

# LEGAL **BUSINESS** WORLD

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## Legal Department Strategy Are you Right-Sourcing?

By Mick Sheehy

Including contributions from: Deborah B. Farone, Lisa Unwin, Aileen Schultz, Richard G. Stock, Kaizad Kasad, Sandra Bekhor, Jackie Donner, Pamela Cone, James Côté, Raymond Blijd, Nita Sanger, Jaimie B. Field, Ellery Sutanto, Kimberly Rice, Quddus Pourshafie, Marion Ehmann, Mary Mack, Cash Butler and James Johnson, Itzik Amiel.

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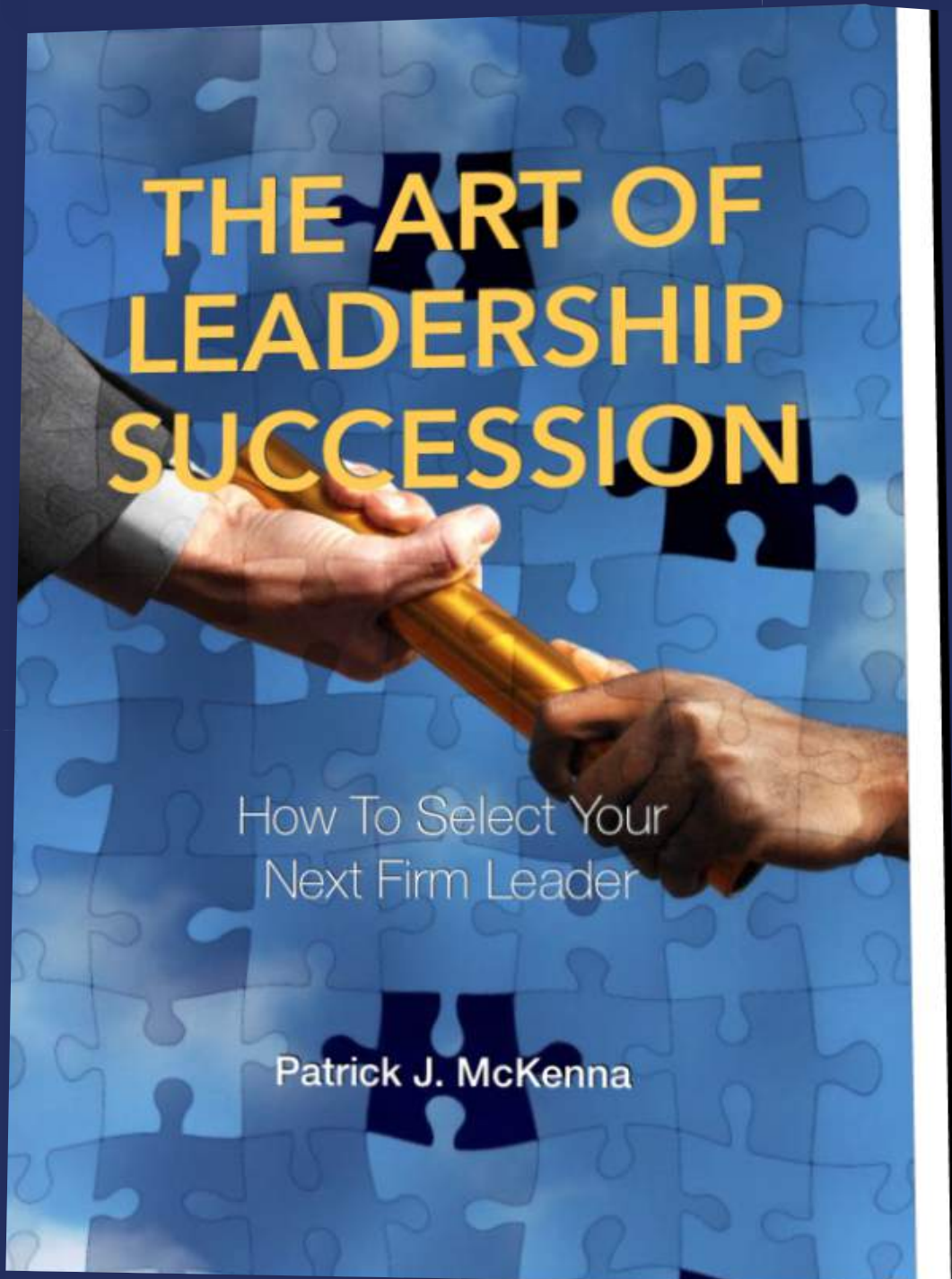
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LegalBusinessWorld International  
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Allard Winterink COO | SVP

[jpeters@legalbusinessworld.com](mailto:jpeters@legalbusinessworld.com)  
[awinterink@legalbusinessworld.com](mailto:awinterink@legalbusinessworld.com)

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Alisha Hall  
[ahall.sales@legalbusinessworld.com](mailto:ahall.sales@legalbusinessworld.com)  
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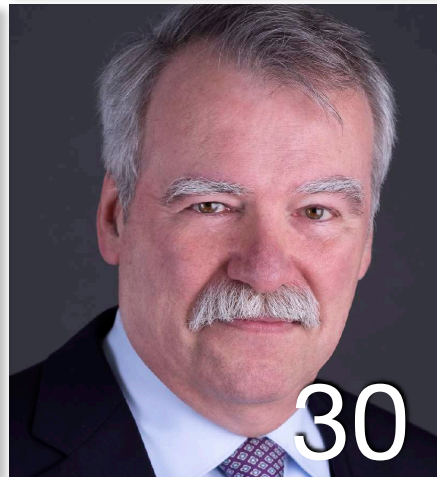
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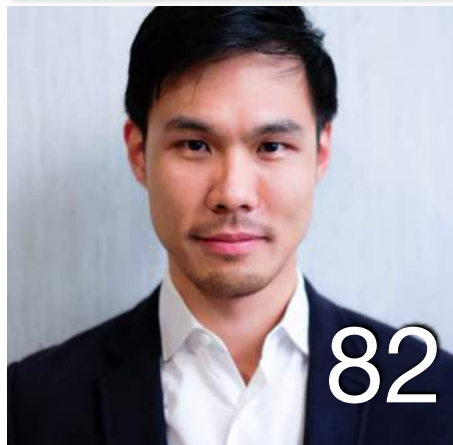
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# Legal Department Strategy: Are you Right-Sourcing?

By Mick Sheehy, Partner at PwC NewLaw

Lawyers are often great strategists. And corporate and government legal departments typically intimately understand the enterprise strategy of the organisations they support. So it's somewhat of an anomaly that legal departments have not traditionally been strong at developing their own strategy beyond being the company's trusted legal advisor. This is changing as legal departments continue to respond to the 'more with less' paradigm and be introduced to new technology and different types of service providers that change the way in which legal services are

delivered. Legal departments are waking up to the fact that they need their own department-focused strategy. And if there's just one thing above all else to focus on in setting a legal department strategy, it's ensuring that the right type of work is being executed by the right internal and external resources.

**A framework to segment work**  
Whilst law is a centuries old profession, most of the growth in corporate legal departments has taken place over the last three decades.

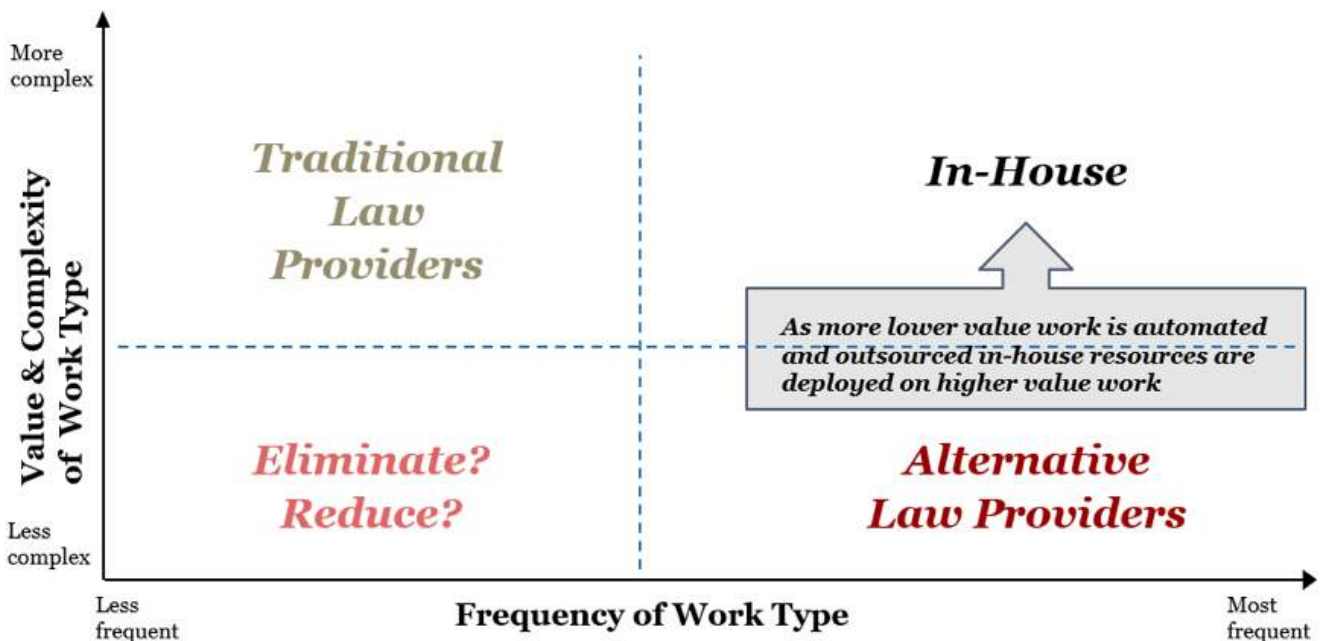
Over that time the basic resourcing choice for legal departments has been to either service legal work internally or send it to external law firms. Factors that play into the internal counsel vs law firm choice include internal skill-sets, capacity and risk appetite. Today the decision is a less binary one. Over the past few years greater alternative legal service providers have emerged. Different labour models have provided more options to serve clients. New legal technology solutions pop up every week. With the greater number of options comes a need for a more thoughtful and nuanced strategy for making resourcing decisions.

The driver behind growth of in-house legal

departments has been enterprises realising that a quality legal department can be a source of competitive advantage in the market. Furthermore certain types of work, especially higher frequency work, can be executed more efficiently, from a time and cost perspective, when done in-house rather than sent to law firms. It makes sense therefore that the main focus of legal departments should be high volume, strategically important work.

Consider the below 4x4 matrix where the horizontal axis measures work frequency and the vertical axis measures work value and complexity. Based on the logic above, the top right quadrant is the natural domain for legal departments.

## Legal Work Type Analysis



High value and complex, top left quadrant work, that occurs less frequently, is not work for which it stacks up to build internal bench-strength. This is where it makes most sense to engage traditional law firms.

The bottom left quadrant reflects lower value, less strategic work, less frequently occurring. This work is at the very least distracting for the legal department, if not for the organisation more generally. Reducing, if not eliminating, this work should be a strategic priority.

Perhaps the biggest opportunity for a legal department is to execute the work in the bottom right quadrant differently. This is legal work that occurs in high volumes and is required to be done by the legal department but where it may not make sense to deploy highly paid, highly skilled in-house lawyers and where it certainly makes no sense to send to high cost law firms. This is the playground for alternative legal providers. 'Alt law' businesses, or Law Companies as some prefer to be known today, have to date been largely fueled by a labour arbitrage model with cheaper lawyers often located in lower cost offshore jurisdictions. But a small yet swiftly increasing part of this quadrant is also being solutioned by new legal technology tools. Identifying work to be done more effectively through alt law will be one of the key differentiating factors between successful legal departments of the future and those at the back of the pack.

Please note that it's highly unlikely work in a legal department will be distributed evenly across all four quadrants. It's also unlikely any two legal departments will have the same distribution. We would also expect the work in the bottom-half to be dwarfed by the top

half. Revenues of alternative legal service providers today represent only a few percentage points of the entire legal market. However, as legal departments develop more sophisticated strategies we can expect the bottom right quadrant to grow relatively rapidly. It's also worth pointing out that for each of the quadrants there will be areas of overlap and exceptions but as a general rule this framework should apply for all legal departments.

### **Technology is your friend**

Whilst this all makes sense in theory, in practice how do we identify what work sits in which quadrant? One way to do this is to ask in-house lawyers to keep time sheets. Time sheets are often toxic to in-house lawyers many of which cite being allergic to time recording as a key motivation for moving in-house. A less offensive exercise is a once-off activity recording exercise across the team. A downside of this is that it may soon be out of date and it still relies on subjective data entries to inform insights.

Increasingly legal departments are looking for technology to provide this type of data. The legal technology landscape has exploded over recent years and there are countless tools for a myriad of different problems. Legal departments need to separate legal technology into two buckets. On the one hand are the many specific point solution tools that solve a particular problem very well, whether it be AI document review, complex workflow automation or invoice forensics to name a few examples. On the other hand is the foundation layer legal operating system. This system will manage every element of a digital legal workflow (i.e. intake, triage, matter management, document/contract management,

knowledge management and vendor/spend management) and then integrate with the point solution legal tech tools as well as with key enterprise software. Critically the foundation layer legal operating system will then provide data and insights about what type of work is being done and by whom across the in-house legal team as well as by external legal providers. Out of the data produced by the operating system, resourcing decisions within the 4x4 matrix can now be made.

A common mistake for legal departments is to focus on tools without having the foundation layer in place. The shortcoming of this approach is that no matter how well a specific tool performs, it will not be able to solve for the parts of the end to end legal process for which the tool has no application.

### **The bottom right quadrant**

Optimising resourcing decisions for bottom right quadrant work is a relatively new concept and as such there are few rights and wrongs as to how to approach it. Some legal departments will build full in-house capability powered by legal technologists, automation experts and an army of paralegals. Others will decide this work is non-core and outsource the lot. Some will take a mid-way approach.

And for the work being sent to alternative providers the decision making doesn't stop with whether to outsource or not. How that work is done also involves a range of considerations. Are alternative providers engaged to do specific parts of a job to be stitched together by a law firm or the on-house team? Or is the intention to create a fully integrated end to end legal outsourcing, potentially offering

multi-functional capability along with other corporate support services? Or somewhere in between?

Again, there is no one size fits all and the strategic choices need to be well thought through. Keeping front of mind the benefits of considering these choices at all is imperative. Cost reduction must be a key driver. A legal department that executes well should expect at least between 15%-30% saving across the volume of work in this quadrant. But savings is not the only benefit there is also simplification, standardisation, risk management better client and customer service and the Productivity Dividend.

### **The Productivity Dividend**

So if one of the key outcomes is material cost reductions across the bottom right quadrant the natural follow on question is what to do with these savings. One option is to reduce the size of the legal department and/or reduce legal spend on traditional law firms. For some legal departments budget reductions have already been demanded and managing the bottom right quadrant is a key way to manage to these new circumstances. However there are other considerations a future focused legal department should give to realising these new savings. Using freed-up resources to move up the value chain by focusing on new areas of value adding work should be at the top of the list. Taking time to be more proactive about adding new value as opposed to reactively treading water will appeal to most in-house legal leaders. Who for example in your organisation is thinking about your future contract management strategies and how in particular new technologies like smart contracting and

blockchain are going to play a critical role? Shouldn't the legal department at least be playing a key role shaping if not managing this space? There are plenty of other examples of value adding future work for which legal departments need to free up time and resources by better managing the bottom right quadrant work.

Convincing stakeholders that the legal department should be taking on new responsibilities to add new value to the business is no simple task. These are uncharted territories where the legal team will have no previous track record. Business cases will need to be developed, trust will need to be established and goodwill drawn upon. Measuring baselines and producing data to show quantifiable change is crucial. These skills have not typically been a major feature of legal departments' tool boxes. It can be argued however that *not* exploring these opportunities is the riskier strategy. Without a plan to unlock new value, the future of the legal department is inevitably a smaller, more efficient but ultimately less impactful one. This is not an environment that will inspire and retain our young and ambitious legal talent of the future, let alone maximise shareholder and stakeholder value.

### **In conclusion**

- Optimising resourcing decisions, or right sourcing is one of the most important levers for legal departments of the future to set themselves for success.
- To make the right resourcing decisions a legal department must invest in its own strategic roadmap, change programs and foundation layer legal operating technology

to provide the data about what work is being done and where and by whom.

- Measurement of savings, value added and liabilities avoided is key for understanding what return on investment legal departments and the enterprises they support receive from these initiatives.
- The end goal should not just be about cost savings and reduced headcount, the Productivity Dividend should at least partially be used to reinvest in activities that will add new value to the organisation in the future.
- In order to realise savings and deliver new value consider a partner that can stitch together different services and technologies and provide end to end process ownership and accountability in areas where the legal department does not have bench strength today.

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### **About the Author**

[Mick Sheehy](#) runs PwC's Australian NewLaw practice, focussed on providing strategic consulting, technology and outsourcing solutions to legal departments. Mick is a recognised international leader in the field of legal innovation and transformation, having won numerous international legal innovation awards and with his work the subject of a case study for Harvard Law School.

Mick founded and chaired the Corporate Legal Operations Consortium Australia, an industry body established to share best practice legal operations and innovation knowledge.

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# Secrets From the Best Practices

By Deborah B. Farone, author and the former CMO of both Cravath, Swaine & Moore LLP and Debevoise & Plimpton LLP.

After being entrenched in legal marketing for many years, most recently spending 14-years as the CMO for Cravath, Swaine & Moore, I switched gears when I was asked to write a book on how successful lawyers and law firms market themselves. The premise of the book “Best Practices for Law Firm Business Development and Marketing” is to inform lawyers and marketers as to how to prepare for and take advantage of the seismic shifts in the legal profession.

My goal was to dig in and find those firms that exemplified the best practices in legal marketing, whether that

meant interviewing successful rain-makers, the most forward-thinking chief marketing officers or leaders of firms conducting interesting innovation projects.

While I had the experience of two Am-Law 100 law firms behind me, I knew I only had experienced a slice of the legal sector. I decided to approach the book as a research project. During the past year, I straddled between my client work and interviewing more than 60 experts, leaders of law firms, chief marketing officers, executive directors and innovators in law firm marketing. There were a number of key themes

that surfaced throughout the interviews. Here are just a few.

1. **Legal Curation:** The legal landscape is quickly changing due to the pace of technology, demands made by a new generation of clients and the rise of ambitious business ventures entering into the legal service market. Clients can now curate the legal services they decide to use. Traditional professional organizations such as ACCA and the ABA are joined by newer groups such as CLOC and Buying Legal Council to provoke essential discussions on operations and pricing. Companies including Thomson Reuters, UnitedLex, Intapp, Integreon and most larger accounting firms are growing like plants into the service and technology voids that exist in many law firms. Most traditional law firms are simply trying to keep pace. It's important to keep an eye on and learn from those firms that are moving ahead and creating innovation centers, such as Allen & Overy and Orrick. These firms are not waiting for change to impact the profession, but rather they are becoming part of the change itself.
2. **Culture is Cash:** The culture of a firm can make or break the organization, and it is also clear that those firms with the strongest and most consistent cultures, where leadership communicates up and down the organization, are usually the most profitable and the most successful. Building a solid culture takes work and discipline and it needs to be supported by a compensation system that rewards both business development and collaboration. In this past year, we've seen a record number of law
3. **firm mergers.** The big question that remains is if these newly organized firms can survive. To do so, they will need to work hard at creating a solid culture, a foundation encompassing various personalities.
4. **Collaboration is key:** There are law firms where collaboration is part of the firm's DNA. Partners meet with one another over lunch to explore finding opportunities to work together and ways to better serve clients. They introduce one another to prospects for all types of networking and for new business. Then there are the firms down the block, where lawyers are involved in a whole different world. It's a dog-eat-dog, be or be killed environment, like footage from an episode of "Game of Thrones." Guess which approach is more likely to lead to developing business? Research demonstrates that when specialists collaborate across functional boundaries, great things happen. If you read about any of the research conducted by Heidi K. Gardner PhD, you know that firms where there is great collaboration earn higher margins, inspire greater client loyalty, attract and retain the best talent, and gain a competitive edge.
5. **The Axis at Play:** With the disruption in the marketplace, many firms are searching for new identities. The bulk of firms seem to be gravitating towards one of two axes. The first is to be more focused, such as Wilkinson Walsh & Eskovitz, Gunderson Dettmer or Macfarlanes. These are firms that position themselves as doing just a few things, working in specific and defined markets and producing best-in-class work.



The other axis is to remain large, aiming to be a wide-coverage mega-firm that innovates by trying for great efficiencies and focuses on more than one or two core practice areas. Firms including Allen & Overy, Orrick and Dentons are leading the way on this path.

The day of the supermarket, one-shop-fits-all law firm is over. In-house counsel want to hire specialists. Quality of this delivery will also be evaluated with the use of AI, so that the technology that is part of the legal solution may also become part of its evaluation.

6. **Marketing is a Mandate:** Marketing legal services has been around long enough so that best practices surrounding the operations of marketing departments have been demystified. Coaching by experienced salespeople and marketing departments built by professionals with proven track records are now seen as a must. Advice on everything from search engine optimization to predictive analytics is now easy to access. Law firm leaders are supporting the growth of marketing departments as they recognize this resource to be an integral part of operating a business, not an ancillary back-office operation. Most partners can see the high value in engaging with marketers to maximize their practices' growth potential. They are no longer afraid to hire outside consultants to help guide them in terms of staffing issues, marketing plans or individual coaching in leadership and business development skills. The stigma of a lawyer who says, "I need coaching," is slowly fading away.

7. **Who You Know:** Relationship building is important in any business, but it's particularly critical in one so nuanced and dependent on the element of trust, as the practice of law. Relationships between lawyers and their clients, lawyers and their marketing staff, and lawyers with one another within a partnership are valuable keys to success. Regardless of the threats made to the relationships between lawyers and clients for example, pricing or alternative approaches to handling legal matters – relationships remain the holy grail of business.

While there is great disruption in this era of change, for those who move quickly, there is also great opportunity.

