Redesigning the legal function for the future

By Victoria Swedjemark

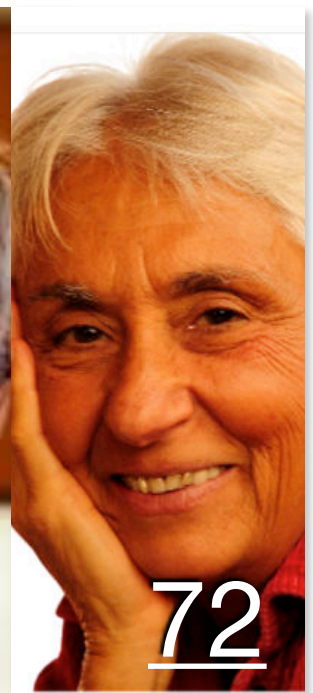Other contributions by: Bo Kinloch, Ari Kaplan, Jeff Jacobson & Nicole Clark, Elizabeth C. Ortega & Fernando Garcia, Tatiana Caldas-Löttiger, Marco Imperiale, Steve Fretzin, Tom Stephenson, David Gaskey, Richard G. Stock, Kenneth Cloke & Joan Goldsmith, Vikram Singh, Rohit Shukla & Shreya Vajpei

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Cover photo Victoria Swedjemark

Redesigning the legal function for the future

By Victoria Swedjemark, Legal Management Consultant, and Founder of Glowmind

It is tough to work in in-house law!

Most legal teams can testify to the challenges involved in doing legal and compliance work in organisations today. There is a need to navigate large-scale business transformation, help implement floods of new and complex regulation across the enterprise and develop business resilience to crises and unprecedented risks – parallel to doing all the other day-to-day work. Legal teams often seek to be strategic and proactive, but the reality is often that the legal team ends up being reactive, stretching efforts, and available headspace, too thin.

The new situation is not only about "growing workload", but also involves having to navigate complexity and uncertainty, and embracing digital transformation in the wider sense. In this world, we need to run faster, be more adaptable to change and disruption and collaborate more across different functions to solve new types of problems or develop new types of solutions. This means legal teams need to adapt too. But how?

The traditional operating model for corporate legal is increasingly challenging

The legacy model for in-house legal work was designed for another type of world. It has been built on the notion that corporations need a team of lawyers to advise and guide the business, like an internal law firm that the business involve as needs arise. Problem is, this model is increasingly unfitting for the new world we live in. Let's unpack some of the challenges.

The future requires business speed and scalability. As workload grows and business complexity heats up, the legal team try to do more with available resources, but in the end often find they are unable to manage the total demand. The day-to-day work piles up alongside all tactical and strategic initiatives that the legal team is now also involved in.

In many instances, Legal becomes a bottle neck for business, which causes growing frustration from business in a world where you need to run fast to stay competitive. It also leads to growing overwhelm in the legal team, which takes a toll on engagement levels and creates risks for people burnout.

The traditional way to scale up capacity in Legal has always been to simply hire more lawyers to the team or engage law firms to do more work, but this is not a viable solution to stay ahead of the curve. It is not effective enough. It takes time to find and onboard the right people, and it is also often too expensive as business seeks to improve cost efficiency. What is needed now are ways to scale the legal function more effectively than just through the people dimension.

The future legal team are not just advisors. The advisory approach that legal teams have traditionally resorted to is also increasingly limiting. It does not position the legal function very well for managing new risks and new regulatory complexities, as the risk management and compliance management that is needed today requires operationalization across the enterprise, working with processes and technology to embed it into business. The future is complex and requires more structural and holistic solutions – a set of policies and trainings will not cut it anymore. Legal teams must move from advisors to integrators. Business also increasingly calls for the legal team to take more shared ownership of business outcomes. A legal team that simply gives some legal advice and they shy away from the difficult business decisions don't stand the test anymore.

The future is desiloed. The traditional siloed approach of Legal is also increasingly challenging Not only is it unfit for building more structural solutions like those just mentioned, it is also unaligned with new ways of working that are emerging, like agile methodologies to solve problems in cross-functional, task- or problem focused ways. Nor does the legal silo fit well with the growing convergence in areas like ESG or data protection. What are "legal matters" these days? It doesn't matter how we label things, as long as we find effective solutions to the most pressing problems and create the most effective solutions for busines. The new world is collaborative and solutions are designed together, across silos. The inhouse law firm is no longer an effective service delivery model.

Customer and user expectations are evolving. As lawyers we have been trained to comprehensively analyse each matter, turn every stone and produce perfected legal products. Problem is the new world might not have patience for this and, most importantly, this might not produce the most relevant solutions. In a world that is ambiguous and that is constantly changing it can be more relevant to develop a minimum viable product that is tried out and evaluated, and redesigned as needed. Business also might prefer to collaborate with Legal in a more agile approach, with quick check-ins and continuous iterations, rather than sit and wait for weeks for legal to deliver the perfected end product after an extended production cycle with little transparency and interaction.

Digital transformation has fundamentally changed people's expectations on convenience,

access, personalization and so on. This spills over into new expectations on the legal function too, such as from internal stakeholders. They expect to be able to access relevant information in real time or get tech enabled self-serve solutions, designed for their needs, such as contract or document automation.

Again all of this puts strains on the traditional advisory, legal product focused approach legal teams have traditionally applied.

Still most legal teams keep operating under the old operating model

Many legal teams are too busy to even notice all this change around them, let alone analyse how it affects them. There is often not enough time to zoom out and reflect on how business, business needs and ways of working are changing and how they need to adapt. Many teams keep assuming it is great legal service that business expects, and that the traditional operating is still fit for purpose. They keep trying to keep up a good job, but struggling – often stretching too thin, ending up reactive rather than proactive, trying to do all things, rather than the right things, in the right way

It is difficult to navigate a new world with an old map. Inhouse legal teams need to create a new map for a new world. Let's unpack what is involved in designing such a new map.

Clarify the role and focus of Legal – set a strategy framework for the function

A good first step as a legal function is to get role and focus right. It requires zooming out and asking "why are we here?" and "what do we contribute with?", "how do we bring most value?". As many legal teams are born out of the advisory, 'order-taking model' they tend to assume that what business most appreciate is great service and excellent legal expertise and advice. But is it really?

The best way to find out is to gather insights on business needs and stakeholder preferences. What represents great performance and great solutions *from the business perspective*? What is the business strategy and key business objectives, and how do we contribute to those? Start there, in defining the relevant role and contribution of Legal. Turn the perspective around, focus on the business and your internal stakeholder needs. Legal teams that align with business are best positioned to find a role that is relevant and brings value to business. To be effective and impactful rather than just do a lot of things.

Based on these insights, the legal function can develop a more profound strategy for the function and clearer prioritisations, in the form of focus areas or impact areas and performance measures to illustrate value contribution. That strategy can then be communicated to others to help others understand when to involve legal and what to expect from Legal. Done right this creates a powerful narrative that helps Legal get the right role within the organization and showcase value to others.

Move to a more sophisticated resourcing model

Whereas in the past the resourcing model for legal and compliance work has been to toss in lawyers for 'all work legal', the resourcing

model of the future is much more sophisticated. Instead of splitting up work elements in "legal work" (like limitation of liability clauses in contract) vs. "non-legal work" (like the commercial terms), a better question to ask is, "how is work best resourced to make best use of budget and other corporate resources and deliver on business objectives?".

A lot of the work in-house legal teams do is effectively routine, daily business. It is work that others in the organisation can do just as well. It is familiar (core business), recurring, often low risk, standardizable and so on. Legal can take an enabling rather than servicing role in this domain, equipping others to manage this work through relevant self-serve tools, such as tech enhanced FAQs (e.g. chatbots), easy access to legal information repositories, or contract or document automation. Moving out of the routine, day to day work enables lawyers to move into more strategic matters, more proactive initiatives and solving the most complex problems better.

Not only does this help use the legal resource more effectively (to bring more value), it also helps bring business agility when business can "run with things" and internal stakeholder appreciate the convenience and experience these new solutions can offer. Because people don't necessarily want a lawyer, they want business outcomes. The relevant question to ask – how do we help bring those results in the best possible way?

A proper resourcing model also includes other elements, like technology and outsourcing. What work that lawyers have traditionally done can be automated and what can be out-sourced to various types of external partners, including alternative providers like legal operations consultants, managed service providers or legal process outsourcing firms that can perhaps handle IP management, entity management or entry-level contract support to business.

What helps here is to zoom out and take a closer look at different pieces of work and then segment them into buckets and match them to the best resourcing options. A good start is to better understand how the legal team currently spends its time, and then ask what is a better way to resource some work.

Keeping pace with technology – and taking a holistic view to digitalization in the legal domain

Because of the traditional, advisory, servicing approach of many legal functions, the focus of tech initiatives have often been on improving the efficiency of the legal team, so that they can serve the business better – do more work in less time, work faster and so on. There is much promise in identifying ways to free up time for the legal team through the use of technology, including automation and application of AI. The release of ChatGPT in November 2022 clearly illustrates the opportunities for using AI to carry out some time consuming taks.

But it is important that the digital strategy of the legal function does not solely focus on the legal team needs. As pointed out above, business cannot be siloed anymore and different parts of the organization must come together to solve problems and find great solutions for

business. This is particularly true in the compliance and risk management space – only if it is embedded systematically across the enterprise can you manage the new complex regulatory requirements and navigate the new risk landscape. Technology can be a great aid to accomplish this, if approached collaboratively within the organization. Same applies to Contract Management Technology. Large parts of the organization manage contracts in one way or the other, why CLM initiatives are best approached cross-functionally.

Legal teams that are fundamentally integrated in business are best set up to succeed with this – developing and implementing a digital strategy that benefits the enterprise as a whole and helps deliver on key business objectives. Legal teams that identify with being an internal law firm often does not see the bigger picture.

Develop the team to be future-fit

All the things outlined above – on the need to desilo the team, integrate more, align to business, embrace new ways of working, acknowledge new internal stakeholder preferences, can be a pretty big mindset shift for the team. There is a need to create a sense of urgency around this, and to work actively with having the team challenge old assumptions on performance in legal and what constitute the best ways of working. In the process there may be a need to kill some darlings.

One of the biggest threats to accomplish the necessary team mindset shift is the busyness and lack of headspace for many legal teams today. When you are stressed out you are often not receptive to how things are changing and how you need to adapt.

That is why this type of team development requires some visionary leadership and some proper planning too. You need a team development plan, able to provide answers to questions like "where do we need to be as a team in the future, and what do we need to do to get there?". Impactful culture development – along with the hands-on upskilling and reskilling that is often required – calls for a programmatic approach.

Many change programs fail because the team doesn't fundamentally understand the why of change, don't feel the sense of urgency or understand what is required from them and how to do what's necessary. It can help to do a team maturity assessment, and also to hand the team hands-on insights about all the new business needs or business stakeholder preferences, or just give them an outlook about what progressive peer functions are doing out there. What is needed is persuasive data and some inspirational examples.

Some final words

It is never to late to design this new map for this new world. A good start can be simply understanding your starting point and then outlining where you need to go. Acknowledge it is a journey to develop this new map and successfully implement the change needed. There is some work involved for sure, but it is worth the while, to ensure the legal team is impactful and creates value rather than spread

too thin, end up a bottle neck to business and exhaust the team – and ensuring the team maintains future relevance.

About the Author
Victoria Swedjemark works as a management consultant and is the founder of Glowmind, a boutique consulting firm. She helps legal and compliance teams transform into the future, by 1) clarifying overall function strategy – in terms of role, focus and contribution – 2) identifying opportunities to work smarter – using technology effectively and revisiting how work is resourced and carried out and 3)

evolving the team – building the skillsets and mindsets needed for tomorrow and succeeding with change management. She does so by helping in-house legal leaders and their teams analyse relevant change needs, set change plans and succeed with implementation. Victoria is herself an ex in-house legal leader, having headed up the legal function in three different companies for 14 years. She is passionate about bringing more business thinking into Legal and helping legal teams understand how the world is changing and how the legal function needs to adapt, and can reposition to more value and impact. www.glowmind.com.

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Bridging the Gap Between Business and Legal

By Bo Kinloch, former director of legal operations at Hasbro

If **Socrates** were to read the terms and conditions in a modern contract, he might very well scratch his head and say, "I am but a simple man, will someone please explain to me why this is all so complicated?" And if you stop and think about it, you may also scratch your own head and ask the same thing.

Imagine a hypothetical dialog with Socrates the company COO, Becky Business as the transactional business client and me, Bo, as the lawyer. It might go something like this:

Socrates: Bo, you're a lawyer; why is it my business agreements are so darn complex?
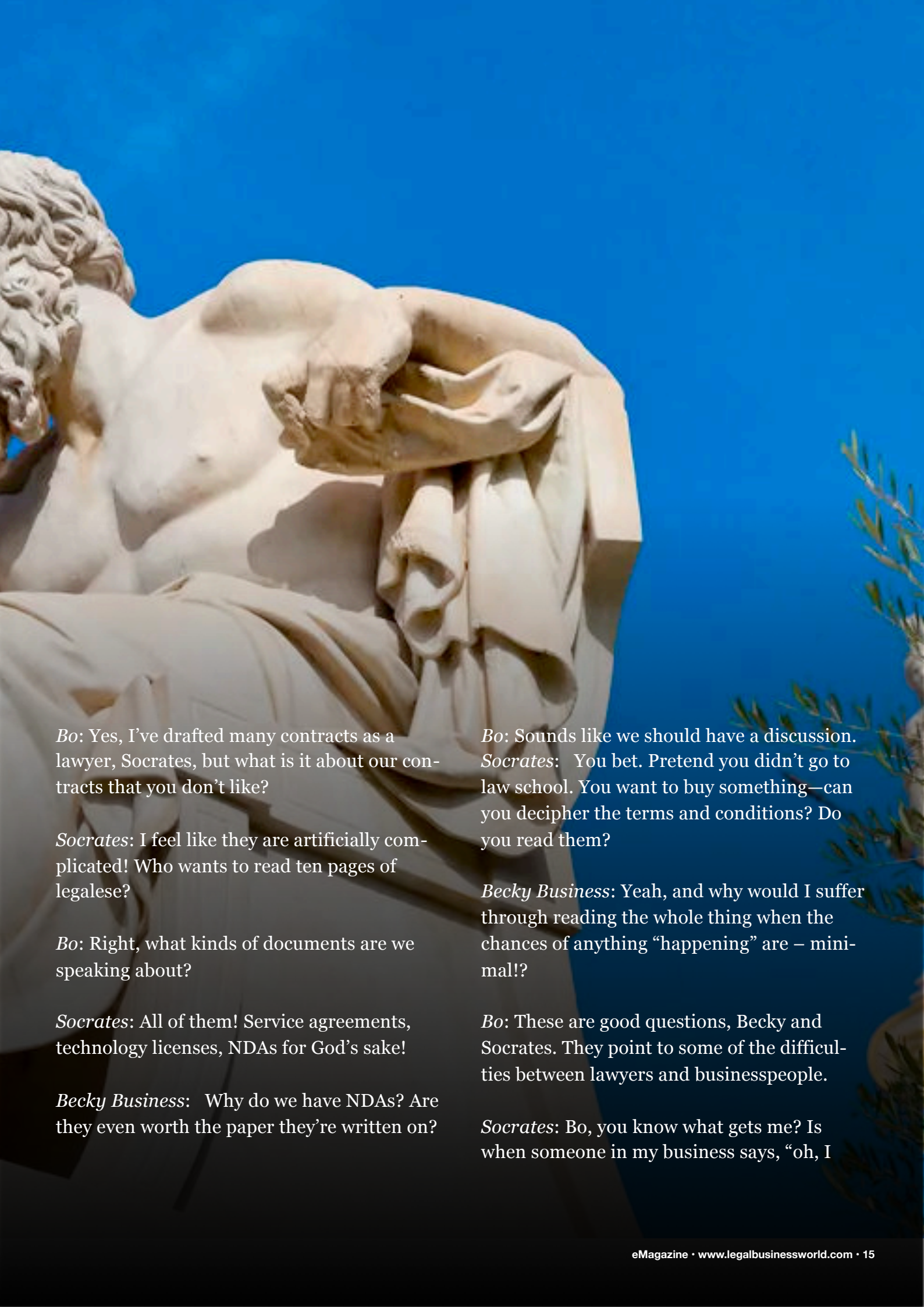
Bo: Yes, I've drafted many contracts as a lawyer, Socrates, but what is it about our contracts that you don't like?

