

# Briefing

February/  
March 2021

SMARTER LEGAL BUSINESS MANAGEMENT

SPECIAL INSIDE  
KNOWLEDGE LEADERS

CLAIM CHECK  
Shirley Woolham, CEO of Minster Law, on  
the importance of being omni-channel

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# Editor's letter



## Who we are...



Richard Brent is the editor-in-chief. He loves to talk to as many readers as possible, so please contact him at [richardb@briefing.co.uk](mailto:richardb@briefing.co.uk)



Kayli Olson is **Briefing's** deputy editor. She tells some great stories, and Richard what to do. Contact: [kaylio@briefing.co.uk](mailto:kaylio@briefing.co.uk)



Emily Nash is **Briefing's** head of client services, ensuring top value for our many partners. Contact: [emilyn@briefing.co.uk](mailto:emilyn@briefing.co.uk)



Rupert Collins-White is co-CEO at Burlington Media Group, involved in most of the things we do. Contact him at: [rupertw@briefing.co.uk](mailto:rupertw@briefing.co.uk)



Sarah Cox is co-CEO at Burlington Media Group; she also helps to steer the good ship **Briefing**. Contact: [sarahc@briefing.co.uk](mailto:sarahc@briefing.co.uk)



Rose Boddy is client services and events executive, and in charge of digital advertising. Contact: [roseb@lsn.co.uk](mailto:roseb@lsn.co.uk)

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**T**ime to Talk Day (4 February) is always important, but feels even more important to talk about at this time this year. Organised by the Time To Change campaign, it's focused on 'breaking silence' about mental health problems and challenges – a principle that law firms as a group have appeared to back for some time.

Potentially more isolated in times of lockdown, concerned for loved-ones, friends and futures, and with work-life balance in the current homeworking reality quite possibly a harder deal to negotiate than ever, it's plausible that more want, or need, to make that time to talk about how they're feeling or what they're experiencing. And yet, if they can't easily arrange that permitted socially-distanced stroll around the park, it might well mean another video call for both sides to fit around all the rest (or an old-fashioned chat on the phone, of course, if that's still a thing for you).

## Organisational fabric and team spirit won't be held together by new iterations of agile-working policies alone

The 'theme' of Time to Talk day 2021 was the 'power of small' – which feels like something big law firms should reflect on as they seek to keep their organisations pulling together, their cultures preserved, people engaged – and indeed that

dispersed productivity humming – through these challenging times. Initiatives, change projects, commitments and communication drives are all undeniably important, but the barrier mass homeworking poses to finding that serendipitous 'watercooler moment' has been widely acknowledged. It's when you're queuing for the kettle you realise you need a catchup with somebody about something else – so something useful happens that otherwise may not. But times like this can also be a good opportunity to share how you're feeling, or of course that you're struggling.

This needs thought, not just as we enter the second year of a terrible pandemic with choices restricted, but also as firms consider how they want to work in the longer term. Organisational fabric and team spirit won't be held together by new iterations of agile-working policies alone. Whether through technology or any other business-change effort, firms will need to enable people not only to 'communicate' efficiently and effectively for the greater firm-wide good, but also to talk to one another properly.

**RICHARD BRENT** EDITOR-IN-CHIEF



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OPERATIONAL  
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# Inside this month

27

## Data dreaming?

*“It’s easy to get dragged into measuring whatever you can, rather than prioritising what’s most useful.”*

Deborah Fleming, marketing and business development director, Walker Morris

Partnering with: Wilson Allen



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### OPINION

**07** Tony Williams at **Jomati** on why our current mode of operating is not sustainable

**08** Matthew Kay at **Vario, Pinsent Masons**, says growth in flexible working should foster further innovation

**09** Marc Anderson, managing counsel at **Simply Business**, has five examples of where firms can show their value

**10** Christopher Young at **Pinnacle** says productivity will be under the spotlight in 2021

### FEATURES

**12** Is the pandemic changing law firm project management? Ben Rigby reports

**17** **Briefing people** Shirley Woolham, CEO at **Minster Law**, tells Richard Brent about her digital claims journey

### BRAIN TRAINING

**36** Mark Ford at **Baker McKenzie** on why firms find it hard to innovate

**40** Rachel Barnes at **Ashurst**, and Grzegorz Harasimiuk at **DLA Piper**, on how a group of large firms helped themselves to collaborate

### INDUSTRY VIEWS

**44** Stephen James, CEO and founder of **sa.global**, says it’s time for firms to appreciate the value of transforming business by true cloud

**48** Hilary Hallen at law firm **Knights** on more efficient assembling by **Bundledocs**

**50** Why **Konexo**, a division of **Eversheds Sutherland**, chose **Autologyx** to help change clients’ courses

**52** Joanna Swash, group CEO at **Money Penny**, says it’s time for a review of pandemic-shaped processes

**54** Phil Muller at **Williams Lea** says build future operating models better on good data

**56** Howard Russell at **RBRO** on how best to manage cloud migration

**58** Todd Gerstein at **Iridium Technology** says lose no time with auto-capture

**60** Sam Nicholls at **Intelligent Office** says handle changes to the business support model with care

**62** Matthew Newton at **Oosha** on reaching for optimum IT

**64** Tony Cox at **Peppermint Technology** says longer-term remote working needs to lose the friction

**19** THIRST FOR KNOWLEDGE?

Change pointers from our partners **Litera** and **Aderant** at **Briefing Knowledge Leaders 2021**



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Tony Williams  
Principal  
Jomati Consultants

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**We must not revert to the 'normal' of January 2020, but use our experience of 2020 to find new ways of working. We need to continue to be open and to experiment with new technological tools**

▲ SPEAK UP

## 2020 – a catalyst for change?

**I**t is difficult to be positive about 2020. It was a year dominated by the Covid-19 pandemic, which at the time of writing has already infected tens of millions, killed over a million and resulted in a level of economic disruption unprecedented in peacetime.

But, for the legal sector, could it have been just the necessary disruption that shook our traditional and profitable ways of working to the core and enabled a level and pace of change that in normal circumstances would be unimaginable?

In February and March last year, as our offices emptied, many law firms prepared their scenario plans of 10, 20, 30, 40 and even 50% reductions in activity. In reality, the crisis has been remarkably benign for the legal sector so far. Activity levels may be off a bit, but costs are also down owing to the absence of business travel, client events and more. As a result, the seismic financial challenges that have impacted leisure, hospitality and physical retail have generally missed the legal sector.

Not only have revenue and productivity generally held up well, however – lawyers have also been forced to work differently. Homeworking of necessity has become the norm. Video calls and social media have become acceptable ways of communicating with colleagues and clients. The technology has worked, and more tools have been used to prepare documents, share

documents and other work products and interact with colleagues and clients alike. Indeed, the biggest legal 'losers' of 2020 are potentially the legal secretaries, at risk of redundancy unless they can demonstrate a broader and more cost-effective skillset.

Things may have worked well, but the pandemic mode is not sustainable. We are sociable people; we want to meet and interact with colleagues. Much legal training is still achieved by working with more senior colleagues, and a culture is developed and protected by seeing how others in the firm behave. That means we need to find a new model – and quickly. We must not revert to the 'normal' of January 2020, but use our experience of 2020 to find new ways of working. We need to continue to be open and to experiment with new technological tools. We need to develop more flexible and accountable ways of working that do not necessarily demand presenteeism. We also need to measure, value and reward a lawyer's outputs in terms of what they achieve for their clients rather than their inputs in terms of chargeable hours. We need to find even more effective means of communicating and working with our clients and colleagues.

The pandemic of 2020 has been a frightening and disruptive experience. In the legal sector we can embrace and learn from how we had to work in an emergency and use it as a real catalyst for change in 2021 and beyond. ▲


 **SPEAK UP**

# Flexible fast forward



**Matthew Kay**  
Managing director  
Vario at Pinsent Masons

 @PMVario

**The private equity-backed startups were the original disruptors, but there is room for traditional law firms to edge into the market. With their larger networks of clients and multiple income streams, law firms are in a stronger position to take risks**

**W**orking from home for most of 2020 has encouraged many of us to think differently about the way we work. It's rather bizarre

how our working life has changed over the course of a year. Attitudes around office presenteeism have changed, and working from home and flexible working no longer need to be negotiated.

Some law firms, including Pinsent Masons, were already ahead of the curve before the pandemic. The firm already offered flexible working options to all people. Now all firms have had to adapt, and it's clear they are making permanent changes to how they run their businesses. According to a CBRE survey from October 2020, the majority of law firms surveyed in the EMEA region said they planned to allow their employees to work in a more hybrid manner for the long term. Earlier in the year, the Financial Times also reported that working remotely had changed attitudes and the culture in law firms around flexible working. It's no longer an option intended for working parents – it's for everyone.

Law firms are starting to realise that offering modern working practices could also support their efforts in improving diversity and inclusion. Shortly after taking office last year, David Greene, the new president of the Law Society, told the Guardian: "We must have a profession that is open, flexible and works to enhance inclusion."

The NewLaw market is evolving. With increasing demand from businesses for contracted legal support, and the pandemic seeing more lawyers wanting to work on a flexible basis, there's more space for law firms to innovate and develop the services that they offer to clients. The private equity-backed startups were the original disruptors, but there is room for traditional law firms to edge into the market. In my opinion, with

their larger networks of clients and multiple income streams, law firms are in a stronger position to take risks during this uncertain period.

But the cultural change law firms are seeing isn't only coming from the top. I can see that lawyers are now hungrier to work in a different way after experiencing the benefits of flexible working during the pandemic. In June 2020, we had a 200% increase in applications to become Varios. In September it was also reported that the year had seen a 7% increase in lawyers joining virtual law firms in the UK. According to accountancy firm Hazlewoods, the number of lawyers at these firms jumped from 1,270 pre-Covid, to 1,355.

Some lawyers have felt more empowered by being able to work remotely, as they're able to choose where they want to work (within government guidelines), to spend time with their family or friends without the long commute and also more time doing what they enjoy.

This has increased the confidence of some lawyers to go down new avenues in law or rethink their career progression. And I believe that this is why we're seeing more lawyers wanting a freelance career. Working in this way gives lawyers more control around the projects they want to work on and when, more variety, and greater autonomy over their work-life balance.

We've also seen other trends emerge, as all businesses see a heightened need to accelerate time-to-revenue. In-house legal teams are under ever-tightening budgets and pressure from the business to ensure they don't bottleneck projects. We're certainly seeing more in-house legal teams that need to deploy flexible resources, and there are clearly plenty of lawyers who want to work more flexibly to provide them. 



▶ SPEAK UP

# Offers of a new year?

Marc Anderson, managing counsel at Simply Business, highlights five value-enhancing behaviours external legal providers could look at afresh in 2021

**1 Empathy is here to stay**  
After a year like no other, I really hope empathy will be recognised by legal providers as a focus of value enhancement. Do not underestimate the power of being likeable and showing empathy and understanding at both a business and a human level. An appreciation of what an individual and business is going through will reflect well and deepen the understanding between client and provider.

**2 Targeted horizon scanning, please**  
We've been inundated by generic Covid-19 legal updates, and, while appreciated, it hardly sees a firm stand out from the pack. I'd hope for more where there is an established relationship in place already and, where there isn't, would be mightily impressed by receiving more business/sector-relevant updates. Legal providers displaying an ability to reach out beyond email updates is great too, whether that's more commercially focused training (for in-house lawyers or, indeed, business colleagues) or an unscheduled catchup chat to talk through regulatory or market changes.

**3 Don't be shy: share that data**  
Legal providers learn and hold so much information about their clients, but in my experience they rarely offer it back out. Surely this wealth of data can be packaged up in some way and shared as part of client delivery? I'm not just talking about legal/regulatory data either, but also information on operations and best practices within legal functions elsewhere, and use of legal technology the provider has. Share the knowledge and watch a client/provider relationship deepen and flourish off the back of it.

**I like to see a legal provider that doesn't need to be asked to fix or cap a proposed fee, but rather proposes it themselves. Even better are innovative pricing solutions based upon sharing pain and gain**

**4 Let's upskill the in-house lawyers involved**  
While the instruction is sometimes all about getting the job done (be it on a managed services basis or in view of urgency, lack of internal resource, and so on) there are plenty of times where the in-house legal team is looking for particular expertise. Here there's a further service delivery opportunity to potentially involve, nurture and train the in-house legal team to be able to do more of this type of work themselves the next time around. M&A is one such area, where more in-house knowledge and confidence is always of benefit to the business. External providers might feel nervous about this, but it's a great way to build trust as part of a long-term relationship.

**5 Pricing innovation is welcome**  
Ok, we can't get away from considering pricing as part of overall value. But there's certainly an appetite for something more imaginative and easier to explain to the CFO than the billable hour on the in-house side. I like to see a legal provider that doesn't need to be asked to fix or cap a proposed fee, but rather proposes it themselves. Even better are innovative pricing solutions based upon sharing pain and gain, for example, or linking fees to fee earner utilisation. I'm sure there are plenty of other models out there too! ▶



Christopher Young  
Principal consultant and head  
of risk and BD practices  
Pinnacle

@PinnacleOa

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Firms are looking to try to secure specialist resources that can do things faster and better while also reducing the management overhead. But they first need to understand their expected demand

## TO THE POINT

# Priority productivity

As 2021 starts, there seems to be a real focus on productivity and project management. It's not just the government's vaccination programme – law firms also appear to be on a concerted drive to improve productivity. This is manifesting itself in a number of conversations that we're having.

Our various business intelligence teams are busier than ever – there's a drive for more data, and for it to be more granular and real time. We heard mention in one of our early **Briefing** Tiger Team conversations of this requirement for firms that were working on Covid loan schemes, but we're increasingly hearing about data concerning practice performance as well. Firms want to know: How long does it take to open a matter? Why does it take so long to complete billing? When it came to firms' Covid responses, things were rushed into place – the platform for change has been established. So now there is a more considered approach. What is the elapsed time at each step? Does it differ by user, practice, geography or client? The tools are increasingly there to answer these questions. The challenges when answering are the quality of the data and the skillsets. Having the tools, and using the data, allows firms to see where they have training needs, process improvement opportunities or cultural change requirements.

We've also been hearing that firms are uncertain about what 2021 will be like. In the main, 2020 held up well for firms that were not too specialist and caught in the wrong areas – this surprised many. The key to increasing productivity is being correctly resourced – not over-staffed, not too stretched. We're seeing firms looking to reduce their fixed cost base, and the number of managed service or 'outsourced capability' conversations we have in flight has almost doubled in the

last three months. Firms are looking to try to secure specialist resources that can do things faster and better while also reducing the management overhead.

But, to capitalise on the specialist resources firms have, they first need to understand their expected demand. As was highlighted in the recent Tiger Team at **Briefing** 5P session, Kirsty Shenton of Mills and Reeve, Ruth Ling of Taylor Wessing and Sid Welham of HFW all talked about their firms getting closer to clients. Marc Yaffe particularly emphasised JMW's focus on tracking referrals more closely. We are working to get better visibility of – and confidence in – pipelines of work. With remote working, firms are doing what has been advocated for years – focusing on their existing clients' needs and working the existing referral relationships, rather than pursuing new clients. Increased confidence in pipelines and forecasts allows firms to manage work better – ensuring that individuals are not forgotten and everyone is fully utilised; that work is based on expected demand – thereby increasing profitability – and over the longer term allowing firms to invest in growth areas.

Our sense is that in 2020 firms were forced to put things in place – whether it was technology, working practices, new metrics or measures. They were put in place quickly and, to a greater or lesser degree, adopted. Firms have demonstrated that the world doesn't fall apart if things aren't perfect on day one. In 2021 we sense that there is now going to be a focus on driving productivity – getting the value. The data will be the light that guides and directs firms – be it increasing utilisation through better revenue forecasting, accelerating billing processes, or reducing the cost of IT delivery. Will 2021 be a year of small projects and tighter management rather than project management of big projects? We expect so.



# Features

## 12

### *Future projects*

Will the pandemic lead to any changes for legal business project management?  
Ben Rigby reports

## 17

### *Briefing people*

Shirley Woolham, CEO of **Minster Law**, tells Richard Brent the claims journey will be more of a digital-human hybrid in future



# Future projects

▲ THE BIG IDEA

Does the uncertainty surrounding our new normal need any additions to the project management arsenal to keep legal business management productive? Ben Rigby reports

**R**achel Broquard, Eversheds Sutherland's service excellence partner, accentuates some pandemic positives. "It offered us another opportunity to think about and revisit existing ways of doing things, but also to embed better some of the new ways of working that we had already been investing in heavily pre-pandemic," she says.

Noone is in any doubt, as Blandine Davies, head of legal project management (LPM) for EMEA at Norton Rose Fulbright explains, that "the shift to

full-time homeworking has caused tremendous change within the business of law."

However, she stresses: "The project manager's role in this crisis has been mainly to focus on change management, and how to better deliver and communicate with our clients." This is "an opportunity for LPM to demonstrate further what value it adds to the delivery of matters," she says.

Amanda Onions, a legal operations manager, transactions, at Herbert Smith Freehills (HSF), agrees. "Necessary remote working has encouraged an appetite for change, primarily because we had

**“We had a resource management programme in place before the first lockdown, but we’ve had to scale that quickly. This has helped us to share resources more effectively.”**

*Oliver Campbell, head of practice operations, Hogan Lovells*



no alternative. The ‘new normal’ is helping change management from the service-delivery perspective – necessity being the mother of invention.”

### What’s new?

Pandemic-era innovation, such as it is, has meant curiosity in, and greater engagement with, legal technologies, says Onions. Areas of potential inefficiency have been tackled, such as the need for business finance to go paperless in a remote environment.

And Janice D’Costa, a legal project manager in the same firm’s disputes team, says her colleagues were mobilised in ensuring consistency in managing virtual hearings, and monitoring resource utilisation – and constraints – on complex matters. She stresses the facilitative nature of her role, with partners and fee earners equally proactive in addressing potential pain points and inefficiencies, using technology to facilitate smooth running of matters, but also challenging the ‘usual’ way of doing things and embracing alternatives. Fee earners, she said, increasingly adopted client collaboration platforms for matter management, even in areas without dedicated LPM support.

Broquard adds: “Right now, any technology solutions that support collaborative working [remotely] are really helping our teams to deliver, whether it is electronic signatures, collaborative working spaces, communication tech or solutions to support group brainstorming. All feature heavily in how we are meeting the challenges head on.”