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### **About the Author**

[Deborah Farone](#) is the author of "[Best Practices in Law Firm Business Development and Marketing](#)" (PLI 2019), a book based on more than 60 interviews with leading law firm leaders and marketers, general counsel, and innovators in the profession. The book has been called a unique resource for law firm leaders, practicing attorneys, legal marketers, consultants, and educators who want to uncover the very best marketing practices in the legal profession. Deborah has served as chief marketing officer at two of the world's most successful law firms, Cravath, Swaine & Moore LLP and Debevoise & Plimpton LLP. At both firms, she built and led their marketing communications and business development departments. Heidi K. Gardner PhD, Distinguished Fellow, Harvard Law School's Center on the Legal Profession has said, "Deborah Farone is the leading expert in law firm marketing. Not only

has she studied this complex topic from at the peak of the legal profession, her research into what works and what doesn't is priceless for anyone interested in growing their business." Deborah has also held positions as a marketing specialist at two global advisory firms, Willis Towers Watson and Ketchum. In 2017, she launched her own consulting practice, Farone Advisors LLC, where she advises law

and other professional service firms on business strategy and targeted marketing and is a speaker at professional forums and retreats. Deborah is a past President of the Legal Marketing Association's New York Chapter and was recently honored with LMA New York's Legacy Award, in recognition of making "a distinguishable mark on the chapter and the profession."

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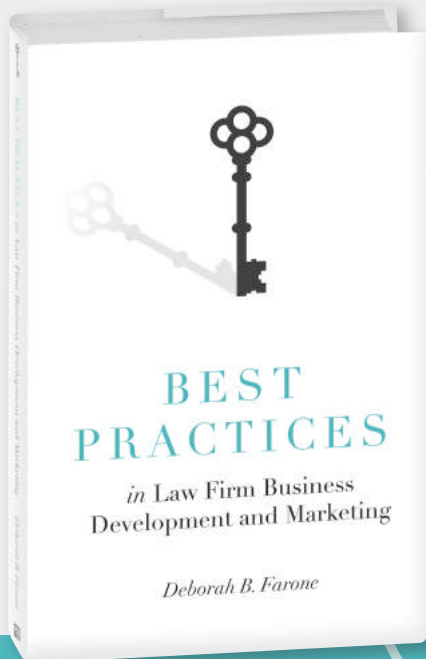
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Find out how the most successful law firm leaders are creating and developing firm cultures to encourage business development, and how smaller firms and single practitioners are executing on marketing plans to make an impact.

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# 5 Ways General Counsels and Senior Partners can collaborate to improve diversity

By Lisa Unwin, co-founder of the Reignite Academy

Earlier this year, more than 170 general counsels at major companies across America penned a letter presenting an ultimatum to law firms to hire, retain and promote diverse associates or risk losing their in-house clients' business.

Recognising this is a shared problem, the team behind the [Reignite Academy](#) recently took a different approach. In a spirit of collaboration, they convened a roundtable of general counsels and law firm senior partners to explore how they could work together to improve diversity, with a particular focus on women.

The roundtable produced five recommendations:

- 1. Make sure there are women on the senior client relationship team on both sides of the fence**

It's here where relationships are developed that ultimately bring in business to law firms and resolve clients' legal issues. It's at the senior level where discussions happen about deadlines and the upcoming pipeline of work. Ensuring women are represented at this level is crucial to everything that follows.

Senior partners can make a difference by insisting that their firms identify potential women to join its client relationship teams and general counsels, in turn, can ensure that choices are made based on the profile of those teams. Whilst this sounds relatively straightforward, there is evidence to suggest there is unconscious bias in the way in which general counsels rate their law firm partners.

In a three year exercise conducted [Acritas](#), the legal market research organisation, general counsels were asked to nominate “Star lawyers” from the group of senior partners with whom they had worked. Male general counsels were twice as likely to nominate a man as “Star Lawyer”, despite the same research finding that the same general counsels rated male and female lead partners as performing the same on every single performance attribute.

Given that four out of five senior in house counsels are male, raising awareness of this unconscious bias could do much to help open doors for more female partners onto the senior client relationship team. And as origination of work is an important part of an equity partner’s role, this in turn would undoubtedly advance the careers of female lawyers.

## **2. Present and welcome a properly diverse team on the ground**

“I’m going to be spending a lot of time with these people” Samantha Thompson, Head of Legal M&A, Anglo American explained. “I need to believe that it’s going to be an enjoyable experience. Basically, I need to get on with them.”

General counsels are less interested in a firm’s

diversity statistics than they are in how that plays out in reality. Organisations such as Microsoft are going beyond simply asking for statistics. Their in-house litigation team now requests that bidding firms account for diversity by having a partner from a minority or “diverse” group as either first or second chair on matters over a certain size.

The impact is twofold. The immediate effect is to provide female partners with the opportunities to play a senior role on the client team. The secondary effect, though, is more profound. As firms plan for the future, they need to ensure that they have sufficient women and other diversity candidates in the pipeline to meet the future demands of clients.

Whilst Thompson was very pragmatic in talking about how important it is to get on with the team day to day, there is also another, potentially more powerful motivation for having a properly diverse team on the ground: performance.

[Acritas research](#) in 2016 found that highly diverse external legal support teams outperform those that are much less diverse and furthermore, that clients are more likely to recommend diverse teams to others. A useful reminder that the drive for diversity is not simply about equality: it’s an economic imperative.

Traditionally, it was often common practice for a partner to put together a team made up of people they’d worked with before, people they were confident could do the job.. A practice which creates less diversity rather than more. Putting in more formalised processes around work allocation can prevent this.

Equally, educating people on the positive impact of more diversity could have a powerful impact on choices about the constitution of client teams.

### **3. Embrace agile working together.**

“We have to be responsive to clients” is the common explanation when asked why agile working and flexibility can be a difficult in a law firm environment. Particularly, though not exclusively in areas driven by deals.

How true is this and how often are clients either used as an excuse? Or perhaps assumptions simply go unchecked.

Jocelyn McDermid, International Counsel at Pfizer spoke for the group when she set out a view that, increasingly, clients are not particularly interested in when and where work gets done - they too are embracing agile working. They simply want to be sure it is completed on schedule and to the standard expected.

Whilst everyone has their own area of expertise, inevitably large transactions or projects call for a large team. Kathleen Russ, incoming Senior Partner, Travers Smith explained how in her department (Tax) the M&A Group have taken away a significant amount of stress from team members by making a promise that no one would have to miss a really important personal or family commitment, however critical the deal. The team would cover.

There are also opportunities to question the nature and make up of the team. Rather than deploy a team of three, for example, who then have to work fifteen hour days, why not deploy a larger team who can then work fewer hours. This cuts to the culture of long hours, billing

targets and teamwork (or lack of it) that are at the heart of many current habits and norms in the legal sector.

Aware of the dangers of some of those practices, some law firms and banks recently worked together to produce a [Mindfulness Charter](#) to tackle long and unpredictable hours and to improve lawyers' wellbeing.

“We're using the charter as a regular agenda item with all external counsels”, explained Matt Fitzwater, Managing Director and Global Head of Litigation at Barclays. “There are some basic principles that we can all stick to - not scheduling internal meetings outside of 9 to 6, not expecting responses late at night, partners showing that it's fine to take proper paternity leave and work from home.”

This is about behavioural and cultural change on both sides of the fence.

### **4. Provide opportunities for “career break” lawyers to return, either in house or to private practice**

Lawyers and their clients have experienced unacceptable attrition of women at senior levels for some years now. Women leave the profession for various reasons, including the difficulty in balancing the demands of a city law career with personal ambitions and commitments.

Nor is this problem peculiar to law. Research by She's Back in 2014 found that 84% of women who had taken a break did want to return after a career hiatus. It is for this reason that organisations such as Credit Suisse, Morgan Stanley, Deloitte, Shell, Barclays, Lloyds Banking Group and many others have begun

to establish formal return to work programmes.

The [Reignite Academy](#) provides an opportunity for city lawyers to return to practise after a career hiatus in the UK. A similar organisation, [the OnRamp Fellowship](#) does the same in the US. By recognising and championing the untapped potential in this pool of talent, senior partners and general counsels have the opportunity not only to replenish their pipeline of senior women but also to demonstrate real commitment to achieving their diversity targets.

## **5. Reframe what a “partner” looks like, including how they are measured**

The group discussed how the long standing model of a “partner track” which goes at one speed and ends in one place might not be best placed to serve a firm’s or client’s diversity objectives.

Kathleen Russ explained how the firm had recently focussed hard on encouraging all lawyers - men and women - to consider pacing their career to suit their own personal lives, rather than seeing the traditional path of seven years PQE as the only one available.

The firm now has great examples of high performing women who have deliberately slowed down their progression and taken on a different role for a while, before assuming partnership slightly later in their career. This is NOT about putting people on a “mummy track” - a less demanding role with little future prospects. It is all about being flexible and agile when thinking about people’s long term career development.

Similarly, there was acknowledgement that there may be a need to examine how partners are measured. Where there are fewer female partners in a firm, they tend to take on a disproportionate amount of non-client activity.

“We’re only 28% female at partner level at Hogan Lovells in the UK (which is good within the market), but it means that every time you want to have a woman and a man leading a relationship or programme it falls to one of the 28%. We’re all doing double duty” explained Susan Bright, Managing Partner at Hogan Lovells. “Which is fine, if that contribution is adequately recognised and rewarded”.

Some firms, are taking active steps to redefine the ways in which lawyers can progress to partner and can then operate at that level.

White & Case, for example, have a senior M&A partner who works a 75% load over the year, rather than week by week. This enables her to work on large projects, full on, and then step back to spend time with her family in between engagements. Critically, her origination and billing targets are pro-rata’d to reflect her working arrangements. She is not labelled as “part time” and assumed to be less ambitious than her peers, she simply has a different working pattern.

Others are looking carefully at the six year partner pipeline and making sure that high potential lawyers know they are have partner potential well ahead of time. Having conversations with women who are about to go on maternity leave about their partner potential and discussing the different options with them on their return is critical.

Others are looking carefully at the six year partner pipeline and making sure that high potential lawyers know they are have partner potential well ahead of time. Having conversations with women who are about to go on maternity leave about their partner potential and discussing the different options with them on their return is critical.

Acknowledging the importance of business development and origination, there is a need to question old assumptions about what client relationship development looks like. It doesn't have to mean rugby and cricket. Amy Mahon, the private equity star, talked recently about taking her son and her client and their son to the theatre. A welcome change: who doesn't want to spend more time with their families.

As the American letter evidenced, diversity is of increasing importance to general counsels as they select firms onto their panels and then reward them with work. Indeed, Dan Fitz, former general counsel at BT and now with the Francis Crick Institute spoke about the way in which these criteria are increasingly important to companies as they select suppliers in many different fields.

What became clear at the roundtable is that whilst writing a letter might draw headlines

and attract attention, there is nothing like a little co-operation and collaboration when it comes to actually making something happen.

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### About the Author

Lisa Unwin is co-founder of the Reignite Academy and author of [She's Back: Your Guide to Returning to Work](#). - an essential guide for anyone who has ambitions beyond motherhood. The book is full of practical advice for anyone ready to return after a break or who wants to get their career back on track.

She's Back promotes women by campaigning on their behalf and by connecting them with each other and with organisations and people who can support them. They offer training and coaching to help women navigate the messy middle phase of their career and for organisations who want to retain, recruit and promote more women. Lisa regularly speaks at events and on podcasts and writes for various publications and blogs.

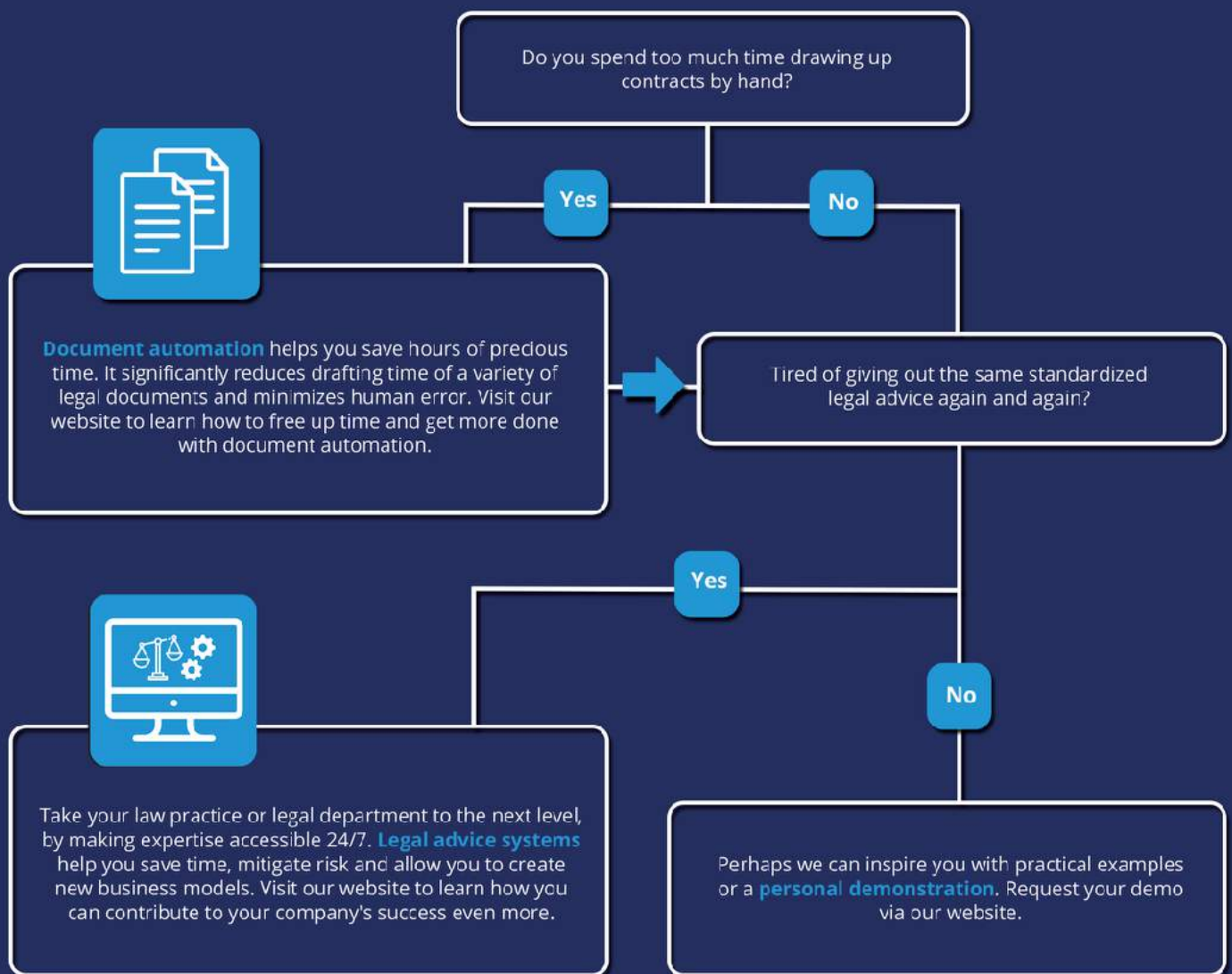
A former partner with Arthur Andersen Business Consulting and Director of Brand and Communication at Deloitte, Lisa had a 20 year career in professional services prior to setting up She's Back.



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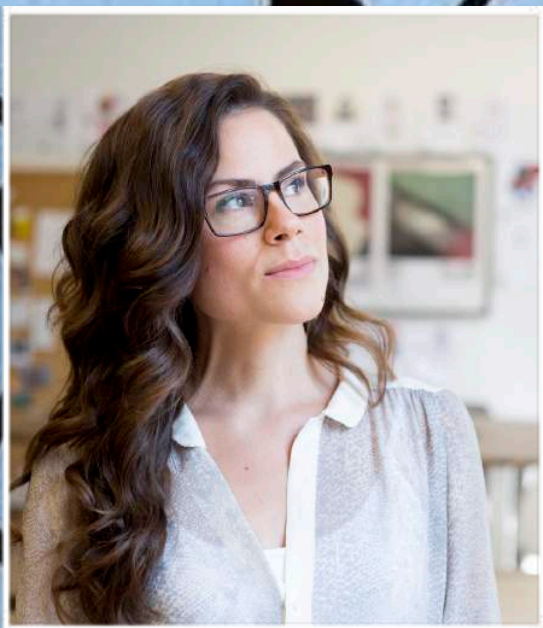
A Series about Emerging Technologies  
& Global Systems

## Could regulatory frameworks actually progress technology innovation?

By Aileen Schultz, Founder & President World Legal Summit, Principle, Fractal Scale Inc.,  
Co-Founder, Global Legal Hackathon

The “war to win AI” seems to be at the pinnacle of the global dialogue about whether or not to regulate emerging technologies. There is a fairly fervent butting of heads when it comes to this open debate as to whether governments should or should not regulate the development of certain emerging technologies, with of course, artificial intelligence sitting at the epicentre. However, one can’t help but wonder with all of the risk and all of the unknown that these technologies are presenting, why is it not a given that they ought to be regulated?

Governments fear that heavy regulation will inhibit innovation thereby putting them at a severe disadvantage in the global race to rule AI, and ipso facto the iron fist clutching the linchpin to all future technology developments. It seems as though 2018 was the year of, “please government regulate!” and that this year is the year of reckoning for those making the plight.



For example, it was only just February of this year that US Congress issued [House Resolution 153](#), which resolved to “[support] the development of guidelines for ethical development of artificial intelligence”. Mind you, that’s not the standards, it’s merely the *support* for the standards. And it wasn’t until CRISPR babies (genetically modified humans) were actually born and made known to the public that the [Chinese government issued](#) draft legislation mandating national approval of clinical research dealing with gene editing, again, just in February of this year.

But, what if in actuality innovation was propelled by regulatory infrastructures? There are reasons to suggest that in some (if not most) instances regulation could actually enable innovation to thrive. Mind you, we’re talking about sustainable innovation, not back basement lab experiments being done in remote areas with no consideration of possible harm. When we are discussing the evolution of new technologies that are intended to progress our systems in a positive way for all, regulation does in fact promote this growth.

### **Propelling Innovation with Regulation, a Couple Cases in Point**

Ever heard of a “smart contract”? Of course you have. The legal industry has had its fair share of smart contract and related blockchain propaganda, much of which is admittedly eye roll worthy. However, there is plenty of good reason to pay attention to these technologies as they mature and enable viable systems of interoperable automation, enhanced privacy, and overall gains in efficiency. Though we must then ask what it actually means to be a [Decentralized Autonomous Organization](#)

[\(DAO\)](#) that is fully enabled by these technologies. There isn’t a coherent answer.

Most jurisdictions still lack a clear legal recognition of DAOs, or definition around what qualities of an entity suffice to put it in this category. As a result, even where the technology is mature and ready to be adopted, it cannot be and as such further growth and development is actually greatly inhibited. As a clear example, non-DAOs that want to implement smart contract capabilities to improve their business, for example law firms, cannot actually do this in most jurisdictions as there are not yet viable regulatory frameworks to account for these changes.

Another stark example of where technology innovation is being inhibited by the lack of legislative frameworks to address it, are autonomous vehicles. The technology in itself is ready. It is inherent in the purpose of the technology that it be able to cooperate with existing vehicles on public roads. While these vehicles are being developed in “real-world” labs (environments that mimic real world scenarios), full adoption and progressive development is limited by the lack of regulatory infrastructure. More so, the ability for the physical infrastructure of actual real world environments to innovate and adapt is needed for these vehicles to be adopted.

Those jurisdictions that do have legislative frameworks to account for these vehicles are naturally well ahead of the curve. As a case in point let’s look at the United States. According to the [National Conference of State Legislatures](#), most states in the United States now have some form of enacted legislation or executive order to account for autonomous

vehicles. At the federal level guidelines have been released to account for Automated Driving Systems (ADS), and the American Vision for Safer Transportation Through Advancement of Revolutionary Technologies (AV START) Act has been put in place. It's no wonder then that the United States is frequently listed as one of [the top countries leading](#) in autonomous vehicle development and preparedness.

### **Surprisingly Big Tech is Onboard**

Several tech giants have recently, surprisingly, stepped up to demand government regulation of technology. Perhaps this is a back swell response to the growing fires around Big Tech, in an effort to appear as though they are responding to the issues. Whether that is or is not the case, this does draw attention to a rather salient point, that it is in fact the government's job to encourage the regulatory frameworks for managing new and existing technologies. And, it is in fact the job of these massive organizations to build the infrastructure for compliance with existing regulations and bodies of standards. It is not the reverse, nor should it be.

As Apple's CEO Tim Cook [has said](#), "Technology needs to be regulated. There are now too many examples where the no rails have resulted in a great damage to society." And as Microsoft's president [Brad Smith has stated](#), "We must ensure that the year 2024 doesn't look like a page from the novel 1984."

"With the apparent support of Big Tech, and the evidence to suggest that legislative frameworks can actually encourage innovation - and at a quickened pace - it is a wonder how there is a debate at all. Of course, the pragmatic ap-

plication of "regulating emerging technologies" is a barrier, but that does not provide the grounds for avoiding the first steps altogether.

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### **About the Author:**

[Aileen Schultz](#) is a Toronto based award winning growth and innovation strategist with a global footprint, and a passion for creating better exponential systems. She works with SME's across several sectors with a focus in legal and blockchain technology.

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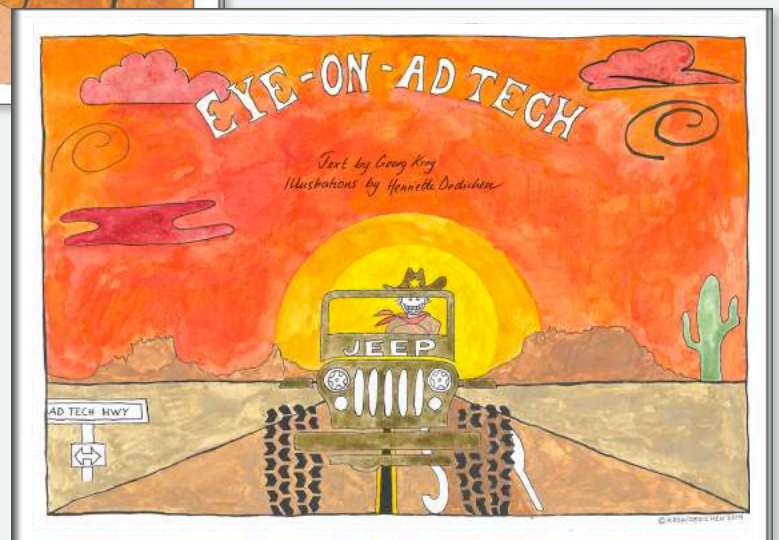
# A cartoon in two parts on how advertising technology is able to influence and change behaviour

By Georg Philip Krog and Henriette Dedichen



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LEGAL BUSINESS WORLD  
PUBLICATIONS

# Getting Traction for Innovation in the Legal Department

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

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

I recently attended the National Conference of the Canadian Corporate Counsel Association. Unsurprisingly, there were several sessions that dealt with some aspect of innovation in legal services. Titles like “Innovation Reality Check: Measuring What is Real and Important to Your Organization”, “Innovation and Efficiency: Tales from the In-House Counsel Trenches”, and “Managing Uncertainty: Tools to Implement Your Innovation Idea”. It is often the case with panels that some presentations are better than others.

