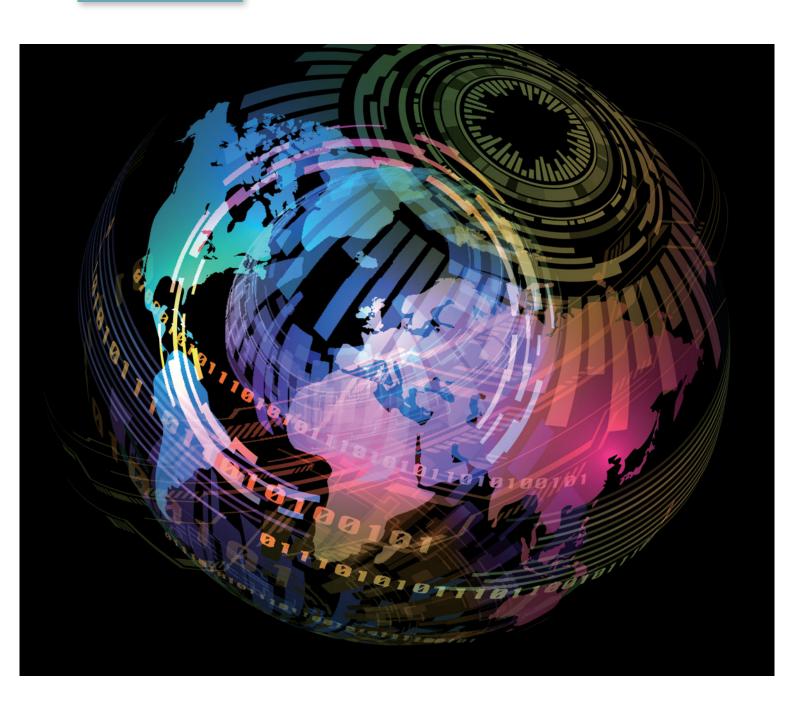
SPECIAL INSIDE BRIEFING 5P 2020

BRAND PLANS Sarah Walker-Smith, CEO of Shakespeare Martineau, on liberating lines of business DISTANT BEHAVIOUR Tom Bedford at DAC Beachcroft on client due diligence during Covid-19



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Editor's letter



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n the final **Briefing** of 2019, we rather stated the obvious: the law firm of 2020 – a staple talking-point at industry events for so many years before – was just around the corner. Would all those 2020 visions that pundits and firms alike had

talked up now come to pass? Smarter resourcing that puts the efficiency of process, plus fairness, first? Significantly reduced need for piles of paper to tackle both legal and admin workloads? Greater investment in the research and development of new products and channels that make it simpler for clients to access the services they want? Action on corporate carbon footprint, alongside greater uptake of videoconferencing, perhaps? More pressure to take agile working to another level?

Little could we know how progress on many of these fronts would, in fact, be driven by something other than what people

At least one question now is whether the sector finds any practices and approaches have passed a point of no return want or strategies that make more commercial sense than others. Uncertainty about what a new year might bring for business has certainly never been greater in the time I've been editing this publication, but at least one question now is whether the sector finds any practices and approaches have passed a point of no return.

Another is whether we bid farewell to some mindsets and tendencies often mentioned in these pages over the years. Will we keep hearing the phrase 'resistance to change' in legal? Will partnerships be more ready to give the green light to stepping up investment in IT to support efficiency and profitability across the board, never mind the basic needs of effective business-continuity? What of the dialogue around work-life balance? And, of course, will different fields of firm operations find their influence increases in line with how critical thinking about alternative delivery has suddenly become?

Sarah-Walker Smith, the chief executive of Shakespeare Martineau, has certainly had many a change to manage through 2020 – and there's more. In our interview this month (p15), she reveals the business is now restructuring into a 'House of Brands' to help it grow faster, with more flexibility.

However different to last year's the end of this one looks for you – and we hope there are some discernible bright spots in the final few weeks – **Briefing** looks forward to continuing to probe your evolving strategies and tell your stories in 2021.

RICHARD BRENT EDITOR-IN-CHIEF

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"You need to wean people off some old ways of working gradually."

Mike Giles, finance director, Fieldfisher





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

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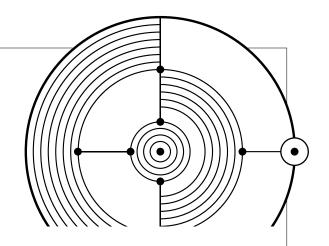
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Own the goals



oinciding with Black History Month in October, leading firms took the opportunity to announce new targets and actions within their strategies for greater diversity and inclusion, long widely acknowledged as lacking at the top of the legal profession.

Dentons, for example, has underlined commitment to a "20% diversity target in aggregate" for its UK, Ireland and Middle East partnership by 2025. Among a host of other measures contained in a new 'Accelerating race strategy action plan' for the UK, the firm says the target will be reviewed at a future date to set a specific one for BAME representation within both partnership and leadership roles.

Other measures include: having race on the agenda for all team meetings; holding 'stay interviews' to improve understanding of retention factors; and committing both partners and business services leaders to follow through on three specific "inclusive leadership UK, Ireland and Middle actions" each, to increase their East partnerships visibility on the topic. Dentons will also publish its ethnicity pay gap in 2021, it says. CEO for the region, Jeremy Cohen, commented in the press release: "This is a watershed moment and now is the time for dialogue, awareness and action from businesses and their leaders. We must tackle racial injustice if we are to become the inclusive firm we aspire to be."

Hogan Lovells, meanwhile, has ended the year with two new diversity and inclusion goals for the US and UK, again by 2025 - that individuals from racial and ethnic

professionals to account for 4%. It says that its goal of 30% women partners globally by 2022 remains unchanged.

Hogan Lovells has been reporting its ethnicity pay gap for two years, and in October also joined other businesses to sign a letter asking the government to make the practice mandatory. In April 2020, it said its own pay gap was 9.6% (mean) for employees, rising to 17.9% among partners.

Linklaters has arrived at the same 15% for black and underrepresented minority ethnic partners in the UK and US by 2025, which it describes as one of its

> "aspirational targets". Other goals are to see 15% of candidates coming from this group

in new partner elections each year, and to have five times as many black partners globally by 2027. It has also set annual targets for recruitment of minority ethnic (and within that,

black) trainees and first-year lawyers, and "proportional retention of white, black and underrepresented minority ethnic" lawyers and business services employees at all levels.

The firm's senior partner, Charlie Jacobs, said: "We must do better as a firm, industry and society to ensure greater representation of black and minority ethnic groups at all levels of business."

Linklaters' 2020 Race action plan also includes the creation of a new Black Diversity Council to hold it to account for progress, and training everybody at the firm in anti-racism within 12 months. Earlier in October the firm unveiled a new 'diversity faculty', a proposition for clients that brings the firm's lawyers and diversity team together to offer strategic advice.

2025 aggregate diversity target for the Dentons

minorities make up 15% of partners, with LGBT+

DIVERSITY DELIVERY TO DATE?

Also out in October, PwC's annual Law firm survey included figures for current BAME representation in firms at both partner and trainee level (UK-headquartered firms where international revenue is more than 20% of the total).

7.6%

BAME representation among partners at ʻtop 10' ÜK law firms, up from 6.8% in 2019 24.2%

BAME representation among trainees at the same firms, up from 21.7% in 2019 3.8%

BAME representation among partners at 'top 11-25' UK law firms, down from 4.5% in 2019





Graham Thomson Chief information security officer and head of data analytics Irwin Mitchell

@grahamjthomson

To begin the fight back, you will need someone to create your cybersecurity battle plan, and lead the charge but also the ongoing war – it's not a one-off project

SPEAK UP

Reach for the hero

computer security two decades ago, in a darkened classroom deep within the UK's secretive Defence Intelligence and Security Centre, it was an obscure, relatively unheard-of subject. Fast forward to today's digitally addicted, internet-reliant world, and not a week goes by when some kind of cybersecurity threat does not play out in the media. Whether it's nation-state sponsored espionage, cyber warfare, or criminals making billions from cybercrime, the threat is real, and one that affects companies of all sizes, across all sectors.

hen I was first taught about

But for many, cybersecurity remains a mysterious practice. In order to help counter the myths and scare stories, and show there is a logical path to achieve good cybersecurity, I co-authored a chapter in a new publication, The LegalTech Book, together with trainee solicitor Daryna Plysak, who volunteers as a security champion at our firm.

Our chapter, Cybersecurity: myths and the hero's journey, draws on Greek mythology and examines the herculean tasks faced by businesses when it comes to cybersecurity, the different roads to success, and the challenges faced along the way. Although focused on law firms, the steps are applicable to all types of digitally enabled businesses that want to reduce their cyber risk cost effectively. And, as businesses grapple with the security issues posed by employees now working from home, compounded by significantly increased cyber risk, there has never been a more important time to tackle the risk.

The journey starts with realising and accepting there is a problem requiring investment. Then, to begin the fight back, you will need someone to create your cybersecurity battle plan, and lead the charge but also the ongoing war – it's not

a one-off project. Cybersecurity must be baked into everyday business operations.

There are free and open cybersecurity frameworks, policies, and risk-based controls businesses can adopt and implement to mitigate their cyber risk. Frameworks such as the National Cyber Security Centre (NCSC) 10 steps to cyber security are really important, as they'll help you to choose the right controls to identify and detect cyber threats, and to respond and recover from the inevitable attacks.

But culture also has a massive role to play. Rather than a top-down approach, at Irwin Mitchell we work together to tackle cybersecurity and support those who need help. This approach, based on our values as a firm, has undoubtedly proved a success.

I frequently get asked for the top three must-have security controls. I wish it was that simple. I give six:

- 1 Use two-factor authentication for all remote access, especially for email.
- **2** Remove local admin rights from user accounts (this mitigates 85% of the malware risk).
- **3** Use antivirus on your computers, an email-filtering tool, an internet-filtering tool, and activate intrusion prevention systems on your firewalls.
- **4** Conduct regular all-staff training and awareness and phishing testing.
- **5** Clearly mark incoming email from external senders ("THIS IS NOT FROM US").
- **6** Use a service to scan your internet-facing network (join the NCSC's Cyber Security Information Sharing Partnership and you get an element of this for free).

There is no such thing as perfect cybersecurity. It is not a destination, but a journey. But the reward of success is a gift to your firm.





Vincent Giolito Professor of strategy Emlyon Business School

@vgiolito

Not only is servant leadership good for people management and employee morale – it also has a positive impact on company performance, measured by growth in sales and profit SPEAK UP

A lesson in servant leadership

or a long time, 'servant leaders'
– managers who put themselves at the service of their teams, rather than the other way around – have been known to impact company morale positively through their effective people management.

Servant leaders are characterised by their caring for each individual employee and those people's career paths and livelihoods. They empower employees, put them first, help them to grow and succeed, and behave ethically and morally. Research has shown that these elements make employees want to work for the organisation, as they feel valued and appreciated at work.

However, it is often questioned whether servant leaders might improve morale to the detriment of company profit. There has always been the suspicion that servant leaders may be too 'nice' to their teams, which could be at the company's expense.

Along with a number of other international academics from the University of Illinois, the Rotterdam School of Management, Erasmus University, and the University of Auckland, I therefore decided to evaluate whether servant leadership was a positive for employees, but not for the business's sales and profit. In a study of 485 respondents working in 55 similar stores within a single company across a large metropolitan area in France, we linked the type of leadership at each store to

growth in sales and, most importantly, profit. We actually found that servant leadership influenced employee morale and wellbeing and had a positive impact on company profits too, even in the midst of a crisis. In fact, while only 22 of the 55 stores in our sample achieved positive profit growth, 18 of those 22 successful stores had managers rated above average for servant leadership.

The link between servant leadership and a boost in company profit is one that had yet to be found robustly in research. It certainly debunks previous doubts about servant leadership. Not only is servant leadership good for people management and employee morale – it also has a positive impact on company performance, measured by growth in sales and profit.

Following this research, we would advise that more managers consider acting in line with the servant-leadership model - being at the service of their employees. Indeed, this investigation demonstrates that servant leadership positively impacts all financial indicators, making it beneficial for all stakeholders, including company shareholders. By showing servant leadership as conducive to profit, we may help to resolve a fundamental tension that can exist between employees and shareholders. It's clear that the notion 'people over profit' is not in fact mutually exclusive, and by focusing on people you can in turn boost profit too.





Christopher Young Principal consultant and head of risk and BD practices

@PinnacleOa



For more information, visit: www.briefing.co.uk/tiger-team

Having captured considerable savings in office space use, travel, and other costs, do we now seize this moment to focus on automating the identification of risks within firms?

TO THE POINT

Get risk-ready for 2021

ithin risk and compliance, our observation would be that firms are doing a good job of undertaking the risk

assessments as they take on matters – conflicts and anti-money laundering (AML) assessments are getting ever more robust, and while AML evidence-gathering can be tedious and time-consuming, it is being completed. To achieve this, we have a powerful tool – the releasing of the matter number. As risk and compliance specialists, we do have a potential hold over fee-earning teams – don't issue a matter number until they have done all that they need to do. While this works at matter inception, however, it doesn't help with ongoing risk management.

We are seeing an increasing number of firms looking to understand and manage risk through the lifecycle of the matter. It has always been an obligation to identify changes, but now it's about the difference between risk assessment and risk management. Risk assessment is a point-in-time action, whereas risk management means the identification of risks and understanding of changes in parameters over time as things evolve or more information is discovered.

We also know that risk and compliance teams are stretched for resources. This means most flag things they see as high risk at the outset, add them to a list, and monitor the items on that list. The challenge here is that being added to the list for monitoring relies on the quality of the data that is input initially – but matters inevitably change as lawyers are executing them.

It's why more firms are asking us to use some of the new technologies available to review inflight matters

8

dynamically. We have had one Tiger Team that has been working to 'silently' initiate an 'add party to matter' process based on the contents of legal documents as they are being drafted. The lawyer does the lawyerly thing, drafting the document in Word and adding parties as they need to. On saving, the document is then assessed to determine whether all parties in the document are already linked to the matter. If there has been an addition, an add-party-to-matter request is automatically and silently created. A new conflict search is run, and only highlighted to the risk team if new hits are generated.

