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The lines between law firm and client are blurring, but can they bridge the data divide?



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#### Blossoming



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# Editor's letter



he words artificial intelligence, we know, can mean different things to different people in the business world. And to some, as currently discussed, we hear they mean not very much at all.

But in **Briefing**'s latest Legal IT Landscapes research report, it was easily the 'type' of technology most named by you, our readers, as holding the potential to transform your fortunes in terms of both efficiency and competitiveness.

When we interviewed people about their responses to this, there were also far fewer complaints of the 'hype' factor than we've seen in previous years. So, does that mean you're now seeing really tangible returns from projects in this area, either with clients or internally? That, alas, we can't yet say.

The report argues the impact of Al landing in the wrong hands requires serious thought to mitigate the risk

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However, at our recent **Briefing** Frontiers event on the report – thank you again to Pinsent Masons for hosting us so nicely – we heard from both a workplace psychologist and a data 'philosopher' that the world of work needs some serious preparing for where future proliferation of these tools might take us.

And so, bang-up-to-date, to a new report just out from the Centre for the Study of Existential Risk at the University of Cambridge. Executive director Dr Seán Ó hÉigeartaigh, writes: "For many decades hype outstripped fact in terms of AI and machine learning. No longer."

But, as the name of his centre may suggest, that's not necessarily just a good thing. The report argues the impact of AI landing in the wrong hands requires serious thought, to mitigate the risk of both physical and digital attacks. Cyber-attacks, for example, could be both more finely targeted and efficient – examples including phishing attempts using data scraped from social media, speech synthesis to impersonate targets, and automated hacking – not to mention chipping away diligently at vulnerabilities of new AI systems themselves.

While admitting "many positive applications", the report therefore describes this as a "dual-use technology", where best practices should be learned from other areas that have been similarly challenged, and for longer, such as computer security.

As it happens, this issue includes an interview with the national security officer for Microsoft in the UK, who outlines some ways machine learning might also assist with monitoring your ever-changing cyber threat battle. Read all about it on p24.

RICHARD BRENT EDITOR



# Inside this month



16

Profession progression

"Come up with different ways of motivating and engaging people."

Alison McClure, divisional director, Blake Morgan



**Briefing** is the only legal business management title, and is focused exclusively on improving the work and worlds of law firm management leaders. Every issue is packed with relevant insight and lessons from peers and pros.

#### UPFRONT

06 **Roundup** Bitcoin bust-ups, and a few choice alternatives

07 Database Where is analytics adding most and least value?

**O8** Reading list Stuart Dodds, formerly of **Baker McKenzie**, reads Winning Proposals

09 What's on your whiteboard? Felicity Burch, head of innovation and digital, the Confederation of British Industry

#### OPINION

10 André Spicer at Cass Business School on why a little less may be more with management speak

#### FEATURES

12 **The big idea** What are the possible futures for your client collaboration?

16 Briefing people Alison McClure, divisional director at Blake Morgan, on coaching, diversity and continuous improvement

#### **BRAIN TRAINING**

20 Hands on Tom Lyas at Browne Jacobson, talks getting everyone onboard with the perfect law firm vacation programme

#### INDUSTRY VIEWS

24 Stuart Aston, national security officer at **Microsoft UK**, says don't blame people for your cyber weakness

28 Avaneesh Marwaha, CEO of Litera Microsystems, on cost-effective collaboration **30** Jose Lazares, vice president, product strategy and business management at **Intapp**, on the business of building trust

32 Thereza Snyman, IT director at Kingsley Napley, on why Nikec Hub was the portal to power up its client collaboration

#### **REAR VIEW**

34 Six of the best Hilary Scarlett has some managementimproving tips from the world of brain science

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#### ROUNDUP

# Loving IT

S o, there we were at **Briefing** HQ, lamenting our serious lack of love hearts on 14 February, when all of a sudden it dawned on us ... at least we don't have any of those bitcoins to worry about.

**Royds Withy King** has taken the opportunity to draw attention to a first wave of high-value divorce cases where husbands have invested in cryptocurrencies, such as Bitcoin, Litecoin, Ripple and Ethereum. And while, you might have noticed, interest in the phenomenon has soared since 2009, any effect on the divorce world is still in its infancy.

Vandana Chitroda, a partner in the firm's London family team, explained: "Valuations will have to be carried out a number of times during the divorce process as the case progresses."

And fellow partner Mark Phillips added: "When cryptocurrency is purchased directly and moved offline, it becomes almost impossible to trace."

# 276

Buyers of global legal services offer their views for the inaugural Acritas US Alternative Legal Brand Index

There's rather more harmonious news from another **Briefing** firm. Three professors from the **London School of Economics and Political Science** are getting to work with **BLM** on its exploration of the potential for AI, analytics and statistical models to improve litigation management in tricky areas such as predicting outcomes and cost overruns.

Andrew Dunkley, the firm's head of analytics, said in a press release: "There is a strong technology and AI component to this project, but we think combining this with decision science and actuarial expertise will lead to even more exciting developments in litigation risk management."

Professor Henry Wynn, chair of the centre for the analysis of time series and head of the decision support and risk group at LSE, added: "Building



Now ... think of an alternative legal service provider – any alternative legal service provider. Was that **Thomson Reuters**, you say? As that's the business that claims the top spot in the inaugural **Acritas** US Alternative Legal Brand Index – ranked first for the three index measures of awareness, favourability and innovation by 276 senior buyers of legal services internationally.

Susan Taylor Martin, president of Thomson Reuters Legal, said: "We are laser-focused on helping law firm and legal departments navigate an increasingly dynamic, global legal landscape."

Second was **Axiom Legal Services** – which, as an aside, has tripled its score for top-of-mind awareness in the US since 2013. Lizzy Duffy, VP of Acritas US, said: "Axiom is favoured for its high quality, flexibility and pricing model."

They're followed by **LexisNexis**, and only then comes half of that Big Four, **Deloitte Legal** and **PwC Legal**, both apparently "closely ranked." Acritas finds US multinationals are using them for complementary work in the US, such as tax.

And finally, some super and human news of important relationships entering their next phase.

We were delighted to see that **Linklaters** is piloting the smart move of a reverse mentoring programme for its partnership board. Fiona Hobbs, global diversity and inclusion partner said: "We hope that it will be a two-way street which will hopefully add invaluable perspective for both sides of the relationship, helping our senior leaders drive stronger impact and give tomorrow's leaders the chance to shape how our firm looks."

Three professors from the London School of Economics and Political Science are getting to work with BLM on its exploration of the potential for Al, analytics and statistical models to improve litigation management

### All analyse?

A new poll of US-based law firms has found that 90% of legal analytics users say the technology "adds value" to their firm's work. But how exactly?



Database

#### READING LIST

## Modest proposals

Stuart Dodds, former director of global pricing and legal project management at Baker McKenzie, says people ought to buy into much of new publication Winning Proposals, although it could do with a little extra help at closing



Publisher: Buying Legal Council Publication date: July 2017 Price (Amazon): \$49 (£35)

W growth in the legal sector, the importance of being able to win new panel appointments and matters remains front of mind. However, this can often result in an uncoordinated, and time/resource-intensive, scramble to get any client proposal over the finishing line.

ith continued market pressure,

and lack of significant organic

This new publication seeks to help law firms target their proposaldevelopment efforts more effectively, through better selection of which opportunities to pursue - improving the quality and pertinence of the final proposal and the chances of winning the business. Overall, I think it will help the reader do just that.