Socrates: I feel like they are artificially complicated! Who wants to read ten pages of legalese?

Bo: Right, what kinds of documents are we speaking about?

Socrates: All of them! Service agreements, technology licenses, NDAs for God's sake!

Becky Business: Why do we have NDAs? Are they even worth the paper they're written on?

Bo: Sounds like we should have a discussion.
Socrates: You bet. Pretend you didn't go to law school. You want to buy something—can you decipher the terms and conditions? Do you read them?

Becky Business: Yeah, and why would I suffer through reading the whole thing when the chances of anything "happening" are – minimal!?

Bo: These are good questions, Becky and Socrates. They point to some of the difficulties between lawyers and businesspeople.

Socrates: Bo, you know what gets me? Is when someone in my business says, "oh, I

don't own that agreement, the legal department takes care of that!"

Bo: I hear you. Business agreements should be owned by the business. In fact, I won't draft anything unless there's a businessperson who owns the agreement who can help shape the agreement and answer questions as they arise.

Becky Business: Exactly. We "own" the relationship with the other party – the obligations are business obligations. The company gets the benefit, but the business folks are responsible for delivering that benefit.

Bo: And any obligations that are also part of that agreement.

Socrates: Which brings us back to my point. If business folks own these agreements, why are they so hard to read? Doesn't that jeopardize the potential value of the relationship if we don't get the full benefit due to "missing" something hidden in the weeds?

Becky Business: I glaze over, but I worry there could be a landmine in there just waiting to get me if I don't read them—or get my attorney to!

Bo: Well, Becky, I'd say you would make a great business client! But all joking aside, let's get into it.

Socrates: Here's what I want: Clarity. Why is it so hard to have a *Fair*, *Even* and *Safe* exchange?

Bo: To get to clarity, I believe we must take a

path through *How* and *Why* contracts have developed like this. Let's discuss how both businesspeople *and* lawyers view contracts, including a bit of history to give context.

Becky Business: And let's plan to bring in some great folks who think about this stuff all the time!

Socrates: You know I love bringing many people to the party. But let's not make our discussion about the "dark art" of contract drafting or best practices for redlining. Let's make it about how we got here and how we can make contracting better. Let's highlight the value!

Becky Business: Deal!

Friends, we know things have gotten out of hand, and getting back to simple isn't easy at this point. Don't get me wrong, I do nerd-out on all that redline voodoo as well — I am a lawyer — but there are a lot of excellent sources to turn to about drafting, negotiating and redlining (such as Contract Nerds).

Here are some numbers to consider:
If contracts are supposed to be about business *relationships*, why do only 16% percent of the businesspeople who use contracts say they don't read or don't understand most of what's in the document? [1] And the ACC found, in a survey of member-lawyers in 2019, that only 22% of in-house counsel read the terms and conditions of contracts. Why are they so difficult to read that it takes a lawyer to sort it out (many of whom don't read commercial terms and conditions outside of work)?

Further:

- An average person sees about 12 contracts per day online. Add to that any physical terms of service, rental agreements on holiday, waivers at events and the number is higher
- Business agreements often don't look any more digestible than online agreements
- 91% of people consent to legal terms without reading them, according to a 2017 Deloitte survey

Here's the problem in a nutshell:

We are not setting ourselves up for success if the very documents that underpin the business portfolio and operations of an enterprise are only understood by those with special training and not by those who need them for the operational utility that they represent.

We need businesspeople to understand, own and be accountable for the documents that represent their business relationships and expectations. To do this, some changes will be necessary to get set up for success. Success will likely include simplifying both the contract documents and the framework in which they are created. But first, we must understand what a contract is and how we got here..

In future articles, we will dive into the how and why contracts have evolved into what they are today. Namely, in the United States and many other countries, contracts create *private law* enforceable by a court. How are lawyers trained to look at *contract law* and, as

a separate matter, how does this training impact how they look at any *particular* contract? We will roll up our sleeves and ask what *precedent* is, and why lawyers always talk about it. We promise we'll make it fun!

Additionally, we will explore treating the contract drafting and negotiation process like *projects*, where we can create a **RACI** (a common project management principle for better defining roles and responsibilities on an internal deal team) [2]. RACIs give a framework that many businesspeople are familiar with and that makes sense to lawyers too once they've worked with one. They are a tool to provide operational clarity that can improve the quality of working relationships both internally and externally—and the contracts themselves.

We will also discuss the application of two other approaches that are relatively standard in IT operations: *business rules* and a *service catalog*, and how these may be modified for legal services, especially contracts.

This will proceed to a series of interviews with several interesting guests who come from the trenches of legal and business affairs—who live this struggle every day—and ask them what we can do to make "how to contract," a better experience for everyone.

Notes
[1] A 2018 study by the University of Chicago Booth School of Business found that only 16% of businesspeople read the terms and conditions of contracts.
[2] RACI stands for Responsible, Accountable,

Consulted and Informed, roles that are delegated to members of the internal deal team.

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About the Author
Bo Kinloch is the former director of legal operations at Hasbro, where he built and maintained the legal operations program. He is also a digital technology and IP licensing attorney with a data privacy background. Bo uses design thinking and human-centered design principles when problem-solving and loves working with diverse people from different professional backgrounds.

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How Litigators Can Leverage Data to Gain a Competitive Advantage

Ari Kaplan speaks with Jeff Jacobson, a litigation partner with Faegre Drinker Biddle and Reath in New York, and Nicole Clark, the Co-Founder and CEO of Trellis, a state trial court research and analytics platform, which recently introduced its Law Firm Intelligence tool to offer insights on business and competitive intelligence for law firms.

Ari Kaplan
Tell us about your background and your practice at Faegre Drinker.

Jeff Jacobson
I have been a commercial litigator for 27 years and focus on consumer class action defense. I have been in private practice for my entire career, except for a two-year period when I was in the New Jersey Attorney General's Office running the Civil Division and serving as Chief Counsel.

Ari Kaplan
You practiced law for about six years before launching Trellis. What inspired that shift?

Nicole Clark
I also did a lot of class action work, as well as employment and wage and hour matters, and could not believe that the largest court system in the world was unavailable through a single interface. It was a black box for litigators so that frustration inspired us to make the state trial court system more accessible.

Ari Kaplan
What role do data and analytics play in your practice?

Jeff Jacobson
The last thing you would ever want to tell a judge is that he or she is predictable because every case is decided on its own merits and is unique, yet if I know that a judge denies 95% of a particular kind of motion, or that a judge is more likely to react well to one particular argument versus another, it will help develop a strategy, particularly in a class action suit because it really does offer a number of off-ramps if you're creative enough to find them. But lawyers need to match the off-ramp to the judge and data helps to better understand a judge's approach.

Ari Kaplan

How has Trellis evolved to help litigators navigate this increasingly complex docket?

Nicole Clark

Trellis can give you high-level analytics on a judge, such as how they rule on specific pretrial motions or where in the lifespan of a case a dispositive motion may have an effect, but then we dig into the underlying data. With analytics, you can review a judge's cases in similar practice areas or where an opposing counsel has appeared before them before to develop insights that can help change the trajectory of a case. Settlements in class action cases, for example, must be approved by the court to satisfy notice requirements, so Trellis contains all of this data, which will help a lawyer understand other class action matters before that judge or others in the same county, with a similar class size and based on similar legal issues. It will also highlight the experience level of the plaintiffs' firm, how have they settled, their fees, and other details that could help reveal their strategy and the potential exposure.

Ari Kaplan

How do you use data to gain a competitive advantage?

Jeff Jacobson

In the end, there is no substitute for experience and judgment. So, it is how you use the data that gives one lawyer an advantage over another in terms of winning the business and a case. I bring decades of experience to each decision, but data is vital because I don't want to act purely on instinct. I want to apply real-world information to my experience, but

would not make decisions based solely on the data.

Ari Kaplan

How does the release of Law Firm Intelligence support innovation-centric partners working to solve problems for their clients?

Nicole Clark

Law Firm Intelligence is our newest release that allows you to look across the state trial court system at a law firm level. This has been impossible previously because the data is so fragmented across thousands of courts, but also in each court, many list an individual attorney appearing on the case, rather than the law firm. We have been able to map attorneys to where they worked when the case was moving forward, despite the complexity of lateral movement, and surface insights on the law firm level about their cases, how long their cases take, and the practice areas involved. There are many insights you can get from a business perspective, such as understanding the experience of an adversary in this particular region before this judge. Every time you look at metrics, you can dig into the underlying data and learn how those lawyers managed similar cases, such as whether they typically take cases to trial and the types of motions they file. Attorneys also use the data to evaluate their own firms and to track the judges they appear before most often. They can quickly see all of the firm's cases before that judge and the partners that appeared before that judge previously.

Ari Kaplan

How critical is it for litigators to be

aware of the most current technology available?

Jeff Jacobson
You need to be aware of everything because if you're unaware of it, one of your competitors is. That said, even though I want to be aware of everything and am excited about being the third one through the door, I'm a little leery of being the first one to deploy something brand new. With something like Trellis, the data is the data so there is no reason not to be an early adopter.

Ari Kaplan
What new opportunities can law firms realize with more detailed intelligence?

Nicole Clark
Lawyers should use data to gain practical insights that will allow them to make decisions on a case level that will benefit their clients. There is also the business perspective where data can help a partner that's pitching a particular client or evaluating the profitability of a specific practice area. Data can help legal teams understand a firm's business, where it is growing, and which practice areas or regions are most active to improve the organization's revenue opportunities. Law Firm Intelligence can help lawyers compare their firms to others a client may be considering using public data that highlight the difference in the breadth of work it has performed, the results, it has obtained, and its experience based on case volume. It can also empower a firm to assess new revenue opportunities.

Ari Kaplan
How do you see law firms benefiting

from litigation intelligence of this type in the future?

Jeff Jacobson
This data is a crucial piece in an overall puzzle. The ability to get data from a state court system, such as New York and New Jersey, where I practice all the time, or California, where I practice periodically, has been difficult in comparison to the federal courts. So if I am going to practice in a new state, I will look at this data and it will be very useful, but I will also hire a local practitioner in the area who is familiar with the judge and the system to put that data in context and make sure that I'm not misusing the information in service of a flawed strategy. The existence of these new litigation analytics is extremely exciting and creates new opportunities, but you need to put them in the right hands to use in the right way. You cannot just make decisions based solely on the numbers without combining them with the talents of a practitioner who is familiar with what is behind the data.

Ari Kaplan
How does Trellis ensure the accuracy and reliability of the data presented in Law Firm Intelligence?

Nicole Clark
Our underlying data comes directly from the courts, which we supplement with additional information and analytics. With Trellis, you can verify each aspect of the underlying data because every single metric that we provide is linked to the underlying documents in the case file. We are pulling in hundreds of millions of cases across the state trial court system and classifying them, but even when you

have algorithms and models coming up with output, you still need humans to confirm them and address any anomalies.

Ari Kaplan
How do you see litigation evolving?

Jeff Jacobson
Prior to the pandemic, I would spend two days flying back and forth to California for a 30-minute status conference. Now, they are completed by video call and I don't think we are returning to the old model, but I no longer have a chance to look a judge in the eye and I cannot read the room as well on video. This means that data is even more important because if I am losing certain human interactions, at least I am armed with better information. While technology is removing some of the hand-to-hand combat aspects of litigation and replacing them with more analytical tools. If we are going to be technology dependent, let's have the best technology.

About the Author
Ari Kaplan regularly interviews leaders in the legal industry and in the broader professional services community to share perspectives, highlight transformative change, and introduce new technology at Reinventing Professionals. Click here to listen to the conversation between Ari Kaplan, Nicole Clark and Jeff Jacobson

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Handbook of Legal Tech

"I am pleased to announce the publication of The Legal Tech Handbook. I've had the distinct privilege of pulling together insights from some of the best and brightest minds in legal tech, covering all aspects of how technology is reshaping the practice of law today.Filled with practical tips, expert insights, and a touch of humor, the "Handbook of Legal Technology" is precisely the resource the industry needs at this moment. Please find it available for purchase here:

https://www.globelawandbusiness.-com/books/handbook-of-legal-tech."

Colin S. Levy
Lawyer and Legal Technologist

Globe Law
and Business

EDITED BY COLIN S. LEVY

A (Law) Firm Foundation:
How Addressing Mental Health in Law Offices Leads to Corporate Success

By Elizabeth C. Ortega & Fernando Garcia

Two colleagues share an elevator ride up to the penthouse of their office building. She says, "Good morning." He nods her way in response, and they lapse into silence. He's trying to shake off the grogginess from a week of late nights as he prepares for trial. She's silently replaying the argument she had with her partner at breakfast...again. The elevator stops, and before the door opens, they both take a deep breath, pull their shoulders back, and paste on a smile. Just like every other young lawyer in this firm, they've learned to check themselves at the door. There is only one option if they want to achieve partnership one day...execute. And so they will, all the while carefully concealing the warning signs of increasing mental distress.

Beyond the individual, the impact of mental health on the economy and employers is staggering. In the United States, $200 billion is spent annually on mental health issues. This outweighs the costs of heart disease and cancer. Alcohol abuse is costing employers $249 billion annually. In Canada, with about a tenth of the population of the United States, the economic cost of mental illness is estimated to be over $50 billion per year and in any given year, 1 in 5 Canadians experience a mental illness.

As noted by the World Health Organization, the "consequences of mental health problems in the workplace include increased physical health problems, increased absenteeism, reduction of productivity, increased

errors, loss of motivation, high turnover, and conflicts among colleagues," among other issues. When burned out employees have to be replaced, the cost to the company is estimated to be at least 50% more than intervening on behalf of the distressed employee.

For more than thirty years, the demanding, results-oriented culture of law firms has been the subject of mental health studies in the USA and Canada, yet little has been done to change the culture of the business of law. The general populace experiences major depressive disorder (MDD) at an estimated rate of 3-5%, yet among law firms, it affects two-to-three times as many. The 2016 Krill Study on mental health in the legal profession revealed 28.3% of lawyers suffered from depression, 19.3% from anxiety, and 45.7% have experienced depression at some part of their careers. This is consistent with 70% of lawyers developing alcohol issues over the course of their careers.

Facing the culture

In order to understand the "how come" behind these statistics, the law firm culture must be considered.

The standard assessment measure for lawyers is billable hours. While this is a very convenient- and easily measured approach, it has an adverse impact on lawyers. Annual minimums of 1800 or even 2200 billable hours depend on 36-44 billable hours a week. To achieve this rate, lawyers can expect to work 49-61 hours per week...and these are minimum standards. Those wishing to advance are expected to contribute much more to the firm's success. There is no reward for efficiency and productivity in

completing tasks. There is no reward for working smarter, not harder and longer.

Where atomism, the belief that society is comprised of self-sufficient individuals motivated by their own interests, is the prevailing assumption, lawyers must fight, strategize, and compete against each other to get ahead. Weakness cannot be shown, and human limitations, such as the need for regular sleep, authentic relationships, decompression, family time, and work-life balance are perceived as weaknesses.