We have also been sharing the outputs of two other Tiger Teams – one that has been developing a risk-reporting content pack, the other, new 'Actionable Insights', which means embedding simple instruction forms and action buttons into reports. The user no longer has to go into another system to do whatever the dashboard is highlighting – initiate a bill, perform a risk check, or add a calendar entry. Instead, it allows you to turn reporting from FYI to FYA – 'for your action' – and to fundamentally accelerate the speed at which your firm gains and acts on insights.

There are truly exciting developments going on in the technology arena – things appear to be becoming cheaper and quicker to deliver. Risk teams need to capitalise on this movement. Having captured considerable savings in office space use, travel, and other costs, do we now seize this moment to focus on automating the identification of risks within firms? The ultimate prize – reducing the inherent risks of running a professional services advisory business – is surely too big to pass up.

Briefing NOVEMBER/DECEMBER 2020





Mike Madden Senior business consultant Wilson Allen



For more information, visit: www.wilsonallen.com

Manual data retrieval processes are quite a heavy administrative burden during the onboarding process, but a lot of tasks can be reduced through process automation

COMMENT

Processing the case for change

n spite of the compelling reasons that motivate firms to move to a centralised process model, many struggle with staffing decisions or securing the buy-in to support a change. In a recent webinar poll of general counsel and conflicts and risk professionals from firms of all sizes, 33% were not yet centralised and said they'd like to adopt the model. But unsurprisingly, there was a split between those without management budget or buy-in and those unsure of the best way to design and implement it.

Many firms looking to centralise are considering significant investments in technology. There are several key vendors in the legal technology market, particularly for onboarding clients and new business intake. But investment in technology isn't necessarily inexpensive.

Make the benefits known

Making a case for investment is about bringing the benefits to the attention of senior management. In a partner-driven firm, it isn't easy to justify significant expenditure that erodes partners' capital. You need to be able to demonstrate the kinds of benefits a product can offer.

Embed intelligence in the process

One good example, which many firms are pursuing, is the ability to embed third-party technology in the client-onboarding process. Manual data

retrieval processes are quite a heavy administrative burden during the onboarding process, but a lot of tasks can be reduced through process automation. For example, firms can embed system access to corporate tree and beneficial owners' data through third-party providers such as Bureau van Dijk (BvD) and Dun & Bradstreet (D&B).

This can build a strong business case. The goal is to leverage information, but in a seamless way, so you can easily surface that information to people throughout the process. And the technology these days is a lot more flexible and adaptable to changes in business needs.

Automate where possible

Another example is meeting outside counsel guidelines. Firms may spend many hours a year trying to straighten out and understand this process. If it can be embedded within the client-onboarding process, it's a lot more straightforward and easier to understand, and you develop consistency. There are suitable technologies that allow firms of all sizes to manage the process very efficiently as part of the client-onboarding process.

Investing in technology, risk model, and your staffing strategy is critical for the operational success of your business processes. Regardless of the approach and route to success, demonstrate that investment will enable the firm to leverage additional information and make the process that much more efficient.

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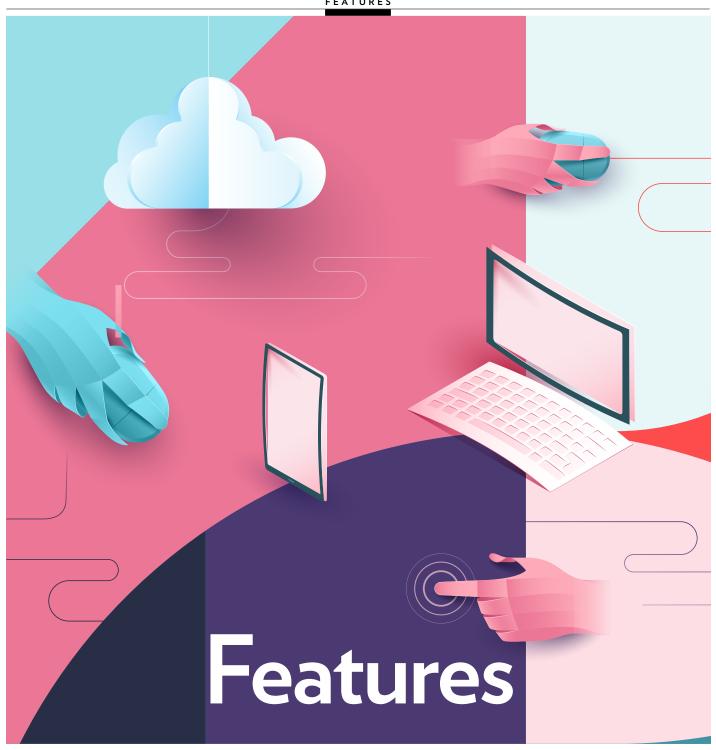
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At home with risk

How is the law firm risk management and compliance team responding as physical isolation and intense uncertainty continue? Kayli Olson reports

Brand promises

Sarah Walker-Smith, chief executive at Shakespeare Martineau, tells Richard Brent the firm had to introduce significant strategic and structural change



o one person – nor perhaps business continuity plan (BCP) – could have foreseen or prepared for the amount of change and risk involved in 2020. Andrew Coates, the partner responsible for managing risk and compliance at law firm Kennedys, says it has had to focus on three main areas – data security, employee welfare, and making offices Covid-19 secure.

"On the data security front, we undertook a careful analysis of our workflows to ensure there weren't any weaknesses in our processes," he says.

"With employees now working in a wide range of environments at home, we have had to be very aware of how people are using and transferring data, and ensure that those environments don't compromise data protection or client confidentiality.

"From an employee welfare point of view, all people have had a thorough homeworking assessment to ensure their safety and wellbeing, and we had to ensure that our offices provided a Covid-19-secure environment for employees, as and when they could return to the office."

"We've been very focused on the additional information security risks associated with remote working. That includes both how we control documents and client data confidentiality."

Darren Mitchell, global chief operating officer, Hogan Lovells

From a legal and regulatory perspective, Claire Larbey, general counsel at Trowers & Hamlins, says the big challenge approaching lockdown was making sure people were aware of how they could work from home most effectively. "Confidentiality, in particular, was a big focus," she says. "Where are people working from, and who could overhear them? Supervision was the other big thing.

"There was some practical advice, such as having a reminder in the diary to maintain comms, but there were also more complex areas of process that we looked into – such as the use of electronic signatures, Power of Attorney, and how the wills team was going to work if a will needed to be signed in person."

Processing change

The BCP in place at Trowers & Hamlins meant that it had already purchased enough licences for everyone to be able to use Citrix as their remoteworking desktop.

"We already had an IT plan in place so that people were able to work from home effectively," says Larbey. "What we didn't have were the finer details such as logistics around new digital-only processes. After all, it was never envisaged that we would have this number of people out of the office at any one time.

"You would always expect to have at least 30% of staff in the office – and because we've got a number of offices around the world, even if one office went down, the other offices wouldn't."

Darren Mitchell, global chief operating officer at Hogan Lovells, says its key priority was to ensure that protocols and operational changes were in place for people's safety. "Besides the ordinary risks associated with managing the firm, we've been very focused on the additional information security risks associated with remote working.

"That includes both how we control documents and client data confidentiality, and also ensure that our people are alert to the increased cyber threat as bad actors have looked to exploit the environment with increased threat activity."

David Aird, IT director at DAC Beachcroft, adds that there were very obvious challenges around things like bandwidth, certain videoconference platforms, remote desktop availability and some other technology factors in the first few days of lockdown. "In terms of the security risk, we continued to carry out fake phishing attacks and monitored our security and compliance. Although there has been a huge shift to more digital, lesspaper working, there were new challenges around processes like printing at home. How do you ensure client data is secure and processes compliant? It's also difficult to have a standardised way of working and to manage confidential waste collection when everyone is working from home."

Also to be expected, he adds, was a huge upswing in text message and email attacks from very significant threats – some of them Covid-19-related.

Prior to the pandemic, Larbey says that Trowers & Hamlins had invested in strong systems coupled with good business-intake talent. This meant a new matter/client opening form, which included a detailed risk assessment for each new client that listed ID requirements and so on. "We took steps like video-calling clients to check them against their ID, and trying to find the most secure environment for video calls was a big priority here. We also had to issue guidance on the use of electronic communication forms.

"We were using e-signatures before, and also had an internal team that looked at which technologies were available on the market, with their benefits, risks and effects on the business. A number of our work types were driven by that questioning, looking at how we could use technology effectively – at what our clients were using, as well as the best platforms for us."

Aird at DAC Beachcroft says the work has gone way beyond working well within your BCP. Like many others, he says the firm was fortunate already to have invested in some digital tools like

"Even though every jurisdiction was doing things slightly differently, based on local lockdowns and guidance, our messaging and approach was consistent."

Claire Larbey, general counsel, Trowers & Hamlins

e-signatures, which were used in some parts of the business more than others, but have now been rolled out across the whole firm. "But we also then had to wait for certain parts of the sector to catch up – Land Registry, for example, has just announced that e-signatures will be accepted as part of its processes. That's why some teams, like real estate, hadn't used e-signatures in the past – because it wasn't admissible."

Teams up

Another aspect of mitigating the uncertainty and heightened risks the pandemic has produced is to get different players together to monitor the evolving risk landscape continually and discuss future strategy. At Trowers & Hamlins, this took the form of a Covid-19 leadership team made up of the chair, managing partner and directors across different departments – Larbey included.

She says the team was created just before lockdown, and it meets twice a week. If legal/regulatory queries come in from people, Larbey provides answers and also puts them in front of the Covid-19 board to discuss – as many will have practical implications for the whole firm, she points out: "It's important that we all sing from the same hymn sheet. The board then comes up with guidance and messaging about what needs to be done from a legal and regulatory perspective and how to implement it. By nailing down our communications, we're better managing our risk."

Trowers & Hamlins also has a Covid-19 intranet page with questions and answers – and comms were carefully controlled when going out externally as well as internally, she adds.

It also has designated people in each of the firm's locations internationally, who update the Covid-19 leadership team in the UK. "Even though every jurisdiction was doing things slightly differently, based on local lockdowns and guidance, our messaging and approach was consistent. This was also important because the IT function is driven from the UK – as are areas such as ID-checking."

Aird says comms at DAC Beachcroft were just as important – not only around managing the risk of Covid-19, but also the impact of measures on people's mental health. The firm used Facebook Workplace alongside its intranet, he says – including creating a 'Not Home Alone' group where people could share any updates on the new worklife environment, and impact on mental health.

Aird believes that the legal sector's response to the pandemic has been quite strong overall, which he says was heartening. To combat the broadband challenge that many firms were seeing, DAC Beachcroft teamed up with Foot Anstey to create a broadband speed-checking utility, which was then passed around the wider legal sector through a group, he says. "We created some scripts for data gathered to help people diagnose problems. It's not top secret, or a source of competitive advantage – we're all in this together so we wanted to help others out."

Client concerns

Larbey adds: "There was a lot of servicing our clients' needs in terms of unforeseen problems as well." She says that much of the firm's approach to managing the risk impact of the pandemic was driven by clients phoning up to say they couldn't do something, and lawyers needing to find solutions.

"We monitored the Law Society and Solicitors Regulation Authority websites and guidance to stay up to date with relevant information. We also ran a confidential forum for general counsel, which they could use to raise queries, comment on what they saw coming up around risk and Covid-19-related issues, or to discuss what other firms were doing."

Many firms have also seen an increase in data subject access requests (DSARs) and complaints. Larbey says: "Most were unfounded, and many queries dated back to around 1998. We couldn't physically get to the files because they were deep in storage, which was shut down. The Information Commissioner's Office issued a guidance note to say you could explain that there would be a delay in

"The sustainability of long-term mass remote working on both mental health and productivity is something to take into consideration. People will probably need more equipment to create an office space."

David Aird, IT director, DAC Beachcroft

timetabling, provided you'd done all you could for those making the request."

She says the workload for her team also changed, as there were still 'normal' queries coming in, but much work was now pandemic situation-driven – a partner wanting to confirm whether a client could use the office because they couldn't use their own, for example, or how many signatures were needed on a certain document.

Facing the future

So, what's in store for the future of law firm risk management, compliance and security? Perhaps it's too early into this situation to tell – but the pandemic is likely to have shown up any holes lurking in your strategy surrounding risk management. Hopefully, it has also strengthened and changed the firm for the better.

Trowers & Hamlins is now finessing things it started implementing at the beginning of lockdown, says Larbey, while also finalising some future plans for the firm in 2021. "Generally speaking, all firms have been looking at who they are, and what an office environment will look like going forward. What has been successful, and what has not? Where do we want to be and where do our clients want us to be?

"But it's important to keep in mind that we aren't out of the woods yet."

Aird agrees. DAC Beachcroft is also looking at that 'new normal'. He says there were three phases of changes following the pandemic. "At first, IT was in the spotlight – trying to get things set up for people to work from home securely. Then the focus moved on to HR – particularly furlough and people management. Was there enough work and what was happening in terms of allocation?"

The third stage, and one we're in now, involves looking at how to keep people safe and prepare offices to be Covid-19-secure in a more strategic way, he says.

"Our focus has since become slightly more business-as-usual, which means a focus on cybersecurity. We're also in the middle of reworking our IT strategy – a little through a Covid-19 lens, but it isn't all about Covid-19."

He can see a future of much more agile working, he says. "It's been a great leveller for people during the pandemic, but it doesn't come without its own risks. I'm an extrovert, I like people – and the sustainability of long-term mass remote working on both mental health and productivity is something to take into consideration. We're looking at a work-at-home test whereby, if you meet certain criteria, you can work from home as much as you and your team find acceptable. I think people will probably need more equipment to create an office space at home, so we'll be looking at that as well."

Andrew Alderson, director of facilities at Kennedys, says there are clearly benefits of homeworking. But, as Larbey said at the start, supervision is a potential difficulty in many minds.

"How do you supervise apprentices, trainees and other junior employees in a digital world and provide them with the appropriate support to learn and progress? Supporting people has certainly posed an interesting challenge, for both the supervisors and the supervised.

"The more digital we become, and the more remote working there is, the greater the dependence on IT infrastructures as well – so we need to risk-manage that through ongoing reviews and investment in our technology and processes."

