

BACK IN BLACK Co-operative Legal Services explains what has changed to return it to profitability GET BETTER SOON Why law firms may need to improve management of wellness at work EAST MEETS WEST The team at Michelmores on how helping out a Chinese firm is also helping them



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Who we are...

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Editor's letter



n this issue we wanted to talk about the idea of law firms setting targets for diversity in legal business management or leadership - but not as many people wanted to talk to us about it as we'd have liked. We thought that was a bit odd, and so - as I hope you'd expect - we're going to talk about it anyway.

In recent years firms have started to set targets for the number of women that should be making up the partnership – although they're clear these are in no sense fixed quotas that they could therefore be said to have failed to deliver. Certainly not.

So if such goals are 'nice to haves' rather than absolute obligations, why not have the same for business services? It surely isn't something that matters less than having a diverse spread of lawyers - all the evidence shows that there's a big old business

case for more diverse teams who deal with clients, in particular. perform better across Recent research from Acritas, for example,

finds 'very diverse' teams perform better across all areas - from responsiveness and strength of relationship to commerciality and efficiency. That, presumably, means that the diversity of business development and project management experts is relevant to success. On

top of that, says Acritas, 'very diverse' teams are more likely to promote the firm they're working with to others, and - the real clincher - attract "a 25% higher share of wallet" than 'not at all diverse' teams.

In this issue, **Briefing** meets the leaders of Allen & Overv's flexible resourcing model Peerpoint, and hears, among other things, how exploring alternative career paths, possibly involving less traditional work patterns, could have a part to play in the diversity battle. But, of course, that's just for the lawyers - what about all the others who make up a client-facing team?

And then there's the rest. 'Back room' teams deserve the diversity that will improve their own performance and contribution to the business (and future careers).

RICHARD BRENT EDITOR

'Very diverse' teams

responsiveness and

to commerciality

strength of relationship

all areas – from

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OUR VIEW

Meeting match



K nowing that it's all about convenience these days – and that usually means doing something online – **LOD** (Lawyers on Demand) is building on its reputation for disrupting the big law market with its new law tricks by launching a website where clients can have a browse and find the absolutely perfect lawyer for them.

The site spokelaw.com anticipates 500 lawyers will be signed up by launch this summer, and clients (firms and in-house teams) are already able to register interest. But perhaps most notably, lawyers don't have to work for LOD's other service lines to get their profile up – indeed, it's open to



barristers and specialist sole practitioners as well as surfers of the freelance wave.

Simon Harper, co-founder of LOD, says: "Spoke takes the flexible lawyer landscape that LOD pioneered and adds another new way of working. The so-called 'gig economy' has allowed lawyers and legal teams to have flexibility and control over how they work."

Well, it certainly sounds like pretty modern stuff to **Briefing**. We'd just like to know if you get to swipe right and left as well ...

Meanwhile, **Dentons** is also playing matchmaker, but for its clients. The NextLaw Global Referral Network vows to disrupt the business of referrals – for free. Global chairman Joe Andrew says: "The challenge for clients with today's referral networks is that they are 'pay-toplay' – you do not get the right firm for the client's need, just the firm willing to pay to be part of the referral network."

For firms getting involved there's less pressure to take on what doesn't suit them, he says. "Globalisation has presented many firms with a false choice: expand or die, leading some to fall into the generalist trap, exaggerating their capabilities and what they can deliver for their clients," says Andrew.

Instead of coughing up, applicants are assessed by a panel of Dentons partners, and GCs, who evaluate based on real client feedback – while the successful firms can track the most useful relationships thanks to a handy underlying algorithm.

Gosh, it's all almost enough to make you yearn for the days of an offline achievement. And so we say congratulations to Virginia Farquharson, appointed to the newly created role of director of management at top 100 newbie **Payne Hicks Beach**. A committed two decades at the firm see her promoted from director of finance and administration.

Not that Farquharson hasn't arguably done a spot of disrupting herself. Although working with senior partner Alastair Murdie, the chartered accountant replaces managing partner of five years Peter Black, who's stepping down to retire.

"We remain committed to providing the highest-quality service and advice for our clients," she says – a traditional line perhaps, but with LOD and others in the game, traditional might be a very modern differentiator. "Globalisation has presented many firms with a false choice: expand or die, leading some to fall into the generalist trap, exaggerating their capabilities."

6

Targeting change?

Most firms now try to champion diversity – but should your firm commit to a target, or targets, for diversity in business services leadership?





PAT GILLETTE Co-founder – Opt-in Project

Law firms must have diversity in business leadership positions because a) diverse teams are more creative, innovative and successful than non-diverse teams and b) more women and ethnicalldiverse in-house lawyers are now in positions to give out work. To achieve diversity in these positions firms must adopt concrete targets and actively solicit diverse candidates.



MICHAEL CHISSICK Managing partner – Fieldfisher

Diversity targets are all well and good - but it's only through internal initiatives, in each of the various areas of diversity, that they will actually be reached and prove more than just good a PR exercise. These initiatives aren't just good within the office. There's a clear and growing business case and clients old and new will reward it.

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Do you have a view? Or indeed news for us to review? Have your say on Lex Pop – tweet us @Briefingmag or email briefing@lsn.co.uk

WHO'S ON BOARD IN EUROPE?

In April 2016 research from European Women on Boards 🛛 adopted a 25% target for the FTSE 100 alone). (EWoB) found the UK solidly in the bottom half of a table ranking countries by their boardroom gender diversity.

The analysis of the STOXX Europe 600, covering 17 European countries, shows the presence of women on all boards has increased from an average 13.9% to 25% since 2011. But the UK has fallen in the ranking (to 23.2%) over those five years (in spite of doubling the number of women across all boards since the then government

Sweden tops the table, followed by Norway, Belgium, Finland and France (all achieving more than 30%). Italy is also now ahead of the UK (and has seen the biggest increase), while Italy, Belgium and France have mandatory quotas (although Sweden and and Finland do not). Marie-Ange Andrieux, co-chairwoman of EWoB, said: "In particular, the results show that women have materially increased their presence as independent non-executive directors."

READING LIST

Ways to better days

Deborah Dalgleish, head of diversity at Ashurst, says a book challenging workplace habits and how we prioritise tasks passes the ultimate test of provoking personal change

S elf-help books often set themselves up for failure by over-promising and underdelivering. How to Have a Good Day, by former McKinsey partner Caroline Webb, is a refreshing exception to this general rule.

Caroline starts out by discussing the "science essentials" - the neuroscience evidence underlying what became the key themes of the book. What she explains will be of particular interest to anyone familiar with, or interested in, unconscious bias and its impact in the workplace (and of course wider society), plus its increasing influence on thinking around organisational management and development. The book draws on neuroscience, behavioural science and psychological insights to illustrate how human beings are neither rational nor consistent, much as businesses might like them to be. If we want to manage ourselves and others effectively, we therefore have to equip ourselves with some additional tools.

Once the "three big themes" – the two-system brain, our constant repositioning along a threat/reward axis, and the material impact of mind on body and vice versa – have been established, Webb takes the reader on a wellstructured journey through what to do to set our priorities and be productive, to manage tasks efficiently, and to maintain resilience and energy. I'd say that if most of us could adopt improvements in our approach to just one of these areas, we'd reap the benefits – so a book that offers insights into multiple challenges has considerable appeal.

Of course, as the author herself would acknowledge, the very name McKinsey generates high expectations from the outset, which could unduly influence an analysis of the book's worth (indeed, Caroline would probably recommend a cross-checking routine in this context to ensure that the brain's automatic system wasn't taking over). Even allowing for this, however, the book is clearly written, delivered in easily absorbed sections and is well illustrated with some intriguing pieces of research.

After the first couple of chapters I found myself starting to use the approaches, which are usefully summarised at the end of each chapter, in workplace situations.

This is surely the ultimate litmus test for any self-help book: that you can remember what it said sufficiently to start putting things into practice – and, most importantly, to glean some evidence that it works. What's more, I can testify to its usefulness outside of work as well. I recently forced myself to "choose my filters" in a social group situation that I could have found tedious. It made a difference to my ability to participate positively in the conversation (where my usual tendency would have been to sigh heavily to myself and mentally raise my eyes heavenward).

