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JUNE 2015

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Feature

Model behaviour

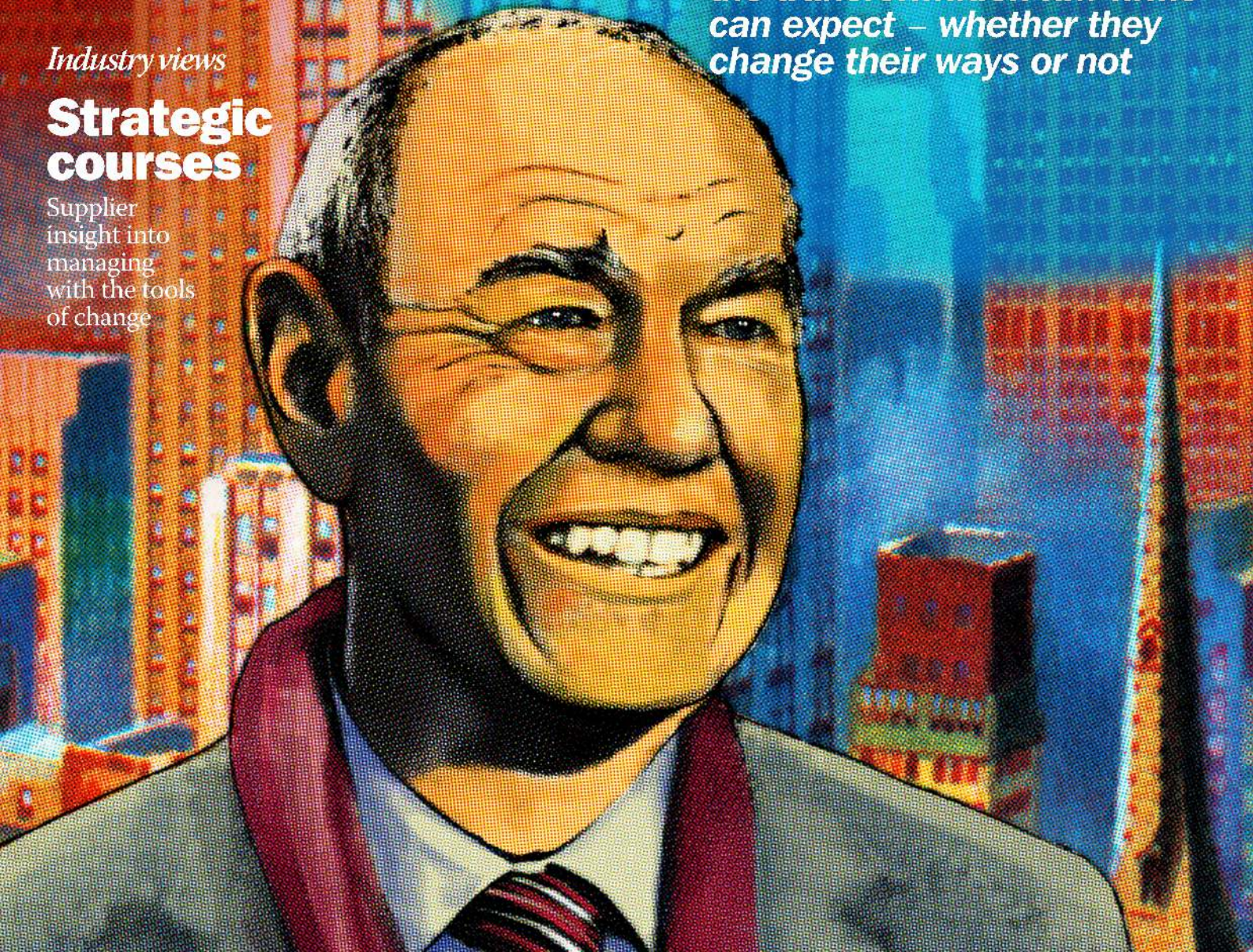
How legal business is reinventing itself with greater resourcefulness

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Professor Richard Scase on the transformation law firms can expect – whether they change their ways or not



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Letter from the editor

The wheels of major change typically grind rather slowly in legal. After much debate, partnership ownership restrictions finally fell away back in 2011 – yet only now has a UK law firm announced the time might be right to be first to float on the stock market.

One thing that might make them change a little faster is the new talent they need. In this edition, we turn to **Professor Richard Scase**, author, back in 2001, of Britain in 2010: The new business landscape, for some insight into ways the world of work is changing across the board. And one of his main megatrends is that millennials are already in charge of their own working destinies – with or without their employers onboard.

To be fair, firms have been adjusting their models in some ways in recent years. But are they evolving fast enough to match new structures for resourcing and delivering work in businesses that may want to compete with them? We speak to leaders of new ways of working at **Allen & Overy**, **Berwin Leighton Paisner**, **Clifford Chance**, **Herbert Smith Freehills**, **Pinsent Masons** and **RPC** to gauge the distance travelled in this month's feature.

Finally, our regular supplier analysis section includes an interview with **Eric Ruud**, new managing director of issue sponsor **Thomson Reuters Legal Enterprise Solutions**, about how his own business is changing – and how his new market needs to as well.

Richard Brent, editor, Briefing
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Interview: Professor Richard Scase



Professor Richard Scase, Emeritus professor of organisational behaviour at the University of Kent, identifies the business megatrends law firms need to take onboard to thrive in 2020.

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Feature: Time for a change?



From contract and project working to business consultancy, it's the early days of legal redrawing the boundary lines of a less rigid enterprise. **Briefing** assesses the appetite for change.

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The Briefing Interview

Future business

*What's in store for the law firm worker bees of tomorrow? Writer, academic, proven future-forecaster and this year's Briefing Business Transformation conference keynote **Professor Richard Scase** lifts the lid on the drivers for change in the UK legal market*

Words: Richard Brent

Photography: Jonathan Goldberg

Back in April 2001 – those early hours of the new millennium – nobody felt the need to publish their choice of sandwich filling or particularly ‘like’ what friends got up to when they weren’t around to see it.

And yet the intriguing web still promised, if not quite an internet of things, a wondrous digital future. The terrible events of September that year had yet to permeate seemingly every crevice of post-millennial US culture. The dotcom bubble was yet to properly burst. Enron had not yet erupted in a scandal that would reverberate down the decade and beyond. Austerity was something you read about in history books. And nobody would yet think to go to a supermarket (or online, for that matter) if they wanted a will.

2001 was also the year that Professor Richard Scase,

now Emeritus professor of organisational behaviour at the University of Kent, published his book *Britain in 2010: The new business landscape*. In it he predicted where those children just coming of age would prove to take society and commerce alike. Alongside rattling stuff like the dissipation of the traditional family unit, Scase foresaw the rise of “lifestyle tribes” to replace marketing’s traditional demographic target based on typical age and income. And the members of those brand-loyal groups would be freed from their traditional obligations, as the importance of mobility closed in on stability as a factor leading career choices as much as life ones. “Self-centred”, and even “hedonistic”, these offspring may appear to their parents – and yet those qualities wouldn’t prove as unambiguously negative



as they sound. Because the economy would become much more dependent on the individual creativity these people unleashed – and that could only flourish if you cut some traditional ties to the conventional career.