The future is almost certainly agile – and a hybrid working model may well win out over the traditional nine-to-five commuter grind (typically longer hours in legal, of course). But as everyone points out, that opportunity is not without risk. Firms will need to continue to review processes, messaging and management of people if they want to mitigate increasing or changing risk factors in the next phase of what we're all living through.



BRIEFING PEOPLE

Brand promises

As the national law firm Shakespeare Martineau becomes a group of individual LLPs and brands, chief executive Sarah Walker-Smith tells Richard Brent why 2020 is the right year to transform both strategy and structure while giving culture and values closer attention than ever

f you started a law firm from scratch today, which processes and other aspects of the organisation as it stands would you keep and which would you ditch? It's a question **Briefing** has posed in our research and at events several times over the last 10 years – a nod to the challenge that long legacy can often present to useful change – and it surely seems one for 2020.

It has certainly been on the mind of Sarah Walker-Smith, who is less than two years into her role as the CEO of Shakespeare Martineau. In the summer of 2019, her board and a newly appointed shadow board comprising 12 different voices at the firm were both locked away for a set of workshops – "in a forest, literally," she says – and out came perspectives on what a new firm strategy ought to look like.

Walker-Smith had a plan before, but it needed sense-checking. And one outcome of this consultation is that Shakespeare Martineau is now a group – a collection of individual LLPs under one umbrella, each of which will have more autonomy over how they go to market and manage business for themselves.

She explains: "We know that we need to be

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significantly bigger to fulfil the potential of everyone who works at the firm – but one rather strange thing about the way the legal sector tends to grow is the acquisition of firms only to annihilate them. You buy a great brand, with great ideas, but because you're bigger, your ideas are inflicted on them. It's our way or the highway. We want to reverse that."

In what is dubbed the 'House of Brands' strategy, new names are now immediately being sought out that find this prospect appealing, potentially in a niche area or a particular part of the country. Under the umbrella, they'll be joining the likes of Lime Solicitors (personal injury and clinical negligence), Corclaim (debt and loss recovery) and the town planning consultancy Marrons Planning. The latter, as an example, already "sits very neatly alongside the firm's legal services as its own brand," Walker-Smith says. "But we need to liberate it."

At the same time, she highlights, many legal businesses may "genuinely sadly" be considering their options in the climate brought on by Covid-19. "They could be struggling with insurance, or keeping up with compliance, and we are able to help them to continue doing what they love to do, but without telling them how to do it."

There will be economies of scale through shared services, such as IT, she explains, and additional investment options are also being considered: "How far and how fast will depend on how much we need."

Open roles

Walker-Smith and her team realised some other changes would be needed to support the ambitious overarching transformation.

She says: "We've long talked about enabling people to be round pegs in round holes – getting them into the right jobs that play to their strengths,

"One rather strange thing about the way the legal sector tends to grow is the acquisition of firms only to annihilate them."

and lawyers really focused on clients, growth and collaboration across their specialisms."

In fact, after emerging from that forest, she actually approached senior people at the firm and offered an open discussion about whether they could see themselves in a number of new roles in what would be an entirely new structure.

"We now have three new managing directors on the board, who have been chosen only for their leadership capabilities, not because of any legal background. The three happen to be lawyers, but there's no reason they'd need to be, and they have no chargeable hours targets," she says.

One of these MDs is Victoria Tester – an employment lawyer initially, who went on to become the firm's HR director, then chief operating officer – and is now back in the legal team (but clearly not lawyering). It's one example of a flexibility that returns as a theme during our interview. "We'll find the right person for the job," Walker-Smith says simply.

Supporting the MDs there was then another new opportunity for people – to be a 'super-team leader' in a much more streamlined structure. "Another challenge that can arise in law firms is thinking about your own location in silos – so we wanted to appoint leaders of really big new national teams that required people to be more collaborative," says Walker-Smith. There are 10 of these teams today forming a 'growth board', down from 50 or so in the former arrangement, she says.

Less policy, more power

It has to be said that all of this was ideated before Covid-19 reached the UK. The structure was officially signed off in March (the strategy in November), and they came into force in May. Did she think twice about going ahead? It was discussed, she says, but the consensus was that change had now become even more important.

The teams are not responsible for geographies. "We don't want the units to be considering which person is seated in which location when making decisions about work and, of course, the way that many businesses are operating at the moment it often doesn't matter where people are working.

"Moreover, we want and need empowerment.

The super teams each have a national P&L. There are some tramlines and golden threads to guard against silos forming, but we also want to give greater flexibility around how best to manage teams and serve clients. When a business reaches a certain size, you have to let go and empower people, or you risk stifling both innovation and motivation."

Each team leader also has a scorecard that encourages collaboration and rewards effort put in that supports other teams. Formal annual performance reviews are out in favour of ongoing dialogue with a few checkpoints, and – perhaps most radically – so is the annual budget. Walker-Smith says: "The uncertainty of Covid-19 has absolutely amplified it, but an annual budget is usually out of date the minute you complete it. We're now doing 13-week planning sprints instead, which keeps us on our toes and better connected to what's really happening in the business. We can see five quarters ahead, and the whole thing is a lot more agile, which is at the heart of what we're trying to achieve.

"Having identified values such as being entrepreneurial and brave, we also need to see that those ideas aren't compatible with a very rigid bureaucratic system. It's very important that what you're doing matches what you're saying."

So, part of the push to give people in leadership greater autonomy also involves stripping back some administrative work, including adherence to complex policies. "We're holding people to account for outputs, with a few really big KPIs that are becoming much more visible across the organisation. But within our tramlines, you can do quite a lot of what you want."

Start with yourself

Walker-Smith is not a lawyer. For a long time she was chief operating officer at another law firm, but before that was a chartered accountant working at two of the Big Four, followed by several senior marketing roles (via the risk and other departments) at Boots. Does she believe this range of experience makes her more inclined – able, even – to try for bigger or bolder business transformations?

She is clear that the firm's constitution has

helped this to happen. There's an elected membership board, which chooses the chief exec – but that person is then free to do the sorts of things we've discussed. "At many law firms it would probably have taken months, if not years," she suggests. "We have a good balance of enabling quick decisions and ensuring that I'm listening to people and bringing them along on the journey." The one in fact reinforces the importance of the other, she says.

On the other hand, she was somewhat amused, she says, to be identified as the number one legal sector LinkedIn influencer in 2020, with the firm also ranking first – higher than those in the magic circle, she notes.

She says: "It's only a measure of social media impressions and engagement, but that work supports the success of the business, which is how my success is measured. Changing the profile of the firm will help us to engage more with clients, make our current talent proud, and attract new people.

"I do know how important all of that is. Possibly my background, or having the confidence to share things that others might not, has made some difference. I know plenty of lawyers who are not risk-averse, but the sector as a whole certainly can be – and if you're open-minded about doing things differently you can potentially upset the natural pecking order."

It's unsurprising perhaps that she believes the firm doesn't need much of a social media policy either. "Somebody did ask once, and I said it's two words – be yourself. What's the worst that could happen? We can deal with a problem if it arises, and people need to feel empowered to try things. Equally, some people don't like it – that's great too, that's authentic. It's about playing to strengths and allowing individuality – which is also key to building diversity."

"An annual budget is usually out of date the minute you complete it. We're now doing 13-week planning sprints instead."

One LinkedIn post this summer involved identifying herself as something of a "social mobility story" – revealing that her A-Level results were two Cs and one E. This was in the context of the ditched algorithm for student assessment in the absence of exams. "Somebody quite rightly challenged me to produce our policy – so I thought I ought to check! We don't have a minimum requirement for A-Levels, but still have the minimum 2.1 degree, unless there are special circumstances." She wanted to know more about those from the HR team, and is now pushing for a higher proportion of future trainees to be people already working at the firm, for example in paralegal roles.

She says that when the board got talking about this, they realised there was perhaps a case for classifying around two-thirds of them as examples of social mobility. The firm has now signed up to the Social Mobility Pledge – covering practices in access, outreach and recruitment – which is chaired by Justine Greening. "We also have slightly more women than men on the board, but 51% of the firm's overall membership is not female, and we don't have 19% BAME. I won't be satisfied we have achieved diversity until we have changed that."

She's "nervous" about setting targets, however – the argument, of course, that people don't wish to succeed in their career as part of a target-hitting process. "But as a former accountant, I am a big believer in keeping measurement in the spotlight in order to drive change like that." Those national demographic figures are on the scorecard as a point of comparison to stay, she says, and she expects them to be reflected in all recruitment shortlists.

Shed alert

Aside from meeting Covid-safe requirements, the future of agile working is another area of big

"We say that we bring life and business together for our clients – so we have to do it for all our own people as well."

FIRM FACTS

Shakespeare Martineau

Offices: 9 Countries: 1 Revenue (FY19/20): £70.7m Total headcount: 847 (September 20)

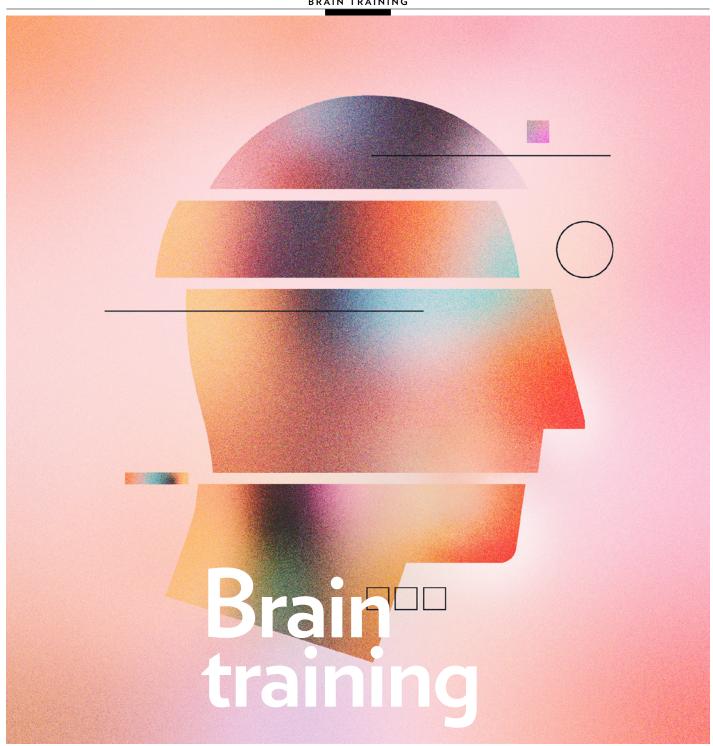
change that is simultaneously policy-light. The firm suddenly had to bring forward its 2020 plan to give everyone laptops, she admits, but they were available within those critical few weeks. And now there's also a desk-booking app for a limited number, with further investment in offices' collaboration spaces on the cards.

"There are people who struggle working from home for any number of reasons, and they can work in the office. There's not a single model for this, and again I think it's about flexibility – meeting individuals where they are in life, and making that work.

"But we all know that the legal sector isn't as diverse as it ought to be, and presenteeism has long been one of the barriers to that. If we can just knock those assumptions around long hours, socialising in certain ways, and so on, out of the park – and instead prioritise connection to teams and clients – there's automatically some opportunity to level up. And we say that we bring life and business together for our clients – so we have to do it for all our own people as well."

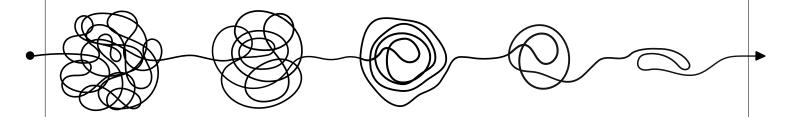
True to her word, and working from 'the shed' (our interview finds her there, indeed – it looks like quite a cosy one, thankfully, but it's undeniably a shed), Walker-Smith also used a little of her lockdown time to show people what some of the rest of her life entails. There's a vlog on the firm's YouTube channel called ShedLife, where updates also include some tracks put together with senior partner (and head of energy, appropriately enough) Andrew Whitehead. One of her big passions outside work is musical theatre, and he's "an amazing pianist" who's just acquired a keyboard and drumkit to go with the grand piano.

You don't see that many legal business leadership duos also providing the entertainment, even in these strange days. They've recently been working on a little something from the film Frozen 2, apparently – Into the Unknown. The concept is clearly on brand (remember that core value of brave), but hopefully Walker-Smith and her team also have a solid strategy that remains ready to flex for whatever the hugely uncertain future holds.



Problems with solutions

Tom Bedford, partner at DAC Beachcroft, says it's crucial that firms also consider the risk in remote client communication



► HANDS ON

Problems with solutions

Tom Bedford, partner in the solicitors' risk team at DAC Beachcroft, considers the challenges of conducting client due diligence and executing documents in the Covid-19 era

ost law paper. files an docum

ost lawyers love paper. Large files and documents have

traditionally filled our filing cabinets and huge hangars of storage facilities up and down the country.

In recent years, most law firms have embraced paperless working as far as possible, made easier by changes to the law which have meant that deeds and discharges can be executed electronically, and court documents can be submitted by email or electronic filing systems.

The consequences of the pandemic are wide-ranging for practitioners. Many are negative, but one positive is that it has forced us to adopt a more modern way of working for certain procedures that have traditionally required paper.

Take, for example, the way in which wills are signed and witnessed. The process of signing and witnessing wills in person has been in existence for 183 years. New rules, which have been hurried through Parliament, and which will be backdated to 31 January 2020,

now allow signatures to be witnessed using one of the video platforms with which we have all become familiar.

This change is said to be temporary, with matters reverting to the old system in 2022. Whether that remains the case will depend, we suspect, on how the new system works.

The Land Registry also updated its guidance on 27 July 2020. It will now accept e-signed deeds and documents. This is subject to a number of conditions. All parties must agree, the parties must be represented by conveyancers and the conveyancers must have control of the signing process.

Identifying options

One of the other problems caused by the pandemic, however, is the difficulty for solicitors, for whom it is crucial to verify a client's identity. An advisory note produced by the legal sector affinity group confirms that a firm can still onboard a client, even though they cannot complete identification and verification procedures in person. They advise that firms can take all, or a combination, of the following

Responsibility rests with the solicitor to ensure that appropriate client due diligence has been undertaken in accordance with their assessment of the risk presented

steps:

- Using digital identity and verification services which meet the requirements of the money laundering regulations, namely services that are secure from fraud and misuse and capable of providing an appropriate level of assurance that the client is who they say they are.
- Obtaining and analysing additional data to verify information provided by the client, including geolocation, IP addresses and verifiable phone numbers.
- Sending secure codes to the client's telephone numbers, email addresses or physical addresses to validate access to accounts.
- Perhaps most popular of all, using live videoconferencing to enable clients to show their faces and original photo documents to *

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enable the solicitor to compare them to a scanned copy of the same document.