I'll be keeping the book close to hand inside the office and out.



Publisher: Macmillian Date: January 2016 Price: £14.00

"This is surely the ultimate litmus test for any self-help book: that you can remember what it said sufficiently to start putting things into practice."

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Source: LawCare Statistics 2015





As Co-operative Legal Services returns to profit, managing director **Matt Howells** explains what has changed in the process

What costs did you cut to increase profitability? Over the last 18 months we have had to restructure the business to ensure it reflected the right size and shape for the revenue it was generating. We have also worked hard to reduce our costs by improving our processes and driving automation through our investment in IT infrastructure.

What technology are you investing in - and why? We have made a number of technology and digital investments during the last 12 months, which have included upgrading our core IT platform Proclaim, and re-launching our digital platform, which is mobile and tablet enabled. We have also invested heavily in automation of key workflows and ensured we have efficient operations. As a volume legal services business, it is important to invest in technology to ensure consistency and control in our work practices.

What's the business's biggest point of differentiation in its market segment?

As a co-op with a clear purpose of championing a better way of doing business for

communities, we're able to focus on what is important to our members and customers. Unlike many other legal services firms we're not owned and directed by shareholders, but we are held to account for our services by our members. We firmly believe that in a fragmented legal services market there remains an opportunity to provide customers and members with high standards of customer service, transparent pricing and an affordable range of services, from a brand that people know and trust.

Q How will more face-to-face delivery change the business?

We recognise that while some of our members and customers want to interact via digital channels and over the phone, others prefer to discuss their legal needs face to face. The acquisition of Collective Legal Solutions is enabling us to better serve our members and customers in their communities. We already have an existing face-toface service so we don't envisage any changes to process or policy.

What's your most immediate priority? Our focus for the next 12 months is on continuing to provide customers and members with high standards of customer service, transparent pricing and an affordable range of legal services that consumers know and trust. There will also be a great focus on how we serve our members in 2016 as part of the broader rebuild of the Co-op Group.

Can you summarise your long-term strategy? Our initial focus for the business has been on rescue and stabilisation and as the recent results show, we are making good progress with the business moving back into profitability in 2015. Work is currently underway to define the long-term strategy of the business and the contribution it should make.

Q What's your biggest day-to-day management challenge?

A My biggest management challenge is ensuring we always put our customers, members and colleagues at the heart of everything we do. It's a tough balance, but we're making good progress on ensuring we are focused on the most important aspects of the business.

SPEAK UP

Swimming lessons

Spend some lateral hire money ringfencing the knowledge you already have before it's too late. Neither brands nor people are what they used to be, says Stephen Allen, former director of service delivery and quality at DLA Piper



В

ob Dylan once wrote: "… you better start swimmin'/Or you'll sink like a stone/For the times they are a-changin".

Of course, Dylan (a well-regarded legal industry commentator), like the rest of us who see and welcome the need for change, must be amazed that it's still a long way from happening.

So why no change?

Personally, I think much is still down to belief that the only core assets of a law firm are 'the brand' and 'the people'.

Many firms don't really understand what the first of those two is. There remains the belief that a firm's brand is based entirely on technical legal excellence. Any suggestion of delivering clients an alternative service, or helping them resource all their work more seamlessly and cost-effectively, can be greeted with rhetorical howls of "What about the brand?"

There are two big problems with this. First, clients assume technical excellence of all their 'panel' firms – it's a hygiene factor. What clients are crying out for are better service, pricing and project management, and co-sourced solutions. But most investments in these areas have been, shall we say, tentative.

But look at the more speculative lateral hires with fixed profit shares of £1-2m. Try getting a similar level of investment for a project management system and some new recruits for it, or setting up a legal services centre. It's a much harder ask, even though what clients are asking for – something genuinely brand-enhancing.

The second problem with brands is that they're temporal. Take Russell Jones and Walker or SJ Berwin. Huge established brands have disappeared through merger.

So what about the people? Well, these are also increasingly short-term assets. As millennials make up an ever-greater percentage of headcount, we should be reminded that 79% (according to ElanceoDesk and Millennial Branding 2015) are looking for their next move, now.

The days of joining a firm as a trainee, learning from a partner and on the job, becoming an expert, before teaching the next bunch of trainees, have gone. Learning by proximity, while it worked perfectly well for the ancient Greeks in their gymnasia, can't meet the demands of a geographically spread and diverse workforce that is already looking to leave.

Firms need more investment in knowledge and systems, distinct from the brand, which capture knowledge and support people while they're inside – but stays, still usable by the firm, when they're long gone. Every day, the core knowledge assets of most law firms still leaves with the leavers. One or two fewer speculative lateral hires and some investment in 'millennial-proof' systems should be within the power of most firms.

So you'd better start swimmin' – or you'll sink like a stone. Your people are thinking of changin'. ► As millennials make up an ever-greater percentage of headcount, we should be reminded that 79% are looking for their next move now

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NEWS FROM THE THOMSON REUTERS ELITE COMMUNITY

Hi everyone. It's great to be back in touch with you in this, the second Thomson Reuters Elite update in Briefing Magazine. Our first update, in April's edition, generated some really positive feedback from across the Elite community and we're eager to keep up our dialogue with you all. It's been a busy two months, with both VANTAGE Nashville and our Enterprise roadshow series proving a great success. More on that below!

If you're an Elite client, be sure to visit customerportal.elite.com to join the online discussion with your peers across the Thomson Reuters Elite Community.

Recent Thomson Reuters Elite Community Updates

- A huge thank you to all who attended another brilliant VANTAGE Worldwide conference. Great to see more than 1,100 people networking and knowledge sharing over three fun days in Nashville. Our 'Insights & Outlooks' sessions proved particularly popular, providing a platform for peers and thought leaders to discuss important new trends in the legal IT landscape.
- We were also excited by our successful Enterprise Progression roadshow in London (pictured right). As you know, our global roadshow series is designed to help our Enterprise customers plan their move from Enterprise to 3E and it's good to have so many of our customers working closely with us on their plans.



Plus, another very constructive meeting of our Client Advisory Board took place in Washington, DC. Lots of good discussions around how we can further communicate the value of our Express Services Package, as well as how best to further support Enterprise clients in preparing for their move to 3E, not least in relation to their legacy data. What is Elite doing to help
customers plan their migration from Enterprise?

Your Questions Answered

As Enterprise moves into the • next phase of its lifecycle, we're providing all our clients with the resources they need to help manage their migration. We will help you find a solution tailored to your firm's specific needs, so be sure to visit **elite.com/progression** for information on what to do next.

Client Spotlight

Founded in 1983, with 22 office locations and more than 400 staff across London and the South, McMillan Williams Solicitors is a multi-disciplinary law firm that made the decision to implement MatterSphere and 3E in 2015.

" By integrating case, document, and matter management within a single platform, we've been able to improve the quality of legal services we provide to clients and optimize our access to market. The advanced automation of 3E and MatterSphere streamlines our document production and billing routines, while real-time reporting provides greater visibility to make more informed business decisions."

– David Fazakerley CIO at McMillan Williams Solicitors

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Tweet us at @elitelink using the #TRECommunity Number of Enterprise customers in EMEA

61

Number of clients going live on 3E in EMEA in 2016

Number of firms who have already successfully migrated from Enterprise to 3E in EMEA





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Fighting on the breaches

Damien Behan, IT director at Brodies, says that combating the changing threats to information security needs to be a true team effort

f you've just returned from an extended expedition to the Amazon rainforest or perhaps spent the last few months meditating in a Himalayan hilltop cave, you may be blissfully unaware that in 2016, information security is front-page news.

For the rest of us, it's hard to open a newspaper, listen to the radio, or browse any of various social media feeds without being bombarded by news about breaches. Until recently, these were distant occurrences – websites, retailers, banks, government agencies or councils were under fire, it seemed, but not law firms.

It's said, somewhat unfairly, that the legal sector lags behind the rest of the business world, but it seems that just like email and dress-down Fridays, high-profile security breaches have finally reached law firms. The leak of the 'Panama Papers' is the most obvious example, but firms are also being targeted by bank accountswitching fraud and phishing, and there are also reports from the US that top law firms are being targeted by hackers looking for M&A information. So what's the natural reaction when you come under attack? Pull up the drawbridge, fortify the defences and ride it out? But here's the rub for legal businesses: as information security has risen up the agenda, so has the demand for more flexible working, agility and mobility.