Fast forward to the global recession of 2008 on, and the case he made seems to have materialised. The global crash predicated a ‘new normal’ approach to the world of business, and some of those thrown out of work have used social media tools and new networks at their disposal, many to set up alone. Most of us, meanwhile, have become inevitably more suspicious of the people who got us into this mess. The idea of loyalty to a company for life has for some layers of the workforce become almost laughable – so business needs to woo these people back with serious promises if they want to turn them into productive and happy employees.

Millennial bug

This is the world of the millennial generation we hear is calling the shots. Scase says law firms ought to be as anxious to understand what makes them tick as any other sector. Arguably, they ought to be more so.

“Some people will still go into the large London firms and become equity partners. But many others will get tired of the life and decide they’ll set up a practice. Not just on their own – but over in the States.

“These people are operating in a truly global environment – and they aren’t tied to anything at all. Through the likes of Facebook they have friends, or friends of friends, all over the world. They’re already more than happy with the multi-tasking needed to run their own business – and with their training and education, and information freely available, they’re really in complete control.”

Those law firms that don’t want the talent they’ve invested years in to take off on a whim will have to understand a fundamentally different mindset.

“They don’t think in terms of careers. They want immediate rewards,” explains Scase. But that’s not even just reward for its own sake – namely financial gain and what it can buy you.

“Reward is now a rolling achievement base on moving from one organisation to the next – which can happen quickly – or indeed on becoming successfully self-employed. It’s the driver behind a spirit of

entrepreneurship, which is defining younger people more and more whatever their work.” The increase in the likes of zero-hour contracts and internships is partly responsible, he says. It’s pushing people into thinking much more seriously than they used to about setting up on their own. “They want immediate recognition – of their performance, talent, expertise, and of their confidence to take such a step.

“They also don’t like to be told what to do. Law firms also need to find a way to meet a passionate need for personal autonomy, offering empowered opportunities.”

Freelance spirit

Without taking this seriously, says Scase, businesses risk hiring somebody for an important role successfully, but losing them again after just a couple of years – a far cry from the repayment of investment on which recruitment strategy depends.

“Before this demographic shift, people would keep their noses clean for 20 years – and gratefully become a senior manager,” he says. “Now they don’t care at all about what will happen 20 years from now. They may have another career by then. If they don’t feel rewarded this year or next year, they go somewhere else.”

Against this backdrop, Scase wouldn’t be at all surprised to see what’s still very early days for more flexible legal service provision develop at the expense of permanent payroll. Whether an extension of an established law firm’s brand (Pinsent Masons’ Vario lawyers, Eversheds’ Agile or Allen & Overy’s Peerpoint), a ‘virtual’ or dispersed firm that divides profit with no overheads (Keystone Law), or an alternative non-partnership legal business (such as Axiom, interviewed in **Briefing** last year), these arrangements can arguably better meet the call of instant reward and more control. Freelance or other partly autonomous lawyers aren’t putting their lives entirely on hold for the distant prospect of a partnership. They’re transparently paid for assignments or projects they complete. And they have more influence over when, where and how they do it.

But understanding alone isn’t enough to prevent young people putting their immediate selves first. Scase says that part of the problem may be law firms failing to actively encourage and nurture this millennial entrepreneurial spirit that simply won’t be going away.



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“It’s a big challenge that the culture of a professional services organisation encourages compliance and conformity rather than innovation and change,” he says. “For example, there’s often little support for someone who’s badly treated. Your fellow lawyers won’t be coming out on strike for you,” he laughs. But he isn’t joking.

“It’s the same reason that there aren’t enough whistle-blowers in the NHS. Junior doctors don’t complain because their careers are on the line.

“Lawyers are also often compliant by nature – they learn to keep their heads down. An organisation may say it values innovation – but unfortunately the reality is that new ideas are often interpreted as criticism of how things are, so people don’t volunteer them. The person who wants to change things is seen as a disruptive force – as not a team player.”

Before she realises it, the would-be entrepreneur is sent on a team-building course to learn to behave, he chuckles. And as the world of work is much more networked, it’s then easier for attrition from tradition to trickle down – perhaps into a steady stream.

“It’s the ideas people in law firms, those who want to innovate, who leave to set up as alternative legal providers. They’re frustrated – so they’re leaving the traditional partnership to try something new. A risk is they then potentially employ their former colleagues on the less traditional basis they introduce.”

Skills shortage

What’s more, the firms and the freelance employers will also be in competition for the same skills when it comes to the very newest recruits – the next demanding generation along – coming out of tomorrow’s universities and law schools. Will these be a youth even more fixated on what they can have immediately?

Not only this – one of Scase’s current megatrend predictions is that the days of the standard university education may, in any case, be numbered.

“If I were running a legal practice I’d be recruiting at 18,” he says – suggesting the future may be rather brighter for the new legal apprenticeship pathway several firms are now offering. But the law degree is



“It’s the ideas people in law firms, those who want to innovate, who leave to set up alternative legal providers.”

not alone in being devalued. “The era of mass higher education is coming to an end. It’s the iron law of the product lifecycle.”

First, he says, universities can’t identify and attract their cohorts effectively. “A downside of digitisation is that we’ve commoditised the selection process. As with online job applications, talent falls through the net. It’s only in a face-to-face scenario you can assess capacity for empathy and creativity.”

And yet, Scase expects the very top of legal – and other businesses – to remain a reserve of the privileged

The ones to watch

Professor Scase picks out the megatrends law firms must heed

Globalisation, commoditisation and digitalisation – the three words that will change tomorrow’s legal landscape.

Access to **localised knowledge** will be needed through diverse strategies. Globalisation affects national firms too.

Talent for hire on a contract basis. The partnership pyramid’s days are numbered, replaced by a small elite of permanent legal specialists and project teams.

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Informal communication between colleagues will continue to be a major barrier to business reinvention.

Business services experts will be the key drivers of transformational change.

elite. Apprenticeships won’t advance social mobility, he says. Preferred recruitment from the likes of Oxford and Cambridge into the leading corporate law firms will only be reinforced. It’s not a forecast that will sit well with those investing in any number of social outreach and engagement initiatives.

The reason for the rich getting richer? Even assuming they find the best candidates, those outside the university top tier can’t afford to nurture the skills tomorrow’s even more networked lawyer needs. “The

vast expansion of education has changed how it’s delivered,” says Scase. “Universities used to nurture talent through small group discussions and seminars to develop emotional and social intelligence. Unfortunately those attributes aren’t developed anymore in the mainstream.”

But they’re essential, he explains, as lawyers must now be negotiators and customer service specialists as much as professional advisors.