It's not necessarily all that straightforward, as the responsibility rests with the solicitor to ensure that appropriate client due diligence (CDD) has been undertaken in accordance with their assessment of the risk presented by a particular client or transaction.

As a solicitor who acts for other lawyers when they face claims or regulatory action by the SRA, these very sudden changes to long-established practices cause me concern.

Technology can't always provide the solution, and in some ways it can create problems. When it comes to ensuring that wills are witnessed properly, it might delay matters further to circulate the document between the testator and the witness, and there is not always an easy way to transfer that document between them.

Many solicitors have opted not to use a video platform, and have instead carried out home visits to facilitate witnessing at a safe distance. This can be quicker. Will the solicitor who chose to use videoconferencing facilities, inadvertently delaying execution, be exposed to a claim from a disappointed beneficiary where the testator has died before the will could be completed?

There is also the risk that the quality of the videoconferencing facility might be poor, calling into question the execution process, or that fraudulent alterations could be made after execution.

There is also the risk that the quality of the videoconferencing facility might be poor, calling into question the execution process, or that fraudulent alterations could be made

It is not difficult to foresee that issues such as these will put solicitors, and their insurers, in a difficult position unless there is a clear audit trail on the solicitor's file.

Know the limitations

With the pandemic and the associated downturn in the economy, the incidence of detected fraud will increase. Fraudsters have already speedily taken advantage of weaknesses in firms' procedures, including their cybersecurity.

Using some of the digital CDD checks, to which I have already referred, might make it easier for fraudsters to dupe firms. That is especially true where junior solicitors are working from home – as lockdowns or long-term homeworking more generally could lead to an erosion of the supervision structures that firms have in place.

The use of technology is to be encouraged, but it is vital that our colleagues at all levels are aware of its limitations.

For example, witnesses to Land Registry documents must use two-factor authentication by providing an email address and mobile telephone number. Many platforms used by firms do not provide this functionality without providing witnesses with access to the whole document.

As a profession, we want to

embrace change, but practitioners should remain cautious, which is why the reaction across the profession to the recent changes has been mixed and, in some quarters, rather lukewarm.

Where a solicitor decides to use an electronic method of execution, or to undertake CDD, they should always document their decision-making process and reasoning in writing on their file. When considering the options, they should have regard to the nature of the client, the reliability of the available technology and whether it would be feasible to complete the procedure in the 'conventional' way.

They should also consider the client's needs. Many clients may not have access to the internet or the software required, or they may find it difficult to use. This is especially true in the case of elderly or vulnerable clients, who may also need the most urgent attention.

Firms should remain wary of the risk of fraud. The usual red flags continue to apply, including being provided with unusual or rushed instructions; resistance to complying with CDD requirements; requests to make payments into a client account where no obvious legal work is being carried out; and transactions that do not make business or practical sense.

Law firms should reiterate this to their employees and ensure that all fee earners are familiar with the recent changes to the law that apply to them and the risks associated with these new ways of working.

In summary, solicitors should remain open-minded to change, but they should also think critically, consider all the options and document their thinking.





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Joined-up forces

he **Briefing** 5P Ps have changed a few times over the years. When you give it some thought, it's remarkable just how many words beginning with P have been central to law firms' expanding business change programmes as they've slowly but steadily modernised.

In the past, we've run sessions focused on the practicalities of project management, the rise of productisation, and pitching for work more thoughtfully and holistically as a firm, with an eye on the expectations of client-side procurement. There have been demonstrations of multiple platforms, everything from portals and moving paper-light to practice economics, and plenty of policies and priorities up for consideration.

But in the year of the pandemic and 'new normal', it's back to some really important basics as our cornerstones of 5P 2020 - what firms can change to **price** their work more attractively, competitively and **profitably**; the levers they might pull on to increase both operational **performance** and **people** engagement in such challenging times; and practical opportunities for **process** improvement in the inevitably more dispersed world of work.

One word that runs through many of the discussions is collaboration and, as in previous years, our agenda has been produced with the help of our partners to be as relevant, and reflective of real practice, as possible.



For more information, visit: www.briefing.co.uk/5p-2020

In the year of the pandemic and 'new normal'. it's back to some really important basics as our cornerstones of 5P 2020

RICHARD BRENT EDITOR-IN-CHIEF

Relationships at risk

Alan Mercer at Introhive says consider the human capital at stake in vulnerable client connections

Power to reprocess

Mike Giles at Fieldfisher on maximising what data can do with evergreen from sa.global

Data points for increased profitability

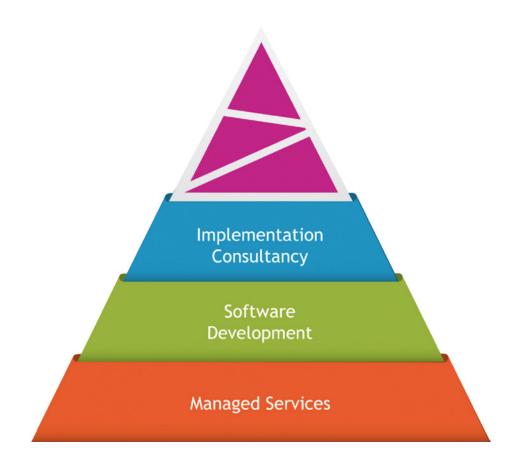
Gareth Thomas at **Intapp** says pay attention to pricing history

A strategy of healthy scepticism

Eddie Hartman at Simon-Kucher & Partners on the likelihood of significant law firm change in future



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Relationships at risk

Alan Mercer, legal industry director at Introhive, asks whether poor-quality CRM data is putting firms at risk of losing vital relationship capital

cross the legal sector, one of the biggest challenges relating to customer relationship management (CRM) software lies in poor data quality, and this impacts every facet of a law firm. With solicitors and support teams busy managing day-to-day client needs, little time is left to update CRM records properly – but the importance of updating and maintaining the CRM with accurate

updating and maintaining the CRM with accurate data cannot be overstated. As a result, CRM adoption rates often remain low because teams are unwilling or unable to trust their database.

Studies tell us that 88% of users admit they've added incomplete or inaccurate data to contact records. We also know that as much as 91% of CRM data is incomplete or inaccurate and roughly 70% of that data decays annually. And 62% of CRM users across all industries admit they don't log all activities, making it impossible to track where engagement is lacking, or to identify clients at risk of becoming ignored or disengaged, potentially leading to decreased client satisfaction and churn.

With this kind of data quality, it's no surprise that CRM projects often fail to

generate a return on investment.

For firms today, it has never been more important to ensure that the contact data stored in the CRM is up to date and accurate. As legal services continue to be commoditised, client service excellence is still one of the most effective ways to differentiate yours from other firms – and

success is more likely when your firm can quickly access the contact and activity data it needs.

Picture this: you're a solicitor providing corporate tax advice to a large client. There have recently been changes within the client's organisational structure, and while you're well aware of this, you've not yet updated

the CRM accordingly. There are, after all, too few hours in a day, it seems.

Unbeknownst to you, the marketing or business development department of your firm has just pulled a list of contacts and, unfortunately, has out-of-date contact data for an upcoming campaign. Your contact is missed, and the wrong person receives an email that's not relevant to them – or the email bounces back. If sent to the wrong contact, they could unsubscribe, harming the marketing department's email success, and bounce-backs further negatively impact

Studies tell us that 88% of users admit they've added incomplete or inaccurate data to contact records If your firm has

restructured itself,

it's possible you've

lost even more

relationship capital

the ability to send future communications. In addition, the firm now looks disorganised to a major client.

Protecting relationships, reputation and productivity

Poor data quality makes it nearly impossible for marketing or business development teams to manage lists, and creates confusion for client account teams who need the right contact information or to view real-time activity.

As we all continue to manage the impacts of Covid-19, law firms are struggling to maintain and protect relationships as a growing number of contacts are lost, the result of corporate restructures designed to drive short-term cost reductions for enacted furloughs or organisations around the world. Losing a point of contact at a prospect or client account can lead to long-term problems, ranging from client with your client base dissatisfaction, to a reduction in matters or,

even worse, losing the

relationship. Furthermore, if your firm has enacted furloughs or restructured itself, it's possible you've lost even more relationship capital with your client base.

In a recent report, PwC said that relationship capital is simultaneously a business's most valuable asset and the least valued, visible and managed. In spite of the fact that the business and practice of law is built on a foundation of relationships, relationship capital is easily and often forgotten – particularly as it relates to the value chain of the firm as a whole. While individual solicitors are certainly careful to manage their client contacts, the firm needs the ability to measure and maintain this relationship capital across the board.

When firms are relying on inaccurate or incomplete information, another cost is lost productivity as solicitors hunt down relevant information that should have been readily available in the CRM.

However, one way they can improve both CRM adoption and data quality is through the use of artificial intelligence and automation, reducing the burden of manual data entry and removing human error. Introhive, for example, sits in the space between a firm's email exchange and CRM to collect information passively and sync contacts and activities automatically. This

> ensures a complete and accurate database, while freeing up valuable time for people to spend on more productive tasks that benefit clients.

With Introhive's Cleanse solution, firms can also rest assured that data is kept squeaky clean, thanks to data-enrichment and machine-learning processes running behind the scenes to

capture title changes among other key details. Solicitors can prepare for meetings with a 'pre-meeting digest', which provides them with relevant information about clients to save time spent searching for that information.

As 2020 comes to a close, and firms begin thinking about their 2021 success roadmaps, understanding the technologies that can support their relationships will be an integral part of the planning process. By leveraging these technologies and using AI and automation, firms can protect their relationship capital and – better still – grow that asset in the coming year.

For more information, visit:

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Data points for increased profitability

Gareth Thomas, practice group leader of the Intapp marketing and business development practice in EMEA, says law firms can increase revenue by investing in integrated data

n the world of professional services, the 'three Rs' are retention, reputation and revenue – with revenue being the most important by far. By measuring revenue, firms can better understand their own profitability and growth. Although distinct from one another, business development and pricing – two disciplines with the greatest effect on revenue – share one common requirement: data.

Connecting past and present to the future

Business development teams need data – experience history data, in particular – to respond to RFPs and to develop and deploy key-client programmes. Understanding of fee earners' histories, capabilities and backgrounds gives clients assurance that the firm is qualified to handle their matters. This data can also help to shape talent development and addresses the increase in diversity requirements in RFPs.

Within the pricing sphere, firms need accurate fee estimates, time and billing rates and institutional history to price matters for clients or prospects correctly. Pricing

history allows firms to reflect on key data points, including what they've charged clients in the past, and whether those engagements were profitable. Firms can then use that information to ensure appropriate staff are allocated to matters and that they're billing at an appropriate rate, thereby improving operational efficiency, resource planning, and overall profitability.

However, firms can't simply rely on historical data to gain a competitive advantage. They must also leverage current, real-time data to provide a more holistic view of performance. Lawyers, for example, record new time entries, client interactions, requests and other vital information on a daily basis. By comparing current and historical data, a firm's business development and pricing teams can get a sense of what's working well, and then act accordingly. Armed with information from both past and present, these teams can help to drive the firm's profitability and growth.

Supporting success with data integration

Centralised, connected, accessible data lets

When searching

for scattered,

unintegrated data,

people often don't

know where to start

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to ask for access.

They frequently

encounter silos

business development and pricing teams deliver maximum profitability, and provides firms with the chance to evolve operations. Teams can work more quickly and effectively than before, resulting in happier clients and higher profitability. Unfortunately, many firms lack a centralised process or system that would allow their teams to easily access the data they need to work effectively. Data is often scattered throughout the firm, siloed within disconnected systems and storage. It may be located in digital files such as Microsoft Excel spreadsheets, pdfs and emails. It may be stored on personal hard drives or within

private departmental databases. Data may even be held on physical media, which presents a high risk of being inaccessible, outdated, or lost.

When searching for scattered, unintegrated data, people often don't know where to start looking, or who to ask for access. They frequently encounter silos that

prevent them from accessing information easily, if it can be accessed at all. Even if an individual can locate the necessary data, it's often extremely difficult and time-consuming to assimilate and aggregate that data, and then to derive insights from it. This means that firms can't provide work of the highest quality and efficiency for their clients. As a result, clients may take their business elsewhere, and the firm's revenue, reputation and retention rate will all suffer.

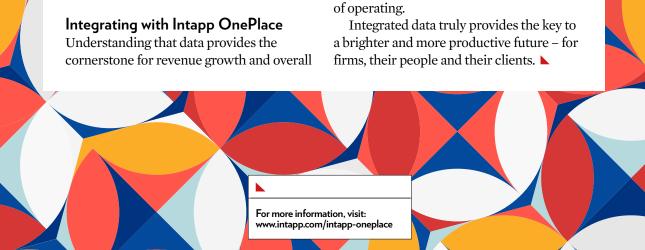
success, firms must invest in technology that centralises data for firm-wide access and competitive insights.

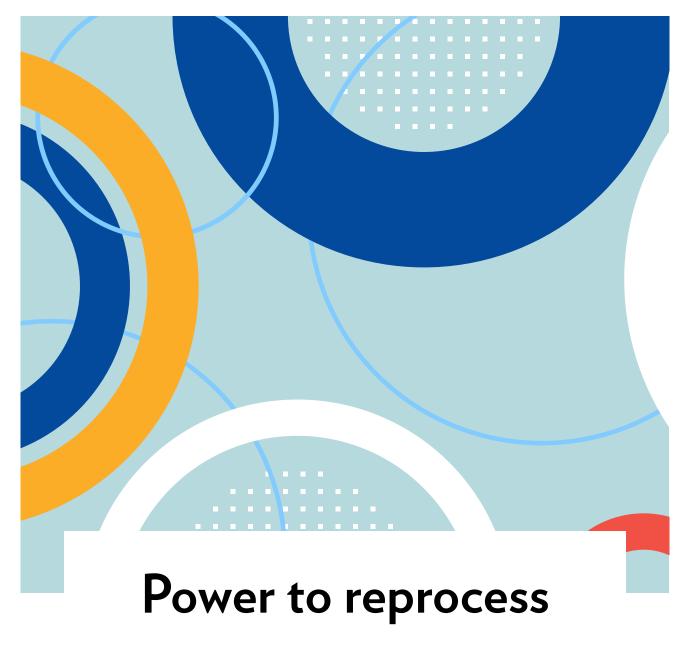
With this need in mind, Intapp has developed a unified platform, purpose-built to support the needs of the connected law firm. Intapp OnePlace allows teams across the entire firm to access, sort, connect and share the data they need, when they need it, all via the Intapp Secure Cloud. Users can find and leverage valuable data – information that once remained locked in disconnected spreadsheets or lost in personal emails – simply by searching within Intapp OnePlace.