As some services move to the cloud, data is being outsourced to third parties. And as we reduce our use of paper and digitise work to increase mobility and efficiency and reduce the impact on the environment, we're making data more mobile, but with the unintended consequence that it also becomes easier to copy and to steal.

It's tempting to see this as a technology problem, but it's not just a concern for the IT director. The finance director has a key part to play in understanding costs and guiding investment decisions. The HR director needs to be aware of the potential threat from disgruntled personnel. And the marketing director needs to be on top of data protection for the firm's contacts and be ready to deal with the consequences from a



So what's the natural reaction when reputational perspective if a breach does occur.

Effective information security is something everyone in the business needs to take responsibility for, but that usually requires the kind of cultural change that can only come from the top down. It has to be a board-level concern, centred on the assessment of risk.

Your workforce is your first line of defence but can also be the weakest link in the chain. In the words of security expert Bruce Schneier, "amateurs hack systems, professionals hack people", and the latest round of 'CEO phishing' (or 'whaling') emails show that targeted attacks just need to entice the recipient to click a link.

So, if we're just looking at technology to solve the problem, we're in danger of building an information Maginot Line, while ignoring the many other potential sources of a breach, such as insider threats and social engineering. Outside that Himalayan cave or the Amazon rainforest, information security is a pressing concern for everyone involved.

Action on your age

Do you never look any older as an organisation? According to a new report from the Chartered Institute for Personnel and Development, you should certainly prepare for the day that you will. Almost a third (30%) of the UK workforce is now over 50 years old, compared to 20% in the 1990s. And as people live longer, it's estimated that nine million employees in the UK will also be part-time carers by 2037.

Business shouldn't want to lose those people, and the CIPD report uses case studies from across Europe to draw together

some ideas for improvements in support to retain them.

In Denmark, for example, many employers hold mid-life career reviews for older workers to identify any changing training needs based on their plans. And in the Czech Republic employers are offered tax concessions for investing in such retraining.

But while adjustments may be needed, the report also recommends not making assumptions about workers' capabilities, and developing flexible working options that amount to more than non-traditional hours.



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Contract skillers The top team at **Allen & Overy's Peerpoint** explain why legal's future needs to find more flexibility

22

Silk-smooth support Why **Michelmores** has invested great energy – and a CEO – to help a Chinese law firm set up shop in London

THE BIG IDEA

Contract skillers

Allen & Overy's Peerpoint prides itself on offering clients an enticingly efficient model of doing business – but is it also a vision of every firm's future?

Words Richard Brent



lexible resourcing isn't the biggest of business – because it really hasn't yet had the chance to throw its weight around. The baby of legal business trends, several

Briefing firms have nevertheless been keen to demonstrate that they too can provide clients with a more cost-effective service by helping to forecast – and subsequently fill – peaks, troughs and the more predictable of projects within workload cycles. By buying a greater proportion of their resource in only when they really need it, clients can be that much more confident they're getting a fair price. Firms are well aware how good that sounds.

Peerpoint is one of the original group of mouldbreakers – and even it hasn't yet turned three. It has, however, scaled a modest peak in its own business, of which it can surely be proud. When we interviewed CEO Richard Punt, formerly of Deloitte, in June 2015, it had only recently moved on to work for clients directly (as opposed to staffing A&O's internal workload more strategically). The panel Punt had recruited to what is also an alternative career structure for lawyers was 75 strong. Just under a year later and the numbers have almost doubled to 140 (120 in London and a further 20 serving in Asia Pacific).

"It has been a steady expansion, I think, rather than dramatic," Punt insists, "because while we receive a lot of applicants we're continually focused on ensuring people have the right skills and experience to be a Peerpoint consultant."

Nevertheless, it's hard not to view this move into an alternative legal future as closer to a step

change than a shuffle. A year ago Peerpoint had only just launched an office in Hong Kong. Today, managing director Tony Corcoran is also on board (once A&O himself and formerly a GC at ABN Amro and Australia's Maquarie Bank). Corcoran is leading business development specifically in Asia. He has already formally launched in Australia, and Singapore is following close behind. That's since November 2015. "In revenue terms we've increased fourfold this year," says Punt.

Branding out

Admittedly, it isn't so much that Asia Pacific is the next natural market after London for what we'll call 'contract lawyers', (although an A&O survey in May 2014 did find 50% of Asia Pacific clients expected to be using hybrid approaches by 2019).

It's more, the pair explain, that Peerpoint is a particularly good way for A&O to grow in Asia. "We have one of the very broadest networks, and we know there's a lot of growth opportunity, but we don't necessarily have the scale of domestic players in some individual markets," says Punt. "Peerpoint is really an important way of creating more presence for A&O as a brand.

"In addition, although there are other providers doing something similar, we felt we had an opportunity to differentiate ourselves with something much stronger for the highest-quality lawyers in the region."

Also relevant is that a lot of lawyers in Asia will move to London for part of their careers – so there's something of an ongoing talent exchange between the two regions anyway. "Australia, Hong Kong and Singapore form a bit of a natural alumni



network," says Corcoran.

But in terms of contract positions replacing full-time employees, the Asia market is very much in its infancy, says Punt. "You're talking about an environment in which contracting is at a much earlier stage than London." Although that means, of course, there's that much more opportunity for Punt and Corcoran to make the case for something radically different.

Role reversal

Easier than generalising about where Peerpoint lawyering may take hold firmest and fastest is pinpointing how clients' use of the model is evolving, say the leaders. Contrary to the idea of flexible resourcing appealing to a job-hopping, possibly part-time Gen Y or millennial mindset, the real pattern they're detecting is clients' greater willingness to buy people temporarily if they can demonstrate a track record that represents the perfect fit with a project.

"There's greater confidence in using consultants to fill much more senior and strategic roles – especially on the regulatory side of the business," says Punt.

Corcoran adds: "It's especially appealing if a senior lawyer has completed a similar project for another comparable institution. They're then buying someone who really knows what it's like to work inside a similar organisation and can understand the various nuances of how the different areas of a business communicate and collaborate."

That trend's quite fortunate, as it has also benefited the brand, effectively distinguishing Peerpoint from the firm's traditional seconding of lawyers

"This has to be right for individuals to be right for clients. We increasingly provide support."

Richard Punt, CEO, Peerpoint

to clients. Punt admits that making this distinction clear has been one priority.

"More experience typically means exposure to project management discipline, engaging with more stakeholders and deeper understanding of a sector or institution – and that's quite a different proposition to the no doubt very sharp technical capability of secondees," he says.

In some cases project management may, in fact, even be a consultant's primary skill set – although very few on the panel are not also practising lawyers. The firm wouldn't necessarily provide pure project management through Peerpoint – although the potential is there for that, he says, as the model can involve forming project teams comprising a mix of full-timers and contractors.

"Clearly, one of our benefits is to enable some more blending of work types into a different direction for careers. But the flip side is we need to be very clear with clients about what they're getting."

Meanwhile, carefully articulating the vision, proactively managing perception, is just as important in championing the new client delivery model internally.

77%

consultants have

of Peerpoint

eight or more

years PQE

"The firm is very good at feeding off success when it sees it, but you do need to be able to demonstrate tangible progress," says Punt. "Until partners see the demand or opportunity for their clients directly, the conversation is too hypothetical. When the need becomes apparent, that's when you get the engagement."

Corcoran's work getting the story straight in Asia Pacific, for example, has also focused on a partnership's access to certain capabilities that might otherwise elude even the largest of firms.

"You might not have the business case to hire somebody full-time or develop a new practice area to create some really attractive client opportunities. Taking somebody on through Peerpoint suddenly seems like quite an exciting prospect. An area of the business may be better able to compete with what is a very welldeveloped set of local markets."

Hire power

Local competition notwithstanding, the firm's obvious international scale is a sizable advantage when it comes to the practicalities of pitching up in new places. "We'll usually already have a local HR team to give some guidance on what we need in a particular market – and that helps us to be a bit more agile," explains Corcoran.

