Briefing

April/
May 2021

SMARTER LEGAL BUSINESS MANAGEMENT

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At home with innovation

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through the experience of successive lockdowns?*

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A s the latest lockdown starts to lift here in the UK, our thoughts turn to becoming a bit more mobile and sociable once again. But more law firms, as have many businesses, have now clarified that they won't be expecting a return to an office-based working week. With the success of collaboration tools, and no visible signs of a productivity drop this past year, they are happy to go public on hybrid.

Those that don't relish the daily commute as that sunlit transition time between work and home life – whether it's final prep for a breakfast meeting, or getting into a good book rather than boxset binge – breathe a sigh of relief. And there is, of course, a serious case for hybrid supporting under-pressure work-life balance. Others, though, are concerned – for culture, in-person communication, relationships and development.

We were considering building an app version of Briefing for some time pre-pandemic, but it's clear that now is the moment for it

There's much to be asked about all of that. But there's also the immediate reality we'll see of people working in different places at different times, and needing different information from other people (or systems) when they do so. Team members are only a call away, but evidence suggests it's not unlikely they'll be unavailable – on another call, of course. It was interesting to read about one law firm recently suggesting a 'no internal meeting day' to mitigate risk of burnout. No doubt what actually happens in those meetings is also a subject for some scrutiny. And we know many are looking to tools to help replicate some of that meeting-room experience of old when people are calling in from all corners.

And then there's the consumption of valuable information and data during that working day – for example, everything you find and learn here in **Briefing**! At one recent virtual roundtable we heard how a firm has moved to have people funnelling all public-facing content – and there's more of it being generated in lockdown – through an app for better control of the process. After polling you all about how you preferred to read a few years back, we were considering building an app version of **Briefing** for some time pre-pandemic, but it's clear that now is the moment for it.

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RICHARD BRENT EDITOR-IN-CHIEF

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"It could be any kit, anywhere, at any time."

Jo Owen, chief information officer, Cripps Pemberton Greenish

Briefing spotlight, partnering with: Pulsant

At home with innovation

Marcus Difelice
Partner
JMW Solicitors

 @marcusdifelice

SPEAK UP

Back tracking?

T he pandemic has changed working practices permanently. With more employees working from home, it could be argued that employee management and monitoring has significantly reduced, as employees are not physically present and cannot be watched while working from home. However, as many businesses have shifted to working remotely, and have adjusted to this without the need to implement too many changes, some employers are choosing to use surveillance technology and tracking facilities to monitor employee productivity.

This software – also known as productivity intelligence – can monitor keystrokes, track mouse use and monitor general computer activity (including documents viewed on screen). It can then be summarised in a report each day, and sent to a boss who is then able to measure productivity.

It's difficult to see how this type of software marries up with the more stringent privacy protections we now have in place as a result of tightened data protection and privacy legislation. However, are some employees more willing to accept this type of monitoring on the basis an employer is entitled to monitor productivity just as they would in the office? In a law firm or a call centre, productivity monitoring (tracking billable hours/calls made) is ingrained in the role.

It's also important to consider whether or not this needs to be declared to employees. Employers would need to manage employee expectations of being monitored similarly to a computer misuse policy. Clandestine monitoring would only be justified in well-defined, rather than general, circumstances.

The employer may argue that they are monitoring ability to fulfil contractual duties. After all, under any employment contract, remuneration is paid in return for work. An employer has the right to check that work has been completed, as required. Working from home has left employees with more autonomy to choose working hours – how and when work is done – in defiance of the traditional, contractual model.

However, it can be argued that monitoring in this way impinges on privacy and is far too invasive. Employers need to tread carefully to avoid damaging the relationship between the parties, causing a breakdown in trust and breaching the implied 'mutual trust and confidence' term that exists between the two parties by default in the employment contract. Disgruntled employees may bring claims of breach of contract, or even attempt to claim constructive unfair dismissal.

With many businesses so desperate to keep afloat, measuring productivity and output may seem like a justified business decision to effectively measure the cost of keeping the employee directly against their output. However, employers should not overlook the importance of trusting employees to remain productive, even when working from home. ◢

Employers would need to manage employee expectations of being monitored similarly to a computer misuse policy. Clandestine monitoring would only be justified in well-defined, rather than general, circumstances

▶ SPEAK UP

Results speak louder than actions

Trevor Sterling
Partner
Moore Barlow

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Law firms are making great progress, but they need to continue to listen and learn and hold themselves accountable for achieving meaningful outcomes

T he final months of 2020 saw a flurry of law firms announcing new targets and action plans to improve diversity, equality and inclusion (DEI), spurred on by the Black Lives Matter movement. Suddenly, there's an acute awareness that more must still be done to raise the prospects of ethnic minorities in the law, and to create a legal profession that better reflects the society it serves. Although firms have been grappling with these issues for some time, it feels like there is now a sustained and proactive impetus for change, and that's extremely positive.

Change must be meaningful, however. It's time to move on from good intentions and box-ticking to focus on initiatives that are targeted and thought through, based on a deep understanding of the value of diversity, with a nuanced approach to achieving it. Targets are all very well, but do they get to the root of systemic inequality? How can they take into account that 'BAME' (black and minority ethnic) is a broad term that comprises the academically and economically disadvantaged as well as the privileged, making social mobility as much at issue here as racial profiling? And do they encourage the top-down leadership that's essential to change firms' structures and cultures?

What's more interesting to me are the strategies firms are using to hit those targets (if they have them at all), and there is much to applaud in the new measures being put forward. Some of the most powerful initiatives involve eliminating unconscious bias and replacing it with what I'd call 'conscious unbias'. Contextual recruitment (taking into account the context in which academic results have been achieved) and 'blind' recruitment (where indicators of ethnicity such as names are removed from CVs) fall into this category. So do scholarships or paid internships aimed specifically at the most underrepresented groups – such as black candidates, who make up only 3% of lawyers in the UK – and use of recruiters that are diverse themselves, who have insight around how best to target these groups.

Unconscious bias training is also very important to create an environment where talent from all walks of life is enabled to progress through to leadership. And it is by having more BAME representation at the most senior levels that we will start to see diversity pervade law firms and become part of their DNA. Ideally, ethnic minorities should have a seat at the table on all internal committees so that DEI naturally becomes a part of all decision-making, rather than an add-on or afterthought. This diversity of thinking ultimately brings commercial benefits because it will help law firms to improve service for their diverse client base.

It's true that actions speak louder than words. I would add that results speak louder than actions. Law firms are making great progress, but they need to continue to listen and learn and hold themselves accountable for achieving meaningful outcomes. That's a worthwhile target for 2021. ◢

◤ COMMENT

Connecting to innovate

Michael Warren
VP, client development and intake
Wilson Allen

◉ @WilsonAllenTeam

◤

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One of the best ways to begin innovating toward a more connected firm is to develop an understanding of the client's journey across the entire practice lifecycle

N o business in any marketplace, in any sector, can afford to stand idle – forward movement is imperative to keep pace with client needs and outperform the competition. Innovation fuels movement.

Firms that thrive in today's hyper-competitive environment match or exceed the wave of modernisation that has swept corporate life. A distinguishing characteristic of this modernisation is connectedness:
• Connected teams working from many geographies
• Processes that bridge departments, connect collaborators, and enable efficient inception of clients and matters
• Connected data stores that position the firm to inform business development and marketing with the richest, most useful information about the firm's experience and capabilities.

For the connected firm, as the heads of the business operations departments increasingly start to align their business plans, the approach to system implementation and information management will be more business process-focused. The most profound changes will occur in client development and intake.

There are many reasons firms should connect the client development and intake disciplines, from both a data and an operational perspective:
• Connecting the intake and CRM databases provides the marketing organisation with a deeper understanding of the characteristics of the companies that the firm deems to be prospects
• The data from the business inception team tells the marketing organisation which companies or industries should be entirely off limits
• Valuable third-party data for new business inception can inform marketing strategy
• Connected firms begin client and matter inception in the marketing system, seamlessly converting prospective clients and matters to active business at proper approval thresholds.

One of the best ways to begin innovating toward a more connected firm is to develop an understanding of the client's journey across the entire practice lifecycle. What is it like to be a prospect considering doing business with the firm? What is the nature and quality of the experience of becoming a client or commencing a new matter? How does the firm serve its clients? What value does the firm provide, and what forms does that value take in addition to legal advice and representation? What is it like to be billed by the firm, and how does a client validate and approve billed amounts? How transparent is the client's view of a matter as the engagement progresses?

A modern firm needs systems, data and analytics to gain appropriate insight into clients, targets and opportunities, in order to ultimately make smarter business decisions. ◤

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Firms can get most jobs done. If we choose big innovations, we often lose sight of the change-management and user-adoption elements that need to be delivered as part of these innovations

▶ **TO THE POINT**

Degrees of innovation

T this issue has a focus on innovation, a word which means different things to different firms. Some 15 years ago, in a previous life in the angel investment arena, I heard Simon Woodroffe, founder of YO! Sushi, speak. He talked about making a 1% improvement in his life every day – it being much easier to work out how to do so than to make a 365% improvement in a year. Making 1% every day seems much more achievable than going for a massive change. He was advocating continuous innovation – and it really resonated.

Pinnacle is hearing from firms that there is considerable uncertainty. They appear to be falling into two camps – those hunkering down, worried about investing for fear of what the future will bring, and those looking to capitalise on the momentum for change created over the last year or so. Interestingly, however, the split between the camps does not seem to be between those that have seen business volumes hold up and those finding life tougher. Indeed, it's hard to find a new business-acceptance team that isn't busier this year than last – volumes are up and appear to be holding. Almost no firm I've spoken to has confidence in its ability to see what the future will bring – the camps seem determined to navigate what the future throws with a belief that continuing to innovate will serve the business well.

With this uncertainty, it strikes us that following the Simon Woodroffe mantra of maintaining smaller, continuous improvements must be good: it avoids the risk of making big mistakes and means you can make progress on many fronts.

In the business intelligence space, we're seeing – with Microsoft's ability to insert PowerApps into dashboards – that firms can turn reporting and information historically presented as 'for your information' into 'for your action' – what Microsoft is calling 'Actionable Insights'.

The further exploitation of Microsoft Teams is another area of focus. With our collective rapid adoption, there has been a need to integrate it with legacy working practices, such as time recording and document management. We are now seeing firms beginning to increase their focus on some of the information governance challenges created by the rapid adoption of the software.

Most people working in law firms have the tools to do their jobs. Firms can get most jobs done. If we choose big innovations, we often lose sight of the change-management and user-adoption elements that need to be delivered as part of these innovations.

The key here is to focus on those things that make life easier, not picking hard battles – it makes things easier to deliver. In our due diligence around the acquisition of Enable and its PitchPerfect software, one common thread of feedback that emerged from law firms was the fact it's embedded in Word and PowerPoint – users don't have to go anywhere else. Improving the tools individuals use today is easier than giving individuals new tools and places to go.

One area where driving innovation is hardest is business development. That's because much of the change required is in the fee-earning community and how they relate to contacts – it isn't something BD professionals can do for them. The BD teams that appear to have had most success in enhancing client relationships are those that have managed to sustain small but continuous improvements and innovations, day by day, week by week.

With the new normal appearing to be around the corner, and massive changes pushed into firms under pressure, there are probably more opportunities for a 1% improvement every day than ever. We've pushed through the imperfect. We can now use the momentum and goodwill to improve further, and it doesn't need to involve a big project. ▶

Features

Crisis innovations

The global pandemic has forced all businesses to change at a speed that they couldn't have imagined possible – but keeping a step ahead is part of the job of innovation. Josh Adcock asks leaders of law firms' various innovation initiatives how the crisis has affected the rate and substance of their transformation

Few periods could possibly be more in need of an innovative mindset than the last year – which is why it's fortunate that many law firms have long invested in building out innovation teams, technology incubators and client-oriented solutions hubs. Adoption of new technologies and ways of doing things has arguably rescued businesses across the country from operational paralysis, and innovation is now central to firms' future strategies and those of their clients. But innovation functions and their priorities have also been affected by remote working and pandemic-induced circumstances.
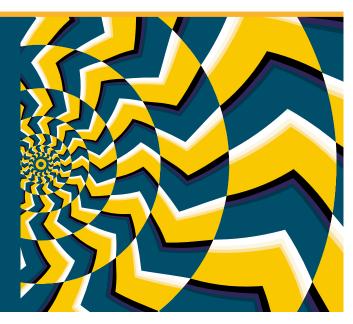
Karim Derrick, product and innovation director at tech spin-off Kennedys IQ, says mandatory remote working in spring 2020, just as the pandemic was starting, didn't cause too much disruption, but did put one project centred on insurance claims in jeopardy, as it was reliant on making in-person observations of decision-making processes. "The carpet was pulled out from underneath us. You're not physically sitting next to people you're trying to observe, so we were concerned about losing something in that remote environment," he explains.