The decay in mental and emotional health these pressures and expectations create remains the elephant in the room in most practices. "Sure, everyone knows lawyers that drink too much... but I can't admit that I'm one of them." Yes, we know that lawyers battle anxiety and depression. Of course they do. This is part of the price of pursuing this career. "But I can handle it... and I'd better, or I'll be passed over for the challenging and rewarding assignments, for the promotion, or worse." An Am Law 200 survey reported that 75% of lawyers perceive a prevailing stigma against anxiety, 81% against depression, and 94% against substance abuse. So lawyers suffer in silence and alone.

Affecting change one person and one relationship at a time

It's time to challenge the status quo. The enduring success and evolution of the legal profession depends upon it. This is how we invite change.

Those suffering from mental illness and dangerous coping strategies need allies who will use their voices and their actions to provide

strength and support. Allyship means working proactively to destigmatize mental illness and challenging the prevailing competitive culture to create a healthier work environment. It's leadership by example, education, and advocacy. Take a moment to take stock of your own assumptions about mental illness. Do you see it as a weakness? Shameful? Challenge these assumptions and learn the truth. Evaluate your own experiences and behaviors regarding mental health. Are you projecting an image of cool confidence, yet your personal life is crumbling around you and you can't remember the last time you had a good night's sleep?

Learn to identify the warning signs and symptoms of depression and anxiety in yourself and others, and, when you recognize them, don't wait to seek help. When you see colleagues suffering, step in on their behalf. Provide a safe space to talk and respond with respect and concern. Speak up about your own mental health journey. One person's choice to lead the way into authenticity opens the door for other colleagues to bring themselves unprejudiced into the workplace.

At the corporate level
The bottom line? Lawyers cannot afford to ignore the fact that mental health impacts their bottom line as much, if not more, than billable hours do.

If law firms learn to measure success in terms of healthy, productive colleagues instead of an iron-clad billable hours competition, all parties benefit. Those struggling will be buoyed by the support they receive, and the shame and isolation of mental illness will be mitigated. Healthy and committed lawyers will stay in the

profession, in an office climate of teamwork and collaboration and clients will receive excellent service. In the end, it's a new path to business growth, driven by a positive culture that can be celebrated by the whole firm and its clients without leaving casualties along the way.

About the Authors
Elizabeth C. Ortega of ECO Strategic Communications counsels professional service firms and thought leaders. As an expert in business development strategies and litigation public relations, she advises firms and their clients in high-profile international legal matters. Her emphasis on straightforward communications encompasses wellness programming.

Fernando Garcia has over 15 years of experience as a General Counsel. His practice has included providing strategic and legal advice on Canada-wide and international operations, labor relations and employment law and all general legal matters.

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SUMMIT
BY THE SEA
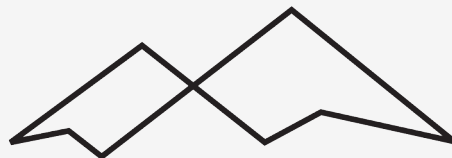
WEDNESDAY, SEPTEMBER 20, 2023

10am-1pm Registration

12pm-1pm Lunch

1pm-5pm Program

6pm-9pm Dinner

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KICK-OFF KEYNOTE: Resilience

Dave Rozelle, Director Of Operations, South Carolina Department of Veterans' Affairs

Author, Back in Action

FRAMING SESSION: Scaling Your Legal Team

Akshay Verma, Director, Head of Legal Operations, Coinbase

Susan Packal, Head, Global Legal Operations, Atlassian

ROUNDTABLE DISCUSSION

PANEL DISCUSSION: AI and Technology's Role in Legal

Moderator: Llyod Johnston, CEO, Chief Legal Executive, LLC

PANEL: Phyllis Turner Brim, Deputy General Counsel, Innovation and Brand Protection, HP

Leo Murgel, SVP & COO, Legal and Corporate Affairs, Salesforce

Casey Flaherty, Co-Founder and Chief Strategy Officer, Lex Fusion

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DINNER at Bacara

THURSDAY, SEPTEMBER 21, 2023

8am Breakfast

9am-5pm Program

6pm-9pm Dinner

KEYNOTE: Unstoppable

Rich Bracken, Emotional Intelligence Expert

FRAMING SESSION: Knowledge Management

Rebecca Bullard, Director, Global Legal Operations & Innovation, Former NBC

ROUNDTABLE DISCUSSION

FRAMING SESSION: Harnessing the Power of Data

Erik Perez, Central Legal Operations Officer, Legal Services Global Operations, Shell USA, Inc

Charisma Starr, VP, Legal Discovery Technology Strategy and Innovation, JP Morgan Chase

ROUNDTABLE DISCUSSION

LUNCH

KEYNOTE: Impact of Interpersonal Trauma in Legal

Maria Parker, Trauma Informed Care & Insight Consulting

Greg Kaple, Principal of Legal, Regulatory & Compliance Strategy, Kaiser Permanente

———————

FREETIME

DINNER Ocean Terrace

FRIDAY, SEPTEMBER 22, 2023

8am Breakfast

9am-1pm Program

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FRAMING SESSION: Optimizing Tech Stack

Rajan Gupta, Senior Director Legal Technology & Operations, Synopsys

Sadia Ali, Senior Director Legal Operations, UST

ROUNDTABLE

PANEL DISCUSSION

Moderator: Kevin Cohn, CCO, Brightflag

PANEL DISCUSSION

Jonathan Johnson-Swagel, CLO Operations Manager, Uber

Angela Mendenhall, VP Legal Operations, Convoy

Sarah Starr, Director of Legal Operations, Generate Capital

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CLOSING Final Announcements & Wrap-up

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Cultural Intelligence for AI Ethics in Business
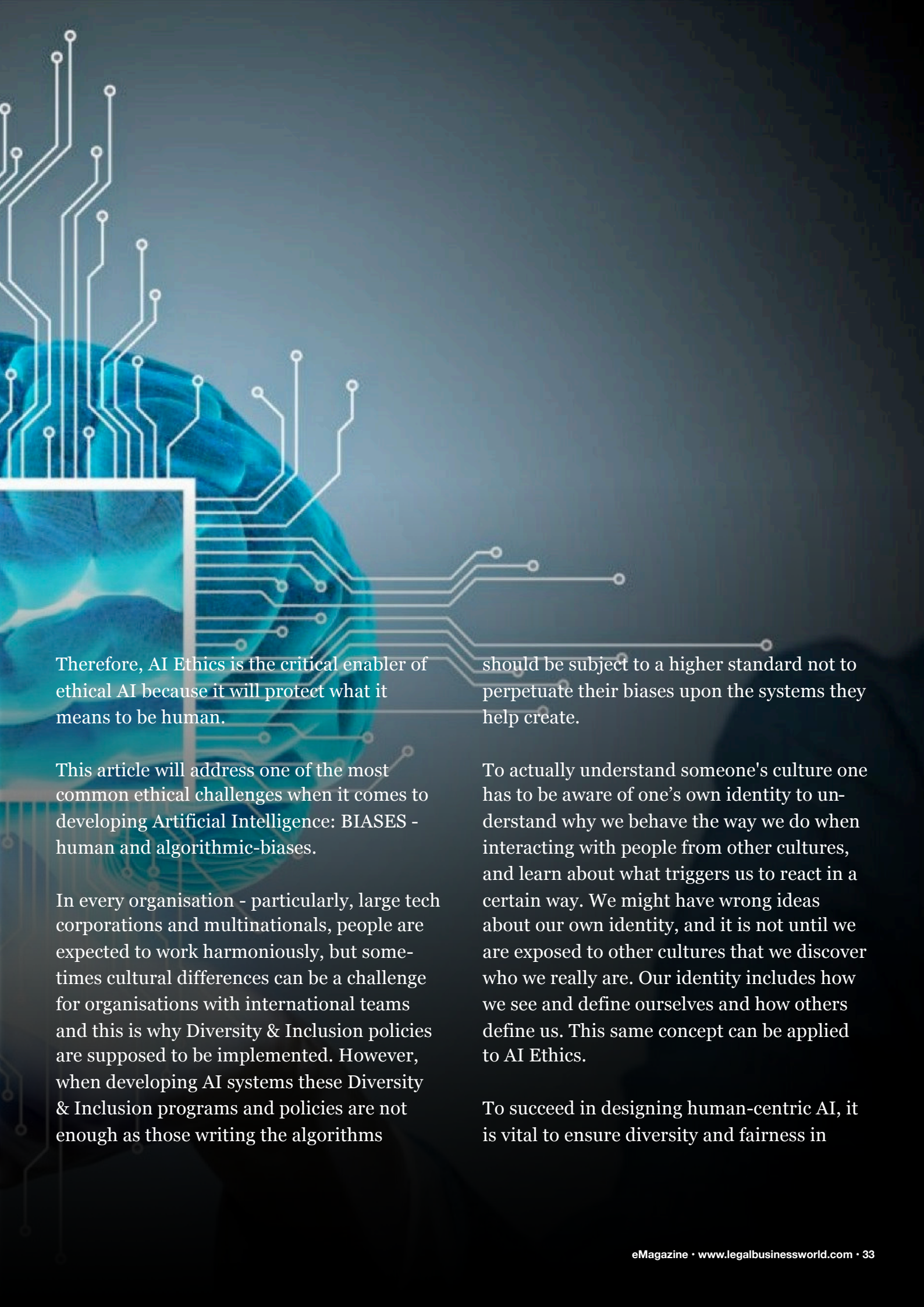
By Tatiana Caldas-Löttiger, Founding President International Women In Business (IWIB)

Quote: *"AI technology brings major benefits in many areas, but without the ethical guardrails, it risks reproducing real world biases and discrimination, fueling divisions and threatening fundamental human rights and freedoms."* Gabriela Ramos, Assistant Director-General for Social and Human Sciences of UNESCO

1. Introduction

Many have said that Artificial Intelligence (AI) will be the last great human invention because AI will create a new form of discovery which in turn will create a new form of discoverer. This opens the possibilities for extreme good or extreme bad; the basic difference between the two is that one is ethical and the other one is not.

Therefore, AI Ethics is the critical enabler of ethical AI because it will protect what it means to be human.

This article will address one of the most common ethical challenges when it comes to developing Artificial Intelligence: BIASES - human and algorithmic-biases.

In every organisation - particularly, large tech corporations and multinationals, people are expected to work harmoniously, but sometimes cultural differences can be a challenge for organisations with international teams and this is why Diversity & Inclusion policies are supposed to be implemented. However, when developing AI systems these Diversity & Inclusion programs and policies are not enough as those writing the algorithms should be subject to a higher standard not to perpetuate their biases upon the systems they help create.

To actually understand someone's culture one has to be aware of one's own identity to understand why we behave the way we do when interacting with people from other cultures, and learn about what triggers us to react in a certain way. We might have wrong ideas about our own identity, and it is not until we are exposed to other cultures that we discover who we really are. Our identity includes how we see and define ourselves and how others define us. This same concept can be applied to AI Ethics.

To succeed in designing human-centric AI, it is vital to ensure diversity and fairness in

data collection, algorithm design, and decision making. From the AI governance and organisational perspective, values and ethical principles are crucial for organisations to establish a framework to design human-centric AI. This is valuable not only from the ethical perspective but also from the business perspective. For instance, understanding customer's cultural preferences may uncover why customers prefer one product over another, make certain decisions or demand certain services.

The aim of this article is to explain the key role culture plays in ethics and how cultural awareness could mitigate algorithmic bias by applying Cultural Intelligence (CQ) in AI ethics.

2. Understanding AI Ethics & Cultural Intelligence

What is AI Ethics?
In general, AI ethics refers to the principles and guidelines that govern the ethical development and deployment of AI systems. It involves addressing concerns such as transparency, fairness, accountability, privacy, and bias mitigation. Implementing ethical practices in AI is vital to maintain public trust, protect individuals' rights, and promote responsible innovation.

As we will see in the following paragraphs, culture influences the behaviour of humans and determines their moral and ethical values. Therefore, there are over 400 ethical frameworks around the world and most of them include the principle of **fairness** and **non-discrimination**.
According to the majority of these frameworks, AI algorithms should be designed and imple-

mented in a way that prevents discrimination or bias based on personal characteristics such as gender, race, or age. For instance, **The EU Ethics Guidelines for Trustworthy AI**, in chapter one states that "AI shall be based on an approach founded on fundamental rights, and identifies the ethical principles and their correlated values that must be respected in the development, deployment and use of AI systems in a way that adheres to the ethical principles of: a) respect for human autonomy, b) prevention of harm, c) fairness and explicability.".

Relevant to bias are the principle of **fairness,** which ensures that the AI model is fair towards everybody in particular, vulnerable groups that have historically been disadvantaged such as women and children, people of colour, neurodiverse persons and/or with disabilities as well as others who are at risk of exclusion, and in situations which are characterised by power, control of information, such as between employers and workers, or between businesses and consumers. Then, the principle of **explicability** ensures that AI models are explainable. For example, if an organisations gets a request from an end-user or an authority, that organisation should be able to explain the **outcome** and what data sets were used in order to curate that model, what methods, what expertise was the data lineage originally associated with, including the capability to explain how that model was trained to explain the outcome.

What is Cultural Intelligence (CQ)?
In general, Culture Intelligence (CQ) is the ability to understand and navigate cultural differences effectively.

In the corporate world, it is widely acknowledged that culture has been identified as an often-overlooked barrier. For example, lawyers are expected to act in the most ethical way possible and to observe the law. But what happens when due to cultural differences what is considered morally and ethically acceptable for one legal counsel during a negotiation is not acceptable for the opposing counsel? One party might say no deal, and that would be the end of it. Another approach could be using persuasion based on empathy.

3. The Hofstede Cultural Dimensions Theory & Cultural Intelligence (CQ)

Geert Hofstede (1928-2020) is a Dutch academic who has become known for pioneering research on national and organisational cultures. Hofstede's Cultural Dimensions Theory, is a framework used to understand the differences in culture across countries and to discern the ways that business is done across different cultures. In other words, the framework is used to distinguish between different national cultures, the dimensions of culture, and assess their impact on a business setting. Hofstede originally identified four dimensions for defining work-related values associated with national culture: power distance, individualism, uncertainty avoidance, masculinity. A fifth dimension, long term orientation and a sixth dimension, indulgence versus restraint were added later.

At a very high level one could say that, **power distance** is correlated with power and the use of violence in domestic politics and with income inequality in certain countries; **uncer-tainty avoidance** is associated with Roman Catholicism and with legal obligation in developed countries; **individualism** is correlated with national wealth and with mobility between social classes from one generation to the next; **masculinity** is correlated negatively with the percent of women in democratically elected governments; **long-term orienta-tion** is correlated with school results in international comparisons and **indulgence** is correlated with sexual freedom and a call for Human Rights like free expression of opinions.

The following are some examples to illustrate how to navigate the dimension of **Power Distance**. As an example, we will use two regions with similar cultures: Latin American and Nordic countries.

In terms of hierarchy and status, egalitarianism is the most dominant social value in the Nordic countries; consensus and compromise are ingrained in business and social life. In Sweden, there is a lack of outward signs of hierarchy and status, as opposed to other cultures, like in Latin-America, for example, where hierarchy and status are very prevalent. Most of the Latin societies are highly structured, and pay great attention to professional degrees, occupation, and social status, which may well also be a reflection of their need for **certainty** rather than **power distance**.

In terms of communication styles during meetings, the communication style in some countries is direct and open. Swedes, for example, tend to keep their distance when conversing and in general think that small talk is

unnecessary and awkward, so they avoid engaging in conversations with strangers or acquaintances; being able to manage on your own is looked upon with both deep respect and admiration. Even before the pandemic, social distancing was the norm in Swedish society, so there was no need to reinforce it during Covid-19. That is the reason why it is common for Swedes to avoid noisy surroundings and seek silence in nature.