Punt says the business aims to stick to a non-exclusive model for its contractors. After all, the appeal to recruits must be in part fewer working 'ties'. However, he says that jurisdictions do have different rules and circumstances, some of which are more challenging – so it's a question of balancing that with selling a consistent experience for both consultants and clients.

The other obvious question is whether having an alternative



working experience changes the hiring process.

Corcoran says the reality – so far – is that the talent he needs has found him. The Asia Pacific launch announcement netted him approximately 60 CVs for Australia alone. Management's workload is more about whittling them down.

He has a videoconference with the London team every week to get plenty of other perspective on that front. "We'll all talk through the current shortlist - and anyone can ask pertinent questions about appropriate quality, which provides additional assurance. But we apply an assessment process not dissimilar to the lawyers that A&O would be interested in full-time. Of course, they need to show relevant experience in a practice area that's readily deployable."

Punt adds that the bigger challenge is balancing the technical skill and experience A&O clients expect with other strengths such as adaptability – a tendency to pick up new Above left to right: Peerpoint CEO Richard Punt and managing director for Asia Pacific, Tony Corcoran

50%

of Asia Pacific buyers anticipate using hybrid approaches by 2019 relationships, connections and processes comparatively quickly. "That's harder to test for, and much more about assessing aptitude and appetite through conversation," he says.

And the "appetite" for the change really is just as important as the effective transition, he explains. As activity has picked up over the past year Peerpoint has, in fact, almost positioned itself more as a consultant to its potential talent.

"This really has to be right for individuals to be right for clients. Consultants are often perceived as 'going it alone', but we increasingly provide support around making that decision. Often we're not dealing with people switching to us from another provider. That does happen - and of course we're delighted when it does - but more commonly we're appealing to top-tier lawyers who would only consider contracting through us. That's a complex personal decision.

"Clearly, taking any new job is a big decision – but if somebody

said 'stop being a fully employed person and work for my new business instead', the ability to trust you'd made the right decision might well seem even more important."

The network of A&O alumni – which Peerpoint naturally taps into for talent anyway – becomes even more important in such a scenario, says Punt. "It's especially important for this model to be highly engaged in the wider legal community – building on longstanding relationships between contacts, peers and friends to build the trust needed on both sides."

Diversity drive

Some Peerpoint consultants, meanwhile, may be returning to the workplace – and having A&O behind them can also be a helpful source of support. "We've been able to help them get back up to speed, and that wouldn't necessarily be possible in a more independent structure," says Punt. "There are also usually some people here on a work experience basis to improve that transition, and we've invested heavily in a team to support consultants on placements, as well as internal community-building activities. One of the best sources of comfort is ready access to people doing the same thing as you."

What's more, by providing the option to partially vary your working patterns or day, Peerpoint is helping the firm to tackle another topical business challenge.

Punt and Corcoran can't do anything to take the wider firm closer to its target of a partnership that is at least one-fifth female by 2020. However, could a business model like this be able to help people return to work after a long period away, and perhaps even with balancing business duties and responsibilities such as childcare? The team reports an increase in clients taking on Peerpoint resource for specific, strategic, senior projects. But those projects may still be temporary, flexible even, and provide a welcome edge in the war for work/life balance (that isn't, of course, to say that parents returning to work will necessarily be looking for less work from their arrangement).

In 2015, A&O collaborated with some researchers at Edinburgh University and the organisation She's Back to probe why returning to work after a career break was often such a challenge. Although a degree of flexibility, of course, came through as important, so did being sufficiently workplaceconfident. In this respect, employees may benefit from the more phased integration that Peerpoint can provide.

"We must be able to source



Source: The appetite for new legal services models, Allen & Overy, survey of 200 senior buyers of legal services, May 2014

the role opportunities that will deliver the levels of flexibility people want. Historically, that has frankly often been achieved by asking people to work in positions below their capabilities when they return – and we're very committed to that not being the case. We want people to return at their appropriate level professionally."

Different definition

In any case, part-time work is less common a Peerpoint freelance arrangement than might be supposed. "First, part time is often incredibly inflexible," says Punt. "It's typically a certain number of defined hours on defined days.

"It can come as a surprise that what we see more often is people wanting to work full-time, but perhaps then taking larger chunks of time off between projects. We do have part-time placements, and we can offer remote working in a package – and that's great – but the majority of people who work for us look much like any other A&O lawyers. They're at work, full time, either at a desk at the client's site or in our office."

The millennial dream of tapping away all day in the coffee shop, or rocking up for a meeting via video in shorts and sunglasses, sadly begins to fade. Punt and Corcoran's flexible resourcing isn't about turning what it means to be a professional completely on its head. The reality is something more subtle, at least for now.

Punt points out that professional firms are often reluctant to have conversations about a team's total availability to work for a client. It's that fear – of losing a direct line 24/7 – that's likely to be unsustainable, he says. And as so often with fear, it may be irrational.

It's only three years old, but Peerpoint is mature enough to talk to clients about other options – things that simply don't depend on having everyone available to do absolutely anything, all of the time. ►

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FIRM PROFILE

Silk-smooth support

Rare is the UK law firm uninterested in China's advances – but only Michelmores has helped a Chinese firm to open here

Words Richard Brent

А

freight train from China arrived in the Iranian capital Tehran for the first time in February 2016 – 32 containers transported in 30 days fewer than it

usually takes by sea. But the journey won't finish there. Chinese goods on the route will eventually end up in Spain. In 2015, the first train to complete a return trip on another new stretch of track – in fact, now the longest railway line in the world – pulled back into the eastern Chinese city of Yiwu packed full of olive oil.

It is a standout emblem of China's 2013 One Belt, One Road (OBOR) initiative – otherwise known as the new 'silk road' – charged with giving a huge boost to the country's exports and influence alike as it pushes overcapacity out to European consumers.

Above: Louise Edwards, marketing director, and Andew Maynard, client services director, Michelmores

But the journey down that road matters to all sorts of businesses – including, of course, to legal ones. Where the train goes, the money flows. Also in 2015, notably, the UK saw its first wholly Chinese-owned law firm, YangTze Law. The alternative business structure is supporting Chinese clients travelling a financial Silk Road toward more foreign direct investment into Europe and beyond – and is in turn supported by the top 100 UK firm Michelmores.

"We did the work to set up the practice and secure regulatory approval – and we're now responsible for ongoing management and compliance," says client services director Andrew Maynard. "It is our contract with them to do that." Michelmores' managing partner is, in fact, now the Chinese firm's CEO (he was first introduced to the market's opportunities through a client specialising in Chinese immigration and took part in trade events in a dozen Chinese cities). In return for this investment, Maynard explains, Michelmores can access the activities of a network of thousands of lawyers across China thanks to YangTze Law's associated practices throughout the country.

Onward journey

The Chinese firm has set up similar office arrangements in countries right along the silk road. But for its part, Michelmores also has sights set in a different direction – into Africa. The firm's new emerging markets team is working on deals in less-developed areas of the continent in particular, says marketing director Louise Edwards. "For example, there are a lot of renewable energy and infrastructure developments emerging, including palm oil and egg farming, which will help a third-world nation to develop its economy. There's also state-owned mining projects of course, and plenty of businesses buying other businesses in the market."

Maynard adds: "The law for many of the contracts involved is English law – so for China to come at it through London is a very good idea."

Developing legal business by this route isn't a quick process, he admits, as the arrangement clearly relies heavily on building up sufficient levels of trust. Even just one year on, however, referrals have arrived directly from a major Chinese institution and large property company, as well as lawyers. "That's without even being too pushy," he says.

There are some practical aspects to the help Michelmores provides as well. "We'll assist with things like the process of invoicing," says Edwards. "But the biggest element of the supporting relationship is monitoring compliance for the firm's risk management."

Cultural evolution

Edwards says Dickinson takes a clear lead in liaising with Chinese stakeholders on the work coming through – but the potential is there for the whole firm to feel the pressure of a cross-culture communication challenge. "We've all had some awareness training to help us to adapt, practically, to typical differences in things such as approach to project management," she says.

And client communication is also on the agenda more generally. Maynard has led on an initiative

"We've all had some awareness training to help us to adapt, practically, to typical differences."

Louise Edwards, marketing director, Michelmores

the pair call 'Clients' Shoes', to move all lawyers, PAs and others toward more effective knowledge about the nuances of how every client operates.