However, Derrick says that fear was eventually assuaged, as remote working ultimately worked in the project's favour. The virtual observation carried out was less obtrusive than it would have been in person, making for better results, he says, adding that the collaboration aspect of development was surprisingly also much easier when remote working: "We made much more progress than might have been the case if people had been expected to be physically present at a given office."

Not missing the engagement

All the law firm innovation people **Briefing** spoke to this month reported a similar story around collaboration becoming easier in many ways, as remote working has opened up digital avenues that were underused. At Reed Smith, innovation engagement manager Adam Curphey says innovation projects have benefited from more communications channels: "People didn't always feel expert enough to talk about the types of innovation Reed Smith could provide, or weren't fully aware of them. Now that everyone has Zoom and Teams, we're much more able to publicise what we can do internally." Initiatives like a three-month Innovation Seasons programme – modules

> **"People might previously have had a growth mindset – a positive attitude to change and a willingness to learn – in terms of legal subject matter, but not in terms of how you approach solving a problem and what tools to use. That's changed."**
>
> *Shruti Ajitsaria, partner and head of Fuse, Allen & Overy*

intended to provide lawyers and business services professionals with a grounding in one area of innovation and to demonstrate which tools the firm already has at its disposal – have been instrumental in this area and attracted large online audiences of over 150 people per event, he adds.

That engagement, combined with goodwill around the success of shifting to digitised, remote working, has led to greater buy-in, Curphey adds, resulting in a new, "nice-to-have" problem: enthusiasm is sometimes running ahead of the formal system. "People want to revolutionise things and apply artificial intelligence – which is great – but we still have to collect data and go through the right development processes," he explains.

That feeling of increased enthusiasm and engagement is echoed by Shilpa Bhandarkar, CEO at Nakhoda, Linklaters' law tech startup, who says the age of Zoom has made it easier to connect with external stakeholders. Although she admits it can now require more organisation to perform demos of products, Bhandarkar says the business has seen greater interest, and accessed a wider range of clients and investors, than was typical in the pre-Covid world. "Geographically, the situation has also created a level playing field. Suddenly you can access investors who aren't in the same city as you, or even on the same continent. What does it matter if everyone is on Zoom or Webex? You're still doing the same pitch," she says.

That said, there's no rush to achieve a digital-only world. Although teams at Linklaters and Nakhoda have continued innovating through conferencing and digital whiteboarding tools, Bhandarkar says the importance of the firm's London innovation hub is undiminished and, in

fact, she foresees more demand for similar spaces in the future: "Activities like legal design processes benefit from in-person collaboration. That's what people are missing at the moment. Lawyers need to get together and discuss their transactions in a more collaborative way, and the Nakhoda product managers need to workshop features with software developers – these experiences are richer in person."
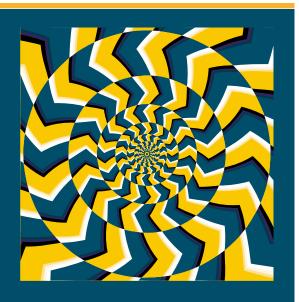
Time to face the change

Being removed from the office has also forced firms to do many business-as-usual activities differently, says Shruti Ajitsaria, partner at Allen & Overy and head of Fuse, the firm's tech innovation hub. "I can still give documents and administrative tasks to my PA virtually, or have paper documents sent to me, but doing so shines a light on the inefficiencies in our processes," she explains.

Underlying this, she adds, is a change of thinking which has been more important than the adoption of any one specific technology. "People might previously have had a growth mindset – a positive attitude to change and a willingness to learn – in terms of legal subject matter, but not in terms of how you approach solving a problem and what tools to use. That's changed. People have had to ask themselves: 'What tools can I use to be the best lawyer I can be?'" she explains.

Similarly, Greg Baker, lead innovation lawyer and counterpart to Bhandarkar at Linklaters, says the legal technology team has seen greater use of tech around the firm, but agrees the pandemic has sparked a wider rethinking of processes. "We've process mapped every type of transaction we undertake to see where the potential efficiencies

> "Clients are recognising that transformation is more complex than adopting a specific technology. We're trying to help them design a next-generation operating model around what a law firm supporting an in-house legal team should look like in three years' time."

James Touzel, partner and head of FutureLaw, TLT

lie. There's no cost to that, but it has highlighted where we can apply automation in future," he says, citing high-volume, iterative work like IPOs and rights issues as areas where lawyers have been forced to rethink working habits and look for more innovative solutions, while creating longer-term efficiencies as an added bonus.

At TLT, increased automation of processes has also been a key focus, says James Touzel, partner and head of its innovation programme FutureLaw. However, he also notes the benefits of automation go beyond internal efficiencies: "It's about quality and consistency. In-house legal departments are inherently collaborative – people get a lot from 'working at the elbow' of others – and maintaining that consistency is difficult with remote working. We've been looking at how technology can integrate with playbooks and guides that answer the need for consistency and work with clients' authority levels and their appetites for risk."

Transforming priorities

Of course, it's not only law firms that have been operationally affected by the pandemic: as Touzel suggests, clients have been grappling with the implications as well. That has led to an acceleration of innovation, rather than any slowdown, according to all our interviewees this month – although sometimes these demands have emerged in new ways. At Clifford Chance, April Brousseau, global lead of Create, one of the firm's three innovation initiatives, and focused on research and ideation, says clients' needs have prompted the emergence of new collaboration dynamics during the pandemic: "First, we've seen banking clients, for example, sharing problem statements with their panel law firms, and expecting them to collaborate to solve it. Second, we've seen a trend around multiple clients in the same sector getting together and saying to the market: 'We share this problem – who's going to solve it for us?'"

Her colleague, Anthony Vigneron, director of legal technology solutions, says this is an opportunity for firms to address issues in a fresh way. "When only one client has expressed a need for a solution, we're not really solving the big problem." One example that both cite, from the very start of the pandemic, is the creation of a framework for e-signatures that tackled standardisation issues preventing more widespread uptake, which was developed for the Global Legal Hackathon. It included collaboration between Adobe Sign, DocuSign, Neota Logic and Barclays, as well as fellow law firms Norton Rose Fulbright and Ashurst. "The tech has been around for 15 years but hasn't been used in legal. We had to work on it together to solve some of the practicalities at the start of the pandemic when it was suddenly crucial," Brousseau explains.

And at TLT, Touzel says client demand for support around transformation has grown, prompting an expansion of the FutureLaw team to 15 dedicated employees over the last six months. But the pandemic hasn't radically altered clients' priorities within their transformation journeys, he says – rather, it has accelerated existing plans and matured some views of the benefits and limitations of technology, along with more collaborative partnerships between in-house teams and external technology suppliers. "Clients are recognising that transformation is more complex than adopting a specific technology. We're trying to help them

design a next-generation operating model around what a law firm supporting an in-house legal team should look like in three years' time. That includes having technology handle day-to-day, routine tasks to free us up for more valuable things," he explains.

Clients are also asking for more industry-specific data from TLT, he adds: "What we've learned from across our client base can offer specific clients insights into ways to change their own processes." Those insights also carry across TLT's internal processes and the ways in-house counsel and law firms interact, he adds: "How can we use technology to work on the same 'set of rails', whether you're an in-house lawyer or working in a law firm? That was a key question for us before, and has been seen increasingly during the pandemic."

Bhandarkar at Linklaters says the pandemic accelerated much of the development and thinking behind CreateiQ, which digitises contracts and the negotiation process, surfacing key details and terms more easily while also generating structured data at the point of creation. It was initially conceived of

solely as a tool for helping clients to manage regulatory reform, but the scope has expanded, owing to the wave of digitisation brought about by the pandemic: "We realised it was applicable to wider contracting needs, while also helping larger clients to collaborate better within their in-house legal teams and with us, their legal advisers."

She adds that the situation in 2020 also forced clients to react quickly to supply chain issues and make more decisions in real time – digitising contracts both made it easier to surface relevant information and generated useful new data: "Providing structured data is key, as it isn't only valuable to lawyers, but to the whole business."

If we can say there are any silver linings to the period of crisis for innovation teams, it seems that at least one is the necessary clarity and focus it has sharpened around many initiatives like these. As Bhandarkar puts it in relation to CreateiQ: "The vision was there before, but the pandemic has helped us to decide which features and functionalities are the most important." ◢

LOW-CODE LOWDOWN

With firms' appreciation of technology maturing, efforts to marry legal expertise with tech solutions has grown in the last year. Low-code or no-code solutions – platforms that enable the rapid creation of new apps or software through decision trees and workflows, requiring little or no coding ability – have emerged as a contender for achieving that goal and accelerating the digitisation of existing processes. Many firms have begun teaching the use of these tools, including Clifford Chance's Automation Academy, which April Brousseau says has expanded into a three-month programme training people to ideate, identify problems and develop solutions.

Adam Curphey at Reed Smith says low- and no-code tools have been a useful bridge, used in the

firm's tech training programmes in the US and with Exeter and Queen Mary Universities in the UK. "Technology deals in absolutes. You have to teach computational thinking before you can forge links between technologists and lawyers. It's about finding a common language," he says.

Reed Smith was using a no-code platform in self-service tools for its clients before the pandemic. It allows legal experts at the firm to understand the decision-making processes within a given tool more easily, and make changes if needed, without having to learn code while, on the client side, it can be used by in-house legal teams or other departments. He also stresses the importance of developing such tools in a way that facilitates a "meeting in the

middle" between lawyers' ways of working and more process-based thinking, which can include performing the initial development in programmes like Word before implementing workflows in the no-code platform.

Touzel says TLT has been using low-code platforms for some years as well, but stresses their value in the context of the law firm's role as advisers, not developers: "We have the insight into how a client wants to operate a given technology, so we're increasingly playing the role of a systems integrator between clients and technology providers. But clients don't want lawyers coding technology from scratch."

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▧ **TEAM BRIEFING**

Trade in transformation

Richard Brent meets key players in the process improvement team at DLA Piper, and hears how significant investment in the mechanics of robotic process automation is transforming legal service delivery

B **riefing** often hears that a common challenge for teams implementing new technology at law firms is securing the buy-in from right across the organisation to achieve a critical mass of adoption for a healthy return on investment.
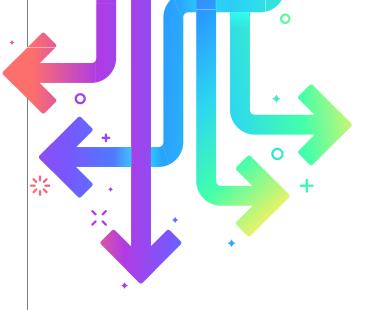
For DLA Piper's head of business process improvement David Huston, the extent of interest in a new tool is also a challenge – but there's certainly no risk of a shortage. The firm has been working for 14 months to design, pilot and launch a new 'centre of excellence' model to manage his team's focus on finding the very best opportunities for its robotic process automation (RPA) technology to shine. "If you just accept all the automation opportunities that get raised, the risk is that you can end up prioritising whoever shouts the loudest," he says. "Lesson number one is that it's critical to keep control over the pipeline, with a benefits-based

approach. The possibilities are endless, so we prioritise the biggest wins first."

Business game-changing efficiencies would be nice, naturally – that could be for either individual clients or internal processes, from which many clients might subsequently benefit. Those with process improvement skills, therefore, first scope out the options, including through collaboration with clients, before the firm's new bot gets to work on whatever it's given by a growing team of automation engineers. "We have sometimes had to park opportunities on the internal side to focus on others we've promised to a client," admits Huston. "But, on the other hand, there's a lot of scalable benefit to be made in our business that clients would like to see. It's all about getting that balance right and focusing on scalable opportunities."