In contrast, this could come across as abrupt in Latin America; for example, jumping right into a meeting without any small talk can be seen as rude. Long handshakes and embracing, is also quite common, and normally, at each negotiation, friendships are established. While in the Nordics, it is customary to address a person by the first name, the opposite happens in Latin American countries, where calling someone by their first name (unless invited to do so) is considered a lack of good manners; it could create confusion and can lead to misrepresentations, if by chance two people have the same name but hold different positions. Thus, courtesy titles and full names and last names are the norm.

3.2. Uncertainty Avoidance Dimension, refers to high uncertainty avoidance vs. low uncertainty avoidance. The Hofstede analysis suggests that the Latin Europe and Latin American legal systems are a typical case of **"high uncertainty avoidance",** where people prefer explicit rules (e.g., about law and religion) and formally structured activities, and employees tend to remain longer with their employers.

Most of these countries have a legal system based on Civil law, also known as Continental law, which is in turn based on Roman tradition, and is the predominant system of law in the world. Latin America has one of the most unified legal systems in the world, where legal and academic opinions are very important sources in the making and interpretation of the laws, but are not of obligatory observance. Instead, several codes of law set out the main principles that guide the law. One could say that, when negotiating with lawyers and clients from Latin America, one would have to prepare much documentation to increase their trust. And since their legal system is codified, one should also make references to their codes of law and be mindful that providing only jurisprudence and academic opinions might increase their uncertainty and delay the process, as these are not of obligatory observance. Thus, it is best to provide specific rules and structures, recognize Latinos their need for information and provide lots of supporting data. Also, if appropriate, provide examples of others who have used the approach successfully, and focus on compliance with procedures and policies.

On the contrary, cultures with "**low uncertainty avoidance**" like the Swedish culture, people have trust in the regulatory systems and prefer consensus over confrontation. Swedes also prefer implicit or flexible rules or guidelines (like with the handling of Covid-19). However, the global digital economy is affecting this dimension. In 2019, Swedbank, one of the largest banks in Sweden was fined by the Sweden's Financial Supervisory Authority (FSA) with a record 386 million dollars over the Baltic money-laundering breaches from mostly Russian non-residents through Estonia from 2010 to 2016. According to the FSA; "The bank's

awareness of the risk of money laundering and its processes, routines and control systems were insufficient". Many critics have said that personal trust was a gross breach of the bank's Know-Your-Customer (KYC) procedures.

4. How to Apply Cultural Intelligence (CQ) in AI Ethics?

At a very high level, Cultural Intelligence (CQ) could be applied in AI Ethics through the following approaches:

a) **Cultural Contextualization**: By understanding different cultural contexts, businesses can tailor their AI systems to align with specific societal norms and values. This ensures that AI technologies respect cultural sensitivities and avoid generating biassed or offensive outputs.

b) **Bias Detection and Mitigation:** CQ can help identify biases embedded within AI algorithms by considering cultural nuances. By incorporating diverse datasets and involving individuals with different backgrounds during the training phase, businesses can reduce bias and enhance fairness in AI decision-making processes.

c) **Ethical Decision-Making**: CQ can provide businesses with the necessary insights to address ethical dilemmas and make ethical decisions regarding AI development and deployment in complex cultural landscapes by considering cultural implications and societal expectations.

d) **Acknowledgment of other Values.** The transfer of AI Western values to the East, for example, can be inappropriate and even unethical. Corporate culture and management practices as well as AI development may need modifying to suit local conditions.

Conclusion

In conclusion, when we interact and communicate, we will always have biases. As seen in the Hofstede model, cultures influence the behaviour of humans and determine their moral and ethical values. One could reckon AI Ethics need a Culture-driven approach, which means that organisations shall move towards implementing Cross-Cultural AI Ethics Frameworks, and avoid generalisations. For instance, the transfer of AI Western values to the East and other regions of the world should be considered inappropriate, and corporate culture, management practices and AI-solutions may need modifying to suit local conditions.
One question that remains is if organisations have the proper AI-talent? Finding people who are culturally aware and can swiftly adapt to working with international and diverse teams is a major challenge. For example, when hiring C-suite executives and lawyers, business leaders need to be mindful of retaining talent that is knowledgeable and empathetic as they must be able to work cross-functionally and collaborate with different departments, particularly with data scientists, software developers, Research & Development, etc.

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About the Author

Tatiana Caldas-Löttiger is an international business lawyer with a Masters in European Law from Stockholm University, another LL.M in International Business & Trade Law from Chicago USA, and a J.D from Bogota, Colombia. A legal futurist and AI Ethics Advisor. She works in the intersection between law, technology and regulatory affairs within the telecom/IT law/AI industry, with solid experience in GDPR Regulatory Compliance, Ethical AI and Data Privacy & Security. Tatiana is the founding president of International Women In Business and IWIBI4AI, and ambassador and contributor at the Liquid Legal Institute, a global think-tank designing the future of law. Member of the International Association of Risk and Compliance Professionals (IARCP). Tatiana has been a regular speaker on the topic of AI Ethics and regulatory aspects of AI since 2015.

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Where is Your Company on This Scale?

Undeveloped	Little or nothing has been done to increase or integrate EDI goals with organizational goals. To the extent that there is a focus, it is on compliance only.
Beginning	We try to maintain compliance but have made a few efforts at EDI and thinking about how EDI helps to position our organization in the marketplace.
Intermediate	We have deployed several different EDI initiatives piecemeal. It is viewed as moderately important, but we do not spend a lot of time measuring success.
Advanced	We have a strategic framework that has multiple pillars aligned with the organizational goals. Our EDI efforts include metrics and setting annual goals for improvement, and we closely follow EDI at leadership levels.
Expert	EDI is embedded in our culture and our MP makes it a priority. Ownership of EDI initiatives is at the senior leadership level. We use analytics to address recruiting, succession planning and other talent-related issues, and our managers are assessed based on EDI goals. EDI initiatives are strategic and contribute to the achievement of organizational goals.

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Living in a VUCA World

By Marco Imperiale, Head of innovation at LCA Studio Legale

If I were to choose a word to describe the world we live in, I would go for VUCA. This acronym, which stands for Volatile, Uncertain, Complex, and Ambiguous, represents quite accurately the world we inhabit today[1]. The concept was firstly developed by professors Warren Bennis and Burt Nanus in their book "Leaders. The strategies for Taking Change"[2]; later, it spread in the military industry and gained significant traction in the business and leadership context[3]. It is mostly used to describe the challenges and conditions that organizations, leaders, and individuals face in our rapidly changing and unpredictable world.

From geopolitical tensions to climate crisis, from reverse mentoring to exponential innovation,
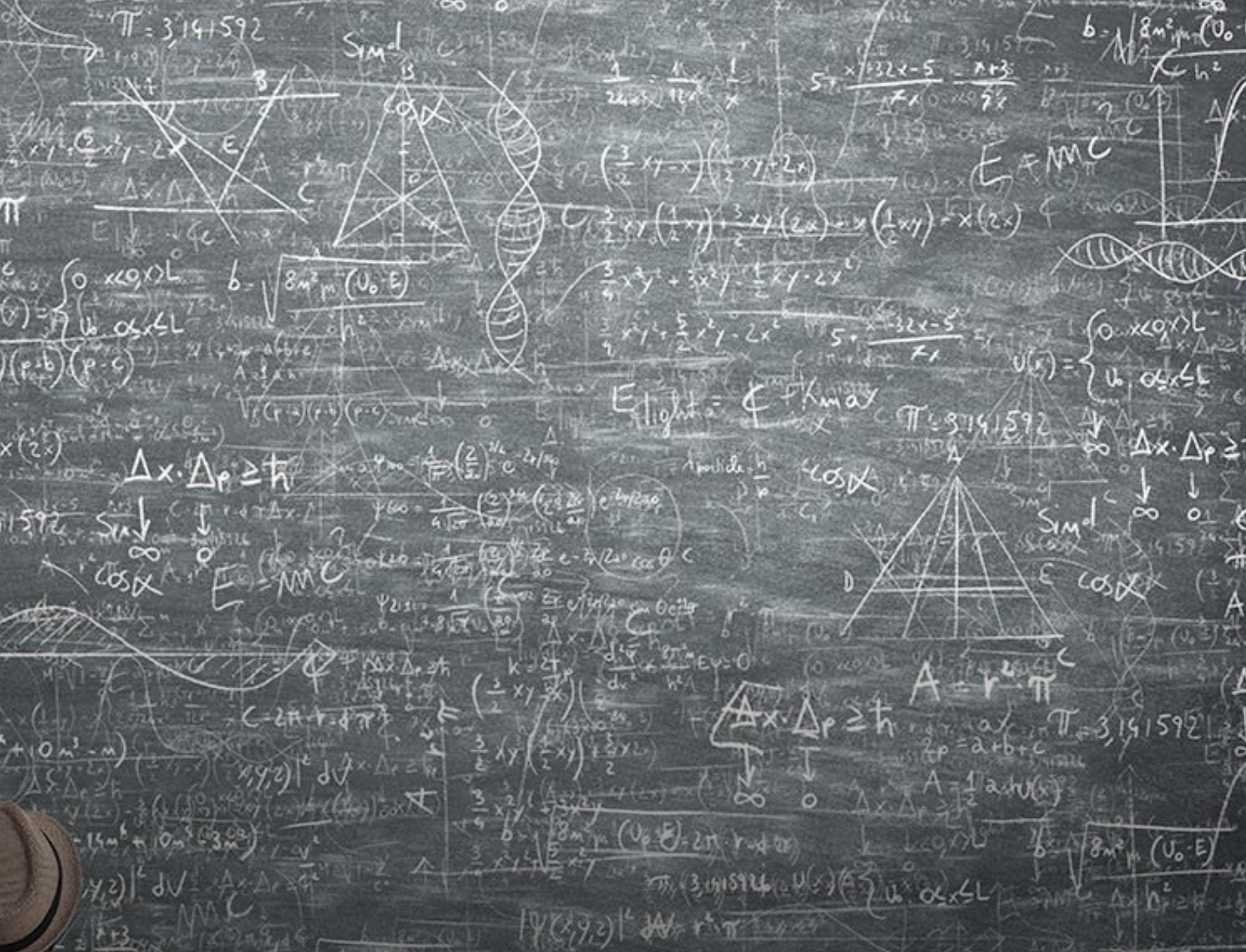
from artificial intelligence to new paradigms for the society we live in, most aspects of our lives are affected by a constant spiral of change. In this article, I will discuss what this acronym means and why it is important for the legal profession, providing practical take-aways in order to face these challenges (or at least limit the damages).

Each Letter Has a Meaning
Each aspect of the VUCA acronym requires thorough analysis:

- *V means Volatility.* Volatility refers to the nature and dynamics of change, signifying the speed and unpredictability with which situations, markets, or environments can shift. Volatile conditions can lead to sudden disrup-

tions, requiring organizations and leaders to be flexible and agile in decision-making.

- *U means Uncertainty.* Uncertainty relates to the lack of predictability and clarity about future events or outcomes. In VUCA environments, forecasting or anticipating events is limited, making planning and strategizing more challenging, and requiring more adaptability.

- *C means Complexity.* Complexity encompasses the intricacy and interdependence of various factors within a system. In VUCA situations, issues can be multifaceted and difficult to fully comprehend. They demand a systemic approach and deeper understanding of relationships between components.

- ***A means Ambiguity.*** Ambiguity involves the haziness or multiple interpretations of information and events. VUCA environments often lack clear cause-and-effect relationships, making interpretation and confident decision-making difficult. Leaders must operate with incomplete data and take calculated risks.

VUCA and the Legal Profession

How would the VUCA concept resonate in the legal market and in the legal profession? Providing a clear answer is not easy, also because the four concepts tend to overlap. A regulatory change impacts volatility or complexity? The management of policies for Gen Z professionals relates to uncertainty or ambiguity? And what about technological innovation? In this analysis, I tried to notice three ways each factor impacts the legal scenario.

Volatility

- Rapid Advancements. In a world where technological advancements occur at a breakneck pace, legal professionals must stay abreast of new developments. This may include understanding new technologies that influence laws or regulations, such as blockchain, cybersecurity, or data governance, but also taking into account how technology impacts current practices (from m&a to banking and finance or litigation).

- Different Clients' Preferences. Clients' expectations are evolving rapidly. They demand more transparent, efficient, and personalized legal services, and they are more interested in the processes that lead to legal advice. Adapting to these preferences requires an agile approach and may involve leveraging technology to provide more accessible and client-centric services.

- Stagnation without Innovation. In such a volatile environment, there are consequence also for lawyers and law firms that do not innovate, who may find themselves falling behind. Stagnation can lead to loss of clients, decreased relevance in the market, and ultimately, a decline in business.

Uncertainty

- An Evolving Regulatory Scenario. The legal landscape is often affected by changing regulations and laws. For instance, new regulations around AI, antitrust laws, or environmental protections may create a shifting terrain that requires constant vigilance and adaptability. However, legal updates are way more and way faster than in the past, and fear of missing out is becoming a constant despite the practice.

- Unpredictable Factors. Beyond regulation, there are other unpredictable factors, such as political changes, economic fluctuations, and social dynamics, which can lead to massive uncertainty. This requires legal professionals to have a broad understanding of various fields and to be prepared to respond swiftly to unexpected changes.

- Fierce Competition. The legal market is becoming increasingly competitive, and the competition is not only related to law firms. Whether it is alternative legal service providers, a.i. platforms, or other technological solutions, the market we know is evolving rapidly and, most of the times, differently than the way we expect.

Complexity

Intricate Problems. Modern legal problems can be highly complex, often involving multiple jurisdictions, intricate contractual obligations, or sophisticated relationship among parties. On the other hand, we are required to provide our advice in a fast-paced scenario, leveraging on our deep knowledge base, strong analytical skills, and the ability to synthesize large amounts of information quickly.

Interdisciplinarity. VUCA times demand a multi-disciplinary approach. This – most of the times, does not mean only different lawyers working together, but also a collaboration with experts in other fields (such as engineers, software developers, designers, economists, psychologists, etc.)

Merging tendency. It is noticeable in the market a relevant shift towards merging – whether it is two big law firms, several professionals combining different practices, or a solo practitioner looking for a full-service to join. The main reason of this trend is facing complex scenarios with interdisciplinary teams – benefitting on different backgrounds, methods of operation, and points of view on specific projects.

Ambiguity
- Blurriness. Ambiguity in the legal context may come from vague laws, conflicting precedents, or unclear client expectations. Legal professionals must have the ability to interpret unclear or contradictory information, and adapt their strategies accordingly.

- Different interpretations. Laws and regulations can sometimes be open to multiple interpretations as well. This requires a nuanced understanding, strong critical thinking skills, and the ability to navigate and argue various interpretations to serve the client's interests best.

- Unclear Data. In some cases, the information available may be incomplete or conflicting. Legal professionals must develop the skills to work with imperfect data, make reasoned judgments, and be prepared to pivot as new information becomes available.

How to face a VUCA world
Facing the challenges of VUCA requires different skills and approaches than those needed in traditional stable environments. Lawyers and in-house counsels must cultivate adaptability, resilience, creativity, and learn from failures. Strategies should be flexible, iterative, and decision-making distributed across various organizational levels to respond effectively to change.

I tried to analyze the single elements of the VUCA acronym, identifying three simple strategies for each one.

To face volatility
- Invest in habits. More than developing a goal-oriented mindset, we should work with a habit mindset, which tend to be more reliable, and trackable[4]. Habits can relate to everything, from the way we reply to emails, to the way we organize meetings or answer to client's request of advice. The more we will be able to have a habit-oriented mindset, the more we will be balanced in an unbalanced world.

- Analyze what is not going to change. We tend to focus about the aspects that are going to change, but the ones that are not going to change are equally important. What are the things that are not going to change in our profession or firm in a 1, 3, 10 year time-frame?