There's much to take away, for novice or BD veteran. Each chapter takes the reader through the typical proposaldevelopment lifecycle, from context on how clients select legal counsel through to the final presentation. There are also useful chapters on managing the bid or proposal function, and on fact-finding and intelligence - a topic often overlooked in publications. Although some points made may be relatively obvious to the more experienced, there are several nuggets that encourage the reader to reassess.

For me, several observations stood out. First was the benefit of developing three or four clearly identified "win themes" throughout the proposal, and adoption of the 'Issue/Solution/Benefits/ Evidence' framework to help refine these further. This also helps to address a

criticism often made by client procurement teams about law firm proposals - that they frequently fail to answer the question.

Second, several references are made to encouraging site visits with current or potential clients prior to submission of a proposal. I'd not come across that idea previously, and confess to being slightly sceptical (but willing to be converted) as to how it might work in practice.

Third is discussion of the opportunity provided to develop meaningful relationships with a client's procurement function - a theme we'll surely continue to hear more about.

Finally, two minor quibbles. First, the book, to me at least, seems to be missing a final chapter, which would help bring all the key observations together.

Second, the (final) chapter addressing the client presentation recommends a balance between partners and associates as part of the presentation team itself (making the valid point that the client often wants to see and hear from those who will actually work on the matter -'chemistry' often being a key selection criteria). I would add the importance of bringing key business professionals to that meeting, for example those involved directly in pricing, client relationship management, legal project management or innovation. In my experience, having that broader blend resonates extremely well, especially given the increasing importance of these roles in the more efficient delivery of legal services.

There's much to take away, for novice or **BD** veteran. Each chapter takes the reader through the typical proposaldevelopment lifecycle, from context on how clients select legal counsel through to the final presentation



### WHAT'S ON YOUR WHITEBOARD?



Felicity Burch, head of innovation and digital at the Confederation of British Industry – our Operational Leaders in Legal 2018 keynote – says professional services are open to IT change, and a good thing too

How does professional services compare with other sectors when it comes to investment in digital and innovative technology?

A It probably won't surprise you to learn that one sector is head and shoulders ahead of the rest on this – the technology sector. But our membership survey shows professional services is actually the next in line. They're really aware of the opportunities, and we expect around 30% to start investing in artificial intelligence – just one example – in the next 12 months.

We hear quite a lot here that the way AI is changing the workplace is 'overhyped' by the media, among other 'experts'. What do you think?

It's worth noting that AI is a broad category, and it's not going to be transformative overnight. But half of our members at least, believe AI will fundamentally transform their industry, and the pioneering companies are already seeing results. Take a business like Ocado, with 50,000 items of stock and an average 50 items per order – so masses and masses of data to process. They're using machine learning to control the flow of orders around their warehouses, and that's improving efficiency, productivity and customer service – right now. AI's potential is continually growing, and there are many exciting possibilities still to emerge.

#### What do you say to businesses that see an innovation strategy as too much risk for uncertain reward?

I began my own career in innovation policy in the manufacturing sector, where companies would often say 'we have to innovate, or we die'. Their markets and customers are moving so quickly that businesses could fall over without it. I do accept investment is risky, and so you really have to think about ways to reduce that risk. One is to understand thoroughly the technology you're considering, which you can do either by informing yourself, or by hiring informed people. You can also talk to other businesses that have been on a similar journey, which is an important way of understanding where the pitfalls are.

Is there any one development, in any industry, that looks 'most innovative' to you at the moment? A It's striking that innovation means so many different things in different businesses, but what really impresses me is where you have innovation solutions that are both commercial and having a positive impact on society.

Blockchain, for example, can cause a lot of confusion, but more important is what it does. One really good example is how it's starting to be used in food supply chains to prove where food has come from, and identify when something has gone wrong. That has a lot of value for business, but also helps to ensure food is safe and reduces risk of food-safety scandals.

We've seen a few UK law firms embark on knowledge transfer partnerships. Is that a particularly good strategy?

A They are actually one of the innovation-support schemes most used by business in general, and yes, I think a great way to de-risk innovation investment. As innovation needs to be part of the day job, it can use quite a lot of your resources, namely expertise and facilities. Universities already have those on hand, and will also understand some of the challenges of tech adoption. ►

## Speak queasy?

André Spicer, professor of organisational behaviour at Cass Business School, and author – most recently, of 'Business Bullshit' – says it may be time to think harder before you management-speak



awyers are no strangers to jargon. They are trained to cut through it, and often make their livelihood by translating legalese into something more intelligible for their clients. But recently, lawyers have come face to face with the creeping influence of a new kind of jargon - business speak. This is a language made up of corporate clichés, like thought-showers, agility, building synergies, creating win-wins, getting a helicopter view, elevator pitches, drilling down, inboxing, joined-up thinking, hitting the ground running, picking the low-hanging fruit, benchmarking and reaching out. I could go on.

I had been studying the culture of large businesses for two decades when it struck me how unintelligible the whole thing was to any outsider. Understanding business speak was almost like trying to understand a foreign culture very different to my own. So, I asked myself, what would happen if we treated the strange rituals and language of corporate executives in the same way that an anthropologist might treat an isolated culture?

Once I made this shift, I began to see all sorts of obvious things. Management speak is the lingua franca that is used in the central ritual of managers' lives - the endless meetings, which are a common feature of their working days. Being well-versed in management speak is usually a sign that you are a member of the wider community of managers. Those who aspire to join this community try to learn this rather strange language by reading books they find in airport bookstores, attending management

training courses, or taking an MBA. Those who are the most proficient users of management speak are often granted greater status within the community of executives. And if an executive finds themselves short of the latest buzzwords, there is always a friendly consultant they can retain - for a modest meetings, which are fee of course.

Like most high-status languages, management speak has also spread as days others have tried to imitate it. As a consequence, it can now be heard on the shop floor. It has leaked from the board and meeting rooms into our offices, not to mention Whitehall, as well as not-for-profit organisations. Today, even schoolchildren are beginning to learn management speak at school.

Management speak plays an important role in corporate life. It brings people together around a common language. It indicates clear social status and reinforces hierarchies within the group. But it can also have more troubling consequences. It can make things opaque, which were once obvious. It can also mean that people's time at work gets gobbled up dealing with the endless exchanges of management speak. As a result, executives get diverted from their core tasks and spend more time repeating the platitudes and rituals associated with management speak.

As this management speak becomes more influential in the business world of our lawyers, there is a danger that they too will fall prey to the same traps.



Management speak is the lingua franca that is used in the central ritual of managers' lives – the endless a common feature of their working



# Features

### 12

#### *The big idea* Serving clients by portal is nothing new – but could the big transformation in the law firm of the future be customers helping themselves?