DLA Piper is in the process of appointing a new head of robotic process automation, who will be responsible for building out the centre of

Repeat performance

Leaders of practice areas are also a key part of DLA Piper's RPA effort – they were invited to come forward with parts of their legal processes where a robot could take on some serious heavy-lifting.

Leigh Martin is an intellectual property partner. He had previously been involved in legal process improvement initiatives at the firm, and soon saw opportunity in the way that trademarks are routinely filed and updated internationally. Global brand owners can, of course, have multiple brands, which typically need registering in multiple territories. There will be some advice around that – risks in different regions, and what should ideally be covered – and there can be disputes. But often it can just as easily be a repeat process time after time, says Martin.

If unopposed, a trademark is filed at the intellectual property office, examined, published and advertised for a few months and registered. The client receives a certificate. Unlike the advisory or dispute aspects, which will be more complex, "it's relatively low cost, and an element for menu pricing," says Martin. "The client experience still needs to be good, but part of that is that we have to do it efficiently."

Each application also needs to be managed to multiple different deadlines. Clients may request reports, or to access systems that track these, but missing a deadline means a business missing out on rights, says Martin. In addition, trademarks are periodically renewed, but clients clearly don't want to pay for a renewal if it isn't needed.

"Not only do you have repeat tasks, but you also have all of this repeat administrative work – inputting different cases and dates." And indeed, such is the vast volume of data and dates involved, any client looking to switch their matters over from another law firm needs confidence that this too can be achieved in good time, without error.

Processing the possibilities

Martin and Huston had already worked together on process mapping how different resources might be

excellence. And there's already a very clear cascading of involvement and responsibility from the top down to this project, he explains. It's led by the firm's COO, with programme management leadership to keep that pipeline clean, department leadership such as HR and finance – both strong internal use cases – and then the automation experts themselves.

Everyone should receive relevant updates about progress, he says, while the processes that are candidates for automation also need granular review and documentation in advance. "Some other industries have been on the automation journey for up to 10 years, whereas the legal services industry is really ripe for deploying the technology at pace. At DLA Piper, we've developed a set of standards, and my top takeaway is to ensure stakeholders all understand their own roles in helping to document the use cases and how we've collaborated on them."

Even as one of the largest law firms in the world, DLA Piper took advice from other organisations that have been busy embedding RPA for longer. Indeed, it was one such business that recommended "fully committing to a new tool with an infrastructure of training and development, and finding it a good home with a centre of excellence," says Huston.

> "We've developed a set of standards, and my top takeaway is to ensure stakeholders all understand their own roles in helping to document the use cases and how we've collaborated on them."
>
> *David Huston, head of business process improvement, DLA Piper*

more cost-effectively applied to all of this activity – and here now was another to add to the mix. "Fundamentally, the bot can be programmed to do anything a person can do with a keyboard and mouse," says Martin. "It can visit a website, open a system, select from menus and enter values. If you can articulate your process with the required granularity, then you can program it using RPA."

Some of the latter coding work falls to process automation analyst Oliver Payne – but he's also in the business of supervising bots as they churn through process, day after day. Of course, key to the overall proposition is that a robot can work tirelessly on tedious tasks overnight, without making the type of errors a fallible human might. However, that doesn't mean errors are impossible.

"A 'perfect bot' can be completely hands-off, but if there are time constraints on a project – or an older piece of software is involved – you do need somebody standing by and stepping in if necessary," says Payne.

In the case of the trademark work mentioned, it has, prior to this, been trainee solicitor and former paralegal Elena Pollard breaking down the process – as it's some of her former work the bot has in fact taken on. Historically, paralegals like Pollard have performed much of this system-entering labour at firms, and the ability to release them from it is another major advantage to the business, according to Martin. "With less of that work, talented people can spend more time doing more interesting, challenging and ultimately higher-value things."

Pollard continues: "With a strong target for automation, we could see the investment of a few weeks of my time now would pay off for quite a long time into the future." Without that business case, even with a clear deadline, it would be harder to ensure other work for clients didn't take priority.

New use cases are being evaluated all the time. Following the trademark management proof of concept, for example, it was soon recognised the bot could also then be programmed specifically to update clients about changes to their circumstances as the UK left the European Union. The UK government automatically created millions of identical new trademarks for continuity, and clients needed to know the details. Pending applications also received a new deadline to receive protection. "We programmed the bot to create new cases and deadlines right across the firm-wide database, and then reports for everyone to send to their clients," says Martin.

"Provided it doesn't need to make a judgment, RPA can assess a mark based on information in the system and decide between appropriate next steps at different times. However, all the skilled work and preparation time that also feeds into that really can't be overstated," he adds.

In terms of internal business management, says Huston, there's significant opportunity to deploy robotics on deadline-driven tasks such as time recording and debt management – and potentially people and resource management too.

The team believes the opportunity will now continue to build over several years, helping to maintain the firm's delivery as streamlined and at the right price point. If the factors such as repeatability, scale and the quantified potential rewards are there – the process team here even has a handy checklist of these to cast an eye over – then RPA could well be coming forward as a promising candidate. ◢

"A 'perfect bot' can be completely hands-off, but if there are time constraints on a project – or an older piece of software is involved – you do need somebody standing by and stepping in if necessary."

Oliver Payne, process automation analyst, DLA Piper

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Briefing

SMARTER LEGAL BUSINESS MANAGEMENT

Remote controls

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Virtual realities

Hosted by **Briefing** and Pulsant, legal business management leaders recently assembled to discuss addressing the challenges of visibility, security and control in a much more dispersed workforce. Richard Brent reports

rganisations large and small will have relied on technology to help keep their teams effectively engaged, productive and collaborating through all the challenges of the past 12 months. However, all technology strategies are not equal. Decisions about IT management and investment that were made months or years before the first lockdowns may have given some firms a competitive edge in 2020, as they were able to respond on other fronts faster with certain foundations in place.

In the right environment

For Jo Owen at Cripps Pemberton Greenish, for example, one such advantage was the firm's earlier investment in a virtual desktop infrastructure. Like many firms, hers very suddenly needed to mobilise a lot of equipment. "But that was quite quick and easy – done in a matter of days with minimal setup," she says. "Laptops were just encrypted and shipped out as needed."

With the VDI managed by a managed service provider, her team could also focus more of its

energies on other tools of homeworking productivity – collaboration platforms and electronic signatures, for example. "Backend infrastructure experts will always have wider-ranging technical skills than we could assemble in-house," she explains. "But our internal team has more knowledge of our people and our clients, and this way they've also long had more time to provide greater added value through how we choose and use technology." Now that time could make all the difference in transforming over to an even more effective model of dispersed working.

"We're also driven by the client experience, and how they want to receive a service – even where we're driving our own internal efficiencies at the same time. There's a mindset shift on both sides towards thinking of ways to do things differently."

Dal Virdi, director of IT at Shakespeare Martineau, says the first lockdown was a trigger for some significant change to his firm's operations and the way it used the Citrix environment to support more agility for people. Similar to the Cripps experience, he says, device setup was very straightforward – in this case it was Microsoft Surface Pros to enable a more seamless return to some office-based working as and when – but

within six weeks the firm also had full VPN capability with localised applications. "There's still the opportunity to continue with Citrix for some legacy applications, but it has given our people more options for working in different ways, and we'll continue on that journey," he says.

And Christel Aguila, head of IT and a partner at Winckworth Sherwood, highlights the advantage to the firm of having invested in cloud-hosted Citrix (using Microsoft Azure). This worked well alongside the NetMotion VPN-enabled laptops provided to lawyers, she says. "In the past we would limit the number of Citrix licences to only the regular users, but in 2020 we had to ramp up the numbers. Being on Azure also means we can scale services up or down based on demand." As the firm's HQ is in London Bridge – a high-risk area for terrorist attacks – she says agile and remote working technology were part of the firm's business-continuity plan before Covid-19, and this proved particularly beneficial in the switch to homeworking.

Maintaining communication culture
Virdi at Shakespeare Martineau says one reason for enabling localised applications was to help with the

"**In the past we would limit the number of Citrix licences to only the regular users, but in 2020 we had to ramp up the numbers. Being on Azure also means we can scale services up or down based on demand.**"

Christel Aguila, head of IT, Winckworth Sherwood

slickness of the video-meeting experience. "From a cultural perspective we've done whatever we can to help boost levels of social interaction," he explains.

Clearly, quality and methods of communication have been front of mind for many firms as people have adapted to their homeworking lives. Owen says the leadership team at Cripps started with daily 'standups' every morning, and she would then hold her own management team check-in each evening. "We still have the meetings three times a week, and they've really helped to maintain close working relationships and clarity about how teams are progressing and coping," she says.

"Secretary team leaders in different divisions have also proactively shared tips about possible changes to working practices, and we've 'tech gurus' to take a lead on helping people to get the best out of technology when you can't as easily call out across the 'room' with a question."

Another way the firm has sought to recreate the office environment online is through an initiative called 'Cripps conversations' – an informal video campaign sharing updates from people akin to those 'watercooler moments' where they used to occur. And aspects of work such as CSR continue to thrive over WhatsApp, she says.

The conversation turned to the area of employees' wellbeing and mental health at work, which clearly also needs attention. Observations included that you could proactively manage the number of video meetings people need to take part in each day, for example, and establish supportive communities that aren't purely focused on work. It was highlighted that the next challenge for the balance of communication was likely to be the readjustment to any new balance of being in and out of the office in future – in terms of both management processes and facilities.

Aguila at Winckworth Sherwood agrees that people's wellbeing requires some risk management, as well as the right channels to provide the necessary levels of effective supervision, particularly when you have a much more dispersed workforce. "Technology can help in part, but it's also about agreeing, defining and cascading management objectives and processes from the top, particularly during lockdown," she says.

The CEO of Shakespeare Martineau still produces a regular internal webcast, which started as a weekly update for the whole firm when it first went into lockdown. Called 'Shed Life', this is recorded in the 'shed' that she works in and, as well

"We've 'tech gurus' to take a lead on helping people to get the best out of technology when you can't as easily call out across the 'room' with a question."

Jo Owen, chief information officer, Cripps Pemberton Greenish

as being a talking-point, Virdi says it has provided an effective blueprint for comms efforts more widely.

Another firm had implemented a new solution as it sought to balance out some differences in people's lockdown workloads – some being busier than usual, some quieter – potentially even across borders. Managing and monitoring engagement with work and one another, but without being overly prescriptive, has clearly been something for businesses of all sizes to consider.

Method in IT

Patterns of behaviour working remotely, and the proliferation of opportunities for comms and collaboration, also raises the question of information security. "Our people certainly need to be more vigilant than ever with all the different channels now available," agrees Owen. "We've recently run a risk audit because the landscape and challenges have moved on.

"The centralised control of VDI has really helped, and another factor is having a business partner that can also support us with some security best-practice thought leadership.
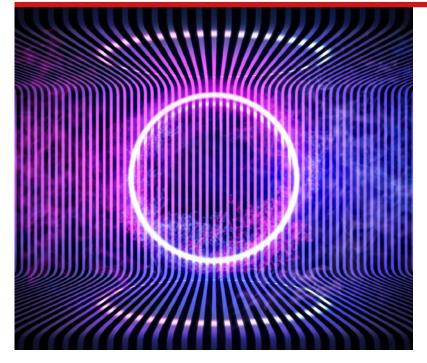
"We encrypted all the laptops we gave people to work from home, but it could be any kit, anywhere, at any time. And, once again, the security of that fact has handed us back some useful time – to focus on our understanding of social engineering, learning things from people's actual experiences, and finding ways to keep aspects of risk fresh in their minds."

She adds, however, that organisations should also be measured and methodical about making the move to VDI. "Law firms, particularly those that have been around for a long time, will be really complex environments, with lots of applications and settings added at different times. A programme of standardising and simplifying beforehand is likely to be very beneficial." In the case of her firm, it was migrating the practice, case and client relationship management systems at a very similar time, so there was something of a standardisation journey already underway.

"Clarity about expectations and how you'll benchmark progress is another success factor, as it can be challenging to obtain more anecdotal feedback from users about performance. The change management is also more complex, as there are many suppliers involved. We worked extremely closely with Pulsant to ensure the process across all parties was as joined-up as possible." ◢

> "Law firms, particularly those that have been around for a long time, will be really complex environments, with lots of applications and settings added at different times."