“A university can produce a lawyer with a strong background in the necessary case law – but that won’t be enough for the new model of business-client relationship emerging,” says Scase. “Legal business needs more social and emotional skills to present, prioritise and project manage their work in new ways.”

Team tactics

The funny thing is that sounds awfully like those entrepreneurial all-rounder millennials Big Law might be losing to the freelance life. So firms of the future will need to nurture these skills within – perhaps through an apprenticeship format – but building loyalty slowly, while also providing Scase’s “empowered opportunities”, whether that’s winning responsibility more quickly or the potential to work in more flexible ways.

“When your core business is intellectual capital or talent, managing change is a much more delicate process than in a manufacturing organisation,” says Scase. It applies to ongoing professional development as much as a major one-off change such as a merger or complex new business process. And at least one possible

answer is more coaching and mentoring relationships alongside traditional management techniques.

“The young professional recruit needs immersing to bring out autonomous skills and talent rather like in football or rugby teams. A high-performance team consists of very talented, but highly individualistic players – but their expertise only succeeds by co-operating with other, equally talented team members.”

Players in professional services are a similar balance of autonomous power and dependence on the

performance of others, he says. Their personal work is very structured – but they invariably communicate through the equivalent of unplanned personal face-to-face interactions to access other expertise.

And yet, even then, it's not quite that simple. It may score more goals, but Scase says a bonded team's "highly structured informality" has drawbacks too. It can serve to reinforce the working silos instead of taking an axe to them. Personal attributes, not systems, drive success.

"Highly structured and resilient informal relationships are often the barrier to change," says Scase. And if a team isn't pulling together happily, morale may then suffer even more than in equivalent-sized businesses that don't function this way.

"Informal influencing is hugely significant," he says. "It can kill enthusiasm or motivation for something as easily as building it up. The young, enthusiastic graduate quickly feels disempowered and disenchanted if a positive culture is corrupted."

Informed approaches

You'd be forgiven for feeling the firm really can't win in this war for tomorrow's talent. On the one hand, it's told to meet millennials' desire for autonomy and individuality to get young people through the doors. But those qualities can prove their undoing if people work their way at the expense of a system. Meanwhile, they're perfectly happy to uproot and disappear to Australia at the drop of a hat, says Scase. The only option is for the firm to change – giving the people it wants to call its employees more alternatives and empowering them to work both independently and effectively.

One thing certain to help is making more information more readily available, says Scase. "Lawyers rely on each other to exchange information on case or client – but digitalisation can be an opposing force."

It has had a major impact on productivity levels in industries like manufacturing and FMCG – but hasn't yet been applied to its full potential in professional services, he says. And it's also key to successfully managing more flexible working patterns. As the weekly conference by the water cooler grows less likely, digital social networks support more dispersed and mobile teams.

"The millennial expects to be geographically mobile

– and of course, large legal practices do have data management supporting people working from multiple sites around the world," says Scase.

"You also need a highly efficient information infrastructure to support any strategy of forming alliances, international partnerships, or outsourcing, which will become much more common for everyone."

Businesses in all sectors will rapidly become more dependent on information fed in to decision-making from many different geographies, he says. "The boundaries of corporations are highly flexible, and even vague. Even small companies are now part of global supply chains that are continually being redefined."

This, in turn, affects how businesses need to review and communicate their brand messaging.

"Globalisation and more transient business relationships across the board mean customers are evolving all the time too," says Scase. "Legal businesses need to invest in refreshing or reinforcing their brand to reach a target market in constant flux."

Part of that will involve social media, digital communications and improving other online experiences to engage people. But inevitably, for professional services it's as much about the people behind the profiles – those parachuted into a room to work together at any one time.

Keeping that brand identity intact will get ever harder as companies permit fewer people in any one place, work with more partners, or diversify their services. How will law firms ensure messaging to the market is consistent?

Social media, or just plain social, it will certainly involve the skills that Scase says legal businesses need to build up one way or another – and find a way to retain. And yet in one final prediction, his crystal ball also conjures up future adjustment in the power balance between two of the legal world's oldest tribes – the so-called professionals and the business experts who loyally and tirelessly support them.

"It's those in business services who really understand how technology can be embraced to form closer relationships with clients – so it's likely that the leading and the supporting roles will be reversed," he says.

Yes, you heard correctly. No need to wipe that crystal ball in shock or horror to gaze on the future again. And it may not come to pass until Britain in 2020 – but you heard it here first. ●

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Feature

Time for a change?

What does the future really hold for the traditional legal workforce? Richard Brent assesses the very early days of a potential era of transformation

The face of work is changing – such that we now really might not recognise the faces of long-term colleagues, while putting more faces to new names every few months.

Recent Accenture report *The Rise of the Extended Workforce* says so-called “contingent” workers are everywhere. Four-fifths of the freelancers on Elance – one of a new breed of platforms connecting business with available independent talent through the cloud – have a professional degree, it says. Engineers, IT specialists, healthcare workers and accountants are all being hired for short-term assignments. Even COOs and CEOs can be engaged, perhaps on an hourly basis, to complete business-critical but temporary projects.

More flexible friends

Assignment-based work is also making its mark on legal delivery. Firms want to control their costs – and using freelancers shifts a bundle of them. Those individuals also have more control over the work they choose to do and their overall careers. And a more flexible resource can be explicitly marketed to clients as a more cost-effective solution to changing staffing challenges.

A few years ago, for example, Pinsent Masons wanted an alternative to seconding lawyers to clients for long fixed periods. “Clients don’t necessarily want someone in their office for a long period of set time,” says Vario director of members, Katherine Thomas. “They have different needs, possibly filling a role for just one project or dealing with a fairly brief peak in workload. We realised we needed to be more creative.”

Launched in 2013, the firm’s Vario lawyers are therefore entirely self-employed – but, says Thomas, still come with the assurance of the firm’s brand attached.

“Some are our alumni, but by no means the majority – and we’ve seen increasing willingness, and sometimes even demand from clients, that they work remotely either full-time or part-time.” The assignment itself could be anything from parachuting someone in to get a particular project over the line to a stint of six or nine months, she says.

The same year, Allen & Overy unveiled its Peerpoint contract lawyer model, which began its short life to date recruiting a panel of interim lawyers largely to

participate in the firm’s own big-ticket deals on an as-needed basis. Only in the last six months has it started to target clients regularly too.

“A big priority has been building us credibility and support within the firm,” says Richard Punt, appointed CEO in November last year. “Peerpoint’s biggest client has been the firm itself – and elsewhere we aren’t looking to provide large volumes. We’re focused on more senior and often specialist roles.”

Nevertheless, the number of Peerpoint lawyers on his books has increased from 25 to 75 since September, and only around half are alumni, he says. Punt has also just launched a small operation in Hong Kong, with potential for gradually rolling out further into Asia.

“It was certainly an explicit part of our talent strategy to create a broader range of options for people,” says Punt. “And it’s encouraging that we haven’t only had people applying for reasons of conventional flexibility, such as family commitments. Some have concluded they would ultimately like an in-house legal career – and this gives them more control over the projects they work on, and potentially more varied work.”