# 16

#### Briefing people

Alison McClure, divisional director, litigation and dispute resolution, at **Blake Morgan**, says the legal profession still has work to do on diversity **THE BIG IDEA** 

# Portals for thought

Leading law firms are finally building bridges with their clients ... data bridges. Kayli Olson investigates what's at stake

> re law firms and client portals a match made in efficiency heaven? It's perhaps no surprise that an industry so heavily driven by the needs of its clients has been so

taken by the need to collaborate more closely through portals.

Over the last few years, **Briefing** has closely been following trends in client collaboration preferences and the collaboration technologies that enable it. In our Innovation in global legal business report in June 2017, when asked what kind of collaboration with clients you enable via portals or suchlike, as many as 94% of respondents said yes for document sharing, with 69% for collaborative document creation/editing following fairly closely behind. But, law firm/client collaboration has progressed from simply sharing documents and information to allowing clients to see and select their data, create visualisations and pull reports on their own accord. This evolution is a testament to the kind of collaboration that clients want – but now they've had a taste of the good stuff, are they hungry for more?

Dan Wright, partner and service innovation programme lead at Osborne Clarke, says: "Not just in legal, but in professional services generally, we were missing opportunities to deliver what clients really wanted. It's easy to get caught delivering what we'd always delivered, which was starting to miss a trick with some of the larger clients."

The firm, and coincidentally all those interviewed in this feature, make use of HighQ to



build online sharing platforms and work spaces for their clients. Not just HighQ's popularity but other providers and even bespoke client portal setups in law firms are now the norm. And those who don't have one in place are already behind the curve.

#### Drive by

"Clients want transparency, they want to know where things stand and want to be able to report up the chain, and to others in their organisation," says Jill Warren, director of marketing and business development at Bird & Bird.

It's only logical, she says, that they should get transparent analysis and sound reporting, but they also want good project management, and tools, approaches and so on, that help to manage matters better. Bird & Bird recently announced new brand

#### "Not just in legal, but in professional services generally, there was a want of common sense for a while – we didn't seem to be delivering what clients really wanted."

Dan Wright, partner and service innovation programme lead, Osborne Clarke

twoBirds Client Solutions, which pulls all of those themes together.

Warren says: "Portals and other client solutions have existed in the firm for a while, but we realised that we needed a better way of talking about it internally and with clients.

"And there's certainly a trend towards more collaboration working on legal documents in terms of editing online, and workflow processing and automation of documents."

Kathryn Pearson, head of knowledge and client service solutions at Bird & Bird, adds that she recently spoke to a prospective client who was in the process of interviewing law firms, and one of their key criteria was how willing any law firm was to engage in new technology and new ways of working. And they were particularly keen on collaborative working on portals.

Pearson oversees the development of the firm's portals under the client solutions brand. She says: "I've already seen an increase in lawyers coming to us with ideas about how they should develop their service offering and help clients to be more innovative. It's really beneficial to have that client solutions framework to back them up."

Wright at Osborne Clarke says he also experienced a realisation that methods of servicing clients needed to change. He was a corporate partner for 12 years, before shifting his focus to service innovation.

"I wanted to do something different, mainly because I was frustrated at how we did what we did in legal. I knew our services delivery could be improved.

"It's not just about being 'innovative' – too much gets badged under innovation, which misses some important points. There are elements of 'innovation' in the legal industry, which most industries would regard as simple, healthy change adoption."

#### So it appears

Whether or not it's innovative in law firms, there's no time to rest once a portal is open to a client.

Ian Rodwell, head of client knowledge and learning at Linklaters, points out that some portals exist merely as channels of access to the content that law firms produce – which is a good thing but doesn't really constitute true collaboration.

"Other portals provide more tangible opportunities to work together – for example, through the co-creation of documents or the sharing of information and asking of questions through social media tools. This, I think, is the way portals can evolve and genuinely facilitate client and panel firm interaction."

It seems portals may be going through a bit of an evolution at the moment, from being merely seen as windows into documentation and information to becoming a space for 'true collaboration' in which clients can work more cooperatively with their firms.

Warren sees this evolution as an opportunity. She says that, like any firm, Bird & Bird has developed a lot of client service tools and solutions over the years – hence the interest in bottling them under one brand. "This then also opens up further collaboration opportunities with our clients. For example, we're not just anticipating their needs anymore, we can more successfully solve client problems and streamline their own processes."

In the **Briefing** Legal IT landscapes 2018 report, we asked whether firms are thinking about using such platforms to allow clients to start, or even re-scope/resource work directly for themselves. Almost a quarter (26%) of respondents said they currently have a solution in place, and a further 36% have plans or want to implement something along these lines in the future.

Another 29% said they haven't identified a need – although with the popularity and drive for portals and collaboration coming from clients, that may be set to change.

Pearson says: "The more clients see it can do, the more they are discovering opportunities for collaboration. We're certainly seeing an increasing number of clients instructing us online via the portal. In some cases management of routine tasks and processes is now entirely online, which also reduces, if not eliminates, email traffic."

Wright at Osborne Clarke also sees a move away from distributing information via email toward

"We're certainly seeing an increasing number of clients instructing us online via the portal. In some cases management of routine tasks and processes is now entirely online, which also reduces, if not eliminates, email traffic."

Kathryn Pearson, head of knowledge and client service solutions, Bird & Bird

enabling it to be viewed across platforms online, which makes for better, more joined-up matter and project management.

"This is a great example of where we're now more able to leverage our technology with our clients – giving them access to systems they need to add more value operationally in their own businesses. It also totally changes the way they can use online solutions to engage and control the work being done on their behalf, and to gather and learn from the resulting data."

#### More on data

So, law firms are allowing, or moving to a space where they can allow, clients to have significantly greater control of their matters and impact the legal process more heavily.

The tech has to stay slave to the process, approach, documentation and risk management that the client wants or needs. And one good thing is that a lot of these systems are getting increasingly easier to configure, says Wright.

He says people on the front line, who aren't native coders and don't come from a computer science background, can radically alter the appearance of an online platform and enable it to do various things for clients.

Pearson at Bird & Bird adds that she sees clients with different requirements – but the really big one is data visualisation of key information relating to their matters. The firm can give the client access to visual dashboards, progress on matters, and financial reporting, as well as the online project management offering.

"Our dashboard also helps our clients to communicate internally about the work they are doing with their law firms. We've seen a big impact on the closeness of our relationships with clients, and also expansion of those relationships across the firm's roles, particularly into business services," she says.

Rodwell at Linklaters says more conversations are happening among a growing range of people between law firms and their clients.

"I see the boundaries between law firms and clients becoming more porous. I often envisage the in-house legal team as essentially a law firm that has found itself embedded in another organisation. We therefore have commonalities of interest – innovation, leadership, technology, learning – and face similar challenges. Consequently, there are real opportunities for non-legal specialists in firms to work with clients by sharing information and experiences."

Wright also sees the need for law firms to expand use of resource on client work. He adds: "Everything we do with the client starts with actually sitting down, listening and talking to them about their problems and challenges – from there we work with the client to reverse engineer who needs to be involved and when."

Osborne Clarke uses its client platform to reflect that process digitally, so the delivery of work is more predictable and visable to the client. It also helps the firm to "build fast" when configuring platforms – particularly key for Wright's team of ex-practicioners who understand the clients' pressures.