Jo Owen, chief information officer, Cripps Pemberton Greenish

Rise of the hybrid law firm

Roger Waterhouse, cloud and hosting product manager at Pulsant, explores the adoption of the hybrid working model in the legal sector and urges firms to consider their approach to managing dispersed IT with care

There is a broad view that remote working is becoming a permanent fixture in the 'new normal', with many businesses across different sectors choosing to incorporate it long-term. It's easy to see the appeal of a permanent remote work policy given countless reports of productivity gains. A Capgemini survey of 500 organisations worldwide found 63% reported an increase in productivity while employees were working remotely in 2020.

Other key advantages for law firms include being able to attract and retain the best talent outside of the traditional catchment area, and refactoring or reducing office space to improve effectiveness or lower overheads. However, while adopting remote work long-term will be an easy transition in many sectors that have had to adapt to homeworking during the pandemic, enabling an effective permanent remote working strategy in the legal sector comes with its own unique set of challenges.

In any sector as highly regulated and compliance-led as legal, the ability to remain

compliant and secure would be a struggle, not to mention successfully balancing this with ensuring remote staff continue to be productive and effective. So it is not hugely surprising that eyebrows have been raised at some law firms choosing to embrace remote working policies permanently.

In August 2020, Linklaters introduced a new agile working policy that allows staff and partners to work remotely for up to 50% of the time, albeit with certain caveats. This is the kind of permanent hybrid working policy that has provoked mixed reactions from across the industry. But with many seemingly in favour of the move, could we be witnessing the rise of the hybrid law firm?

Key considerations for the switch to hybrid

Hybrid working is a form of remote work that sees the workforce splitting its time between the office and home, or wherever else the company policy says they can work from. At any firm adopting this model, staff and partners need fast, reliable and hassle-free access to business-critical apps wherever they choose to work.

A recent survey on finder.com found 62% of remote workers want their employers to provide better technology that helps them stay connected with their colleagues. So, supporting collaboration is another key area to consider, especially for multi-office law firms.

It goes without saying that security is paramount. If not governed effectively, remote work can increase the threat landscape for law firms. Highly sensitive data could be stored on staff members' laptops or personal devices if they don't have access to a corporate device in their home. The home networks these devices are usually connected to often comprise of an unsecured ADSL line and router.

The Solicitors Regulation Authority has reported that firms experienced a 300% increase in phishing scams in the first half of 2020, at a cost of £2.5m. Mitigating unnecessary security risks is crucial, as is ensuring compliance across the dispersed workforce.

Managing a firm's IT across a hybrid working model is far from simple and there is clearly little room for error when reputation

means everything. To overcome the legal sector's challenges, firms need to understand how to simplify, standardise and secure IT for the remote workforce and take the risk and complexity out of dispersed IT management. Those firms that are already beginning to reap the rewards of hybrid working are doing so by implementing a cloud-based virtual desktop infrastructure (VDI).

The legal case for VDI

A VDI enables firms to consistently deliver the same desktop experience the workforce would have in the office. Whether using corporate or personal devices – laptops, PCs or smartphones – employees can access their applications, systems, documents and databases from any location.

For the IT team, the centralised management of every user's desktop and the firm's entire application portfolio reduces the risks of hybrid working. Upgrades, new applications and software patches can all be rolled out to every user, ensuring consistent and secure user experiences.

Placing the firm's entire desktop infrastructure in the cloud removes the possibility of sensitive data being stored on the user's device, enhancing both security and control for the firm and its clients. It provides assurance that the firm's reputation will be protected, wherever people are working, on any devices.

A further benefit of centralised control is the restriction of user access to certain features and functions to prevent security risks such as data leak. These rules can be built around the types of devices used, locations, or methods of authentication. They can trigger specific actions such as preventing data from being printed, shutting down USB ports and blocking access to non-corporate email accounts.

While the suggestion of hybrid working models is receiving a mixed reaction, there is certainly a case for allowing staff and partners to work remotely. The benefits may be clear, but so are the risks – and in a sector ruled by reputation and regulation, firms cannot afford to take their chances. A cloud-based VDI can mitigate the risks and enable law firms and their people to reap the benefits of the hybrid working model safely, securely and consistently. ◣

For more information, visit: www.pulsant.com

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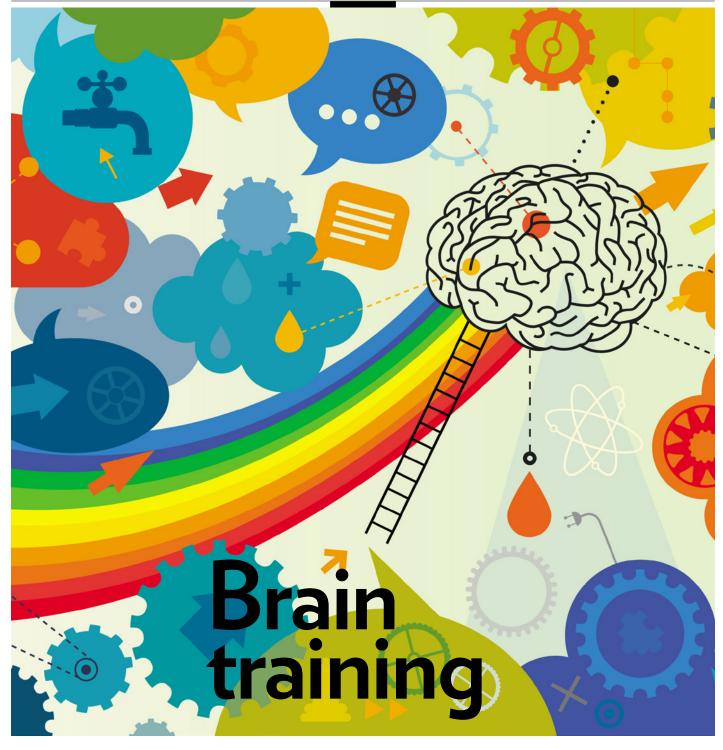
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Right ideas

In part two of his assessment of the state of law firm innovation, **Mark Ford** considers the practical questions leaders will need to ask themselves

▶ THE ESSAY

Right ideas

In part two of his article, Mark Ford, former chief knowledge officer at Baker McKenzie, sets out some options for managing the processes of innovation at a law firm and maintaining much-needed momentum

I n the last issue, we did an audit of some the typical organisational and cultural challenges facing people hoping to innovate new products and other opportunities while working at a law firm. Now, assuming you can navigate those, how do you make it work?

Every firm is different, of course, and will require an approach tailored to its own goals and the organisation's culture. However, there are some key ingredients to success:

Set a clear strategy and direction
It's important to be clear about goals from the outset and to ensure these are aligned with your firm's core strategic priorities. It's easy to get excited about the possibility of new technology or a revolutionary new process or business model, but if it isn't supporting your goals as an organisation it isn't helping the firm to succeed.

Some of the goals and metrics may need to be relatively soft in the initial stages to generate an environment in which innovation can flourish, but they should always be aligned with the broader goals of the firm. They can be reviewed and tightened up, if necessary, as the programme develops.

Engage with lawyers, partners and clients
Internal and external communications are going to be key to success. Internally, it's important to harness grassroots knowledge within the organisation: it's the lawyers at the 'coalface' of client work who know where the pain points are. They aren't necessarily partners – and they almost certainly aren't going to be your most senior partners – but good ideas are often founded in a practical understanding of a real challenge, a belief there is a

> **Good ideas are often founded in a practical understanding of a real challenge, a belief there is a better way to do something and a personal desire to implement it**

better way to do something, and a personal desire to implement it. Go out of your way to identify your innovative associates, listen to what they have to say and then celebrate and encourage them.

Of course, senior stakeholder engagement is also important, so you also need to be able to bring individual partners with you. Enough of them have to be bought into the concept of innovation, and willing to explore it, for progress to be possible. Most firms will have some enthusiastic partners who understand and want to go

on the journey, so engage them first and then win over the sceptics when you have some successful case studies.

Then, looking externally, an innovation programme needs to be informed by your clients, so engage with them, listen to what they have to say and be prepared to respond accordingly. This sounds obvious but it's not easy to do well as it needs to be an iterative process. You can't expect clients to define a solution for you, but talking with them to understand their pain points will identify opportunities and allow you to shape solutions together. This isn't always a comfortable experience, of course, and many firms are reluctant to engage with clients in this way, but those willing and able to do so will get invaluable feedback.

A bigger challenge still is the need to introduce flexibility into the remuneration model to recognise that billable hours are not the only way to add value and, indeed, to reward people who spend time on innovation initiatives. This certainly means associates but, depending on your remuneration structure, probably partners too. Lawyers need to be incentivised to contribute to those innovation projects and given the freedom to fail. One possibility could be 'secondments' out of fee-earning to give them time to focus on innovation without the pressure to bill a certain number of hours.

Invest in missing skills

Most firms that are starting an innovation programme will find they lack some of the skills they need. You probably have many of the core capabilities, such as knowledge management and legal project management, but

> **You can't expect clients to define a solution for you, but talking with them to understand their pain points will identify opportunities and allow you to shape solutions together**

skills such as process improvement, design thinking and data analytics (an increasingly important capability in the world of big data) may be gaps you have to fill. Another fairly rare but important skill is the ability to manage the intersection between lawyers and IT, so embrace anyone who has a good understanding of both and can help to define the application of technology to legal service provision.
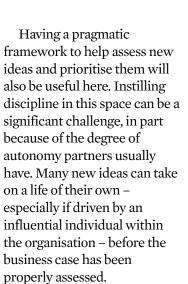
If you already have these skills in-house, nurture those individuals and have the courage to offer them alternative career paths. Giving successful performers high-profile opportunities, and helping them to succeed in a new role, will send an important message to others in the firm that innovation is recognised, valued and rewarded. That will, in turn, create a change in attitude and behaviour within the wider organisation.

Pricing is another area to consider. Firms delivering new kinds of services to clients need to think through the commercial model and move away from the billable hour. Pricing new services is not straightforward, given that the

entire engine of most law firms is focused on generating, measuring and rewarding by the hour. Building a model that can allow you to reflect and realise value delivered in non-traditional ways is an important step.

Set up a specialist tech/ R&D team

While innovation isn't just about technology, it's likely that technology is going to be an increasingly important driver of more radical changes in the legal services industry. Keeping up-to-date on new developments and exploring new tools and approaches that demonstrate potential is, therefore, an important part of any innovation strategy. This is no small task, as there are literally hundreds of legal technology companies. Identifying those that are of interest and deciding which to invest time in is crucial. This probably needs a dedicated team working in an incubator-like environment, with the freedom to experiment. It requires a mix of skills: technologists, business analysts and people who have a good understanding of legal service provision.

Having a pragmatic framework to help assess new ideas and prioritise them will also be useful here. Instilling discipline in this space can be a significant challenge, in part because of the degree of autonomy partners usually have. Many new ideas can take on a life of their own – especially if driven by an influential individual within the organisation – before the business case has been properly assessed.

There is unlikely to be a shortage of tools and ideas to investigate; rather, the challenge will be to build a meaningful but light-touch business case process to allow you to assess new ideas and decide which ones to pursue.

Should it be set up as a separate business?

There is no black-and-white answer to this question and there are arguments to be made either way.

• On the one hand, exploration of new ideas – especially at the more disruptive or radical end of the spectrum – requires the freedom to experiment and fail outside the framework of a typical law firm P&L. So there is a strong case for making a true incubator environment legally separate from its parent firm.

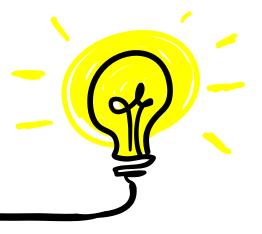• Establishing it as a separate entity will also give it greater flexibility to form partnerships and alliances, and to make decisions quickly, which law firms typically find difficult to do. There may also be advantages in maintaining separate brands so the core firm brand is protected while the higher-risk innovation brand is positioned separately.

• On the other hand, the biggest risk of creating a separate entity is that the innovative output could become detached from the firm's core business. The purpose of any innovation programme must be to develop tools and products that will help the firm deliver value to clients, and not to develop tools and products for their own sake. If the firm is not engaged and bought-in to a new idea at a relatively early stage, it will be difficult to get lawyers to buy in using the resulting tool or process, even after a successful pilot.