The period has also engendered a shift in how LPM manages itself, adds Oliver Campbell, who heads Hogan Lovells’ practice operations team. “In

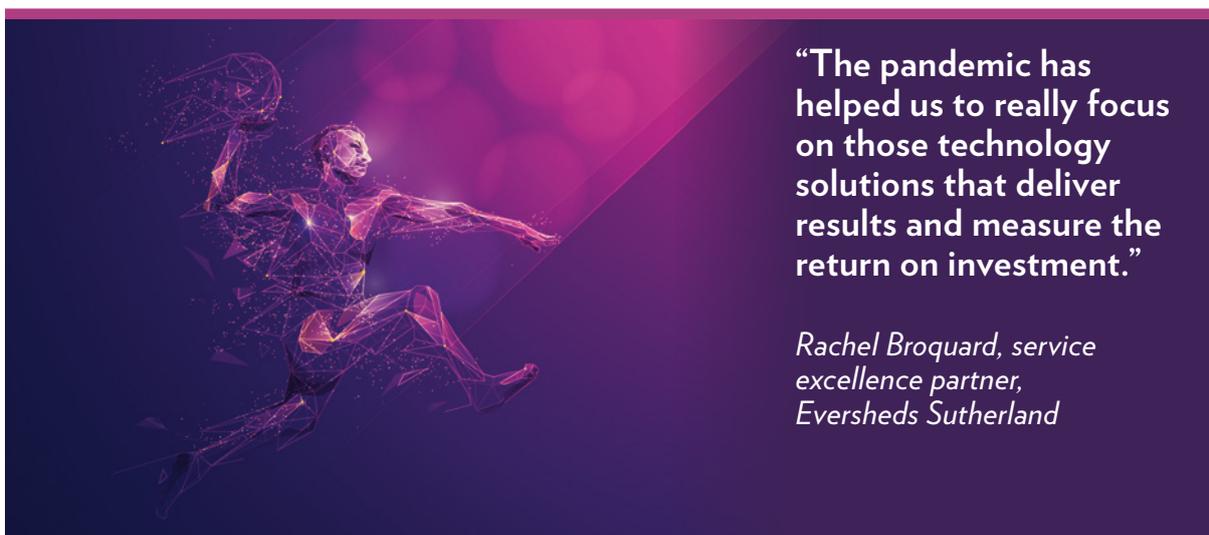
the ‘old normal’, it was relatively easy to check whether a colleague had capacity by wandering down the corridor and sticking your head round their office door. That, and – perhaps more importantly – checking if someone has too much work on, is more difficult virtually.

“Fortunately, we had a resource management programme in place before the first lockdown, but we’ve had to scale that quickly. This has helped us to share resource more effectively across teams that might have different levels of demand.”

### What’s next?

LPM is also conscious of the need to adapt to ‘next normal’, whenever that will be. Both Onions and D’Costa stress the importance of having clear flexible-working policies and strong internal leadership leading by example, ensuring people are prioritising themselves – not just to ensure better project management, but also to build resilience for future lockdowns. They stress the evolution of existing agile-working policies, emphasising changes to the industry’s working habits. Onions says: “All our people, including partners, will be able to work remotely to suit each individual, team and situation. Many have greatly valued the flexibility of how, where and when we work, gaining more time for their families, health and other commitments.”

When people return to the office, adds Campbell: “Resource management processes and tools will continue to grow in importance. It’s not just about optimising the use of the team: resource managers are also well placed to spot individuals who may have particular challenges, such as



**“The pandemic has helped us to really focus on those technology solutions that deliver results and measure the return on investment.”**

*Rachel Broquard, service excellence partner, Eversheds Sutherland*

childcare.” This is connected to ensuring all talent has equal opportunity.

### Who’s feeling productive?

All firms we spoke to said homeworking had been a success. The business case for such technology-led engagement has been made out, despite years of relative caution. But this is not just how it ‘feels’ – its impact has been discussed and measured.

Broquard explains: “Pre-pandemic, we were already using legal technology to augment the provision of legal services, to ensure consistent high quality and to find efficiencies.” Lockdown has validated this process of investment, with the firm’s tech staff also “incredibly busy during this period supporting strategic work for our clients.” She says: “The pandemic has also helped us to really focus on those technology solutions that deliver results and measure the return on investment.”

Onions says Herbert Smith Freehills “doesn’t have any proposals to measure productivity differently, or beyond the usual expectations for work of this nature”, instead managing projects to agreed timetables and flexing as necessary.

Campbell agrees, saying: “Lockdown has proved our people can work very effectively from home. Clearly, challenges faced by someone living on their own are different to those faced by someone who is homeschooling several children, but we have not seen any drop in productivity.” Quite the opposite, he says, as staff members have appreciated extra flexibility and time saved by avoiding the commute. And D’Costa at HSF says: “Our data is actually telling us that productivity has increased.”

What then of online video calling, which –

apocryphally, many say – causes weariness, to say the least? James Barrett, senior legal project manager at Eversheds Sutherland, agrees that communication has been a significant challenge for some throughout the pandemic – with Zoom and Teams calls taking up significant time. However, he says tools such as data visualisation can help.

His firm’s LPM has also sought to assist lawyers in managing personal productivity in lockdown. Broquard gives the example of its Connected App – which allows lawyers both to look for resource and publicise their availability to take on new work – being well used across the business.

That is not to say everything is perfect. Campbell admits: “Unsurprisingly, one challenge is it’s more difficult to induct new members of the team when you are not ‘in the office’ – particularly those at the more junior end of the scale. We need to find a way to make this work effectively in the new normal.”

### Tomorrow’s working week

And what of the future of work? Many firms have now mooted less time spent in the office, leading to the idea of a ‘hybrid week’ – reflecting changed attitudes towards working from home.

Engagement, to Campbell, may be more difficult in this hybrid future – paradoxically, he quips, it may be easier to keep people engaged when everyone is on Zoom.

More seriously, he suggests that the firm may need to redouble its efforts to engage, should such a model exist. “So those who are working from home don’t miss out on the ‘watercooler moments’ that those in the office may have. Assuming few people are in the office every day, simply keeping on top of

**“The technology that helps us to keep connected is important, but our most successful tool, and the one we need to be prioritising, is our humanity.”**

*Daniel Turgel, partner,  
White & Case*



movements is going to need more focus.”

Onions, meanwhile, says firmly: “The imperative to deliver efficiently and effectively was there before the pandemic.” Adopting a ‘hybrid week’ wouldn’t change that. Homeworking already provides accountability for productivity. “The new normal remains aligned with the drivers for sound and structured legal project management.” Like Campbell, however, she sees that continued rigour around processes, and the consistent use of collaborative technologies, need to be deployed.

However, Davies at Norton Rose Fulbright stresses the firm’s clients have asked for more dedicated project managers to be deployed, both to manage operations, and to act as points of contact. The teams that advise clients, she says, increasingly have diverse skillsets. “Clients are therefore willing to pay for the operational support project managers provide, on the basis that the benefits far outweigh, and in most cases, reduce, the cost to them.”

And D’Costa says that LPM won’t necessarily be working harder as a result of a hybrid week, because, if anything, the pandemic has seen fee earners more attuned to project management approaches. Clients, she adds, are no different to lawyers. They appreciate the challenges lockdowns have posed, personally and professionally. Broquard agrees: “During a time when our clients are also, in the majority, working from home, it has been important to place human-centred design at the heart of what we do.”

### **Talk of technology**

Where do project managers and lawyers see most scope for further continuous improvement through

technology? White & Case M&A and corporate partner Daniel Turgel acknowledges “a growing appetite to find solutions that support lawyers’ productivity and drive efficiency” but, like all those we spoke to, he refused to single out any one platform or brand. Onions stresses the value of connectivity and streamlining processes through AI, collaboration tools, automation and e-signature platforms. None of these are new, she admits, but the new normal “has certainly accelerated their adoption and the uptick in use is here to stay.”

Turgel agrees, saying, however: “This rapid adoption of remote technologies is great to see – but for me, there’s no single or most pressing priority other than keeping connected with our clients while we continue to work remotely.”

D’Costa adds that collaborative matter management platforms are here to stay, as clients are increasingly onboarded to these systems. She also stresses the continued development of in-house tech capabilities, not least to exploit existing platforms such as those within the Office 365 suite.

Campbell also sees growth in collaboration tools set to continue, with a lot of scope to enhance their uses, especially by using workflows to automate, and dashboards to visualise, progress.

And Turgel concludes that collaboration – including with clients – is underpinned by understanding needs. “It drives how well we communicate, how well we manage projects and how well we can help our clients to design products and services. The technology that helps us to keep connected is important, but our most successful tool, and the one that we need to be prioritising, is our humanity.” ▴

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## BRIEFING PEOPLE

# Claims to change

Shirley Woolham, CEO at Minster Law, tells Richard Brent how investment in a digital claims journey for customers in recent years has helped position her firm to keep growing through both pandemic and personal injury reform



It's clear the Covid-19 pandemic has dramatically dialled up the pressure on law firms everywhere to improve how they manage both themselves and their customer touchpoints digitally.

Announcing its results in October 2020, for example, Shirley Woolham, CEO of personal injury-focused firm Minster Law, said it used to be the case that around half of customers preferred their claim to be handled offline. Today she has a target of 95% to be comfortably using the firm's new digital claims portal by October 2021.

Woolham has been in the CEO role for almost three years now, but she first joined the firm as operations director, part of a new transformation team introduced to design and manage significant business change in what was even then a highly challenging part of the market. As might be expected, an important aspect of that was driving efficiencies with technology.

"I'm convinced the public are far more relaxed about using technology, even in sensitive areas such as settling an injury claim, and acceptance has been rapidly accelerated by the pandemic," she explains. "The claims industry had to embrace online to keep the wheels of justice turning, and I don't believe there's any likelihood of a return to analogue claims servicing in the volume space."

So, the firm's multi-year investment in its portal – known as INK – and all surrounding process clearly could not have come at a better time. Also in the background is imminent reform to the handling of road traffic accident claims through the Civil Liability Act. The launch of the Ministry of Justice's own long-awaited small claims portal has just been pushed back by another month – to May 2021 – and Woolham says that INK has been designed such that it can retrofit around the rules.

"The eventual process has to work really effectively," she stresses. "There have been many unanswered questions, and the system can't put any barriers in front of claimants accessing the justice they deserve. The experience needs to encourage people to use it and also to feel empowered when they do."

She knows this, as removing obstacles and optimising user experience have been front of mind during her firm's own build. "The project couldn't be about passing all the burden of effort on to the customer," she explains. "And after two years of learning about how digital journeys work in a 'one-click culture', we're confident we know how to persuade people to interact with their claim in the right way. The user experience is designed to guide them through the steps that they alone can complete conveniently."

Minster of course carries out the rest of the work, and people can still opt to speak to a lawyer if preferred – the so-called omni-channel approach. "It offers choices," says Woolham. "Some people may still prefer to make a call, or send a text message or photograph, rather than upload their information – and the reason we can offer that choice is that the process is both as slick and as cheap as possible to release more budget for the processes that need more human intervention." At some points, a human touch can also make more



**"The process is both as slick and as cheap as possible to release more budget for the processes that need more human intervention."**



sense for firm as well as customer, she adds – onboarding, for example, for a warmer start to the relationship.

“However, you should only deploy digital tools when customers are ready to use them. Around a year ago we launched a chatbot to fulfil some parts of the claim, but the feedback at the time led us to pull it back. Now it’s back on the roadmap once again.”

**Collaboration, information, diversification**

With Covid-19 clearly causing backlogs in the court system, as well as keeping everyone at home, Woolham is also concerned about the legal journey more widely. Minster has kicked off an alternative dispute resolution (ADR) pilot alongside insurers and defendant solicitors to explore how all parties can work together to avoid litigation and reduce claims settlement time for customers. “We’re delivering settlement decisions within 10 days on average – compared to the 10-plus months you’d expect for a court hearing,” she says. “That’s significant in terms of time and efficiency savings, and has to be a welcome development for all parties involved.”

“And while triggered by the Covid crisis – so perhaps more through necessity than design – it’s really welcome that claimant and defendant organisations may find new ways to put down their arms and collaborate.”

Efficiency is, of course, key in this highly competitive market, and never more so. As already alluded to, reducing cost per claim continues to be a key metric. And under her leadership the firm has been guided by the principle of deploying “the right skills for the right work,” she says, for example “introducing people who aren’t qualified solicitors for the case management.”

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**“The claims journey is quite fragmented so, alongside analytical skills, we’ve been investing heavily in simplifying our data structures for improved decision-making.”**

FIRM FACTS
<p><b>Minster Law</b>                      Offices: 1                      Countries: 1                      Revenue: £34.1m                      Total headcount: Approx. 420                      Fee earners/legal: 196</p>

In 2019 Minster Law had also acted quickly on fixed costs, for example by shutting up in London and York in favour of a single site and agile-working approach in Wakefield (chosen for its proximity to tech-expertise in Leeds). But prior to the pandemic the firm also invested £5m in the back-office operation feeding the INK portal so that it could scale. And the figure of £1.1m profit for 2019 (2018 – £1.9m) on turnover of £34.1m – inevitably impacted by lockdowns to a certain extent, although the firm does specialise in bike-related claims – will allow it to continue to invest in some key pillars of strategy, Woolham says.

“The claims journey is quite fragmented so, alongside analytical skills to interpret and manipulate data, we’ve been investing very heavily in simplifying our data structures for improved decision-making. That’s the only way to really capitalise on the opportunities in machine learning and robotic process automation in future,” she says. “Another trap, by the way, is to deploy machine learning and the like across your business processes, but not your customer processes.”

Service diversification is also on the agenda – the firm pushing ahead with plans to provide more legal services to insurance companies and brokers for their legal expense insurance products. “Technology partnership” is the name of the game here as well, with that data analytics-power helping to drive success.

And Woolham anticipates a wave of consolidation where others in this part of the market perhaps haven’t invested in the change that could carry them through such a crisis in strong condition. “It will be imperative to drive the margin out of a much thinner-margin business area post-reforms, and we’re open-minded as to exploring strategic alliances, and what transactions could look like, where they contribute to our strategic direction – as opposed to buying books of business. We’re keeping a watching brief.

“We’re certain our investments in digital capability and technology will enable Minster Law to continue to maintain its dominant market position for personal injury post-reforms.” ▾



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# Win the know

**H**ow has the past year changed the challenges facing law firm knowledge professionals? As for many functions, adaptation to unlock more remote-working efficiency has been high on the list – and therefore, of course, a core theme of our **Briefing Knowledge Leaders** virtual series in January and February 2021.

Those leaders assembled to consider the most important features of a digital document toolkit, from future firm-wide content structure and governance, to ease of individual use and access, and driving more collaborative behaviour.

And with Microsoft Teams clearly taking its place as a major collaboration solution in the dispersed-working regime, what are the potential opportunities and drawbacks of moving more KM assets, processes and meaningful data alongside?

Catch up with all the key points covered at our ideas-exchanges at: [briefing.co.uk/kl-2020](http://briefing.co.uk/kl-2020)

RICHARD BRENT EDITOR-IN-CHIEF

For more from Knowledge Leaders 2021, visit: [www.briefing.co.uk/kl-2020](http://www.briefing.co.uk/kl-2020)

 LITERA

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## 20

*Learnings to thrive*

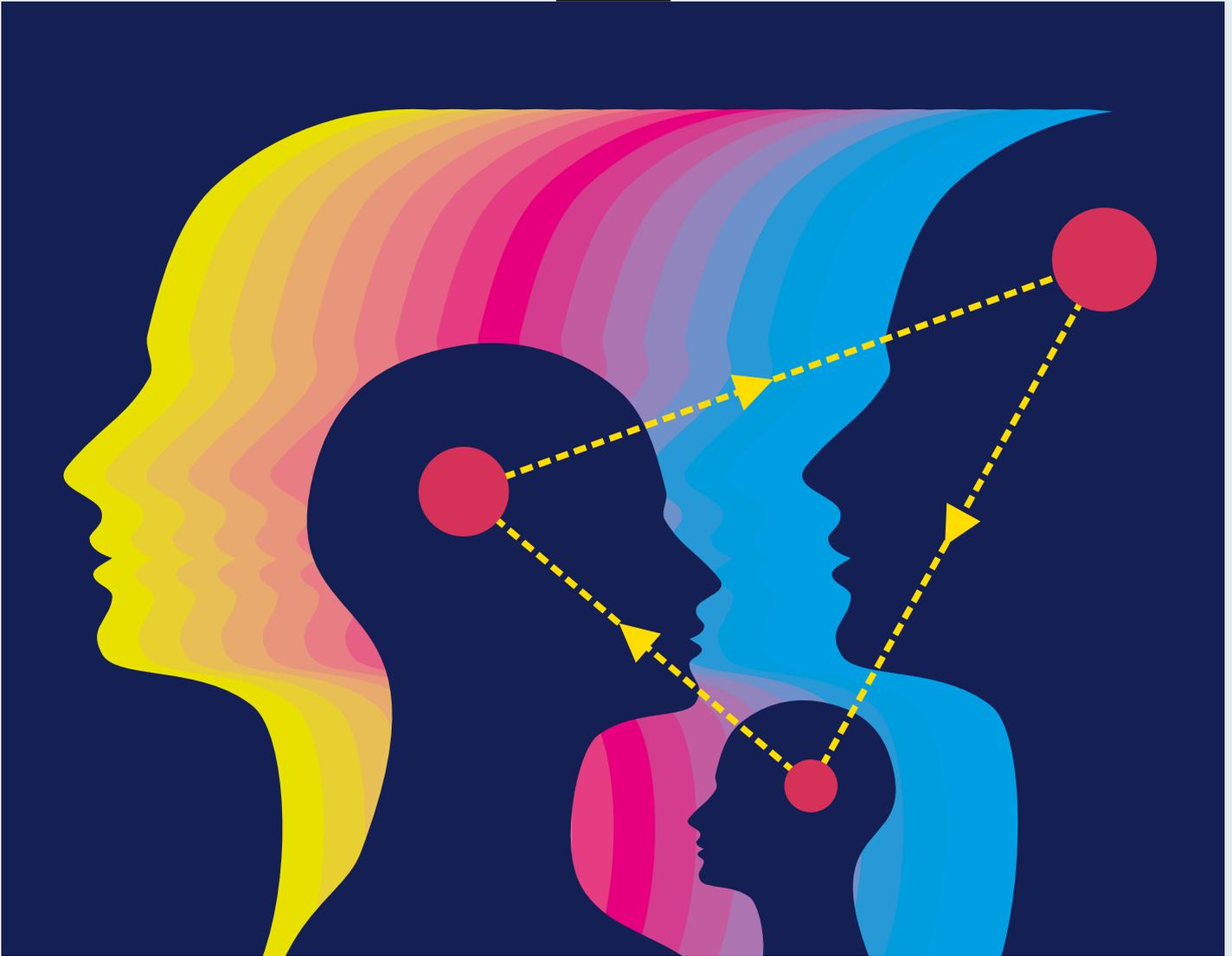
Ab Saraswat at **Litera** recommends revising your approach to constraints to make the most of the year ahead

## 24

*A new definition of excellence*

Derek Schutz at **Aderant** says firms need to enhance security, access to systems and self-serve capability





# Learnings to thrive

Ab Saraswat, vice president, international sales at Litera, shares what knowledge management professionals could learn from 2020 to plan for a better 2021

**W**hile we've undeniably lived through some odd times in the last year, chances are they're not going to get any less odd anytime soon. As we again try to plan for an uncertain future, here are a few reflections on the last year and some suggestions for how we can thrive through 2021.