"We now have pictures of clients in each of our meeting rooms – every sector we work in – which may seem on the superficial side, but it's reinforcing an important message." Each team now has a client champion, he says. This individual will identify the clients that need to be to spoken to in any given month and feed back on performance against that data at a later meeting.

"The champions aren't partners," he stresses. "It could be a younger solicitor, or perhaps a PA, and they can grill the partners and hold them to account on things they said they would do. Every month I will then get a report – and we can be sure to pick up on the biggest messages coming back, as well as tying them to individual appraisals."

Edwards adds: "It's also key that these conversations aren't matter-related. Performance against expectation can be raised – but they're always also the bigger picture, honing in on how the client business is doing and the relationship with the firm as a whole."

She, meanwhile, is managing a commissioned double survey of key clients – their own perceptions of service, but also employees' perceptions of the service provided. "I can't expect that there won't be some gaps, and that will almost certainly mean we'll need to change some things we do. Client expectations will only move in one direction – higher!"

Meanwhile, the arrival of the Chinese hasn't just helped the firm develop business – in one sense, it has already helped business development to change itself. One of the biggest moments in the Michelmores story was the appointment of Dickinson as its first managing partner in 2009. Now that he's also the CEO of a Chinese firm, it's time for the second big management change. Instead of practising lawyers running things, there are full-time senior administrators for most functions.

"By empowering a group of operational directors, not only have we removed the need for consensus on everything; we've also freed lawyers from the shackles of management to allow them to focus on the work they're paid for, and frankly better at," says Edwards.

They'll need that capacity in the future, if China has its way.

FIRM FACTS

MICHELMORES Offices: Three Countries: UK Global revenue: £32.5m Headcount: 457 Ratio, fee earners to business services staff: 1.04:1



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Brain training

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Painfully present?

Mariella Miraglia, lecturer in organisational behaviour at **Norwich Business School**, explains why working while ill is bad for business

BEST PRACTICE

Painfully present?

Mariella Miraglia, lecturer in organisational behaviour at Norwich Business School, recommends a strategy of embedding employee health awareness in the organisation to stop presenteeism damaging productivity Н

ave you ever gone to work even though you felt too ill for it? If yes, you may be part of the nearly 40% of European workers who have experienced presenteeism,

according to the fifth European working conditions survey. Briefly, presenteeism defines the behaviour of attending work when ill. A recent survey of 600 businesses from the Chartered Institute of Personnel and Development (absence management survey 2015) finds presenteeism is on the increase in the UK. Almost a third (31%) of employers reported an escalation in staff showing up for work when sick.

Why worry?

From an organisational point of view, and as surprising as it may sound, presenteeism may be more problematic than absenteeism. Working while ill has been repeatedly found to account for more productivity loss than absenteeism (outlined, for example, in Harvard Business Review article Presenteeism: At work – but out of it, as far back as 2004). As an example, a pilot project by Legal & General uncovered that presenteeism can cost employers three times more than sickness absence, with an estimated productivity loss of £2m a year (based on the company's average yearly salary for about 600 employees).

In fact, working while ill may harm both quantity and quality of work done. Presentees can be distracted into committing more numerous and critical errors, safety violations and accidents. Moreover, while absentees are effectively quarantined, presentees might infect an entire office or clinic, quite obviously putting some sectors at greater risk.

Consequences also aren't promising for individuals. Continuing to work while medically suffering can compound the effects of the initial illness, precluding full recovery, increasing exhaustion, and eventually accelerating health decline. The CIPD finds that presenteeism, thus, has deleterious effects on mental and physical health, increasing subsequent absenteeism, especially related to stress.

Can we manage it?

But perhaps most striking in the survey is that over half (56%) of employers admitted they didn't take any steps to limit presenteeism. However, attending work when ill is a complex behaviour, which stems from personal, work, and organisational factors, and confronts organisations with several challenges.

The first is to understand the extent. Businesses usually have systems in place to measure absences. They keep absenteeism records. Presenteeism, however, is rarely assessed.

The behaviour of working while sick is clearly more difficult to detect, measure, and record. Indeed, absence from work is a discrete and evident event, while presence at work despite illness is an 'invisible', not fully disclosed practice, possibly hardly observable.

One solution could be to include some questions related to attendance at work and individual health status in the staff surveys it's sensible to undertake. Specifically, the questions would ask employees to state the number of days they've gone to work even if ill in a discrete period of time, for example a year (although in order to enhance memory recall, the time period could be limited to six months or less). Or individuals could first be invited to recall any health problems that occurred in the last six months and then to state whether they called in sick or continued to work. This would allow organisations to keep records of both health and resulting behaviours to understand common behaviours, and to plan specific actions to tackle them.

More important, measuring presenteeism represents a first step in making it explicit as a challenge to the organisation. Managers need to be guided to recognise its existence, and to truly understand the link with elevated cost to productivity (as well as healthy functioning).

This should also promote the emergence of an organisational culture that discourages working when sick, while encouraging workers to safeguard health and to disclose illness. The resulting culture should demystify negative and 'risky' consequences of absenteeism and enhance a perception of sickness absence as a legitimate choice. Executive training could be offered to this effect. This should be focused not only on presenteeism and related costs, but also on information and communication skills to empower managers to discuss health-related themes and attendance with employees.

Does it need a policy?

Once presenteeism has been recognised and measured, the next step is to set up organisational policies. Most have policies to monitor and reduce absences. However, severe absenteeism policies, such as no (or very few) paid sick leave days or strict trigger points for disciplinary actions, may be effective in decreasing it at the increased cost of presenteeism. When absence in response to illness is a less available option, employees will go to work ill. Policies regarding employee attendance should be carefully formulated - and they should incorporate formal rules, clarifying, for example, that sick employees aren't expected to be at work, especially when this would further damage their health, preclude a complete recovery, or infect colleagues. Such attendance policies should also allow a margin of flexibility. In some cases, flexible or remote work may be encouraged - but this would strongly depend on the nature both of the illness and work activities in question. Finally, these policies should cover regulation about return to work, which needs to be cautiously planned and monitored,

especially after long absence periods.

Treat the causes

Understanding the multiple personal and work causes of working when sick is key to planning initiatives that may change presenteeism behaviours and culture. First, presenteeism obviously results from health impairments. Therefore, organisations may want to set up workplace wellness and health programmes to reduce workrelated stress and illness, the primary causes of going to work ill. Such programmes could inspire healthy practices and lifestyle models, promote effective health assessments to assure potential ailments aren't going undiagnosed or misdiagnosed, and include assistance programmes, such as counselling services. By assuring a healthy workforce, these practices may pay from themselves. They reduce direct and indirect medical costs.

Several triggers of presenteeism may also lie in job design. Heavy workload, understaffing, overtime and time pressure are all characteristics that may induce people to work excessively long hours including when ill - in order to deal with high volumes of work and meet tight deadlines. Heavy job demands indirectly prompt the tendency to work when sick. Poor backup and difficulties replacing an absent employee are also problems, so planning this in advance may help. Organisations could also ensure that employees have access to all those job resources that are useful to deal with work demands and that represent essential barriers against stress, exhaustion, difficulties, and

THE DEBRIEF

For the busy legal business employee, going to work ill may seem like the only option in order to get things done. It's understandable, there are deadlines to meet and often the mindset is to put work before health. Unfortunately this habit, called presenteeism, is on the increase.

It's a behaviour that influences the overall quality of the health of the individual, but by spreading sickness, also harms the wider office and business productivity. It can damage the outcome of an important project therefore, but ultimately, surprisingly, there's not enough attention paid to fixing the issue.

Firms should consider a management

work-related health problems for example, workplace support and job control. In fact, supportive supervisors and colleagues may encourage individuals to disclose illness in the workplace, clarifying its incompatibility with work, and facilitate provisions for adjustment or temporary replacement. Job control is the ability to influence what happens at work. When people are in control, they're less likely to feel the pressure to show up at work when sick. Moreover, by controlling tasks and activities, they're able to offset the aforementioned job demands and the associated stress and exhaustion that are critical causes of presenteeism. A prime line of defence against presenteeism is planning well-designed jobs that reduce excessive workload, time pressure and overtime work, and simultaneously assure adequate resources.

Sustainable activity?