The ultimate outcome has been that the firm's client platform offering has a lot of functionality – it now includes matter management, online instructions, intelligent workflows created to the client's needs, document automation, data analysis and visualisation and much more – parties can see who is doing what for the company, in what country, and at what stage.

It all revolves around data, he says. "We are finally getting to a world where we not only capture data, but can start to leverage it and enable the client to get under the skin and learn from it.

"And we can further change our processes from there, using our own learnings from the consistency and predictability of output. To differentiate ourselves we need to go beyond offering the same legal services as the market," Wright says.

Clients don't just want legal services anyway; they want collaborative solutions.



#### **Blurred** lines

It's not all about competition. There may be space for firms to leverage their collaboration within the legal sector to appear as legal angels in the light of the client, happy to serve more selflessly.

Rodwell at Linklaters raises an interesting lesson from another sector. An academic study on the US craft beer industry revealed how it has undergone immense growth over the last few years due to a phenomenon called coopetition – co-operative competition.

One of the reasons this has happened is the sense that a 'rising tide will lift all boats', he says – therefore, if everyone focuses on quality, which is good for the sector as a whole, then they're not necessarily competing on shelf-space. And the same may be said for the legal sector and client collaboration.

Rodwell says: "A client might have 12 panel law firms, each giving them access to their knowledge content via a portal – that's a lot of different places to go to get similar stuff. So I think one thing we have seen happening over the last three or four years is a number of bigger clients asking for 'one place to go' to source this information."

He says this 'place' – typically an extranet – may be administered by one of the panel firms, or by the clients, and enables everyone to log in and post content – anything from knowledge and learning materials to horizon-scanning reports.

"Is there a problem in 'competing' firms working together? Not really. There have already been groups set up by clients where they physically bring representatives from their panel firms together for discussion around particular topics – from knowhow and training to operational excellence and efficiency.

"I think that because we're now experiencing more and more of these forums and collaboration sites, we're getting increasingly used to doing it. And when you think about it, our world is a pretty small world isn't it? It might not be too long before we see the lines of collaboration between the individual law firm, clients, and among panel firms blurring even further." Α

#### BRIEFING PEOPLE

# Go coach

Blake Morgan litigation divisional director Alison McClure, recently named professional of the year for her local area, makes a strong case for being in the business of continuous improvement

s business management hot topics go, there can't be many in 2018 where the temperature is rising as fast as in the case of gender parity. Large

businesses will be under scrutiny as their awaited responses to the pay gap legislation arrive – and law firms won't be allowed to forget that the proportion of women in their workforce still falls off steeply at the career 'pinnacle' of partnership (18% at top 10 UK firms, for example, according to PwC's 2017 law firms survey).

And the role of organisations' role models in demonstrating and championing both individual advancement and diversity will almost certainly remain key – people such as Blake Morgan divisional director (litigation and dispute resolution) Alison McClure, who won the professional of the year award, sponsored by Shirlaws, at the NatWest Hampshire Venus awards in November 2017.

Informally known as the 'Working Women's Oscars', the Venus Awards were launched in Dorset in 2009, before expanding to other regions, and now culminate in a national final, which – its website says – "represents the inspirational women who balance and juggle their lives relentlessly and unconditionally, who inject their communities with a sense of feminine robustness and solidity only a woman can provide."

McClure says: "I'd like to think I'm a good role model for those following behind. When I graduated in law from Southampton University 30 years ago, even then over 50% of my year were women – and today only 18% of partners are women. Men and women have different strengths, and the right mix is extremely important, both to the business and to our clients."

She continues: "I'm not a huge fan of quotas. I'd always want to be chosen for being the best person for the job – and I think the real driver is finding ways that make it more acceptable to work more flexibly for the periods that people need it. As we begin to see more men wanting the same – to play greater roles at home and in childcare – that should help. We have many more requests for paternity leave at this firm, and I think that will be one of the best drivers of more equality."

In recent years firms have also been noted for investing in coaching programmes to equip their female employees with more skills for managing their own careers. McClure is particularly passionate about the role of coaching at work, and is just completing the Meyler Campbell executive coaching programme, which formally qualifies her as a business coach.

However, coaching is by no means reserved for those early in their careers or at the point of transition to partnership. "It's important to come up with different ways of motivating and engaging people at different times in their careers," she says. "For example, I have 24 litigation partners reporting directly to me, and an annual appraisal isn't quite the thing.

"Coaching can give you a set of more flexible tools for that challenge. One of the most satisfying things over the years has been seeing people I've trained go on to become partners, or significantly develop careers as a result of working for us, and I really wanted to address that motivation for people over long careers of 20 or 30 years as partners.

"It can help all people to realise their potential

#### "Coaching can give you a set of more flexible tools. One of the most satisfying things over the years has been seeing people I've trained go on to significantly develop careers."

Alison McClure, divisional director, litigation and dispute resolution, Blake Morgan

"IT is necessarily one step removed from the coalface, and it's very important to ensure the team is fully locked in to what the users need – how we want to use systems, and what matters most to clients."



– often by thinking more broadly, building resilience, and perhaps by being a bit more creative and adventurous."

#### **Project improvement**

However, another important bridge McClure provides is with the operational side of the business. A board member for many years, she's currently on its IT sub-committee, providing input into what the lawyer community most needs from any new technology investment.

"IT is necessarily one step removed from the coalface, and it's very important to ensure the team is fully locked in to what the users need – for example, how we want to use systems, and what matters most to clients," she says.

High on this year's project list is the roll-out of a new practice management system, and the apparatus of agile working will also continue to be a priority.

"Agility isn't just driven by demand for greater work-life balance. Clients are also far more 24/7 as businesses today, and we need to match them in that. Then there's property – I don't think we're the only firm in London that has decided to have fewer desks in the office than people.

"In litigation, certainly, a lot of people are out of the office for a lot of the day, and clients aren't using law firms' offices in the same way either. We don't hold as many meetings, we videoconference a lot more. So very much at the forefront of the board's attention is how we train, supervise, manage, and help people collaborate when they're not sitting at a desk in an office every day."

More generally, she has sought to introduce some continuous-improvement thinking to the way departments manage work and people.

"We recently used our travel insurance litigation team as a model of finding new efficiencies through a lean process review – identifying how we might strip out some unnecessary steps, and pass on benefits to the client. I've always been as interested in how we run the business as in the legal work itself."

For example, there's the way in which those clients are engaged in how firms work. "It's important to get the full client view. It's easy for lawyers to sit in the office and have a good idea, but we need to be offering that out to clients, not only for feedback, but for some upfront input."

Much like the profession's collective

commitment to improving diversity – or indeed, improving one's personal

FIRM FACTS

Revenue: £73.6m

Headcount: 1,000 + Ratio, fee earners to business

services staff: Undisclosed

BLAKE MORGAN Offices: 6

Countries: England and Wales

resilience – this is very much a work in progress.

"It's not always easy, but part of the business of being a business leader is sticking with the most important things and driving them through," she says. Alison McClure, divisional director, litigation and dispute resolution, Blake Morgan



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# 20

*A vacation education* Tom Lyas, talent acquisition manager at **Browne Jacobson**, says build a vacation scheme opportunity that's certain to reflect your brand



📐 HANDS ON

# A vacation education

Tom Lyas, talent acquisition manager at Browne Jacobson, says the ideal summer vacation scheme should strive to tick quite a few boxes for both the firm and its potential new talent



aving been involved in summer vacation schemes and student placement programmes for several years, I've certainly seen the good, the bad and the downright ugly!