Mark Leblanc, the General Counsel of TV Ontario, described the transition of his organization from broadcaster to digital company. While other speakers focused on the technology aspects of innovation, Leblanc was quick to point out that most of the innovation was in processes rather than technology. It becomes important to engage employees in the change and transformation processes. Freidrich Blase, the Executive-in-Residence at Ryerson University’s Legal Innovation Zone, agreed, first by observing that Requests for Proposals for the application of technology to legal services are usually too broad and need to be simpler. Like Leblanc, he believes that processes and the resources to run the technology are prerequisites.

Corporate law departments will wait a long time for their IT departments or their Strategic Sourcing departments to write technology specifications that fit the bill. Yet, there are few lawyers with the skills, let alone the time, to contribute to the acquisition of technologies like matter management systems or artificial intelligence applications that lighten the load of individual lawyers for document analysis and drafting. A few years ago, then Boston-based Casey Flaherty developed a 10-part

technology literacy test for law firms and lawyers. Law departments were then able to compare the scores of their preferred law firms and then decide where to allocate work cost-effectively.

In the spirit of “what gets measured gets done,” I asked one conference participant whether changing the compensation architecture of in-house counsel would focus and accelerate innovation in legal services. As an example, I inquired whether it would be possible to allocate 15 % of earnable compensation to successful innovation. Thinking that innovation meant technology, the response was “certainly not more than 1 % or 2 %.”

Approaching innovation more broadly, in the sense that it could include new processes or increased proficiency in certain skills or in making clients more self-sufficient and less dependent on the law department, then yes – compensation of in-house counsel for successful innovation begins to make sense. No doubt, lawyers do substantively excellent legal work and are under continuous pressure to turn around advice and documents. Yesterday is never soon enough. Hard to innovate with work backlogs and interruptions from all quarters. Better to start with three or four changes that have immediate impact and that do not rely on technology to implement.

As part of regular interviews of in-house counsel, I ask:

- What percentage of your files in a year require 5 or fewer hours, 6 – 25 hours or more than 25 hours to complete?
- Who is allowed to contact the law department? Are there restrictions?
- How many individuals in the company, as opposed to business units, account for

80 % of your work each year?

- Is there a written policy in the company that stipulates “When to Call Your Lawyer”?
- How many hours do you work each week?
- How long is your backlog of work?

After reviewing workflow and workload data with more than 40 law departments in recent years, I have found that senior in-house counsel can spend up to 70 % of their time on matters (read non-complex) that require less than 25 hours, that most law departments have no restrictions on who can call Legal, and no written guidance on when to call and not call, Legal. Our studies reveal that work weeks average 50 hours, especially in smaller law departments, but that the backlog of work that can be achieved without further client or other input averages 3 days.

Imagine if more clients were more self-sufficient, that guidance on when to call Legal was explicit, and that counsel would not spend more than 25 % of their time on matters requiring fewer than 25 hours. There would be more time to innovate, to help clients with business solutions, and to be faced with professional challenges throughout a 30-year career. Innovation in legal services can take many forms and does not have to be complicated.

business solutions, and to be faced with professional challenges throughout a 30-year career. Innovation in legal services can take many forms and does not have to be complicated.

#### **About the Author**

[Richard G. Stock](#), M.A., FCIS, CMC is a partner with [Catalyst Consulting](#). The firm has advised

more than 150 corporate and government law departments across North America and abroad over the last 25 years. For legal department management advice and RFPs that work, Richard can be contacted at (416) 367-4447 or at [rstock@catalystlegal.com](mailto:rstock@catalystlegal.com). See [www.catalystlegal.com](http://www.catalystlegal.com)

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# International case study: how to abolish the time billing model

By Kaizad Kasad, Business and Pricing Manager at Moores

## 1 . Introduction

On Melbourne Cup Day 2018, I was in Auckland, New Zealand attending the Thomson Reuters Legal Leaders' Forum; a full-day program covering a wide range of topics affecting the ever-changing legal landscape.

I was one of three international speakers and I presented a case study on how and why, my firm, Moores, moved away from the hourly rate and timesheet business model.

I had a lot of ground to cover in a short

amount of time to impart to my audience how Moores eliminated time billing and developed an agreed pricing system; the advantages and restraints of implementing a new business model and how it impacted our client experiences.

The session was about our journey towards a pure value-based pricing model, highlighting the challenges and opportunities the new model presented us along the way, while also ensuring we remained profitable and continued to create value for clients.

## 2. The old way

A lot has been said and written about the hourly rate model. Recording time in minute increments is indicative of (with due respect) the production floor of a factory. Lawyers don't produce widgets; they sell their intellectual capital just as other professionals do. To then be reduced to the equivalent of punching in their time card day after day is in my view, demeaning.

Equally, clients are frankly tired of being asked to pay for work undertaken by firms they (the client) haven't asked the firm to do.

However, the lawyer / client equation can only be changed if one side is unhappy with the billing model. With some clients content to be charged by the hour and billed at the end of the month, law firms have little incentive to change.

Indeed, one school of thought suggests, "If clients are demanding hourly rates, then law firms should give them what they want."

Yet perhaps no other professional service industry conducts business on what is a 100 year old model of revenue generation! Charging by the hour, at best, a lawyer can only bill a client for 24 hours a day. That's the ceiling they can hope to achieve.

I have read stories of lawyers who have charged 3600 billable hours in a year (that's 41% of the total "available hours" in a year), leaving little "time" for anything else.

## 3. Value pricing – the new way

On the other hand, value based pricing converts the billable hour to a floor price. The new

model involves scoping the work in conjunction **with** the client; determining the value of that work as perceived by the client and capturing some of that value in the price. You price the client, not the work.

Value pricing reverses the old pricing equation: a client's perception of value drives price which in turn drives cost; not the other way around. It works best in a relationship where mutual trust and respect exists between the client and the firm.

## 4. Moores' story

Back in 2010, the principals of the practice discussed the wisdom of being a **full service firm** and recognized that the firm couldn't be an expert in everything. With the guidance of a facilitator (who is also an international pricing consultant) at their annual retreat, the principals were introduced to the concept of value pricing.

Over the ensuing twelve months, a handful of lawyers were given free rein to experiment with value pricing and feed their experience back to partners, who on seeing the results, decided to give value pricing a real shot.

Understandably, the change was not overnight and the firm started out with baby steps. A target was set whereby half of all new matters opened in the financial year were to be based on value pricing.

To change an entire business model necessitates strong internal leadership as it requires a brand new way of thinking; a paradigm shift in mindset, from an input mentality (how long will this job take or how many hours will be spent on this matter?) to an output, or more

an outcome mentality (what is the value being created for the client?).

Value based pricing forced us to question the wisdom of being everything to every client that walked through the door; in that, we narrowed our focus and were selective in the work we wished to conduct for the clients we wanted.

As a result, we divested ourselves of our most profitable area of law at the time, as it no longer fit the new business model and our long term view of the future of the practice.

The new model changed the client conversation to one which focused on identifying client value before scoping the work required and agreeing on the price; all this, **before** we actually started the work.

Expectedly we had to let go of a few clients (and some lawyers) but we also attracted a particular type of client (and people) who were the right fit for us.

## 5. The Moores journey

We educated ourselves by reading widely on the subject and consulted with advocates in Australia and overseas. These were not just other law firms operating under a value-based pricing model and included other professional knowledge practices.

We challenged our old assumptions and changed our language. We experimented through trial and error, learning from both, our successes and our failures and continued to refine.

We are **still** learning.

One of the most common questions we get

asked is: how do you arrive at a price in the absence of timesheets? In other words, how do you know your price when you don't know your costs of doing business? Customers base purchasing decisions on the perceived value they put on a product or service. All prices are contextual and all value is subjective.

My reply to this question (even when I worked in BigLaw and was heavily involved in the annual fee rate setting exercise) has always been: why should a client be concerned with a firm's costs?

We understood that the value of the work we conduct is determined by our client's perception of value, not ours. Clients are interested in outputs and outcomes not activity and contrary to what some might believe don't object to their lawyer making a profit.

So we agree our terms of payment up front but also provide some guarantees with respect to the work undertaken for the client.

However, creating and more critically, communicating value are fundamental and we continue to learn and coach our lawyers in this area; not just in having the value conversation with clients but also changing internal processes and templates which facilitate the articulation of value being created for the client.

At Moores, no one prices their own work and no one prices alone. For matters above specified thresholds, lawyers need to present their matters to a panel of pricing experts from a cross section of the firm. Until recently, this panel was known as the Pricing Council. And so in continuing our learning journey, we

recently renamed the council to Value Council to emphasize the purpose of this group; which is not just to provide advice to lawyers on the most appropriate price to offer the client, but in doing so, also help the lawyer frame the value conversation; i.e. how to articulate the value being created for clients, when proposing the price.

Our new way of working compelled us to assess what we are or can be experts in. We were no longer a firm with a taxi rank client base and we got better at client selection.

Indeed, in monthly management meetings a standing agenda item is for us to share the “No file”.

Pricing our work upfront and in the absence of hourly rates meant we had to become disciplined in project management. This meant we needed to improve our knowledge management capabilities and systems; not only so we weren't reinventing the wheel each time but also tapping into this repository of information gained through after action reviews which would feed into our decision making on future projects.

## **6. New processes, measurements & rewards**

Ditching time sheets and hourly rates, also lead to a review of our performance management systems and processes.

No longer were lawyers measured on daily, monthly and yearly fee targets with corresponding incentive bonuses attached.

Value based pricing makes for a more coopera-

tive working environment in the absence of individual targets. It is not to say we don't have fee budgets; however, these are allocated to teams not individuals. This fosters a culture of collaboration than file-hoarding.

New performance competencies gave rise to a new definition of “KPI”; we are now more interested in leading, key **predictive** indicators than lagging, key **performance** indicators.

We identified nine core competencies for Professionals across four categories of Principals, Special Counsel, Associates and Lawyers who are measured against new and more relevant and meaningful criteria of: client management, project management, teamwork & leadership, business acumen, business development, technical & industry specialization, knowledge management & learning, innovation and ethics & risk management.

## **7. What can you expect?**

### *a. Performance measurement*

Understandably, value pricing will ensure your debtors reduce drastically. A nice but undesired side-effect of the new model was the redundant nature of our dedicated credit control function, a role which was not replaced when the team member left to seek new pastures.

No timesheet equals reduction in work in progress. When you price upfront you don't need to spend hours chasing fee earners to get them fill in their timesheet with missing hours.

So you **will** measure less; no more boring utilization, missing timesheet, productivity

statistics; you will report on less and fret about less.

Also expect to turn your back on benchmarking, noting that all value is subjective. No two clients are the same.

### *b. Client feedback*

Expect client complaints to come down; at the very least in terms of bill shock. When all work is priced upfront before work is commenced, the result is a win-win for the client and the firm.

Value pricing will provide clients cost certainty and increased incentive for a firm to complete the work as effectively and efficiently as possible without worrying about the time it takes them to do the work.

You become better at client selection when you narrow your focus. Consequently, expect relationships with the right clients to be strengthened. You will have fewer but better clients and will conduct a lot less work for clients who don't appreciate value.

### *c. Your people*

Let's be honest; most lawyers don't like time recording. Timesheets do not foster collaboration and encourage the very opposite; file-hoarding in order to meet daily, weekly, monthly and/or annual targets.

Under value-based pricing, team morale will improve and collaboration within and between teams will be strengthened; when you think about it, this is unavoidable to meet deadlines and deliver projects on time and on budget.

Without file-hoarding, true teamwork is played out and cross referrals are bound to increase.

As the word would suggest, teamwork requires everyone to play their part so you can expect the crew to deselect those who aren't playing as part of a team. On the flip side, progressive people with drive and initiative will ask you for more work and challenge you with new ideas.

As stated earlier, you will obtain quality work which may mean saying no to some clients who do not appreciate value.

As Tim Williams of the Ignition Group states, contrary to what some might think, you actually expand your business by narrowing your focus and not being a "full service firm" i.e. an expert in everything.

## **8. Challenges**

Change will always involve resistance; so expect to be free of those who do not believe in your new way of conducting work for clients. They will involve some clients and some of your own people.

I said earlier that you will report on less and fret about less. This is indeed true of unhelpful measures highlighted earlier; however, a new way of doing things affects the entire firm and so you will require a review of and revamp of systems and processes.

Remember though that there is no silver bullet solution. We still require lawyers' help to review and record accurate data to provide meaningful predictive indicators. While greatly desired, know that there is no algorithm for

value-based pricing (at the time of writing this but with the pace of disruption in the industry, you never know!)

I have met and spoken with many about our value pricing journey; and while there has never been a shortage of fascination and interest and indeed a strong desire to change, you will need strong internal leadership and it does involve, while not blind, a leap of faith.

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### **About the Author**

[Kaizad \(Kai\) Kasad](#) is the Business and Pricing Manager at [Moores](#), a value pricing firm based in Hawthorn, Victoria, Australia.

Kai's role has overall management and responsibility for the Business Services function,

providing leadership and advice in areas of business intelligence, financial management, systems enhancements, cost management and business process improvement in line with the firm's strategic initiatives.

Kai has over 21 years' experience across the legal technology, finance and marketing functions in large corporate and boutique firms in Australia, of which over 15 years have been in pricing legal services.

After stints in BigLaw, Kai left sunny Sydney in 2013 to join Moores, a boutique practice based in Hawthorn, Victoria as their Business & Pricing Manager, to further his experience in a true value-based pricing firm.

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## LEGADEX

# 6 LinkedIn Do's & Don'ts

By Sandra Bekhor MBA, president of Bekhor Management

There are a lot of lawyers on LinkedIn. A lot. In Toronto alone, a search results in 13,960 names!

Many have a profile, but don't actually do anything on the site. Some show up once in a while, to 'like' a post or two and then sign off, not to be seen again for weeks. Few contribute original content on a regular basis.

The vast majority are still wondering what LinkedIn does for them.

Let's try flipping that around. Instead of wondering what LinkedIn is doing for you, let's figure out how to make LinkedIn work for you.

Start thinking of LinkedIn, less as a place to be seen, and more as a tool. A hammer is nice to have. But until you pick it up to knock in that nail to hang your new painting, it's going to just sit there looking 'pretty'.

Not very helpful.

Like your hammer, LinkedIn is simply a tool. Figure out how to use it and... you will bene-



fit for years to come. Just sit back and wait for it to deliver and... you may be waiting a long, long time.

So, all that being said, how can you make LinkedIn work for you?

In November of 2019, my firm, Bekhor Management, teamed up with Toronto Lawyers Association to launch a group on LinkedIn”.



“[Keeping it Social: Practice development for lawyers TORONTO](#)”. We’re going to use this group as a case study to take a closer look at six do’s and don’ts for lawyers on LinkedIn.

### **LinkedIn Do’s:**

1. Do begin with clear objectives
  - **PRO TIPS:** Carefully consider who you are trying to reach. Referrers? Clients? Can you get specific about describing this audience?
  - **CASE STUDY:** When we were developing our group, we had to decide who to invite to join. We debated including lawyers, without geographic limitation, or, alternatively, all categories of professionals, with geographic limitation. Finally, we decided to focus on practicing lawyers and articling students in Toronto, rather than cast a wider net, professionally or geographically. To make this clear to others, we included the word ‘Toronto’ in the group name and spelled out these limitations in the group description and rules.
2. Do something different
  - **PRO TIPS:** If you want LinkedIn to do some heavy lifting for your marketing program, you’re going to have to do more than show up. You’ll even have to do more than post content every day. You’ll need to stand out. Otherwise, the fact is you won’t get noticed. If the average person has 500 connections on LinkedIn, their feed will be constantly flowing with news and updates. They won’t even see your news, unless they happen to be logging in just as you post it. That all changes, however, if you are able to generate interest in your content. Why is that a game changer? Interest from others

makes your posts sticky. It keeps them hanging around at the top of the news feed longer. It also enables you to reach people not yet connected to you, by way of your network’s connections.

- **CASE STUDY:** Our group has an offline component to it, one that offers value to its members. We meet quarterly for practice development tips and networking. The group uses social... to be social! That’s the difference.
3. Do develop original content
    - **PRO TIPS:** Find examples of individuals that you enjoy following on LinkedIn. What is it about their posts that pulls you in? Are they quick to share time sensitive news? Funny? Controversial? Profound? Whatever it is, you can bet it’s original and it draws on their natural strengths.
    - **CASE STUDY:** Given that our group meets quarterly, we have a constant pipeline of photos, slides and video. It’s a combination of education, stories and interaction with friends and colleagues.

### **LinkedIn Don’ts:**

1. Don’t focus on the short term
  - **PRO TIPS:** That’s not to say that if your strategy isn’t working to keep at it. Modify as needed. But don’t throw in the towel if LinkedIn doesn’t deliver immediate prospects into your pipeline. This is a networking site, not a sales funnel. Just like attending a networking event, your attention should be focused on relationship building. Results will organically follow, when everything is aligned, the right message to the right audience at the right time.

- **CASE STUDY:** To set our group up for success over the long term, we have been actively promoting it using a number of channels: newsletters, other (related) LinkedIn groups, alternate social media platforms, media coverage and our professional networks.

## 2. Don't stay on LinkedIn

- **PRO TIPS:** Don't even stay *online!* Use the site for its intended use. To make new connections and to stay top of mind with existing connections. You still need to talk to and meet with people to deepen your relationships. Social media will never replace the value of a face-to-face encounter (or even a face-to-zoom encounter!).
- **CASE STUDY:** Our offline events help to keep the group's sense of purpose alive. Engagement online is that much more animated and natural because of the promise of face-to-face meetings.

## 3. Don't be shy

- **PRO TIPS:** Extroverts, you know what to do! Introduce yourself to prospective clients, to potential referrers and influencers in your sector. Comment on other peoples' posts. Share your news in groups. Start a video thread. Introverts, don't talk yourself out of jumping in on the action. You have an advantage here. On social media you can take the time to carefully craft an introduction or a response, rather than being put on the spot. Employ your natural tendency to connect with others in a meaningful way.

- **CASE STUDY:** We encourage new members to introduce themselves to the group when they first join. In fact, we invite everyone to tell us two things: one thing about their practice (i.e. niche, experience, a recent accomplishment...) and one thing about themselves (i.e. a favourite book, a recent trip, a hobby...).

That's a nice list of rules to guide your activities on LinkedIn. But don't be fooled. Success isn't based on how well you can follow the rules. It's about being bold!

So, as you reflect on how to make use of this list, consider this... to achieve something big, you also need to do something big!

You need a plan that does all this and more. A plan that pops from the digital noise. A plan that you can commit to over the long term. A plan aligned with your goals for your practice.

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### **About the Author:**

Sandra Bekhor MBA, president of Bekhor Management, helps lawyers and other professionals build and enhance their practices, through marketing and management programs aligned with core strengths. Sandra has extensive experience helping small to mid-sized firms succeed in the modern marketplace. She can be reached at:

[sandrabekhor@bekhor.ca](mailto:sandrabekhor@bekhor.ca) and [www.bekhor.ca](http://www.bekhor.ca)

# The Sorcery of Outsourcing

By Advocate Jackie Donner, co-founder of LawFlex

A conundrum of the modern legal world is that lawyers want to work less and be paid the same amount, and clients want to pay less, and receive the same service. So what has to give? The simple answer is, bricks and mortar.

When I left Big Law, five years ago to achieve a more balance life, I was dismayed at the prospect of having to throw away, not only the long hours (a blessing) , but also my career. I was throwing away the baby with the bath water. I was perplexed by how I was going to finance my new and shiny balanced life. After-

all, I had invested hard earned cash and thousands of hours in the library, on achieving a stellar academic record from Oxford University and the London School of Economics. I had toiled in the office many a long nights at Freshfields Bruckhaus Deringer and at Morgan Stanley and was finally at a stage in my career where my advice was worth something. My advice was worth GBP 250 an hour, to be exact. I co-founded LawFlex, four years ago, on the premise of there being thousands of people like me – experienced, with hours available to sell, but who didn't want to work at law firms. When I did the math, and

realized that I could charge out my very same hours that were worth GBP 250 for a mere GBP 70 an hour, work 30% less hours, and earn the same salary I did before, I realized I was on to something big. Today, four years later, we have 350 lawyers at LawFlex, and there are thousands around the world, at other alternative legal service providers (ALSP's) - doing just this.

Undoubtedly, one of the trends effecting legal today is legal outsourcing, in all its colorful shapes and forms. Today in the US, at least 51% of law firms and 60% of corporate legal departments are currently using ALSPs for at least one type of service. If global revenues for legal are \$700 billion, ALSPs represent \$8.4 billion and growing. (*Thomas Reuters Legal, "Alternative Legal Service Providers" 16 February 2019 (p 3)*). These numbers tell us the significant effect of the legal outsourcing trend on the modern legal world, which I would argue, is not merely a trend any more, but rather has become a core feature of a law firm's business model. Law firms that want to remain competitive are forced to integrate some form of outsourcing into their business model.

In 1990, the year I began high school, a small US firm in Texas opened an office in India. This was the first time legal outsourcing was being experimented with. Legal was adopting an age-old trade principal: production in a country where it is cheaper to produce and sale in a country where the price is higher. This was common practice with products and services, and one of the foundations of cross border trade, and the legal market was starting to catch on to the vast financial advantages of labor arbitrage for legal work.