In some cases, such as chronic,

framework, such as monitoring working habits and finding ways to adapt to create a better environment for employees.

Measuring the behaviour is the first step in making more managers aware of the potential impact it could have in the office, while a culture that discourages workers from coming in sick will also involve some flexible working strategies to accommodate shortages while safeguarding health and productivity.

A policy to regulate working while ill could present new support strategies, reduce indirect medical costs, and make for happier employees.

> not debilitating, and noncontagious illnesses, could presenteeism act as a facilitator for reintegration in the workplace and society in general? The answer is delicate, complex, and – again – depends on numerous individual and organisational elements. The main challenge for organisations is to understand when working while ill could be a sustainable choice – when it can positively impact wellbeing, or contrarily, when it should be avoided.

> When, for example, planning an early return to work, organisations should first assess a person's willingness to start working even if not fully recovered, the type of illness and the stage of recovery. Tasks and activities should also be considered, and modified if needed, in relation to individual capability. Crucial ingredients of a successful reintegration are the readiness of the organisation to implement specific adjustments to meet the employee's needs, and of course a supportive and helpful work environment.



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40 *Vanishing act* Daniel Ibrahim at **NetDocuments** on finding the right balance of security and usability INDUSTRY ANALYSIS

Cloud judgement

Eric Sugden, chief technology officer at Thomson Reuters Elite, says cloud technology isn't just perfectly safe – it's a competitive advantage



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Briefing JUNE 2016

C loud technology presents an enormous opportunity for law firms looking to improve enterprise performance, enhance data security and boost return on IT investment. But in spite of the potential benefits, many in the legal sector remain reticent towards embracing cloud solutions.

However, as other (often competing) industry sectors continue to implement and leverage cloud technology to reinvigorate established business models, it becomes clear the legal sector risks being left behind.

It should perhaps come as no surprise to learn that some in the legal industry are apprehensive about cloud. There remains, in the minds of many chief information security officers, a number of question marks over the relevance, effectiveness and security of cloud technology in the legal context. Firms are by their very nature risk-averse, with long-established methods of working that aren't typically easily altered. The prospect of moving to the cloud can seem daunting, not least given the common misconceptions that influence law firm thinking on the issue.

Evaluating the premise

In evaluating cloud technology, the primary cause for concern is naturally the question of data security. The very nature of legal work means that at any given time law firms are custodians over a colossal amount of sensitive, highly confidential information that must not be divulged publicly. The fear of data breach looms large in the mind of every CISO and pressures to ensure full and effective data security grow greater by the day, not least following recent high-profile data breaches covered widely in the media.

Against this backdrop, law firms have

"The debate over cloud is being driven in part by important misunderstandings."

traditionally felt confident in their established approach to information storage, utilising largescale, often highly customised, on-premise servers which can be conveniently managed by in-house teams with fingertip access. To abandon this model – and the peace of mind onsite storage brings – and embrace a cloud solution can seem to some CIOs a leap of faith too far.

Linked to the question of security is the issue of information control. CISOs are used to having full access to, and control of, their own data. Cloud technology can seem somehow disempowering, devolving information ownership and control away from the firm itself and into the hands of third-party providers. With this element of control seemingly lost, some firms fear mission-critical data could somehow be 'out of reach' just when it is needed most.

Fit for every purpose?

Beyond issues of data security and information access, some remain sceptical of the extent to which highly standardised cloud solutions are able to cater for the specific, bespoke IT requirements of individual firms. They have historically craved customisations in their IT provision, believing their distinct methods of working and established business processes to be unique in the marketplace, ensuring that nothing but the most highlytailored IT solutions can deliver the performance required by each firm. Given this natural proclivity for customisation, the highly prescriptive, standardised configurations offered by cloud technology can seem unsophisticated and an ill fit for a firm's needs.

Employing cloud technology is therefore as much a psychological step for firms as it is a strategic or technical one. The stakes are high in legal IT, and it's perhaps to be expected that discussions surrounding the industry's move to cloud technology prompts trepidation among certain firms.

But it needn't be this way. The debate over cloud is being driven in part by important misunderstandings, not only as to cloud's potential "Cloud technology is becoming an important business asset that can help to differentiate firms in a crowded legal marketplace. Firms moving to the cloud are increasingly able to draw upon its reputation for enhanced security."

> sional certification – ISO, HIPAA, SOC 2, FISMA, and so on – that few in-house data centres can rival. Evidence suggests that the peace of mind such a range of information security certification brings is becoming an increasingly important factor in clients' selection of counsel.

As a result, cloud technology is becoming an important business asset that can help to differentiate firms in a crowded legal marketplace. Firms moving to the cloud are increasingly able to draw upon its reputation for enhanced security to help retain and attract clients. As more and more law firms move to cloud-based solutions, we can expect the technology to become a critical hygiene factor, expected by all customers and a standard feature of any law firm's offer.

Beyond improved data security, there is a compelling business case for why law firms ought to implement cloud technology. As firms continue to adapt to a shifting legal marketplace defined by increased competition and tightening budgets, the need to identify and exploit every available means of competitive advantage becomes greater than ever. By leveraging cloud technology, firms can dramatically reduce the cost of their IT infrastructure, freeing up scarce financial and human resources that ought to be allocated to areas of the business focused on the firm's core competences – namely client work.

The prescriptive and standardised



in terms of adding bottom-line enterprise value, but also over the realities of contemporary data security. There is a responsibility incumbent on technology providers like Elite not only to help create greater understanding of the opportunities to be found via the technology, but also to help guide individual law firms in choosing appropriate new solutions.

Far from representing a security risk, cloud technology offers the very best in next-generation data security. Cloud providers are working full time at the forefront of data security technology, staffed by large teams of specialists well versed in identifying and deploying state-of-the-art data encryption tools and strategies. As such, these providers are able to offer a level of data protection that on-premise data centres, staffed by relatively small in-house teams, can rarely match.

Client choice

Corporate clients naturally want to work with the most secure firms. But it is increasingly our experience that corporate customers, not least across sensitive areas of financial services, now actually prefer their counsel to use cloud technology. One CISO at a global law firm told me only recently that his firm was being pressured by large corporate clients to adopt cloud technology because they felt it offered superior data protection. Cloud providers can boast a level of profes-



configurations of cloud solutions mean the technology is highly cost-effective, quick to deliver and simple to implement, providing a level of performance, reliability and scalability far superior to that of on-premise data centres. As law firms seek to respond to changing market conditions, restructuring their operations as the firm increases or decreases in size, cloud technology provides a highly responsive resource that can easily adapt to a firm's evolving storage needs.

Managing to scale

With virtually no capital outlay required, firms can 'pay as they go' for the service, quickly and easily scaling up their storage resources only when required. As such, this scalability ensures cloud storage is fully future-proofed in terms of addressing the development of future demand.

Gone are the days when firms needed to make significant upfront investment in hardware based on analysis of their current need and best-guess estimations of potential future requirements. In contrast to cloud, delivering such traditional infrastructure is complex and time-consuming, leading not only to heightened costs, but also increasing time to value.

Cloud's flexibility also helps to solve one of the most pertinent problems in legal IT – the extent to which firms operate out-of date-software. When handled in-house, too often law firms adopt an 'if "Far from representing a security risk, cloud technology offers the very best in next-generation data security. Cloud providers are working full time at the forefront of data security technology, staffed by large teams of specialists."

it isn't broken, don't fix it' approach to software updates, ensuring many firms fail to benefit from the latest innovations and developments delivered to market by software providers, not least in terms of data security. In contrast, cloud technology is regularly updated by providers whose business it is to ensure their systems operate the most up-tothe-minute software infrastructure available. The result is improved functionality and security for the customer.

Slower to implement, comparatively expensive and a drain on resources, highly customised onsite solutions no longer make good business sense. Law firms are increasingly coming to realise that cloud technology need not be feared – it should be embraced as the next frontier of law firm competitive advantage. INDUSTRY INTERVIEW

Ruling the chase

A competitive law firm today not only needs a system to manage cash flow but also the agility to implement change in strategic directions, says Minisoft's Joe Zoghbi

> ou could possibly describe the evolution of law firm account management as the adaptation of processes in line with a more

sophisticated understanding of what a firm needs to be chasing to maximise its chances of success.