## Reflecting on 2020: surviving and mastering resilience

Most of us had big plans for 2020. In last year's **Briefing** report on knowledge

management leaders, the top priority – which 71% anticipated focusing on – was “client-facing KM”, closely followed by collaboration at 65%. Of course, that wasn't exactly how the year unfolded. While collaboration was still surprisingly effective, given our physical distance, for most firms 2020 turned out to be a year of survival in the face of ever-shifting uncertainty rather than a year of growth. The silver lining is that we've learned that both lawyers and knowledge managers at law firms can persevere despite discomfort.

But, as the early events of 2021 have already shown us, the new calendar year does not demarcate an abrupt end to uncertainty. The question now – how can we become more comfortable being uncomfortable?

The answer lies in our resilience. As legal knowledge specialist Lisa McClory says: “Building resilience means not snapping back to old ways of doing things just because that’s how we’ve done them in the past.” Rather, resilient organisations recover from challenges and learn from them so that they’re better prepared for the next obstacle. That means building on our successes and ruthlessly pruning behaviours and processes that haven’t served us well.

As we look back at 2020, we’ve seen the importance of agility, even in a profession as slow to adapt as the law. We’ve learned to pivot repeatedly. We’ve learned that we can work remotely, but that we also need our data and tools to be accessible from anywhere to do so. We’ve learned new ways of collaborating and working that don’t rely on our traditional in-person, paper-based approaches.

There’s no need to prognosticate about the mythical ‘new normal’ in 2021 and beyond: there won’t be one, any more than there was an ‘old normal’ that applied to everyone. What there is, however, is a general acceptance that knowledge workers, including legal professionals, can be productive and effective from anywhere, given the right supports. Now is the time to stop merely surviving and to figure out how to thrive in the year to come.

### The process of planning

The start of the new year triggers that familiar, optimistic phenomenon that is planning. As individuals and as businesses, we resolve that this year we’ll finally overcome our struggles. Here are five goals that I believe knowledge

## Instead of looking for new technological breakthroughs, now is the time to hone our solutions and refocus on the goals we intended to pursue in 2020. Don’t be afraid to look at these challenges with fresh eyes

managers should consider when planning the next year.

### Emphasise sustainability and delivery

If 2020 was the year of surviving, 2021 will be the year of delivering. We’ve learned to deal with the challenges of remote working, lockdowns and social isolation. Instead of looking for new technological breakthroughs, now is the time to hone our solutions and refocus on the goals that we intended to pursue in 2020. Don’t be afraid to look at these challenges with fresh eyes. We’re already working remotely – how can we do so more effectively? Things that seemed novel and inaccessible only 12 to 18 months ago have become necessary and common practice, so look for ways to optimise the trends of distributed work.

While we spent the better part of a year responding to crises, the priorities that were top of mind before the pandemic are no less important than they were. When I attended **Briefing Knowledge Leaders** in 2019, knowledge and innovation leaders preached the importance of client-facing KM, collaboration and analytics. Those ideas still need to take centre stage today, rather than allowing any temporary interruption to gradually become permanent.

### Return to core knowledge management

As we go back to basics, it’s time to

## Delivering on adoption is crucial to success with technology. If nobody uses a tool, it doesn't matter how good it is, or how little it costs: those investments are completely wasted until you have a critical mass of users

refocus on the core skills of knowledge management.

- **Bridging gaps** Knowledge management and IT are closely linked, as much of KM involves deploying technology. Similarly, knowledge and innovation are intertwined, sharing strategic goals and, to a large extent, skills and mindsets. That puts KM in an ideal position to bridge the gaps that commonly exist between lawyers and IT, or between lawyers and innovation initiatives. Use your middle ground to build relationships and sell the advantages of improved technology and innovation for lawyers.

- **Promoting technology adoption** Speaking of selling technology, delivering on adoption is crucial to success with technology. If nobody uses a tool, it doesn't matter how good it is or how little it costs: those investments are completely wasted until you have a critical mass of users.

- **Gathering and leveraging data** In the same vein, KM professionals should always be accumulating data to prove the ROI of existing tools and to identify weak points where new solutions are needed. If you've let these efforts fade into the background during 2020, reinvigorate them now.

- **Curating knowledge** Many firms learned an important lesson last year: quality is better than quantity. Many KMs strove to provide all the

information that lawyers would need for the abrupt transition to remote work quickly, only to find that lawyers wouldn't sort through that huge data store to find what they needed. Supplying bite-sized pieces of information when and where they're needed, in the easiest-to-digest format, and supported by the right context, is more helpful than an information dump.

- **Improving processes and workflows**

In the rush to enable remote work, most firms were more concerned with getting it done than with getting it done in an efficient and sustainable way. Re-evaluate your end goals, taking a holistic view, and determine where your current processes and workflows have room for improvement.

### Choose technology to support digital transformation

The past year has proved that digital transformation is necessary for continued business success and growth. The role of technology in service delivery is only going to increase. As your firm now submits its technology and innovation projects for budget consideration, focus on efficacy.

Unless you understand your need first, you're wasting time, money and effort. Are you buying technology because it has a slick marketing campaign, or are you buying the tools you need to support your business strategy? How will each new technology help you to deliver against strategic business objectives? As Dera J. Nevin writes: "Legal technology must become a servant to business strategy, as well as an enabler of it"

Look carefully at your productivity workflows and continually ask what you're trying to accomplish. Is this tool the best way to get there? Ask your technology providers these same questions, and work with your trusted, credible partners to identify weaknesses

in your strategy. The world has changed dramatically in the last year. Your previous assumptions about how work needs to be done must be critically re-evaluated as well.

### Shorten your planning horizons

We proved that we could adapt. Now we must continue that growth by proactively shortening our planning horizons. It's easy to get caught in an endless decision-making loop, but delaying implementation is a sure way to stay behind the curve. While you're the expert in understanding the nuances of your firm's people, politics and decision-making process, other experts – your competitors – are tackling similar problems with similar objectives. You cannot afford to take three to five years to make decisions when everything may be different in a matter of months.

Compressed time frames are one example of a useful concept that I've been working with a lot lately: using constraints to spark creativity.

### Leverage constraints to foster innovation

Constraints are a powerful mechanism to accomplish meaningful work. In fact, constraints and performance are arguably the only criteria that matter. If you did your job within your constraints, and your output meets your performance goals, you've succeeded.

But constraints have been underused as a tool for innovation in law firms. Contrary to what we intuitively believe, innovation and creativity increase under reasonable constraints. Without limits, we tend to become complacent and follow the path of least resistance to reach the most obvious answer, which is rarely the best option. Constraints can

**We proved that we could adapt. Now we must continue that growth by proactively shortening our planning horizons. It's easy to get caught in an endless decision-making loop, but delaying implementation is a sure way to stay behind the curve**

help us to bring problems into focus and provide a healthy sense of challenge. This isn't just my opinion. Research, published in Harvard Business Review in 2019, has established the value of constraints in improving creative thought so long as they aren't too stringent.

Indeed, there's a fine line between constraints that inspire novel ideas and restrictions that discourage action owing to a sense of helplessness. As a leader, your role is to manage this distinction. One way to impose flexible limits that aren't overwhelming is to separate must-haves from nice-to-haves, providing an optional challenge for those motivated by difficulty. You may restrict inputs, such as time allowed and budget, or outputs, such as product or service requirements. Note that these constraints don't have to be scientific – arbitrary limits work just as well to spark creative thought.

Knowledge management is the change-making engine under the hood of every firm. It's essential to capturing and optimising the value of organisational knowledge that supports every aspect of enterprise strategy. It's also about building for the future. ▀



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# A new definition of excellence

Derek Schutz, product manager at Aderant, says new ways of working require new levels of transparency and trust

**A**derant's annual Business of law survey, out later this month, reveals some interesting data concerning business continuity in the early days of Covid-19. In spite of entertaining examples of CIOs raiding electronics stores, and buying every laptop in sight, the truth is that only 8% of firms admit they were "somewhat unprepared" or "completely unprepared" for full-scale work from home.

So in retrospect, firms and their employees were 90% 'there' when it came to full-scale work from home capabilities, such as laptops and reliable wifi. But what new security risks were posed when everyone went remote? With a growing need to share documents

and information with clients securely, new standards of security became a full-time endeavour. Virtual private network (VPN) access and cloud-based solutions powered by Amazon Web Services immediately come to mind as gold standards. Essentially, it comes down to having a new definition of excellence in law firms with regard to internal security protocols.

For secure sharing and collaboration with clients, leveraging all existing technologies and capabilities within Office 365 and SharePoint Online ensures that client data is delivered securely. Providing collaboration and portal options to many clients, not just a select few, can directly impact on a firm's ability

to provide transparency and trust, retain business, cross-sell additional services, and to compete for new business. Aderant Drive allows a law firm to create secure, scalable collaboration portals for all its clients.

### The shift to self-serve

Law firms are treasure troves of information, documents and data. Lawyers need fast and easy access to that information, without distraction. Other staff are no longer sitting directly outside their offices, ready to provide them with the matter and financial data they need. Remote work requires them to have a self-serve ability, not just so that they can find that critical information, but also so that it remains relevant, timely and accurate. Out of necessity, and often with a lack of long-term vision, firms have joined together a patchwork system of legacy applications to try to provide lawyers with what they need. Many firms are now trying to incorporate Microsoft Teams as a collaborative space for lawyers and their practice groups. That may be 'good enough' for now in terms of connection and communication, but redefining excellence should mean going a step further.

Aderant Handshake uses more than 40 external data connectors to create a single source of truth, providing access to all a firm's internal data, plus a 360-degree view of the client through one digital dashboard. These customised digital dashboards help lawyers to filter out the data 'noise', enabling them to deliver self-service and the transparent status of all client matters, including budgets, filings and the names of the lawyers and staff who are delivering a service, to name a few.

On top of increased security and providing lawyers with the ability to surface data where they work, firms' clients are also requesting online access to their matter

## Out of necessity, and often with a lack of long-term vision, firms have joined together a patchwork system of legacy applications to try to provide lawyers with what they need

information and documents 24/7, expecting the same transparency and automation they receive from other service providers. Best-in-class firms use best-in-class technology to service their clients. Effective knowledge management tools help firms to manage their data and documents, surfacing the most relevant items for lawyers and staff. And secure client portals aggregate that information into a personalised view for clients. This single view, accessible anywhere, at any time, makes life much simpler for lawyers and clients alike as they get information immediately, when and how they want it.

With deployment simplicity, just about anyone in the firm can deploy a legal client portal with Aderant Drive. By removing the cumbersome burden of time and effort expected of the IT department in creating the portals, every client can be treated as though they are part of a key-client programme. Imagine being able to deliver a custom portal to all new clients at intake, ensuring security and a level of trust from the beginning of the relationship.

There is a collective optimism that science will allow us to see the pandemic in the rear-view mirror in 2021. Research indicates that firms were more prepared than originally thought for navigating the current crisis, but many challenges lie ahead when it subsides.

Redefining excellence should be right at the forefront of law firms' plans, especially surrounding security, access to critical systems and data, and self-serve capabilities for both lawyers and their clients. ▀

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# Engaging success

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**28**

*Measure of measures*

How are marketing and BD leaders measuring success, and what's preventing firms from making more progress?  
Richard Brent reports

**32**

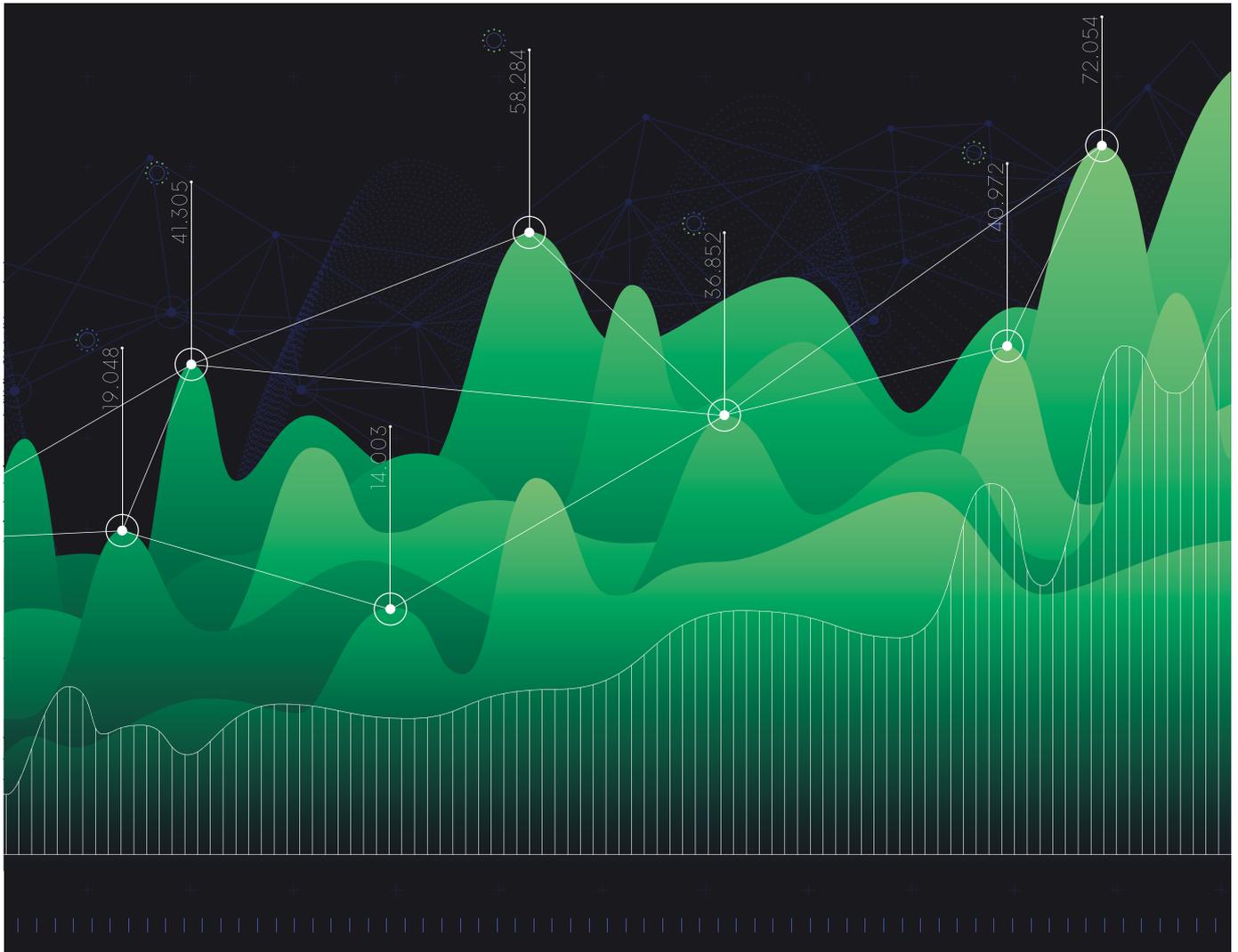
*The data science of relationships*

Understanding client engagement touchpoints is a science, says Michael Warren at  
**Wilson Allen**

## IN CONVERSATION

# Measure of measures

A recent **Briefing** roundtable, with Wilson Allen, considered the challenges for law firms when leveraging business development data to drive change. Richard Brent reports



**A** lot of law firm business development activity hasn't been possible in the past year (alongside all manner of events, of course). But the goals of the effort that has been worked up to replace it are the same – winning profitable work from new and existing clients, maintaining strong relationships as a predictable source of future work, and preserving hard-won brand recognition over the years.

Firms may also want to see a solid return on BD spend and time spent. However, it appears proof of that might well be one of the hardest prizes of all to

net. And the challenge can't be attributed to the year of Covid-19.

Sadie Baron, chief marketing officer at Reed Smith, highlights the dizzying range of potential success indicators – external barometers of brand, RFP results, PR, web analytics, client feedback scores and more. “There’s just so much, so how do we make all of that meaningful for management? It’s really hard to make the connections and reliably prove that this event, or that piece of profile-raising, led directly to this introduction, which landed that piece of work.”

Deborah Fleming, marketing and business development director at Walker Morris, adds that some successes, such as revenue and cross-selling growth, are significantly easier to track than others – increased brand awareness, for example – and there’s a judgment call to be made about best use of time. “It’s easy to get dragged into measuring whatever you can, rather than prioritising what’s most useful,” she explains. “We regularly prepare a report, and find every time that it has grown through a new piece of analytics. We have to remember to keep asking whether new information will lead to doing something differently.”

Sean Twomey, director of marketing and business development at HFW, agrees. “Strategy is as much about what you don’t do, and law firms can really struggle with that idea. Once you understand the growth you want to see, you really need to agree your metrics.” Most interesting and indicative for him, he says, are referral numbers – which are a sign of both cross-firm collaboration and effective client listening.

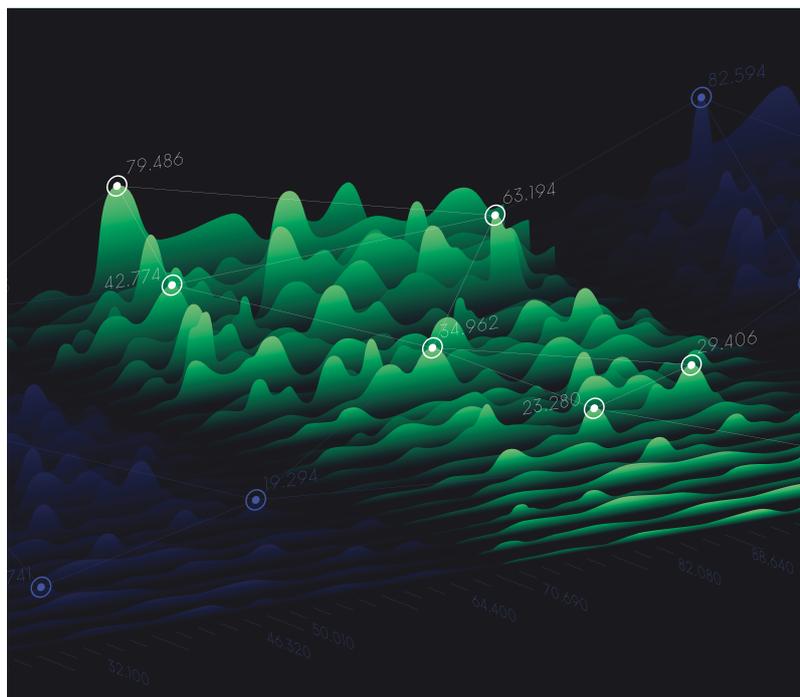
### Lake it or not?