The legal outsourcing market has since grown exponentially and can broadly be categorized into the Legal Process Outsourcing (LPO) Market and the Alternative Staffing Market. LPO is the process of sending routine, time consuming tasks to providers outside of the law firm – whether across the ocean or in the periphery. This industry began dealing with bulk, low level, repetitive tasks and has developed over the last few years to encompass research, contract negotiation and intellectual property services. The Alternative Staffing Model, the second leg, provides law firms and corporates with legal talent in any format that is not the regular full-time nine to five (or in the case of Big Law – midnight) employment model. An example of alternative staffing would be a boutique law firm that requires access to an expert in employment law for 30 hours a month, or a corporate that requires a lawyer to come in for a three-month project and make sure the company is GDPR compliant. Unique to the Alternative Staffing model is the ability to in-source, something a traditional law firm would be reluctant or unable to do. For a law firm, it would not make financial sense to send a partner in-house for a three-month period. For an Alternative Staffing company on the other hand, such a project would be common place.

The legal outsourcing market was established. Two factors then catapulted the practice of legal outsourcing to the forefront – the financial crisis of 2007 coupled with enabling technology.

The financial crisis left many law firms limping, with their main profit centers – finance, banking and corporate injured. Clients began demanding transparency, fixed pricing and

reduced fees and law firms needed to find ways to lower their fees. One way to do this was to outsource. Outsourcing for law firms not only allowed them to carry out the bulk work more price effectively, but it also allowed them to reduce two of their most substantial costs – salaries and office space. With access to highly talented lawyers, on an ad-hoc basis, law firms could increase their staff temporarily without having the overheads of ongoing annual salaries and an office to put them in. This factor led to the success of other ALSPs in our space, such as Lawyers on Demand.

At the same time, advances in technology such as reliable, fast and secure internet access (no, I am not referring to artificial intelligence here!), as well as on the lawyer side, a growth of platforms that connect between lawyers and job opportunities allowed this dramatic change to take place.

The next ten years, following the crisis saw a mushrooming of Alternative Legal Service Providers around the world. The activity in this space is dizzying, from giants like Thomas Reuters and Axiom, to law firms opening their own ALSPs like Allen & Overy's Peer Point and Freshfields' legal services center, to legal tech start-ups like Hire an Esquire and K-Lawyers. Also an indication of the significance of the practice, the last few years have seen a very active M&A market in the ALSP space. With Axiom about to list and Lawyers on Demand recently purchased by Bowmark Capital and Elevate purchasing Halebury, the market is certainly hot.

While the financial crisis jumpstarted the outsourcing boom, and technology allowed it to happen, the economic environment of a

shared economy and the mentality of the new work force nourished this blossoming further.

Today you will notice that the pavement is peppered with electric scooters for rent. There is no longer a need to invest time in researching which scooter to purchase, in putting up a lump sum for that scooter, worrying that it will be stolen and making space in your city apartment for it. You can just hop on a scooter when you need to. Make way for the shared economy! The same is true of legal. There is no need to put time into searching for the right candidate, investing in a salary and benefits, making space in your office and worrying the associate will be hired by another firm. Now, a firm can tap into talent as and when needed.

Make way too for the millennial work force, where a value shift has meant that reaching the tip of the pyramid is not necessarily the aim of every associate. When I interviewed at Freshfields, I was told by my friends to answer that my sole career goal was to make partnership. Today if someone gave that answer in an interview, I fear they may not be hired for lack of honesty! In 2025, 75% of the global work force will be millennials. Personal development and work-life balance, along with portfolio careers and work satisfaction are now at center stage. Which explains why over 40% of the work force in the United States today are freelancers. People are placing value on the ability to control their own time and to accept assignments they choose to accept. In the coming decade, woe to the employer who does not offer flexibility to its work force.

A recent interviewee at LawFlex was a former partner at a prestigious boutique firm. She came to us looking for in-house work as she

didn't want to do law firm hours. To her dismay, the general counsel roles were also demanding long and gruelling hours in the office.

After going home that day, she worked out that if she worked for \$85 an hour via LawFlex (as opposed to her previous charge out rate of \$250 - \$300 as a partner at a law firm) she could work 120 hours a month (70% role), and she would earn \$10,200 a month – **the same salary that she was making as a partner**. Only now, the client paid less and she worked less. **There, my friends, is the magic.**

So, in order for the conundrum to be solved, where lawyers want to work less and clients want to get more, the bricks and mortar have to go. The cost of renting an office, the coffee machine, electricity bills, municipal taxes, feeding the pyramid structure, secretaries

salaries are all a colossal cost for law firms. Take that cost out of the equation and it works.

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### About the Author

[Jackie Donner](#) was born in Durban, South Africa and she moved to live in Israel where she completed her schooling. Jackie moved to England at the age of 21 and she studied history at the London School of Economics and completed her MSt degree at Oxford University. Following a conversion to law at BPP, Jackie became a solicitor in the corporate department of Freshfields Bruckhaus Deringer. Upon her return to Israel, Jackie continued to work as a lawyer at Epstein Rosenblum Maoz (ERM), after which she launched [LawFlex](#), a large legal outsourcing company based in Tel Aviv, with her co-founder Zohar Fisher.



Click the book to order | Also: see page 80

# Why should lawyers care about the UN Global Compact and the UN SDGs?

*Series on Corporate Social Responsibility and Sustainability for Law Firms.*

By Pamela Cone, Founder & CEO Amity Advisory

*“The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace*

*and justice. The Goals interconnect and in order to leave no one behind, it is important that we achieve each Goal and target by 2030.”*

[www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/)

**The world is changing and so is the way we must do business.**

Companies and their clients and vendors are being called to join in a global corporate sustainability initiative to create a better world by meeting United Nations Sustainable Development Goals.

**What are the United Nations Sustainable Development Goals?**

As follow on to the United Nations Millennium Development Goals, which were adopted in 2000 and were largely achieved within their 15-year timeline, the United Nations developed the roadmap for the next 15 years—the United Nations Sustainable Development Goals (UNSDGs) with a target date of 2030.

Adopted by all United Nations Member States in 2015, this framework provides a shared blueprint for peace and prosperity for people and the planet—now and into the future.

The UNSDGs website describes the goals (often referred to as the Global Goals) as an urgent call for action by all developed and developing countries in a global partnership to end poverty, improve health and education, reduce inequality, and spur economic growth—all while addressing climate change and working to preserve our oceans and forests. With fewer than 12 years remaining to the target date, there is much work to be done.

Achieving these goals will take the efforts of

# SUSTAINABLE DEVELOPMENT GOALS





the entire global village, including public and private sectors, as well as civil society.

### **What is the United Nations Global Compact?**

As described on its website, the United Nations Global Compact is the world's largest corporate sustainability initiative. The UN Global Compact is a call to companies to align strategies and operations with universal principles on human rights, labor, environment and anti-corruption, AND take actions that advance societal goals. The mission of the Global Compact is to mobilize a global movement of sustainable companies and stakeholders to create the world we want. To end extreme poverty, fight inequality, and tackle climate change, companies around the world are signing the Global Compact, committing to do well by operating responsibly, taking bold actions, and bringing the voice of responsible business to world leaders. The Global Compact currently has more than 12,000 signatory entities in more than 160 countries.

### **Growing stakeholder expectations**

Increasingly, stakeholders are expecting their employers, the companies they do business with, their supply chain, and their vendors to do the right thing. It is no longer possible for companies to “fly under the radar.” They're expected to be clear and vocal about their vision, their values, and their purpose. Indeed, expectations today include companies' taking a position on social issues—having a voice and leading the way to address the biggest challenges facing society today.

In his 2019 letter to CEOs, the CEO of Blackrock, Larry Fink, made the following points:

- “Society is increasingly looking to companies, both public and private, to address pressing social and economic issues.
- Companies that fulfill their purpose and responsibilities to stakeholders reap the rewards over the long-term. Companies that ignore them stumble and fail.
- At a time of great political and economic disruption, your leadership is indispensable.
- The world depends on you to embrace and advocate for a long-term approach in business.

### **Why should lawyers care about the UN Global Compact and the UN SDGs?**

Whether you are working within an in-house legal department, in the public sector, or in a private law firm, all lawyers must familiarize themselves with these goals and the entire movement and understand what it means for their company, their firm, their employees, their clients, and their community. By understanding the Global Compact initiative, and the corresponding Sustainable Development Goals, lawyers will be better positioned to advise clients, to engage in their firms, and become active with their clients in support of this blueprint for a better planet.

Many of the signatory companies to the United Nations Global Compact are doing incredible work to advance the goals, as evidenced in annual “Communications on Progress” documents required of all signatory companies. Recognizing that “doing good” is NOT mutually exclusive to “doing well” but rather can contribute to better long-term, sustainable financial returns, businesses have made the goals strategic to their business.

They understand that a viable, sustainable society is critical to their long-term success. It is vitally important for their outside law firms to understand their clients' strategies in order to provide appropriate advice to achieve those goals and serve as partners in this work.

### **Goal #17 – Partnerships for the Goals**

The last (but certainly not least) of the UNSDGs is Goal #17—Partnerships for the Goals. This goal recognizes and reminds us all that it will take partnerships and collaborations of all types to make greater progress toward the goals than would be possible if working alone or independently. What an amazing opportunity for outside law firms to join their clients' efforts! What support could you provide your clients as they work to make progress toward the selected UNSDGs that are relevant and material to their business success? Collaborating with clients to make progress toward the goals is an incredibly meaningful way to strengthen the depth and breadth of the relationship, and, at least for the short term, may differentiate your firm.

Longer term, however, understanding and being engaged in the UNSDGs will simply be standard requirements for service providers and other vendors. Recently, one company's RFP required successful bidders to provide their firm's CSR policy and *to sign the UN Global Compact*. Just as clients drove the focus to improve diversity, equity, and inclusion within and amongst their outside law firms, so too will they be driving greater commitment and engagement in the UNSDGs. Law firms who recognize and embrace this movement will have an advantage over those who don't recognize this trend and its importance to clients.

### **A call to address society's most pressing problems**

The legal profession is an esteemed one. Serving as a lawyer is a calling as much as a profession for many. And just as stakeholders around the globe are expecting more from businesses, so to, does society expect much of the legal profession when it comes to addressing some of the greatest challenges facing civil society today. Who better to lead progress toward the UN Global Compact's universal principles on human rights, labor, environment, and anti-corruption than the global legal profession?

To paraphrase a sentence we all know:

***“Now is the time for all good men (and women) to come to the aid of their country ..., and indeed, their world.”***

### **Coming up**

In next edition's article, I'll share evidence of increasing interest in and focus on law firms' CSR and sustainability programs from recruits, employees, and especially clients—and how firms are responding (or not).

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### **About the Author**

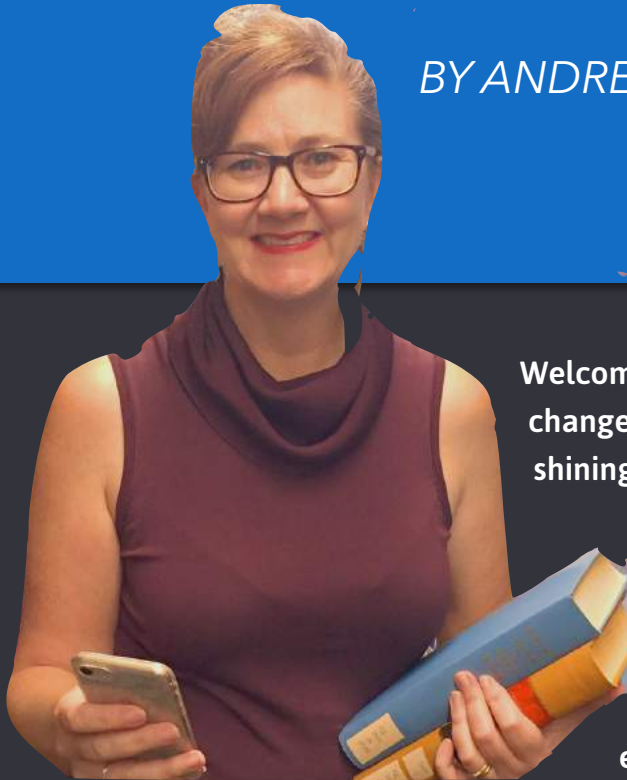
[Pamela Cone](#) has more than 25 years' experience in the professional services industry in marketing and communications roles, and more recently, building social responsibility programs in collaboration with clients and in alignment with the United Nations Sustainable Development Goals of 2030. She is the Founder and CEO of Amity Advisory, a consultancy to help firms strengthen their CSR programs beyond transactional to achieve truly transformational social impact outcomes.

[Read](#) or [Download](#) the **Report**



# Reimagining Justice

BY ANDREA PERRY-PETERSEN



Welcome to Reimagining Justice - a global podcast for the change makers in law and the first Australian-based podcast shining a light on issues at the intersection of law, social justice and innovation. Join Andrea Perry-Petersen, an Australian lawyer and social justice advocate, as she interviews guests from around the world who have discovered and implemented innovative ways to update the legal profession while improving people's experience of the law.

[Deconstructing law to reimagine self-help with Lois Lupica](#)

00:54:18

Apr 28, 2019

[Communicating the law through illustrated storytelling with Kanan Dhru](#)

00:36:37

Apr 14, 2019

[Robot lawyers and automating legal expertise with Chrissie Lightfoot](#)

00:50:59

Mar 31, 2019

[Persistence with purpose - one woman's entrepreneurial journey to improve access to justice](#)

00:44:08

Mar 17, 2019

[Understand the problem; learn by doing and collaborating - with Melissa Moss](#)

00:44:55

Mar 03, 2019



BY QUDDUS POURSHAFIE AND TESSA MANUELLO



Exploring what it means to be a lawyer/law firm of the future. Join Tessa and Quddus, two entrepreneurs working on each edge of the planet, bringing you the innovators that are pushing the needle and working on the avant garde across the globe.

Get a Glimpse of the Future of Law wit...

The Kaleidoscope Episode is a refreshingly creative Episode in which Tessa and Quddus feature stories from though | 36:24 | April 29, 2019 | [Listen to the episode](#)

Interview with Tyler Todd (1LAW) - on ...

Join Tessa and Tyler as they discuss the power of technology as a tool to increase trust and enhance communication ... | 30:04 | April 23, 2019 | [Listen to the episode](#)

Find your tribe: Legal Innovators...

In this episode Tessa and Quddus explore the different roles needed to support innovation in law firms and legal ... | 37:21 | April 15, 2019 | [Listen to the episode](#)

Beauty and the Law

Discover why beauty matters for the future of the law, and how to make the legal documents, services and products ... | 27:21 | March 26, 2019 | [Listen to the episode](#)

Legal Business World  
Podcast



# How to stop being ‘behind’

By James Côté, Legal Technology and Innovation Specialist, Bennett Jones SLP

There seems to be a sentiment pervasive in the legal blogosphere that lawyers are “behind”:

- “The pace of change in legal services is not slowing down while lawyers’ day-to-day practice of law continues to lag far behind” ([Remaking Law Firms](#))
- “Law Is Lagging Digital Transformation” (sic.) ([Forbes](#))
- “‘Change’ Is a Mantra for Law Firms, But Will They Tune In?” ([Law.com](#))
- “When It Comes to Innovation, Lawyers Are Being Left Behind” ([Lawyerist.com](#))

Given that “behind” is a relative term, you think that every other industry has totally reinvented itself. Yet that is emphatically not the case.

In 2018, McKinsey found that “[still less than 20% of companies](#)” have taken the challenge of “digital reinvention” head-on. That is 20%



of all companies across industries. A [2016 study](#) from McKinsey found that “84% of global executives reported that innovation was extremely important to their growth strategies, but a staggering 94% were dissatisfied with their organisations’ innovation performance”. That is a lot of people in a lot of industries who feel they are behind on innovation. Even [engineering](#) thinks its behind, let alone

professions more similar to law like [medicine](#) and [accounting](#).

It doesn’t matter the industry: the latest technology is not being used, the business models are out-dated, and nobody is willing to take ownership over making a change. These sentiments are so ubiquitous that casting aspersions on the legal profession as if it’s “so far behind” is not only counter-productive, it’s inaccurate. The so-called laggardness of law is not an industry-specific problem. It is a common challenge of human nature.

“so far behind” is not only counter-productive, it’s inaccurate. The so-called laggardness of law is not an industry-specific problem. It is a common challenge of human nature.

The reason for a gap between the sentiment of being behind and the reality is that if you are an innovator, your job is to live in the future. The vast majority of people do not and should not necessarily be equally committed to living in the future. Naturally, from the innovator’s perspective, they will appear to be behind. But “behind” is a relative term, so it’s worth asking: behind compared to what?

### **Bounds**

Realistically, how much should the practice of law incorporate new technology? Unless you know that, you don’t know which technology is worth really pushing for. And if, like most legal innovators, you tend to assume law is cursed to always be behind like some sort of original sin, then you end up perpetually chasing the newest thing. You risk being so far in the future that you alienate those in the present – i.e. the majority, including those running law firms – and become less helpful.

Here is an upper bound: being innovative doesn’t mean law should have the very latest in compared to other professions. Other professions have leveraged technology more than in lawyers because, frankly, it was much easier.

For example, both law and engineering made the transition from manual to digital drafting. Engineering could then leverage this transi-

tion even further because the main component of engineering – numbers – matches exactly the inherent strength of computers. The main components of law – words and human language – have historically been intractable for computers. The fact that computers naturally fit better in other fields is not the fault of lawyers.

We can summarize this upper bound with the phrase [strategy first, innovation second](#). While it is important to learn from others, it is also important to ask what works best in law. Being on the cutting edge generally doesn’t guarantee being more competitive in the specific market segment of your particular law firm.

As a lower bound, innovations must bring some relevant benefits to real law firm. Much like a fledgling magician without an audience, [an innovator without a customer is just another person with a quirky hobby](#). From an end user’s perspective, an innovation should be obviously better than what it aims to replace. If something cannot be settled by experiment or observation, then it is not worthy of debate.

We need these bounds because “behind” just isn’t a compelling argument for [most people](#). Unless something is making an improvement in a relevant way, all that’s left is a [moral argument](#). The [two hemispheres](#) of PeopleLaw and Organizational Law seldom overlap, so you have to make specific arguments for each one. While the moral argument makes sense for improving access to justice, it doesn’t have the same appeal for large law firms or the businesses they serve.

## Warnings

What you should not do is [turn your law firm into a start-up](#).

It's not that the Biglaw mentality (or the mentality of any other big company mentality) and the startup mentality are "[anathema to one another](#)"; the two mentalities are trying to accomplish different goals. As the start-up guru Steve Blank explains, "[Start-ups are not simply small versions of large companies](#)." Assuming otherwise confuses scale for culture.

Law firms still need to adapt to a changing marketplace, but a full-on start-up approach isn't the right way to do it. Start-ups are in search mode for a viable business model. "Search mode" does not describe an established business. The management that goes on in IBM, GM, and Boeing is not the same as start-ups. Most organizations probably prefer that their law firms have management practices they are familiar with. There are exceptions, but they typically involve lawyers with proven experience, suggesting that peace of mind generated by experience and expertise is still of chief importance.

I can imagine that most GCs would err on the side of stability when it comes to legal service providers, which rules out startups. [Startups, like mosquitos, tend to be an all-or-nothing proposition](#). And you don't generally know which of the two you're going to get until the last minute. Bob Ambrogi's [legal startup catalogue](#) evinces this extreme uncertainty: less than a third are labelled "Active" (217 of 704), the rest are presumably defunct.

## Tension

Saying lawyers are the cause of our legal innovation woes is tautological. Who else is there – paralegals? janitors? All cultural changes are difficult. The grass may seem greener in another profession, but it is just as hard to cut. While it sucks to have your innovation efforts picked apart, it is [the hard truth about innovative companies](#):

*Innovative cultures are misunderstood. The easy-to-like behaviours that get so much attention are only one side of the coin. They must be counterbalanced by some tougher and frankly less fun behaviors... intolerance for incompetence... rigorous discipline... brutal candor... individual accountability...and strong leadership.*

It is both expected and important that much of the legal profession maintains high standards toward new tech. In already being skilled at many of these less fun behaviours, lawyers provide the necessary tensions for having an innovative culture.[\[1\]](#)

Instead of first buying software and then fighting the uphill "battle" of adoption, it is important to see lawyers as key stakeholders and not as roadblocks. For example, David Cambria demands software meet the lawyers' rigid standards by flatly telling providers that if "[lawyers \[are\] required to engage 'in a single unnatural act,' the implementation \[will\] fail](#)." High standards plus strict boundaries on what technology to adopt will surely help reduce innovation angst, or at least outsource it.



## Conclusion

While other professions have gone further to integrate technology, they haven't necessarily gotten "ahead". Technology does not automatically make you more competitive. If the founder of a legal tech company that uses AI isn't worried about not being on the cutting edge, then you probably don't need to be, either:

*There is nothing in what we're doing that is exceptionally novel. We don't have a new algorithm. We haven't advanced the state of the art. All we've done is take the state of the art, and go long and deep on the actual application of it.*

I am all for seizing opportunities to make my organization more competitive. I believe there is massive room to make law firms more client-focused, more effective, and to draw on the complementary strengths of other professions. I believe there are many low-hanging fruits. And I think it is unhelpful to start out with the incorrect premise that lawyers or the legal profession are somehow inferior to other

professions. (Are you telling me that accountants are inherently more innovative?)

Making the argument that lawyers are behind because they haven't applied enough technology exacerbates lawyer exceptionalism. If lawyers have already overburdened themselves then why are we asking them to do more by overhauling their practices? The same engineer doesn't simultaneously design a building and build cutting-edge design technology. Innovators and practitioners need each other and together should strive for a balance.

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## About the Author

James Côté is a Legal Technology and Innovation Specialist at Bennett Jones LLP. He combines technology and innovation with business strategy to navigate the changing legal landscape. Before law, he worked as a journalist, entrepreneur, engineer, and farmer.