The platform also provides insights into how data relates to information about other crucial aspects of the law firm's business, such as its experience and pricing history. Additionally, AI-driven recommendations can help professional services teams to craft innovative strategies that can serve to improve business outcomes and strengthen

clients relationships.

Ultimately, a centralised and connected source of data can be the platform for launching firms to a whole new level of efficiency, accuracy and profitability. Teams will no longer waste time searching for potentially outdated data in hidden locations across the firm. Instead, professionals can leverage intelligent insights, work more closely with their clients and brainstorm new and better ways of operating.





Mike Giles, finance director at Fieldfisher, says the firm has successfully moved to managing several things differently in 2020; further change may be in store and evergreen from sa.global is the system to support it

any law firms had to adapt very quickly in early 2020, and Fieldfisher was no exception – ramping up very large-scale working from home, of course, streamlining collaboration and communications for those now working in even more dispersed teams, and tackling many a business process that may still have relied on people's proximity.

Mike Giles, the firm's finance director, says it has been particularly helpful to

have the evergreen legal platform from sa.global sitting behind all this change – a switch the firm made back in 2017. "From the management point of view, it has been incredibly useful because I can get hold of important information much faster than used to be the case. That has also enabled us to push forward with key projects faster – projects which we would always have been dealing with at some point, but where the need for change had now suddenly accelerated with lockdown."

The cloud-based system harnesses Microsoft Dynamics 365 capabilities, and that means that "imagination is almost the limiting factor – it can potentially do so much," says Giles. "The question has always been, how much can we make work within the firm? Change is never the easiest thing to bring about in a law firm, and you need to wean people off some old ways of working gradually to achieve buy-in."

But is this the moment for more significant transformation that a platform like evergreen could support – the so-called 'burning platform' moment from which there's no return? The overarching aim of evergreen is to connect data across multiple business areas – financial, marketing, matter and talent management – for improved process and decision-making in the round. Giles is keen to explore plenty of the functionality, but says it's financial process that is the game-changer in terms of his priorities in recent months.

"It does exactly what we need in terms of the core accounting. We're moving toward the elimination of a lot of historic spreadsheets, a place that data would be dumped for reporting management information, with the aim of automating that reporting instead." This could be especially beneficial at a time firms need to manage the business through so much macroeconomic uncertainty. "It takes our management reporting team away from numbercrunching and allows them to spend more time on the analysis and interpretation of that data - and, of course, the more you look, the more you can find. Small, incremental changes aren't necessarily visible to the lawyers immediately. But, as you become better at interpreting the data, you're better able to highlight trends and opportunities that were hard to see in the past.

"Of course, day-to-day visibility of activity is also incredibly important at the moment – monitoring to get early warning of any drop-off or pick-up in work areas if possible, as that is an early indicator of future billings and cashflow." Fieldfisher was relieved to see less impact on activity levels than it had feared in March, Giles says, but is monitoring developments around the second wave of the virus to ensure the business is as prepared as it can be.

More generally, he adds, introducing workflow automation can increase process consistency across practices.



"During the lockdown period our people have had to work remotely, so old processes involving paper and wet signature approvals don't work. Tasks have had to be redesigned and automated using the technology now available, which has undoubtedly been an efficiency gain for the firm going forward.

"We had been pushing to get rid of manual cheque-signing for years, and lockdown forced the change through. You could envisage a point where paper becomes almost entirely removed from the billing process as well, to the point where the bill is fully electronic."

But more than ever, certainty over data and "one version of the truth" is required across systems to avoid confusion. "We're trying to ensure that the data we all see is consistent – and if we have different views of data, to understand why they're different or how they work together.

"I'm always surprised by how difficult it can be to get an agreed headcount figure for a firm – you can approach it in several different ways, depending on exactly what it is that you want to count." That's an example of the sort of information he's now looking to the

evergreen platform to help reconcile.

Team tactics

As well as trying to improve processes, the firm is looking to use technology to build out teams for client service delivery. When it was smaller, he says, it was easy to identify individuals with the skills for particular pieces of work, but as the firm grows it's increasingly difficult to maintain that approach.

He explains: "A key priority for improved financial management and matter planning is the ability to tap into people's skillsets without necessarily knowing the individuals all that well – pulling together an international team for a client, with a specific combination of languages and experience, for example.

"You can search across people's backgrounds and their current availability, and bring them together quickly." That's more an aspiration for the firm than a current reality, he admits. It will require more investment alongside sa.global on the HR side, with potential for creating new industry- or business-specific apps on top of the core suite.

The pair are also in the early stages of collaborating on the concept of a new



hub to help fee earners to be as productive as possible with their day – a one-stop-shop concept where it's possible to view relevant management data alongside the financial information that's connected to a particular client.

"It could show the work ongoing, outstanding activity or bills, and perhaps pull in newsfeeds about a client or its sector using artificial intelligence," he explains.

"It's relevant information that you would otherwise need to search for – it's immediately there, waiting – so partners are kept informed about their clients and matters.

"You will be able to complete your time recording or work on documents through the hub – it just becomes the place you go to work." about eight a year, which keeps things very current. As a law firm, of course, we're more accustomed to having one upgrade every six months, if not annually.

"The product is updated very regularly, any security bugs are fixed, and we see a better version coming through every month.

"It's very important to keep testing everything, however, and we've now

introduced automatic testing
– software to test the
software – which is
effectively building a
workflow for testing."

That means one further change Giles has needed to manage is the operational dynamic of his finance systems team, who are continuously monitoring and updating in the background as the firm follows its own path of continuous

improvement. Other avenues he's now exploring include options for tying in more aspects of HR management, and automating the consolidation of the accounts of the various Fieldfisher entities.

"That would take yet more time away from number-crunching exercises, and free the team to add even more strategic value in future," he says.

"You will be able to complete your time recording or work on documents through the hub – it just becomes the place you go to work."

Mike Giles, finance director, Fieldfisher

Update action

The advantages of a cloud-hosted rather than on-premises system are well-known – resilience, flexibility and "almost infinitely scalable as well," Giles says.

"One major change for us has been to a

programme of much more regular software updates – there are







A strategy of healthy scepticism

Eddie Hartman, partner at Simon-Kucher & Partners, recommends a more realistic view of changes in the legal landscape

e are told, time and again, that we have built our industry smack on the San Andreas fault, but decades pass and the big disruption does not come to pass. Perhaps the predicting pundits simply forget how very resistant the practice of law has always been to both external and internal change.

A wise lawyer should be a healthy sceptic. Healthy scepticism takes a long view of change. It says that, while it may be true high waters have never breached our profession's walls, it still wouldn't hurt to learn to swim.

In some quarters, however, we see unhealthy scepticism. Affected individuals have become so numb to major change failing to materialise that they now deny change is possible. If panicking is an unhealthy response to threatening news, utterly refusing to adapt or evolve is just as bad, only in the opposite direction.

A reasonable assessment begins with a levelheaded evaluation of the potential sources of change. A useful framework is the 'five forces' structure pioneered by Michael Porter. This allows us to systematically identify risks to our status quo. One is supplier bargaining power, which plays less of a role in the current legal economic environment, but let's take the other four in turn.

Threat of new entrants

Remember fusion suites? These were designed to allow friendly law firms to share office space – a common reception area, for example – and thereby cut costs. Innovative for its time, the concept seems quaint now that any sufficiently dissatisfied law firm

associate can rapidly spin up their own firm, armed with little more than RingCentral, Clio Suite and Litera Desktop. No offices required, let alone a common reception area.

This is unlikely to exert much pressure on the big-dollar areas of law. However, it may very well increase crowding in the competitive small- and solo-law arena, where 59% of America's lawyers currently practice, according to one recent report. Carrying an average \$145,500 in law school debt, to say nothing of other student loans, younger lawyers in the US should also be expected to drive fees down as they attempt to build their practices.

Customer bargaining power

We are experiencing the rise of professional negotiators for legal purchasing. This is a fundamental shift from engaging with a general counsel, who may have come from a law firm, will have a stake in the relationship after negotiations as overseer of the engagement, and is primarily concerned with the quality of the work. Contrast this with the new breed of negotiator, who has no direct role in the engagement, and may work in legal ops, the CFO's office or, increasingly, procurement. In short, your new counterparty worries less about the relationship and worries more about the expense.

Increasingly, they also have the tools to keep expenses low. Automated tools from companies like Wolters Kluwer now use machine learning to keep ever-tighter scrutiny on invoices, spotting small oversights that might have gone unnoticed with human review.

Threat of substitutes

After 13 years of stiff resistance, the US has finally followed the example set by the UK's Legal Services Act of 2007 (and regulatory change in Australia before it), allowing full ownership of a law firm by non-lawyers. Currently limited to the state of Arizona, other regions of the US are poised to follow, including California; whether they will actually take the plunge is an open question.

It is an auspicious moment for alternatives to traditional legal practice, given the simultaneous entry of all four major accounting and consultancy firms (Deloitte, EY, KPMG, PwC) into American legal practice, which generated an estimated \$1.2bn in 2017. Overall, the 'alternative legal service provider' market enjoys annual growth of 12.9%, far outstripping the estimated 5.3% growth in law firm billings for 2019.

Internal competition (rivalry)

Who could have predicted how Covid-19 would accelerate the adoption of remote work? Elimination of traditional geographic barriers could have a profound impact on competition between established players, potentially allowing 'big city' firms to compete directly with high-street lawyers. It also opens the door for big law to attract and integrate talent from areas with a lower cost of living – and lower expectations of compensation. Major Silicon Valley companies have already started down this path.

A healthy response

I doubt that readers of this are panicking. Many have seen these factors play out in the past with little lasting impact. Consider the introduction of non-lawyer ownership. Five years after the first ABS licences were granted, fewer than 1 in 10 UK law firms had non-lawyer ownership, and most of these were already-established firms that restructured for tax purposes or to offer equity to talented senior professionals. It's hardly the disruption that was

anticipated or feared. In fact, a 2017 survey conducted by UK firm Kingsley Napley found "only 12% of ABSs surveyed used any form of external finance".

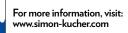
But the healthy sceptic also notes that the cumulative impact of these challenges is mounting. What would constitute a moderate response?

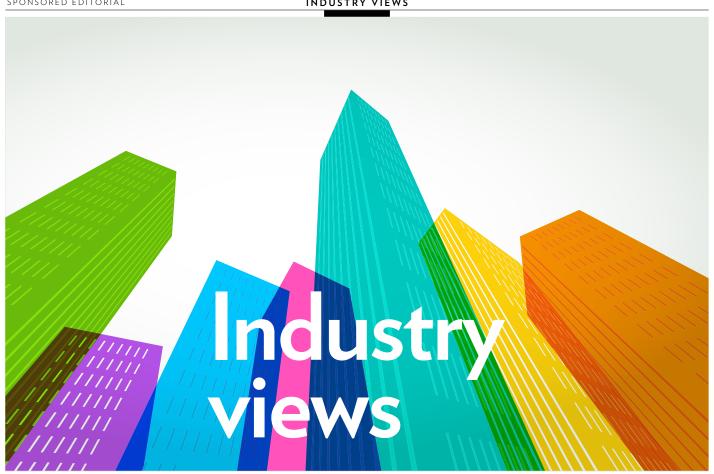
One option would be to adopt a commercial posture that does not expose the firm to risk, but provides a better fit for an uncertain future. For example:

- Relationship models The economy is moving away from traditional brand loyalty, with more emphasis on financial models that build on recurring revenue. Bluntly, that's what a retainer is. However, we see client interest in developing a deeper relationship, incorporating traditional 'paid membership' perks, such as priority access to senior partners. This is a low-risk way to foster loyalty.
- **Versioning** In most transactions today, we're given a choice among options. By contrast, the provisioning of legal services is generally 'prescriptive'. The lawyer tells the client what she needs. In working with forward-looking law firms, I've encouraged them to try adopting 'optionality' or 'versioning' - and they tell me that the response has been highly enthusiastic. We can all admit that there's more than one way to approach a given issue - the extent of pre-trial work, for example. Putting more control in clients' hands does not create a significant departure from how most firms work today, but it is a small change that may vield big benefit.

There's a Scandinavian proverb which notes that ocean walls are usually built no higher than would have been necessary to prevent the last flood. We are always unprepared for the next great wave. Whatever the odds are that the legal profession will see true change in the next five years, it never hurts to learn to swim. This starts with adopting commercial

practices that are more likely to keep you afloat, regardless of prevailing conditions.





Rule makers Alan Blanchard at **Apiax** says the time is ripe for innovation and disruption of how clients receive the legal advice they need for regulatory compliance

Calling quality Val Fox, IT director at **Boodle Hatfield**, says Oosha was the right choice for outsourced IT support

The adoption of US agility Phil Muller at Williams Lea on the year UK law firms have looked across the pond

for models of efficiency

Into agile action Jonny Watkinson at **NetMotion** and Nick Hayne at Quiss on the needs of an agile workforce The strength of unobtrusive security Ian Raine at iManage

says access controls and analytics are key to secure and productive homeworking

An IT identity crisis? Andy Bevan at **Pulsant** says the IT department needs support to reconcile several strategic roles

Mind the time David Lumsden at Enable on the route to transforming firm compliance with timerecording policy

A collaborative risk culture Guy Adams at Intapp

offers his top five for more consistent risk management



INDUSTRY INTERVIEW

Rule makers

Future success for law firms will hinge on how efficiently their insight is digitised, updated and delivered, says Alan Blanchard at Apiax

aw firms have been exploring new ways of engaging, serving and offering more value to their often time-poor clients using technology for years – but the arrival of the pandemic has clearly added some urgency to the digitisation journey.