"Our business is to follow – or ideally to anticipate – what legal business needs," says Joe Zoghbi, managing director of Minisoft. "First, it was all about good credit control – chasing payment to ensure your bills are simply paid.

That's not to say that isn't still important, of course. "But firms then started to realise they really needed to chase the internal client," he continues. Bills can't be paid if they aren't first sent out in a disciplined fashion. "Focus moved to the fee earners, the time keepers, to ensure the management of work in progress."

On to today, and firms are now including the

chase of what the future has in store. "The focus has moved very clearly to forecasting demand – getting a more accurate understanding of how much money could be billed in a certain period of time before the work is even done," says Zoghbi.

Collecting thoughts

This latest is the rationale behind the most recent enhancement to Minisoft's ARCS 2G solution for accounts receivable and work in progress – a revenue-forecasting module.

"The firm can compare how much has been collected to previous months and years – including by practice groups, in different combinations – and uses trends to reach an estimate for how much they could potentially collect over a future period.

"Also important is having all cash efforts located in one application. Business practices, and the rules to follow, can be communicated to all the key

To find out more, visit: www.minisoftinc.com

"Software is a living organism. Firms should expect something that develops through regular enhancements over time. There are always ways to improve."

stakeholders they affect automatically. Data is updated in seconds, and access to that information with a minimal human effort saves the firm time, which of course also saves more money."

Moreover, that level of transparency also provides incentivisation levers for driving productivity.

"Fee earners, collectors and administrators can quickly check how much they've personally agreed to bill or collect, and how far they've progressed against their goals," says Zoghbi. "It can help to create collaborative momentum around the important end-of-year push, for example." There's even an element of driving internal competition. "Clearly, you can measure the difference between individual contributions."

Exception rules

However, as neither firms nor their clients are identical, Zoghbi says it's particularly important that account management software is flexible.

"You need to manage by exception. You can't treat every client the same way. Statements and other financial documents aren't always sent out in bulk, according to blanket rules. Processes can be customised to the account.

"If a client is supposed to pay on day 60, clearly you don't want to be bothering them on day 35 – but if someone has payment terms of 30 days, you'll want to start chasing them early.

"Similarly, one client may need to be completely excluded from a process – and fortunately that can be done with a click of a button. They'll be automatically excluded in future."

Another aspect of flexibility is the convenience of consuming information and taking timely actions on multiple platforms. ARCS 2G now has an intranet browser version, 2G Express, for teams to track collections, view reports, prioritise and make decisions on tablets instead of at their desks. It was designed for those wanting to provide real-time answers to questions.

"Information security is such a big management concern of course, so the suite of ARCS 2G solutions can also meet the firm's specific access requirements there, from the most stringent to, frankly, the lax," says Zoghbi.

"Software is a living organism. Firms should expect something that develops through regular enhancements over time. There are always ways to improve – and we spend a lot of time listening to clients' needs through user groups around the world."

Most recently, for example, a partnership with Blue Car Technologies and an investment in integration of ARCS 2G communications into a document library means statements can be saved to a document management system automatically. It's possible to catalogue and move statements across to that library.

But crucially, ARCS 2G isn't dependent on other systems. As with the flexibility to adapt to a firm's multi-faceted collections strategy, the system can just as easily follow as the firm switches to entirely new ones.

"As we interface with any professional billing system, if you move to a new billing system, it's no problem for us to accompany you," says Zoghbi.

In that one sense, at least, it doesn't matter what the firm's future holds.

INDUSTRY INTERVIEW

One for all

The business of legal technology is better when firms and providers are in it together, says David Espley at LexisNexis

e hear a lot in **Briefing** about the productivity-boosting power of collaboration – between business services departments and between firms and their clients – but another collaborative channel worthy of consideration is between firm and legal technology provider.

This, says LexisNexis UK technology director, David Espley, is the single biggest factor that could make a difference to one of a firm's biggest potential competitive advantages (and challenges) – getting new systems used to their full potential.

"Vendors, IT departments and the people using the IT need to spend more time together working out what innovation looks like," he explains. "At the moment, the balance between internal focus and exploring what technology could do (and is doing elsewhere) is skewed to the former – and it's for the providers to manage to fix that."

Agile's working

Since arriving at LexisNexis, for example, Espley has encouraged the adoption of an 'agile' approach to software development, especially for LexisOne.

"The way we're managing major development is by breaking things down into much smaller projects, often a matter of weeks, and giving people the opportunity to use it in the office environment and provide tangible feedback that shapes the next phase," he says.

"Instead of going dark for a year to reinvent the wheel, you can keep wheeling the latest version back. There's no need for the first attempt to be the final solution.

"A small investment in an individual's time releases huge amounts of information that can be filtered and factored into improvement almost in real time."

Something for everyone

But Espley says getting momentum behind agile product development has also required partner law firms to accept change.

"It has been more common in other industries, but we're now finally finding firms willing to join us in our Centre of Excellence in Leeds, for example, for two days to help build things. They're seeing the benefit, and even proactively asking for such meetings."

And that's people right across the firm. Multiple roles want to be involved. "We've welcomed everyone from cashiers to managing partners. Lawyers are smart, quick-thinking people– and they want to see how good things can happen in faster cycles. Of course, that involvement also means opportunity to find new practical ways to develop how they do their own business every day."

If not compulsory, he says, firms should certainly make it very clear to employees that this is a company-wide offer.

"The more people partake with their different perspectives, the more likely they are to both benefit from the result and appreciate that benefit.

"It's the vendors doing this on a regular basis, however – so we should be helping to structure, even championing, that internal communication process. In all industry sectors we see implementation investments fail where people don't use applications, but that's almost always because they don't understand why it's more beneficial to use it than not."

Predicting wins

LexisNexis is investing heavily in the potential of artificial intelligence (AI) and machine learning, linking the so-called big data analytics with what's happening day to day. "A small investment in an individual's time releases huge amounts of information that can be filtered and factored into improvement almost in real time."

The arrival of AI may provide competitive advantage in the long term, but the quick wins in driving adoption are around clarity of management information and more immediate predictive data, says Espley.

"It's things such as which business to take on and which to reject, and the limits on how profitable that could be. Or accurately logging what you're doing today, so you can analyse it today, predict what will happen next, and decide how to change that." The most significant thing about the Microsoft Azure cloud platform (LexisOne is built on Microsoft DynamicsAX) is the potential for real-time business intelligence, he says. "That's one version of the data, updated in minutes - and it will influence machine learning, of course, because you've more useful information to feed it."

Having one version of the truth, meanwhile, means that more people at the firm are likely to trust in its technology - and therefore have confidence to use it and make better decisions.

"The managing partner can have a dashboard flash up on their smartphone, the finance director has something far more detailed, but both reports roll up into the same number when both are in the board meeting," says Espley.

All that's left is to place trust in the cloud which may be approaching its own moment of truth.

"I do sense a tipping point. In future, the client may well need to be convinced their data is safer if it's hosted by the firm rather than a specialist provider armed with every security vetting procedure.

"And that's data accessible anywhere, continually available, updated in real time, no downtime, and everywhere in the world. Microsoft has a team of almost 100 solely focused on tracking regulatory changes in different countries, updating as needed for the next business day."

Business change doesn't get much more agile than that.

For more information, visit:

www.lexisnexis.co.uk



INDUSTRY INTERVIEW

All about the journey

Skype for Business has invested in a mission to make the motions of legal business barely noticeable, says Jonathan Harris at G3 Comms



ne of the biggest challenges for the largest law firms is moving swiftly, but in such a way that the client really doesn't notice. Whichever office,

airport, or even home, a fee earner is sat in, the client wants the same experience. It reinforces their perception of the quality they're paying for. Continuity and consistency of delivery is key to retaining the power of your brand.

In order to manage this, firms are increasingly turning to unified communications, linking media like voice, video, messaging and presence as if all contact points were one – and Jonathan Harris, technology director at G3 Comms, says many more firms ought to be converted to what is at the same time an increasingly straightforward way of working.

"If you take Skype for Business, for example, the functionality is increasing and it's now reaching the point where you have the same feature set across all devices. You could be sat with a web browser, tablet or mobile, and you enjoy the

For more information, visit: www.g3comms.com

same user experience. That means that people traditionally less comfortable with new technology – and fee earners would certainly fall in that category – are starting to see the efficiency and embrace it voluntarily."