*Views and opinions expressed in my articles are my own.*





# Breach

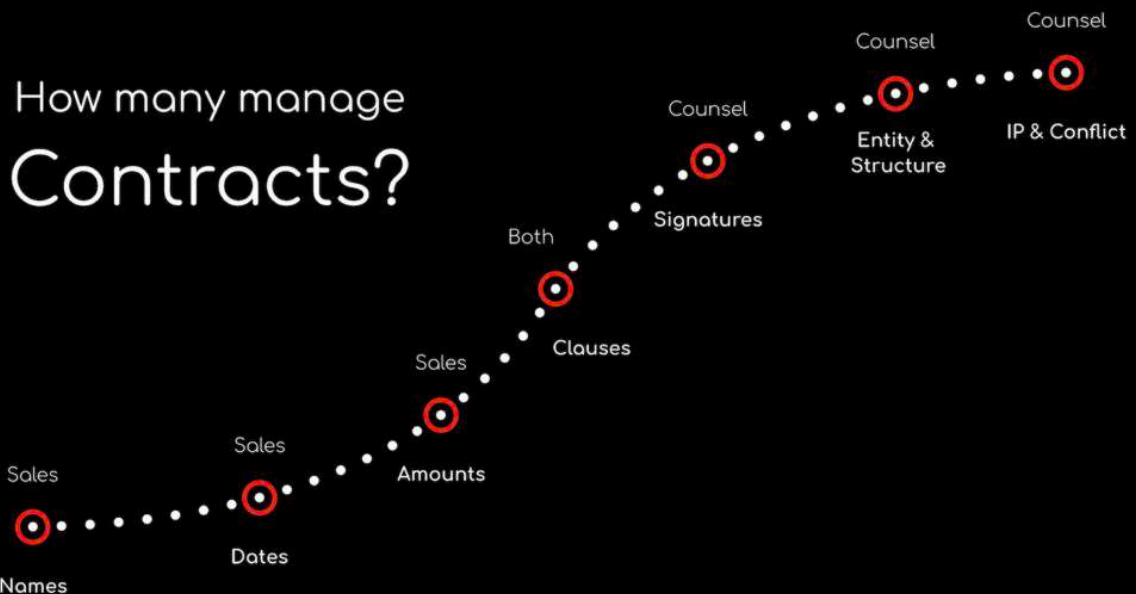
## New Players in Contract Management

By Raymond Blijd, CEO [LegalComplex](#)

Traditionally, managing contracts was a byproduct for lawyers. The real money was in drafting new or reviewing existing ones. Not anymore and here's why.

### Gates

Our society is glued together by agreements. Contracts are the engine of our economy. At the top we have treaties and at the lowest level, we use courtesy. In between these levels, we have thick layers of agreements drafted by legal professionals. Ranging from the simple employment contracts to the endless user agreements we all click thru. The more money is at stake, the more intricate the contracts become and the harder they are to manage.



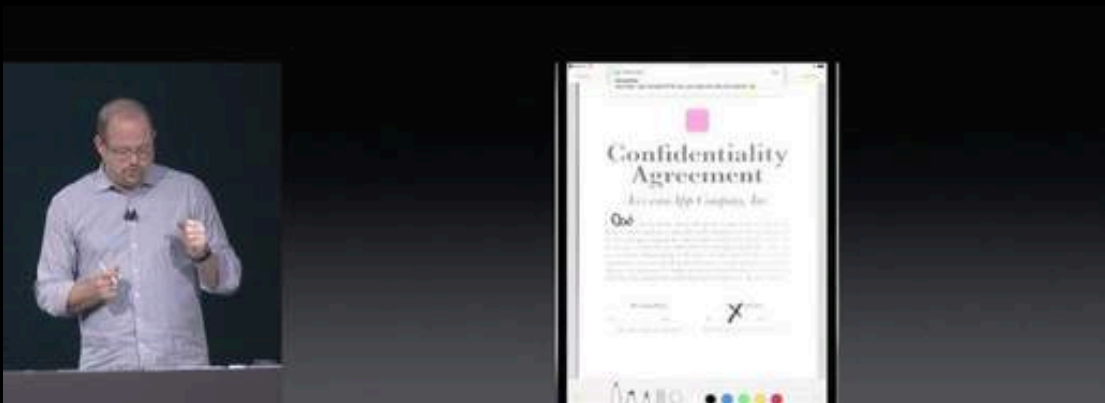
Understanding contracts and their financial impact are vital to any successful enterprise. Most company revenues depend on having signed contracts with their customers. Likewise, the value of a company is measured by the signed agreements with the correct stakeholders. Therefore, two essential economic elements are the text in the agreement and the signature of the parties.

## Barbarians

While the text part sat comfortably in the realm of the lawyers, the signature section provided an opening for everyone to storm the gates. We previously discussed the [DocuSign IPO](#) and [Dropbox acquisition](#) of Hellosign in the larger context of Legal-Tech.

*Update 1: DocuSign [invested \\$15 million](#) in Seal Software*

Better yet, even Apple demoed their eSign solution on stage back in July 2017.

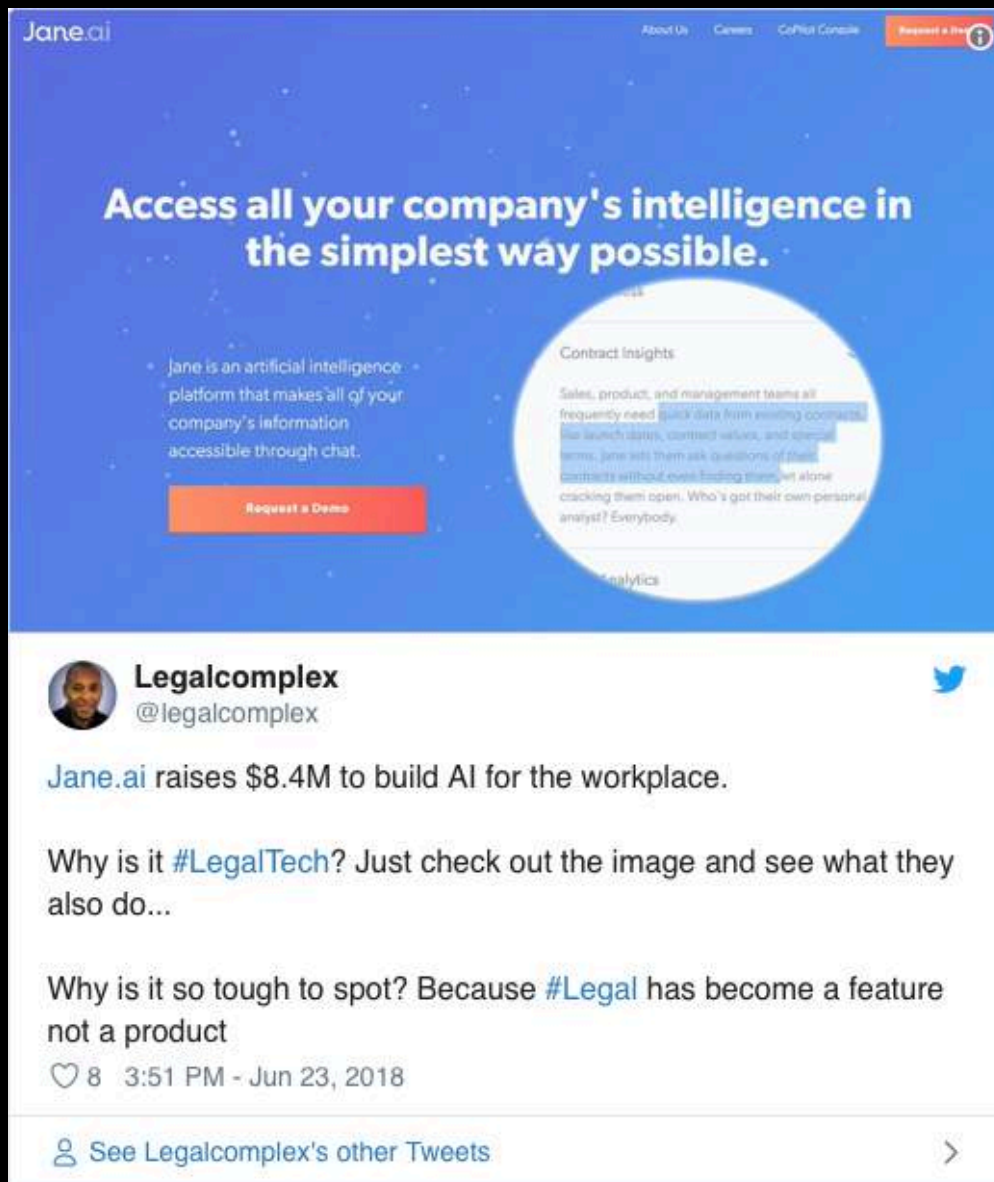


However, there are more pathways into this universe of contracts and these are provided by the text sections. More precisely: the facts and figures parts of a contract like names, dates, and amounts can be fed to a machine.

New entrants armed with machine learning skillset are now able to fire at this fortress for lawyers called contract.

## Breach

These new players in the contract management space can also draw on great entrepreneurial skills. They position themselves more attractively as a Google for your enterprise and appeal to a broader market. This enables them to raise a war chest of capital.



The image shows a screenshot of the Jane.ai website and a tweet from Legalcomplex. The website has a blue background with the text "Access all your company's intelligence in the simplest way possible." and a "Request a Demo" button. The tweet from Legalcomplex (@legalcomplex) is dated June 23, 2018, and discusses Jane.ai's \$8.4M raise and its AI capabilities for contract management.

Jane.ai

About Us Careers CoPilot Console Request a Demo

## Access all your company's intelligence in the simplest way possible.

Jane is an artificial intelligence platform that makes all of your company's information accessible through chat.

Request a Demo

Contract Insights

Sales, product, and management teams all frequently need quick data from existing contracts. For launch dates, contract values, and open terms, Jane lets them ask questions of their contracts without ever loading them, let alone cracking them open. Who's got their own personal analyst? Everybody.

Analytics

**Legalcomplex**  
@legalcomplex

Jane.ai raises \$8.4M to build AI for the workplace.

Why is it #LegalTech? Just check out the image and see what they also do...

Why is it so tough to spot? Because #Legal has become a feature not a product

8 3:51 PM - Jun 23, 2018

See Legalcomplex's other Tweets

Managing your contract has now become this juicy add-on for any text or data analytics company in the world. Any data point which can harm your enterprise is a risk to be analyzed with SmartTech. So after millennia of dominating contracts, attorneys may have to capitulate to machines on reviewing and managing them.

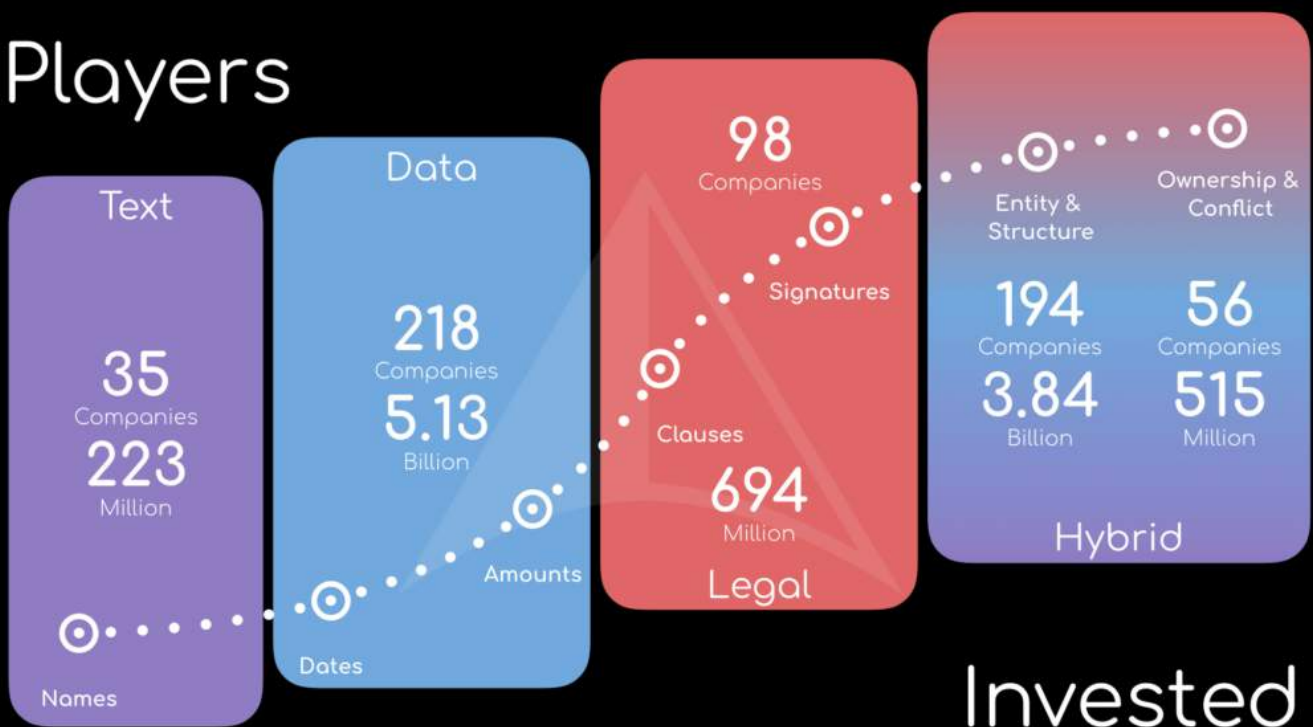
### Arena

Now once we took this lens and calibrated it to find contract management solutions, we discovered these dormant LegalTech

companies. We started looking at these creatures in May 2018 and revealed the first draft landscape in [December](#). Like Jane.ai, their ammunition is hidden in mission statements, product descriptions, use cases or customer testimonials.

If we round them up and calculate their collective investment capital, you see the numbers in the image below. We mentioned the battle-harden gladiators from the Sales (Quote to Cash) and Customer Relations Management (CRM) arena in the [Exits analysis](#).

## Players



## Invested

## Unchained

Now every Cloud Storage, Document Management or Machine Learning solution looking for a problem will have a peek at contracts. It will get tougher to explain to an engineer that a contract is not a math problem. Especially when lawyers created endless fields of text for a machine to mine.

### Update 2: Google came to party

In the end, this should not be collision but a collaboration between industries. For the sake of a safe society, having more clarity in contracts would be beneficial to everyone.

Especially when you realize that this legacy mechanism of a contract in text is in a race against a smarter competitor on Blockchain.

**Legalcomplex** @legalcomplex

It just dawned on me: @Google may be the only company on this planet that can honestly claim: we use #AI in #LegalTech

**Legalcomplex** @legalcomplex  
Breaking: (at least for me) @Google is entering #LegalTech and will help you manage #contracts ...Thanks to @lawhackers for making me aware #WeKnewThisWasComingcloud.google.com/solutions/docu...

Google Cloud | Why Google | Solutions | Products | Pricing | Getting started | Search | Docs | Support | Console

AI & Machine Learning Products | Contact sales

### Document Understanding AI use cases

- Document and content management**  
This solution enables companies to digitize, classify and extract knowledge – such as form fields, text passages, tables, and graphs – from thousands of documents. It helps to organize and store knowledge graphs and other extracted data for easy search, query consumption, and actionable insights.
- Digital transaction management**  
In domains like contracts and real estate agreements. Document Understanding AI extracts insights from thousands of stored documents in order to perform semantic question answering, clustering, and classification.
- System integration**  
This solution scales document management across multiple industries – such as finance, legal, and healthcare – for custom entity extractions and representation in a knowledge graph.

4 8:52 AM - Apr 19, 2019

See Legalcomplex's other Tweets

More from Raymond: [Click Here](#)



# Global Legal HACKATHON

## Finals Gala in **New York City**

Ten teams will advance from the virtual semi-finals to the Finals Gala on May 4, 2019.

Access  
to Justice



4 Teams

Improving the  
Business of Law



4 Teams

**GROWL**



2 Teams

# An Industry in Transition: Legal Services “Market of the Future”

By Nita Sanger, Chief Executive Officer of Idea Innovate Consulting

The legal industry is in a state of transition, with a shift in the demand and supply balance between Law firms and Corporate Legal Departments (CLDs), as the practice of law moves from a lawyer-centric guild to a customer centric marketplace. This shift is driven by changing customer requirements, which in addition to legal advice now include the need for superior customer service, increased collaboration with legal advisers, adjacent business services (i.e., legal project management, business analysis), and transparency with matter management and pricing. The Alternate Legal Service Providers (ALSPs), defined as niche companies that specialize in providing high-demand legal services entered, the market to meet this gap in services and are essentially focused on the



“business of law”, leveraging a combination of legal, business and technology capabilities, to augment customer (both corporate and law firm) expertise and improve their efficiency and effectiveness.

With the recent announcement of EY’s acquisition of Pangea3, the industry is at a tipping point. This move will act as a catalyst for change across many other players in the industry. The other Big

Four firms (Deloitte, PWC and KPMG) will likely make significant moves in the market to gain market share, along with other Alternate Legal Service Providers. Also, with the sale of its outsourcing business, Thomson Reuters will potentially renew its focus on creating an ecosystem of information services and solutions that will push other players to act to stay competitive.



## The Current Legal Services Ecosystem

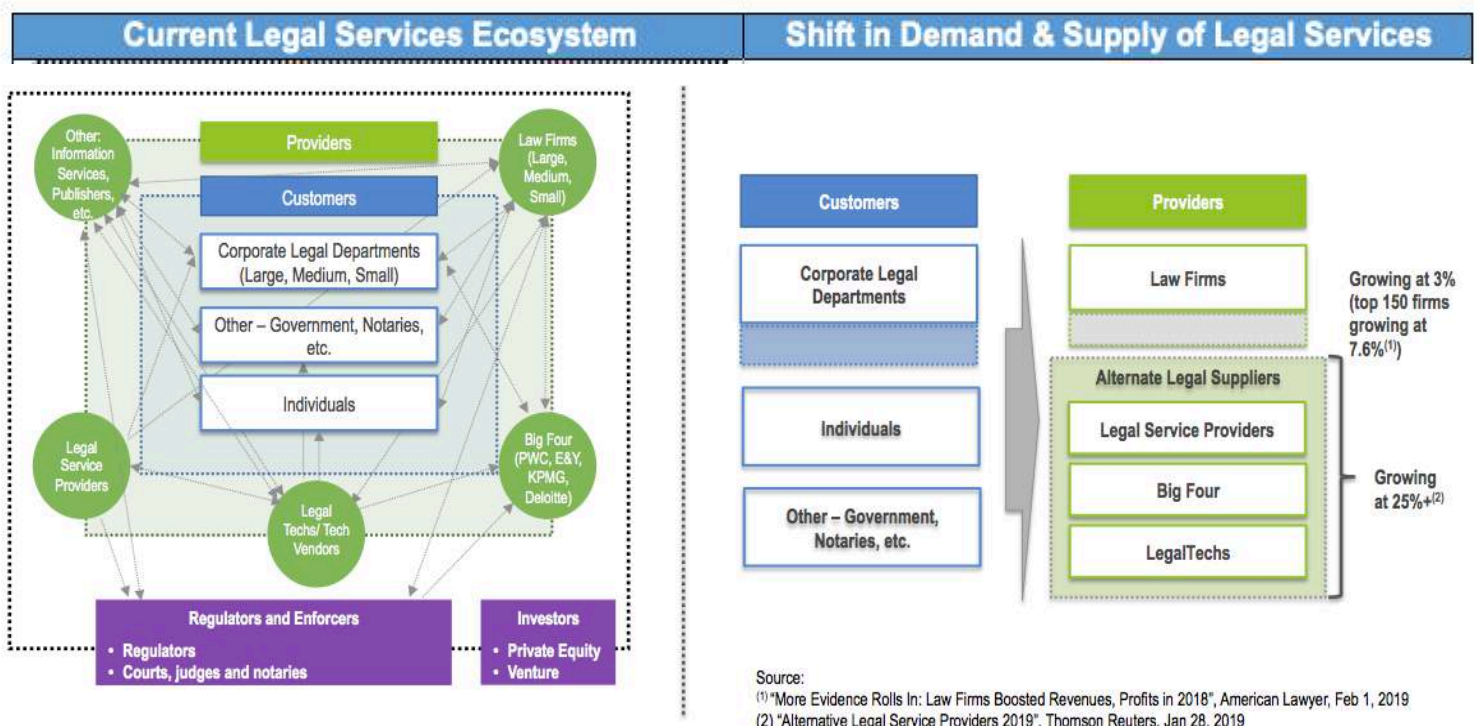
The current legal services ecosystem is split between the *Customers*, or the users of legal services, and the *Providers* of those services. The regulators, enforcers and the investors are part of the ecosystem but currently not directly involved in buying or selling of services. The most influential *Customers* are the CLDs responsible for one-third [1] of the total 2017 global spend of \$849 billion.[2] Individuals spend more than corporates in total; however, they do not have the same clout.

Of the *Providers*, law firms focus on the “practice of law”[3] globally, along with the Big Four, who can provide legal advice in other countries, but are currently restricted from doing so in the United States. The rest of the *Providers* focus on the “business or law” as-

sisting and supporting law firms to run more efficiently and deliver legal advice. There is a shift in demand and supply of legal services, as the market is moving from a seller’s market, dominated by law firms, to a customer centric buyer’s market, with several non-traditional sellers entering the market, i.e. Alternate Legal Service *Providers*, Big Four and Legal Techs (usually startups founded with the purpose of disrupting the traditionally conservative legal market).

## The Legal Services “Market of the Future”

We expect that in the next five years, the Legal Services “Market of the Future” will look different from today, in terms of providers of service, how the customers access legal advice; and services split of revenues among providers.



## **Providers of Service**

There will be a shift in the *Providers* of legal services depending on the type of service:

*Tier I: Legal Advice* – Currently on average, within a Big Law (nickname for the nation's largest law firms, usually the AmLaw 100) firm, approximately 45%<sup>[4]</sup> of revenues (for the mid to small-tier firms this % is slightly higher), come from senior-level legal advice, usually provided by managing partners and partners, while the remainder of the work is done by junior associates who prepare materials for the partners to review and present.

This advice will continue to be provided by law firms, and by the Big Four. However, there will be an increase in non-traditional forums for delivering legal advice outside the law firm model, such as tech-enabled platforms of legal experts.

*Tier II: Other Legal Tasks* – This includes activities such as document drafting and analysis, contract creation, research, insights, case prep, etc. Within law firms, a majority of junior and senior associates' time is currently spent doing these activities. They are less expensive than partners. However, a good portion of the law firm's revenues come from hourly billing for this group.

In the near term, many of these tasks will be brought in-house by general counsels, leveraging technology to perform them more efficiently and effectively; be sent to external legal service providers or kept within the law firm. If law firms perform these tasks, they will face downward pressure on fees, as clients will push for flat rates and the use of technology to improve efficiency.

*Tier III: Commoditized Legal Tasks* – These are the tasks such as document review that are currently given to low-cost contract and staffing service providers. With the advancement of technology, these tasks will be entirely outsourced and likely become even more standardized and cheaper with the use of technologies such as Robotics Process Automation and Artificial intelligence (AI).