On the other hand, another new A&O initiative is a programme to reconnect with, attract and coach, women who’ve left to have children – potentially offering a position as a Peerpoint consultant at the end.

“We sponsored some research with She’s Back and Edinburgh University into reasons why so many women don’t come back to work, and a top one wasn’t being workplace confident,” says Punt. “But it also showed that sufficient flexibility was crucial.”

Clients also need to be more flexible with their staffing. Pinsent’s Thomas says: “A few years ago you’d find this sort of service responding more to business crises, but recently we’ve seen a trend toward using flexible resource as part of strategic planning.”

That has been led by the cost-conscious financial services sector, she suggests, but the assignments her Varios could complete are appropriately varied – from maternity leave for a particular practice to a specialist for an unexpected important matter.

However, although Varios need no less legal ability than their equivalents at Pinsent Masons, they may need something more. Before launching, Thomas and her colleagues surveyed general counsel as to what they would look for in a freelance legal service.

“Knowing it had the infrastructure of an otherwise

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trusted law firm in place was important,” she says.

But potential clients also had a clear notion that freelance lawyers would need certain attributes to enable them to get up to speed quickly and integrate in unfamiliar environments. So this was built into the recruitment process. An occupational psychologist helped to develop an online questionnaire that assesses

approach they know we’ve done our due diligence.”

A&O’s Punt says his firm also assesses candidates rigorously. “Just as important as being technically strong is that Peerpoint lawyers are effective consultants, and particularly able to work in multiple environments.”



“All clients are under pressure to reduce their costs, and I think it’s safe to conclude there are more efficient ways to provide services.”

Bas Boris Visser, global head of innovation and business change, Clifford Chance

behaviour preferences even prior to interview.

“We assess 14 attributes overall, and then continue to use that data when deciding where to place people who are successful,” says Thomas. “For example, there might be a great role at a big bank in Canary Wharf – but that working environment won’t be for everyone.

“You can determine suitability quite scientifically – and our research highlighted that clients don’t want to spend hours interviewing freelancers. Using this

Processing powers

Building freelance resource and skills to scale is just one example of how law firms are investing in rethinking work process.

Launched in 2007, Berwin Leighton Paisner’s Lawyers on Demand (LOD) was the first of a number of such interim lawyer services to enter the market. It was spun out in 2012, with BLP group retaining an 80% stake, and this year the company announced 42% annual growth with turnover of £12m. Over half of this growth came from the more recent ‘On Call’ model, where legal expertise is not seconded to the client site. The lawyers can work remotely – and

clients are charged on a pay-as-you-go basis for projects completed. Unlike Varios, however, senior lawyers will also work in “virtual transaction teams”, rather than individually, for specific parts of complex matters.

Cathy Mattis, BLP head of process improvement, explains that use of LOD lawyers is one element in its wider Integrated Client Service Model, which includes working with other third-party providers and clients themselves to identify a range of opportunities for the most cost-effective service delivery. In October last year the firm launched Streamline, a legal process improvement service designed to find the leanest, most effective way to deliver a client’s legal projects. It involves expertly facilitated efficiency workshops with clients’ legal and business teams to map projects for all involved in their entirety.

“It’s a consultancy service to get to grips with

understanding the client's precise legal needs, and translate that into the most effective resourcing regardless," says Mattis. "A client's needs might be best met by a specialist team in London or another international office – but if we identify key peaks or demand escalating to a deadline, that may mean adding an LOD component.

"The aim's to ensure all work gets done by the right people in the right places. The client doesn't need to deal with all the third parties they may otherwise have disaggregated work to. We worry about all of that for them, pulling it back together and delivering it as one."

Bas Boris Visser, new global head of innovation and business change at Clifford Chance, says: "All clients are under pressure to reduce their costs, and I think it's safe to conclude there are more efficient ways to provide services than the traditional law firm model.

In his own new role Visser says he'll be undertaking a thorough assessment of where his firm could now adapt working practices further in the interests of more efficiency for all. But in a firm as large as his, that's as much about harnessing input and momentum from throughout the business – and beyond – as deciding which direct steps can be taken.

"In high-value work we might at this moment be less sensitive to the potential disruptors such as technology companies and alternative legal providers – but you can question for how much longer, and in any event it's still a fantastic opportunity to try to improve. We see the market is moving, and my position has been created to better understand what that could mean for us and anticipate what clients may need in future. I'm speaking to a lot of people, but especially to clients, academics and competitors to ensure we get things right."

His other priority, he says, is creating the right internal infrastructure for new ideas to grow.

"Innovation isn't something that's easily managed from the centre. You can't do it on your own or just involving a small group of people. We're putting local innovation committees in place to establish a footprint in each office and get people energised," he says.

Consulting widely?

By going in to take client processes apart, BLP is also one of a handful of firms moving to make another big

legal business change – diversifying what they can offer beyond legal services. Cathy Mattis says clients had witnessed the results of some of the firm's internal process-mapping sessions – and so could see the value of more careful resourcing to some of their own strategic projects to deadlines.

"They said 'we'll pay you', so we created a branded consultancy product," she says. "Historically, lawyers have told clients what needs to happen – but what we do is help them to see how something will happen."

There could be up to 30 people in the room for a Streamline workshop, she says – other advisers on a project as well as the client team – and all possible issues and connections are thrashed out to a final set of actions and a visual representation of how team members will work together.

"We pin a huge piece of paper on the wall – and each person or team involved gets a parallel lane. We list all activities needed in order, but can reprioritise and alter processes by moving them up or down the list," says Mattis. "Together we decide who needs to know what, and when, and how they will be told."

The workshops may decide to standardise or automate to improve practical aspects of projects such as handovers and correspondence. But they can also set out to reconfigure processes, building in knowledge and documentation that means work can be completed more cost-effectively by more junior teams.

"It also involves airing conversations about how things have happened in the past," says Mattis. "It fosters a collaborative environment. People can be frank about what works best for them. In one case, an employee was leaving the client after a long time working for them, and just wanted to download everything in their head so that a colleague could take it forward."

In recent months, a number of firms have also moved to offer specialist project consultancy adjacent to their sector. In February, Bird & Bird teamed up with ASE Consulting on Baseline – advising on large-scale IT transformation challenges – and in the same month Eversheds Legal Consulting (launched in 2010) added a financial services regulatory compliance arm, with lawyers and consultants working on governance mandates together.

RPC, meanwhile, has recruited Towers Watson global head of risk consulting and software, Rory O'Brien, to target work on areas such as strategy,

operational efficiency, capital management and outsourcing for its insurance clients. Managing partner, Jonathan Watmough says: “Every other professional services provider thinks they can do things that aren’t their natural discipline. It strikes me as odd that lawyers haven’t thought similarly broadly until now, as law firms have very sticky long-term client relationships.

“Insurance is an area where the lawyers and management consultants have a lot to do with one another already.”