Alan Blanchard, head of business development in the UK for Apiax – a startup that supports firms to offer their clients clear app-based answers in highly complex regulatory scenarios – says: "Law firms have not always been sufficiently motivated to change their business models, but the legal industry is now very ripe for technology-driven disruption. If firms don't respond to this environment, they place themselves at risk.

"We've seen technology swoop in and sweep away long-term players in many other industries,

"Law firms have not always been sufficiently motivated to change their business models, but the legal industry is now very ripe for technology-driven disruption. If firms don't respond to this environment, they place themselves at risk."

Alan Blanchard, business development (UK), Apiax

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with no regard for their status, expertise or longevity. As natural language processing enables machines to parse and process ever more technical language, legal advice itself will be less valued."

Differentiation instead shifts to how that advice is delivered – how it's presented and communicated to address clients' problems as efficiently as possible. That's why Apiax partners with law firms to transform their legal content into "digital rules", which clients know they can trust to produce the right answers, says Blanchard.

"Today, clients typically still turn to their law firm when they have a problem, and a lawyer considers all the different dependencies to generate their advice." That is their traditional value proposition. "Apiax technology automatically assesses the dependencies, so that the client can effectively serve themselves an answer."

The law firm, meanwhile, sees internal efficiencies of its own. "They can re-use content across a range of clients and contexts, and proactively approach clients with answers to relevant questions they haven't yet asked themselves."

Coded to comply

The capability does depend on how codified the legal field is in the first place, explains Blanchard – so some areas are more obvious targets for technology to change the game than others. Out in front is financial services, for example, where the level of regulatory detail lends itself to binary answers, he says. Examples include cross-border fund distribution and investment advice in wealth management work.

Finance is also an area that can involve an especially time-consuming journey of ensuring compliance before an action can occur, he explains. "Products must be analysed for suitability in light of multiple rules and regulations before they're sold. That can involve a lot of work, extremely expensive resources to do the work, and clearly very bad consequences if it isn't done.

"Furthermore, finance is a fast-moving area, where the law is changing all the time in different jurisdictions – and people must quickly adapt the ways they work to those changes to be compliant."

The answer to this is to achieve

all the different dependencies to generate their advice. Apiax technology automatically assesses the dependencies, so that the client can effectively serve themselves an answer."

Alan Blanchard, business development (UK)

"Clients typically still turn to

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Alan Blanchard, business development (UK) Apiax

"compliance by design," says Blanchard – technology that can lead to a simple 'yes' or 'no' for somebody trying to sell a financial product, for example. One day a particular proposition gets the green light. The next, following a legal change, it's a red warning. Users don't need to concern themselves with the compliance process, just act on the result.

Knowledge ability

The team at Apiax works in partnership with law firms' legal innovation and technology teams to help them support their clients with similar digitised delivery outcomes. "The law firm brings the content and its trusted relationships, and we package it up for a faster, simpler way through all the complexity," says Blanchard.

He adds that a further potential use case for apps is firms' internal knowledge management efforts. Of course, this is another realm where the underlying rules can often be changing fast and a little extra efficiency can make a big difference.

"You keep track of all the changes in what has now become a knowledge management resource – and if a lawyer or team later leaves, the history of knowledge remains."

As law firms review their strategies in light of the latest huge changes to their landscape, one

option is to review how both clients and people internally access the content they need and follow some of the rules.

The strength of unobtrusive security

Cybercriminals are seeing advantage in a time of heightened fear and uncertainty. Even before the pandemic, client calls for insight into firms' security strategies were rapidly on the rise. And employees now present a potential further risk – the avoidance of approved systems and processes when working from home. The solution needs to be comprehensive and pervasive, but also unobtrusive, says lan Raine, vice president of product management at iManage

s lockdowns return in autumn 2020, all organisations must consider the complex combination of risks they present. At the same time, many have strongly indicated that significantly more frequent agile working will remain in the picture even when social distancing hopefully no longer does.

For law firms, this requires careful thought about how people work together effectively when they aren't sitting together – collaboratively producing and sharing documents that contain highly sensitive, valuable or competitive information. Companies' patent documents, for example, can be worth billions. **Briefing**'s Legal IT landscapes research for 2020 found 87% of firms' technology leaders had seen an increase in the number of clients requesting security audits to ensure compliance with their guidelines (and that was before the pandemic), and industry regulators also require timely, well-managed reporting.

As with all work, these requests must be completed efficiently, while of course minimising risk of a reputation-damaging breach and data loss.

Ian Raine, vice president of product management at iManage, says a single, comprehensive system is a critical part of the effort. "Content passing between parties is at the very centre of what law firms do – and now you suddenly have many more possible versions of that content on the move." It's one positive that this period has also seen a surge in content's digitisation, so documents can be searched for and consumed online, he says. But it all needs to be risk managed. "Sensitive client material needs to be top of lawyers' minds whenever and wherever they are working remotely, and it must be stored in secure repositories."

There is ever more potential for hasty email attachments in our new normal and, of course, collaboration tools such as Microsoft Teams are fast establishing themselves as the main form of communication. "Firms should embrace the technology – but that quick chat and share can suddenly lead to data out in the wild," explains Raine. So, they need to be that much more mindful of reinforcing the central position of their document management system. "iManage can

"The best storage solution is a secure system that's as easy as possible for people to use, and where the security and risk controls are as unobtrusive as possible to increase adoption."

lan Raine, vice president, product management, iManage

govern content for client matters that is sitting in Teams channels, but the best storage solution is a secure system that's as easy as possible for people to use, and where the security and risk controls are as unobtrusive as possible to increase adoption."

What's the usage?

Whichever tools people are using, there's the risk of cyberattack. Even with two-factor authentication, people are inevitably more exposed outside the office environment, and phishing attacks have evolved to take advantage of the pandemic. Every respondent to PwC's annual survey of law firms said it had experienced a security incident this year, with a significant rise in ransomware attacks in particular. Nation-state intelligence services also increasingly regard firms as highly valuable sources of information they can leverage geopolitically.

Firms need sophisticated user-monitoring, says Raine – and iManage Threat Manager provides this by leveraging historical information in the system. "If someone enters the system with stolen credentials, it's likely they won't move around as a genuine firm user would. By monitoring users' activity, firms can compare current and past behaviour patterns, and trigger alerts for investigation where something appears anomalous."

Machine learning also helps firms to track typical use patterns in pockets of a firm, such as practice areas, to spot deviations from the norm. If some lawyers aren't using the DMS as much as they were, or are accessing documents at unusual times, they may be working in other ways at odds with the firm's security policy. "Usage analytics enable more targeted reminders and adoption training," says Raine. However, people may currently be working very irregular hours – with good reason, of course. "You can't trigger alerts for everything slightly unusual – too many false positives will keep security teams busy but away from the real risks."

Welcome delegation

Risk management is always a balance, and firms will also be mindful of helping remote working teams to access what they need easily enough to work productively. For example, some are now introducing default 'need-to-know' policies. Raine explains: "Preventing lawyers reusing appropriate content, even from work for previous clients, can make them less efficient and increase costs. And if a law firm experiences a data breach, while that's clearly concerning, need-to-know security ensures that it's a subset of content at risk, based on particular credentials." It's for iManage, therefore, to help law firms to make work as straightforward as possible for people, so they work with security, rather than trying to find ways around it.

"That's why we have enabled some roles to override security and search for anything – a head of knowledge management or GC, for example. We're also seeing firms moving further toward searching for the expert rather than the document. Lawyers can simply search for content they're permitted to access, but using iManage RAVN's AI technology they can also locate people most associated with documents that are locked down – people who may be able to grant permission. The user only needs to justify why they need access."

Using iManage Security Policy Manager, moreover, an approach like this can be scaled for the organisation's millions of documents more efficiently. "Previously, it would have fallen to the firm's central IT or risk function to decide, but today the system also enables targeted delegation," he explains. "You can pass the responsibility for security definitions and adjustments to a named matter partner." Firms could also choose to grant access to everyone working within one practice group, regardless of their role, potentially with some client-level security access layered on top.

Client concern about the specifics of law firm security policy like these – tracked through **Briefing** Legal IT landscapes – has only increased in recent years. Lockdowns are now back, while some firms are simultaneously parting ways with people. Secure document management with options for need-to-know access, threat detection and usage analytics, will be critical for keeping sensitive client information protected and professionals productive enough for client service

to keep delivering results in these extraordinarily challenging times.

For more information, visit: www.imanage.com/product/security



Calling quality

Val Fox, IT director at Boodle Hatfield, says choosing Oosha led to a significant improvement in the firm's outsourced IT support for its people in the middle of lockdown

he IT team has had a particularly busy time of it working out all the many remote working needs of 2020. However, Val Fox, IT director at Boodle Hatfield, had been looking to replace one element of her strategy – the firm's outsourced helpdesk service – as long ago as autumn 2019.

"The users just weren't using it," she says – a pretty clear impetus to make a change if ever there was one. "Our people didn't feel that they were getting a good service, and they were calling up my internal team with their queries instead." It was the opposite of what an outsourced service is designed to provide – adding internal work rather than relieving it.

Productive and proactive

After a chance encounter at a conference (a physical one, indeed), Fox settled on the managed IT service

promise of Oosha – which has now been operating the helpdesk since May 2020. A first-line support team handles any user queries over the phone or by email; they can be escalated to the second line if necessary, while a third line is available for any infrastructure problems. The 'new normal' of

A first-line support team handles any user queries over the phone or by email; they can be escalated to the second line if necessary, while a third line is available for any infrastructure problems

Val Fox, IT director, Boodle Hatfield

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For more information, visit:

www.oosha.co.uk

preparing for multiple video
meetings and getting to grips
with the nuances of collaboration
tools have naturally produced plenty
of calls in the first category. But an
approachable team with timely service is
also important generally, when there just "isn't the
person sitting nearby to ask in that moment," says
Fox. Oosha is entrusted with playing its part to
support individual productivity and morale at what
may be an exceptionally challenging time for people
personally as well as professionally.

She was looking for three main things from that partner in selection, she says – experience of the sector, evidence of value for money, and a close relationship. Oosha ticked all three boxes, but it's the final factor that has particularly impressed her.

"It's a real joint endeavour – as well as fixing problems, Oosha is proactive at highlighting opportunities for user training, improvement and trends it sees in the industry that we could turn to our advantage," she says. For example, it has been able to flag challenges other firms have experienced with upgrading or moving between different products, which has enabled the IT team to be more on the front foot for users when change occurs. As well as the managed IT arrangement, Oosha also offers law firms infrastructure-as-aservice and cloud virtual desktop services, either via its own data centre network or Microsoft Azure.

Fox was also impressed that they proactively recommended having an Oosha team member onsite at the firm's London office to floor-walk and get more familiar with the world of the firm quickly – "something we haven't seen before," she says. In the event, Covid-19 prevented that physical journey from happening, of course, but the effort to get to know the users they were supporting continued

remotely, nevertheless. "They quickly built up the necessary credibility with people who were working from home, and today we regularly receive positive feedback from people."

Team time

Oosha is also well integrated with Boodle Hatfield's internal IT team – each Friday there's a review of that week's user queries to capture learnings for continuous improvement, and Oosha takes part in one daily 'standup' meeting each week to stay abreast of progress on the most significant business projects.

Of course, through dealing with fewer day-to-day obstacles, Fox's team can now focus that much more of their energy on delivering such strategic projects efficiently and effectively. Unsurprisingly, many things in their project book at the moment are looking to an increasingly agile-working landscape in future – new laptops are on the cards, as is a Microsoft Exchange Online migration, and a desk-booking app ready to see people safely back into office space when the time is right.

In the meantime, Boodle Hatfield can be confident it has the support of a trusted partner to keep some of the fundamental factors in people's productivity on track each day.

"It's a real joint endeavour – as well as fixing problems, Oosha is proactive at highlighting opportunities for user training, improvement and trends."

Val Fox, IT director, Boodle Hatfield



An IT identity crisis?

Andy Bevan, cloud sales specialist at Pulsant, discusses the changing purpose and pressures of law firms' IT departments, and recommends some strategic actions to offer them greater support

he IT department has traditionally been the caretaker of the firm, keeping technology systems and processes in check and meltdowns at bay. But IT has found itself with a dual purpose as the requirement for digital transformation has intensified. In response, some CIOs are splitting IT departments in two, with one team focusing on keeping the firm running and the other focusing on digital innovation. The latest research commissioned by Pulsant seeks to answer what this means for the future of the IT team.

The research finds the majority (93%) of organisations have a representative from the IT team on the board or leadership team, and 87% said IT is involved in setting the strategy for the year ahead. IT is being given a voice at the highest level and businesses are taking progressive steps towards defining their

strategies using IT expertise.

IT is no longer seen as a support function and has become widely recognised as a driver of innovation, but opinions are divided. The department is seen as an enabler of innovation by 40% of IT decision-makers and 45% of business leaders. Yet over half of IT decision-makers (58%) and business leaders (55%) still believe the primary role of IT is either a helpdesk or technical support function, or having responsibility for maintaining and running business-critical systems.

IT teams are experiencing high levels of stress and anxiety as they attempt to balance being both the caretaker of the business and the driver of innovation. Over a third (34%) of IT decision-makers said one of the top challenges for their teams is having too great a workload and not enough time to complete it. Almost two-thirds (65%) admitted to feeling under increasing

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The pandemic seems to have reinforced the importance of IT balancing its new role as a driver of innovation with its traditional caretaker role

pressure to keep their organisations running in the last 12 months (even before the pandemic?). And 80% said this has had a negative impact on a personal level, including experiencing anxiety and increased stress that could result in burnout, absence from the businesses, or resigning from the business. It's clear that being recognised as the driver of innovation can come at a cost.

Over three-quarters (77%) of IT decision-makers also said that their organisations' expectations of IT have risen in the last 12 months, the most common reasons being: greater focus on security and compliance (45%); expecting IT to work with more areas of the business (39%); expecting IT to support, and have knowledge of, a broader range of technologies (38%); increased pressure to update ageing infrastructure (36%); and the expectation to deliver projects quicker (35%). These rising expectations could be contributing to the stress and anxiety IT departments are experiencing.