*Legal Operations* – These are non-revenue generating tasks such as project management, business analysis, billing, expenses, etc. These tasks will be outsourced to Alternate Legal Service Providers.

## **Customers Access to Legal Services**

The shift will be driven by how customers access legal services. From being totally expertise- and relationship-driven, it is starting to shift to being expertise driven, enabled by technology tools and solutions.

This trend will continue to grow, with Large CLDs working with a small group of law firms for personalized expert legal advice, while outsourcing legal operations, commoditized legal tasks, and many other non-specialized legal tasks, to the Alternate Legal Service Providers, augmented by technology.

*An increasing number of mid- to small-CLDs and individuals* will look towards tech-enabled platforms and ecosystems to help them identify and work with an expert legal service provider on a case-by-case basis.

*Governments and local municipalities, notaries, etc.*, which have historically been slow to adopt change, and often tend to be process

driven, will also move more of their information, content, and services online. This trend has already started in many European countries, and will likely spread to other geographies, as those countries and governments use technologies such as blockchain, IoT and AI to leapfrog ahead of more established geographies.

### Split of Revenues

The legal services industry is highly fragmented. Of the total 2017 global spend of \$849 billion, no single player has more than 1% market share. In 2017, the top 200 law firms combined earned \$135 billion [5], or 16% of the market revenues. The small to mid-sized law firms generated the largest portion of legal revenues, ~40 to 50% [6], within North America. This region has the smallest portion of revenues from the mid- to small-law firms. The Alternate Legal Services market was ~\$10.7 billion [7] in 2017, which makes it 1% of

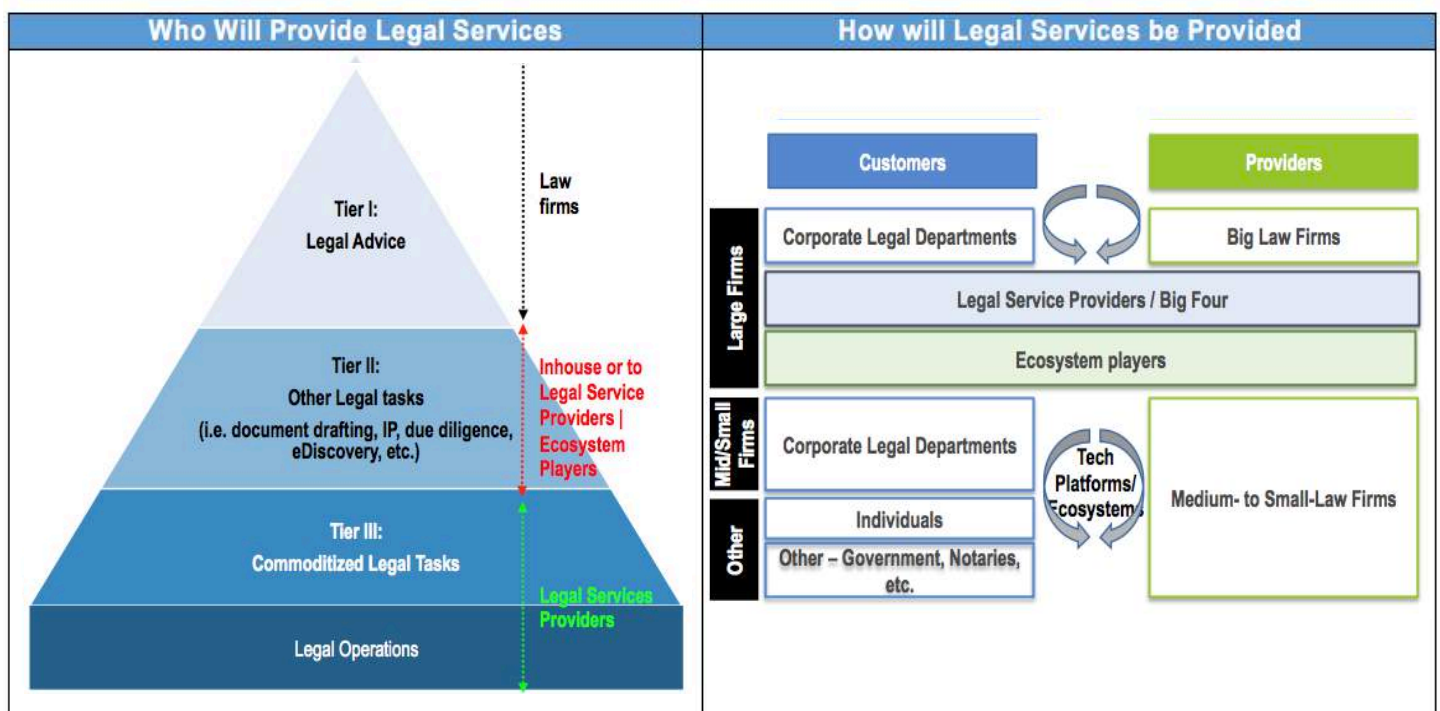
the legal market. This market is expected to grow to \$55 billion by 2025 [8].

Over the next few years, additional legal revenues will shift towards the Big Four, Alternate Legal Service Providers and tech-driven ecosystem/platform players, as customers become more comfortable leveraging technologies for “business of law” and “practice of law” activities.

Firms that will gain market share, and revenues, in the Legal Services “Market of the Future” will be those that:

- Create tech-enabled platforms for the mid-to small-law firms to use for service delivery, which can span multiple geographies and areas of practice;
- Develop an “Uber-like” tech-enabled platform or marketplace to connect demand with supply for legal services catering to the mid-to small-tier segment;

### Legal Services Market of the Future



- Create ecosystems or platforms, aligned with the customer journey, for delivery of legal advice.

Providers that will have limited success will focus on:

- Humans, to deliver services to customers, due to downward pressure on fees, combined with the increased cost of finding and retaining the right talent;
- Focus on niche (practice, industry, local) solutions, with limited scalability.

Overall, the numbers of lawyers will increase, given the rise in potential threats in new and developing industries, and therefore legal risks arising from the use of existing and new technologies. However, it is likely that many of the lawyers will sit outside the existing law firm structure and leverage other ways to de-

liver legal service to customers, as the younger generation of customers gets more comfortable with tech-enabled solutions for legal service delivery, as they have for getting products and services across many other industries.

### Impact of Market Shifts on Players in the Legal Services Ecosystem

The legal services market is a multi-billion dollar industry and is expected to continue to grow over the next few years, with the increase in risks for corporations and individuals, related to regulations, cybersecurity, and privacy. This creates a significant opportunity for the strategic providers of legal services to gain share.

The impact on the various players in the Legal Services ecosystem is likely to be:

Customers	Providers
<p>Large* CLDs will likely move more of the “business of law” Tier II, activities in-house or send them to Alternate Legal Service Providers, enabled by ecosystem players, with a goal to drive efficiency and effectiveness. All Tier III and legal operations activities will be sent to low-cost service providers. The CLDs will only reach out to their law firms for high-end legal advice.</p> <p>Overall external legal spend will be further reduced, legal advice will be obtained from a few elite law firms, and the rest of the services will be outsourced to Alternate Legal Service Providers.</p> <p><i>* The size of the firm or corporation is used as a proxy for the size of the CLD.</i></p>	<p>Big Law firms will continue to focus on Tier I activities, and provide legal advice, leveraging tech-enabled solution suites or ecosystems aligned with their customer journey.</p> <p>Their organization size, structure, and talent-mix will look different from those currently in place. They will be smaller, move from a pyramid shaped apprenticeship model to a “rocket-shaped” structure, with a combination of legal professionals, more tech and non-legal business professionals internal and external Tech and Alternate Legal Service Providers. The overall firm revenues will likely decline, as many of the low value, high margin activities will move away to Alternate Legal Services Providers or to in-house Legal Counsels.</p>
<p>Medium to Small Corporate Legal Departments will likely stay small or shrink further and outsource all their “business of law” activities to service providers, and use tech-enabled platforms, to work with specialist law firms for legal advice.</p>	<p>Medium- to Small-Law firms will use tech platforms or ecosystems to provide legal services.</p> <p>Many of the mid- to small-law firms will need to consolidate, form partnerships or move online to deliver services to their customers more effectively and to gain scale.</p>

Customers	Providers
<p>Individuals will likely use more online platforms for obtaining legal advice at more reasonable costs.</p>	<p>The Big Four will likely use a multi-disciplinary business model, and leverage their people, process and technologies capabilities to provide customer-focused legal services, and advice, where allowed, to corporate customers.</p> <p>This group will likely have the most significant revenue gains from the legal services market offering a combination of specialized consulting services, managed services for operations and low-cost outsourcing services.</p>
<p>Other groups such as the government, notaries, education institutions, etc., will also likely use more online resources for services and information and reach out to law firms for very specialized advice.</p>	<p>Other Alternate Legal Service Providers, i.e. Elevate, Axiom and others, will face market pressure from the entry of the Big Four into this space. They will need to evolve the services that they provide. Significant opportunities exist for growth with the expansion of the legal services market.</p> <p>The provider(s) that will succeed in this market will be ones that can create and run the ecosystem. It will be hard for law firms to run the ecosystems unless they can form a consortium to share problems and solve for them collectively through sharing information and expertise.</p>
	<p>This environment will require LegalTech's, Tech vendors, i.e. Microsoft, IBM, etc. and Service and Information providers i.e. Thomson Reuters, LexisNexis, Bloomberg and Wolters Kluwer, , to form strategic alliances to better serve the customers, aligned with their customer journey.</p>

The current fluidity in the market provides a significant upside for **Investors (VCs and PE firms)** to invest in LegalTech's that can come together to create the ecosystem and capture a large share of the market

### **Approach for Providers to be Successful in the Legal Services “Market of the Future”**

There is no single approach for a firm in the legal service industry, to position itself for success in the Legal Services “Market of the Future”. The approach that each firm would need to take would depend on its current role in the ecosystem, market position and its vision for the future.

The tech trends that are likely to impact the legal environment most significantly are, the pervasive use of AI (i.e. natural language processing, machine learning, natural language generation), and the connections between people and businesses, as well as between devices, content, and services, to deliver digital outcomes, enabled by Internet of Things, cloud computing, and blockchain. While it is true that technology is and will continue to impact the legal industry significantly, it is valuable to remember that no one should lead business transformation with technology. The focus should be to set the vision for the future of the business and then look at people, process and technology to achieve that vision.

One potential approach for players in the legal ecosystem to position themselves for future success could be to leverage the “ABCDEs for Legal Success”[9]:

- **A**ssess the state of the market and business, and then determine the “market-place of the future”;
- **B**uild a vision for the firm’s “business of the future” and develop a plan of action;
- **C**reate a culture of change;
- **D**esign and create innovation;
- **E**xecute on the plan.

### **The Future**

The legal services industry will continue to evolve in the next few years. The *Customers* of legal services are going to continue to demand increasingly personalized legal advice at reasonable costs, like what they obtain from service providers in other industries such as financial services, retail, information, etc. They are also going to get increasingly comfortable using online and crowdsourced legal service providers.

Most *Providers* are already investing in innovation, and the technologies that are enabling them, to provide improved customer service, working with their customers to co-create solutions and services that best meet customer needs: hiring talent with business expertise in running agile, process and goal-oriented organizations, and outsourcing commoditized work to alternate organizations. The key to success for *Providers* will be to focus on solving the most pressing needs and pain points of customers through adopting technology and

efficient change management .

### **Notes**

[1] Legal Executive Institute, Thomson Reuters, Nov 2018

[2] Tech change driving forecasted \$1011 billion global legal services market, Global Legal Post, June 2018

[3] Practice of Law Definition: The giving of legal advice or of representation of another as an agent in a court of law or through rules of court, or in the preparation of legal documents or in dispute or contractual negotiation. The exercise of the profession of barrister, solicitor, attorney or lawyer.

[4] Discussions with CIOs and Innovation leaders from Sherman Sterling, BlankRome, Baker McKenzie.

[5] List of Largest Law Firms by Revenue, Wikipedia.

[6] Legal Executive Institute, Thomson Reuters, Nov 2018

[7] 2019 Report on the State of the Legal Market, Thomson Reuters

[8] “The Big Four Are Coming For You,” Global Legal Chronicle, Oct 11, 2018

[9] Proprietary approach developed by Idea Innovate to transform and grow revenues for businesses in legal services.

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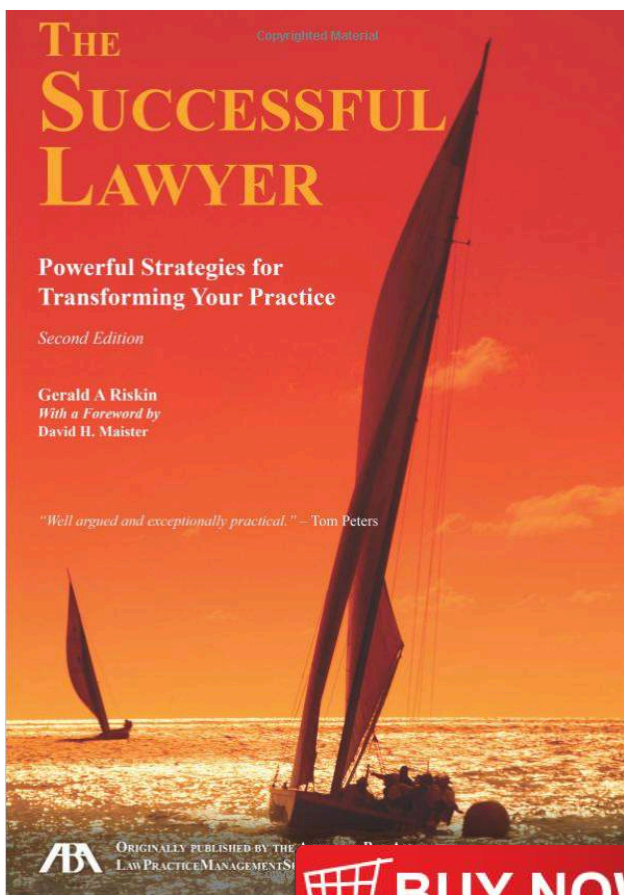
### **About the Author**

Nita Sanger is the Chief Executive Officer of Idea Innovate Consulting, a boutique strategy consulting firm focused on accelerating growth of firms in Professional, Financial and Legal Services. Nita brings over 25+ years of experience in strategy consulting and execution focused on innovating, transforming and growing various global businesses for large

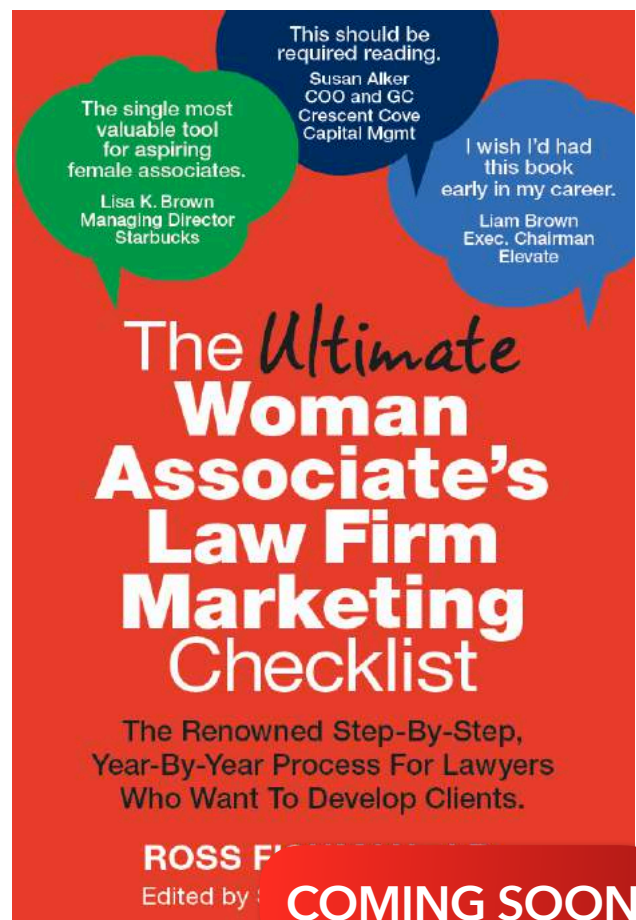
and mid-sized firms, and start-ups in the services industry. She has expertise in setting the vision for several cross-functional global businesses, and then defining and executing on the long-term strategy to grow the business. In her previous roles, Nita has mapped out the vision for the future of the market and redefined the business model for the firm or business. Nita focuses on strategies to drive consistent results and ensure exponential growth. Nita has es-

tablished and advised multiple start-ups focused on disrupting the services sector. She brings domain expertise in the application of various technologies to transform the business, i.e. AI / Cognitive, Internet of Things, Blockchain, Crowd sourcing, Crowd funding, Analytics, etc.

She can be reached at [nsanger@ideainnovate.com](mailto:nsanger@ideainnovate.com)



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# REINVENTING PROFESSIONALS



This podcast series is designed to offer ideas, guidance, and perspectives on how to effectively navigate a perpetually shifting professional landscape, with a unique focus on the legal industry and the technology that is driving its evolution. [Click on the podcast to listen](#)) By [Ari Kaplan](#), Legal Industry Analyst, Speaker and Author

## **Promoting Access to Justice Through Tentative Rulings in California**

I spoke with Crawford Appleby, a Los Angeles-based transportation accident and qui tam attorney with Baum, Hedlund, Aristei & Goldman, PC by day and legal tech entrepreneur by night. He recently launched [Rulings.law](#), a free, online database of tentative rulings written by California state court judges. We discussed his background, the genesis of [Rulings.law](#), how attorneys can use the site, what the creation of [Rulings.law](#) indicates about the trends associated with predicting case outcomes, and advice for practicing lawyers interested in becoming legal tech innovators.

## **How the Growth of Legal Operations is Changing Corporate**

I spoke with Jodie Baker, the founder & CEO of Xakia Technologies, a matter management and legal data analytics software company for in-house legal teams. She is also the deputy chair of the Australian Legal Technology Association and co-chair of the Advisory Board to the Centre for Legal Innovation at The College of Law. We discussed the genesis of Xakia, how the use of tools like Xakia differ between small and large legal departments, ways that the growth of legal operations is changing corporate legal teams, and the trends driving the expansion of Australian legal tech.

## **Coding Legal Apps With No Code**

I spoke with Kim Massana, the president and CEO for Neota Logic, a low-code application development platform used by a variety of organizations throughout the legal community. We discussed his new role at Neota Logic, the advantages of low-code application development, and key use cases for this technology.







My name is Isabella Galeano. I release new podcast episodes in English y en castellano I'm a lawyer focused on legal innovation, legaltech and legal design, a law professor at Esade Law School, and host of The Quirky Lawyer Podcast. I share groundbreaking content on legal innovation, legaltech, and legal design to inspire lawyers and contribute to the transformation of the legal sector. (Click on the podcast to listen)

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Miriam Gonzalez: a conversation on critical issues for the future of the legal industry [English]  
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## Your Personal Legal Brand (Part II)

# How to Create and Maintain Your Brand

By Jaimie B. Field, President, The-Rain-Maker (A division of Marketing Field, LLC)

A few months ago, Legal Business World published an article I wrote entitled [“Your Personal Legal Brand: Why You Need One and How To Begin Creating”](#). In it, I began by detailing the 10 reasons why you need to create your own personal legal brand and finished with the 5 general steps to creating that personal legal brand. It is the last part of the article that is going to be expanded upon in this piece.

Again, for our purposes, we will define personal legal branding as the process of creating a recognizable name for yourself and your practice. And the five steps to creating your personal legal brand should be followed in order to help you achieve your goals.

### Step 1: Determine Who You Are

Who are you?

Your identity is made up of a mass of qualities that are more than just being a lawyer. You may be a mother or father; you may be married or single; you may have blond hair or no hair; you may be short or tall; you may be an introvert or an extravert. All of these are just the characteristics that go into creating a person who is uniquely you.

Like snowflakes or fingerprints, no two people are alike. Even identical twins are different – although often thought that they were exactly alike, [they do not have identical DNA](#) and have different fingerprints.

So even if you are a personal injury attorney, there is no other personal injury attorney exactly like you.

Determining who you are in the context of creating your legal brand allows you to distinguish yourself from the other attorneys practicing. What is the personality or persona that you want to portray to the world? It's not about faking it; it's going to be about being authentic to your true self, but it's also about deciding the "face" you want to show to the legal buying public.

Nowadays, we live in a world where people are revealing "TMI – too much information". Many people are living their lives on the internet (think Kardashian). However, you are a professional with a number of ethics rules that you must heed. And, you must understand that your personal and professional lives cannot be bifurcated; they have become one and the same because of the internet.

When you are determining who you are for your personal legal brand – or maybe I should say your personal AND legal brand – you have to decide what you will and will not share with the world.

As a Rainmaking Trainer and Coach, I do believe that you should share yourself with your potential clients and referrals sources, but you don't have to share everything. You want people to get to know who you are, in addition to what you know, so provide them information which is appropriate for your legal brand.

There is an old adage you may have heard: "People do business with people they know,

like, and trust." Let them get to know you – but think before you post.

## **Step 2: Determine What You Do**

"I am a lawyer"

Is this how you respond when people ask you what you do for a living?

Well, you and over 2 million people in the world (I have been trying to find the exact number of worldwide attorneys but cannot find a resource – if you have one please contact me) can say the same thing. So, you narrow it down by your practice area. But, even then, there are possibly hundreds, or thousands, or tens of thousands of attorneys who practice in the same area.

Like determining who you are, you have to determine what you will do and won't do for your clients. What makes you different from the other attorneys out there? Think outside the box for a way to differentiate yourself from the other attorneys who are practicing law in the world.

Once you have determined your difference, set your sights on becoming a subject matter expert and find a way to let others know that you are the go-to-authority.

## **Step 3: Determine Your Ideal Clients**

After you have established who you are, and what you do, you must determine your ideal clients. This is one of the first exercises I insist that my coaching clients perform when we begin working together.

In every Rainmaking Training and/or Seminar I conduct, I try to impress upon the attorneys with whom I am speaking that they cannot be all things to all people. In addition to the massive quantity of attorneys across the world from whom you must distinguish yourself and your practice, applicable laws change practically every day. Imagine, if you could, trying to keep up with all of the different laws that make up a practice. Imagine being a criminal lawyer, an admiralty lawyer, AND a matrimonial (divorce/custody) lawyer all at the same time and having to know the answers to all of your clients' issues.