A perfect blend

Especially good for productivity is the way that communication channels effectively blend into one another, with meetings expanding or morphing as the requirements of those present change. There's no need even to dial new numbers. "It's best described as a journey," says Harris. "You can elaborate an instant message out into a voice call, and quickly drag and drop other parties into your conversation as you find them or they become available." Meanwhile, some people may only be part of the instant message chat that's happening alongside the conversation. Harris says presence is also proving particularly popular with firms – the ability to see a colleague's availability and reach out to contribute to a task immediately.

Of course, fee earners may be just as eager to mark themselves unavailable. In other words, there is an ability to share but also to separate – another example being federational functionality. "A law firm and client can connect their two systems – but entirely securely," explains Harris. "You're collaborating efficiently, but there are controls around what can and can't be shared."

And as well as robust security management, rules in all the right places help with operational efficiency. "By integrating with the customer database you can create fixed business process policies for whoever needs to receive information or when in a cycle to retrieve it."

"You're collaborating efficiently, but there are controls around what can and can't be shared."

Easily phased

The ability of participants to introduce documents alongside a unified comms conversation is another big win for productivity. New material can even be created in the moment through a process of remote brainstorming. "There are smart whiteboards for teams to write on in real time, which views exactly the same on mobile and tablet," explains Harris.

Fortunately, moving from a cumbersome fixed legacy system can also be a fluid working journey, as it's more cost-effective that way.

"People can't throw away their investment in a traditional phone system immediately," says Harris.

"In particular, there are lots of expensive cameras out there installed in dedicated rooms for videoconferencing – it's a very costly infrastructure. But they can adopt the new functionality at the same time and integrate the two systems together.

"Partnering with a company that can design a technology roadmap that integrates with the system as it is today – but is also ready for future needs and goals – is therefore essential."

As legal business involves ever more movement – to and from various offices, flying around the world and with introduction of new parties and files to pieces of work all the time – the time is ripe for technology strategy to embark on an equivalent transformational journey.

INDUSTRY INTERVIEW

Vanishing act

The work of document management can all but disappear if you put your faith in the true cloud, says Daniel Ibrahim at NetDocuments

W

ith law firms emerging as a selfacknowledged 'weak link' in the flow of business information, data security is emerging as a possible - if perhaps troubling - differentiator of service.

But it's not just a question of who has the most stringent policies in place to fend off intruders. Firms must carefully balance their investment in protection with the need to be as efficient and productive as possible. Fireproofing against the outside world won't help much if it means the fee earner can't possibly do his or her job better than their counterpart one door down.

"It's a thin tightrope to walk," says Daniel Ibrahim, director of strategic accounts at "true cloud" provider NetDocuments. "The very highest security settings risk the lawyer's access to information becoming too time-consuming. The bar has to be lowered a bit in the interests of usability, but the lower it goes the wider the possibility of a breach."

It's a vicious seesaw. Nevertheless, Ibrahim says firms should certainly err or the side of caution. NetDocuments, after all, has invested in back-end infrastructure and end-user technology to ensure security and compliance including individual document encryption, encryption key management and quantum key generation, as well as ISO 27001 certification.

"It should also be noted that either the law firm or its clients can hold the encryption keys, and even manage the data storage. The power is with them, resolving concerns around data sovereignty and silent subpoena defence."

So far, so secure. So the tricky bit, clearly, must be letting the lawyers into - and around - their data in a timely fashion. That's assuming, however, that the document management system is used as intended in the first place. According to Ibrahim, it may be more of an assumption than you'd think.

"Average user adoption rates with traditional on-premises or hosted on-premises document management are in the 40-60% range," he says. The remainder of the data simply isn't entered in the system for encryption to secure. "From an information governance standpoint, that's a big problem," he says.

"I have seen lawyers come up with incredibly creative ways to avoid a document management system - simply because their day-to-day work becomes that much easier. However, that means silos of information stored on multiple memory sticks, which create the data leaks that security is trying to avoid.

"It's not because they like breaking the rules. Time is just so precious that it's a waste to use it to find the right place for a file to be stored."

The invisible management

The solution for Ibrahim is "invisible document management" - something so intuitive that you hardly realise it's happening.

"It's things like predictive email filing that truly empower a lawyer. If a document's received, and the system believes with, for example, 95% accuracy it should be in a particular workspace, that's where the system files it. There's no need to remember every last subfolder of every single



directory. A firm can also lower the threshold, of course. It all depends on what the firm is trying to achieve."

Another aspect is the customisable native web interface that immediately taps into the swipeand-favourite expectations of the Facebook generation.

"Lawyers can even have a single client or matter loaded as their front screen," says Ibrahim. Coupled with ndOffice (embedded integration with Microsoft Office) the features are connecting enterprise security with demands for productivity.

Somewhat ironically, law firms' chief concerns about the cloud have until now centred on the idea of security weakness and data sovereignty weakness that Ibrahim pledges to solve. "If you can't allow a specific matter's information to leave a specific region or country, that's very easy to manage now," he says.

As well as weighing up against usability and

likelihood of adoption, however, whichever route you follow, firms also need to balance security choices against their price tag.

The benefit of choosing "rue cloud" is that the cost is entirely predictable, he says.

"There are always several free and automatic upgrades a year – incremental improvements – and everyone's always on the same instance. There's no need to schedule a time for maintenance or the resource to test it. It's the one-to-many delivery model – and it happens automatically."

In other words, there's no risk of neglect or mistakes – in this aspect of service, at least.

Collaborating reliably and securely on a single client matter from every office around the world is an enormous challenge for a global law firm at the best of times. But if you have this "platform of single instance", he says, that too all but disappears.

For more information, visit: www.netdocuments.com

LEADERS AT WORK

Work in process

A typical day for Cathy Mattis, head of legal project management at Herbert Smith Freehills, is hard to come by



lead the legal project management team in the UK/US and EMEA. We deal with strategic projects for clients and the firm, and deliver client-facing services working alongside Herbert Smith Freehill's legal teams.

I have just emerged from a few days out of the office at conferences, but a more typical day for me would include meetings around new ways of working and technology. I work closely with Haig Tyler, our CIO, in understanding the needs of the client and the lawyers, and in exploring with his team what is possible using either our existing tools or those we know about in the market.

My team often work as part of collaborative cross-functional teams. We may be involved in a business development project or a strategic HR project. We're used to working as part of a global team and many of my meetings are on online platforms where we're demonstrating bits of technology or sharing documents and ideas. We're about to move to new technology, like Skype for Business, globally, so that we can have even more faces on the screen.

I'm involved in a lot of planning meetings, which have recently included finalising our legal project management strategy and aligning it with that of the firm. I have lots of meetings with partners and teams involved in implementing the various strands of the firm's strategy.

I also give presentations to explain what it is that we do and how we can support clients and legal teams. Externally, I communicate through articles or conferences, and am involved in thought leadership and innovation activities at the invitation of external bodies. For example, recently I was invited by the president of The Law Society to a dinner to discuss machine learning.

I do hands-on management of the team too, of course, which I enjoy. I like to manage a high-performing team and really expose them to lots of new thinking and stretch their capabilities. I'm always challenging them to deliver more and get great results.

"You may have a vision of where you're going to end up but you don't know what's going to happen from one day to the next."

I have also perfected the art of delegation! For my personal project management, I have an agile approach and tend to pick three things that I need to get done by the end of the day. And that usually happens, so I practice what I preach.

I also constantly communicate and there isn't very much time when I am offline. I tend to catch up with Libby Jarvis who leads the team in Australia and Asia at the beginning and the end of the day. I plan what I need to discuss at each of those times in order not to hold things up. Sometimes I can hand something over to Libby that can be completed overnight, and then we're a day ahead. It's all about

communicating and collaborating. But I usually have back-to-back

meetings throughout the day so I have to carve out thinking time, which is crucial. I work at least one day a week from home or away from my desk. If I can remove interruptions such as calls or meetings, I have space to get things done or spark new ideas.

It is a very exciting and dynamic job. You may have a vision of where you're going to end up but you don't know what's going to happen from one day to the next. It's definitely a fast lane! *As told to Kayli Olson*

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