They come in a multitude of shapes, durations and degrees of effectiveness, but they remain a key offering for many employers – and that must be good news for students who are looking to add that all-important 'experience' to their CV.

I hope to share some hints and tips that I've picked up over the years. I certainly don't claim to be the guru, but with Browne Jacobson's recent award for 'best summer vacation scheme' from graduate recruitment website allaboutlaw.co.uk, signs are pointing in the right direction. So, hopefully some of these insights will help you if you are thinking about dipping your toe in the water and running with or reinvigorating one.

#### What's the point?

Getting straight to the point (and some may disagree with me here), the single most important reason that a firm should offer a summer vacation scheme or placement programme is recruitment.

Yes, the programme will of course help to inform and enthuse candidates about your culture, environment and any future opportunities, but these programmes are absolutely at their best when the direct outcome of the programme gives a student a clear and realistic chance of securing employment at the end of it.

We all know how hard it is to acquire top talent, so the chance to engage with a more diverse and high-calibre audience (and ultimately, to secure the best talent ahead of your competitors) is a huge opportunity. For students, the chance to sample an employer's culture before fully committing, and to potentially secure their dream role in advance of the dreaded 'final year', is also unmissable. This, in theory, makes a summer vacation scheme a match made in 'employer or student v the war for talent' heaven.

#### What do you need to consider?

Don't for a second underestimate the financial and non-financial resources required to run a high-quality scheme.

We all know that any

It's no secret that in certain industry sectors, students from less-privileged backgrounds struggle to get a break. For example, law firms have historically only offered opportunities to those with stellar academic results.



placement scheme is only as good as the people on it, so think about the significant resources required even just to deliver the attraction campaign and the selection process needed to secure the students to take part. Get this element wrong, and it's game over before you've even begun. Also think about the resources required for the induction day and for any content that will be delivered during the programme - for example, training sessions and social events.

To get things right, you'll need a clear owner and dedicated resource for the students for the entire duration of their programme, someone capable of making things 'go to plan - all day, every day'. You will also need to ensure that the right supervisors are chosen, and that they are properly briefed on their role in the process. Our firm's scheme lasts just two weeks, but the team dedicate at least 12 weeks to planning, recruitment, assessor and supervisor training and administration ahead of it. In total, we set aside significant funds for recruitment, induction, expenses, training and social events, but it's certainly worth the investment.

A social mobility event

An additional benefit is that these programmes are an excellent way to drive your social mobility agenda. It's no secret that in certain industry sectors, students from less privileged backgrounds struggle to get a break. For example, law firms have historically only offered opportunities to those with stellar academic results, or even to students with links to clients or existing partners. By offering a summer vacation scheme to students from more diverse backgrounds, you can demonstrate that there is a great wealth of talent outside 'the top 10%'. A great example of the results we've seen here is that 15% of the students who we made offers to after they had completed our summer vacation scheme wouldn't even have been eligible to make an application were it not for the fact we decided to remove any minimum academic requirements and also offered to cover accommodation costs during their scheme.

If, like ours, your scheme is driven by recruitment, think about how you are going to assess students at the end of the scheme. That's the point of the whole process, after all.

Properly delivered, these programmes will go far beyond the expectations of the participants. They will lift your employer brand to new heights, create a buzz within your prime target audience and ultimately give your firm a competitive edge. Delivered poorly, or without adequate resources however, and you have a potential nightmare on your hands - one that can do significant damage to your firm's reputation and leave you scratching your head as to why you ever dreamed up the idea of running one.

#### Content creation

There's little room for error when designing and delivering a summer vacation scheme. It's a fine balance across several elements, all of which, when combined in the right way, will give you a best-in-class programme, leaving those involved shouting from the rooftops about how good the experience was. It should be educational and allow for some time 'on the job' to give a realistic preview of what it's like to work in your firm, but it can (and should) also be fun and ultimately enjoyable - you want

the best ones to accept your offer after all!

Give serious thought to your 'end game'. Perhaps even start by designing the scheme from back to front. What's the aim of the scheme? If, like ours, your scheme is driven by recruitment, think about how you are going to assess students at the end of the scheme. That's the point of the whole process, after all.

It may seem an obvious statement, but also be transparent with your students about the content of the scheme and what any further assessment looks like - give them something realistic to aim at. Our students are asked to complete a SWOT (strengths, weaknesses, opportunities and threats) analysis of their department, providing an excellent insight as well as ideas back to the department, as a benefit for taking the student for two weeks. It also provides a clear framework for the student to work from - and, because all candidates are doing the same task, it allows us to compare students easily, on a fair, like-forlike basis.

The final thing to build into any programme is personal development. We're proud that



all our students (whether offered a role or not) have rated us 100% for exceeding expectations – an internal survey is sent out to all students two weeks after they leave. We believe that's because we help them to learn about themselves as well as us, and provide insight into what they need to keep working at once they leave us. I also advise that you give them some training that's directly relevant to the sector or role that they want to secure, as this gives them a tangible 'take away' and they'll feel they have grown as a result of giving up some of their holiday time to attend the programme.



A vacation scheme has the potential to be the first round of negotiating an employee-engagement 'psychological contract' (covered by us in **Briefing** back in November 2016) – and it certainly sounds like a useful tool in the intensifying war for legal talent.

However, as with any project, resourcing the work will be key – both targeting and delivery. That includes, of course, cost and time (Browne Jacobson's team has 12 weeks of planning), but also give careful thought to selecting and training all your supervisors.

Also consider the balance of activities, including an 'on the job' preview element, and – if recruitment is indeed the main driver – the 'end game' assessment. Browne Jacobson's students are tasked with a SWOT analysis of the department they've been working in (thereby also reinforcing the special connection.)

Finally, try to feed into your potential joiners' personal development, with some training and feedback relevant to the role they want in future.

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# Industry views

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Issue sponsor:



24 Strong in defence Stuart Aston, national security officer for **Microsoft UK**, says protection of personal data is an ever-changing business

30 Transform your trust Jose Lazares, vice president, product strategy and business management, Intapp, on a trio of trust issues 28 *The singular solution* Avaneesh Marwaha, CEO of **Litera Microsystems,** says lawyers should stay in the system for as long as possible

0

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32 *Extranet special* Thereza Snyman, IT director at **Kingsley Napley**, was convinced of the case for **Nikec** Hub for client collaboration



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INDUSTRY INTERVIEW

# Strong in defence

Stuart Aston, national security officer at Microsoft UK, tells Richard Brent that management strategy should always be prepared for firm security to be breached at some point – but a cloud option can provide the best possible cover

aise the issue of a law firm's information security management, and regardless of how the risk landscape may have changed, one observation

typically tends to surface. It's the organisation's people that are the fundamental weakness in the risk-management system. They might be riskaverse when it comes to change and demanding clients, but time-pressed lawyers – already hard to pin down to attend IT training sessions – simply won't make secure practice their priority.

Stuart Aston, national security officer for Microsoft in the UK, however, has a different view.