Now, before you say it can be done, and I never said it couldn't be done, answer this question: if you were having a heart attack, would you rather go to a doctor who is a general practitioner or a Cardiologist? Your clients and potential clients feel the same way. They want to know that the attorney they hire has extensive knowledge into the problems that are keeping them up at night.

The most successful attorneys are those who have positioned themselves as possessing expertise and specialized knowledge. But in addition to creating a brand as the go-to-authority in their practice area, they have also created criteria that describe the clients with whom they would work. This is called niche marketing or target marketing.

Every attorney in the world would like to be "a big fish in a big pond", but you need to grow into that position. Start by being a "big fish in a small pond" by creating a list of characteristics you want your clients to fit. Then, just as you became a subject matter expert in your

practice area, become an authority on what makes your clients tick. What makes them happy? What makes them sad? How do they like to be treated?

The characteristics you choose for your ideal clients can be based on any criteria and the following list is certainly not exhaustive of the options you can make part of your ideal client description:

- *Age*

Do you want to represent children? The elderly? You can choose a particular age range and try to fit it into your practice area.

- *Location*

Where are your ideal clients located? Are they local? Statewide? Country-wide? Are they overseas, for example, expats?

- *Industry*

What industry are they in? For example, if you are an employment attorney you could represent employees/employers in the tech industry; or how about the restaurant business.

- *Hobby*

What do you like to do during your time off? Are you an avid reader? Then how about representing authors or publishers? I know an attorney who has turned his hobby for craft brewing into a thriving career representing other craft brewers in his state in their business dealings.

- *Gender*

Male, Female, Non-binary – it doesn't matter; you can choose to represent clients based

solely on their gender. In fact, this has worked very well for a United States national “boutique” firm of matrimonial & child custody lawyers that only represents the men in the equation.

- *Ethnicity/Religion*

Do you speak a second language? Are you well connected in the ethnic group with which you identify? A client of mine is conservative in his religious beliefs and very involved in his house of worship. I have suggested to him that he use that to his advantage by becoming the lawyer to those people who are part of his religion and who fit into his practice area. Another client speaks fluent Tagalog. To her, I suggested that she find organizations which are Filipino based.

When you have become well known in your target market then you can expand outward to dovetailing niches, if you so choose.

#### **Step 4: Using Rainmaking and Marketing Tactics to Build and Promote your Personal Legal Brand**

With your list of characteristics that describe your ideal client (and yes, you should write it down), you can now figure out where your ideal client is congregating or hanging out. Whether it is online or in person, your ideal clients will join associations, belong to neighborhood groups, and generally associate with each other. They will read the same magazines, blogs, websites. They will watch the same videos.

In addition, they may have their own “language”. And I am not just talking about a lan-

guage other than your native tongue. I am describing the language of the industry or niche. Remember, you, as an attorney have your own language – also known as “legalese” – which uses Latin phrases to describe various legal terms. You have to learn that language and begin to communicate with your ideal clients in their chosen dialogue and dialect.

Unfortunately, the parameters of this article preclude me from providing specific steps on how to use the plethora of business development and marketing tactics you can use to build and promote your personal legal brand. However, here is a non-exhaustive list of ideas, in no particular order, that you can use:

- Networking
- Industry Associations
- Hobby Groups/Sports Leagues
- Writing for Industry or Hobby Based Publications
- Public Speaking
- Cross Selling Systems Within Your Firm
- Referral Systems
- Public Relations
- Blogging
- Video blogging
- Webinars
- Websites
- Attorney Bio
- Guest blogging or posting
- Podcasting
- Social media
- Business cards
- Audio business card which is also known as your “elevator speech”
- Email signature

And this is just a short list. There are literally hundreds of ways to promote yourself and your personal legal brand.

### **Step 5: Maintain and Manage your Personal Legal Brand**

This final step is about maintaining and managing your personal legal brand. As I wrote in the first article on personal legal branding, your brand must continuously be placed in front of your ideal clients and target audiences. Out of sight is out of mind. You must remain visible, with the message YOU want to get out, as often as possible. It is about being omnipresent within your target or niche market. They need to see your name and information about your practice all of the time. However, you need to be in charge of this.

As long as you are in control of your brand, you can weather some of the hits you will inevitably take from some “troll” out there. Internet trolls have existed since day one of the world-wide-web; they will always be around. Someday you may wind up with a negative review of your legal services. But, you do not have to let it affect your personal legal brand. If you are in control, then you have the ability to address the criticism (as long as you do not violate the ethics rules of your state or country) in a manner that preserves your personal legal brand, but this is for another article at a later date.

I will end this article the exact same way I ended the last one. No, it is not out of laziness but out of a sincere desire to hammer this home:

### **The good and bad news when creating, maintaining, and managing your personal legal brand**

The good news is that you can build or change your personal legal brand any time you want. As long as your personal legal brand is authentic to your personality, you have the ability to add new descriptions of your ideal clients and niche markets at any time.

However, there is bad news and it is something you truly need to know: your brand can change instantly if you are not in control. All it takes is one bad review by someone who is unhappy with you, your services or the outcomes, or one bad online post or tweet by you and if you have not taken control of your brand, it can be destroyed instantaneously.

Regardless of whether you are a solo attorney or a member of a giant firm, regardless of whether you work in-house or in private practice, you are the person who must be in control.

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#### **About the Author:**

[Jaimie B. Field](#) has been involved in the legal industry since the age of twelve. She worked at her grandfather’s law firm in NYC and her father’s firm in New Jersey during breaks from school. It was because of that experience that she wanted to attend law school and become an attorney. She enjoyed her years at Temple University School of Law in Philadelphia and was lucky to obtain a job upon graduation as an in-house associate for a start-up entertain-

ment company owned by the Jackson Family. As it was a brand new company, there were very few people on staff, so she began being called upon to perform tasks other than those related to law, including business development, marketing and public relations. It was there she discovered a passion and natural talent for that aspect of her job.

Thus began a 25 year odyssey to learn and apply all aspects of marketing to help companies grow.

Even though Jaimie was fully entrenched in the marketing arena, she had never gotten far away from the law. Companies she worked with would enlist her help with projects which utilized the skills and knowledge she learned in law school.

Seeing a business opportunity, Jaimie opened Marketing Field, LLC in 2002. It would become a marketing and business development consultancy devoted solely to law firms to help them grow by finding ethical solutions to getting new clients and marketing their firms.

In 2008, Marketing Field's focus shifted. In addition to marketing, Jaimie had been training and coaching her clients to become Rainmakers, growing their books of business. Now, as THE-RAIN-MAKER she spends all of her time teaching attorneys to become rainmakers. She truly believes that anyone who has the ambition and drive can use their individual personalities to create the law practice they want with the right teacher. As her tagline says: *Rainmakers are not Born, They are Taught.*

Her seminars are always entertaining and informative and she has found a way to motivate attorneys when they can't seem to motivate themselves. She works one-on-one with lawyers, provides live and telephonic group training, works within law firm settings to provide bespoke training to the attorneys which meshes with the culture of the firm and provides workshops and on-site Rainmaking Seminars with Ethics CLES.

[Read Part 1 here](#)



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# Legal Operations: Getting More from In-House Legal Departments and Their Outside Counsel

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# Why A.I.-enabled KM solutions are the foundation for law firms

By Ellery Sutanto, Chief Business Development Officer INTELLLEX



*“The most important contribution management needs to make in the 21<sup>st</sup> century is to increase the productivity of knowledge work and the knowledge worker.” Peter Drucker,*

*Management Challenges for the 21<sup>st</sup> Century, 1999*

Law firms are in the business of procuring knowledge workers (lawyers, paralegals, and professional support lawyers) and explicit forms of knowledge (for example: regulatory guidelines, legislation, templated agreements), and synthesising, value-adding to, and selling this knowledge in the form of legal services and other work products to clients [1]

In his seminal paper *“The Nature of the Firm”*, Nobel laureate Ronald Coase posits that firms will grow in size if they can lower procurement costs and internalize as much of their production as possible. Applying Coase’s theory to the practice of law, firms which can accrue large cost savings relating to knowledge aggregation, capture, and retrieval – collectively, knowledge management (“**KM**”) - will develop a competitive advantage.

Law firms seem to intuitively understand this, and have placed importance on collecting existing knowledge which can take the form of internally developed templates, closing sets for a completed transaction, legal opinions rendered in a previous matter. However, aggregation of knowledge is only the first step in an effective KM strategy. For KM to become a driver of a law firm's profitability, it should aim to create an ecosystem of tools, processes and a culture that will efficiently deliver the *right knowledge* to the *right lawyer* at the *right time*.

Thus far, implementing effective KM has been considered a "nice-to-have", or a luxury afforded only to the largest law firms. The main reasons for this are that the leadership teams of law firms have struggled to quantify the business impact; additionally, lawyers find KM tasks to be tedious and burdensome, even if they acknowledge the benefits.

We would argue that the time has come for all law firms, regardless of size, to re-evaluate their approach to KM: KM is no longer a luxury, but is an imperative for law firms to succeed in the current landscape. This change is driven by a confluence of factors: clients expecting to have legal services delivered efficiently, the advent of modern technology to handle Big Data, and the lowered cost of using these technological tools.

### **The Change: not all time is money; Time is revenue for law firms.**

The basis of a law firm's charging model is the billable hour. Even with more firms offering alternative fee arrangements, the billable hour still remains the reference point for how legal

services are priced. With the billable hour model, there is little incentive for lawyers to spend time on thoughtful organization of work product from concluded matters. For example, in transactional teams where closing sets or transactions bibles have to be delivered to clients before the final bills are paid, it is typically the most junior member of the team who is responsible for creating this set, and often without consideration for electronic retrievability or search functionality thereafter. This is the case even though lawyers in transactional practices very frequently refer to closing sets as precedent documentation. In the absence (or inability) to retrieve relevant precedents, lawyers wind up spending hours trawling through poorly catalogued content and re-drafting documents which may already exist. For as long as the client is happily paying for the time, the billable hour remains king.

However, clients' expectations are rapidly changing. In a recent study of 1,400 legal matters across 400 law firms[2], General Counsels found that flat fees arrangements have been effective in reducing legal costs without compromising the quality of work. This led the authors of the study to conclude that the demand for flat fees would continue to grow. Through our conversations with law firms in London and Asia Pacific, we've seen that firms are experiencing this pressure in a slightly different manner. Lawyers say they are often pressured by clients to write-off activities which were previously billable. These include **research** ("*Aren't you supposed to know your work? Why are you billing me to 'do research'?*"), **template selection** ("*You claimed to be experienced and yet you're charging me so much to draft a simple*

*contract?”), and **project management** (“Your firm ought to be using technology to improve efficiency!”).*

If unbillable tasks are not managed more effectively, then the flat fee and other similar alternative fee arrangements will always be a squeeze on a law firm’s resources. It is here that KM initiatives can help attorneys be more efficient will be accretive to their firms’ profit margin.

In addition, KM can also help generate additional billable hours. The success of law firms is commonly measure by their “profit per equity partner” (PPEP), which is driven by **averaged realized rate, margin, utilization rate, and leverage** [voetnoot]. KM can improve law firms’ **leverage** [3] by helping senior lawyers and support staff make the best use of their time, allowing them to deliver additional, high quality work [4].

### **The Challenge: no man is an island**

While there is no agreement on the exact scope of KM, literature generally considers KM to span access the following activities:

1. Capturing or documenting knowledge;
2. Packaging knowledge for reuse;
3. Providing access to knowledge via various retrieval mechanisms; and
4. Utilizing knowledge to generate new insights.

The biggest challenge that we have heard consistently from clients is that the knowledge

that they need to access are of different types which exists in silos and across multiple data stores. Examples of data stores include document management systems for documents and emails, matter management software for matter and billing information, content management sites for internal know-how, and external databases (e.g. WestLaw, Practical Law, PACER etc.). It requires tremendous effort merely to search for knowledge across these multiple data stores, leaving little time and resources for the other KM activities.

This insight is reinforced by our finding from a recent workshop conducted by Thomson Reuters. As part of our [incubation program](#) with Thomson Reuters Labs, we participated in the Design Thinking workshop with Knowledge Managers from various firms. The participants converged on the desire to have their data integrated on a single interface, with a consistent way of classification and a seamless knowledge retrieval experience across the different data sources.

From a technology perspective, it is neither difficult nor novel to build an aggregated platform which connects to different sources of data. Many technology companies have tried to address this via enterprise search or federated search solutions. The real difficulty lies in how these disparate sources of content would be indexed for the purposes of ranking the results and providing a unified search experience thereafter. If the data in question is similar in nature but merely comes from different sources (think travel fare aggregators, mortgage broker websites), it is possible to apply the same index to achieve satisfactory results. However, if the types of data are different—

which is the case with knowledge required by a lawyer— the index will have to be sufficiently generic to be applied to all types of data. Following this to its logical conclusion, a data aggregator platform for legal KM will work well only for the lowest common denominator of all types of data, i.e., keywords.

Unfortunately, keyword search is insufficiently precise for lawyers. It is unable to distinguish between the different usage that a word may have. For example, “consideration” is a legal term of art under contract law and sees popular usage with its everyday meanings in legal documents (“policy consideration” or “consideration of mitigating factors”). Further, keyword search requires Boolean operators in order to refine a multi-word search query. A lawyer will have to break down a search on shareholder disagreement into “deadlock” AND “shareholder” AND “Russian roulette” so that the search does not return results regarding locking a shareholder in Russia!

Technological progress made over the last 15 years have made people realise that search augmented by artificial intelligence can help them surface better results for their search. This can mean a single platform aggregating knowledge from disparate sources, organised and ranked in ways which would facilitate discovery by users.

### **The Cure: of metadata, taxonomies, knowledge graph, and machine learning**

On the question of how knowledge from different silos should be integrated, we are a firm believer that “the first step to sanity is filtering -filtering the information to extract for knowledge. Filter first for substance. Filter second

for significance [5].”

The “substantial” and “significant” information which we are interested in may be informed by a document’s metadata, which is data about the document (or file, if the document exists electronically). More specifically, the metadata can describe the contents of the document. On an electronic system, the metadata would allow us to filter and automatically classify documents into dimensions consistent with the mental model which lawyers have when they are recalling knowledge documents. The dimensions mentioned may be structured and guided by different taxonomies, but can be made to align for standardisation.

This might sound complicated, but it actually happens on a regular basis in a law firm. Consider this example: After reading a commentary, you determine that it has answered questions about transferring shares which may be relevant to a specific client. You want to retain it on your computer and organise it in a folder representing the “client ID”; Next, you create a sub-folder to indicate the “matter number”; within the “matter number” folder you further distinguish, via *more* sub-folders, the different types of document that you will prepare for this client; finally, you create *even more* sub-folders within “client advice” to represent the various potential legal issues relating to this matter. You’re happy with this organization and save all your future files accordingly. By following this organization system, you have intuitively created a system of taxonomies and a structure to assemble these taxonomies. The great tragedy of this story is that such file administration is crucial for future knowledge discovery, by you or your colleagues, yet

extremely time-consuming and unbillable for lawyers.

But the heavy lifting of organization and classification according to defined taxonomies may be done by pre-trained machine learning models. Hours of tedious KM work can be reduced to minutes, and it avoids the problem of having inconsistent taxonomies.

Another thing to note in the example above is that the human brain is remarkably able at establishing context when reviewing information. However, as good as humans are at creating connections between unstructured data and establishing context, we are extremely constrained in the amount of data we can monitor and evaluate [6]. Technology can assist humans in overcoming this obstacle, by plotting this mass amount of data onto a “graph”. A “knowledge graph” makes use of description logic to represent a collection of interlinked entities relevant to a specific domain. The knowledge graph does not just list entities, but also represents their interdependent properties and relations. Especially relevant to the legal industry is that knowledge graphs can also contain entities like documents [7], from the different data sources and also a law firm’s internal know-how being represented side-by-side.

Most importantly, artificial intelligence, as applied on knowledge graphs, allows inferences through the relations and assertions relating to the entities. An example would be if “floating charge” IS A “charge” && “charge” IS A “security”

So a lawyer who searches for “security” will see results relating to “charge” and “floating charge”.

With the use of a knowledge graph to power search, it is thus possible to uncover links between documents from different data sources and allows for a more comprehensive way for lawyers to retrieve relevant knowledge.

### **Closing remarks**

The competitive landscape in the legal services industry is rapidly adapting to its clients’ expectation to deliver more with less. In this Information Age, all law firms face the challenge of information overflowing from disparate sources. Law firms that learn to harness the power of modern technologies in their design of a comprehensive KM strategy will be well positioned to turn this challenge into an opportunity. With the right technology, process and culture in place, we are confident that the KM imperative will help law firms achieve better business results in this new age.

If technology-enabled KM interests you, do join us at the [Thomson Reuters KM Forum on 8th May 2019 in London](#), where we will be speaking on this topic. Do reach out to us or Thomson Reuters for more information.

### **Notes**

[1] The Digital Business Law Group. “Search, Knowledge Management, and the Practice of Law”. 2009

[2] AdvanceLaw. “GC Thought Leaders Experiment”. 2018

[3] Matthew Parsons. “Effective Knowledge Management for Law Firms”. 2004

[4] The Digital Business Law Group. “Search, Knowledge Management, and the Practice of Law”. 2009

[5] Marc Stiegler (1998). [Davids Sling](http://books.google.com). Retrieved from <http://books.google.com>

[6] A Forrester consulting thought leadership paper commissioned by Microsoft. “Extending the value of AI to Knowledge Workers”. 2019

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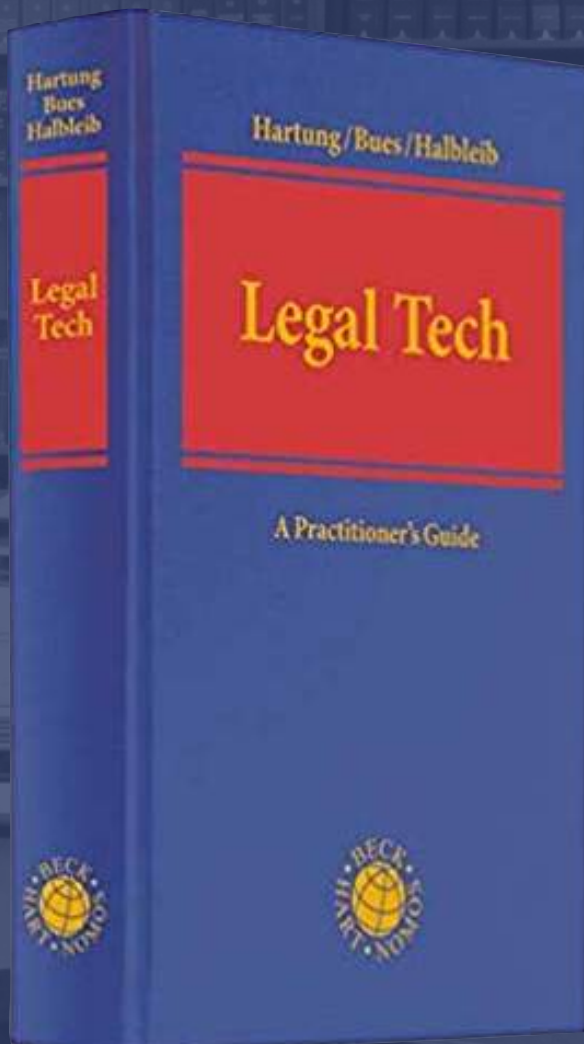
## About the Author

[Ellery Sutanto](#) heads business activities at INTELLEX, evangelizing the strategic importance of Knowledge Management (KM) in the legal industry. In his role, Ellery consults with different stakeholders at global law firms to help them understand how technology might be implemented to actualize their KM strategy. Ellery is one of the co-founders of INTELLEX, a Singapore-based company that provides artificial intelligence powered KM solutions for legal professionals. Ellery can be contacted at [ellery@intelllex.com](mailto:ellery@intelllex.com).



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## MUST READ

Markus Hartung, Micha-Manuel Bues,  
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This new handbook comprehensively analyzes the current and future states of digital transformation in the legal market and its implications from a global perspective. It provides a multi-faceted overview of the use of Legal Tech in law firms and legal departments in different parts of the world (including Africa, Australia, Brazil, Canada, China, Europe, Russia, and the United States) and formulates clearcut strategic advice for a successful digital transformation. With

concrete examples, best practices and first hand experience reports, more than 50 renowned international experts explain how and to what extent Legal Tech - through automation and technology - will change the way legal services are delivered. The reader learns what strategic decisions and steps are necessary to equip the legal industry for the changes to come. Future developments (e.g. Smart Contracts, Blockchain, Artificial Intelligence) are also explained and analysed in this unique book.



# Are Lawyers Thinking as Business Owners or Employees?

By Kimberly Rice, President and Chief Strategist of KLA Marketing Associates



In all my years of working in the legal services space, I've concluded that there are two types of lawyers: those who have a book of business and those who work for those who do. Which are you?

A major fact that law schools do not disclose to unsuspecting law students is that if you are a private practicing lawyer, you are a business owner. You never heard that from a law school professor or law firm leadership. Yet, the fact remains. Whether or not you have clients, is a whole other story.

It is troubling that highly capable individuals spend three years of their lives to attend and graduate law school, take the bar exam and are admitted to a state bar(s), ready to do whatever it takes to advance their legal career and not a peep did they learn about generating business. How can that be?

Now that you have been enlightened to the reality of the business of law, what do you need to know?

Below are a few boxes to check off to expand your business owner mindset (and to view your legal practice as a business to build and grow).

- Do you carve out at least 10-15 hours a month on relationship building activities with “targeted” audiences?

**Note:** *First, you must know specifically whom your ideal client(s) is....what is the job title of the individual who can retain your legal services and/or refer you to those who can? This is critical.*

- Instead of focusing on what work you can “get” from someone, you must focus on how you can *help* others in connection with solving a problem, protecting a client, preserving a tangible and/or capitalizing on an opportunity. These considerations are a mark of a savvy business owner.

- Consider ways to help existing clients/referral sources/prospects by keeping them abreast of ongoing changes (such as legislative and/or economic) that may affect their business (positively or adversely).

- Fish where the fish are. Attend networking and organizational events where your clients and prospects go where you can learn more about your clients’ (and/or prospects’) business and interests. Doing so is essential to foster relationships with potential buyers of your services. Remem-

ber, individuals want to work with those whom they know, like and trust. That will not happen with you sitting behind your desk.