However, he also stresses that the firm won’t be moving into management consultancy more generally

– nor does he see the market heading that way as a whole. “Our plans are very specialist. They’re specific to the insurance market, with a lot of complex financial engineering on balance sheets involved. It’s a bit more difficult to picture a law firm going down a non-specialist channel to compete with the Big Four.”

But whether launching entirely new services, or improving existing ones, Big Law certainly needs to keep a watchful eye on the bigger picture – of competitors, clients and the global talent pool as a whole. The working world is changing. What we don’t yet know is whether it’s only the beginning. ●

Finding a better balance

Whether you’re sitting in a conventional career or on a six-month contract, our future work is also likely to be more agile. We’ll not only have to be that way to function – we’ll fully expect it.

Earlier this year, the London office of Herbert Smith Freehills kicked off an early adopter programme for fee earners to adopt more agile working (many in business services already have one). In a nutshell, it means lawyers can choose to work from home one full day a week.

“It needs to be coordinated naturally, but without seeking permission – without saying ‘may I do it?’ – people know they have that opportunity,” says David Shields, head of diversity and inclusion. It’s a further step in the firm’s working smarter initiative dating back to 2012, which sought to establish guidelines, and identify role models, for working more flexibly in general.

“We’re now running a survey to ascertain just how much it’s happening and helping, and identify what helps or hinders uptake,” says Shields. “But we do have one example where somebody’s mother was having an operation – and

being able to relocate that one day reduced the travel time and proved sufficient flexibility such that they didn’t feel the need to take time off formally.”

One challenge that might emerge, he says, is the work environment at home and the tech to support it – but people are also proving sensible in choosing their day at home and what they do there. “Being insufficiently savvy is one potential barrier,” he admits. “But catching up on emails or digesting a big document in a quiet space is perfectly suited.”

Bas Boris Visser, global head of innovation and business change at Clifford Chance, points out that the vast majority of those at his firm could also now be said to fall into the category of Generation Y. “Although equally talented, hardworking and ambitious, they have different expectations of a law firm,” he says. As Amsterdam managing partner he therefore co-created with other associates and partners a new talent-development plan that took these into account, including testing and training on managing energy and stress levels in the interests of a better work-life balance.

Strategic head starters

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Briefing Industry Interview

Braving a new world

Eric Ruud, managing director of newly formed Thomson Reuters Legal Enterprise Solutions, comes to the market armed with knowledge of how things are done elsewhere. He tells Briefing what he's learning – and what his new clients could learn as well

Today's legal services market is consolidating in more ways than one.

First, there's the continued appetite for mergers as a route to growth as competition from a growing range of alternative providers sharpens its edge. The number of top 100 law firm mergers was down from 28 in 2013 to 18 in 2014, but 86% of the audience at **Briefing's** Operational Leaders in Legal 2014 conference (in November last year) said the "merger surge of 2009-2013" was by no means over.

But there are also consolidating forces at work between firms and their clients, as interests grow ever more entwined. General counsel have been handed more strategic responsibility since the recession, and their firms are now expected to prove an innate extension of internal risk management processes. It's about finding new ways to add value to the relationship – all the way. Some firms are even sharing their clients' risk, taking reward based on clear results and contingent fees rather than the billable hour of old.

It's a trend that every big market player needs to tackle, and it's one that Thomson Reuters has decided to take on. In September last year it brought the Elite (3E, eBillingHub, MatterSphere, Business Development Premier) and Serengeti (Serengeti Tracker) core brands together under the new name of Thomson Reuters Legal Enterprise Solutions. And Eric Ruud, previously managing director of the Onesource indirect and property tax businesses in the TR tax and accounting business unit, was brought in to lead the new combination.

Climate control

"One part of Legal Enterprise Solutions has always been primarily focused on the financials – and other front and back-office aspects – of law firms, while the other's targeted more clearly at the corporate GC," says Ruud. "But we've recently started to feel more synergies and transparency between what both sides are doing and need.

"Law firms need to get more competitive about business development for clients in the changing landscape, and the corporate GC wants more transparency in terms of how her firms are billing and utilising their resources.

"At the same time, we've witnessed the two businesses growing very fast, with lots of common assets and skillsets. So there's an efficiency gain for us in sharing resources.



“Law firms need to get more competitive about business development for clients in the changing landscape.”

Eric Ruud, managing director,
Thomson Reuters Legal Enterprise Solutions

“There’s also the fact that many of the clients of Elite and Serengeti are the same businesses. “We have close to 900 Serengeti Tracker customers, and lots of them are the firms using Elite products.”

But although Ruud comes to legal from accounting, he has more than 25 years’ experience with enterprise software. In his new role, he sees a clear opportunity in trying to make a difference to legal’s typical modus operandi for investing in IT, based on his experience listening to accounting firms and others.

“It’s still usually much easier to roll out global applications in large corporations,” he says. “Somebody says what will be happening, and they just do it. It seems to be much tougher to do that within the law firm management structure.

“The accounting firms struggled with it themselves years ago, but have made the transition, and law firms now seem to be in the early days of looking to technology to help them in a similar way.

“It begins with resources, which firms usually have too few of, given the size of their organisations. But another issue is whether types of applications are given enough attention within the wider picture. Firms usually ensure Microsoft’s all tidied up, for example, but back-office applications such as those for business development can be more complicated, particularly as so many firms have grown through acquisition.

“Merging firms often adds a serious complexity. Half your people might be on one platform, another third are on another, and so on,” he adds. Integration is therefore essential, but the processes and timescales for it are often measured in lifetimes (or seem so, to IT leaders).

“In a corporation, you’re much more likely to find someone call ‘time out’ to retrench and consolidate properly after every so many years,” says Ruud. In legal, however, it’s not as simple.

Customers’ rights

It’s admirably ambitious, Ruud’s hope to recalibrate the legal industry. But it’ll be a long game. He’s trying to spend his initial time in a new market, and therefore he’s constantly on the move and listening to the drumbeat of change in legal.

“After getting to know our own team structure really well – there’re a lot of people spread out around the

world – I’ve been spending lots of time with customers and going to trade events,” he laughs. “It has been a good learning curve.”

He has also been at the helm of ventures into the culture of the Thomson Reuters legal business, specifically, activities focused on creating an even better customer experience under the new structure. “We’ve been journey-mapping our processes to better understand our strengths and weaknesses as a partner to law firms,” he says. This has surfaced a lot of things to do and change, he explains, a key one being to replace an existing support organisation with a new customer advocacy group designed to take a more holistic view of servicing clients through their maturity cycle.

“Problems appear in one area, but often run through or impact other departments – and journey-mapping can pick out all customer touchpoints.”

He pursued a similar process in his previous TR role, which, he says, saw very good results in customer satisfaction surveys and renewal rates. Thus far, the change is proving a model that’s eminently transferable to legal.

The end-to-end game

“But there’s no faking it,” he warns. “We have to match the change with ongoing investment. This year we’ll be investing more than ever into strengthening our products.”