In order to help them fulfil their new purpose and deliver on these changing expectations, IT decision-makers want more budget, resources and training, as well as a better work-life balance. Interestingly, the pandemic seems to have reinforced the importance of IT balancing its new role as a driver of innovation with its traditional caretaker role. To help the IT department find its equilibrium, firms will need to find a way to free up their IT departments' time to focus on what matters most – driving the business forward.

Here are some tips for how firms could mitigate these risks and take advantage of the transformation opportunities in the years to come:

Managing and identifying innovation

- Be clear about who owns, and is responsible for, innovation.
- It's likely that the owner will be either

technical or business-focused. They are unlikely to be both, so consider a senior management virtual team to contribute formally alongside.

- Create a clearly defined channel for suggestions and initiatives from across the business.
- It is through accountable ownership of the function, with a measurable outcome, that initiatives will be owned and managed correctly.

Understand what innovation means for your firm

- Consider the business outcome required from innovation initiatives. Don't be led by the technology itself. It's often the case that what a vendor wants (to offer?) isn't the same as what your firm needs.
- Define how you will measure success and understand clearly what success looks like, whether financial, operational, or another factor.
- Understand your checkpoints throughout the process and be confident enough to halt a project if your measures aren't being met.
- Consider targeted external IT support for your innovation projects. This can be at the implementation or deployment stage, but can continue if well defined into a managed service.
- If you enlist external IT support, think about and define your sign-off criteria fully, and ensure the vendor is bound by them.
- If opting for an ongoing managed service, consider the service level agreement carefully and ensure that it matches your firm's needs.

The above should help when considering how your innovation process and opportunities can be identified, managed and delivered to drive your

firm forward, faster.

For more information, visit: www.pulsant.com



Firms now know they are more agile than they thought. Phil Muller, director of legal services at Williams Lea, says the pandemic has steered UK law firms to start thinking about how to streamline their operations more cost effectively and many are looking to US firms whose models deliver proven operational agility and cost savings

ack in the April issue of **Briefing**, our own global head of technology at Williams Lea, Nick Morgan, spoke of a growing demand for technology and automation to support service flexibility as well as cost savings, driven by the Covid-19 crisis and associated economic fallout. These tough times appear to be here to stay and firm leadership is increasingly recognising the potential of the crisis to drive positive change, including providing a competitive advantage to those law firms willing to transform operational functions and drive efficiency. To do so, they are taking their cue from firms across the pond.

For several years, and continuing today, we've

seen many US law firms embrace outsourcing services – establishing teams managed by specialist providers in centralised locations to support them with key functions, such as virtual secretarial support, billing and receivables, digital solutions, document processing and marketing. Law firms that were doing this before the crisis have discovered that, not only has it helped them to achieve longer-term optimum efficiency levels in their operations, but it also built up some greater resilience, which helped when the pandemic hit – and maintaining productivity and cashflow became paramount. Taking such steps with these functions, followed by this context, has widened the gap between those law firms willing to innovate and

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those more used to, and still relying on, traditional methods. However, leading global law firms are recognising this and are beginning to act now.

UK law firms were aware of several changes rising to the surface before the pandemic - with many top leaders in recent years discussing the rise of millennials and generation Z; increasing competition from 'legal tech' or 'NewLaw' firms that use technology to support, supplement and replace traditional methods of providing legal services; and the 'Big Four' entering the competitive law firm market in recent years. The Big Four know something about agile working, having adopted a hybrid model of remote and office working over the last two decades. Certain functions are located away from major cities with expensive offices, but still with strong access to local talent that can provide services like those for Thompson & Knight (see box below), combined with intelligent workflow and data analytics tools to help measure and control utilisation rates,

It's becoming clear now that law firms are seeing the art of the possible when reimagining where their support teams can be located and how they could get the job done

productivity and resources to build even greater efficiency, while keeping strong information security measures in place. The Covid-19 crisis has accelerated the pace of this change in the legal sector and UK-based law firms are now thinking in a way their US counterparts did several years ago.

It's becoming clear now that law firms are seeing the art of the possible when reimagining where their support teams can be located and how they could get the job done. The old mindset of the need for secretaries, administrators and other support staff always to be in the office and down the hall from fee earners has been disproved through virtual working, as the pandemic has shown that most business services staff can work perfectly well remotely. As a top leader at a law firm said at a virtual conference of global law firm leaders in October: "One of the themes of our strategy, which

has greater emphasis moving forward, is the future of work - getting more people working with agility and managing, supervising, and engaging with our people working in that environment." This is a unique window of opportunity for firms to virtualise their backoffice services and build a platform that provides greater flexibility. The shifting landscape of the legal industry will spur those law firms willing to innovate to transform their operations, workflow processes and data management, to become smarter, more agile and stay ahead of the competition.

ADVANTAGE IN ACTION

great example of this innovative transformation is the Dallas-based law firm Thompson & Knight, a highly successful US law firm, with nearly 300 lawyers worldwide. The firm has partnered with Williams Lea to open an administrative resource centre in Columbus, Ohio, and has a dedicated team managing cross-functional services, including graphic design and digital marketing, document processing and administrative support - all on an extended

As the firm's managing partner, Mark Sloan, explains:

"We want to create competitive advantages to meet the changing needs of our clients and the legal industry, including more agile ways of working, specialised expertise and improved technology.

The partnership with Williams Lea will help the firm modernise and simplify the way we support clients and contribute value. The restructure is underpinned by new processes and technology, which will allow us to be successful in modernising how we deliver services to our clients today and in the future."



For further information, visit: www.williamslea.com

INDUSTRY ANALYSIS

Mind the time

David Lumsden, CEO at Enable, says improve both revenue and client satisfaction in challenging times through better core process such as time-recording

awyers love to work, but they hate 'non-productive' and boring administrative tasks like billing and recording time – especially recording time.

For lawyers to record time accurately, they need to do so as contemporaneously as possible. There are now 'intelligent' tools for monitoring the work that fee earners do, but this old rule still applies. This is because, in order to make full sense of the computer-generated statistics, and place them in context, they have to recall the day in question.

Therefore, it is still vital to enter time as soon as possible after the work has been done.

Most firms expect lawyers to record their time two or three days after working it but, inevitably, most lawyers don't. Memories fade and when they do get around to recording their time, some three to seven days later, they are likely to: It is still vital to enter time as soon as possible after the work has been done. Most firms expect lawyers to record their time two or three days after working it but, inevitably, most lawyers don't. Memories fade

- Underestimate how long they spent on a task. Evidence shows that, owing to a combination of human cognitive biases, people will enter how long they think it should have taken, in an ideal world, rather than how long it actually took.
- Completely forget tasks that they undertook offline.
- Be unable to enter appropriately detailed narrative.

Several consequences flow from this behaviour, all of them bad (see table at the top of p47). These things may well happen in combination – the

volume of aged WIP will be extended, overall realisation will be down and clients may well grow annoyed with being sent late, inaccurate or unhelpful bills.

Conversely, if lawyers can be encouraged to get their time in promptly, revenue and profits will increase and clients will be happier.

Finally, in most firms revenue teams, heads of departments and even managing partners can spend an exorbitant amount of time emailing, discussing and meeting with individuals to try and push them to complete and close their billable time. This is especially true in the run up to end of month,

Severall of the things wo

CAUSE	EFFECT	RESULT
	It may delay a bill	Loss of revenue
Time is late	It may miss a final bill	Increase in working capital
		'lockup' days
Time is under-recorded	It never gets billed	Loss of revenue
Narrative is poor	The bill is rejected or delayed	Loss of revenue
		Client dissatisfaction

quarter/half-year and end of financial year. The exercise is incredibly time-consuming, expensive and has varying results.

What can you do?

You need to find a way to motivate lawyers to get their time in when expected - or even sooner - without irritating them. While there are many ways to keep on top of time-recording, it is no surprise that efficiency can be increased using technology - and Enable's RevenueManager (ERM) is one such example.

Let's say that a firm specifies its fee earners should enter their time into the firm's timerecording system no more than three days after the work is done. If a lawyer meets these targets, they shouldn't be bothered by a system.

However, after three days, a poor time-recorder will get a gentle reminder, showing the time missing from which days, so they can catch up and post it to the system so it can be billed. The ERM popup screen displays a customisable message, such as 'Please record your time shown below', or warns that continued breaches of policy will result in a line manager being informed. The screen also provides the exact reasons for the breach. This includes the days and times, and shows missing or open time that needs completing.

When the popup appears, it's already a policy breach and will increase the lawyer's breach count. It will also have a dropdown of a list of reasons the user can choose, to record why they breached the policy - and with an option to add free text.

Meanwhile, line managers and the finance team can receive information about policy breaches, missing time, and the steps that have been taken to recover it.

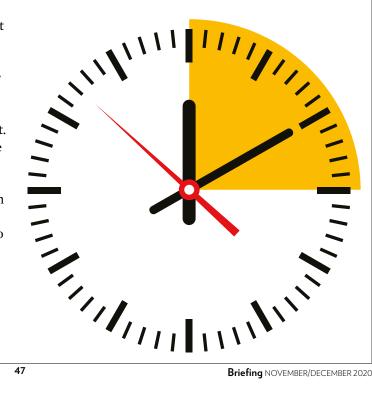
Most of this happens automatically, so RevenueManager is also taking away strain and wasted effort by revenue teams, heads of departments and even managing partners when chasing missing time to enforce policies every day, all year.

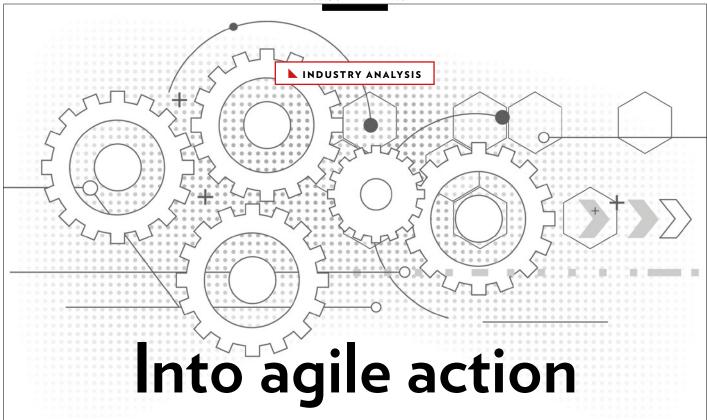
The outcomes can be startling

Firms using systems such as RevenueManager have reported they are experiencing:

- More speedy time entry by lawyers due to the system prompts
- An increase in chargeable time recorded, as it is being entered quicker once the work has been done
- Faster billing as time is available to be billed sooner
- Faster payments as bills reflect more recent work done and with the requisite detail and
- Fewer client bill-related queries.

For more information, visit: www.enableplc.com/revenuemanager





Jonny Watkinson, enterprise sales manager, UK, NetMotion and Nick Hayne, head of professional services, Quiss Technology, discuss how technology is helping to create the agile law firm of the future today

competitive in the face of the pandemic, recent news that Deloitte is preparing to close four of its 50 UK offices and offer full-time remote working to 500 employees surely points to a different future for many of our knowledge-based businesses. Organisations of all shapes and sizes, across all sectors, must now consider how to implement agile-working styles, particularly now that remote working is likely to become a long-term part of these companies' working environments.

s businesses struggle to remain

The legal sector is no different. Current working conditions have forced many firms to reimagine the mobility and future of the workplace. Fortunately, some firms had already started to embrace digital transformation ahead of our current circumstances.

For many lawyers, one of the major challenges with agile working has been the inability to meet face-to-face with clients, peers and various support teams. In the past, many of these employees would already have been considered agile – travelling frequently and often working from home – but 2020 has pushed this to a completely new level.

Wheels in motion

With our population becoming more and more accustomed to interacting with remote service

providers of all kinds, the adoption of agile working makes complete sense. Over the next few years we are likely to see working conditions change and government regulation creep in, but the wheels are already in motion for remote work to become a permanent part of our lives.

Looking more specifically at law firms across the UK, the digital transformation journey undertaken by most is generally centred on the deployment of technologies and solutions that deliver the greatest flexibility for dispersed workforces, with secondary goals that include improvements to the user experience and data security.

This new agile environment with dispersed workforces is going to require a very different approach to collaboration, given that employees will naturally work at different times, and perhaps even from different time zones where the firm doesn't have an office. Customer service will need an overhaul, too, if we are to keep customers happy and maintain that all-important relationship.

At the same time, agile work can deliver a host of benefits, ranging from greater employee productivity and increased motivation, to a reduction in office-related costs, as will be the case for Deloitte.

But what challenges are yet to be overcome?

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By engaging directly with an organisation's people, it becomes much easier to understand wants and needs based on what's working well and what is not

Connected technology

If a law firm genuinely wants to improve support for employees, the way to begin looking for answers is by soliciting opinions from those employees. By engaging directly with an organisation's people, it becomes much easier to understand wants and needs based on what's working well and what is not

Taking those answers, and then investing in technologies that solve specific problems, will go a long way toward avoiding shadow IT and help with driving a positive mindset. From a technological point of view, there are many options to consider – laptops, tablets, smartphones, and even hotdesks – all requiring access to fast and reliable wi-fi and/ or mobile network access.

But agile working also requires a wider change in overall IT strategy. An agile workforce needs services such as unified communication tools, team collaboration platforms and VPN technology among other things, which allow employees to work from anywhere.

Connectivity will be a key factor for staff working remotely, as firms try to meet the demands of an increasingly mobile workforce. Ultimately, people need encrypted and reliable connections that enable them to reach the organisation's applications and services quickly and easily. Working in a disconnected environment means workers can't be as productive, ultimately leading to frustration and unhappy clients.

Security concerns

Recognising security as a top priority for any firm developing a remote working strategy means it's critical to encrypt traffic on unknown or insecure networks to avoid so-called man-in-the-middle (MitM) attacks and prevent accidental data loss.

The reputational damage (on top of any punitive damages) would be a disaster for any law firm.

An agile workforce also needs to be more closely monitored. Any activity that includes visiting risky URLs and downloading unofficial apps can wreak havoc, as they are a common way for ransomware to be distributed.