• Related to this is the problem that having a separate innovation arm reinforces the notion that innovation is something that 'someone else will do for us' and the firm doesn't need to change. This attitude is a clear signpost to limited success.

This article has tried to set out what a law firm innovation programme could look like, and suggest how it could be approached in order to tackle

> **If the firm is not engaged and bought-in to a new idea at a relatively early stage, it will be difficult to get lawyers to buy in using the resulting tool or process, even after a successful pilot**

some of the key challenges and maximise the chances of success. The firms that succeed in this space will be the ones that embrace the innovation agenda and see it as a means to improve their organisation and the services it provides, rather than merely as a trendy, box-ticking exercise.

The legal business model has been largely unchanged for decades, so there's still a great deal of potential for the creative application of people, processes and technology to the delivery of legal services. There's no doubt the innovation journey is neither easy nor short, but it has the potential to create tremendous opportunities for any organisation that is willing to embrace the challenges and is open to change. ◢

Industry views

◤ **INDUSTRY INTERVIEW**

Uncompromised access

In order to achieve efficiency and obtain better business intelligence, law firms need a new way to navigate disjointed tech solutions. Doug Sawers, managing director at Access Legal, a new division of Access Group, says unlocking the true benefits of legal technology requires a holistic approach

S ummer 2020 was a busy time for Doug Sawers, managing director at Access Group's newest division, Access Legal. Putting the pandemic aside, Access Group acquired two law tech companies in quick succession: case and practice management provider Eclipse, acquired in June, and SaaS practice management provider DPS Software a month later.

As Sawers explains, Access Group has long had law firm clients using its HR, learning and finance solutions, but it had plans to service them in a more comprehensive way. This stemmed from the realisation that firms often had to make an excessive number of tech-buying decisions. "There are some outstanding point-solution providers out there, but they need to work with and in the context of other systems to get maximum benefit from them," he says.

Sawers also notes the increasing importance of case management systems (CMS) and practice management systems (PMS) to firm growth and profitability: "If your firm has any scale at all – or an intention to scale – you really need some automation in these key areas." The combination of Eclipse and DPS – both best-in-breed solutions – was a chance to lay down the core of a solution to help firms answer this problem while also offering a more comprehensive approach to a tech ecosystem.

A chance for change

Together with compliance and risk management solution Riliance and e-learning solution Socrates,

> "The Covid-19 pandemic has been a wake-up call around the need for flexibility and well-maintained cybersecurity. With many suppliers developing software updates primarily for cloud, that momentum will continue to build."

Doug Sawers, managing director, Access Legal

this new law tech suite was the final component needed for the creation of Access Legal, finalised in July 2020. Another key law firm challenge the new division intends to support is the need for better business intelligence. Sawers says a fragmented tech experience makes it impossible to get a holistic view of data across a firm: "The quality of your employee, partner or client data might be best-of-breed in isolation, but those solutions don't easily marry up. Different providers also update at a different pace from one another, so it's unlikely to be all of the same quality."

He also stresses the importance of having a single, accessible system for users to access relevant data and all their solutions. Access Legal's fix is Access Workspace, a single-signon platform that hosts and connects all aspects of a law firm's operations and improves the user experience: "We will be bringing together the recently acquired core CMS and PMS with Access Legal's other legal-specific solutions but also our people management, finance solutions, payments technology and CRM software. Our goal is to make everything as low maintenance as possible," Sawers explains.

Giving busy lawyers more time to work on the matters that mean most is still key to improving efficiency, he adds, saying this is part of the inherent value in having Access Legal's various products and modules on Access Workspace. "Lawyers and managers want to compare new business alongside financials or productivity and opportunity pipeline on a single screen and have those things talk to each other better. It's all about being able to answer questions quicker and anticipate priorities," he says.

But there's no one-size-fits-all solution. The business now serves firms of all sizes, and its modular approach makes it flexible to fit a firm's current stage and strategy: "As your firm grows, and when the time is right, you can simply switch on the solutions you need."

The same is true of hosting. The acquisitions of Eclipse and DPS, Sawers says, were crucial because the two solutions – the latter primarily cloud-based – complement one another. While on-premises solutions are still needed, Sawers sees increasing enthusiasm for cloud among law firms – a view echoed in **Briefing**'s Frontiers Legal IT landscapes 2021 research, which found 72% of firms now think their PMS will be in the cloud by 2024 (in 2020 it was 48%).

As remote working becomes embedded, Sawers believes cloud will become "magnetically compelling" for firms: "The Covid-19 pandemic has been a wake-up call around the need for flexibility and well-maintained cybersecurity. With many suppliers developing software updates primarily for cloud, that momentum will continue to build."

Future focus

Sawers expects more solutions to join the Access Group soon. It also plans to develop its core offerings and, given client feedback that technology providers have often failed to communicate around functionality and development plans transparently, he says this is a high priority. The roadmap will be communicated through digital showcase events like Access All Areas, held earlier in 2021, and will continue to take on feedback through its customer advisory group, Access Legal Minds.

Ultimately, Access Legal's "modest ambition", Sawers says, is to transform the legal sector's efficiency and experience of technology – albeit while respecting the specific needs of law firms. "The stars have finally aligned: the technology has caught up, we have the core solutions in place and the willingness to adopt cloud is there – we're all quite excited about what's possible." ◢

For further information, visit:
www.theaccessgroup.com/legal

Pioneers are also people

Matthew Stringer, chief experience officer for Stridon, says both technology changes and business transformation strategies always have to start with an understanding of your people's points of view

T he path to an agile-working future was long discussed before many businesses finally enabled it for the vast majority of their people in 2020. So it isn't without some irony that this progressive transition came at a time when those people's working lives were suddenly – necessarily – more uniform and stationary. Collaboration tools quickly then became a lifeline for keeping people connected and updated in difficult times – but it's now commonplace to hear complaints that the camera hardly ever seems to be off. And the goal of significantly improved work-life balance at home has, by all accounts, not been an easy one to hit.

It's perhaps a good illustration of the fact that, while tech is always intended to improve people's experiences, it can sometimes prove a double-edged sword. So-called 'hybrid working' patterns may prove a better deal for people when shapes start to appear on the other side of lockdowns. But businesses would do well to remember that technology enables solutions to their challenges, rather than being the solution itself.

Matthew Stringer, chief experience officer at Stridon, is passionate about ensuring the technology law firms deploy is a force for good – whether that's improving individual productivity at work, or helping them to meet their long-term goals for greater diversity and inclusion. "We're now saturated with technology options all the time, and how we choose to leverage it can have negative as well as positive impacts," he agrees. "That makes it critical that we take a people-led approach. You need to understand what people in the organisation really think and where the apathy exists. We always put people at the centre, and believe we should ultimately leave them with an improvement in their lives overall."

And putting people first means doing so from the very outset of any project. Stringer's business has the potential to offer everything from helpdesk to fully managed services, disaster recovery, cloud migration and cybersecurity best practice, he says. "However, we won't simply empty our big bag of tricks onto the table for people," he explains. "Not every piece will be be the right fit for every firm." Rather, his team begins with a probing assessment of any firm's current operational maturity and culture in terms of technology, and then typically roadmaps a more agile and innovative future alternative.

"The work becomes less about buying another tool that promises to revolutionise the business and more a means of continuously using technology

> "We're now saturated with technology options all the time, and how we choose to leverage it can have negative as well as positive impacts."
>
> *Matthew Stringer, chief experience officer, Stridon*

more creatively to evolve the business model – whether management, legal service delivery or pricing."

Cultural evolution

The firms Stringer sees don't tend to be those with innovation hubs and billable hours offset to investigate 'doing things differently'. Many are boutique in nature, or looking to operate very lean. They still carry the potential to be future digital pioneers or new-model law firms, however, and many are bought into that journey. But they require external expertise in transformation to support them, often starting with making the strategic vision clear. "The desire is there," says Stringer. "The understanding of the need is there, with plenty of real-world examples to draw on." But the capability or culture aren't quite there to translate the challenges experienced into the best programme of changes.

At the same time, some commonly entrenched behaviours at legal businesses can frustrate a people-focused and holistic approach. "Law firms do still have a tendency to begin by asking what their peers are doing in order to benchmark themselves," he says. "Of course, that doesn't drive innovative ideas – it's just more likely to make everybody average.

"On the internal side, meanwhile, they shouldn't focus on any one initiative to the exclusion of everything else happening around it. You have to take the blinkers off to see other factors that may be material to success."

And whatever those circumstances, adoption will need very careful thought – a cornerstone of a technology-positive culture at the best of times, but never more important than when processes are being fundamentally re-engineered as much as finetuned. Stringer points to the complex reallocation of roles and responsibilities as fee earners begin to take on more admin for themselves, for example, or are required to digitally upskill. "Without a solid structure for early engagement, you see a situation where technology appears to be foisted on people," he explains. The change journey is already an emotional one, and this exacerbates it. Indeed, firms may need to introduce an entirely new skillset or role to analyse and compare how diverse sets of stakeholders work – and why – to make the approach to adoption a more personal one.

A continuous collaborative journey

In 2021, firms should also be carefully investigating the longer-term value in any short-term fixes – to rapidly enable homeworking, for example. "Some things may have worked well at the time, but no longer do – quite possibly coming back to people and culture," says Stringer.

They might need to drive more automation or efficiency into a process for it to thrive under a new hybrid working agreement. Others may have digitised content and processes, or reallocated responsibilities, in a rush – or find much longer-term inefficiencies are suddenly amplified. "A firm with well-entrenched clients that haven't been too demanding is likely to have retained more legacy-oriented technology," he explains. These are firms that should now be more likely to change, but they won't necessarily be aligned for that in terms of their culture.

And however well prepared they are for transformation, there is then the changing cybersecurity threat landscape to consider. **Briefing**'s annual research, Frontiers Legal IT landscapes 2021, found two-thirds of business leaders at firms had seen a growing number of client requests to carry out security audits at the end of 2020. More places of work inevitably means more movement of data between them and new risks to manage.

"Once again, people should always come before solutions," stresses Stringer. Without that you're simply inviting poor adoption of process and technology. Work can be made both faster and more secure, he says, but only if the approach is more holistic than plugging gaps with new technology.

"You need effective security-awareness programmes to help people fully appreciate the risks and introduce that into the culture – not a tick-box exercise taking a few minutes, but learning and development plans that involve the other functions, HR and compliance, from onboarding onwards."

Stringer's own strategy is to accompany firms as closely as possible throughout all such change journeys and leverage each technology option more effectively for longer-term digital transformation. "We really don't have clients where we work on one project, and we're gone. It's always an integrated partnership for longer," he says. The people in that relationship, of course, come first. ◣

For more information, visit:
www.stridon.co.uk

▶ **INDUSTRY INTERVIEW**

Solve the profitability problem

Business challenges come in as many shapes and sizes as there are firms to face them, and the pandemic has, of course, presented new ones. But innovation resources are finite. It's sensible to think big at first, says Simon Farthing at LexisNexis Enterprise Solutions

Innovation usually involves taking at least some risk. Will your new business idea or process work? And will it stick? Achieving return on investment – money and time – will depend on both. Law firms clearly need to remain as open as possible to alternatives as they navigate the challenges in our dramatically changed business landscape, but may find their risk appetites have also altered somewhat.

Simon Farthing, commercial and marketing director at LexisNexis Enterprise Solutions, says: "It depends on where any given firm already sits in terms of strategy, but business justification is one thing that's articulated a lot more strongly at the moment. A project needs to be for the right reasons – a specific problem needing a solution, without which you can expect a particular business impact."

It then becomes a question of priority, and although it wouldn't be advisable to take on too much at once, Farthing also cautions against the school of thought that you should "start with something simple" and work your way up.

"Start with a small project or team, by all means – but work on the hardest problem you can find. Then you can become a beacon for the rest of the firm, and cast around for other challenges to solve."

The extent to which different groups are connected in the effort can also affect success. Farthing continues: "There are some great examples of problem-focused collaboration out there. However, sometimes a technology team may already have ticked a lot of boxes from their perspective, and lawyers are only introduced later. Then the lawyers either don't see the same problem, or experience the solution as just another system they have to use. Simply presenting new technology as solving a problem can itself present a problem, and you can't change anything without the involvement of people.