These products will aim to support law firms in another trend that has been seen more in the corporate world up to now, he says: a desire for the end-to-end solution that tracks work fully down a business pipeline.

“A back-end financial system that only does certain tasks just isn’t enough for where firms want to be in future. They need something that develops the business, wins it, and then manages it through to delivery, with all that entails. I think legal businesses have some of the same challenges we do as a business: keeping clients happy, but also staying on top of what that really means in managing work.

“Collaborating on projects from the likes of London, New York and Tokyo also demands the flexibility of systems that easily work together.”

At the time of writing, Thomson Reuters was preparing for its annual North American Vantage

conference, a key theme of which will be how the appetite for managing work end-to-end has meant delivering much more integration of TR's products.

The company recently brought 3E, MatterSphere (for consistent client and matter management) and its new Business Development Premier relationship management product together into a single ecosystem. The workflow, tasks and information can now be shared across all three.

"This opens up even more opportunities to exploit connections between sets of information," says Ruud. "Firms aren't just increasingly collaborating with their clients and across borders. They also need to collaborate across departments internally to better analyse and understand how business develops over time."

Firms can, for example, assess the best ways of pursuing future business based on analysing trends in work-in-progress alongside current marketing activity. "Cross-selling is also desirable, but often difficult to accomplish. By joining the financial and business development systems as closely as we have, you can unlock information and see the opportunities much more clearly."

All of this becomes that much more pressing as the accountants that Ruud used to serve move in on legal's territory. The Big Four's stated intentions to seize certain areas of the market aren't threats to be taken lightly, he says. If those businesses have a better infrastructure in place for supporting global clients they will present a greater risk.

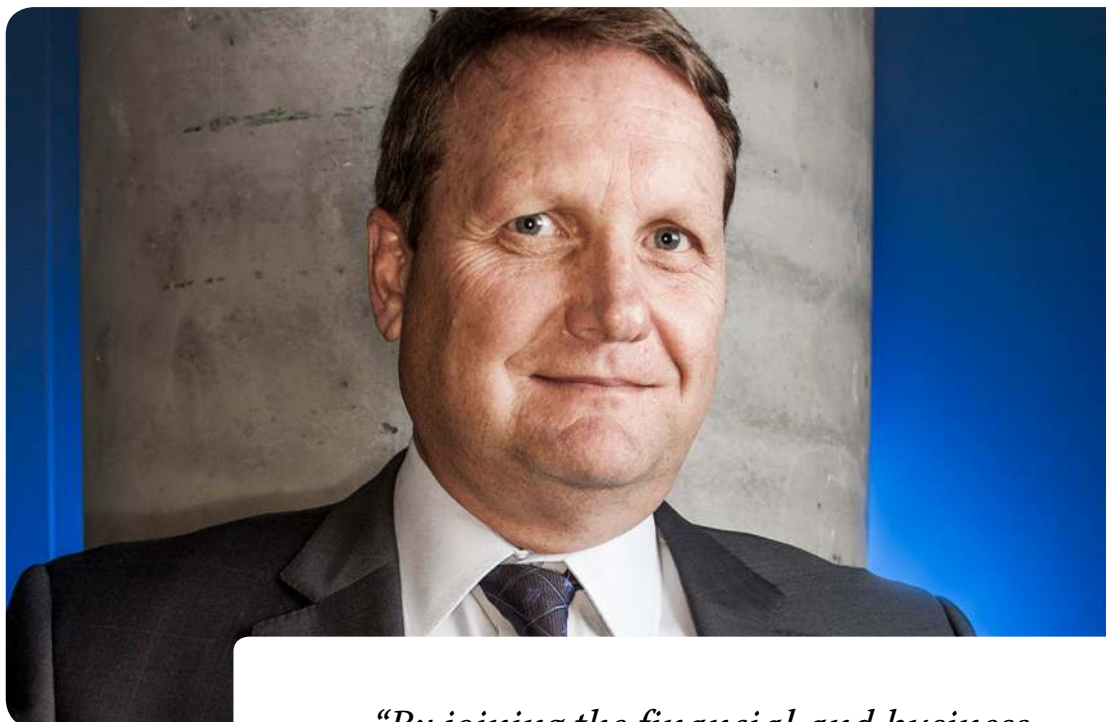
"It's definitely something to be keeping an eye on," he understatedly suggests.

"They've had partnerships and relationships with clients in place for decades, and if there's an

international merger, it's a certainty one of them will be there. There'll be major law firms involved too of course, but we've yet to see how the accountants' plans for legal will pan out."

Thomson Reuters Elite is deeply embedded in both these professional services, so it ought to be in a great position to partner effectively with either, says Ruud.

But while the Thomson Reuters Legal Enterprise



"By joining the financial and business development systems as closely as we have, you can unlock information and see the opportunities much more clearly."

Eric Ruud, managing director,
Thomson Reuters Legal Enterprise Solutions

Solutions journey is moving toward making life easier for its law firm clients, this doesn't ease the pressure on them to invest time and thought in how they stay ahead of the changes reshaping the market – and shift their own relationships up a gear.

Find out more about
Thomson Reuters
www.elite.com



Briefing Industry Interview

Stepping up

A culture of continuous improvement can't flourish without data drawn from every area of the business, says Andy Sparkes at LexisNexis Enterprise Solutions

How do your partners grow? As the first UK law firm sets out its rationale for a flotation on the London Stock Exchange, others must face up to the reality of much more varied competition for work in future.

Some are responding by diversifying into new non-legal business areas for the first time. Others are investing time and money in new techniques for forward planning and continuous improvement to make what they have already more efficient. Either way, they need the infrastructure to inform and measure their

strategy's success – fast and frequently.

“In the past, process measurement at law firms hasn't needed to be as formalised. Margins were robust, so firms could afford to be relatively inefficient and still make a healthy profit despite writing off more work than they ought to in order to keep clients happy,” says Andy Sparkes, general manager of LexisNexis Enterprise Solutions. “But with more financial pressure on the buyer's side, there's now less tolerance for error.”

The result is a trend for more consistent structure

around how firms can transform themselves by changing internal processes, he says – whether that’s in matter budgeting, work allocation, matter management or even recruitment. The focus on billable hours drives even more focus on minimising the distractions from non-revenue generating tasks and activities. Some firms have even set days aside for continuous improvement workshops – in some cases sitting right alongside clients – to take a fresh, honest and in-depth look at how they might achieve more effective results, more efficiently and with more transparency.

“Future success is grounded in measuring performance, and then working out what could change,” says Sparkes. “You estimate the impact, develop a process to get you there, and then measure whether you’ve really delivered a difference. And repeat!”

Repetition and feedback loops are vital – and this process isn’t limited to activities directly experienced by clients, he says. “A focus could be making it easier for people to work remotely or collaboratively, simplifying people management tasks, formalising procurement processes, monitoring proofreading quality more closely, or even faster production of personal expenses.” Any area of management could make a difference to productivity – and one of the first steps is to prioritise where the most achievable impact can be delivered.