Hogan Lovells global head of business development and strategy, Adam Soames, says his firm has invested in creating an enterprise data repository to help correlate finance, marketing and other data from a variety of systems for greater insight – and

now it’s exploring which external data points can help with both client understanding and some predictive modelling. He agrees that complexity can snowball, however, and cautions: “You can throw a lot of money at things and get nowhere fast. Focus is key. You need to be selective and work on particular proofs-of-concept in priority areas.”

Mark Parr, global director of IT, also at HFW, says that firms also simply hold on to too much old data. “Keep it if it produces insights by all means, but you shouldn’t need to accommodate data that is 20 years old. It isn’t providing value.” Firm-wide data strategy and governance is one of his top priorities, he says. “It was most acutely in focus when looking at our journey of migrating to the cloud. We don’t want to take all that data with us.”

On the other hand, sometimes key data to make the right link can be missing. “You have so many data points, and of course it’s a challenge to connect them all,” says Jan Meyer-Berkhout, head of BD and communications at Germany-headquartered Noerr. But humans can also present a problem. “Even where data is ‘good for them’, some lawyers might not like the level of transparency around their work, or not pay enough attention to it. Referrals are great, but you can’t just pull them out of a hat. Somebody needs to record them.” In short, if they aren’t already, lawyers need to be persuaded of the value of having high-quality data in their



**“Strategy is as much about what you don’t do, and law firms can really struggle with that idea. Once you understand the growth you want to see, you really need to agree your metrics.”**

*Sean Twomey, director of marketing and business development, HFW*

systems for said data to be entered.

Others suggest that the top obstacle may lie nearer the top – lack of an overarching data strategy as a firm. Robert Smith at Geldards says: “Forget ROI – data first needs to be joined up to be modelled and understood, but you also need a fundamental shift in business model that recognises it as a strategic asset.” A global IT director adds: “In order to interest lawyers in the bigger picture, it also needs to be explained in a very visceral way.”

### Cross that bridge

One aspect that many are exploring is the relative strength of cross-selling clients services across the firm. Baron at Reed Smith says success can be measured in several ways – but she agrees with Meyer-Berkhout that the relationship between measurement and behaviours is critical. For example, do firms run the risk of some retrenchment on recent progress toward sharing data and relationships in the fallout from the pandemic? “We have a data-management strategy, highly integrated systems, a single taxonomy set and measurement of relationship strength, but there’s still a risk of people deliberately holding on to relationships and work.” Are they sufficiently incentivised not to do so?

And for all the clear advantages of agile working,

Smith at Geldards highlights that our long-term absence from shared office space has potential to reduce sharing behaviours as well. “We’re not bumping into one another in the corridors, of course, and there’s also a focus on understanding ‘my day, my dashboard’. You don’t want technology to be driving even more siloed thinking. Perhaps even more than data or technology, I think this is a change management issue.”

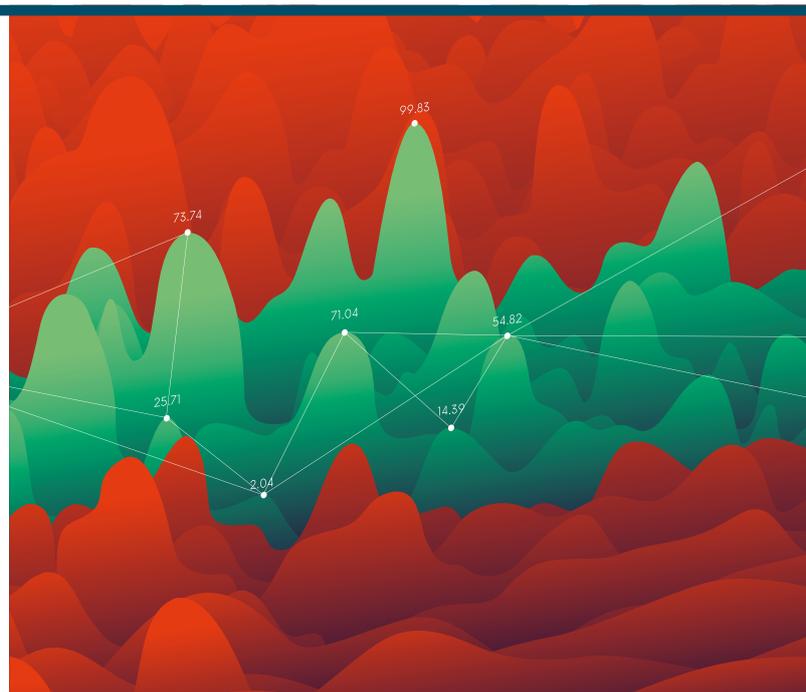
Where these levers are effectively handled, Twomey at HFW believes that better measurement of results should also materialise: “If we incentivise and reward the right behaviours, the data ought to follow.”

But Fleming at Walker Morris highlights that data also has a part to play in changing the behaviours: “It’s the age-old problem of lawyers being measured in ways that might now be helpful to the whole. However, we’ve recently calculated that a department’s average revenue increases the more that other areas are sold – and we need to push more data like that out into the business. Law firms don’t do enough of that. Lawyers aren’t shown enough numbers for them to appreciate their value, and it needs to be built into the culture from the beginning of careers.”

In the meantime, Smith at Geldards adds: “Lawyers primarily deal in words, so you also need to think carefully about the way that the data is

**“Lawyers aren’t shown enough numbers for them to appreciate their value, and it needs to be built into the culture from the beginning of careers.”**

*Deborah Fleming, marketing and business development director, Walker Morris*







# The data science of relationships

Michael Warren, VP, client development and intake, at Wilson Allen, says use data to redefine client engagement and drive opportunities

**E**very significant economic event, from the global banking crisis to the present impact of the pandemic, prompts questions about the best approaches to winning new business and measuring the ROI of those approaches.

In the past, law firms have tended to focus on systems that affect existing client management, specifically client onboarding, conflicts and time and billing. Applications and information used to support business development and marketing have not received the same level of attention. But the trend is changing.

## New definitions of client engagement

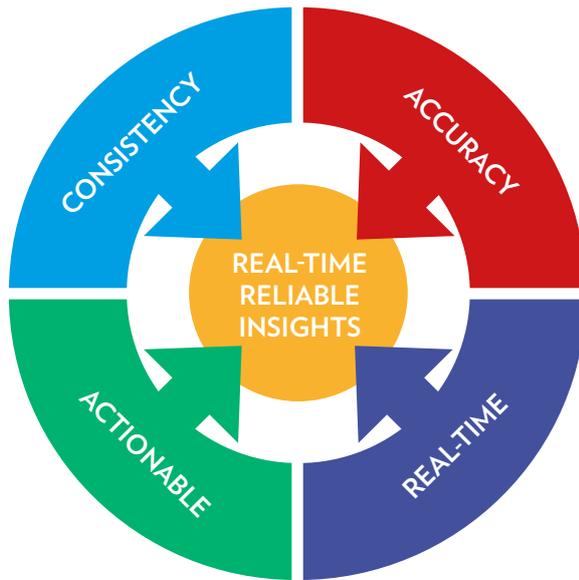
Law firms now have an unparalleled opportunity to redefine how they measure client engagement and how they use data to make strategic decisions. Artificial intelligence, machine learning and other technologies are now available to law firms to study data that was once disconnected and to convert it into meaningful insights, accessible across the firm. But siloed and unstructured data, built on rigid architecture models, pose challenges to this evolution. That's because analysing data from only one silo doesn't provide a true picture. For example, if you only look at financial metrics, you might see

all clients for which you are achieving the same margin as equal. But if you consider the cost of winning that work, and the feedback the client gave when you closed the matter, you might get a vastly different picture.

Combining data from multiple sources can help firms to identify the most promising business opportunities. Best practice in the past was to push all data to track client engagement to the CRM system. By combining data science with master-data strategies, that is no longer necessary. You can build a Power BI dashboard using Excel without having to create a massive data warehouse before you can deliver a meaningful output.

## Cross-organisation collaboration

As the heads of the business operations departments collaborate to align their plans, there's more of a process-focused approach to system implementation and information management. Rather than implementing systems to achieve specific business functions, firms are looking at business processes holistically and the data needed to support them. More importantly, they are looking at data from different engagement touchpoints across the client journey to measure the impacts of client engagement.



By taking this approach, firms are identifying weak links in the chain when it comes to data capture. This clarity is enabling them to rethink integration strategies based on how data moves, who needs it and when, rather than which systems need to connect.

### Focusing the effort

Sorting out 'the pipework' is only one step in getting the information flowing. Ultimately it would be best if firms focused on the questions to answer. When asked what partners want the most, it usually boils down to a relatively short list of needs, including:

- Protect and maintain existing client relationships
- Cross-sell and grow clients with development potential
- Secure new business
- Manage the wider relationship network (for example, referrers)
- Manage the internal relationship network (who is the best person to speak to?)
- Connect the experience the firm has to the needs of their clients.

Reports generated in most law firms tend to be

data dumps, not actionable insights. There's also a tendency to focus on quantity of data, not the quality. It is far more important to ensure you can deliver consistent, accurate, actionable and real-time data to produce reliable, insightful analysis.

Marketing and business development should be seen as a science, not an art. While there is always a need for artistic flair in anything with a human dimension, it's essential to place client metrics at the heart of your strategy. Everything the firm does in terms of client engagement must be measured, and must ultimately be able to be brought together.

For example, firms should be looking at these metrics as indicators of the impact of their client engagement efforts:

- **Client revenue total** – How much is the client worth?
- **Client revenue trajectory** – Is the revenue declining, growing or flat?
- **Practice penetration** – How many practices are working with the client?
- **Level and volume of engagement** – How many relationships do you have and at what level?
- **Client feedback** – how do they rate you in terms of service, quality of work, value for money? Include Net Promoter Score as a metric here if you capture it.

A decline in a client's engagement, for example, is a predictor of a decline in revenue and satisfaction. This outcome is expected. However, the point of introducing data science is to prove empirically that which you already believe to be true instinctively. The result is greater value placed by stakeholders on the systems and support that marketing and BD provides and, more importantly, more focus on the behaviours that drive client satisfaction and engagement. ▴

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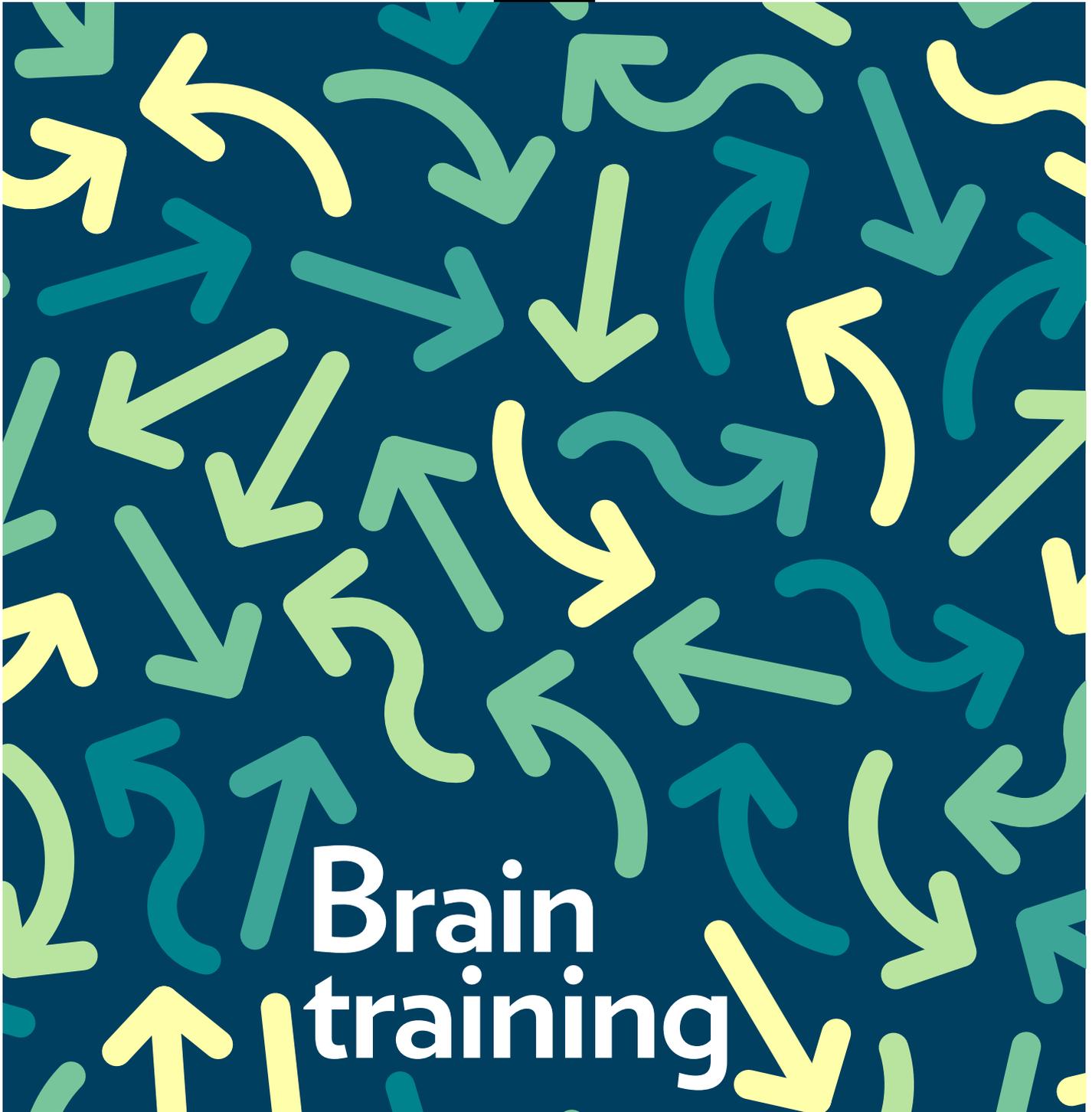
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# Brain training

36

*Legal creation conundrum*

Mark Ford, chief knowledge officer, **Baker McKenzie**, outlines the hurdles that innovation often has to overcome

40

*Beyond the boundaries*

Rachel Barnes at **Ashurst** and Grzegorz Harasimiuk at **DLA Piper** explain how a handful of firms managed to collaborate

## THE ESSAY

# Legal creation conundrum

In a two-part exploration of the state of legal business innovation, Mark Ford, chief knowledge officer, Baker McKenzie, first considers the persistent challenges in the law firm ecosystem



M

any law firms today perceive innovation as essential to their business.

This has been a growing trend over the last few years, as markets become ever more competitive, margins are squeezed, and the capabilities of technology grow apace. Millennials have joined the workforce with a fresh perspective on tasks, an affinity with technology that others may lack, and a willingness to ask whether there's a better way of doing things.

Perhaps the biggest catalyst, though, is client demand. As clients have been forced to innovate within their own sectors, they are understandably asking legal advisers to do the same. An innovation programme is fast becoming a strategic imperative, and firms that ignore it risk falling behind their competitors.

But any firm seeking to innovate is likely to face

significant challenges because of the nature, culture and structure of law firms, which are rarely innovation-friendly environments. It requires a change of mindset and approach to be successful and have a meaningful impact.

By definition, innovation is the introduction of something new – but a general notion that 'we'll know it when we see it' is unlikely to work. It may be helpful to consider the following areas of opportunity.

### Incremental improvements

This involves making improvements to the way tasks are done, or projects carried out, but not fundamentally altering the way in which legal services are delivered.

Examples would include:

- **Knowledge management**

The creation, curation and management of internal and external knowhow resources to allow lawyers to leverage the firm's collective knowledge when advising clients

**Any firm seeking to innovate is likely to face significant challenges because of the nature, culture and structure of law firms, which are rarely innovation-friendly environments**

- **Legal project management**

The use of dedicated project managers to support the efficient execution of major client projects

- **Process improvement** The analysis and streamlining of processes involved in client matters to make them more efficient, for example by reducing time, lowering cost or improving quality

- **Automation** Implementing technology to replace or streamline some tasks that were previously done manually, such as proofreading or elements of legal drafting

- **Offshoring or 'right-shoring'** The use of lower-cost

resources in order to carry out some elements of client projects, especially where these are lower value and repeatable.

Many of these areas are now becoming 'hygiene' factors, and client expectations around them are typically high.

### Offering new kinds of services

A second form of innovation is about delivering value to clients in new ways. That could be legal advice delivered in a new way – for example using technology to share 'just in time' guidance with clients on specific issues, giving clients elements of self-service for certain types of documents, or using technology to allow clients to answer specific legal questions as and when they need them. Alternatively, it could involve new services beyond the scope of those traditionally provided by law firms, such as consultancy on particular areas, operational or business services secondments, or offering clients access to in-house tools and resources.

The list of what firms could offer clients here is potentially endless, but the first challenge is to ensure that the new product or service adds real value. Techniques like design thinking – a collaborative process that focuses on partnering with the end consumer of the product or service – can help. Simply asking clients what they want is unlikely to yield helpful insights because the solution – or, indeed, sometimes the problem – is not necessarily easy to identify. Equally,

**New products and services could stray out of the realm of traditional legal advice, but if they don't support the firm's core strategic goals they probably aren't worth pursuing**

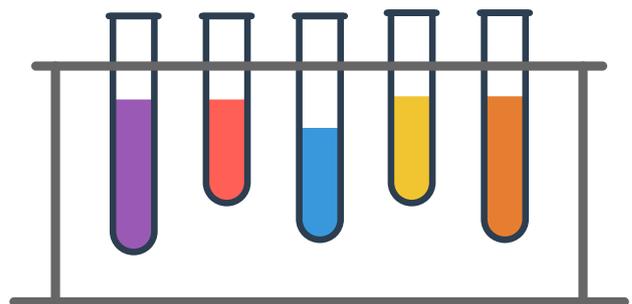
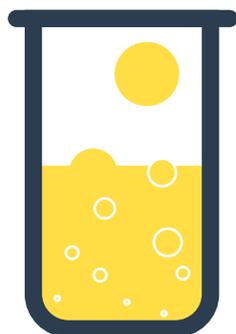
starting from a firm-centric perspective probably won't result in new ideas that generate real value for the client. But having a conversation to understand a client's challenges and pain points, and then collaborating to explore potential solutions, may well do so.