"I really do think 'people' have had quite a bad rap in the equation," he says. "A business's people have the potential to be security's biggest asset, because they usually genuinely care about their work. They don't want a bad security outcome – and in an ideal world, I don't want them making security decisions.

"The reality is that a phishing attack today, even from a less sophisticated actor, is very hard for the end user to detect. Those emails are now well branded, with good grammar, and asking questions that people feel they should answer because it's simply their job.

"I have to say the fault lies more with those delivering the software," he says. For example, "if people are sending information outside the corporate infrastructure that they shouldn't, that's telling you something. It isn't just that they're breaking the rules, it's that they have a business requirement which isn't being met.

"There should be some education of employees of course, but frankly it's for IT developers and

professionals to provide the tools to help people work efficiently without needing to take riskmanagement decisions."

#### On board now

However, one place the performance of individuals is improving the security prospects of businesses, such as law firms, in 2018 is up in the boardroom. Partly driven by the appearance of senior roles such as chief information security officer, says Aston – and partly, no doubt, a response to the reputational impact of several recent high-profile incidents – the quality of board-level security conversations is getting significantly better.

"First, it's already great that the subject has been elevated to that level, because risk management is exactly what boards do." But the next challenge for security professionals, he says, is to articulate their areas of risk in "language other roles on the board can consume, rather than use abstract security terms.

"The board needs to learn more of the language of the computer geek, while the specialist needs to be able to speak more like the rest of the business – and now that's beginning to happen." Not everyone in strategy will have the skills to be a true bilingual translator, he says, but the quality of these conversations is improving – which clearly ought to lead to better risk-based decisions.

Among those, of course, will be when, where and how they should invest – a thorny issue for profit-focused law firms at the best of times. But Aston says firms' top information-protection priorities probably shouldn't be all that different from those of other organisations he advises.

"If people are sending information outside the corporate infrastructure that they shouldn't, that's telling you something. It isn't just that they're breaking the rules, it's that they have a business requirement which isn't being met."



"I appreciate lawyers hold a lot of high-value information about their clients, but the technical risks are common to many businesses," he explains. "I suspect they're probably running a relatively flat environment – and that means it's easier for a criminal to transition from one weakened component to access forms of data they would care a lot more about."

A common problem, he continues, is that boards focus more on protection of their perimeters than monitoring what has already managed to make its way inside.

"One thing you can guarantee is that any system, however well designed, will fail at some point," he says. "Security professionals have to protect everything, and be 100% successful all the time. The intruder only needs to succeed in one place once.

"So, firms need to assume that a system will suffer some compromise, and ask other questions. What can we do to increase signal? What can we do to minimise persistence?" And that assumption should also inform the development of new workplace policies, he adds, from help-desk resourcing and responsibilities to the use of multi-factor authentication in accessing work.

More generally, the newsworthy ransomware attacks of the past 12 months ought to have underlined the need for straightforward security hygiene – up-to-date software, timely and regular security updates, and so on. "I've been saying these things for at least 15 years, so I don't see why I should stop now," laughs Aston.

"But a challenge for making investment decisions generally is that they need to be driven by the business goals." It may sound counterintuitive, he says, "but in fact, security isn't really a goal in itself."

Risk-management choices will change, for example, with the degree of remote working a firm wants to encourage. "If the business wants to go with bring-your-own-device, the scenario will require slightly different investments – in, for

"Artificial intelligence is there to supplement we humans. Machine learning can potentially surface information about the most highprobability compromise events." example, leak prevention or rights management. Change your policy and the risk level has immediately changed, and so has the business's ability to manage it."

#### Al captain?

If the board needs to assume its rightful control, and end users shouldn't feel too bogged down, this certainly isn't to say that everyone in the business does not have an important part to play.

"Cybersecurity is genuinely a team sport," says Aston. "Nothing and nobody is perfect, and the game changes from day to day. You have to evolve to fit the circumstances."

That's also why it's so important for different organisations to collaborate themselves. "No one organisation has all the information, and it's in the interests of the ecosystem as a whole that everyone has as much of it as possible. You need to partner with the competition, and we also work – in an appropriate way – with government."

On the other hand, the reassuring fact that, as in life, nobody in security is quite perfect, means that this is an area of business where 'the robots' could also step up to lend a monitoring hand.

"Away from the science fiction, artificial intelligence is there to supplement us humans," says Aston. For example, exploring the hundreds and thousands of different events that can occur in a large-scale enterprise is quite the challenge for a mere mortal. "Machine learning can potentially surface information about the most highprobability compromise events," he explains. The human can then zero in on changes in patterns of activity that could indicate bad behaviour that much more efficiently.

Moreover, the huge investments in cloud infrastructure and development by companies such as Microsoft can then help with firms' risk management when it comes to both knowledgesharing and information categorisation.

"Most glibly, Microsoft can spend a billion dollars on cybersecurity – which few organisations could possibly match," says Aston. "However, we also invest in engineering delivery tools that others would find it difficult to replicate. For example, a firm might be able to implement rights management on premises easily enough, but it becomes much more difficult to share that



information with partners, or potentially clients.

"Cloud's also a good way of spreading information, as it has a scale of its own. If we identify a phishing attack in a URL address, we can quickly update the status as it changes over time. It might not be immediately apparent a link is bad, but people will also start to report it. Intelligence can be fed through from multiple countries, 24/7. As an organisation, you benefit from shared information about threats you wouldn't otherwise be able to see."

Then there's cloud-hosted machine-learning capability to spot unusual network events, such as logging in from the 'wrong' city or country, as quickly as possible. "Companies won't necessarily have the skills to analyse the raw information. They need more actionable intelligence, or ideally very simple instructions: it looks likely a colleague has been compromised. Should we let them log on? Probably not."

Finally, could a cloud strategy even hold the key to more confidence your firm can handle the new world of the EU's General Data Protection Regulation (GDPR)? Briefing's Legal IT Landscapes 2018 poll found the percentage of operational or technology leaders who thought their firms were ready to treat personal data 'correctly' in line with this new legislation had fallen from 43% in 2017, to 28% with just months to go. And only 38% were "highly confident" they'd be able to express such confidence by 'GDPR day' in May 2018.

"The main challenge for people probably still relates to understanding exactly what it is they need to do to comply," says Aston. "But one aspect is certainly positively identifying data as containing personal information. As you move information to the cloud, that's a good opportunity to begin automatically categorising, protecting and signalling.

"With a set of protective credentials, you can even get a signal back to the cloud that personal data, and your organisation, have potentially been compromised."

Attempts on people's data might otherwise take significantly longer to detect – and although law firms should assume their inevitable weakness will be exploited at some point, every second counts when that time comes.

INDUSTRY INTERVIEW

# The singular solution

Avaneesh Marwaha, CEO and president of Litera Microsystems, says consolidation in the legal technology market is a chance for law firms to improve their overall competitiveness

Α

s the last of the Big Four finally acquired its licence to operate as an alternative business structure in January 2018, will we see any signs of

law firms changing the way they choose and harness the power of technology?

This will surely be one question on the busy mind of Avaneesh Marwaha, CEO of the recently combined document-lifecycle business Litera Microsystems, as it pursues its own path of considered consolidation to compete more effectively.