- Foster a culture of innovation. We should encourage professionals, business services, and partners to be agile and adaptable, whether investing in research, promoting internal and external flexibility, or constantly adapting to different situation. Only this way we can stay ahead of competitors and swiftly respond to market shifts.

To face uncertainty

- Invest on processes. I am aware of the fact that lawyers tend not to be process oriented, but the more we can stress the process part, the more we will be able to limit the impact of uncertainty. Processes can help us analyzing deeply our strong assets, intervene on our weaknesses, and – more in general – adopt a more kpi/roi oriented approach.

- Develop better market research and customer insights. Market research and client feedback can help us gaining insights into changing preferences and emerging trends, allowing us to face client demand in a tailored way. How much do we know about our clients and our markets? Are we spreading the knowledge we have in a homogenous way in our firm? Can we understand not only the services that the clients ask for, but the ones that they really need?

- Plan different scenarios. Flexible planning,

e.g. developing multiple scenarios for potential outcomes and responses, will help us adjust strategies based on emerging information and market dynamics. Maybe we are used to make a budget for the incoming year, which includes potential revenues and cash-flow analysis. How about making three instead of 1, such as worse case scenario, reasonable scenario, and best-case scenario?

To face complexity

- Invest in simplicity. Leonardo da Vinci used to say that simplicity is the ultimate sophistication, underlying the difficulty of simple processes. Whether it is internal meetings, the management of multiple tasks, or the way we show our associates how to face a specific matter, if there's one way to do things in an easier way, we should be able to promote it and implement it.

- Enhance collaboration among departments and professionals. As identified by Heidi Gardner in her two books: "Smart Collaboration" and "Smarter Collaboration"[5] collaboration between departments and experts from different domains to tackle complex challenges will have a positive impact on both kpis and rois. On the other hand, we should take into account that- while collaboration is a significant pro, it is also harder to achieve than we think. Smart collaboration means dedicated resources, openness to negative feedback, and difficult conversations.

- Learn to prototype. Learning how to prototype solutions and models is a very useful tool in order to challenge complexity.

Prototyping can tell us in a faster time which approach works and which doesn't, what are the strategies that can be successful, and what are the internal and external reactions to our work.

To face ambiguity

- Embrace clear communication. Clear communication within teams and organizations is a great way to reduce ambiguity and misunderstandings. For example, a partner might conduct regular meetings to clarify objectives and expectations with team members. Or we can organize a follow-up session after the deal to notice the what has worked well and develop/share best practices within our team.

- Learn how to fail. Encouraging a culture of experimentation and continuous learning means also implementing a "*fail fast, learn fast*" approach, where teams are encouraged to experiment with new technologies and learn from both successes and failures. We cannot expect every project or lateral hiring to be successful, but we can work to promote a culture where failure is an added value, and not something to be afraid of.

- Prioritize Ethical Decision-making, In ambiguous situations, we should prioritize ethical decision-making to maintain integrity and trust. We could establish Ethical Guidelines, or a Code of Values, to address gray areas and ensure compliance with legal and ethical standards. Maybe we can promote a reflection regarding our values and our purpose as professionals and as firm. In times of ambiguity, investing on values is always a safe bet.

Conclusions

VUCA elements permeate various aspects of both business and legal industries. Embracing these challenges - continuously adopting new strategies - is key to navigating the complexities and uncertainties effectively. On the other hand, we should remember that our clients are impacted by VUCA times as well. For this reason, volatile, uncertain, complex, and ambiguous situations can offer opportunities to develop collaborations and work together on exciting tasks and projects.

Facing VUCA times require proactive measures, open-mindedness, and adaptability. However, by implementing effective strategies, law firms, in-house department, and professionals can position themselves to thrive in dynamic and unpredictable environments. As I tend to say, maybe because of my Italian background, the glass is half-full. This is an exciting moment to be a lawyer, and the VUCA scenario offers new opportunities for both old and new generations. Will we be able to ride the tiger?

Notes

[1] Levent Işıklıgöz proposed to change the "C" of VUCA from Complexity to Chaos, arguing that it is more suitable according to our era

[2] New York: Harper & Row, 1985

[3] Bill George, professor of management practice at Harvard Business School, developed an acronym to represent a leadership response to VUCA: which he calls VUCA 2.0. V stands for Vision, U for Understanding, C for Courage and A for Adaptability

[4] For an interesting perspective about habits, I would suggest Charles Duhigg's book "The power of Habit" (Random House, 2012)

[5] H. Gardner "*Smart Collaboration:* How Professionals and Their Firms Succeed by Breaking Down Silos", HBR Press, 2017; H. Garder, I. Matviak, "Smarter Collaboration. A New Approach to Breaking Down Barriers and Transforming Work", HBR Press, 2022
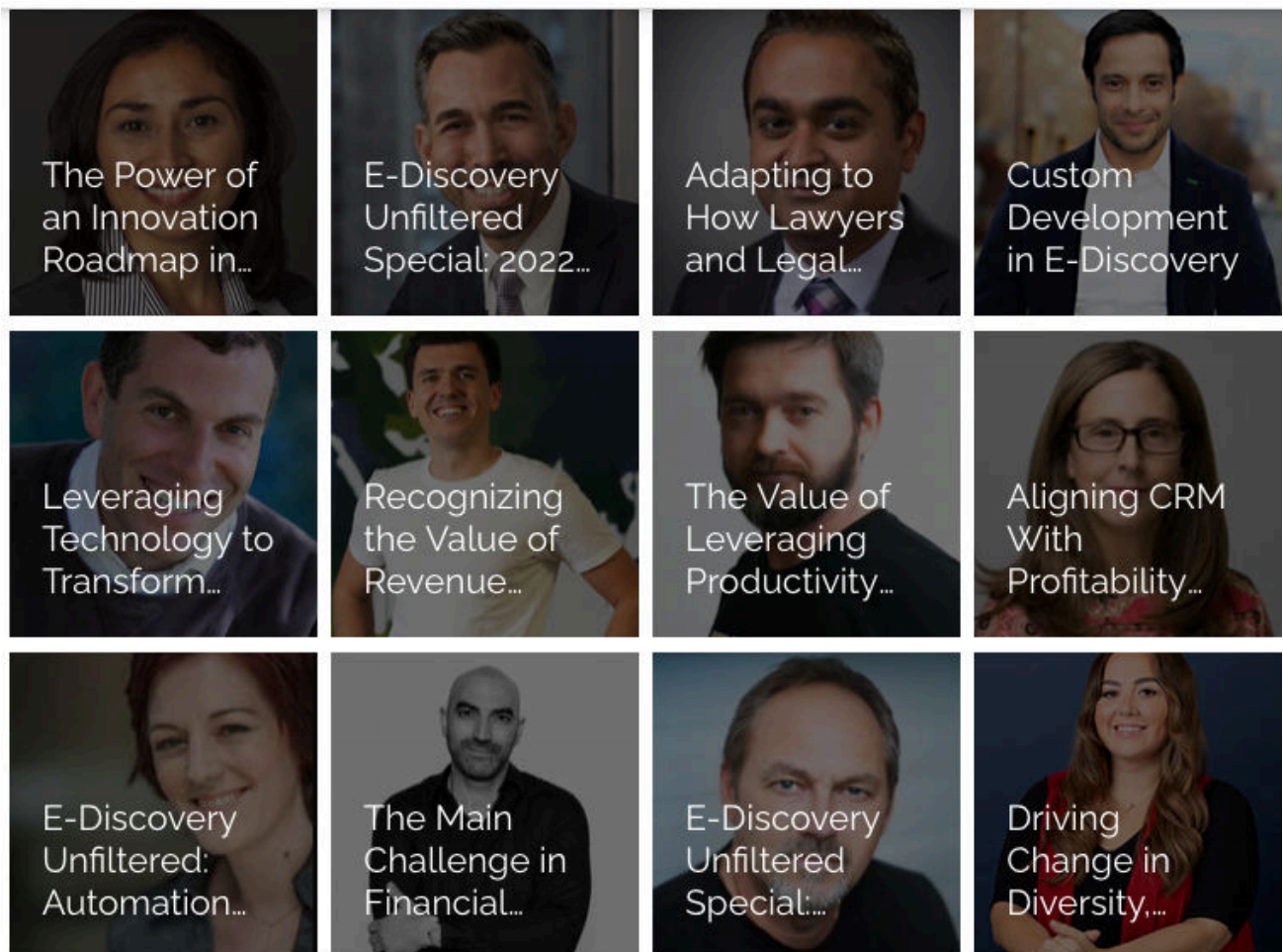

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Marco is a lawyer and the Head of innovation at LCA, a leading Italian firm. He has extensive experience in legal design, legal tech, and in the interplay of copyright law and the entertainment industry.

Whenever he finds time, he also works as mediator, teaching fellow for Harvard Law School (CopyrightX course), and mindfulness trainer. He is a frequent public speaker and the author, together with Barbara de Muro, of the first Italian book on legal design.

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ARE YOU A HUNTER OR A FARMER?
Grow your Law Practice into which is best for you

By Steve Fretzin, President Fretzin, Inc

In the past, sales professionals were often classified as either hunters, actively pursuing new business, or farmers, focused on nurturing and retaining existing clients. While these traditional roles still hold value, today's legal landscape calls for a redefined paradigm to help attorneys effectively grow their law practices. By combining both hunter and farmer activities, lawyers can ensure a thriving practice. Let's explore these approaches and select strategies for a successful year ahead.

The new definition for a hunter is an attorney who actively pursues business development. This means you're putting yourself out there by strategically attending networking groups, meeting with clients to get more work, developing new strategic partners and other such activities.

The new classification for a farmer is a lawyer who prefers to hang back and produce content, including blogging, article writing, podcasting and social media posting.

While you might ask, "Steve, shouldn't I be doing both hunter and farmer activities?" My response would be that, of course, it's best to do both. However, for many busy attorneys I'd rather have you doing something productive rather than nothing at all. Here are three hunter and three farmer activities to select from in order to ensure that 2023 ends up better than 2022. My suggestion is to pick one to three of these and really focus on making them happen by scheduling time (like an appointment with yourself) to ensure they get done.

Hunter activity #1: Join a networking group to develop new business. Meeting new people and developing relationships is the cornerstone of a hunter's mentality. Be sure to find groups, associations, boards and clubs where you can meet potential clients or new strategic referral sources. This might sound obvious, but most attorneys aren't doing this.

Hunter activity #2: Develop a master list of all your contacts and rate them A, B or C, and then schedule time (coffee, beers, lunch or a game) with your A's and B's. These are the people you've already invested time with, including clients, other lawyers, friends and even family. It's time to see how you can help them and they can help you. An easy email to shoot out might read, "Hey Karen, I'd love to

get together with you soon and catch up. I'd enjoy learning how I can add value for you in your law practice and share what's new with me. When's a good time to meet up?" Always offer to help first, as that's what networking is all about.

Hunter activity #3: Look inward at your firm for cross-marketing opportunities. You partner's already have the clients and they've never brought you in to work with them. Develop those deep internal relationships with your partners so they know what you do and how you would add value to their clients. Be sure to ask for some origination credit if you're helping bring in business proactively. After all, it also helps them to increase their bandwidth. If you're a solo, this can be done just as well with your existing strategic partners.

Farmer activity #1: One of the easiest ways to begin farming for new originations is to get active on social media. The cost and time needed to get started here are negligible. If you're a big fan of the movie Shawshank Redemption, you know the line, "Get busy living or get busy dying." That's how I feel about social media and LinkedIn in particular. In case you were wondering, if you're not active on LinkedIn, you're the one dying. FYI, there's a killer tutorial on LinkedIn best practices on my YouTube channel if you look me up by name.

Farmer activity #2: Writing and publishing articles is another farming activity that will pay off over time if you're consistent in your efforts. The best part of article writing is the ability to repurpose the content for your monthly newsletter, email blast, social media

and posting on your website/blog. I've even done an audio version of my article from last month to broaden the content even further. I'm writing this article on a Saturday morning, when clients aren't available to meet, so it's perfect.

Farmer activity #3: It's never been easier than now to create video content. You used to have to hire a videographer, schedule a day off to film and then it would take weeks to get anything finished. Today, you can develop amazing content on Zoom or with your smart phone. Just write down 5-10 things that you solve every day and create 30-second to two-minute clips on your subject matter. As long as the sound and visual are clean, people will watch and listen to you. Like with #2 above, this content can be repurposed in a variety of ways.

Now that we've redefined the hunter-farmer paradigm, you need to decide which you are, or a combination of the two. My feeling, as a born hunter, is that you should try to do both the hunting and the farming to ensure you get that book of business built right away. While your almighty billable hours might be steady today, tomorrow is another thing. Smart lawyers plan, execute and follow through on their biz-dev efforts to ensure the best outcomes each year. If you want to BE THAT LAWYER, start hunting and/or farming today

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About the Author
For more information about FRETZIN, Inc. and Steve Fretzin, please go to www.fretzin.-com or email Steve directly at steve@fretzin.-com

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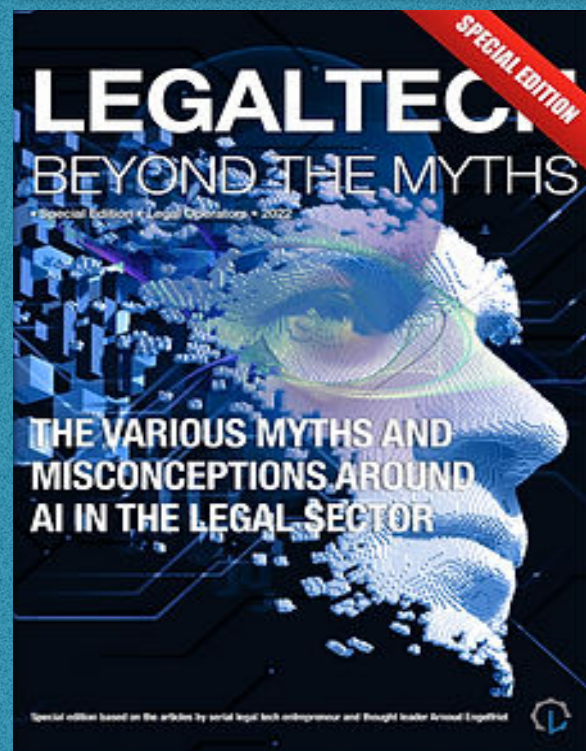
Shattering the Glass Ceiling:
How Salary Transparency Strengthens the Legal Profession

By Tom Stephenson, VP of Community & Legal Operations at Legal.io

The lack of salary transparency has been a long-standing issue in the legal profession. This obscurity not only hampers the growth of professionals but also perpetuates disparities in pay. It's high time we come together to shatter this glass ceiling, fostering an era of transparency and equity that strengthens our community.

Persistent Pay Disparities and the Power of Real-Time Compensation Data
The legal profession is not exempt from pay disparities. A study by Payscale in 2023 revealed that a significant salary discrepancy could hinder their professional growth or trajectory when people are in the dark about total compensation. This lack of transparency often

leads to a wide pay gap, which can be detrimental to the morale and productivity of professionals.

These disparities are not just numbers on a page; they have real-world consequences. They can lead to disillusionment and frustration among professionals who feel they must be fairly compensated. Over time, this can lead to decreased productivity, lower job satisfaction, and even increased turnover rates.

Moreover, these disparities can also hurt the diversity of the legal profession.

When certain groups are consistently paid less than others, it sends a message that their contri-butions are not as valued. This can discourage individuals from these groups from pursuing careers in the legal profession, leading to a less diverse and inclusive industry.

Real-time compensation data can play a pivotal role in addressing these disparities. Providing an accurate and up-to-date overview of salary trends empowers professionals to negotiate their worth effectively. Moreover, it enables organizations to benchmark their compensation packages against industry standards, ensuring they remain competitive and fair.