"Conversely, you can reach a place where lawyers not only want to adopt the solution to their problems, but they also want others to adopt it

because it was their own idea! That's a winning place to be."

Team transformations

What problems has Farthing witnessed law firms tackling as priorities since the first lockdowns? One concerns effective communication for far-flung teams. Although most were quick to roll out one or more remote meeting and collaboration platforms such as Microsoft Teams, the challenge has since shifted onto ensuring people are truly engaged with their teams and workloads using such tools. "Is the ability to see people really solving the problem?" asks Farthing. "Do I simply expect my team to focus and nod intently as I run through lots of metrics on a screen, or is there another way?

"Using functionality for task supervision, for example, we can get early indicators of where process pinch-points or other problems may be arising, and begin useful conversations about capacity and legal project management." In larger international firms, workload could even be redistributed across borders rather than being confined to just the one fiscal location, he says.

Or, what if a relatively bespoke area of practice suddenly finds itself with fewer hands needing to complete the same work – whether shorter-term through furloughing, or the result of redundancies? How does the firm ensure it maintains the same quality, efficiency and profitability?

"Then along comes an opportunity to win some great new business, but the lighter team can't easily be ramped up to accommodate it – and, in any case, the team isn't the same team." An automation intervention that has already borne fruit in a more transactional area could potentially be partially mapped across to this more complex one.

Finding fresh ways to work

In November 2020, LexisNexis unveiled the new Lexis Omni platform, which – as the name suggests – delivers several aspects of legal-process efficiency within which firms might identify their big problem. It encompasses workflow automation, business process optimisation, document production, collaboration, best-of-breed integration, records management, work prioritisation and powerful data reporting, all powered by an evolution of the Lexis Core automation engine that successfully powers the Lexis Visualfiles system.

"Lawyers today can have so much on their

For further information, visit: www.lexisnexis-es.co.uk

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desktop or smartphone, they risk becoming lost in a forest of intended efficiency," says Farthing, once a practising lawyer himself. So, among other challenges, Lexis Omni has sought to address how an increasing range of tooling is most productively consumed by people. "LexisNexis has built a great reputation for providing very powerful desktop tools. But people are now working very different patterns for different reasons, so it can make more sense to detach from the desktop for certain tasks, or at certain times, when work is more intuitive another way. What software does for you shouldn't be contingent on the way you access it."

As an example, he suggests, a lawyer might opt to flick through some clause exceptions and automate a document on their tablet or phone rather than at the laptop they're sitting facing for most of the day. Technology should enable that sort of decision rather than frustrate it with too many hoops.

Another good example of process flexibility, meanwhile, is bringing automation to bear on the work journeys of lawyers with different levels of experience. Many firms have been wrestling with managing remote supervision and mentoring in lockdowns – not only from the perspective of compliance, but also ensuring continuous learning and development as lawyers progress their careers at home. "With direct supervision in the office, younger lawyers have traditionally been able to take on more advanced work," says Farthing. Without proximity for a quick check-in on progress, however, it's harder to justify that. But Lexis Omni allows firms to programme in escalation points, he says. "When a transaction reaches a point where the lawyer needs more senior feedback on a document, the system can trigger an automatic notification for that to happen.

"You can also set up some safeguards to guide users – pop-up alerts, for example, linking to a precedent or knowledge source for a particular stage of the process – whereas a more experienced lawyer can complete exactly the same task but with more autonomy to control it."

Working remotely or otherwise, firms still need their lawyers to absorb and process knowledge from others more generally, of course – and if that's a problem for your firm, it certainly sounds like a sizeable candidate for the innovation lab in 2021.

Channel crossing

Law firms need to take governance seriously when moving to work in new ways. The challenges of the latest shift are not without precedent, says Dan Anderson, CEO at SeeUnity, but there is a clear case for investment in content automation to keep business secure

L aw firms around the world have had their work cut out managing the new ways their people suddenly needed to collaborate during the pandemic. However, Dan Anderson, CEO of system integration specialist SeeUnity, says the path to maximising investment in a platform such as Microsoft Teams is not entirely new.

"Firms are heavily tied to their document management systems. Content ultimately has to be stored and managed there, so they need secure integration with any other channels in use," he explains. Recent work with many firms on the rollout of Teams has reminded him of similar challenges they faced with Microsoft SharePoint. "The key business requirements continue to be around ease of use and employee adoption of the toolset, as well as our specialism of both one-to-one and one-to-many integrations with other solutions."

Under pressure to meet clients online wherever they are in 2021, law firms will increasingly now use a growing number of channels to communicate and collaborate on work externally. "Those clients will each have preferred systems for project management, so law firms need the ability and agility to support all of them," he explains.

"The other big direction of travel is towards the cloud, and they need solutions that continue to support as cloud providers introduce changes. Law firms don't want to spend time and money building custom solutions for that while improving their business processes. Cloud providers need all integrations to be certified, and the only option is a product-based API integration."

Establishing boundaries
SeeUnity's range of API-based content integration

> "Clients will each have preferred systems for project management, so law firms need the ability and agility to support all of them."

Dan Anderson, CEO, SeeUnity

"Firms have had to adapt quickly. They've rapidly pushed the new technology out, people immediately started to use it and now the firms find they need to implement a strategy for governance as soon as possible."

and migration products cover on-premises, cloud and hybrid applications. Regardless of strategy there, however, one top challenge in a world of dispersed working is document and information governance. Once again, there is a parallel with the SharePoint boom.

"The firms have had to adapt quickly. They've rapidly pushed the new technology out, people immediately started to use it and now the firms find they need to implement a strategy for governance as soon as possible. Some are clearly struggling with the balance between streamlining business process for efficiency in the face of fewer resources and establishing ethical walls and rules surrounding content security in the new working world."

There are solutions that enable firms to set up such rules – for Teams activity, for example, but also Microsoft OneDrive or perhaps a HighQ site – at the point a new matter is created in the DMS. Anderson explains: "Firms don't need to slow matter process down in the interests of security, nor do they need to spend time setting up synchronisation rules for individual matters in an ad hoc manner." Lawyers, meanwhile, don't need to make the decisions about which content can move where. They can work as they need to within new systems to collaborate with others more productively, and without thinking about the limits as these are automatically established in the background.

As an example, SeeUnity's new 'meta rule manager' Echo Automate facilitates this, not only by securely syncing content from new collaboration spaces with the DMS workspace, but also automating the very detection of any such space as

a lawyer creates it. "If no workspace is found, it will automatically create one from a template," says Anderson. "Rules are then established to sync at prescribed times, and these are automatically removed when sites are no longer required." The content is archived back to the DMS, and ultimately the system of record maintains its position as such. "With neither user nor IT involvement in the process, it's helping firms to stay in control of documents and data at scale."

Extensive ability

Anderson admits SeeUnity is learning alongside its customers here to an extent – but that also allows the team to take what they're seeing, digest lessons and disseminate best practice. "Firms are increasingly turning to us not only for products, but also for advice on aspects of the transformation involved given the pace of change," he says.

"Just as on the SharePoint journey, they need to support the user's needs as well as they possibly can, with clear understanding of the limitations."

And at the same time as creating new API connectors to solutions, SeeUnity is striking out in a few new strategic directions itself. There is a partnership with cloud-based case and matter management platform FileVine, for example. Here firms can automatically pull out key legal project details as well as documents from the DMS – task assignment, deadlines and reports – and, of course, sync them in securely.

Deeply connected to Microsoft since long before the quick switches of working practice we've seen in the last year, Anderson says SeeUnity was rapidly able to turn its hand to helping law firms make the most of Teams when the time came. "Now we can just as easily extend what we do to support further new platforms with integrations as they appear in the future." ◢

> For more information, visit:
> **www.seeunity.com**

◣ INDUSTRY INTERVIEW

Save the data

The pandemic has served as an accelerant, supercharging a pivot to client-centricity and rethinking how you serve your employees. Law firms have the ability to reinvent themselves for the all-digital, work-from-anywhere world, says Vincent Perrin, regional vice president for professional services at Salesforce

M any law firms report managing very similar challenges and priorities over the last year, with much emphasis on adapting to change. One company sure to be keeping a close eye on the reality of that is the giant of client experience Salesforce, which recently saw a first magic-circle firm move to take advantage of its cloud-based platform.

However, Vincent Perrin, regional vice president for professional services, stresses that Salesforce isn't going to market asking firms to replace any incumbent system right now – a daunting project for any transformation team at the best of times. "Salesforce is the trusted digital adviser to businesses large and small, in the UK and Ireland, transforming both the client and employee experience across multiple industries." These range from an abundance of experience in the professional services space already, to powering the fast-changing world of retail. Legal business competitor PwC, Bentley Motors and National

Grid, for example, are all extremely well-known users of the platform. It achieves this scale of change for organisations, says Perrin, by sitting across other IT systems as an 'engagement layer' and helping them to leverage the masses of data they already have inside at their disposal.

"At some point a firm will ultimately replace a solution that is no longer needed," he says. "But they don't have to wait until a solution has reached end-of-life to begin transforming the client experience."

He continues: "There is a common challenge among law firms, which is that their CRM solution is isolated." Once the need for a new solution has been identified, it can become a process of adding yet another silo, rather than using it as an opportunity to connect information across the firm. "Leveraging relationships for a better experience cannot happen in silos."

Often this is also connected to the organisational fabric of a law firm, he adds – where one group can

> **"Research shows that if a relationship is embedded in three parts of a firm, it's more likely to endure. That genuinely drives share of wallet."**

Vincent Perrin, regional vice president for professional services, Salesforce

be more invested in a change than others. "But in order to transform experience, you need everyone involved and appreciating the value."

Alignment of values

This togetherness is also the most important factor feeding into how Salesforce is itself identifying potential law firm partners serious about transformation, says Perrin. "It's mostly about the mindset. The desire for greater insight and a unified client view can't be confined to pockets of a business – IT, business development and the partners all need to be aligned on the value."

For him, this also chimes with Salesforce's own core values of trust and customer success. "As a subscription model, when customers sign up, we have to invest. We want to achieve a joint goal because not only are we trusted cloud, but another one of our four core values is customer success. We guide our customers to deliver transformative outcomes and mutual success. We've built a company with the people, programmes and focus that our customers need."

Related to this, he takes the common charge that platforms representing big change aren't "legal-specific" enough head on. "There can be a nervousness about it," he appreciates. "Salesforce has invested heavily in solutions that can help law firms to go live quicker." There are aptly named 'accelerators' designed for different industries; the solution in this case is tailored to legal business processes such as billing and matter management 'out of the box'. "Salesforce solutions are easily customisable. If a firm is asking to make changes to improve employee experiences, we have the capabilities to do that."

Changing opportunities

Firms already changing how they deal with data using Salesforce

are seeing a number of positive outcomes, says Perrin. For example, partners have been able to visualise the success of client communication efforts and make decisions about next best actions to nurture relationships during the pandemic.

The key here, however, is ensuring that any client activity is always joined-up across practices and offices. "Research shows that if a relationship is embedded in three parts of a firm, it's more likely to endure," Perrin explains. "That genuinely drives share of wallet, but with a unified client view you don't risk two partners overlapping in their efforts, or turning up to the same pitch unless required."

In any remote or hybrid working arrangement, business data also needs to be easily accessible and understandable – for effective collaboration as much as instant consumption. "Videoconferencing alone isn't collaboration," Perrin says. In fact, if you're not careful, it can become just one more complexity-adding silo. "It's a mechanism for speaking to people, but what you need is what's happening on that call combined with the relevant data in your systems."

And as for increasing agility: one firm, Perrin heard, proved able to spin up a local community project as part of its corporate social responsibility programme in just five days.

Other legal technology suppliers are now also seeing opportunities to collaborate with Salesforce to help their users – but the law firms that choose to partner with it will always be able to recognise the benefits of client-centricity, non-siloed data and working from anywhere, he says. "Partners will see the value in the change, BD will see the value in the change and IT will see the value of a better experience being easier to deliver." ◣

> **For more information, visit:**
> **www.salesforce.com/uk/solutions/industries/business-services/legal**

Prescription for progress

The new world of dispersed work has demonstrated the value of reliable and timely business intelligence like never before. But the reality is most law firms still have a long road to travel to make their analytics truly transformational, says Barry Talbot at Catalyst BI

One thing a year of global pandemic has brought us plenty of is data. Armchair data scientists everywhere are sure to have opinions on the latest Covid-19 trend graphs, and the UK prime minister insisted that 'data, not dates' would be driving the roadmap out of lockdown three.