"One of the top things law firms could do to make themselves more competitive is to reduce the complexity of the work lifecycle," says Marwaha. That, in short, means fewer vendors. "Continually switching between toolbars and windows creates more potential points of failure and more potential for the business to need to fix problems. If a firm's client receives completed work of a high standard faster, the firm is fundamentally more competitive. And if a lawyer can spend more of their time in the same environment, it's not only more efficient than moving between systems; there's a higher chance of a higher-quality product."

A similar principle applies to introducing more collaboration to work processes for greater efficiency – whether that's between increasingly dispersed internal teams, or with clients, he says.

"First, organisations need to be deploying tools that are best suited to their business. There are collaboration platforms we use internally, for example, that may not apply to a law firm."

But second, he continues, firms need to minimise friction to motivate collaboration, without unduly "forcing it".

"If we can create a collaboration space which feels similar to the other phases of the drafting process, that's much more attractive to people. Again, staying at work within the same environment as much as possible makes the business process more efficient."

#### "One of the top things law firms could do to make themselves more competitive is to reduce the complexity of the lifecycle."

#### For more information, visit: www.litera.com

Meanwhile, another layer of efficiency could be increasing the number of document types that can be serviced in that environment – a priority behind Litera Microsystems' Change-Pro Premier comparison product, he says. "The greater the compare – for example, introducing Excel and PowerPoint documents as well as Word – the stronger the collaboration advantage. Of course, there are also considerations such as the speed of comparison and amending, tracking changes and version control."

#### **ROI** you ready?

"Historically, technology investment has all too often delivered a poor ROI," explains Marwaha. "One of a technology strategy's most reliable weak points is implementing products that aren't used by all who should be using them, all of the time."

One of his business goals, therefore, is to help law firms to move in that direction more effectively – but the nature of the intervention will depend on the type and culture of the firm. "We've worked with some firms that have picked up our products with little to no training and only minimal support for the first month," he says. "There are others where we assist the training team, or even become their training department for a time. At no cost, our adoption team can be on site, create training webinars, and build documentation that's branded specifically for the business."

However, also important for a culture of high adoption is the ability to demonstrate the overall value of a change right across the business. "Our investment in drafting tools and templates can, of course, improve the efficiency and consistency of marketing and pitch materials as well as legal documents," says Marwaha. "And less directly, we should also demonstrate how better systems help the firm's finance department in its ultimate end goal of increasing collections. Reducing lawyer time spent on more routine tasks such as proofreading means more focus on the highervalue billable work of customer conversations and collaborating on real business problems."

And do the latest advances in 'artificial intelligence' have anything in store for the world of document-drafting accuracy and efficiency? "Several of our products – such as DocXtools Companion – already have AI capability built in to identify errors and common themes, and apply numbering, more efficiently," he says. "Then, as the larger players and products become ever-better and smarter we see potential to leverage those developments in future."

In the shorter term, however, he's laser focused on the simplification and smoothing out of the human experience – and ideally becoming even less of a barrier to firms' investment in trying the new technologies of tomorrow.

"Where we see appetite for investment in automation growing fastest is where the partnership recognises and accepts it as part and parcel of the future practice of law," he says. "They appreciate its importance from the perspective of the next generations of fee earners, as well as being what clients are asking about in their latest RFPs.

"Firms that recognise the significance of retaining both clients and talent to remaining competitive see their technology as a valuable resource rather than an obstacle."

By making the investment decision more cost-effective in practice – requiring fewer systems per work process – the hope is that value will soon be even clearer. INDUSTRY ANALYSIS

# Transform your trust

Jose Lazares, vice president, product strategy and business management, Intapp, says trust is a two-way street – and that a strategic approach to client due diligence and technology integration is essential for successful long-term collaboration

### Т

rust has to be the highest value in your company ... We are in a new world ... and trust had better be number one. At this year's World Economic

Forum in Davos, trust in the age of the digital revolution was high on the agenda, with Salesforce chairman and CEO Marc Benioff declaring that "if anything trumps trust, we are in trouble."

Trust is the crux of every business transaction – and the digital economy is transforming how we build relationships across the board.

Law firms are finding that clients, empowered with better information, are demanding greater transparency and accountability from outside counsel. Lengthy RFP processes, alternative fee arrangements, onerous outside counsel guidelines and increasingly stringent security audits are all part of clients asking: Can I trust you?

And now, more than ever, it's also important to ask – Can I trust my clients?

It doesn't matter if you have the best client portal, brightest lawyers, smartest AI or most innovative app – if your relationship isn't established on a firm foundation of mutual trust, meaningful collaboration with clients is next to impossible.

#### Before you engage

"I don't want our clients to feel like we're treating them like criminals." In a recent conversation with a risk leader at a leading UK law firm, I was struck by this statement. Are stricter anti-money laundering (AML) regulations causing new firm/ client relationships to get off to an icier start?

Possibly. And yet, this firm has managed to turn initial awkwardness into a positive by communicating to prospective clients that they shouldn't work with any firm less thorough in their due diligence. Clients can be assured the firm holds itself and its clients to a high standard of integrity. For more information, visit: www.intapp.com

Making sure your clients are who they say they are, understanding their ownership structure and affiliations, and confirming they're not engaged in suspicious activity, are important activities to ensure compliance. But the initial intake process also presents a critical opportunity to assess potential clients from a business point of view.

The question is: Is our relationship set up for success? Conflicts management is no longer simply about clearing individual conflicts as quickly as possible. It also means ensuring clients align with the firm's strategy and financial goals. Will taking on a certain matter now preclude the firm from taking on more desirable business in the future?

Financial data about prospects can provide clues about the likelihood they will pay their bills on time and remain a lucrative business partner.

Outside counsel guidelines – which at one time may have disappeared into a drawer somewhere until 'needed' – can also help to flag client expectations and future potential issues.

In other words, taking a hard look at the details upfront will help your firm take on the clients you truly want to collaborate with, your eyes wide open, and walk away from opportunities that could result in write-offs or limit future growth.

#### Technology for collaboration

Another overheard comment: "The goal is to eliminate email as a vehicle through which we receive instructions from the client."

The transition to a paperless office has long been underway. Could the next great paradigm shift be legal delivery without email?

There are signs that electronic supply chain management (eSCM) is already transforming how firms serve clients in some sectors. Insurance providers, for example, are adopting claimshandling platforms, and requiring their suppliers and vendors – including panel law firms – to integrate with their systems. Each firm then receives instructions directly through the claimshandling platform rather than email, and all relevant parties are able to track the status of individual claims as they progress. While this level of integration requires upfront investment, it also suggests firms will find the relationship is more 'sticky' and closely aligned over time. Transparency into work in progress is central to client collaboration. To differentiate, leading firms are investing in client portals to provide visibility of work status, effort and progress, while also delivering secure file sharing and communication.

Meanwhile, some clients seeking to mitigate proliferation of law firm portals are instead requiring outside counsel to use their corporate extranets, or creating their own unified view of all legal services delivered to internal stakeholders.

Technology provides a powerful means of closer collaboration with clients. And now more than ever, it's important to remain aware of the total picture: Is your own data 'clean' and ready to be shared with clients? Are client collaboration technologies inadvertently building new silos of information? Are they truly secure?