But real-time compensation data's power goes beyond individual negotiations and organizational decisions. It can also help to shift the

broader conversation around pay in the legal profession. By making this data readily available, we can break down the stigma around discussing salaries and encourage more open and honest conversations about pay equity.

Cultivating Community: Fostering Growth, Equity, and Inclusion

Within the in-house legal community, fostering a sense of unity is paramount. The belief in the power of collaboration and continuous learning drives us to create an extensive network of legal professionals. Together, we strive to establish more equitable and inclusive legal practices by embracing diversity.

Community is more than just a buzzword; it's a powerful force for change. When we come together as a community, we can share our experiences, learn from each other, and work together to tackle our challenges. In the context of salary transparency, this means sharing our salary data, discussing our experiences with pay negotiations, and supporting each other to achieve pay equity.

As we harness the power of community, it becomes imperative to address issues that have long been kept in the shadows - one such issue being salary transparency. Through a united front, the in-house legal community can foster an environment where discussions about salaries are not taboo but are seen as essential for the growth and well-being of professionals. Such openness is not just empowering on an individual level but is crucial for building a foundation of fairness and inclusion within the profession. This is particularly salient for legal operations professionals, who are at the forefront of a rapidly evolving field.

Addressing Salary Transparency for In-House Legal Professionals

While the need for salary transparency is a universal issue in the legal profession, it holds particular relevance for the legal operations community. As a rapidly evolving field, legal operations professionals often find themselves in uncharted territory when determining fair compensation. The need for established benchmarks and the wide variety of roles and responsibilities within the field can make it difficult to determine what constitutes fair pay.

By providing access to real-time compensation data, legal operations professionals can better understand their market value and negotiate their salaries more effectively.

This data can provide valuable insights into market rates, helping organizations attract and retain top talent in this competitive field.

Moreover, the legal operations community, focusing on efficiency and innovation, is uniquely positioned to promote salary transparency. By embracing transparency and equity in compensation, legal operations professionals can set a positive example for the rest of the legal profession.

Conclusion

The need for salary transparency in the legal profession is long overdue. By shattering the glass ceiling, we can promote equity, foster talent retention, and strengthen our community.

It's time we embrace transparency and fairness in compensation for the betterment of our professionals and the industry.

The legal profession stands at a crossroads. We can continue down the path of secrecy and disparity or choose the path of transparency, equity, and inclusion. The choice is clear with the power of community and the right tools. It's time to shatter the glass ceiling and take a significant step toward a more equitable and inclusive legal profession.

About the Author
Tom Stephenson is the VP of Community & Legal Operations at Legal.io, the fastest-growing legal talent and community marketplace. His experience leading legal operations at Credit Karma and Teladoc Health, coupled with a decade-long tenure in law firms, has equipped Tom with a deep understanding of the legal profession. At Legal.io, Tom is pioneering change through partnerships for the community that fosters continuous learning, collaboration, and career advancement.

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Book Tip: The Five Dysfunctions of a Team

Kathryn Petersen, Decision Tech's CEO, faces the ultimate leadership crisis: Uniting a team in such disarray that it threatens to bring down the entire company. Will she succeed? Will she be fired? Will the company fail? Lencioni's utterly gripping tale serves as a timeless reminder that leadership requires as much courage as it does insight.
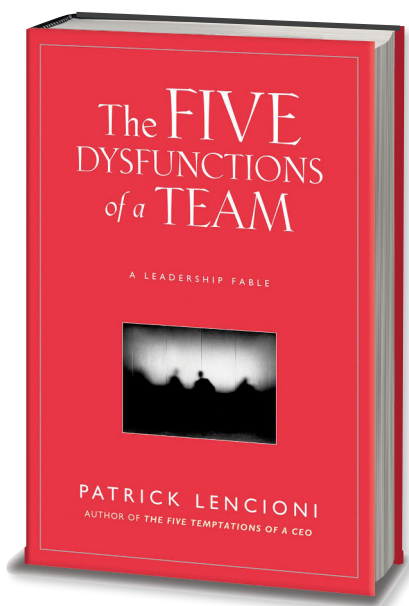
Throughout the story, Lencioni reveals the five dysfunctions which go to the very heart of why teams even the best ones-often struggle. He outlines a powerful model and actionable steps that can be used to overcome these common hurdles and build a cohesive, effective team. Just as with his other books, Lencioni has written a compelling fable with a powerful yet deceptively simple message for all those who strive to be exceptional team leaders.

Interview with David Gaskey, co-founder of Altumatim

(Next Gen e-Discovery)

Tell the Best Story and Win

Signal-to-noise ratio comes from the world of analog recording. If you've ever listened to a cassette, you may have heard the sound of hiss (noise) along with the music (signal).

In discovery, the "signal," the music, consists of the small bits of information that are relevant to your case, which are often hidden in a sea of other information—the noise. The relevant information that supports your story is the signal and ultimately will be the evidence presented at trial. There is a lot of noise burying that signal. For example, a document review could start from a mountain of several hundred-thousand documents, emails and files.

The challenge is to winnow that down to the ten best exhibits to present as evidence at trial.

Altumatim® Elevated Discovery™, a new AI technology-enabled discovery software takes the concept of finding the signal in the noise to another level of fidelity—by building story into the core of the software's analysis. As one of Altumatim's cofounders, veteran IP litigator

David Gaskey explains.
Everything can be understood through story. Life occurs in story form. We think in terms of story. In thirty years, I've never had a client come into my office and give me a list of keywords or indexes—they tell me their story. Storytelling is a big thing right now in the discovery world, and legal tech in general. People are waking up to the reality that story is the best way to do things.

David's deep legal and technical experience includes working with complex technologies, such as cell phone communications where signal-to-noise ratio is also critical, and litigating cases at the trial and appellate levels. He recently was on a case that went all the way to the Supreme Court where he and his team successfully persuaded the court that part of the patent statute violated the appointments clause of the Constitution.

David's co-founder, ***Vasudeva Mahavishnu*** (Vasu), is an expert in the field of data and computer science. During his previous work in computational genomics, h he applied complex computer models to cancer research.

As Altumatim's chief technology officer, Vasu brings a creative passion to the development of the product, interface design and its usability. He leverages his deep experience with complex data, gene mapping, and building probabilistic data models for protein interactions in humans, to the application of the big data challenges of discovery. Altumatim uses artificial intelligence and patent-pending technology to quickly churn through massive amounts of unstructured document data and information and uses story to structure it as a compelling case, building holistically, as David explains,

> The core principle behind the way we designed Altumatim is, **whoever tells the best story wins**. I smile every time I think how that old maxim was the inspiration that led us to something so new and innovative. Instead of looking at what software was out there and trying to improve on that, we started with the proverbial clean slate and took a completely different approach—and it's cutting-edge stuff. An executive from a global eDiscovery organization recently told me that we have finally shown how generative AI and large language model technology truly fit into the process.

Altumatim is an investigative co-pilot that learns from the user. It can begin at early case assessment and can fly with the litigation team throughout a continuous case assessment as a strategic advisor who has a perfect memory of the contents of the dataset and shows where information fits with the story. It can react to new information that it has been fed and instantly weave that information into the case.

With unfavorable new information (and who has not experienced this deep into proceedings), Altumatim's story-based approach will surface suggestions from the entire set of case data to mitigate and distinguish—and can drastically speed up the process of making lemonade out of the lemons. As David explains,

> Nobody else's product finds things for you based on your story – or your opponent's. That's the unique approach we took, and we enabled it by pushing the most advanced technologies to their limits. You tell your story to Altumatim, and it finds the information that fits with the narrative. Our system allows you to work from a timeline, themes, or characters and you can explore relationships and connections between the different parts of your story. It fits organically into the way attorneys already work and allows them to see the story within the data from multiple perspectives.

With extractable, actionable information that's been indexed for use by Altumatim's artificial intelligence, the software is capable of lending assistance for many related tasks throughout the course of an investigation or litigation. Altumatim's latest offering, called Autonomous Review™, is an AI-driven document review for production. It drastically reduces the time and expense associated with relying on human review. Conducting a typical review in most large cases would require an entire team of people, take at least two months and be a significant portion of the overall cost of the litigation. Autonomous Review makes responsive and privileged calls on the same amount of

data in time measured in hours, yielding results that are more accurate and defensible than any previous process. It also automates generating the privilege log and reports how document-specific decisions were made along the way.

Altumatim even levels the playing field for the small and mid-sized law firm to compete head-to-head with the tools used currently by Big Law without requiring a big law budget. The small and midmarket firms are squarely within Altumatim's go-to-market strategy. A smaller firm can now handle a tidal wave of data produced by the other side that might otherwise be overwhelming and weave a compelling story without missing details that an under-resourced firm would be worried about.

Applications of Altumatim in other areas such as due diligence in the mergers and acquisitions context have already been contemplated. Segmented and specialized industry verticals, such as insurance and pharmaceuticals, may also be in the future for Altumatim as Vasu and David have already realized how it can be tuned to the specific needs of people working with such data sets.

Starting from our story basis makes this possible. Unlike other vendors jumping on the bandwagon to simply add Chat GPT to their offering as a separate toy on the side, we carefully integrate everything in a way that focuses on delivering results that are actionable and that can be tied into everything else you're doing.

Altumatim scales. Although it is built to handle the exploding volumes of litigation and discovery data that are only getting larger every year, it can also work with a very small sample of less than one hundred documents or files. It does not require a vast training set like some models do.

Speed to accurate, actionable information is at a premium in assessing strategy and the value of tools used at your disposal. Results delivered with speed and accuracy are at Altumatim's core—and its cost makes it a valuable, game-changing new player on the field.

Sponsored by Cash Butler and R3 Legal Operations

Learn more about Altumatim here, or get in touch with David and Vasu at sales@altumatim.com

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An Unsustainable Business Model

By Richard G. Stock, M.A., FCG, CMC, Partner with Catalyst Consulting

This is the forty-fourth in a series of articles about how corporate and government law departments can improve their performance and add measurable value to their organizations.

Some things do not change. Eight years ago, the Corporate Executive Board reported that one of the most significant challenges facing law departments is to transform the skills and workflows of their legal teams. The implications are profound for both in-house counsel and their clients. Over the last 20 years, corporate counsel have worked hard to communicate their value to the company. In earlier days, this meant establishing a less-expensive version —typically 60% less expensive— of a commercial law firm. There were instances of course when in-house counsel added value to the company with their expertise in regulatory matters and industry-specific knowledge. In most cases, litigation was referred to external counsel and commercial work was in-sourced.

Over the last 10 years, corporate counsel have become more closely tied with their business units, giving them operational support and general advice. Fundamentally, this is a relationship-based business model for the law department, not unlike the law firm business model with its "trusted advisor". And this, reports CEB, is unsustainable for two reasons. The first is the large number of individuals, typically middle managers, calling on the law department for support. Our studies on law department workflows and workloads analyze the number and frequency of requests for legal services from individual clients. A General Counsel may continue to deal with five to ten corporate executives and board matters. But the rank and file of the law department typically report as many as 50 regular clients each. Of these clients, 80% require less than 60 minutes of time per week. It is not possible for one lawyer to sustain 50 robust relationships.

This brings us to the second conclusion reached by CEB. Clients want resolution, not a relationship, and they want it retroactively. Interestingly, 75% of clients reported that the law department was too difficult to work with. Satisfaction surveys reveal that clients acknowledge that their lawyers are overworked. However, clients are not sympathetic especially as turnaround times for their regular, non-strategic work continue to erode. Some law departments have resorted to escalation criteria for certain types of work, and have introduced multiple steps and checklists for them to follow, either when making the request for service or before delivering the answer that they want. Clients want turnaround, not escalation.

Escape from the relentless and impatient demand for legal services requires making the bold decision to change law department workflows, skills and resources — a decision which is likely to be resisted by inside counsel because it runs counter to their instincts and experience.

A detailed analysis of law department traffic patterns is the starting point. There are three essential components to this analysis for each lawyer and paralegal as well as for the law department as a whole. The first is an estimate of the types of tasks and activities and the number of hours required for each area of law. Most law departments will need to construct this profile since very few have opted for time-keeping systems. Nevertheless, consultation of closed files, meeting schedules and e-mail activity for a three-month period provides the necessary baseline.

Invariably, the "general" and "advisory" categories will warrant additional review since they can often consume 30% of law department resources.

The next component of the analysis is to determine the complexity and risk for each matter handled by the law department. Few departments have definitions and formal systems in place to track the complexity of each matter. Unsurprisingly, few have protocols and thresholds to define a "matter" or when a file should be opened. This makes later analysis difficult. One can rely on a fast-track substitute for a three-level complexity matrix: 1-5 hours worked for a routine file, 6-25 hours for a regular file, and more than 25 hours for a complex file. Our surveys show that 65-70% of law department resources are assigned to "non-complex" files.

The third component of the analysis of "traffic patterns" requires an understanding of why clients consult the law departments, especially when 75% of middle managers report that the law department is difficult to deal with. Is this because procedures oblige a sign-off from legal on all commercial matters, because managers are insecure and seek endorsement from legal, or because legal cannot resist correcting the English in all business documents? Interviewing 25 middle managers in operations, sales, procurement and projects will uncover the primary drivers to involve legal.

Law department leadership should consider corporate and business unit priorities before they default to maintaining an "open door policy". Operational support work is quicksand for a law department. A program to shed 50% of this demand by making clients much more self-sufficient is a good starting point. This might buy one year of relief, enough time to introduce client-specific technology, raise the level of lawyer proficiency in workflow design and practice management, and then re-structure law department resources to manage the changes.

About the Author
Richard G. Stock, M.A., FCG, CMC is the Managing Partner of Catalyst Consulting. The firm has been advising corporate and government law departments across North America and around the world since 1996. For law department management advice that works, Richard can be contacted at +1 (416) 367-4447 or at rstock@catalystlegal.com.

Read more by Richard Stock

Challenges In And Strategies For Law Firms To Adopt Legal Technology In India

By Rohit Shukla Chief Digital Officer (l) and Shreya Vajpei Innovation (r) at Khaitan & Co

1.1. Introduction

As we sit in the midst of a lot of chatter around the robotic lawyer, automation and multiple whispers of ChatGPT taking over a lawyer's job, it is important to look back at what is at the heart of all this change. The legal profession is evolving, and technology is a clear driver of it. It is making every lawyer (or their clients, and by consequence, the lawyer) relook at how legal advise and legal work is built and delivered.

The change is, however, not uniform across the world. In this article, we will look at what digital transformation and adoption of legal technology look like, particularly in the context of Indian law firms.

1.2. Current State of Legal Technology in India

Before we dive in, it's important to understand the state of the Indian Legal Market.

The Indian Legal Market is expected to grow at 4.3% (Projected CAGR) from 2022 to 2032. However, it is important to note that it is still much smaller than the US, UK and other evolved markets. (For reference, the Indian legal market is only 0.3% of the USA legal market size). [1]

LegalTech in India is evolving but is still in very nascent stages. Even though it has over 650 startups as per a 2022 report, the legaltech market size of India is only about 2.71% of the US market (USD 380

million against USD 14 billion). In fact, the number of startups is attributable to the expected consolidation in the market. [2]

Contrary to the belief that technology will replace lawyers, it mainly enhances efficiency by automating routine tasks, allowing focus on more complex issues.