And this data is, of course, a very serious business. Barry Talbot at Catalyst BI explains that many NHS trusts have been receiving updates from ambulance services and A&E departments, and concerning available hospital beds, around every 30 seconds. Hospitals can make important decisions about resources and prioritisation ahead of seeing a patient for the first time.

And there's an element of predictability to this management, he explains – patterns emerge and lessons can be learned. Using the R programming language for artificial intelligence, certain situations can be not only carefully monitored, but also improved.

Easier access and faster reporting

It's a current example of a broader trend in data analytics: moving on from the descriptive or diagnostic – the ability to say what has happened and why – to predictive and prescriptive modelling of scenarios. With the latter, organisations can make significantly different decisions based on calculations about what is likely to happen in future.

But for all of the reported investment in data science at some, Talbot says law firms as a group are really only at the very beginning of exploring how this capability relates to improving their own models and outcomes for clients. Catalyst BI has projects underway with a few to help them do so. There are, however, quite a few quicker analytics wins they could also consider, particularly in terms of its consumption.

For example, the Qlik Sense solution, which Catalyst BI provides, now has functionality that enables a fee earner – at home, or in the office – to interrogate a dashboard for a very specific piece of

information for themselves. "That is in itself a leap forward from the older way of dealing with your data," Talbot says.

Another example is making client reporting more efficient – something Catalyst BI has recently been working on with the law firm DAC Beachcroft.

Firms have long needed to offer many different things to their different clients when reporting – they can have thousands of bespoke reports to prepare every week or month. "Today they can set up and hand a client a Qlik Sense dashboard that's frequently refreshed with data, perhaps every 15 minutes," says Talbot. "It's practically live at that point. If a client has a large, expensive matter ongoing, they might access updated information they need to see several times a day."

The greater convenience on both sides of the relationship is clear – less work for the firm, less waiting for the client. Moreover, with Qlik Sense those displays will also be rendered at the right size for reading on multiple different devices – a capability well suited to the new normal of being away from the office.

Instant updates for all parties

Anecdotally, of course, many firms have reported increased employee productivity during this long remote working period. There is a combination of factors involved there. "But improved access to dashboards has made a huge difference to how people perceive what they can and can't do with information during lockdown," says Talbot. And whether with fewer distractions at home, or simply being under increased pressure, it appears that adoption of this technology has also improved.

Red, amber and green 'signalling' remains the norm. "We can deliver a chart that visualises progress, and at the click of a button people can then see the tabular data behind it. And we have the ability to alert that they need to stop one particular task to do something else – either internally, or for a client – before it's too late."

Furthermore, with Catalyst BI's proprietary off-the-shelf web portal Coeus, such project and performance analytics don't require the firms to write any code. They can drag and drop assortments, and also securely share the results with any external parties that need to be updated – clients, suppliers or other stakeholders.

Retailers have used this arrangement for continuous

visibility into their supply chains, and to manage stock replenishment as demand for their products suddenly changed in lockdowns, Talbot explains.

"If both management and fee earners at law firms had the tools for similar levels of quick visibility, with no need to jump through as many hoops, they could be far more effective in responding to change."

Data warehouse in order?

Talbot expects to see a law firm using Coeus for Qlik Sense analytics in 2021, but says their use of analytics remains largely descriptive and diagnostic overall – inevitably backward-looking. The area where some movement to the prescriptive end of the spectrum is already occurring is harnessing past claim data to predict and model the progression of new cases in litigation. "In an area such as medical negligence you find certain factors repeatedly arise. So if you have the data available you can apply an algorithm to reach a likely conclusion very quickly," he explains.

But having data in the correct state right across the firm – and understanding it well enough to apply that artificial intelligence, for example – is another matter. Since being acquired by private equity firm Thoma Bravo in 2016, Qlik has also acquired several businesses in the booming data management space that speed up the process of preparing data to be consumed.

One recent Catalyst BI project – again with DAC Beachcroft – has involved using a data automation application to navigate a much faster route to value when building a data warehouse. "People are now starting to apply some AI to the data management process itself," Talbot explains. "If you need to introduce data from a different source, there is probably a data connector for this that will automate the process. All the necessary data is brought together into an operational data source without having to write script every time something new needs to happen. It can be cherry-picked out again at the end, and save an incredible amount of time in the process."

That's time that could instead be spent investing in more advanced analytics opportunities, and ideally improving understanding of all of a firm's possible futures. ◣

For more information, visit
www.catalyst-it.co.uk/bi

◤ **INDUSTRY CASE STUDY**

Brand designs

Delivering legal services in new ways changes the way the firm goes to market, increasing demands on the marketing department, says Jon Brewer, global head of marketing and sales at Orrick. Process mapping to use other resources can distribute workloads to increase efficiency and maintain strategic focus, and Williams Lea is supporting the firm on jobs as diverse as data management and graphic design

T he 2020 FT Innovative Lawyer awards named Orrick "the most digital law firm" in North America. It has also taken home the prize for most innovative law firm in the region several times in recent years, and the last 12 months have certainly put the creative capabilities indicated by such accolades to the test.

Even before the global pandemic, law firms' clients were clearly shifting aspects of not only how they prefer to communicate with their advisers, but also how they wish to consume legal services. Jon Brewer, the firm's global head of marketing and sales, says that one resulting change internally is the marketing department working more closely with the innovation team in terms of how the latter's work is packaged, promoted and sold.

"Orrick has a culture of innovation and encourages all people to come forward with ideas, and there is now a bigger validation role for

marketing within that process," Brewer explains. "Each idea goes through a vetting process, so we research the market for similar products, understand the client appetite for these solutions, and the most effective ways to go to market. We have to understand whether a new product needs to be highly bespoke, or designed for clients across multiple sectors." Factors like this have an impact on decisions about web presence, design and the complexity of marketing campaigns, says Brewer.

One example – singled out by the FT award – is 'Privacy in a Box'. It's a bundle of new tools, including playbooks, dashboards, benchmarking and collaboration capability – all for a focused cybersecurity and data protection programme.

"A product on this scale becomes a true design project," continues Brewer – and efficiency and effectiveness both call for careful consideration about how the various aspects of that work are managed.

> "We have to understand whether a new product needs to be highly bespoke, or designed for clients across multiple sectors."
>
> *Jon Brewer, global head of marketing and sales, Orrick*

Route to easier understanding

A question, of course, is whether marketing could usefully send some tasks and responsibilities outside the firm for an improved result. Orrick has long been supported by Williams Lea in several aspects of its administrative work, by no means just marketing – both have centres in Wheeling, West Virginia, including the law firm's global operations and innovation centre – and Brewer saw an opportunity to work together to streamline process.

"Increased emphasis on productising has also made it easier for other partners to introduce new services to their clients, as it clearly articulates the added value of a service to a client problem and the solution," he says.

However, we can see that the pandemic has also focused minds on understanding clients like never before. "In order to introduce any new ideas or tools successfully, you have to track client activities and touchpoints rigorously," Brewer says. "They each have different needs, and the partners need awareness of conversations occurring across the firm globally.

"We have our client relationship management system, but the last thing marketers usually want to see on their plates is data capture." He therefore process mapped an alternative, whereby an Orrick team member can simply forward an email concerning any activity to a Williams Lea contact to input instead. "We aim for this process to become second nature, and it is a really valuable use of outsourced resources," he adds. Success led to more effective client dashboards, which allows people to see an activity snapshot at a moment's notice, but without adding any admin work to marketing.

The firm has also explored process efficiency in some other areas – for example, collecting information for deal tables by region, which validates capabilities and leads to winning work. Communicating with partners to compile these materials effectively still falls to marketing, but now the team is supported by PAs and executive assistants as their role moves up the value chain.

Creative difference

In addition to administrative support, moreover, Williams Lea has also been instrumental in marketing content creation – copywriting, graphic design and translation. That's both before and during the pandemic, where the demand for the right information and strong engagement in digital form clearly intensified.
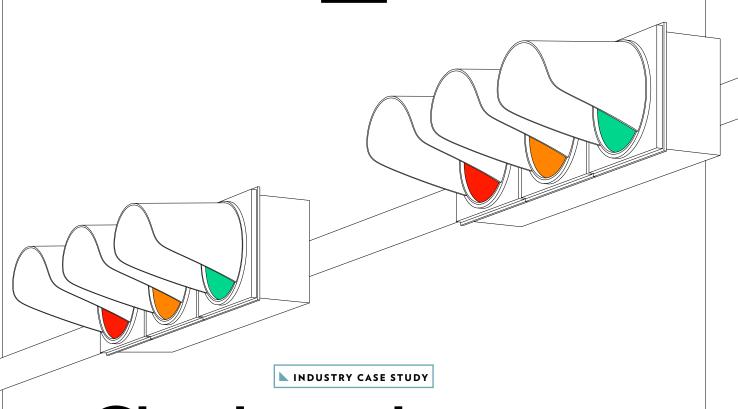
"Marketing skills and graphic design skills are separate and unique – and we've used Williams Lea's experienced graphic designers to ensure the professional finish of both content marketing and presentations for key initiatives for many years," says Brewer. "I've seen impressed clients send the results on to others they know, and the relationship has expanded into Europe." In Germany, for example, the firm targets the booming tech sector, primarily in Berlin, so it has created a 'Legal Ninja' series to broaden reach to key participants in the German tech ecosystem – and through Williams Lea, Brewer has access to somebody who can draft pieces in four different languages.

He adds that the arrangement ensures different parts of the firm can access the same resources, rather than sacrificing local profitability to improve the final work product.

Any required support will, of course, scale with the pace of innovation as well as growth, and Orrick doesn't plan to rest on its reputation here. "Products need to add value for a client, but we'll always be asking questions about how to improve client service or the delivery of legal services," says Brewer. The firm continues to track legal technology opportunities as they evolve through its interactive online platform 'The Observatory', invests through a corporate venture fund where it spies promising legal tech companies, or develops its own bespoke solutions. Indeed, Brewer gives the example of 'Joinder' – a first-of-a-kind collaboration platform transforming how law firms and companies work together – which is to be spun out and made available to other firms for their collaboration needs.

In that context, he will also be keeping at least one strategic eye on the best use of marketers' time, and the opportunity for further process improvement in the future. ◣

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◤ **INDUSTRY CASE STUDY**

Checking the route

The data gathering for client due diligence (CDD) is a significantly more efficient and consistent process when powered by the automation of Encompass, says Parminder Dhothar at Irwin Mitchell

C ovid-19 is, of course, likely to have had an impact on how all organisations approach their risk management. Although it was frequently highlighted that there was no playbook for responding to the pandemic, the challenges put the spotlight on business-continuity readiness around the world. Work on process optimisation is ongoing to ensure compliance consistency and appropriate chains of supervision when people are working from so many different locations.

At the same time, fundamental checks such as Know Your Client (KYC) when onboarding new business at a law firm – robustly verifying company information such as ultimate beneficial owners and identifying politically-exposed persons in line with the Anti-Money Laundering regulations – had to continue in these difficult circumstances.

Parminder Dhothar, financial crime prevention manager at UK law firm Irwin Mitchell, says regulators had quickly communicated that criminals were likely to try to take advantage of the disruption caused by Covid-19. "Organised criminals, in particular, will see everyone suddenly working from home, and potentially not using the

> "**Team members spent a lot of time manually accessing the Companies House database to download and review files – and that was valuable time that could be more usefully spent elsewhere. An automated tool will also, of course, follow exactly the same process every time.**"

Parminder Dhothar, financial crime prevention manager, Irwin Mitchell

"This isn't an off-the-shelf product – it has the flexibility to be tailored to information required based on a firm's profile – and new datasets can be added. As the system is web-based there was also very little integration needed."

same processes, as an opportunity to identify and target any weaknesses," he explains.

On the other hand, he adds, investments in digital working, like the now ubiquitous range of collaboration platforms, have been a benefit for CDD – both having the sight of unfamiliar faces on video calls and the capability to upload information and photos of documentation easily.