The second challenge is to ensure the new product or service makes commercial sense for the firm. Whatever the new offerings, they need to be complementary to its core business. Clients might need help getting their dry cleaning done, but that service wouldn't be aligned with the firm's core strategy and strengths. New products and services could stray out of the realm of traditional legal advice, but if they don't support the firm's core strategic goals they probably aren't worth pursuing.

### Exploring the future

This is perhaps the least comfortable area for law firms because it involves experimentation, likelihood of repeated failure, and high levels of risk and uncertainty – all things that are anathema to lawyers and diametrically opposed to what they aim to achieve for their clients when giving traditional legal advice.

Despite hype surrounding artificial intelligence and machine learning, they clearly have massive potential to transform delivery of legal services, and have already demonstrated this in areas such as large-scale document review exercises. Most commentators agree human-based decision-making will still be needed (at least for the foreseeable future), but that this will be supported and enhanced by the application of technology and data analytics. Indeed, tools exist – for example, through the ability to identify relevant documents in a large dataset – to flag unexpected clauses, or highlight risks for review by lawyers. A future where legal outcomes are machine-predicted based on review and analysis of similar past situations, and this information dictates strategy, is not far away.



While AI hasn't yet fulfilled its potential, its capability to disrupt the established legal business model has already been credibly established, and there's no doubt it will go further. Law firms that wish to thrive in that future need to explore and understand it now. This limb of the innovation programme, then, is about more radical thinking, a willingness to look at new business models and experiment with tools, technologies and approaches that will set the firm up for success in the longer term.

### What are the barriers to innovation?

Any firm wanting to innovate is likely to face a number of challenges, however. Here are some examples.

### The structure of partnerships

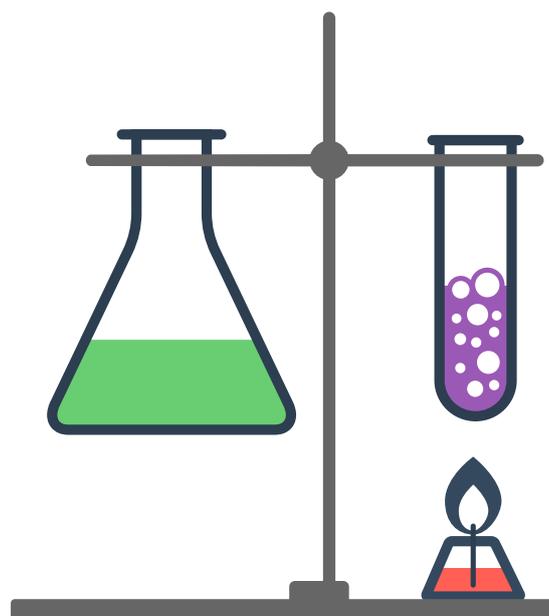
Most law firms are still structured as partnerships, and individual partners usually have a high degree of autonomy in running their practice. As a result, every partner has to be convinced of the merits of any change programme. Some partners may embrace the innovation agenda, but many may not and they will need to be persuaded of the benefits of innovation – in the context of their personal practice. This is a barrier to any change initiative within a partnership environment, but it's particularly challenging when trying to introduce innovation as it isn't a subject everyone intuitively understands. It requires meaningful engagement, thought and input from

partners to succeed. Firms that are not prepared to engage with, educate and listen to a broad range of stakeholders are likely to fail in their innovation goals.

### Law firm finances

There are also a number of typical financial elements working against innovation. First, the traditional law firm billing model remains the chargeable hour, notwithstanding the fact commentators have been predicting its demise for 20 years or more. It's true, of course, that many firms have adopted alternative billing arrangements in some cases, such as fixed fees, success fees or value-based charging, but for most matters in most firms the chargeable hour continues to hold sway. There may be many incentives to innovate, including financial factors, such as pressure on fees, but the continued dominance of the chargeable hour creates an inertia against innovation. To put it crudely, if law firms are still being paid by the hour, a big potential motivation to innovate is missing. Firms that are serious about innovation should therefore give significant thought to their pricing strategy.

Furthermore, the remuneration model for partners and lawyers at most firms is not aligned with the goal of fostering innovation. The focus is almost always on billable time, and firms' highest earners are typically those who bill the most hours. Innovation requires investment of time in activities that may not be directly billable. In some cases,



**It requires meaningful engagement. Firms that are not prepared to engage with, educate and listen to a broad range of stakeholders are likely to fail in their innovation goals**

it may even result in a short-term reduction in revenue, so this needs to be seen in the wider context of goals such as increasing the firm's competitiveness, adding client value or building client relationships. It's a truism that people behave according to how they are measured and rewarded. Firms that want to encourage innovation will therefore need to recognise and value contributions that are not directly chargeable. Without incentives like this it's likely that only the most enthusiastic and dedicated innovators will engage with the programme.

Firms also tend to focus on short-term returns, with a great deal of focus across the industry placed on annual revenue and profit, especially

profit per partner. Some elements of an innovation programme – particularly those at the more exploratory end of the spectrum – are unlikely to produce a financially quantifiable return within a year, so firms are likely to need a longer-term view.

### The lawyer mindset and skillset

Lawyers generally have a particular way of approaching their work, which makes them excellent lawyers but tends not to be conducive to innovation. Lawyers are trained to spot problems and think of reasons that something won't work, so they have a tendency to kill new ideas at a very early stage. And they are naturally averse to risk, which is inherent in any innovation initiative. This is also a reason that relatively few successful lawyers make good innovators: the skills and mindset needed to succeed as a lawyer are very different from those that are needed to succeed as an innovator.

There's likely to be a skills gap in many firms, which are most accustomed to helping clients achieve specific commercial goals. Clients ask them to help win a dispute, to acquire a company, or finance a

**Firms don't tend to be set up for the sort of creative thinking required for successful innovation, and typically lack either people with the skills, or the ability to combine skillsets effectively**

development project, for example. Firms don't tend to be set up for the sort of creative thinking required for successful innovation, and typically lack either people with the skills required, or the ability to combine skillsets effectively.

### Innovation can be hard to define and measure

Many firms also find it hard to define what 'good' looks like in the innovation space because it's at least partly about inventing an unknown future. As clients can't necessarily spell out exactly what they want, goals can be quite difficult to set. A different balance of risk vs return on investment also needs to be found, with acceptance of a higher level of risk and less certain returns. Goals may therefore have to focus on internal awareness, client engagement, market

impact and other 'softer' metrics, at least in the early stages of an innovation initiative.

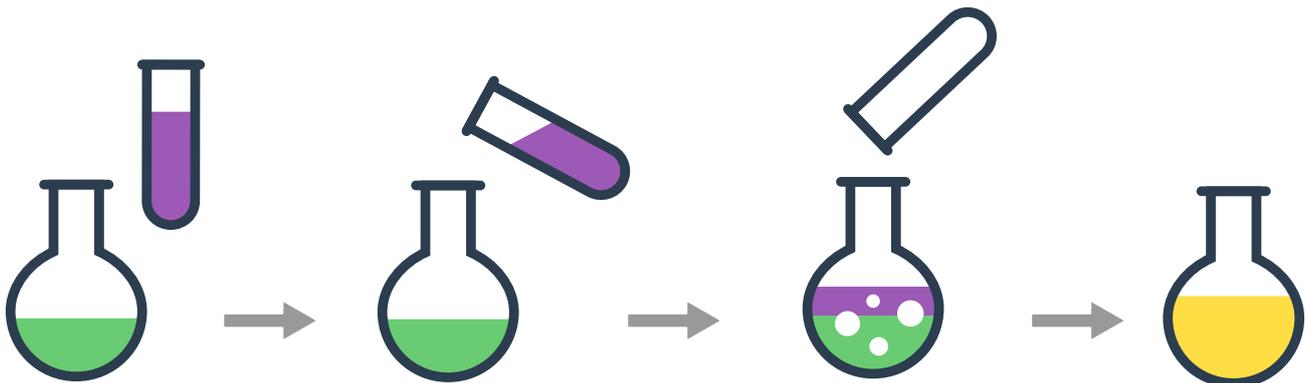
### Potential resistance to change

Finally, many lawyers – indeed many people in general – are naturally biased against change, and this is especially the case in times of uncertainty, such as those we are now in. People may say they want change – and, indeed, change is arguably more important than ever in the current climate – but the reality is that uncertainty tends to increase resistance to change as people retreat to their comfort zones.

More than that, there is a risk that organisations believe someone can come and 'do innovation' for them, as though it were a surgical procedure that could be carried out while the lawyers continue with their business as usual.

Of course, someone will need to lead the charge and help to set the innovation agenda – but it won't succeed if the organisation lacks a genuine desire to change and a willingness to do things differently. ▴

*Part two to follow*





HANDS ON

# Beyond the boundaries

Rachel Barnes, head of collaborations at Ashurst Advance, and Grzegorz Harasimiuk, process improvement lead, DLA Piper, explain the purpose and process of a multi-firm collaborative effort to get closer to a consistent case management platform for international arbitration

**F**or many years, international arbitration has evolved to keep pace with new technologies and the increasing digitisation of information and services. As a party-driven, and increasingly online, method of dispute resolution, international arbitration is well placed to be at the forefront of the technological revolution in dispute resolution, particularly as it is accustomed to connecting disputing parties from different jurisdictions around the globe. Communication often takes place via email or chat functionality; documents are frequently served, filed and

subsequently stored online; witnesses might be interviewed via videoconference; document production is often completed using artificial intelligence; hearing bundles might be digital; and hearings themselves are also being conducted online or partially online.

Despite all of this, there was no universal guidance as to how arbitrations should be conducted online. Tribunals, parties and their counsels would often adopt different online tools depending on the particular arbitration. Different institutions have also had different levels of guidance in relation to online arbitrations. Some are quite prescriptive, while others are silent. The

**Rather than each law firm ideating and solving problems in a fragmented way, it would be much more efficient to come together [and] pool knowledge and resources**

lack of consistency risked creating inefficiencies with respect to the management and conduct of an arbitration. Importantly, this lack of guidance also made some processes vulnerable to breaches in cybersecurity.

**A case for collaboration**  
The legal sector competes on

the basis of its expertise and relationships as trusted adviser. That doesn't naturally support a collaborative approach with competition to solve problems. However, collaboration is something that will grow increasingly important for non-proprietary problems such as this. Rather than each law firm ideating and solving problems in a fragmented way, it would be much more efficient to come together, pool knowledge and resources, create multidisciplinary teams and solve common problems for the benefit of the wider legal sector and, ultimately, all firms' clients. And this project, to arrive at a new protocol for case management technology internationally, has proved it. We thought that lack of time would be the biggest obstacle, but in fact managing the project in a sensitive way, ensuring that the workload was shared, and with open and honest communication, meant that our approach was agile and speedy.

Once we realised the project needed a neutral approach – that it would not be owned by any one law firm – the next step was to list the top arbitration firms. Rachel reached out to her innovation network at those firms. Referrals were made to the right people, with briefing calls to introduce the topic, and then the first meeting was scheduled. In that first meeting, we made it clear that it was an exploratory chat and no commitment, at this stage, was required. It was an open and inspiring discussion. Six firms engaged and one dropped out.

There is no one playbook for an activity like this, and it's easy

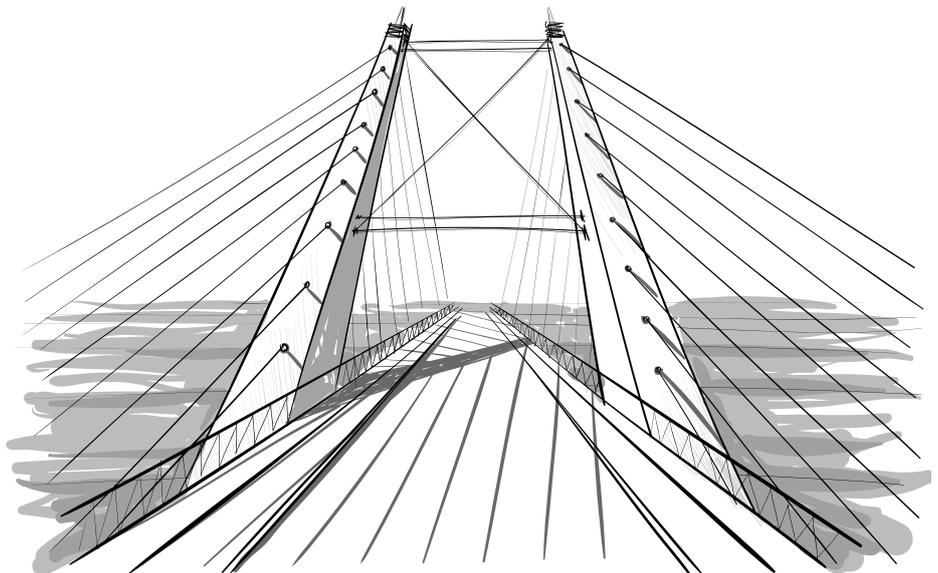
**There is no one playbook for an activity like this. We took a step back from an initial focus on which tech platform would meet our needs, to consider what all of our needs actually were**

to jump immediately to 'solutionising'. But what we started with was an understanding of the problem – we took a step back from an initial focus on which tech platform would meet our needs, to consider what all of our needs actually were. That's when Grzegorz and Heidi Thomas from DLA Piper joined the group to bring their process-design expertise. We ran a couple of workshops to map the various arbitration processes out there, and then had a deep dive into the areas of heightened concern from a cybersecurity perspective. That brought us to the realisation that there was no universal guidance as to how arbitrations

should be conducted online. And this led to the further realisation that the different institutions' lack of consistency to providing guidance in relation to online arbitrations risked creating inefficiencies and vulnerabilities. We took a step to the side at this point and decided to collaborate to create an industry 'best practice' for online management of international arbitration and guidance for users of arbitration, as well as technology companies, to ensure ongoing efficiency of international arbitration in the modern world. That has brought us to where we are now, but the really fantastic thing about this process is that we have realised that the protocol is just phase one – that there is so much more we can do as a cross-firm team.

### **Protocol practicalities**

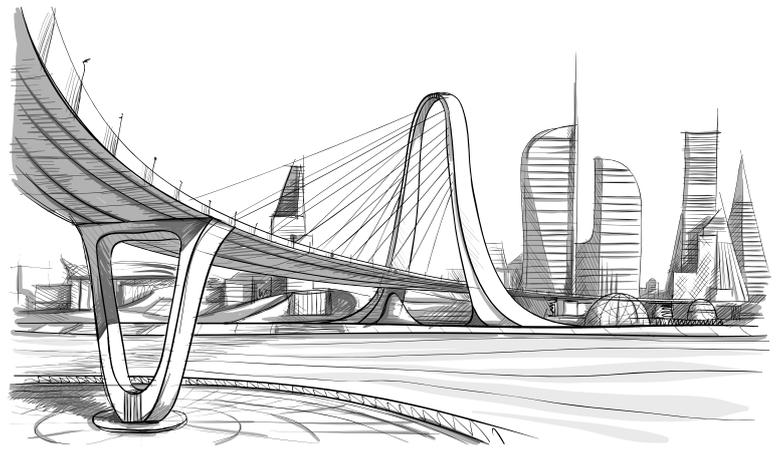
There is a group of lawyers who are the subject matter experts, and who are supported by the project lead/manager and process design experts; we then



**All people involved got the buy-in of management at their respective firms to be able to dedicate the necessary time to it and have it recognised as a strategic project**

also tapped into each firm's PR expertise for the consultation launch. It has been a truly multidisciplinary team approach, drawing on everyone's strengths, and without any sense of 'them and us', which unfortunately can be a 'thing' in some law firms. We used a HighQ Collaborate site to store and manage all our documents, the to-do list and diaries. We also involved arbitration bodies in the progress of the project and the consultation.

The key to any project, but particularly one that involves disparate parties, is communication. Even knowing this our communication could have been better, particularly at



crucial points such as the run-up to the recent open consultation on the protocol. However, it is testament to our group's approach that the challenge was caught and discussed quickly, with a plan put in place to address it and redistribute workload. Now that the protocol has been launched we are running an end-of-project 'lessons learned' session, so we may have more learnings to share in future.

The resources you need for a successful collaboration project depend very much on the setup at the contributing organisations. If someone is running a collaboration like this off the side of their desk, it certainly poses challenges and constraints.

The key investment for everyone involved in our collaboration was, and is, dedicating the time. Again, this is not something new or unique to this project, but something which comes up regularly when discussing change and innovation in law firms. Getting people to dedicate the time to keep up the momentum can be really challenging, but this group did it, as painful as it sometimes was to juggle this alongside normal workloads in an especially challenging year, anyway.

All people involved got the buy-in of management at their respective firms to be able to dedicate the necessary time to it and have it recognised as a strategic project. ▀

## QUESTIONS OF PROCESS: WHAT'S IN THE PROTOCOL?

In deciding whether to adopt an end-to-end platform for arbitration, the cross-firm group's new protocol recommends consideration of the following factors, among others:

- **ADMINISTRATION** Conflict, AML and sanctions checks; negotiation; mediation;

invoicing and payments

- **CASE HANDLING**

Filings; inter-party communication; data sharing/disclosure; document review; translation

- **HEARING** Case presentation; video/audio; transcription; translation

- **AWARD** Deliberations; scrutiny, rendering and the authentication of award.

Key 'must haves' identified include protection of data privacy/security, such as compliance with cybersecurity standards, limiting data access to those who need it, threat-detection/monitoring, and particular examples of functionality, including data being text-searchable and enabling separate

workspaces for parties by making use of user-based permissions. There are also several 'nice to haves' listed, including hyperlinking across uploaded documents, tracking document amendments for version control, and the possibility of integration with other tools that parties use.