And no discussion about technology would be complete without mentioning compliance, especially in the legal sector. Everyone knows that failure to comply with regulations can prove a very costly exercise. On the one hand, the firm can face stiff fines from relevant regulatory bodies, but there's also the less tangible cost associated with a damaged reputation. No organisation wants to deal with a raft of compliance investigations as a result of its remote working policies.

Ensuring client data is secure must remain a critical focus for any firm, so the question is how to provide employees with the freedom to access internal systems and applications from anywhere, on any network, so they can connect, communicate and collaborate, while maintaining exceptional security standards.

The employee experience

Finally, employees who are remote or mobile need to be able to work from anywhere without a negative impact on the experience. Nobody wants their employees complaining about annoying re-authentication issues or poor-quality video calls.

Indeed, the pandemic has seen a huge uptake in videoconferencing platforms such as Zoom, Teams, Webex and Google Meet, although even these have experienced growing pains, as they had to instigate major upgrades over a short period of time.

Nevertheless, the bottom line is that going agile can be a win-win scenario for law firms and their people. Reports suggest that an agile workforce is both more productive and happier, which is good news for firms and their clients. We now have the integrated technologies to help law firms with their ongoing digital transformation journey, with cloud solutions playing a significant role in introducing greater flexibility, resilience and security.



For more information, visit: www.netmotionsoftware.com/www.quiss.co.uk

INDUSTRY ANALYSIS

A collaborative risk culture

Guy Adams, general manager of leaders and professionals solutions at Intapp, outlines his five steps for establishing and improving a firm-wide risk management culture, and says it's critical to follow a clear path to make it a reality

ver the past decade, increasing regulation and public scrutiny propelled risk management to its rightful place at the top of law firms' agendas. But, despite this evolution, the risk team's remit often remains seen as a tick-box exercise – one to be circumvented as often as possible.

The best leadership teams focus on empowering the whole firm to accept responsibility for risk management. Instead of seeing a potential blocker, these firms recognise the risk team as a key business enabler. This evolution reduces internal friction, increases decision-making efficiency, and improves the day-to-day working experience.

In order to successfully transition to a collaborative, firm-wide approach to risk management, leaders need to take five key steps.

Set the tone from the top

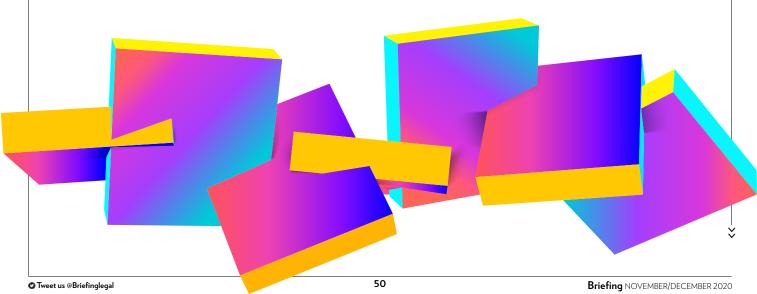
It's a well-established business principle that change effort fails without appropriate, visible sponsorship IBM president Jim Whitehurst noted culture change begins when leaders model the behaviour they want the organisation to emulate.

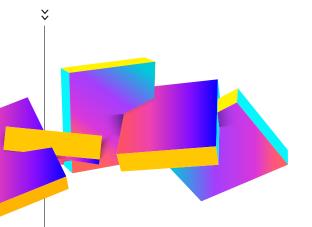
We've all noticed how a firm's talent mirrors the actions and approaches of its leadership team. If your leaders allocate little time to risk management during strategy-setting conversations, or roll their eyes whenever compliance is mentioned, you can't expect staff to maintain a positive attitude to it. Rather, leaders must give risk and compliance appropriate attention during every element of strategy setting, and report on it regularly.

Integrate risk into the business

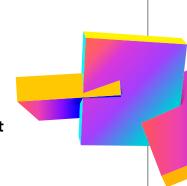
If you isolate risk management from the rest of the business, only bad things happen. At best, the firm will avoid issues through luck. At worst, those issues will eventually bubble up to the surface and damage the business. The risk team bears the responsibility for humanising their role and connecting with the rest of the firm, but leadership can encourage success by following a few simple concepts:

• Day-to-day risk integration uses training and technology to raise awareness of red flags and situations in which professionals should call the risk team for advice.





After integrating risk management with the wider firm, the risk team must immerse themselves in its business context and provide support for real-life situations rather than hypotheticals



- Performance and pay levers reward staff for demonstrating risk awareness. Telling people that their reviews will include measures of risk awareness will drive the desired behaviour.
- A culture of accountability emphasises that everyone must feel a level of accountability proportionate to their role. An attitude of 'someone else's job' isn't going to cut it.

Leave behind the theoretical

After integrating risk management with the wider firm, the risk team must immerse themselves in its business context and provide support for real-life situations rather than hypotheticals. This behaviour is second nature to the best risk professionals, who relish the chance to be closer to the business, but others will need an adjustment period and require support from firm leadership.

Many firms have achieved symbiosis between risk management and commercial efficiency. At one prominent international law firm, preliminary conflicts checking takes place during initial business development. As a result, it's able to seek new work within entire segments that have been provisionally vetted, reducing potential wasted effort.

Enhance human intelligence with technology

Law firms must consistently consume and analyse data on a scale – and within timeframes – that simply aren't feasible without technological assistance. The key to scaling data intelligence is not wholesale replacement of humans with AI, but rather understanding how we can best support human skillsets with connective technology.

In the realm of conflicts checking, for example, it's critical to grasp how AI and humans can work better together. People are terrible at large-scale, monotonous review, whereas AI struggles with the

nuances of specific, unusual situations. The best technology solutions allow AI to handle the vast majority of cases efficiently, and then highlight the remaining 10–20% for human analysis. In this way, AI-enhanced conflicts checking frees time for risk teams to focus on cases where their expertise remains critical.

Embracing change and best practice

Progressive firms automate risk processes across the matter lifecycle, focusing on objective and efficient conflicts clearance, risk scoring, active monitoring of clients and parties, and embedding anti-money laundering and client due diligence evaluation into matter-opening processes. They are harnessing AI and machine learning to streamline conflicts processes and ensure compliance with outside counsel guidelines and panel terms. As a result, they're able to accelerate business acceptance, safeguard against reputational and financial damage, and focus on profitable work and efficient client services.

In summary, as business complexity continues to increase, successful risk management will become even more important. The need for strong risk management isn't going away – it's becoming the blind spot that could take down an entire firm.

The best leadership teams acknowledge this changing environment and take proactive steps to improve their approach. A robust, pervasive risk management structure will deliver consistent success over time, and fewer sleepless nights for the leadership team.



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Response times

LAST WORD

Ben Bruton, London litigation partner at Winston & Strawn, asks senior in-house legal and other leaders in the sector about coordinating responses to the huge range of business challenges that came to the surface with Covid-19 and lockdowns

Do you see similarities between managing the immediate consequences of the pandemic and those of the 2008 global financial crisis?

Diane Dix, general counsel, Total Safety (DD):

When lockdowns commenced around the world, we were better prepared than we were in 2008, in part because this crisis came on gradually, so we had time to consider the possible scenarios and plan for them. We spent several weeks ensuring we had business-continuity and crisis-response plans in place, developing a communications plan, and reviewing contracts for force majeure and other relevant provisions. We did not have that luxury in the 2008 financial crisis. What makes this crisis different is that it has significant health and economic impacts, and it is truly global, both of which create a very different dynamic to prior crises. And our response strategies have been much more employee-focused.

Marc Michael, chief counsel, global dispute resolution, AES Corporation (MM): Unlike in the financial crisis, our first priority has been health and safety. Everyone is concerned about maintaining the safety of our workforce and customers. This has forced us to change the way we work at the plants and corporate offices. We really didn't have to change our methods of working during the previous crisis, although we did worry about the financial wherewithal of certain counterparties.

Tamer Nassar, managing director, Eternal

Energy (TN): The risks to business brought about are surprisingly similar. Once again, we have been looking at developing strategies to save businesses, save jobs and adjust to what appears to be a new normal. Now, as then, we are looking at various strategies to reduce costs, such as remote working, cutting travel and other related expenses, shedding value-add services such as consultants and the like, and renegotiating pricing with vendors.

Susan Dunn, founder and CEO, Harbour Litigation Funding (SD): The main difference between 2020 and 2008 that we have seen is that we did not see litigation emerge seeking funding until a very long time after 2008. It seems people

"We really didn't have to change our methods of working during the previous crisis, although we did worry about the financial wherewithal of certain counterparties."

Marc Michael, chief counsel, global dispute resolution, AES Corporation

were assessing their positions and knew they had typically had six years to bring a claim. They therefore initially focused on rebuilding, not litigation. This time we have already seen people contacting us for funding of claims, because they have to act right now to save their businesses. This is one big difference. The other is that litigation funding was less widely used and understood in 2008. In 2020 it's used by every type of client, including those who might well have used funding in 2008 but weren't being advised by their external lawyers that it was an option.

The circumstances have put supply chains and contractual relationships under significant pressure. What strategies have you deployed for engagement with contractual counterparties?

MM: The workload in the legal team increased dramatically. We received literally hundreds of notices claiming force majeure and/or change in law relating to the pandemic or the governmental response to it. Construction contractors have sought relief in meeting milestones, given the disruption to travel and the difficulty in procuring supplies, for example. Fuel suppliers warned that stay-at-home orders, and possible social unrest, could impair their ability to deliver fuel to our facilities. We made an effort to compile and analyse these notices so that we could provide consistent guidance to all of our affected businesses.

SD: A key issue is, of course, the solvency of claimant counterparties and defendants alike, but we always pay close attention to that factor. The number one question we always ask of any new matter is how we and the claimant get paid if the

"Suffice to say, we have not been running straight to the contract in these trying times, but taking rather a pragmatic view of things."

Tamer Nassar, managing director, Eternal Energy case is successful. Inevitably, there may be some impact on the businesses of particular defendants, so we are paying even closer attention to this factor. If claimants need putting into administration in order to protect and preserve their claim, we will look to protect them that way.

TN: On the whole, we sought to accommodate our clients' requests to suspend contracts, or otherwise terminate them outside the scope of the actual terms of the agreement. In many cases, we also advised our clients to do the same, so they were not perceived as being opportunistic in their dealings with clients and vendors. Suffice to say, we have not been running straight to the contract in these trying times, but taking rather a pragmatic view of things.

DD: We reviewed all our key contracts to ensure we understood our contractual rights and obligations so that we were prepared to act swiftly where necessary. We were also very proactive in engaging with our largest customers and suppliers to anticipate any disruption in services. And where projects have been delayed, we have been in regular communication about scheduling to ensure that work could resume as soon as possible. In some cases we have been asked for price concessions, and we have asked our suppliers for price concessions. Our experience has been that our contractual counterparties are generally acting in good faith and trying to work together.

Tim Williams, senior counsel, dispute management, Wärtsilä Corporation (TW): We

have been working hard to keep customers, suppliers and stakeholders informed and involved, and to offer both short-term alternatives – such as remote monitoring of the equipment – and medium- to long-term business continuity – how long will your safety spares last? We've found that there have been fewer shutdowns in the supply chain than slowdowns.

What are the key legal issues you've been contending with as a consequence of the pandemic and government responses?

Derrick Dale QC, Fountain Court Chambers (DDQC): In terms of commercial contracts, the main focus has been analysing force majeure, frustration and termination rights under contracts.

In terms of insurance claims, analysing the scope of the cover for business interruption claims has been centre stage, and I suspect that in addition to coverage, issues of causation and loss will all be highly contested.

TW: Along with everyone else, we have prioritised balancing our duties as an employer to provide a safe workplace, with compliance with applicable law, changes of law, the practical challenges of restrictions on movement - we have a significant field service offering - with the flurry of force majeure notices and, of course, the follow-up contract notices that address events of delay. We haven't sought to rely on frustration and impossibility to end contracts as we are in longterm relationship businesses. We expect to see the impact of hardship to come in terms of insolvency events, and possibly even foolish calls on performance bonds, and we have worked hard on alternative sources of supply, logistics and transportation. The key words have been continuity and cashflow. We need to keep getting paid, and paying our bills.

MM: In addition to force majeure and change-oflaw issues, we've had to consider whether official governmental action in response to the virus may require us to provide relief to utility customers, or may even impair our rights.

Do you have any advice about how to manage a team remotely in an effective manner?

TW: Get used to the technology, use it, and use it often to stay in touch. Make sure your networks and infrastructure are robust. It also helps to use video where your network supports it to improve the quality of communication. Virtual coffee or even lunch breaks can help bring us together, especially if there are 'lone wolves' in the team.

MM: We've had to rely heavily on technology to keep us connected. Videoconferencing has been very helpful, and in the legal group we established guidelines to ensure that people were able to work productively at home and keep in touch with their colleagues. We also established a weekly call for the global legal group, and a weekly virtual 'happy hour' for the corporate legal group so that we can connect with our colleagues more socially.

TN: We've found that an effective method of remote-team management has been to schedule weekly individual calls to set objectives and review the prior week's accomplishments. Communication between those calls ought to be sparse, and generally initiated by the team member, rather than the manager.

DDQC: Ensuring good levels of communication and teamwork within any litigation team is always essential, and during the lockdown period we had to double down on this, as solicitors and barristers navigated our ways through gearing up for remote hearings, which seem to be the new norm for the foreseeable future. Ensuring that we have the requisite IT support to do this at all times has been essential. We have set up our large conference rooms such that we can use them to dial into remote hearings, and have leaders and juniors in the same room while the hearing is going on, as well as having the IT support on hand.

DD: I have led a global team based across various jurisdictions for many years. It has been a bigger challenge for colleagues who are accustomed to in-person engagement. They have learned to take advantage of video tools and grown more patient with background noise. As a leadership team we have focused on frequent communication with our employees, being as transparent as possible about the state of the business and actions we're taking to address the challenges, and we have taken time to joke with one another and have a little fun. When a team is working remotely, and especially during a crisis, maintaining camaraderie and a positive outlook is very important.

"We have focused on frequent communication with our employees, being as transparent as possible about the state of the business and actions we're taking to address the challenges, and we have taken time to joke with one another and have a little fun."

Diane Dix, general counsel, Total Safety



For more information email exchange@thedx.co.uk or visit dxdelivery.com/exchange