Need for consistent speed

Several years earlier, Irwin Mitchell had also invested in the Encompass solution for automating KYC work. "We were in the process of scoping out automation opportunities in general, and one especially manual element was the due diligence that needs to be undertaken on corporate entities," Dhothar explains.

There were several reasons to try to change this, he says. "Team members spent a lot of time manually accessing the Companies House database to download and review files – and that was valuable time that could be more usefully spent elsewhere. An automated tool will also, of course, follow exactly the same process every time – whereas you can train two individuals to find information very well, and they will still sometimes take a different route to the destination.

"That can introduce risks; some information may be missed, or it can lengthen the process – something that unstructured can lead to several variables in performance."

With Encompass, Dhothar continues, in essence, a user simply enters a client name, and the system automatically searches across any programmed data points, before either producing any next steps for the decision-maker or the greenlight for work to commence.

"It may highlight some red flags for further investigation or gaps in the information, but more often than not it assembles all the required

information into a pack, which can then be assessed, shared and saved for ongoing review as an auditable file that demonstrates compliance." Ultimately, this enables Irwin Mitchell to assess a client's risk and begin a piece of work for them that much faster.

Irwin Mitchell ran a proof of concept, and the firm hasn't looked back, with Dhothar emphasising some strengths of the underlying technology. "This isn't an off-the-shelf product – it has the flexibility to be tailored to information required based on a firm's profile – and new datasets can be added." It can be harder to collect some corporate information where a business has an overseas footprint, and so Encompass is engaging with other data providers to broaden the horizons of what can be searched, he explains. "As the system is web-based, there was also very little integration needed with the firm's IT infrastructure – it has been very easy for colleagues to use while working from home."

Supporting roles

Dhothar is also particularly impressed with the support Encompass provides as the tailoring of CDD at Irwin Mitchell continues, he says. "The arrival of any new technology involves some learning journey, and the team has helped a lot to ensure we get the best from the product." One example is knowledge of those additional data sources as they are introduced, but there are also workflow changes to the system itself, based on user feedback as much as the Encompass strategy.

"There are regular catchups and workshops where we can discuss how well things have progressed and exchange updates – our business plans and the development plans for Encompass. Initially, the team was also on hand to handle any queries and, while the system is quite intuitive to use, it's helpful that you can arrange refresher training sessions when new people join the firm." Indeed, he says new employees are now more likely to be onboarded with the knowledge they need to get straight on with the business of efficient client onboarding. ◤

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▶ INDUSTRY CASE STUDY

Calling time on telephony overflow

Head of IT operations and innovation at Royds Withy King, Dave Eagle, explains how partially outsourcing telephony and implementing better communications with Moneypenny has helped the firm free up its people and improve its prospect and client experience

W ith much of its personal legal practice dependent on enquiries from the public, law firm Royds Withy King has always had to handle a high volume of calls to its offices. And ensuring that those are processed swiftly, for the sake of converting opportunities to new business and ensuring a good client experience, is a key priority for the firm.

Head of IT operations and innovation Dave Eagle explains that the need to support the firm's personal injury and clinical negligence teams, specifically, drove its initial search for a new telephony solution in 2013. "The numbers were routing directly to our fee earners and their PAs in those teams. They couldn't handle all the enquiries coming in," he says.

Eagle estimates this overload, in addition to the high volume of calls being handled by the firm's internal switchboard and enquiries coming in outside office hours, meant it was losing 30% of calls overall, from both existing clients and prospects.
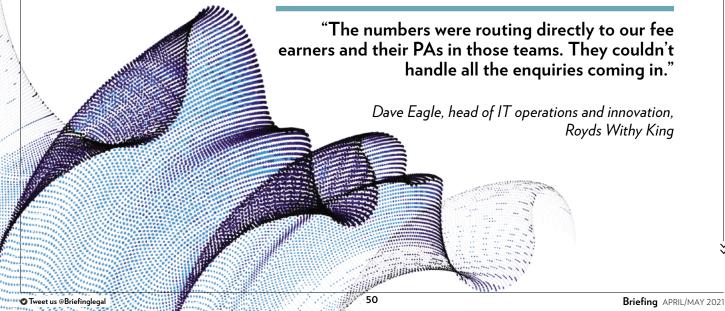
Often, these calls were first points-of-contact, only required to establish the basic details of a phone call enquiry – a task vital to establishing new business but which didn't need to be performed by an expensive fee earner.

This, Eagle explains, had two negative impacts on the firm: first, both lawyers and front of house staff (used as switchboard overflow) were not using their time as effectively as they could. And second, the firm was at risk of reputational damage and losing future enquiries: "if you ring an 0800 number, you expect it to be answered and you expect it to be answered quickly – you certainly don't expect it to trip to voicemail," Eagle adds.

Better prospects

Royds Withy King initially engaged communications specialists Moneypenny to handle switchboard overflow calls coming into the firm, ensuring all calls were answered by either someone

> "The numbers were routing directly to our fee earners and their PAs in those teams. They couldn't handle all the enquiries coming in."
>
> *Dave Eagle, head of IT operations and innovation, Royds Withy King*

in-house or by a Moneypenny PA. This took the pressure off fee earners and the front of house staff, allowing them to focus on their core roles, Eagle says. But after implementing the service, it quickly became obvious Moneypenny was capable of doing more, and the firm eventually chose to route all enquiry calls to Moneypenny. The result has been better capture of all calls coming in, including those outside core hours, and an improvement in its customer experience. "It's allowed us to offer 24/7 access. And we never lose calls anymore – it just doesn't happen."

Plus, he says, the in-house team can now focus on enquiries from existing clients and get calls more quickly to the correct people. Fee earners are able to take more time with their clients and the front of house staff are freed up to manage the client suite and improve the onsite experience, he adds.

There have been other benefits for business development too, he explains, as fresh marketing campaigns don't require additional operational set up. "If we want to set up a new number for a specific campaign, we don't need to think about that anymore. We just send the relevant information to Moneypenny and it all goes ahead with the right contact information, automatically."

Future focus
One entirely new communications feature Moneypenny has brought into the mix is live chat, which has been in use since late 2018. In addition to being an additional line of enquiry for prospective clients, it's specifically helpful for several practice areas, such as the dental negligence team: "The live chat can be more discreet and accessible for the client when talking about something of a sensitive nature. And it can be used outside of typical working hours," he explains.

Although more of a "proof of concept" for the firm at the time of writing, Eagle expects to roll it out to other teams in the future too. Looking ahead, he sees several other potential solutions being tested and implemented in a similar way, including the Covid-19 screening app, used to enable and book in-person appointments.
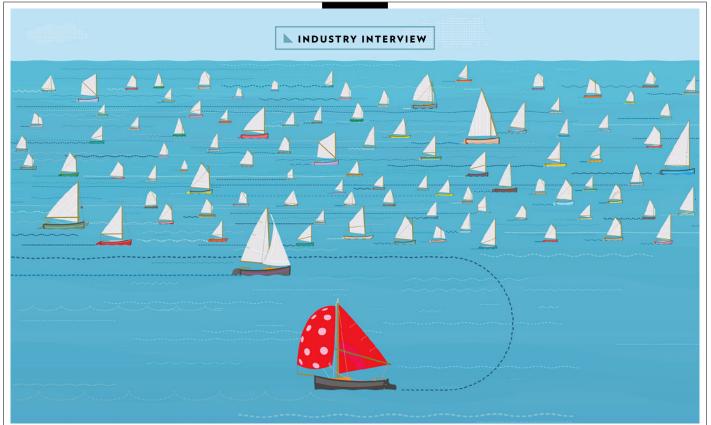
The biggest potential innovation he sees on the road, however, is the integration of telephony with Teams. Eagle says Royds Withy King adopted Teams at the start of the pandemic and rolled it out to all 500 staff in the firm by April 2020.

For its new Oxford office, opened at the end of March 2021, the firm has chosen to forgo traditional telephony entirely, relying solely on Teams. Closer integration with Moneypenny will be on the agenda once the new office has been settled into, Eagle adds: "That will give the PAs at Moneypenny direct line-of-sight to fee earners' availability and enable them to connect a call – if it's appropriate. It's a natural progression I'm sure we'll be looking into." And with digital communications set to endure after the pandemic, it seems a blend of innovation and human contact is right on the money.

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> *Dave Eagle, head of IT operations and innovation, Royds Withy King*

▶ INDUSTRY INTERVIEW

Learning to change

Pat Fox, director of business services at Mitie, says the challenges attached to document management are shifting in an increasingly digital world. He outlines how his business can help firms to make the most of the emerging opportunities

T here was no time to plan. "Lockdown was suddenly announced, and we had to respond. I think we've done that very well," says Pat Fox, director of business services at Mitie, talking about the moment many businesses quit some traditional operations and had to rapidly respond to clients' new needs.

That includes both how a law firm runs itself and how Mitie has had to support it, he says. "We're no longer delivering mail by hand to every office on every floor. Now, we're getting requests to go to a desk, find a specific document, scan it and send it electronically to our clients, who are working at home." This isn't how law firms traditionally work, he adds. "They're naturally very risk-averse. In the past, they've been reticent to allow our teams to open mail, scan and forward documents electronically. Confidentiality concerns previously dissuaded firms from accepting this kind of service, but the global pandemic changed all that. It cut the red tape – there simply wasn't an alternative."

He says there is now much more acceptance that Mitie employees can handle confidential documents appropriately, and within firms' data-classification policies. He adds that the changes made to navigate the crisis have shone a light on the inefficiencies of old methods and provided a new template for the future. "We always could work within firms' data security policies, but now that fact has been proven. We've been able to overcome that cultural obstacle, and shown that another way can work," he says.

Balance of risks

The need for remote working has made moving physical documents a higher-risk activity, he adds. "We used to move documents from one office in a city to another – but many now need to be sent to our clients' homes all over the UK. That naturally increases the risk of something going to the wrong place, as there's simply more movement of physical documents outside the workplace."

He says that firms have adapted and even excelled while remote working, and thinks it's

"We've become the connector between people working at home and their office. We've seen much higher interest in concierge-style services, and the feedback from our annual customer survey has never been better. We've also seen firms appreciate how our people have stepped up to perform many different tasks."

Pat Fox, director of business services, Mitie

unlikely they will ever go back to office-occupancy levels of the past. "Instead, we will see a growing movement towards sharing more information digitally and physical documents will continue to reduce over time."

However, the shift to digital requires action by firm leadership, and some law firms are already leading the way, he says. One Mitie works with has made it policy that documents will be received digitally first, and hard copies only held for three months before being destroyed, unless they are originals. "That may not resonate with all, but it's something to overcome, as there's no point sending general correspondence digitally and then storing the item physically – it totally negates the benefits," he says.

New working practices and priorities such as these will need to become embedded in firms' cultures, and there's a big role for Mitie to play in this space, he says. "We've become the connector between people working at home and their office. We've seen much higher interest in concierge-style services, and the feedback from our annual customer survey has never been better. We've also seen firms appreciate how our people have stepped up to perform many different tasks, such as ensuring the offices are safe and secure." And this service is evolving, so now is the time to make searchable electronic documents available and route them directly into firms' document management or finance systems, he says.

Hybrid achievers

If firms do embrace a hybrid working world, he also foresees an increasingly agile model, which means increased use of desk-booking systems, coupled with that changing relationship with paper. "Paper use has probably reduced by 60–70% this year. Firms have started to consider whether it would be better to have a quick-turnaround service or an offsite, pay-as-you-go facility instead." Mitie's Hybrid Mail solutions, for example, allow printing and mailing from a centralised bureau, requested by professionals working at home. This is another area of increased demand – alongside several others, he says.

"Who would have thought a year ago that clients would be asking about digital business cards?" While there can be cultural disadvantages to these, he explains firms have more control over the information shared with clients and prospective clients and, of course, they offer the additional benefit of cutting the need for physical exchange in a socially distanced world.

The big challenge now will be preserving the new aspects of business culture that firms want to keep hold of as life starts to settle into the 'new normal', as well as how to manage and develop engagement and collaborative work. Some have openly said long-term remote working is a poor fit for their cultures overall, and law firms will need to be attuned to how their people feel about such changes, as well as what is best for their own business model. Continuing to listen, adapting to new challenges and risks, and seeing the rewards of change will be the way forward – for law firms and Mitie alike. ◢

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