# Industry views

Issue sponsor:



- 44** *Time for transformation*  
Stephen James, founder and CEO of **sa.global**, says it's time for firms to embrace the advantages of true cloud to empower their agility
- 48** *Power to the paper-light*  
Hilary Hallen at **Knights** explains how the firm reduced paper and the more mundane parts of court preparation with **Bundledocs**
- 50** *New ways of workflow*  
Babar Hayat and Barry Rodick at **Konexo**, **Eversheds Sutherland** explain the role of **Autologyx** in improving client process
- 52** *Still the time to talk*  
Joanna Swash, CEO at **Moneyppenny**, says it's time for firms to take fuller stock of how well they handled all the aspects of remote working
- 54** *2021 – the year of role evolution*  
Phil Muller at **Williams Lea** says the design of the future model of work will need to be based on hard data
- 56** *Journey to the cloud*  
Howard Russell at **RBRO** describes the critical practical considerations when planning to move systems off premises
- 58** *Capture time and increased profit*  
Todd Gerstein at **Iridium Technology** says automated time capture can transform many things
- 60** *A year of change*  
Sam Nicholls at **Intelligent Office** says resource smarter rather than rush to reduce headcount for supporting work
- 62** *Transform the tech experience*  
Matthew Newton at **Oosha** says the IT infrastructure for remote working now needs optimising
- 64** *Next normal needs*  
Tony Cox at **Peppermint Technology** reviews what's needed of firms' next solutions to safeguard fee-earner productivity



INDUSTRY INTERVIEW

# Time for transformation

Leading Microsoft partner sa.global – provider of industry-focused Microsoft Dynamics 365 solutions – celebrated 30 years of business as teams around the world went in and out of lockdowns in 2020. Founder and group CEO Stephen James says many law firms may have managed a relatively smooth transition to remote working, but the big winners will be those embracing true business transformation

In late 2020, in the middle of a global pandemic, sa.global unveiled its next-generation technologies platform evergreen and empower (empower will formally launch later this month). The former is so-called because it's regularly updated by way of the Microsoft Azure cloud so as to stay continuously relevant as the demands on a law firm's strategy change. And empower because it offers a dramatically updated user experience – unified, adaptable, intelligent and modern.

The two are written on top of Microsoft Dynamics 365 and the Microsoft business platform. CEO Stephen James says that you can think of

Dynamics 365 as a set of connected modular SaaS applications and services, designed to both transform and enable your core client, employee and business activities. Not only do they combine all the core functionality that a modern legal practice needs to run its business, such as practice management, client matter intake, BI and analytics, they also integrate your data, business logic and processes. The combination of Microsoft technology and sa.global's own IP means that “you can think of evergreen as the back-end operations and finance tool incorporating practice management, billing and so on, while empower delivers the front-end user experience,” says James.

There has perhaps never been a period during which law firms have seen as much management and process change in as short a period as 2020. However, James cautions that they now take a well-earned break from the pressure to transform at their peril.

Indeed, he suggests legal could do worse than begin 2021 by looking carefully at any similarities or parallels with a sector where financial positions have been hit much harder in the past 12 months, such as retail. Traditional retail companies clearly couldn't have prevented the damage to society wrought by Covid-19. But before the pandemic, many established brands were long being challenged by new models that prioritised customer experience and convenience, and used technology as the enabler of changing that game.

"The more traditional a law firm is, the more vulnerable it will be to the advances of the more tech-savvy and agile competitors, which are better equipped to transform themselves to become more competitive still," says James. "Technology is developing at a rapid pace and law firms need to jump aboard or they'll get left behind.

"There also needs to be significantly sharper focus on the experience of both the client and the staff.

"Lawyers are incredibly good at the specific services they provide, of course – and the direct value of the services they typically deliver is really very high. But the standard of what surrounds or underpins it – client experience, or finance and operations, for example – can fail to compare well with the other professional services businesses we work with." And James's team ought to be well-placed to make that comparison, with a long history of supplying solutions to accountancy firms, management consulting, software and marketing businesses, as well as further afield in the realm of manufacturing and supply chain.

### To efficiency, and beyond

It isn't that many law firms haven't adapted to the realities of remote working fairly well over the course of the pandemic, he says, or even that they won't invest in new technology to improve business performance regardless. It's about how much they're prepared to change – given that, unlike in retail, the "final, most complex 20% of legal work has long been a barrier to entry for others," says James.

"What we see from our competitors in the legal software landscape is a lot of focus on efficiency –

doing something faster or at lower cost. That has value, certainly. But the firm that focuses solely on entering timesheets a bit faster than its competitor, or on billing more quickly, will still be vulnerable if a competitor leverages technology to change the effectiveness of its overall delivery and wins the former's clients."

The route to greater effectiveness lies in making bold decisions and having an overall strategic framework and end goal in mind, continues James – and businesses serious about transformation today need to make them in the cloud. Cloud solutions can make the difference between having separate, siloed business functions and creating automated, integrated and intelligent solutions that seamlessly connect to deliver real business transformation.

"The firms we've seen making the most seamless transitions to the remote-working environment did so with cloud – because the solution can continuously adapt to the needs of the business. You can leverage a system to do more – in terms of insight or collaboration, for example – precisely because it's on the cloud.

"The fundamental cloud philosophy is to provide rapid time-to-value and incremental improvements. There are refreshed releases of evergreen and empower every quarter and major releases twice a year in line with the underlying Microsoft platform, so we can continuously improve aspects of how law firms are operating. And the firms themselves are actively steering the direction of the product by giving us continuous feedback and insight into what they want to achieve."

He says that too many talk of cloud as though it's synonymous with a system being 'hosted' – simply shifted off the premises to a server elsewhere.

In conversations James is having with law firms, he says they are increasingly now drawing a distinction of an offer being "true cloud".

"There are distinct tests of that," he explains. "Is everybody on the system using the same source code? Can you scale up the processing power during the especially busy billing period, and then down again when people are largely just entering the data? And can you leverage the broader toolset of Azure, such as cognitive analytics, quickly and easily?"

"True cloud offers both a trusted platform and a broad ecosystem of services and tools. And because it's based on a single technology platform it means that you have 'one version of the truth' across all

your tools and applications and an automatic update of data and transactions.”

“Ultimately, the firm is empowered to make more decisions about its long-term strategic development on its own terms, rather than relying on an application provider to incorporate something into the offering.”

### Maximising the Microsoft advantage

In the year that sa.global turned 30, and introduced the market to evergreen and empower, the business was also recognised as one of Microsoft’s ‘Inner Circle’ partners for the sixth year. This group represents the top 1% of Microsoft Dynamics partners worldwide, and the chosen partners join regular summits with senior leaders at Microsoft – currently virtually, of course. James’s business was also awarded this status for its commitment to “innovation around the Microsoft cloud”.

“But the rate at which Microsoft is continually developing its platform is astonishing,” he says. “With our connected platform we are taking full advantage, and the applications within evergreen and empower are adaptable to your general business as well as your specific needs. Our goal is to meet you where you are. We’ve designed each application to work great on its own, so that you can decide which to start with, and at the same time they are designed to work even better together. This adaptability also extends to how your users want to work. We rearchitected the solution from the ground up on design principles that were based on a careful evaluation of the various personas in a typical law firm and the ideal environment for the tasks that they need to perform. Our empower suite provides a rich interactive user experience without the need to access the Dynamics 365 applications directly, while evergreen is the processing and transactional engine for core finance and operations.

“For interacting with day-to-day tasks, or our business intelligence and analytics, we chose to deploy those through our empower hub in the browser or Microsoft Teams, where they can have a fully immersive and interactive experience. But for time entry and approvals you have the additional option to deploy via rich and powerful mobile apps, so that your fee earners can interact with them on the move, either connected or disconnected.”

“It’s the combined power of all of this that means we haven’t just built another practice management system for law firms. We can deploy evergreen and

**“True cloud offers both a trusted platform and a broad ecosystem of services and tools. The firm is empowered to make more decisions about its long-term strategic development on its own terms.”**

*Stephen James, founder and group CEO, sa.global*

empower through Microsoft Teams, for example, which enriches a firm’s collaboration experience. Reporting is now entirely through Power BI, which we can also surface through Teams as part of empower, connecting seamlessly with evergreen to enhance the front-end user experience.”

And then there are the tools for data migration to offer the “one version of the truth” across all systems, which so many have long found so elusive.

### Fit for an uncertain future?

If our future’s one of widespread ‘hybrid working’, and so highly dispersed teams, there will surely also be even more pressure on firms to ensure any technology change is reliably intuitive for the front-line lawyer or business development professional to pick up and use. They need a new system to power their personal productivity immediately – so it can’t afford to cause confusion.

James reflects on the very beginning of his continuous career in computing. He first had a summer job involving spreadsheet modelling, working alongside his father, who was helping to establish the Laura Ashley business. “I got completely absorbed in it, lugging the computer home with me at night to work on Lotus 123 and other spreadsheets that predated Excel – and then I applied in response to a small advert in The Sunday Times to be a financial modeller working with these products, which were completely new at the time.”

Moving on from that summer of spreadsheets was James’s first job interview and also his last, he says. “As long as you have the mindset of being prepared to innovate continuously, it’s an amazing industry to keep working in.

“PCs were then just starting to come into the mainstream, and you were seeing a movement away from the IT department being the centre of everything, instead allowing people to extract data

For further information visit:  
[www.saglobal.com](http://www.saglobal.com)

and manipulate it for themselves – from centralisation to democratisation.

“These things come in waves. Technology grew more complex and centralised, and now the developments we see around PowerApps and zero-code is a phase of democratisation again. The emphasis now is on empowering people by having information they need right at their fingertips – as simple to activate, and with the potential to change a course of action, as turning on a tap.”

He founded sa.global in Belgium in 1990, and it has gone from a handful of employees to a 700-member-strong team with a presence in 25 countries (see timeline below).

And as many law firms scrambled to roll things out in March 2020, did the pandemic require any innovation to kick in within his business? “We’re quite fortunate to have been working virtually – often without an office – since the mid-1990s,” he says. “I first started working in India in 1997, and then established our first offshore development centre in India in 1999, which was right at the beginning of that wave of business change. And of course, that flexibility helped us to attract a diversity of talent to grow the business into what we have today.

“We’ve had no disruption to how we work, but I will say I’ve been very surprised by our clients’

willingness to work on projects remotely. Not only have many been open to a go-live without having the consultants walking the floor, some even appear to prefer it!”

There has been some re-engineering of the implementation toolset in areas such as automatic deployment, but he says firms should also benefit from that in terms of faster project delivery on a standard configuration in future.

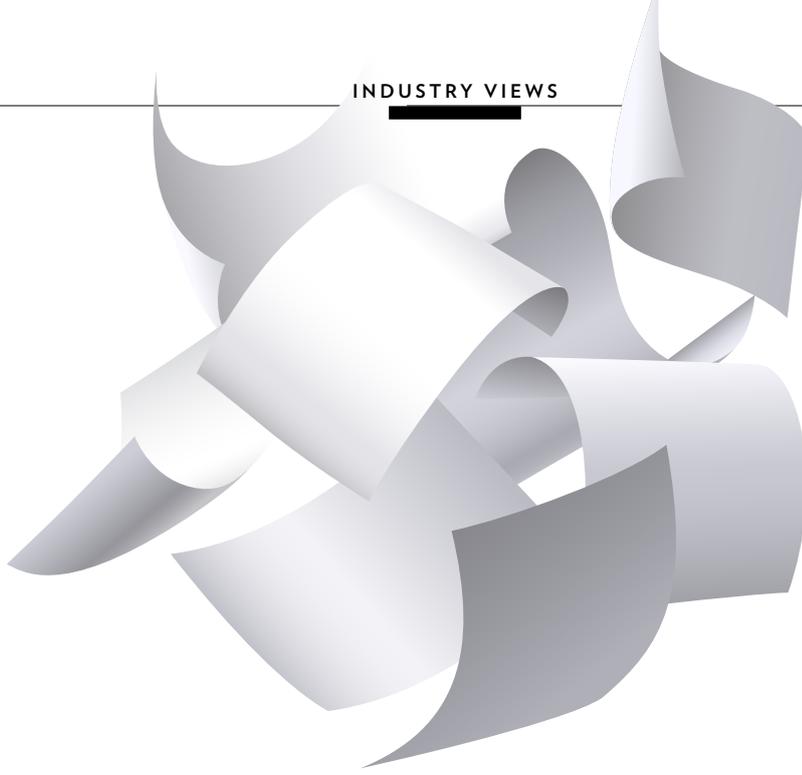
“Changing platforms at law firms can often be painful, of course – and with updates collaboratively designed, and reliably delivered via the cloud, we hope that the evergreen and empower platform will be the last they need to put in!”

With budget also saved from all the international flights traditionally taken to see projects through to fruition, sa.global expects significant growth as vaccine rollouts hopefully begin to impact the course of the pandemic later in 2021. “Some clients understandably deferred some decisions in the midst of the uncertainty. However, we’re forecasting a wave of transformation projects to hit the cloud software industry this year,” says James.

It has been 12 months where most bets have been off. But a business developing resilient and flexible cloud-based technology solutions certainly sounds reasonable as a “recipe for success” in the next iteration of our working world. ▲

## BRING THE CHANGES: 30 YEARS OF SA.GLOBAL

- 1990 The business is founded in Belgium
- 1997 The business has eight employees
- 1998 Operations begin in France, Luxembourg and the Netherlands
- 1999 Operations begin in India
- 2004 Office opens in the UK and Microsoft Axapta practice launched (forerunner to Microsoft Dynamics)
- 2005 First core product development project for Microsoft
- 2006 Operations begin in the USA
- 2008 Offices open in China and Singapore
- 2012 Chosen as a Microsoft ‘Inner Circle’ partner for the first time, with offices now in 20 countries
- 2017 Chosen as a Microsoft ISV development centre
- 2019 New offices in Germany, France and Scandinavia
- 2020 Launch of the evergreen next-generation legal technology platform
- 2021 Expanding footprint in the USA and Canada, and continued evolution of the next-generation technology platform coming soon



INDUSTRY CASE STUDY

# Power to the paper-light

Hilary Hallen at Knights plc says the introduction of Bundledocs has saved the business plenty of paper, not to mention people's very valuable time piecing things together

**L**isted legal and professional services business Knights had document process efficiency firmly in its sights for change long before a global pandemic drove significant investment in the area at many firms to facilitate their widespread homeworking.

Around five years ago, a recently joined litigator recommended Bundledocs as an alternative solution to the then status quo for preparing documents for Court. "We went with it, and I have to say that we've never looked back," says senior learning and development trainer Hilary Hallen.

## Another way to document

As the name may suggest, Bundledocs automatically assembles very large collections of documents for presentation. It can produce transaction bibles at the close of corporate work, but for Knights, the standout use case has been creating Court bundles, explains Hallen.

"This was a very paper-driven activity for people before. Pages were often manually added, which was also labour-intensive. It wasn't in line with our goal of becoming paper-light as a business.

"Using Bundledocs, people can simply tick a box, either to select a whole folder of relevant documents, such as correspondence, or to identify individual ones from a set. This occurs in an app that connects with our practice management system (PMS)." Pages can also be reordered as necessary within the app, but more typically users will then log on to the Bundledocs website, where they can also add sections, redact and rotate material.

Hallen continues: "The website is the most powerful part of the tool. However, it's probably the integration with our PMS that's the most valuable of all to us, as we really didn't want our colleagues saving documents outside the system."

In addition to saving paper, there is also time-

saving, which can be attributed to the technology, of course – and which in turn means a better experience for the person carrying out the task as part of their working day. Hallen says: “This would typically be a paralegal within the business. Previously, colleagues would be copying and numbering pages manually, while today that time can be reassigned to more career-enhancing opportunities.”

### Easy understanding and adoption

Moreover, it doesn't take a whole lot of time to train people to make the most of the tool.

“Bundledocs has some good videos, which we've now added to the training area of our intranet, with colleagues quickly able to pick up the basics,” Hallen says. The learning and development team is, however, focusing more on helping others to exploit more of the advanced features in the pdf suite, such as redaction, more effectively.

She adds that use is by no means mandatory though – which means adoption is high. “It's peer-to-peer recommendation, which can be much more powerful. Colleagues use it because they want it, and conversely we don't want to waste a licence on somebody that won't use it.”

On the other hand, this business is an acquisitive one – so as well as considering potential new use cases there will always be a drive to introduce the advantages to newcomers.

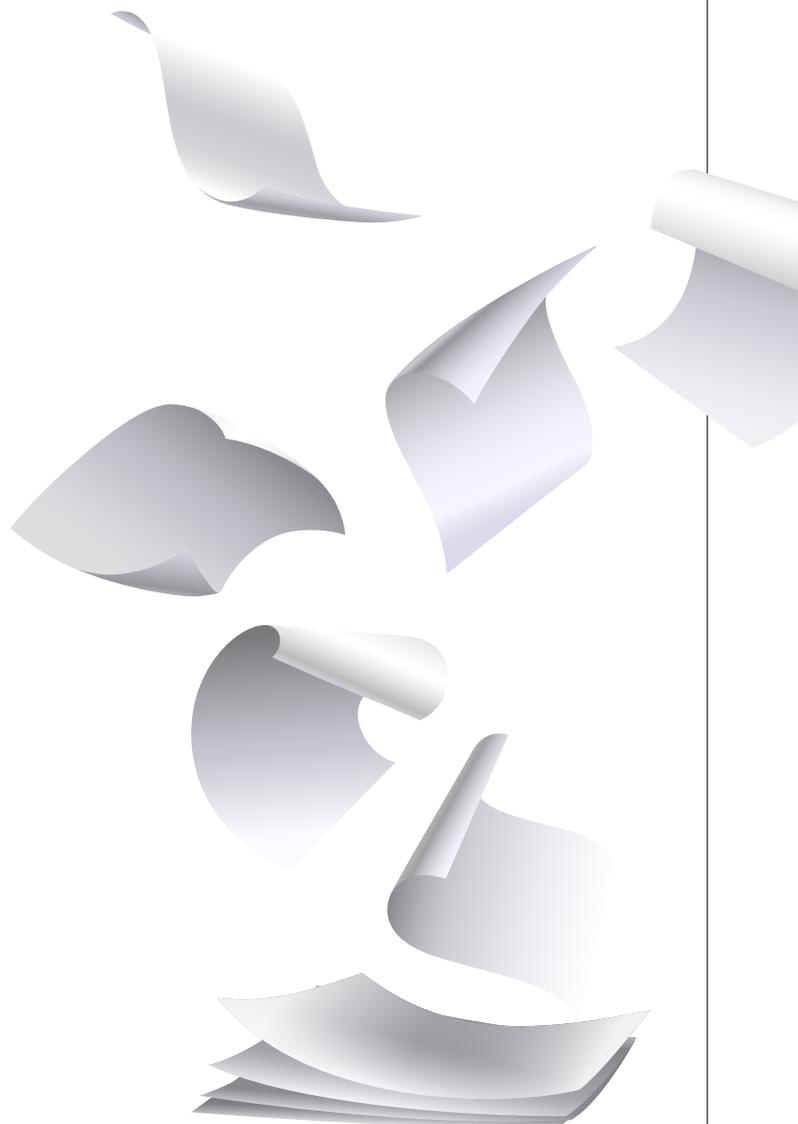
It's particularly helpful, says Hallen, that Bundledocs developers are available to help troubleshoot around any challenges, such as with integration, as the business grows.