	USA	India	UK	Canada
Number of Startups	2686	676	583	321
% Startups Funded	21.2%	8.4%	18.5%	19.9%
Total Funding Raised (USD Million)	4385.9	68.4	584.5	855
Legal Services Market Size (USD)	437 Billion	1.3 Billion	37 Billion	16 Billion
Legal Tech Market Size (USD)	14 Billion	380 Million	11.4 Billion	–

Even though the legaltech market in India is relatively small, the need for law firms and legal service providers to continue to adopt technology in the delivery of legal services continues to grow. Now, more than ever, the "more for less" challenge, i.e., clients expecting more value for money. In fact, with the speed of acceleration of technology, how and what legal services are delivered is constantly changing. However, despite this, there are very limited law firms in India that are actively looking at their digital transformation strategies or even investing in legal technology.

1.3. Challenges Faced by Law Firms in Adopting Legal Technology

1.3.1. Limited Awareness and Understanding
Most lawyers tend to be very unaware of the technology that impacts how legal work is delivered – ranging from AI-assisted research to cloud-based case management. Further, misconceptions about legal tech's impact on practices further inhibit adoption.

This problem is amplified by the educational gap in India's legal curriculum. Most law schools in the country lack formal instruction on the business of law or the impact of technology on the legal industry.

This leaves aspiring lawyers ill-equipped to navigate the digital transformation reshaping the sector. This gap underscores the urgent need for integrating legal tech education into law school curriculums, preparing the next generation of lawyers for a digitally advanced legal landscape.

1.3.2. Starting with Technology and not the People and Process
At the other polar end of the spectrum, is the ideology that technology is a magic bullet that can fix everything. People involved in making decisions around technology and its implementation often start with technology – rather than fixing the underlying people's expectations/behaviours and the process.

Technology, when applied to a bad process, only allows you to do that bad process faster.

1.3.3. *Atypical Constraints in India*

1.3.3.1. *Lack of fundamental technology infrastructure*

India's legal services sector faces substantial infrastructure deficiencies hindering full technology transformation, particularly in the disputes sector. The focus of digitisation in courts has been on individual cases, without system-level oversight, with key data often not machine-readable and dispersed across various platforms . This lack of digitised data, coupled with insufficient software capabilities to automate legal processes, hampers the effective deployment of AI technologies, despite their potential for data abstraction and case analysis.

This is important to understand since most Indian law firms (even those providing services even across transactions) likely have a sizeable team and a chunk of their revenue comes from their disputes and litigation practice.

1.3.3.2. *Limited LegalTech Ecosystem*

Despite the potential product-market fit, a vibrant startup ecosystem, and ample talent, the legal tech sector in India remains largely unexplored by venture capital (VC) and private equity (PE) firms. This is primarily due to law firms' low technology adoption and investment, resulting in a constrained Total Addressable Market (TAM) for legal tech startups. Consequently, there has yet to be an IPO from any Indian legal tech venture, and acquisitions are notably absent. The total investment in the Indian LegalTech market is less than USD 70 million (compare this to investments of USD ~4400 million in the USA, USD 855 in Canada, and USD ~600 in the UK). [3]

1.3.3.3. *Financial considerations associated with investing in legal technology*

A key roadblock in India's legal tech adoption is the scarcity of products tailored to our local market. This results in inflated costs, aggravating the challenge. The issue is further compounded by the support, or the lack thereof, that barely aligns with our time zone. The irony isn't lost on us when we realize that even though the tech brains behind these tools might be our neighbours, we're navigating time zones to tap into their expertise. It's like embarking on a global expedition to access what lies across the road.

1.4. Strategies for Successful Adoption of Legal Technology

1.4.1. *Empowered Leadership with a Dedicated Team*

Empowered leadership is integral to fostering technology adoption in law firms. Leaders who prioritize technological advancements and understand their transformative potential can drive a culture of innovation. Building a dedicated team focused on technology can be a game-changer. This team, ideally a blend of legal and technical expertise, can help bridge the gap between technology and traditional legal practices.

1.4.2. *Assess the Firm's Needs and Objectives*

It is frequently observed that digital adoption initiatives fail to scale or achieve their intended

objectives due to a short-term perspective of the requirements.

Additionally, it is all too common to witness these initiatives lose momentum midway through the project. The primary causes for these shortcomings tend to be a short-term outlook on the issue at hand and firms' attraction to new technologies for their 'novelty' rather than their long-term alignment with the firm's objectives and goals.

1.4.3. Develop a Technology Roadmap and Digital Transformation Strategy

Cultivating a culture of innovation and technology necessitates adopting a long-term roadmap and digital transformation strategy. This strategy must scrutinize the firm's historical growth, and the challenges encountered – then formulate the plan based on these objectives. Undeniably, in this rapidly evolving world, businesses cannot afford to wait years to witness results. Therefore, it becomes increasingly crucial to devise a comprehensive strategy interspersed with short-term deliverables to continually assess the return on investments. In a country like India, where receptivity towards technology adoption is relatively low, these short-term deliverables can serve as a means to foster interest among lawyers.

Another additional challenge arises when the firm's digital teams, if present, frequently find themselves engrossed in the demands and requests of their immediate functional areas, namely lawyers and business functions within the firm. The digital transformation strategy must always keep clients at the centre of everything.

1.4.4. Foster a Culture of Innovation and Technology Adoption

While the acceptance of technology adoption in Indian firms may not parallel that of Western counterparts, there exists a cohort of young, tech-aware lawyers within these firms. Such individuals could be instrumental in fostering a culture of innovation and technology. Firms, such as Khaitan & Co., have instituted dedicated innovation functions, composed of lawyers and closely aligned with the technology department. This arrangement facilitates cross-learning and cultivates a culture of innovation that aligns with the specific needs of the lawyers.

1.4.5. Embrace Agile Implementation Methodology and continuously monitor progress

An Agile methodology, characterized by flexibility and iterative progress, is conducive to the monitoring and realization of digital transformation objectives. Continuous monitoring is a sine qua non for ensuring that the transformation journey remains aligned with the firm's vision and adapts as per the evolving requirements.

1.4.6. Invest in Training and Change Management Programs

In implementing a digital transformation initiative, people are the most critical and central component. It is paramount to have an ongoing training program that underscores the long-term objectives, changes in work methods, and the benefits derived from these changes. Since it is unrealistic to anticipate acceptance of these changes from the talent pool without their buy-in and a concerted

effort towards training and change management initiatives.

1.4.7. *Promote Cross-functional Team Collaboration*

Digital transformation initiatives have an enterprise-wide scope, making it imperative to include all functions and establish cross-functional teams for these initiatives. In a mid to large-sized firm, almost any project will interact with numerous people, systems, and processes. Consequently, instituting a mechanism enabling systematic collaboration among cross-functional teams is crucial (such as cross-functional team meetings, project management tools, proper communication platforms, defined roles and responsibilities, etc.). Such collaboration should be buttressed by well-documented processes and workflows, supported by systems designed to handle edge cases and interactions.

1.4.8. *Collaborate with Legal Tech Startups and Providers*

Although India is a hotbed for technological innovation and startup ecosystems, progress in the legal tech arena remains significantly limited. This situation partly stems from the tepid interest of venture capitalists. However, a major factor is the low adoption rates by firms, as products do not meet the firms' 'exact' requirements. This challenge can be effectively addressed if law firms collaborate with startups to co-develop solutions or assist startups in tailoring their products to the firms' needs. Armed with the assurance of the firm being their first customer, startups would have both guidance and confidence to invest their resources in developing a product that meets the 'Product Market Fit' criteria right from the outset.

1.4.9. *Target Quick Wins*

Securing quick wins is a strategic approach in any digital transformation journey. By identifying and targeting initiatives that can deliver tangible results in the short term, law firms can build momentum and foster a positive attitude towards change. These 'quick wins' might be as simple as automating a routine process, adopting a new collaboration tool, or improving the client onboarding experience through digital channels. These initial successes not only demonstrate the value of digital transformation but also help to create a culture of adaptability and innovation. Moreover, they can serve as a catalyst for more complex transformation efforts in the future, providing a strong foundation for continued digital evolution.

1.5. Conclusion

Law firms stand to gain significantly from establishing a well-defined digital strategy and making judicious investments in technology. By embracing digital transformation, they can enhance their efficiency, streamline operations, and deliver more value to their clients. It is, however, critical for these firms to view technology not as an end, but as a means to achieve broader business objectives. As the legal landscape continues to evolve, those firms that adeptly navigate the digital frontier will be the ones poised to thrive in the future.

Notes
[1] *See* Beyond the Bench – Promise of Indian Legal Tech Startups, CIIE.CO Available at: https://www.insights.ciie.co/posts/beyond-the-bench-promise-of-indian-legal-tech-startups (Accessed: 7 June 2023).
[2] Ibid.

[3] Data as of 2022. *See* Beyond the Bench – Promise of Indian Legal Tech Startups, CI-IE.CO Available at: https://www.insights.ci-ie.co/posts/beyond-the-bench-promise-of-indian-legal-tech-startups (Accessed: 7 June 2023).

About the Authors

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Shreya Vajpei is a member of the Innovation team at Khaitan & Co. She operates at the intersection of law, technology, and business. Her work focuses on identifying, building, and promoting better technology and process solutions with the aim of improving the practice of law. Her experience as a practicing lawyer adds depth and practical insight to her work.

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By Kenneth Cloke & Joan Goldsmith

"I do not determine what is right and wrong by looking at the budget of my organization or by taking a Gallup poll of the majority opinion. Ultimately a genuine leader is not a searcher for consensus but a molder of consensus." - Martin Luther King, Jr

"It is not so much the powerful leaders that determine our destiny as the much more powerful influence of the combined voice of the people themselves." - Eleanor Roosevelt

"Becoming a leader is synonymous with becoming yourself. It is precisely that simple and it is also that difficult." - Warren Bennis

Democracy and mediation are collaborative forms of self-government that uniquely invite everyone to participate in leadership, and "followership" as well. As both thrive on diversity, they require leaders who can offer diverse ideas, talents, perspectives, cultures, and values, and

blend them together to form an integrated, dynamic, collaborative whole. Democracies and mediations need leaders who stand with, not over, above, or against people who choose whether to follow.

For this reason, democracies and mediations—whether in couples, families, teams, groups, neighborhoods, organizations, or governments—require leaders who can listen, empower others, generate trust, build relationships, negotiate collaboratively, and resolve conflicts—i.e., ubiquitous leaders who can follow and build consensus. Therefore, democratic leaders are mediators, and mediators are democratic leaders.

Unlike hierarchical, bureaucratic, and autocratic forms of leadership, democratic and mediative leadership is exercised not only at the top, but at the bottom and throughout. Both seek to balance power and challenge the very existence of "top" and "bottom." In democracies, as in mediation, everyone needs to become a responsible, collaborative leader, a team member who helps run the show.

Mediators and democratic leaders embody a commitment to values, ethics, and integrity. They inspire collaboration, stimulate synergistic connections, support honest interactions, build trusting relationships, and encourage self-management, diversity, and integration across boundaries. They connect people through problem solving, dialogue, and collaboration so they can intelligently seek solutions. They synthesize diverse approaches, theories, orientations, and discoveries; spark innovation, and create synergies that strengthen consensus and inspire collaboration.

Mediators and leaders cross boundaries. They elicit participation, invigorate collaboration, develop fresh ideas, and excite action. They encourage authenticity and integrity, and model the values and principles to which they are committed. They consider themselves responsible for the whole and accountable to others for the results they produce. They blaze trails to unknown, unimagined futures. They are often ubiquitous, without grand titles or designations, and sometimes present without anyone knowing it, in groups at every level.

The more agile, responsive, and creative organizations become, the less possible it is for leaders (or mediators) to be imposed on passive subordinates from above. In order to function, they need to obtain the consent of those with and for whom they work. Certainly, management should have a role in identifying the leaders it needs, but theirs should not be the only voice. Those who are led should also be able to select the leaders they will follow.

People's needs for leadership and mediation in organizations or government can change rapidly. At any moment, they may need innovative leaders who help search for unseen answers to questions that have not been formulated;

or leaders who are comfortable with diverse constituents, cultures, skill sets, and thinking styles; or leaders who are skilled communicators and can create connections, promote

collaboration, and build alliances; or leaders who can link them together; or leaders who can act decisively.

Mediators and democratic leaders need to be diverse not only in race, gender, age, culture, and sexual orientation, but in experience, perceptions, thinking preferences, communication styles, character, emotional makeup, skill sets, and personalities. The best strategy is to have a rich, broad array of mediation and leadership styles available on call.

Managers vs. Leaders

Warren Bennis and Joan Goldsmith in *Learning to Lead: A Workbook on Becoming a Leader,* presented several distinctions between managers and leaders, based on Warren's research, including these:

- The manager administrates; the leader innovates.
- The manager is a copy; the leader is an original.
- The manager maintains; the leader develops.
- The manager accepts reality; the leader investigates it.
- The manager focuses on systems and structure; the leader focuses on people.
- The manager relies on control; the leaders inspire trust.
- The manager has a short-range view; the leader has a long-range perspective.
- The manager asks how and when; the leaders ask what and why.
- The manager has his/her eye always on the bottom line; the leader has his/her eye on the horizon.
- The manager imitates; the leader originates.

- The manager accepts the status quo; the leader challenges it.
- The manager is the classic good soldier; the leader is his own person.
- The manager does things right; the leader does the right thing.

In your work and life, which are you? Leadership is a *skill* that is not inborn, dependent on money, power, or titles. It is something everyone does at multiple points throughout their lives, whether they regard themselves as leaders or not. We have all led someone somewhere sometime, and can do it again—consciously, collaboratively, and effectively.

Styles and Competencies

Some skills, competencies, behaviors, and traits can be mandated by others, such as attendance ("Be here at 8:00 a.m."), sequential actions ("Do this first and that second"), politeness ("Don't yell"), and repetitive movements ("Tighten this nut"). But there are others that *cannot* be mandated, lie entirely beyond autocracy's reach, and must instead be led, facilitated, encouraged, supported, mentored, coached, or mediated, such as:

Trust	Love
Caring	Dedication
Creativity	Self-management
Curiosity	Honesty
Insight	Courage
Synergy	Empathy
Integrity	Compassion
Consensus	Understandig
Craftsmanship	Wisdom
Values	Passion
Perseverance	Forgiveness
Initiative	Unity

| Flow | Trustworthiness |
| Collaboration | Follow-through |

These are the most important elements in every relationship. Yet hierarchy, bureaucracy, and autocracy, in families, organizations or governments, interfere with *all* of them. This does not mean creativity and trust cannot be enhanced, but they cannot be *commanded*, controlled, ordered, predicted, mandated, regulated, administered, or required because they depend on voluntary, spontaneous, unregulated, collaborative *activity*; on choice, and play.

For these reasons, democratic and mediated relationships require a combination of skills in diversity, consensus, dialogue, teamwork, and collaborative negotiation to support participation in joint problem solving and group decision-making.

We find it useful to distinguish three basic styles of leadership: *autocratic,* hierarchical, controlling leaders who take responsibility and make decisions for others; *anarchic,* bureaucratic, detached leaders who administer but abdicate responsibility and let others take the blame; and *democratic,* ubiquitous, collaborative, linking, mediating leaders who inspire, encourage, empower, facilitate, critique, unite, and support, and take final responsibility for decision making, together with others. The ancient Chinese sage Lao Tzu described three similar forms of leadership:

"The best of all rulers is but a shadowy presence to his subjects. Next comes the ruler they love and praise; Next comes one they fear; Next comes one with whom they take liberties"

Ubiquitous leadership is precisely a "shadowy presence" that is everywhere in all groups at all times, and feels as though it happens naturally. It is always available, especially in emergencies. It is democratic, and not divided by status, wealth, power, or privilege from those who follow.

