve the employee confidence in rendering the service, as well as the confidence of clients in the standards of services rendered by law firms. To enhance quality and competence in service delivery, therefore, continuous training is essential.

#### **5.4 Recommendations**

A simplification of legal procedure will go a long way in improving service delivery. So will computerization of some of the processes allowing virtual interaction. Legislation should be harmonized where conflict is apparent. It is also incumbent upon the Kenyan judiciary and such other bodies as the Lands office and companies registry to simplify their procedures and eliminate bureaucracies to enhance, among others, speedy settlement of cases and elimination of backlog. Use of ICT and automation of the Courts as well as improved access to justice are also paramount for expeditious delivery of justice and legal services.

There is need for enhanced linkages and collaboration with all stakeholders in order to improve service delivery. Law firm management should be ready to spend money and commit resources on the building stakeholder relationships in order to realize greater output. Indeed the primary focus of any service quality program is the customer. When customers are satisfied, profitability will naturally come the way of an organization. Clients require a better understanding of lawyers' role. Efficiency at the relevant government offices will facilitate improvement of services rendered by lawyers.

Establishing employee feedback mechanisms so that management can hear and take action on issues of concern will strengthen employee perceptions of the firm, increase satisfaction, and

result in better client interactions. Motivation and reward systems should be in force at all times so as to act as an incentive to law firm employees and advocates and enable them achieve high performance in their respective areas. The attitude of the staff must be addressed across the board. They should hence be sensitized on the importance of having positive attitude towards work and customers.

It is aptly important that skills and competencies are developed amongst advocates and support staff to ensure that they keep abreast with the demands of the job and provide the much needed high quality service to their clients. Appropriate staff training policies and programmes should be put in place to ensure that employees are trained consistently and constantly especially on new and emerging aspects to ensure that the employees are comfortable with the latest developments.

### **5.5 Suggestion for Further Studies**

It is expected that this study will be essential as a basis for future research studies. This will be a useful platform not only for sourcing information but also for drawing suggestions for further research. Whereas the study was limited to the Nairobi region of Kenya, it is expected that the results are capable of replication countrywide, hence cementing service delivery practices in law firms within the country. With respect to similar studies, therefore, the present one has expanded the academic dialogue on four factors affecting service delivery in the Kenyan legal industry, Nairobi being the specific area of focus. However, additional variables should be studied in order to obtain a clearer view of effective service delivery in the Kenyan legal industry. For instance, there is, in Kenya, a dire need to fight corruption in all spheres, including the legal profession if any sustainability in service delivery is to be achieved. A favourable attitude towards clientele is also a fundamentally important variable. Professional ethics must be fully internalized by members of the legal profession. Such are some of the areas that should be investigated in order to reinforce the findings in the current study and advance the understanding of the concept of service quality and the factors that affect it as a means to improve service delivery in Kenya.



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LETTER OF INTRODUCTION

**KIPTOO ANGELA JEBICHII**  
**KENYATTA UNIVERSITY, CITY CAMPUS**  
**SCHOOL OF BUSINESS**  
**NAIROBI**

**21<sup>ST</sup> AUGUST, 2012**

Dear Respondent,

**REF: LETTER OF INTRODUCTION**

I am a student of Master of Business Administration (MBA) at the Kenyatta University, School of Business. I am carrying out a research study on “**FACTORS AFFECTING SERVICE DELIVERY IN LAW FIRMS IN NAIROBI, KENYA**”. You have been selected to participate in this study. Kindly respond to the best of your knowledge and ability. I would like to assure you that all the information collected will be treated with utmost confidentiality and will only be used for purposes of this study.

Your co-operation and contribution will be highly appreciated.

Thank you in advance.