“Even the standard help – online chat – is excellent, but it's clear that they haven't lost the personal touch when it comes to customer service,” she says. “A developer has readily jumped on a call to explore an issue. And a quick and efficient response is very important, as at the end of it is a lawyer waiting to work on something.”

That's more time that the business doesn't have to waste. ▲

**“It's probably the integration with our PMS that's most valuable of all to us, as we really didn't want our colleagues saving documents outside the system.”**

*Hilary Hallen, learning and development trainer, Bundledocs*



▲  
For more information, visit:  
[www.bundledocs.com](http://www.bundledocs.com)

## INDUSTRY CASE STUDY

# New ways of workflow

Technologists Babar Hayat and Barry Rodick at Konexo, developed by Eversheds Sutherland, say low-code workflow and automation platform Autologyx has rapidly helped increase opportunities for Konexo to change things for its clients

In June 2019, global law firm Eversheds Sutherland launched Konexo, a new brand of future-facing “alternative legal and compliance” solutions, including advisory services, legal managed services, legal resourcing and HR support to help clients manage workloads internally. Existing teams from the firm were brought together, with a clear understanding that developments would be “tech-led” in line with client demand for greater process efficiency. At launch, CEO Lee Ranson was explicit that the firm sought a larger slice of the “growing £10bn global ALSP market”.

One year later, and the pandemic has clearly pushed process improvement even higher as a priority for firms and their clients

alike. Konexo has also since absorbed the firm’s UK branding group, launched in the US and expanded its presence in Asia. And the technology team has just launched a legal resourcing app to support its remote-working consultants with access to knowledge, new placement opportunities, and managing feedback.

The latter development is an example of how Konexo is there to support how teams work internally, as well, of course, as to help clients

manage their own complex work externally. In both cases, Konexo “identifies the appropriate set of technologies for the business activity,” says Babar Hayat, who recently joined from Thomson Reuters as head of product,

**“Konexo’s clients are typically in-house legal teams, at many different levels of maturity on a digital transformation journey.”**

*Babar Hayat, head of product, technology innovation and transformation, Konexo*

For further information,  
visit: [www.autologyx.com](http://www.autologyx.com)

technology innovation and transformation.

“Konexo’s clients are typically in-house legal teams, at many different levels of maturity, on a digital transformation journey,” he says. “The concept of a combination of technologies there is quite important, as we don’t believe there is any one solution in the market that can solve every problem.

“We evaluate technologies all the time, and recently launched Konexo Hub as an assembly of best-of-breed technology that we provide to clients. That includes self-service tools, such as document automation, risk indicators and reporting, as well as options for data gathering and workflow management.”

### The proof is in the process

That said, some technologies have become particularly integrated into how Konexo has operated over the last year and a half. “In ES Consulting we’d long seen a pattern of clients that were challenged by the burden of high volume of low-value legal work, but where outsourcing wasn’t an option. We took that challenge on for them in the form of a legal managed service,” says lead technology consultant Barry Rodick.

But at Konexo, an in-house legal team then came along with a slightly more unusual requirement, he says. “The work was fairly well structured already – there were, however, too many parties involved in the processes, and it took too long to manage it. We had two people managing an inbox of parties all chasing one another on what to do next.” Konexo identified the no-code digital operations platform Autologyx to develop an approach to processes such as intake, triage, allocation and case management, removing some of the work involved in these processes – in comparatively short order.

Team members are now able to self-serve, accessing information about the matter progress. “Demand on inboxes effectively dropped overnight, so you know you have a successful project there.”

Another, he says, has been a new, faster process for

verifying information with Companies House. “We can quite quickly iterate similar verifications for other clients without a protracted IT project. As it’s low-code, you aren’t dependent on the supplier developing or building the systems. The work was initially collaborative, but we now have a team fully trained to do the vast majority ourselves.”

### Opening new opportunities

The value is clear, but Hayat singles out some other considerations. “Our clients and teams are working across many industries, and they all have different systems and use cases, which made it very important we found a solution that was extensible. Autologyx can cater for the different processes of teams, and it can also be used to hook into other systems through APIs or data feeds, as well as for building entirely new propositions.

“The systematisation of process automation also provides us with a very measurable way of assessing and communicating benefits to clients. We can capture valuable data about processes – such as volumes, work types, jurisdictions or people – which could point to opportunities for different operating models, automation journeys or ways of working in future.”

Rodick continues: “Actions can then be taken if some aspects are taking too long or costs are increasing in an area. What’s the bottleneck of the process? Can you develop or enhance the playbooks, or remove an approval or an additional review? The data enables us to ask questions and potentially to improve the process. The in-house legal team or requester might also be involved in rebuilding their processes, so they’re effectively bought into the changes early on.”

Hayat and Rodick have also just launched an internal ‘automation champions’ initiative to help Konexo teams match documented use cases to new scenarios they encounter – so there will be plenty more process to design in new ways in the pipeline for 2021. ▲

**“As it’s low-code, you aren’t dependent on the supplier developing or building the systems.”**

*Barry Rodick, lead technology consultant, Konexo*



INDUSTRY INTERVIEW

# Still the time to talk

Law firms largely believe they've adapted how they communicate and collaborate well in a crisis. But the efficiency of their models still needs a first port of call that can be trusted to hold and progress a good conversation, says Joanna Swash, CEO at Money Penny

**O** utsourced switchboard and communications support specialist Money Penny welcomed 150 new employees between the end of July and the beginning of December 2020.

“Given the difficult environment we’ve all been operating in, frankly that fact still blows my mind,” says its group CEO Joanna Swash. But the reason for the investment in lots of new talent is perhaps surprisingly straightforward. “Call durations actually increased by about 25% at the height of the pandemic last year.”

We might feel that we’re invariably stuck to our laptops, fending off work-creep and video-call fatigue. “But people are clearly craving meaningful human connection,” explains Swash. “They want to talk to somebody – to anybody – and they found

they had longer to chat than when they were sitting in the office. So we had to ensure that we had more people to provide the same high-quality service.”

## Time to take stock

Individuals and organisations alike have had to grapple with challenges to productivity working from home through repeated lockdowns. On the one hand, anecdotally many law firms reported they were surprised how productivity rose in the first UK lockdown. People could reconsider how they planned their days, and often with more autonomy. On the other hand, different people were in very different circumstances, whether homeschooling children, sharing insufficient space, or feeling especially isolated. Regular and useful communication between teams might falter in

these circumstances, while morning, afternoon and evening also had the potential to blur, bringing risk of burnout.

Swash continues: “We’re still in the middle of a pandemic, of course, but I think that leaders do now need to take stock. We made it work, but what worked well? What didn’t work as well? And what do we need to do more of? Are new processes scalable and future-proof?”

Back in March 2020, a number of firms were still expecting receptionists to be in the office to answer calls, she says. “Some organisations in all sectors had legacy systems that couldn’t support remote working well enough.” For example, old-fashioned telephone systems couldn’t efficiently cascade incoming calls out to somebody who was available to answer. “Initially that was a real problem,” she explains, and at the same time Money Penny found calls taken by its team members shot up for a brief period along with business continuity concerns.

As well as being trusted for its receptionists and PAs to be the first voice heard by those calling up, Money Penny has also played a part in helping law firms to make optimum use of communication technology. Microsoft Teams, of course, became a very widely used channel in 2020, and Money Penny now has its own integration. Swash says: “We now have visibility of when somebody at the firm is busy on a Teams call, and in that case we won’t try to transfer the call we’ve just answered.” That’s more efficient for everyone involved than a call free-for-all.

### New ways to communicate

At the same time, however, it’s essential that firms don’t miss out on new business in a remote-working world – a world where consumers’ buying behaviours are also changing alongside their daily routines. Swash says that almost a third of calls to switchboard tend to be new business enquiries, and she’s pleasantly surprised by how much firms have embraced her company’s live-chat offering to communicate with potential clients in the course of the last year.

“You have to ensure you can convert website visitors to new business at all times. But at the end of 2019, we found 30% of law firms had no out-of-hours cover, and two-fifths had no live chat. In 2020, people were regularly engaged with their laptops out of hours, and with the time to make

**“Leaders do now need to take stock. We made it work, but what worked well? What didn’t work as well? And what do we need to do more of? Are new processes scalable and future-proof?”**

*Joanna Swash, CEO, Money Penny*

big choices.”

Money Penny also moved to support businesses with technology in other respects when offices were very cautiously reopened last year. There’s a Covid-bot for example, to verify the symptoms of any visitors before they arrive, and video-based signing-in support rather than the traditional receptionist’s welcome. “It’s facial recognition, thermal imaging, pass printing – with a Money Penny face on video for concierge support.”

### Trust in the transformation

But, with Money Penny a regular near the top of the Sunday Times Best Companies To Work For list, it’s no surprise Swash doesn’t envisage cutting-edge technology topping the truly human touch for great communication in future. “We can all sit in our homes and work – the fact it’s possible doesn’t mean it’s what people want forever.”

Money Penny works with each new law firm client on a bespoke basis, she says, inviting them to start with a “blank sheet of paper” and design an arrangement fit for their particular strategic drivers and challenges. It will now do exactly the same with firms moving to any long-term remote working or hybrid models, while also bringing its own longstanding communication expertise across industries to bear in the process.

Swash concludes: “Firms are effectively outsourcing their front-door keys to us, along with their reputations, and we don’t take that lightly. It takes a considerable degree of trust, which you need to earn at the best of times, and never more so than in times of such challenge and change.”

For more information, visit:  
[www.moneypenny.com](http://www.moneypenny.com)

## INDUSTRY ANALYSIS



# 2021 the year of role evolution

At a series of virtual events discussing the future of the law firm, Williams Lea polled over 400 UK and US law firm leaders to understand their perspectives on future challenges to their operations and how they will be reframed in a world after Covid-19. Phil Muller, director of legal services at Williams Lea, reflects on the findings

**M**ore than three-quarters (79%) of law firm leaders told us that “the biggest impact of the pandemic was a greater acceptance of new processes, technology and ways to work.”

The events of 2020 have moved new ways of working to the top of the law firm agenda – and the legal sector’s surprising ability to adapt quickly during the pandemic, to harness technology and transition to remote working within months, stands as a testament to firms’ resilience.

However, embracing remote working has brought to light the serious issues of productivity and staff motivation. Two-thirds (65%) of law firm leaders said that employee engagement was the greatest challenge to remote working and, as a COO at a top law firm described the blurred boundaries

**The events of 2020 have moved new ways of working to the top of the law firm agenda. The legal sector’s surprising ability to adapt quickly during the pandemic, to harness technology and transition to remote working within months, stands as a testament to firms’ resilience**

## Regardless of the model – any hybrid of office, home and outsourcing – leaders agree that building strong, emotionally sensitive operational models must be underpinned by data. Law firms are recognising the potential of using a data-driven approach to better understand workers’ individual attributes and needs

between life and work: “It’s becoming less like working from home and more like living at work.” When it comes to productivity, even though firm leaders reported their fee earners had about the same levels of productivity when working remotely, support staff were perceived as less productive in the same environment.

This contrast highlights a role-based difference in remote work environments. Fee-earner productivity is easier to measure – as they’re measured in billable hours, whereas measuring the productivity of support staff is not as simple. Productivity in support activities is more suspect where quantifiable performance data is not available.

How can law firms use this crisis to encourage better business practices? Law firm leaders know that their business strategies need innovation that can encourage greater productivity and utilisation. Otherwise, they will lose out to the competition. A CIO of a leading law firm recently stated: “We have been losing billions of dollars to alternative legal providers and the Big Four. All the hurdles law firms face are within. What the pandemic helped us to do was change faster. We were 15 years behind in technology, and – the way we adopted business flows – we’re perhaps 12 years behind now. So that’s a huge uplift and I hope it’s a crisis that, as an industry, we don’t waste. If we go back to our old ways, we’ve lost.”

### Data makes the difference

We are already seeing our law firm clients commit unprecedented resource and focus to building an

operational model that balances the benefits brought about by virtual working and the ongoing challenge of maintaining employee engagement and corporate culture. Regardless of the model, however – any hybrid of office, home and outsourcing – leaders agree that building strong, emotionally sensitive operational models must be underpinned by data.

Law firms are recognising the potential of using a data-driven approach to better understand workers’ individual attributes and needs, and to segment the work their staff undertake accordingly. As one law firm leader at a recent roundtable stated: “We don’t always know what people are doing. We’re trusting them to work hard when they’re working at home.” My mantra over the last year, even before the crisis, has been that great data creates great analytics, and great analytics inform effective business decisions, drive change and improve the way law firms operate and communicate. Transparency and confidence in a law firm’s internal operations will, in turn, give its clients greater confidence in their service delivery and value for money.

Alternative legal providers and the Big Four have a competitive advantage over law firms because they’ve embraced technology and focused on continuous efficiency improvements that allow them to be more cost-effective. Our findings from speaking to top leaders across the sector point towards strategic initiatives that will drive an upward trajectory in terms of productivity, efficiency and collaboration for both fee earners and support staff, which will in turn forge better cultures, stronger partnerships with clients and greater profitability. ▲

To find out more, download a copy of the latest Williams Lea survey here

## INDUSTRY ANALYSIS

# Journey to the cloud

Howard Russell, president and CEO of RBRO, says clarity about a firm's data painpoints and a collaborative process are both key to a successful migration

Over the past year, firms have experienced increased pressure to meet expanded work-from-anywhere demands. For many organisations, effective collaboration and operational efficiency ranked high on their list of pressing concerns. In a quest to improve agility, achieve better cost control, overcome infrastructure limitations and maintain strong team connections, cloud services – once a far-off plan – have become a necessary tactical step. Indeed, the market is pivoting to adapt to ever-changing Covid-19 measures. The former central office model may have become an eclectic smattering of locations indicated on a Google Map. Home offices are now the norm. Organisational IT groups will continue to face the daunting task of managing and deploying applications in a very different way. In this new reality, they must consider a new priority. Rather than infrastructure management, it is to increase focus on how to connect users to technology and processes that will enable ongoing client service, strong organisational culture and interoperability with industry partners.

## Is moving to the cloud right for you?

For example, for over half of respondents to ILTA's 2020 technology survey, iManage is the dominant document management system – and iManage Cloud delivers work product management capabilities with security features that are costly to replicate on-premises.

The truth is that cloud (in this case, SaaS) is the direction the market is going in. For some, change is coming faster and faster. The cloud allows organisations to move with that change in a much more efficient manner. For others, however, transitioning is still a distant goal. Despite the flexibility cloud offers, 46% of ILTA survey respondents said the primary location of their libraries was on-premises. The move isn't easy, especially for firms with clients that require an on-premises environment. But even this is changing. Clients that once required their legal services content storage to be maintained on-premises are now themselves looking to offload infrastructure management as they seek to streamline their operations.

At the same time, even with a significant focus on the cloud, we at RBRO find ourselves migrating a small number of customers into on-premises iManage environments to support their specific needs. This is a key value of the system; even as the market is increasingly moving towards cloud services, the solution continues to ensure that it can meet its clients' needs in both contexts. At RBRO we've continued with the same approach. Our goal

Clients that once required their legal services content storage to be maintained on-premises are now themselves looking to offload infrastructure management as they seek to streamline operations

is to facilitate our client's journey. We recognise that the journey looks different from firm to firm, and we provide the consulting services and technology that will help firms to get the best value from their content regardless.

### Challenges migrating to the cloud.

Systems that have been around for a long time invariably have data issues. Network folders with long-forgotten security assignments, or legacy document management systems with orphaned records that point to files no longer on disk, are realities. Networks are filled with poorly organised content that served the user at the time, but which is now unintelligible to others or missing client/matter references. All of this makes it hard for organisations to feel like they can succeed in moving their data to a new system or environment. The reality is these challenges are common. We've been fortunate to provide document management consulting and content migration services to firms that range from the largest in the world to those with just a few users. In all cases, preparation is critical. At RBRO our mantra is 'know your data'. To help us live up to this mantra, we've developed key processes and technology that ensure we have the best view of customer data to make the right decisions about how to migrate content into a system like iManage effectively and accurately. We help organisations to both look into their content-related processes and find ways to collaborate more effectively around this critical information.

It's also imperative to set realistic goals when dealing with old data. Flexibility is good – however, too much flexibility in data mapping, routing and transformation can lead to complex processes that are difficult to govern. In our experience, taking the simple route when embarking on the data transformation or consolidation process, and limiting the number of voices that can dictate your conversion's complexity, will reduce hurdles. An overly complicated process makes error management even more difficult, increases costs and limits success.

For RBRO, a significant contributor to a successful migration is also the collaborative approach with customers. Successful projects are never simply farmed out to your chosen partner. Instead, the project must combine customer internal knowledge and strengths with our expertise, developed over more than 17 years. Expectations are well managed, and with strong

decision-makers on the customer side, we move forward quickly with confidence.