Human interest

But this won’t happen without good management information, pulled from all internal and even external sources and made easily accessible for turning into action, says Sparkes. And this includes one area which, despite being people businesses, many firms don’t integrate enough: HR information.

“Often a firm won’t even have true clarity on something fairly fundamental like the total number of employees in each department. If one system says one thing, and another something different, it’s impossible to know which set is most reliable as the basis for a change. Insights that draw on joined-up data from across the business help drive more impactful decisions linked to real delivery outcomes.”

And it’s not just a question of connecting existing data. Some firms are also beginning to enhance the information they hold on their workforce to help make

better resourcing and hiring decisions.

“Firms need a reliable record, not just of official skills, development and capabilities as they change, but also key experiences,” says Sparkes. “That could be a lawyer’s legal experience, but equally relevant is geographic experience or key non-legal capability. An accurate understanding could lead to a more realistic view of the hiring needed to build the ideal skills matrix to deliver the anticipated future work mix.”

Whether firms turn their attention to other business ventures – notably consultancy – or not, for example, there’s a growing consensus that future work will be less rooted in a practice and more on defined projects.

Firms may also need to work together more – and with third parties jointly appointed by clients. The need for collaboration, accurate scoping, delegation and delivery to different deadlines may call for substantial change to the typical legal matter workforce as it stands.

And, once recruited, a more consistent set of HR data helps firms assemble the best team for tackling such multi-party projects, from pitch to conclusion.

“Project management is fundamentally better planning and discipline – bedding in more rigour and structure,” says Sparkes. “Even before a proposal is sent out, firms ought to have thought about what needs to happen, how long it’ll take and who’ll be involved to reach an appropriate estimate of price and profit.” By turning that proposal into a matter budget, and time recording against each step, firms can track that proposal more accurately against what’s happening on the ground.

Enterprise resource planning tools like LexisOne, says Sparkes, can give firms a real time view of progress against budget to share with their client – as well as giving a reference point for improving costing templates and making better pricing decisions for future work.

This sort of insight and capability necessitates a radical shift in the traditionally narrow discipline of practice management. More comprehensive ERP solutions can serve as the foundation for continuous improvement to keep the competition from the door.

Learn more about
LexisNexis Enterprise Solutions
www.lexisnexis-es.co.uk





Briefing Industry Analysis

Making an entrance

New ways of qualifying to work for a law firm pose a number of strategic questions for the future, says Totum's Deborah Gray

We don't need too many reminders that the legal profession is in a state of flux.

But we got another one anyway in the recent announcement that Gateley is likely to become the UK's first law firm plc – with Irwin Mitchell in hot pursuit. Such developments raise big questions about the profession's future – not least, how will law firms train and develop a future generation of lawyers to suit very different business models?

Because unlike law firms, legal training hasn't changed that much. LPC graduates still face fierce competition for around 5,500 trainee contracts each year. Among those few who win a place with their law firm of choice, no doubt some will relish following the well-trodden path of those who've gone before. A process that has endured the test of time is reassuring.

Others, however, may be forgiven for feeling the format and substance of this training has altered so little over the years, it can't reflect or support the next generation of lawyers, whose success depends on a whole new range of capabilities, often based on quite different career aspirations.

Many more, for instance, don't have partnership as a long-term goal. And one leading international law firm we spoke to about this issue agrees there are changing career expectations here. "It was predominantly about becoming a trainee, an associate and then a partner," they said. "That can't work economically in every case. People are coming in now and being quite open about not wanting to be a partner. We have very talented and engaged people and we have to find alternatives."

Even for those that do want partnership, it's not the

same ride previous generations enjoyed. Some may ask, therefore, whether the core tenets of legal training still apply.

As the law firm's head of training told us: "Technical excellence may still be fundamental, but we have to support other skills too. There's being partners in an environment where there are different ways of resourcing the business, being able to lead and inspire teams, bringing in business, being financially literate and also knowing how to build client relationships and engagement. We have to know how to play to different people's strengths."

With portfolio careers on the rise, traditional trainee contracts can also prove expensive if newly qualified lawyers quickly leave for other jobs. Combined with new ABS structures challenging assumptions about what lawyers should be trained to do, there is a question mark over what will happen to traditional legal education. The training contract may still be intact, but many think the next few years will involve change.

Breadth of experiences

Sands are already shifting. Following the Legal Education and Training Review in 2013, the SRA has been reviewing the skills and knowledge needed to qualify as a solicitor. The consultation continues, but reforms are filtering through.

For instance, there's the recent shift to allow paralegals who have passed the legal practice course to qualify without having to complete a formal training contract. They must show they have gained equivalent experience to a newly qualified trainee.

In practice that may be difficult without the formality of the traditional training programme, but it represents a change in thinking: instead of a preoccupation with the process of training, it's now all about the outcome. This is reinforced by the terminology. The 'training contract' is now a 'period of recognised training'. It may seem small, but it signposts a willingness to accept and embrace new avenues to becoming a lawyer.

Legal apprenticeships are another example of change. Launched in April 2013, the Higher Apprenticeship in Legal Services (or CILEx Level 4), offers school leavers an on-the-job opportunity

to become a qualified fee earner. This could be an attractive option for those from less wealthy families, who may be concerned about rising costs in tuition fees – as well as those who may prefer to build experience quickly, rather than leaving it to chance with time-consuming qualifications that don't even guarantee a job at the end. A number of established firms are already offering apprenticeships, and hoping that some will go on to qualify as solicitors.

But they're likely to prove particularly popular among the newer ABS firms that can put school leavers straight into more process-driven work. Co-operative Legal Services and Admiral Law, for example, have already embraced these alternative recruitment options.

Traditional training routes are likely to prevail for those seeking top-end work at City law firms. But even here, the field is opening up. More firms are implementing social mobility programmes, working closely with law schools to identify and support candidates with the potential to succeed but who haven't, perhaps, had the most favourable background for gaining the best academic credentials. This trend could reinforce the partnership between individual law schools and law firms, making training more bespoke to the needs of each business while also changing what it means to be a successful candidate.

Much may be yet to come, but the shift from process to outcome focus could fundamentally impact the way firms work. Constant review will therefore be critical. If, for example, the SRA introduces, as proposed, a centralised assessment for all would-be lawyers at the point of qualification, our conversations with law firms suggest long-term lateral hiring will also need significant review. More generally, such change will require the whole profession to think more creatively.

This will, of course, impact our work as recruiters too. It's a space we will have to watch closely to ensure that we can continue to support law firms, and all involved in legal talent management, to embrace what might well prove to be a whole new era of recruitment opportunities in law.

Learn more about
Totum
www.totumpartners.com





Regardless of where they point their strategic antennae, law firms must take steps to carefully monitor and control their cost base to grow profitably.