Yours faithfully,

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**KIPTOO ANGELA JEBICHII**

## APPENDIX II

### QUESTIONNAIRE

*The questionnaire comprises six parts (A to F).*

*Part A - general background information*

*Part B - questions on your general knowledge of service provision in law firms*

*Part C - questions on your assessment of the effect of legislation or legal procedures on service delivery by law firms*

*Part D - questions on your assessment of the effect of stakeholder relationships on service delivery by law firms*

*Part E - questions on your assessment of human resource availability and its effects on service delivery by law firms*

*Part F - questions on your assessment of training needs for law firm employees.*

**PART A: General Information**

1. Gender: A. Male

B. Female

2. Name of law firm (optional): \_\_\_\_\_

3. How long has the law firm been in operation? (Tick (√) where applicable)

(i) 0-5 years

(ii) 6-10 years

(iii) Over 10 years

4. How long have you been serving in the law firm?

(i) 0-5

(ii) 6-10

(iii) 11-15

(iii) 16 & above

5. Your position in the law firm:

(i) Partner

(ii) Associate

(iii) Other (Specify) \_\_\_\_\_

**PART B: Service Delivery:**

1. "All law firms should improve the quality of their services to attract and retain clients."

Do you think this is true?

Yes

No

2. How do you rate the quality of your law firm's services? (Tick (✓) where applicable)

- (a) Excellent (5)
- (b) Good (4)
- (c) Average (3)
- (d) Poor (2)
- (e) Very poor (1)

3. In general, what factors influence or affect provision of quality services by your law firm? On a scale of 1-5 (lowest to highest), rate the extent to which the factors influence service delivery.

<b>FACTOR INFLUENCING SERVICE DELIVERY</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
(i)					
(ii)					
(iii)					
(iv)					
(v)					

4. What suggestions do you have for improvement of the quality of service in the law firm?

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**PART C: Legislation/ Legal Procedures**

1. Do you think legislation or legal procedures influence service delivery in the law firm?

Yes

No

2. If yes, to what extent?

(a) Very Great (5)

(b) Great (4)

(c) Sometimes affects, sometimes doesn't (3)

(d) Low (2)

(e) Does not affect (1)

3. If no, why?

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4. In what ways does legislation/legal procedure affect service delivery in the law firm?

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5. What do you suggest can be done on legislation/ legal procedures to improve service delivery?

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**PART D: Stakeholder Relationships**

1. "In order to ensure effective service delivery, relationships between a law firm and key stakeholders must be improved." Do you think this is true?

Yes  No

2. If yes, to what extent do you think existing relationships between the law firm and its stakeholders influence service delivery in the law firm?

- (a) Very Great (5)
- (b) Great (4)
- (c) Sometimes affects, sometimes doesn't (3)
- (d) Low (2)
- (e) Does not affect (1)

3. If no, why?

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4. On a scale of 0 - 5 (lowest – highest), rate by ticking (√) appropriately as applicable the extent to which the stakeholders listed below influence service delivery in the law firm.

	<b>STAKEHOLDER</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
(a)	Government agencies e.g. police						
(b)	Judiciary						
(c)	Law Society of Kenya						
(d)	Clients						
(e)	Civil Society						
(f)	Others: (i) _____  (ii) _____  (iii) _____  (iv) _____						

5. In what ways do the identified stakeholders affect service delivery in the law firm?

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6. What do you suggest can be done on stakeholder relationships to improve service delivery in the law firm?

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**PART E: Human Resource (Personnel) Availability**

1. Do you think the law firm has sufficient human resources (personnel)?

Yes

No

2. Do you think human resource availability influences service delivery in the law firm?

Yes

No

3. If yes, to what extent?

(a) Very Great (5)

(b) Great (4)

(c) Sometimes affects, sometimes doesn't (3)

(d) Low (2)

(e) Does not affect (1)

4. If no, why?

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5. In what ways does availability of human resources affect service delivery in the law firm?

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6. What do you suggest can be done on human resources generally to improve service delivery?

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**PART F: Training Assessment**

1. Do you think employee training influences service delivery?

Yes

No

2. If yes, to what extent?

(a) Very Great (5)

(b) Great (4)

(c) Sometimes affects, sometimes doesn't (3)

(d) Low (2)

(e) Does not affect (1)

3. If no, why?

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4. In what ways does employee training affect service delivery in the law firm?

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5. In your assessment, do the law firm's employees require training?

Yes

No

6. If yes, on what specific areas related to service delivery do you think training is required?

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7. How important do you think is this need for training? (Tick (✓) where applicable)

(a) Extremely important

(b) Important

(c) Not important

(d) Can be postponed