### Managing expectations

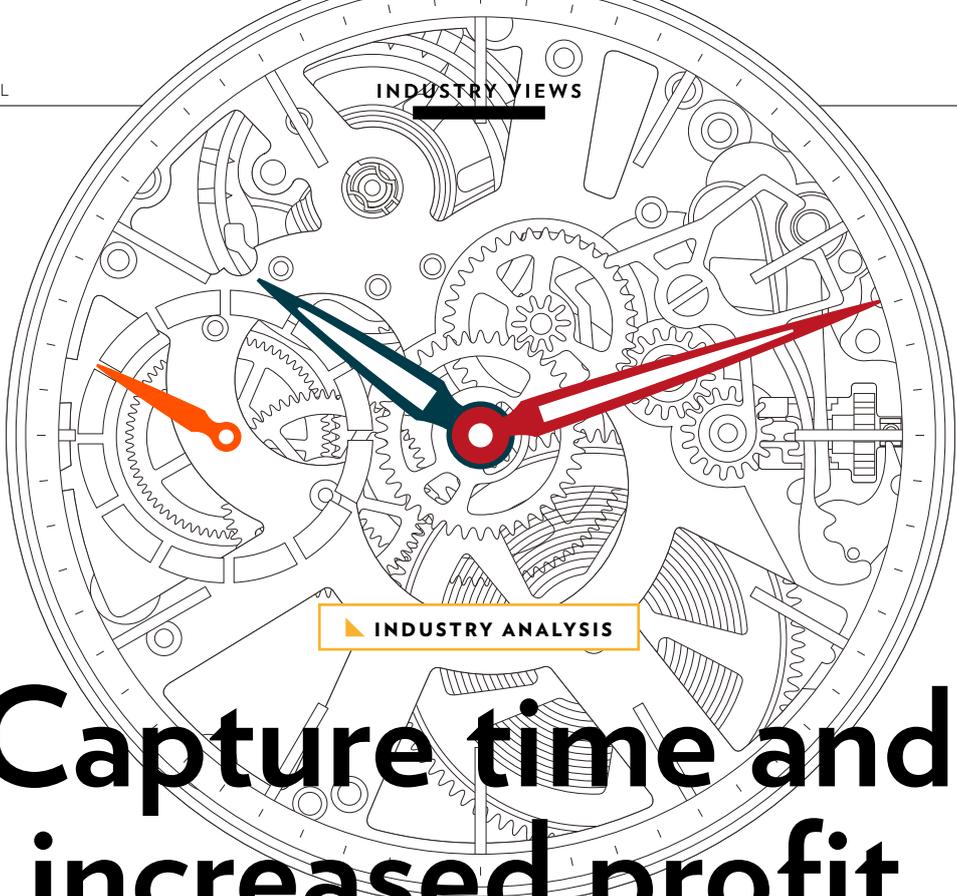
There are a number of crucial considerations.

1. There is a reality to your data, and the partner you choose should do their best to work with you on shaping that data to your needs.
2. It's important to temper expectations of the result with the effort and cost you want to employ. Ensure that you and your selected partner 'know your data' so there are no surprises.
3. Build in an effective method of providing clarity to leadership about what's happening at any stage of the migration. It's important to build confidence around the integrity of the process. Reports that detail success and provide information about failures empower both technical and non-technical participants to make decisions about next steps.
4. Effective project management is crucial, as are strong collaboration channels between clients, partners and vendors. Change can be simplified, but there's no question that there's also a significant amount of complexity in the process. Don't underestimate the need to have a strong project manager in place, either internally or through your partner. This will ensure all participants are in alignment throughout the process. Our goal is always to work as 'one team' with our clients and vendors such as iManage.

### Looking forward

Things will change for your users. Their lives and experiences will not be the same after an effective conversion. Trying to comfort users by stating 'there won't be much difference' may have the short-term benefit of securing cooperation, but it will result in longer-term pain of poor or grudging adoption. At the end of a project, the worst outcome is end users saying things like "I thought they said ...." At that point, you've lost the trust and positioned your next project for incredible opposition. The best response? "They told me I'd have a few challenges in this area, but overall, I'm very pleased with how this change happened, I know how to move forward and I really love this new way of working." ▲

For more information, visit  
[www.rbrosolutions.com](http://www.rbrosolutions.com)



# Capture time and increased profit

Todd Gerstein, senior VP at Iridium Technology, explains how time-capture software increases profitability, accuracy, timekeeper wellbeing and client satisfaction

**W**hile it may frustrate both lawyers and their clients, the billable hour is the lifeblood of the modern law firm. The accurate tracking of time can be the key to good utilisation and realisation rates, quick payment of invoices, and overall client satisfaction. However, distractions and tedious time-entry procedures can make it next to impossible to record each activity the moment it's completed. Waiting until the end of the day (or week, or even month) to reconstruct events is a recipe for inaccuracy and overlooking billable activities. Too often, lawyers simply do their best to recreate the events of the day – making it next to impossible to record each activity the moment it is completed.

Clients, meanwhile, expect and deserve accurate bills. Almost all in-house lawyers used to work at law firms, and they fully understand how imprecise the manual time-tracking and entry methods are. They know that much of the timekeeping is the result of guesswork and therefore they scrutinise every invoice. They know what to look for, and firms that continue to make preventable errors end up with bills being questioned and delayed.

Both law firms and their clients benefit when firms replace or augment their manual time entry with automated time-capture technology. Enabled by artificial intelligence and automation, modern

auto-capture technology monitors lawyers' activities, collects relevant details and automatically builds pre-filled timesheets, resulting in fewer tedious time-tracking tasks and more accuracy. Lawyers are able to spend more of their time on profitable work while creating more detailed, thorough and accurate timesheets – and more quickly.

## Finding additional value

Automated timekeeping provides firms with one other major advantage: the systems typically 'find' between eight and 10 additional billable hours every month, which lawyers neglect to account for as they

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**Enabled by artificial intelligence and automation, modern auto-capture technology monitors lawyers' activities, collects relevant details, and automatically builds pre-filled timesheets, resulting in fewer tedious time-tracking tasks**

## Automated time-entry systems help lawyers to keep more detailed time entry through narratives. They work behind the scenes to include preset wording automatically to describe certain activities

build their daily timesheets. At an average billable hourly rate of £350, automated time capture can increase each lawyer's annual revenue by between £33,600 and £42,000.

### Technology is transformational

The key to effective automated time capture lies in how technology is intertwined with nearly every aspect of our work lives. As we create and edit documents, send and receive emails, perform online research, carry out phone conversations and schedule meetings, our activities are already traceable electronically. Time-capture software provides the ability to follow these digital trails with ease, so automatically generating timesheets for lawyers. Entries added by an auto-capture feature can include:

- The date an activity was performed
- The length of time until completion
- The name of the person performing the work
- The names of others involved (for example, who sent an email or was the recipient of a call)
- The applicable client and matter details
- The nature of the activity (for example, draft document, attend meeting, perform research, send email).

### Providing clarity through enhanced time narrative

Incomplete, vaguely-worded invoices don't sit well with clients. Work described simply as 'communicate', 'trial prep', 'lawyer review' or 'analysis/strategy' comes under fire. Clients demand – and should receive – much greater

transparency into the work they pay for.

Time entries should include more than just what happened. They should also describe, when applicable, who was involved in work, how and where the activity occurred, and the purpose of it. Sharing these details provides the clarity that creates goodwill with clients. It also goes a long way towards supporting a claim for reasonableness in the case of fee disputes.

Automated time-entry systems help lawyers to keep more detailed time entry through narratives. They work behind the scenes to include preset wording automatically to describe certain activities. Not only does artificial intelligence assign each entry to the correct client and matter, but it also pulls the details together in the narrative. Lawyers only need to add details on the subject matter discussed before approving the entry.

### Adhere to outside counsel guidelines

Law firm clients are increasingly setting out policies and procedures to govern the billing relationship between law firm and client. Using an automated time system to help manage billing rules as the point of entry can ensure that time entered is compliant, and end the costly e-billing submit-and-reject cycle delaying your payments.

### Delivering value for clients and counsel alike

We firmly believe that automated time-capture technology offers enormous value to law firms in an era when clients are focused on accountability, while law firms are focusing on profitability.

Using SmartTime by Iridium Technology, you can expect increased efficiency as your fee earners automate time tracking and recording tasks. Entries will be more accurate, and your timekeepers will finalise AI-generated timesheets in minutes, not hours – all while ensuring a high level of transparency for clients. ▴

For further information please visit:  
[www.iridium-technology.com/smarttime-product-family](http://www.iridium-technology.com/smarttime-product-family)

INDUSTRY ANALYSIS

# A year of change

Sam Nicholls, head of business development at Intelligent Office, says firms should seize the opportunity to embrace more business change in 2021, but consider the best model with care

**A**s the pandemic continues to restrict law firms' ability to operate from traditional office settings, one thing is certain – the vast majority of firms' support teams will continue to work from home for the foreseeable future. But for many, that isn't as straightforward as it should be.

According to a 2020 report from Sandpiper Partners and another that Intelligent Office carried out with **Briefing**, published in September 2020:

- Two-thirds of support staff in law firms say productivity is challenging when working from home.
- Nearly 50% of HR directors and COOs report being less equipped to track the productivity of their secretarial and administrative support teams since the start of the pandemic.
- Over three-quarters (77%) of firms reported targets for reducing the costs associated with back-office and administrative functions.

These observations underline a key conclusion. The pandemic has shown the scale of change that can be made to a law firm's operations. There is a unique window of opportunity for firms to escape from the traditional and longstanding status quo

and re-engineer their support services to become more flexible, scalable and cost-effective, with a greater focus on productivity, all underpinned by more efficient digital ways of working.

However, simply reducing support headcount is short-sighted. There's significant risk to firm profitability if fee earners are responsible for increased levels of non-chargeable work. Law firm management teams need a model that enables their fee earners to pass non-chargeable work to the most cost-effective resources quickly and easily.

"Just as an army marches on its stomach, a law firm performs when its fee earners are confident that essential administrative tasks are in hand," says Rachel McCorry, CEO at Intelligent Office. "But regardless of size, rarely will all the experience to transform support services reside within the firm's four walls. If it did, after all, the operational changes needed would already have taken place."

So, how does a firm reinvent its operations with a dispersed support team and dispersed fee-earning community without introducing unnecessary risk?

There are two options. Law firms could complete the significant workflow reorganisation, communication, ongoing training, embedding of

## While the worldwide health crisis is forcing the pace, we know that many law firms have long acknowledged the need for strategic operational evolution. Crisis means change – but change can be good

broader management disciplines, and implementation of tools for measuring productivity and output of their support teams, all in-house. Or they can call in specialists like Intelligent Office so they can benefit from proven best practice, a constantly innovative approach and an operational and management infrastructure that has been refined over an extended period of time.

“With our tried-and-tested model, we invest in training, development and continuous improvement so that our people are always at the top of their game. Fee earners receive a service they can trust, and our people benefit from opportunities not often open to them as law firm employees,” says Alison Bilgin, chief operating officer at Intelligent Office.

This commitment to professional development is one of the reasons Intelligent Office has achieved Investors in People platinum status. Standardised processes and centralised, cross-trained teams deliver multiple benefits. There’s a greater number of staff able to deliver a service consistently well, which means capacity to meet demand, manage peaks and deliver more support with less resource.

All this is even more critical when managing the delivery of support services in the current new hybrid-working world. Robust management methodologies, workflows, analytics on productivity, output and utilisation, and the L&D infrastructure, are all vital for the delivery of best practice in technical and softer skills. Maintaining a focus on engagement and connectivity between support teams at a time of ongoing uncertainty breeds loyalty and dedication to service excellence.

While this is the first time that many firms have had to create tools that can support them to deliver services in a different environment, Intelligent Office has been developing tools and methodologies to support its clients since its inception 20 years ago. A few examples from our

service delivery toolkit, which have proved particularly beneficial since the onset of the pandemic, include:

- **Chronos** Our web-enabled support services time-recording tool, which helps us to track productivity and utilisation and make sure the right resources are completing the right tasks.
- **IO Academy** A bespoke learning management system, which acts as the fulcrum for all IO staff’s training and development, and which is accessible wherever team members are physically based.
- **Agility Audit** A robust assessment of how digital a firm’s workflow is and – critically – how consistently fee earners in each practice team follow it, which enables us to work with our clients to streamline processes.

While the worldwide health crisis is forcing the pace, we know that many law firms have long acknowledged the need for strategic operational evolution. Crisis means change – but change can be good. Law firms that appoint Intelligent Office to provide their support services de-risk change and can benefit from a new operational model faster and more successfully. ▲

For further information, visit:  
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## INDUSTRY ANALYSIS

# Transform the tech experience

Matthew Newton, joint managing director at Oosha, says the legal digital workspace must move from a phase of enablement to true optimisation

**A**t the beginning of 2020, most businesses' remote-working procedures were thrown well and truly into the spotlight. Law firms were no exception and it quickly became clear that some were far more prepared than others. The spectrum of preparedness ranged from digital – modern law firms already well equipped to work remotely – to those completely tied to physical offices and unable to work at all.

However, most firms fell into the middle of this range, whereby an employee could work from home, but by no means was their digital workspace optimised for productivity, collaboration or responsiveness. Many firms' people were unable to complete even the most basic of tasks, such as transferring client calls.

Many law firm employees were also faced with a disjointed and cumbersome user

experience while working remotely. In a poorly optimised digital workspace, it's common for users to have to switch between their local machine and cloud session to carry out simple tasks, such as accessing their core systems, using Microsoft tooling like Teams and making the video calls that have become so vital to effective remote working.

This is in complete contrast to the employee's personal experience of technology – where they can switch seamlessly between their devices and complete a task wherever and whenever they want. And, if any of their devices break or run out of battery, it's fast and easy for them to switch to another one and pick up where they left off – just as it would be if they were replacing their smartphone, for example.

In most law firms' corporate technology systems, users will often have to run several

**In a poorly optimised digital workspace, it's common for users to have to switch between their local machine and cloud session to carry out simple tasks, such as accessing their core systems**

## Staff who are held back by poorly coordinated technology won't only find it harder to deliver client outcomes. They will also be unhappier, left feeling unfulfilled

different devices, such as a laptop or desktop, tablet and phone, separately – with some applications and tools accessible on one, but not the other. This lack of integration makes the delivery of legal work even harder to do, leaving workers frustrated, wasting valuable billable time, and often exposing the firm to major security risks – as users bypass standard operating procedures in desperation to make their day-to-day work less taxing.

But the impact of this fragmented user experience goes further still. Staff who are held back by poorly coordinated technology won't only find it harder to deliver client outcomes. They will also be unhappier and left feeling unfulfilled in their work – and therefore be more likely to move elsewhere. The impact of poor user experience on staff morale shouldn't be underestimated, especially as the prospect of increased remote working offers talented employees a much wider pool of potential employers, making retention of staff all the more difficult.

### From enablement to optimisation of the legal digital workspace

The first step is focusing on the outcomes you want to achieve. Ask yourself what kind of IT experience you want for employees. Once those outcomes have been defined you can look at your current IT solution to discover if it's capable of supporting you in achieving your objectives. The

vast majority of IT solutions aren't capable of achieving the optimised environment many aspire to have. So, in many cases a fundamental change in strategy – and the IT infrastructure that supports it – is required.

You're also likely to require help in achieving these goals – especially from your IT partners. It's therefore more important than ever that law firms look for providers that can facilitate a fully integrated, optimised digital workspace for all their employees. This means the ability to collaborate through video, phone and any practice management/document management systems within the same secure virtual session. It means providing for different user personas with different profiles and different levels of access to applications. And it means enabling and supporting the 'ultra-mobile' worker, who can access everything they need from any laptop, smartphone or tablet at any given time.

We all know that Covid-19 is changing the world of work long-term, even if it isn't precisely clear where this will eventually settle at this moment in time. But what we also know is both client and user experiences will remain critical to the success of businesses in the legal sector, and that the seamless flexibility of cloud-based digital workspaces will be a cornerstone of that success. The firms that embrace it fully – and implement it right, in partnership with an expert provider – will gain a clear advantage in the marketplace. ▴

For more information, visit:  
[www.oosha.co.uk](http://www.oosha.co.uk)

## INDUSTRY ANALYSIS

# Next normal needs

Tony Cox, chief sales officer at Peppermint Technology, outlines what firms need from technology to enhance flexibility and productivity in the new reality of dispersed working



**F**or a number of years now, law firms have been on the road to transforming their organisations towards a ‘digital first’ infrastructure and mindset. As in other sectors, the demands of keeping operations running during the pandemic, with staff decentralised and the majority working from home, have compressed years’ worth of projects into months.

Following the initial impact of the pandemic, many firms are redefining operating models, reassessing how support staff can be deployed most effectively and adapting IT systems to create a modern, flexible workplace that enables individual productivity across dispersed teams.

One of the top priorities remains to provide value to clients with a rich experience and excellence in service delivery – however, largely without in-person interaction with colleagues and clients. This means that individual touchpoints will have an even greater impact either way. To be successfully productive, lawyers and business management

teams at the coalface of client service need to be enabled with relevant information, through frictionless processes, while keeping the administrative burden low to avoid frustration. Put another way, we need technology to make their lives easier – reflecting the appropriate mix of certainty and flexibility that these changed circumstances demand, while ensuring quality.

Here are some of the key components of that service to consider.

## Single version of the truth

Organisations have been on a mission to break down barriers between insular business management applications, everyday productivity tools and data sources for a long time. It’s crucial that information on clients, matters and activities is valid, current and complete to create trust, and to successfully enable virtual, asynchronous collaboration and the exchange of information. A unified version of the truth, shared across the firm, is a key factor in achieving this.

## Business leaders have confidence in the performance of their organisations when technology-assisted processes provide reassurance that nobody misses crucial actions, and they have visibility that work progresses

### Access to information

This single version of the truth also needs to be accessible, based on individual needs and context. This can make the difference between informed decisions based on relevant insights – moving work on quickly to help a client – and frustrating delays.

### Visibility and control

Trust is good, and trust coupled with visibility and control is better. Business leaders have confidence in the performance of their organisations when technology-assisted processes provide reassurance that nobody misses crucial actions, and they have visibility that work progresses. Crucially, data captured along the way creates the opportunity for fresh insights. This is even more important for clients, and not only where typical service-level agreements cover advanced analytics as a standard element. Full visibility into work progress, financials, and so on, enables proactive conversations between lawyers and clients that provide certainty, build trust and nurture relationships.

### Latest-generation legal business management solutions

The latest generation of legal business management applications offer an opportunity to create connected solutions that enhance the experience of working and communicating in a largely virtual environment for both lawyers and their clients. This includes a frictionless flow of information and processes across applications, with the flexibility to work in a way that suits the individual. Leadership teams have access to deep management insight across all aspects of their business and the certainty that lawyers can consume new functionality quickly, and at scale, in order to drive business benefits from the start.

Technology leaders increasingly look towards a unified approach to data and software that allows their firms to be agile and respond to evolving requirements at pace, with access to embedded capabilities like AI, automation and no-code/low-code tools.

At Peppermint, our engagements regularly lead to discussions about firms' long-term visions for their technology investments. Point solutions like our client engagement and case and matter management applications, built on Microsoft cloud-based technology, drive broader benefits as they can be embedded in productivity tools lawyers use every day without friction. They are easily adopted as they work seamlessly with the day-to-day applications already in use – and can be used on any smart device, at any time, from anywhere. This goes a long way toward addressing current and future challenges in either a fully remote or a hybrid setup.

They also extend the value of the Microsoft 365 and Power Platform that firms have already invested in – with access to business intelligence, app creation and automation as a native part of the underlying technology platform, without cumbersome integrations.

The consensus is that many changes to how and where work has been delivered will remain in place post-pandemic. Peppermint's current generation of legal applications can both meet firms' short-term needs and support longer-term strategic changes to the workplace. ▶



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