Most importantly, how can you capture the data being shared across various client portals, extranets, platforms and cloud applications, and ensure issues flagged are immediately actionable?

#### Capitalising on experience

'We wish our firms would come to us with more ideas and more solutions.'

In-house law department leaders regularly express an overwhelming appetite for more innovation and proactivity from their law firms. What are the unforeseen challenges that the in-house legal team may be missing? What solutions can firms bring to the table to help their clients achieve their desired outcomes?

Today, many lawyers find it challenging to progress opportunities for new business with existing clients when they lie outside their current scope of work. Without personal relationships with lawyers in other offices and visibility into other practice areas, it can be hard to recommend their services with confidence and trust.

Experience management is emerging as an important discipline – not only for winning new clients, but also for growing business with existing clients. By using technology to capture an accurate picture of work performed and experience possessed for clients across the board, you can better arm lawyers, as well as business development and marketing teams, with information about your firm's unique capabilities.



Thereza Snyman, IT director at Kingsley Napley, explains why the firm turned to Nikec Hub to take it to the next level of file-sharing and improved collaboration with clients

E

nabling fee earners and their clients to collaborate on cases and matters digitally has been a growing driver of IT investment in law firms for some

time. Clients, of course, want to be able to amend, comment on, and be kept informed about how work is progressing promptly, but without necessarily needing to visit or phone their lawyer. For their part the firms want to be able to satisfy that demand, but also to find new internal working efficiencies, such as reducing the need for printing and improving individual productivity.

Thereza Snyman, IT director at Kingsley Napley,

says the collaboration driver had been building behind her department for around two years - and now was the time to act. She says: "Of course, we were very aware of the benefits in the IT function, but there had been a real rise in demand from the business to offer clients easier access to their documents and management information, as well as to be able to use a collaboration platform as a more effective marketing tool for keeping in touch."

"Some of the teams have mooted the publication of blogs and relevant news feeds, for example updates on any new changes in legislation,



litigation, case law – really, anything that might affect the particular client in the case of the particular matter."

Snyman says there was quite a range of options open to her for delivering on all this. "First, we could have built an extranet on the SharePoint platform. However, that would have been a significant overhead from a maintenance perspective and expensive from a licensing perspective. We would also have needed to bring in a consultancy on the skills side.

"The second option was a bespoke platform built by the current provider of our website – but again expensive – and a third possibility was a very good product, but not cost-effective at the time."

In the event – over all of these – Snyman was convinced by the business case for the Nikec Hub solution. But cost was by no means the only factor. "There was some concern surrounding choosing a partner we could rely on from a security perspective," she adds. "Clearly, if you're uploading documents to an extranet for clients to access, that process will involve some sensitive personal information."

Nevertheless, Nikec Hub comes in on-premises and cloud-based versions – and Kingsley Napley opted for the cloud, in line with an overall movement in that direction where possible.

In 2017, the firm hired its first information security officer. "One of his first tasks was to undertake a full security audit on the Nikec platform, and we're partway through a rigorous cycle of security due diligence," says Snyman.

#### **Open roadmap**

Another reason that Nikec came out on top of the other alternative options was the potential level of collaboration it could offer the law firm when it comes to the development roadmap, particularly if and when needs change in future.

Snyman says: "We believe that we can collaborate with Nikec, and have some influence over the Nikec roadmap to deliver to our own clients' requirements. In a larger organisation, we



"I certainly expect more of both client satisfaction and internal efficiencies. Instead of a client phoning up a lawyer asking for documents to be retrieved and emailed, the client will have instant access at all times."

might not have the same influence. There's more of a partnership."

In the meantime, the implementation is also focusing welcome attention on some of the firm's internal processes, for example surrounding document management.

"One thing that has required a lot of work from both Nikec and ourselves is the integration with our matter management system," she explains.

"Documents saved in a particular location in our document management system will now be exposed, or automatically sync, to the extranet. So, of course we've also needed to verify the right level of rigour in our internal processes to ensure documents are saved to the correct location, and are appropriately named. Otherwise, clients might not know what to do with certain information, or even receive the wrong information.

"But I certainly expect more of both client satisfaction and internal efficiencies from this project. Instead of a client phoning up a lawyer asking for documents to be retrieved and emailed, the client will have instant access at all times."

And not necessarily only to documents, she says. "We're currently only at the start of the implementation process, but as use cases emerge we may also consider exposing some key performance indicators, such as billing and WIP information in appropriate circumstances. And appropriately for a cloud solution, I think the sky could be the limit. I foresee that as more and more clients become involved, increasing functionality will be built into the system." Six of the best

### Brain-science management moves

Hilary Scarlett, author of Neuroscience for Organisational Change, and presenter at Transformation 2017, gives Briefing some top tips for using what we know of neuroscience in the interests of smarter business management



"If you have a brain, you're biased, and we have to accept this," says Scarlett – not only that, people's biases intensify in certain circumstances. Studies have determined that people (including judges) make different decisions depending on factors such as how recently they've eaten. "People need to be open to being challenged, and you need someone to do the challenging – a devil's advocate," she explains. Perhaps try proactively reminding people of bias before meetings, for example, so it's top of mind.

As an example, we're "much more forgiving of people we like," says Scarlett. And that tends to mean people we know better. Think about the implications for large businesses with multiple offices and dramatically changing operating models. Do you treat people in your part of the business at all differently to those in others, whom you rarely see? Do you harbour unfair perceptions of people in a different department? "People fall into tribes, and 'the other' becomes the enemy. And that happens quite quickly."

**So, the social stuff isn't 'soft stuff'.** "Paracetamol has actually been found to alleviate social pain, as well as physical pain," says Scarlett. "People have an inherent need to feel cared about throughout life, not just in childhood." And it works as a strategy. When a number of strangers were brought together for a study and asked to take an IQ test, some were asked who they'd prefer to partner. People who believed others didn't like them (eg, want to work with them) saw their IQ scores drop by up to 25%. Brains crave information and certainty. There has even been talk of suffering 'Brexit brain' in recent years, says Scarlett. "Brains like predictability. Predictability equals survival."

Use that insight in your changemanagement initiatives. "No news is often worse than bad news for brains," says Scarlett. "It's being in limbo that's most difficult." That's why small certainties help in times of general change and uncertainty. If you can't give definite answers, communicate - for example - when future communications can be expected. Or, give people "a choice or a short-term goal" to offset the lack of control, she says. In a restructuring exercise, people who had the certainty of knowledge they'd be leaving at a fixed point in future were even found to perform better than people who didn't yet know either way. "Once people have news, even bad news, they can take back some control and start to plan."

Brains are all still dealing with life "on the savannah", explains Scarlett - responding to workplace threats as they might to life-threatening dangers. Think about the perceived threats that might exist in the modern workplace: "the overfull inbox, lack of control, believing others are more in favour with the boss, performance appraisal." And employees already in a 'threat state' are more likely to filter other information through it. "People start to see threats where they exist as bigger than they are, and where they don't even exist. They will also hold on to the negative thing - the bad comment, for example, rather than the good."



"People fall into tribes, and 'the other' becomes the enemy. And that happens quickly."

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