The primary competencies of leadership, identified by Warren Bennis and Joan Goldsmith in *Learning to Lead*, (number 6 was added by us) are:

1. *Mastering The Context:* Understanding the big picture, considering political, economic, social issues, along with science and art; and taking time to learn.
2. *Knowing Ourselves*: Being aware of neurophysiological patterns and our own issues that are triggered by people in conflict; understanding our limits and skills.
3. *Creating Visions and Communicating Meaningfully*: Focusing on the future, having an inspiring vision and being able to communicate it so others can align and collaboratively implement it.
4. *Empowering Others through Empathy, Integrity and Constancy*: Building trust through empathy, empowerment, unconditional integrity, and congruence in beliefs and actions.
5. *Realizing Intentions through Action*: Turning visions into practical solutions, commitment, and strategy; realizing intentions through action.
6. *Preventing and Resolving Conflicts through Collaboration:* Preventing and resolving conflicts through systems design, consensus, collaboration, and shared values.

At a deep level, the values, behaviors, and skills of leaders and mediators cannot be fragmented or separated from one another, any more than leaders can be separated from followers or mediators from conflicted parties. *Linking* leaders deploy their skills strategically to build and sustain collaborative, self-managing possibilities. To do so, they require the following skills:

- *Character skills*, which build integrity through self-knowledge, ethical sensitivity, values-based actions, personal balance, kindness, spiritual openness, trustworthiness, and responsibility
- *Relational skills*, which sustain connections among people through dialogue, social inclusion, consensus, acknowledgment, constructive feedback, and collaborative problem solving
- *Mediation skills,* which turn conflicts into opportunities, link honesty and empathy, offer supportive confrontation, elicit courageous dissent, and value diversity, emotional intelligence, empathetic listening, interest-based negotiations, and conflict resolution
- *Wisdom skills*, which increase understanding, such as imagination, intuition, judgment, innovation, critical reasoning, paradoxical problem solving, and revolutionary strategic planning
- *Communication skills*, which motivate people to act, such as involving others, building coalitions, facilitating, coaching, mentoring, nurturing talent, inspiring passion, and empowering leadership
- *Action skills*, which commit to achieving dramatic results, such as dedication, re-

sponsibility, self-correction, concern for quality, commitments, perseverance, and evaluating results

Everyone can improve their skills. When it comes to something they *want* to do, people regularly take responsibility, act creatively, solve problems, collaborate to achieve common goals, build consensus, and resolve conflicts. Here is a different view of the skills of democratic mediator-leaders:

- *Linking Integrity with Behavior*: Skills in Leading by Values: Leading by values means empowering others, encouraging self-management, and helping people define and express themselves in diverse ways. It means building trust, communicating honestly and empathetically, and inspiring personal commitment. It means being true to one's self.

- *Linking Change with Ideas: Skills in Revolutionary Thinking*: Revolutionary thinking begins with utopian vision, and seeks to translate it into reality. It means being open to ideas that fundamentally critique existing paradigms and seeking to transform them. It therefore originates in conflicts, anomalies, mistakes, disharmonies, and problems, and the sounds made by the cracks in a system.

- *Linking Feelings with Balance: Skills in Emotional Intelligence*: Democratic, collaborative, mediative leadership requires emotional intelligence because everyone is emotional, and all relationships need to be designed with human beings in mind.

- *Linking People with Each Other: Skills in Relationship Building*: Relationship skills are needed to balance unity and diversity, deepen trust and mutual support, keep collaboration alive, support difficult decisions, struggle for consensus, strengthen emotional intelligence, negotiate differences, and resolve conflicts in ways that repair relationships and end in forgiveness and reconciliation.

- *Linking Intention with Results: Skills in Committed Action*: Committed action requires democratic and mediator leaders to radically expand participation and available options, winnow them down through consensus, and design experiments or pilot projects if consensus fails.

To help build these skills, here are a few questions:

1. *If leaders are not born, how are they made?* Leaders are made by developing their capacity for vision, caring about people, commitment to results, integrity, and overcoming fear of failure. They do so by discovering how family patterns, childhood expectations, and incomplete experiences from the past block development of their leadership potential. They explore their attitudes toward failure and success, and what blocks their learning. They develop the skills, styles, modes of operating, expressions of values, and personal strategies that allow them to escape these patterns and create new ones.

2. *What is required to develop leadership?* As people identify their diverse leadership styles, find out what they want or need to do, clarify what they are prepared to do to meet those wants and needs, specify what they plan to deliver, and commit to action, their leadership skills start to expand to fill the gaps.

3. *What is leadership by values?* Leadership by values is acting always on the basis of commitment and integrity. It is shaping a *context* of values, ethics, and integrity, making principles the basis for organizational decision making, and not considering oneself separate from the physical, cultural, social, and political environments in which one lives. It means being willing to take unpopular stands to support one's beliefs while keeping an open mind and being willing to listen to those who disagree.

4. *What obstructs walking the talk?* Mostly, pretending to be something or someone we are not, failing to acknowledge our shortcomings, hiding parts of ourselves, and suppressing our core values. It is losing touch with what it means to be a human being and turning people into roles and titles. It is ego, fear, anger, guilt, shame, and trying to be perfect. Walking the talk means not blaming others for our decisions or conditioning our integrity on someone else's choices.

5. *How do leaders respond to conflict?* Linking leaders see conflict as a sign that something is not working for someone, and turn conflicts into opportunities for learning, growth, and improvement. Leaders use conflict to expand their skills in communicating, creating new solutions, negotiating, mediating, and responding to difficult behaviors. They focus on problems, solutions, and the future.

6. *Is a balanced life possible for leaders?* Most leaders encounter difficulties leading a balanced life. As leaders figure out how to free themselves from the need to control everything, be superstars, and all things to all people, they find greater balance in their lives. Leaders need to be committed and responsible, but also authentic; achieve results, but also have values; assist others, but also expand their horizons; clarify their priorities and commitments, but also balance financial security and personal achievement with family life, community involvement, and spiritual growth.

7. *How do leaders learn to manage time?* There is never enough time. Therefore, the issue is not how much time there is, which is fixed, but how to develop focus, identify priorities, cultivate patience and determination, and do so strategically. Leaders learn to manage time by filling their plate so full that they are forced to learn how to work more quickly -- or by learning to use delegation, education, and empowerment to replace themselves.

8. *Is there room at the top?* The top should not be the sole or primary location for strategic thinking and committed action. This is why democratic organizations require ubiquitous leaders and seek to eliminate the destructive competition for top positions that characterizes hierarchical leadership. Indeed, the first responsibility of democratic leaders is to replace themselves and help others step into their shoes. Linking leaders coach, guide, support, mentor, and counsel others on how to make a difference wherever they are, and share whatever they have learned.

9. *How should leaders respond to changes and losses?* Death, loss, and transition are natural experiences everywhere. Emotionally intelligent leaders and mediators develop skills in accepting these natural parts of life, pass these skills on to others, and use their experiences to increase their capacity for empathy, compassion, integrity, and presence.

10. *What are the most important responsibilities of leaders?* The most important responsibilities are not simply getting the work done, which is essential, but supporting everyone in reaching their full potential, improving their skills, and maximizing their capacity for finding joy in life.

Democracy and mediation require power sharing, and becoming *owners,* rather than renters, of our lives and relationships. Who needs to own and sustain these skills? The only answer in democracies and mediations, is *we* will, together.

About the Authors
Ken Cloke is a world-recognized Mediator, dialogue facilitator, conflict resolution systems designer, teacher, public speaker, author of numerous books and articles, and a pioneer and leader in the field of mediation and conflict resolution.

Joan Goldsmith, M.A., Doctor of Humane Letters, has been an educator, facilitator, coach, mediator, and organizational consultant with public and private sector organizations for over forty years. She was on the faculty at

Harvard University, founded Cambridge College. was a principal at Index Group consulting and the managing director of Index China.

She wrote Women Leaders at the Grassroots: 9 Stories and 9 Strategies, and co-authored Learning to Lead: A Coursebook on Becoming a Leader with Warren Bennis. She co-authored the following books with Kenneth Cloke: Thank God It's Monday! 14 Values We Need to Humanize the Way We Work; Resolving Personal And Organizational Conflict: Stories Of Transformation & Forgiveness; The End of Management and the Rise of Organizational Democracy; The Art of Waking People Up: Cultivating Awareness and Authenticity At Work; Resolving Conflicts At Work: Ten Strategies For Everyone On The Job; and Resolving Organizational Conflicts: A Course in Mediation and Systems Design.

About the Series Editor

Mediator Vikram (Vikram Singh), is a full-time Mediator & Peacemaker and a part-time golfer. He's a lawyer based in New Delhi, India and is promoting Mediation around the world for which he organises lots of shows & events. Recordings are available on his YouTube Channel. There are 500+ videos on his Channel which are an excellent resource on everything Mediation.

He has created the World Mediation Circle which is a World Wide Web of Mediation Circles. World Mediation Circle will promote Mediation and develop a Culture of Mediation around the world so that Mediation becomes the preferred method of Dispute Resolution. Mediation Circles will bring a moral values,

principles and ethics based humanistic approach to Dispute Resolution where Heart Soul Spirituality play an important role. A collaborative approach to Dispute Resolution has been used by families and communities including indigenous and business communities for time immemorial. We have to go back to our roots and move away from an adversarial approach. We have to break out of the colonial mindset towards dispute resolution.

Please visit MediatorVikram.com for more information about his activities for the promotion of Mediation.

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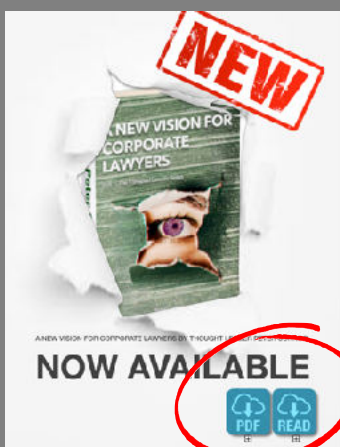
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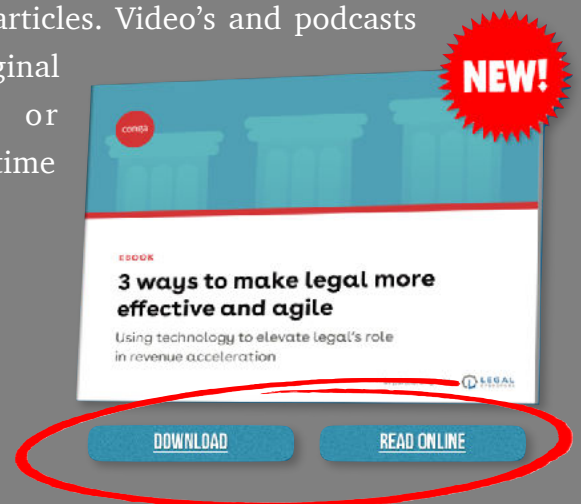
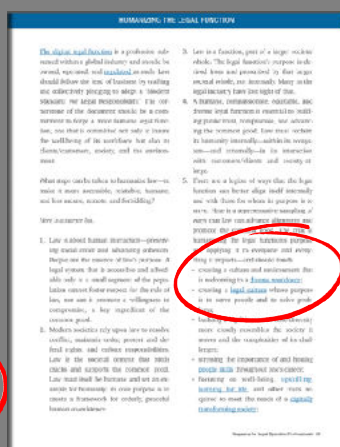## The Flipbook functions (online reader version)

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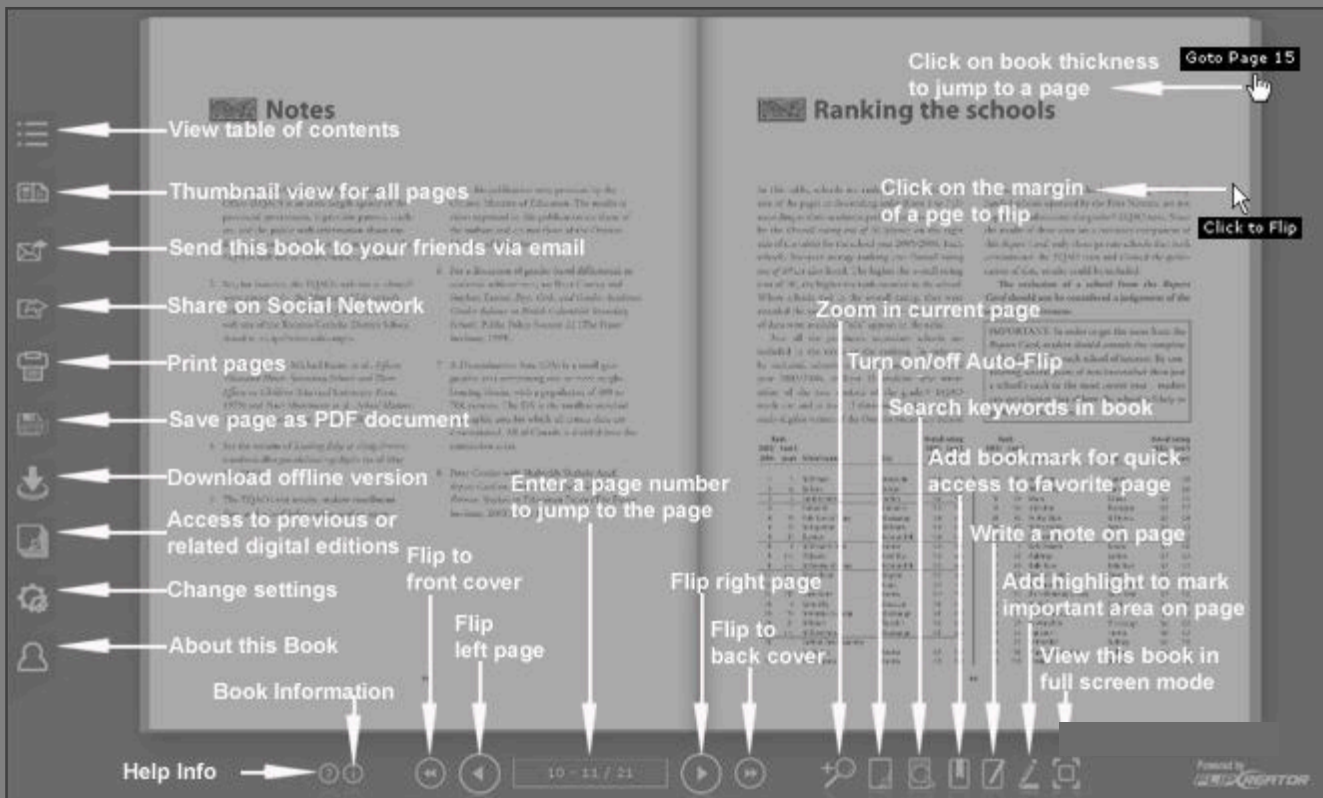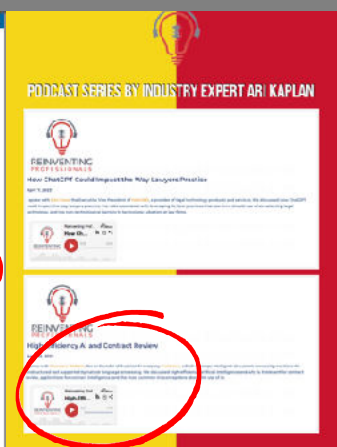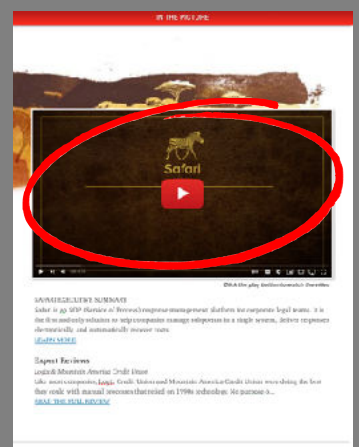

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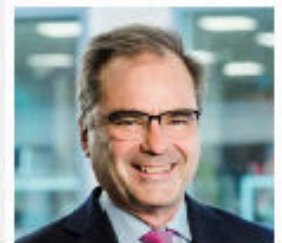*General Counsel & Company Secretary, Aveva*

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