For example, last year **Briefing's** Legal IT Landscapes 2015 research found that top 100 law firms spend 4.1% of their annual revenue on technology in one form or another. It may not be as large a proportion as in other large industries, but it's still a substantial sum to manage inefficiently. And that may well be what's happening without a system for tracking that spend accurately across a fast-changing organisation.

Firms can choose to lease perishable IT assets such as PCs, laptops, tablets and smartphones – benefiting

from the residual value a lease provider invests on handing back the assets when they're no longer fit for purpose. And as many firms widen their embrace of agile working practices – pitching up at client sites, working at home, on the move or in dispersed project teams – the case for potential savings from leasing mobile tools, in particular, clearly stacks up.

But firms can't be sure of crystallising those savings unless they have an accurate record of all the IT hardware they've bought over time. They need to manage the entire business's IT lifecycle – refreshing or replacing and investing in new items at exactly the right time to pursue strategic objectives as cost-effectively as they can. A maze of different procurement practices

and managers may be in the mix. And as firms grow through international expansion, merger, verein or indeed ABS venture, the record of what's been bought grows too – and can grow increasingly unclear.

The right tracker

The solution is a central asset management system for tracking all such assets – something a financing partner is also in the perfect position to provide on the side. On settling each invoice for an equipment order, they simply take key details such as the manufacturer, supplier, configuration, price – and of course, inevitably, the date of purchase. And the last of these can clearly provide a quick insight into how much any piece of equipment has aged, and whether its time is up. Any invoice can quickly be called up from the system for further questioning – and firms can generate live, graphic reports, with the full record of stock segmented by age, brand, or any other variable.

Without such a system a firm may still have an IT cost centre – but the process of finding particular information is a painstaking manual exercise for the accounting department. Ledger information needs to be isolated and extracted from among all the other items of daily spend.

Risk is also reduced on handing the responsibility to a trusted financing partner. The information becomes the supplier's domain to enter and manage effectively. It ought to be unequivocal though, as everything's taken straight off the invoice. There's no leakage to lead to management confusion and poor purchasing decisions.

There's the potential to build in an additional layer of efficiency too. Depending on the scale of an IT order, an e-procurement service may be available. Key strategic hardware – the growing demand for tablet touchscreens, for example – can be ordered or replenished automatically, in line with a buyer's fixed budget. If a department needs five new laptops, they order from a list of pre-agreed systems, and the finance partner manages the whole process, from the ordering click, to delivery to desk, and automatic addition to the global lease.

Total technology

And if law firm and partner are willing to work together even more closely, this contract management can evolve into a richer system of ongoing asset tracking. Firms provide additional details of their IT estate such as individual or department ownership of a system, or the offices and countries that are affected. As people

“As firms grow through international expansion, merger, verein or ABS venture, the record of what's been bought grows too – and can grow increasingly unclear.”

Chris Labrey, UK country manager, Econocom

or teams move around, a service is outsourced, or an office relocated or closed down, HR informs the leasing partner and the IT record is immediately updated. The upshot is if a firm wanted to move office or merge its outfit in Sydney or Prague, a full picture of the IT implications is available at little more than the touch of a button.

For global firms hoping to break into new markets swiftly through a consistent brand experience, it's likely the same configuration of IT can be leased locally, and on the same terms, anywhere in the world. And the CIO tasked with rolling it all out knows the lawyers leading the charge – no less than those holding the fort back home – are sitting in front of pieces of kit that are fighting fit for fully productive purpose.

Learn more about
Econocom
www.econocom.com



Briefing Industry Analysis

Building bridges

Talent that values agility as a top priority demands the right communication tools for each job, says Adam Young, co-founder and commercial director at G3 Comms

Like all businesses, law firms are now obliged to consider requests for flexible working from all employees. The question of work-life balance is a sensitive one given the typically long hours and highly pressurised environment – and the technology is there to allow lawyers and business services alike to work effectively from home.

But the future isn't just one of contractual flexible working arrangements to fit around lifestyle. Law firms are also embracing agile working practices much more. A client relationship partner suddenly needs to drop everything for a meeting in Moscow – and to work on a particular problem in-depth on the way. Or the marketing chief has a day packed with meetings, so will work far more effectively from a few coffee shops during those critical gaps in her schedule. Busy, talented

people expect the tools to work wherever, and however, works best – for the business as well as themselves.

And as business grows internationally through more complex alliances, offshoring and service supply chains, that talent isn't just travelling more. These people are logging into conference calls or collaborative work tools from multiple offices and time zones at once.

For client-facing work, in particular – but also in the interests of efficient ad-hoc agility – this increasingly global workforce needs a communications infrastructure for coming together with ease.

Same rules applied

One important step is to build remote gateways, among

other routes, to replicate the IT setup wherever staff might potentially be located – in satellite offices, hotels, at home, or even if disaster-recovery access is needed. If dialling in or logging on has the same look and feel there's a higher chance service levels will be consistent regardless of what's happening outside the window.

Direct dial details and messaging systems (essentially communication profiles) can follow people around the world – on desktop, laptop or mobile. For example, an app can be installed on smartphones so that the dialling experience is exactly the same, including the option of recording calls if necessary. All communications can also be managed in the cloud – saving time, and possibly data itself, if services go down owing to bad weather or worse.

Aside from its potential to inflict reputational damage, any communications downtime is particularly problematic for law firms, because they log time spent on phone calls, alongside other work, to generate bills. They also need to capture and record that time with complete accuracy to avoid complications, or worse disputes, when it's time for invoicing. The best way to ensure that occurs is to record time automatically on completion of any activity for a client – a unified communications capability can improve the efficiency of this process too. A time-sensitive application can be installed that helps the fee earner to log the time spent wherever they are – and immediately produce an invoice for faster recovery.

Face time

Another piece of the collaborative working kit increasingly in demand is videoconferencing. It enables employees around the world to have a meeting experience, sharing knowledge and setting objectives, much as they would back in the boardroom at home. The nuances of building relationships in international business, in particular, can often be negotiated better with the presence of friendly faces and evident body language – and with highly dispersed teams working on projects, non-virtual face time may be all but impossible to come by.

But another emerging video trend is for project

conferencing to move beyond the four walls of the fixed meeting room. Although early days, technology is available to support face-to-face communication straight through the desktop – and law firms are likely to be big adopters. They won't need to go through the process of booking a room and checking it's still available for a meeting – and can also share other desktop information or documents as they speak.

“Although early days, technology is available to support face-to-face communication straight through the desktop – and law firms are likely to be big adopters.”

Adam Young, commercial director, G3 Comms

Law firms can build detailed road maps to assess if a new investment such as this will make a tangible business difference, whether to internal efficiency, client service, or even the employee experience. And make no mistake – the last is important. Technology that helps people to work in ways they feel most comfortable and capable will play a big part in winning the war for the millennial talent pool.

That could mean having voice, chat and video all available for collaborative working from any hot desk in the global network – or supporting your mobile employees to make more efficient use of their time wherever they happen to be.

It reliably underpins the unpredictability of working life today – and the agility needed to succeed at it.

Learn more about
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