- Know who your clients’ top competitors are. Further, you can request that your in-house knowledge manager gather competitive intelligence so you can advise your clients on ways to stay a step ahead of them.
- Create a process to get and stay connected with your existing clients, reliable referral sources and targeted qualified prospects. Since you are “chasing relationships, not work”, regular and frequent communication is key.

Often, clients ask, “I don’t want to bug anyone, what am I supposed to say to them”? Heard that question hundreds of times.

The *right* answer: as a business-building lawyer, you know what your clients and qualified targeted prospects read to stay abreast of industry news and for professional development. Because you have created at least one Google alert to gather similar information, you reach out to them regularly to pass along a nugget of information which is relevant, timely and topical to your clients and prospects.

First, you must stop analyzing as a lawyer and, instead, consider how *helpful* you are being to alert your client/referral source/prospect of information that will be valuable to them. A quick email such as, “Hi Susan, I came across this news clip and thought it may be potential opportunity. Best regards, Liz”.

useful for your next business meeting. I'm happy to discuss ways we can capitalize on this potential opportunity. Best regards, Liz".

Second, keeping in mind that getting on a prospect's radar requires 7-10 "touchpoints", there are numerous ways to "get and stay connected". Some examples:

- In-person meetings (coffee meeting, meals, sporting events and/or other in-person events).
  - Regular e-blasts with information that your prospects/clients will find timely, topic and relevant to their business and/or personal interests.
  - Each of these modes of communications may be reinforced with regular social media posts (such as blogs and/or news of your professional activities/accomplishments).
- Offer to present to and/or speak with your client's team (non-billable) on a potentially damaging (or novel) legal development and strategize ways to get in front of the development.
- Understanding that many new matters originate from satisfied clients and referrals, some say as many as 50% per year, be sure you invest in meaningful, continual relationship building to bring value to these growing relationships.

Beyond knowing a birthday, their children's names and activities or their favorite vacation spot, you build business relationships with the knowledge of your prospects' business because it is *key to them*. That is thinking as a savvy business owner.

Yes, all of these activities require time - - a lot of it and a measurable marketing action plan (to help you stay focused, organized and to provide the needed structure) that is dynamic and often changing.

Despite newer lawyers who are often in a position in which they do not control their own schedule, you are motivated to find a way through well-defined systems and automation to remain steadfast in developing your own book of prosperous clients.

### **DANGER, DANGER**

- As a new lawyer (less than 10 years of experience), it can be discouraging to invest what little time you have into relationships, without knowing for sure whether they may convert to paying clients.

Yes, that is why you must be very methodical when defining your "targeted, qualified prospect" to ensure you are "fishing where the fish are". There, in fact, may be more than one target such as an industry-based client profile, a different referral source profile (likely a professional which serves the same industry-based client as you, such as a supplier and/or vendor), and yet a different type of referral source profile (such as other lawyers who may be a natural referring source, given their area of legal focus).

- From lack of clarity of your "ideal client", you may be discouraged when you compare yourself to peers, who appear to have it altogether with respect to their business-building direction.

We see this all the time. I empathize. Because each area of legal focus has different target clients, you cannot fairly compare or even view through the same lens your practice the same way as your lawyer colleague. There is no “one size fits all” approach to building a prosperous business. You are likely in the problem solving business, which involves human beings. When you deal with individuals in any capacity, there is always unanticipated variables.

- As a savvy business owner, you take the long view. I love the quote, "Don't judge each day by the harvest you reap but by the seeds that you plant". -*Robert Louis Stevenson* – when considering building a prosperous book of business.

So, now you understand the required mindset shift to think and view your legal career as a business-building journey, which will have plenty of twists and turns. It is not a linear process, which often throws lawyers off.

As a well-informed business owner, you know:

1. The profile of your ideal client(s)

2. Where they go and what they read
3. Their business or greatest concerns (SWOT – strengths, weaknesses, threats and opportunities)

You are well on your way to building the career of your dreams by helping others in a way only you can. Isn't that why you became a lawyer in the first place?

**Now, build away!**

---

### **About the Author**

Kimberly Rice is President and Chief Strategist of KLA Marketing Associates (klamarketing.com), a business development advisory firm focusing on legal services. As a legal marketing expert, Kimberly and her team help law firms and lawyers develop practical business development and marketing strategies, which lead directly to new clients and increased revenues. Kimberly is author of recently published [Rainmaker Road: A Step-by-Step Guide to Building a Prosperous Business](#). She may be reached at [kimberly@klamarketing.net](mailto:kimberly@klamarketing.net).

A dark blue banner with a background image of several people in business suits. The text "NORDIC LEGAL TECH DAY" is written in large, white, bold, sans-serif capital letters across the top. Below it, in smaller white text, is the tagline "The annual event about the digitalization and development of the legal industry".

# NORDIC LEGAL TECH DAY

The annual event about the digitalization and development of the legal industry

# Are we trying to build a House for a Tsunami?

Why we need to shift our perspective on change as we transition into the Future of Law

By Quddus Pourshafie, Founder of Futurelab.legal and Future of Law missionary

The legal industry is going through a significant period of change. It is no longer a question of whether change will affect us, but more a preparation for when. Leaning into change requires a lot of our energy, focus and time. I thought to share some of the lenses in which we need to explore what this

shift requires of us.

If you're confused by the title, read on to the end. Whilst this article is more focused on what Law Firms need to consider, it is equally applicable to in-house, and other alternative service providers.

## Vision

*Imagine standing on the balcony of your two-storey house on the coast, looking out onto the ocean. You can only see as far as the shimmer that falls on the furthest wave, knowing that it continues for what seems like an infinite stretch. It's a nice house, you've done your best to build it: you've envisioned what it could be, looked after it and renovated where necessary. The radio that plays music in the background is suddenly interrupted by an alarming beep followed by a message: "Warning! This is not a test. A Tsunami is heading for the coast. It will wipe out the majority of the landmass, evacuate immediately!" In that moment, time stands still. The primal concern is what to do next: What stays? What do I take with me? How do I survive? What could I build to ride it out? How long does it have to last?*

*You snap back to the reality around you - everything is about to change. It's time to build something to make it through the on-coming chaos. You think to gather those who are willing to build something to survive on and head to the workshop down the road...*

All journeys begin with a vision. A destination, state or feeling that we see before we achieve, arrive or attain. The process of transformation in the legal industry requires no less vision than any other. Your vision will determine your decisions and directions as you navigate change.

Importantly, all journeys bring a future state to the present. A future state is unstoppable and inevitable. **The calling, responsibility**

**and opportunity is in creating the means to prepare and build for when that future becomes the present, and reap the rewards.**

As Lawyers, Junior or Senior, and Firms in the legal industry (not to exclude other protagonists) we need to look forward 5, 10, 15 years, imagine, be creative and think about what could happen. We need to make notes on the way of the little things we pick up that are novel or beyond our current understanding, seek them out in the emerging innovations and map a path back to the present so that we can understand what would need to be done today, next week, month or year.

Some are gifted with vision while others focus attention in it and develop it to some degree. In any case, certain characteristics such as creativity build the capacity to have vision. As Legal Creatives' Tessa Manuello (a Future-Lab.Legal Partner) often says: "creativity can be learnt".

Creativity is often the first step into insight, discovery and bringing the unknown into the known. Creativity flexes the muscle that allows us to break from the mould of a linear way of thinking - allows us to explore and find the new.

Not everyone will have the disposition to learn this quickly and not everyone may have a clear vision that can be shared in an effective way. It is important for the stewards to recognise those who possess this quality or have a disposition towards it and allow them to cultivate and thrive in that space. They don't need to be your leaders, but they need to be given the environment to lead.

## Stewardship

*As you drive to the workshop, you begin to call on others to join you there - you call those who you had seen were eager and capable. You didn't worry about their age and experience, it was about bringing them together to work on something that would help everyone get through. You didn't have time to consider why they wouldn't be helpful - you purely focused on what piece of the puzzle they could be in a collective effort. You know each person would play a part - all with different talents and capabilities and would find their fit as long as the goal was clear. through. You didn't have time to consider why they wouldn't be helpful - you purely focused on what piece of the puzzle they could be in a collective effort. You know each person would play a part - all with different talents and capabilities and would find their fit as long as the goal was clear.*

*You pull into the workshop and start planning out the approach as others began to arrive and assemble...*

If we were to consider an individual who can empower others to make decisions for themselves and ultimately contribute to the collective, we are considering the concept of stewardship. Traditionally this is reserved for the senior and equity partners - who ultimately create the entity and are committed to partner with each other in a common endeavour. Stewardship is most certainly needed but the challenge currently is what the sentiment of the senior staff is in the face of fundamental change.

Where the most senior firm partners believe this change is not relevant to them, there needs to be a more nuanced conversation about their own equity losses resulting through failing to allow incumbents to thrive in a completely different reality that they faced. Or perhaps a legacy conversation where if it is important to them, their stewardship would navigate and bridge the closing of one era of practice and the opening of a new era of law. Both conversations have merit - both are tied to intrinsic values that are not to be overlooked.

In either case, one thing can be sure - it is now an existential threat to the current form of practising law that highly capable and intelligent lawyers will - more and more - opt out of the rhetoric that circulates in their traditional environments. "This is the way we did things" is becoming a weaker and less relevant conversation year on year. With some of the innovations in the way law is taught in university and more agile institutions now and the successive and iterative changes to what educating a lawyer of the future demands, it will be a lot sooner than expected to find a completely demotivated legal workforce restrained in a traditional model. The gap between generations has placed large differences in sentiment and expectations in how legal services will be delivered and our contributions to that legal service delivery.

In this situation, the concept of stewardship will be one where the incumbent is given the resources to truly thrive, the space and ability to share and eventually try their ideas out and carve a path forward for the future of the firm. I don't suggest it to be a space for free and aimless wandering, but stewardship requires

dedicated space matched with willingness to arrest the traditional thinking that leads us to believe those with less years could not possibly have something valuable to contribute.

Think for a second about the world you are leaving in the coming years as you plan to enter retirement. What is your motivation? To be abreast of all that is coming in your area of work? To be at the forefront of the changes and chances of the world? To steer and navigate your business through another storm?

These thoughts seem a little opposed to the concept of retirement. What then is the best possible value we can bring as an outgoing stakeholder? What does being a steward in this environment mean? Put differently: what gems can we find from within the mine of our business, to polish and clean and place on the mantle where we once were?

## **Behaviour**

*As you stare at the sketches laid out across the workbench, you find a few old drawings that had been mired by the smear of time. You brush the dust off to find there was some merit to some of your past ideas and for a brief moment you recognize the difference now was your sense of urgency, purpose and utility. You were struck by the way you were approaching this now that it was different, but it feels necessary in the circumstances. You realise now that you're forced to produce; pursuing the plans beyond a minimal effort or with apathetic approach.*

*You take a breath and center your thoughts to the task at hand - it's time to build some*

*plans, some process and systems to achieve the best result you and the others can achieve. As the others start to arrive with more frequency and the buzz of urgent chatter beings to reverberate across the workshop, you realise you need to follow genuine lines of inquiry to draw out as many perspectives and find the best solution...*

For every statement that's been thrown my way in the last two years about a problem or reason why "this wont work", the answer was found with a little more digging. What we have an issue with here in being future ready are two things: apathy in the current situation and a toxic lack of genuine curiosity.

As lawyers we are retained and paid to know or at least find the best answers. We are also really good at portraying that, particularly in litigious settings. But the reality is, the true value of that capacity lies in an overarching ability to use the inquisitive mind, robust logic, pattern recognition to augment a genuine humility, curiosity and desire to solve problems or create opportunity.

We can't fall victim to framing a new problem with old lenses, that's an express pathway to irrelevancy. We must be genuinely curious and passionate about responding to the needs and exigencies of what society requires of the law today. That is after all the calling of every advocate who serves this fundamental institution. There is no doubt that a first step in that direction by you will begin to unravel the skills and capacities, qualities and attributes needed to thrive in the future of law.



## Process

*Frantic, inspired voices fill the workshop space as everyone discusses the best way to build the boat. There are several concerns floated that seem to have the support of the majority: a lack of resources, insufficient time, whether the right tools and materials exist, who has the expertise etc. It becomes clear that there are several processes to pursue in combination which turns the groups focus to you. The silence lulls the room and eyes turn expectantly. You think about what would be the most important matter to share with the group and decide to start at the level of principle. You know any superficial attempts to solve a very real problem will cost lives.*

*What you realise as you begin to explain this to the group is that whatever we build here, both the boat and the team around it - the outcome is going to be fundamentally different to building your house that now sits vacant, waiting to be taken by the tide...*

A little further down the road of curious discovery comes the reality of how a Firm can make decisions to commit time, personnel and other resources to innovate while being squeezed in the current market pressures. Firms that feel they need to innovate most are often locked to their standard churn. This is another of those “this wont work” conversations and the part where a little further digging is required. I can share several ways in which Firms approach this.

One is to incubate an idea, appoint/elect a small team who will be able to solve a problem

or create an opportunity and allow them the time and resources to pursue the challenge. This pathway by itself can present challenges as taking too much time away from the revenue generating sources and adding funds to a project that does not guarantee a return is beyond the capacity of most firms because of the churn problem.

Another is to draw from an outside consultant or assessment which would generate a report or project to transform an aspect of the firm. This is an event-based process that can have varied results, and in reality is a gamble to ultimately delay the irrelevance of the firm. Transformation is not event-based, but seen better on a continuum.

Another method that reflects the procurement strategy of many firms is the simple licence purchase of some form of software followed by heavy marketing to the effect of “we are innovative because we use x software”. This is a desperate front and utilizes an empty marketing process and while there may be gainful improvements - it is the underlying purpose and intent that eventually rings true. The problem that this method does not solve, is buyer sentiment. Your current clients and more importantly potential clients are choosing more efficient means across almost all other sectors of their business. To think that marketing such as this will create anything but eventual distrust or distaste with the value that your firm provides is futile. This is a long game and providing “superior service” purely through marketing as a more advanced firm through purchase of a piece of software is not a long-term win, particularly for emerging buyers (“new money”) who bring a completely new set of expectations.

Which leaves another method: Education. But not in the “I have a law degree” or “I need to get my CPD (continual professional development) points” way. Certainly not in the “let me consult and write you a report” way. Education that is relevant to now, essential for the future and respectful of the past. Education that is modular in application, flexible and agile. Education that meets the needs of the Firm on its continuum of learning and importantly, empowers the Firm to recognise its own needs. This kind of education isn’t commonly found, largely because the surrounding structures don’t support it. There are few businesses set up to support firms in transitioning/innovating or even improving their odds in the current climate. Even so, what is important is the system underlying that process of education and I will outline what I have found as foundational elements below.

The process of education requires a system where:

1. Capacity is built in the Firm through regular education *and* accompaniment to be able to ideate, innovate and deliver changes both internally and externally.
2. Operates like an add-on where it generates and supports the learning as needed and can detach when no longer needed - giving flexibility to the Firm to balance their engagement/commitment, speed of progress with their business outcomes and cashflow. *Ultimately the goal is to empower.*
3. External overview, Analysis and Dot-Connecting including access both to a wide cross-section of individuals internally and to a broader external network to solve an issue or improve a situation.
4. An agnostic, merit based lens and attention on the latest technology offerings in the

market most appropriate to improving the situation at hand.

## Outcome

*Imagine standing at the helm of your boat, looking out onto the ocean. You can only see as far as the shimmer that falls on the furthest wave, knowing that it continues over for what seems like an infinite stretch. You also know to expect land at some point - it’s not what you’re used to but it is ironically what you also have to look forward to. In the meantime, you know the task is to steer as best as possible, to navigate this vessel to the stability of land. Anything you produce on the journey will be useful to the ultimate goal, the boat itself a testament to the important things needed to survive.*

*It’s a nice boat, you’ve done your best to build it - with your team: you’ve envisioned what it could be, how long it needs to last, looked after it and maintained it where necessary. The team that drives it, survives in it and everyone who is onboard knows they want the same ultimate goal, to find land.*

*You snap back to the reality around you - everything has changed. But the scene before you is far more promising than the one you had on your balcony just a few weeks ago.*

When we seek results as a business, we seek a product. A guarantee as advertised “or your money back” scenario. But what we’re faced with in the legal industry globally is a fundamental transformation that re-asses every facet of the delivery of legal services, the struc-

tures that surround the law, the practice of law and the law itself as a concept. There is too much change to think there is a product, or an answer that will solve all problems. In times such as these, as in any other fundamental transformation in society, the qualities and characteristics that created the opportunity to thrive are curiosity, creativity, focus, willpower and detachment. Importantly, the most useful we can be to each other in times such as these is by accompanying others along the path, whatever the path may be.

When you build a house on a coast, and the coast becomes vulnerable to a Force Majeure; say a tsunami, It no longer becomes a question of how well the house was built but a question of how well we're building a boat to ride it out. Additionally, if the resulting tsunami brings with it days, weeks or even years of unsettled land the most important thing will be whether we built this boat with days, weeks or years at sea in mind. The most valuable people in this situation will be those who can assist in building boats, who can assist in navigation and accompany those who seek to survive.

The outcomes we seek as a business in the current disruption need to be more like the boat, not the house - and more like the characteristics and realities of the boat, not the house. The Vision, the Stewardship, the Behaviours and the Process need to align with the boat and not the house. The services we call on to assist us need to treat it more like the boat and not the house. This is how we thrive in a time of change. The opportunity of a boat is far more abundant than the opportunity of the house in this situation. The house and resulting stability will come, but when? Without a doubt, the first to know will be those already sailing to the new frontiers.

## About the Author

Quddus Pourshafie has paved his own way in the Legal Industry after recognizing the traditional pathways were failing to align with the future practice of law. Since his admission, he has dedicated to solving the Legal Industry's biggest problem: transitioning into a future of law brought about by technological disruption.

Known for his ability to think laterally and connect the dots, Quddus has positioned himself to bridge the various protagonists in the legal industry to bring about the necessary transformation, making it his mission to assist those who are ready to tread that path.

Quddus also believes it is the first time in recent history where young graduates can change their value proposition in the market as a digital native.

Lending from his creative DNA as a musician and various entrepreneurial ventures, Quddus continues to grow Futurelab.legal and its projects with partners around the world to accompany Firms, Universities, LegalTech companies and Regulators of the Legal Profession and prepare them for the Future of Law.

You can reach Quddus through his website: [www.FutureLab.Legal](http://www.FutureLab.Legal) and connect with him via his social channels.

- Twitter: @QuddusOfficial
- LinkedIn: <https://www.linkedin.com/in/qudduspourshafie/>

The Future of Law Podcast: <https://anchor.fm/the-future-of-law-podcast>

Twitter: @TFOLPodcast

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# the Future of law Podcast

A portrait of Marion Ehmann, a woman with short brown hair, wearing green-rimmed glasses and a dark blazer. She is smiling slightly and looking towards the camera. The background is a bright, out-of-focus outdoor scene with green foliage.

# Frequently Asked Questions about Legal Project Management

By Marion Ehmann, lawyer, consultant and coach

*Legal Project Management: What is it? What is it good for? Why should we as lawyers care? Instead of an introduction, I would like to answer the questions that I as a practicing lawyer and expert for Legal Project Management get asked the most by other lawyers.*

## **What is Legal Project Management (LPM)?**

Legal Project Management (LPM) means applying proven tools from the field of Project Management to legal matters. These tools have been developed in order to solve complex problems (e.g. building skyscrapers, flying in space, developing software) within certain parameters. Those parameters include for example: the clients get exactly what they need, all involved know what to do, tasks are done in the right order and without duplication of efforts, cost budgets and schedules are (for the most part) met, etc.

Legal Project Management thus is a discipline that supports legal advice which is client-focused and effective as regards timing and costs.

## **What is the difference between Legal Project Management and other Project Management?**

Legal Project Management is one of several sub-categories of Project Management. There are Project Management tools and methods for e.g. building projects, research and development work or software development. Likewise, there are Project Management tools that are especially suitable for legal work. Furthermore, good Legal Project Management takes into account the way lawyers work and think, while still inviting them to re-examine some habits and modernize workstreams.

## **What exactly is a 'project' when lawyers are doing their work?**

The definition of 'project' is: a purposeful, unique endeavor consisting of coordinated and controlled tasks with start and end dates and which is undertaken in order to achieve a goal within certain parameters regarding time,

resources and quality. All our legal tasks hopefully have a purpose. We are well acquainted with start and end dates (aka deadlines). Each dispute, each agreement is unique, at least in its details. Our time and resources are (all too) limited and we always strive for quality. Good Legal Project Management adds the last part of the puzzle: coordination and control.

Therefore: Almost everything we as lawyers do, each matter and each file, is a project.

## **Why is Legal Project Management becoming increasingly important?**

Legal Project Management has grown big in the wake of the changes in the legal market during the recent years: A sellers' market has turned into a buyers' market where clients ask for "more for less" and have grown increasingly cost-conscious. Fixed fees or capped fees or budgets demanded by legal expense insurance or litigation funding institutions make good Project Management in legal matters necessary. If you are a lawyer getting paid in this way, but keep doing your work in the same way as before (when you just billed by the hour), you will have to write off money and you are living on the edge, financially speaking.

## **Who should be interested in Legal Project Management?**

All lawyers who give legal advice should know the basics of Legal Project Management, whether you are working in-house or are a partner or an associate in a law firm. Also paralegals and secretaries can take on important tasks in Legal Project Management, if they are supported and backed up in these roles.

The respective legal topics and fields of law are

of no importance, neither is the size of the in-house department or law firm. Also small entities with a limited number of areas of legal advice do profit from good Legal Project Management. And the bigger the entity and the more complex its projects, the bigger the gain.

### **How and where should I start learning Legal Project Management?**

You can do courses in general Project Management and transfer the insights and tools that you get there into your work. However, this kind of transfer takes a lot of work and time. If your preferred style of learning is from books, you can work your way through one of those and apply your insights to your practice. I would recommend *Steven B. Levy: Legal Project Management – Control Costs, Meet Schedules, Manage Risks, and Maintain Sanity*.

Or you could do some training in Legal Project Management, for which there are different opportunities. The International Institute of Legal Project Management (iilpm.com) e.g. offers an eLearning programme. The IILPM also provides a global list of accredited training providers that provide face-to-face LPM training. Your investment in time should be along the lines of: (1) some time in preparation where you define your learning goals, (2) two to three days of LPM training and/or coaching to get to know the most important LPM tools, plus (3) some perseverance and brainwork during the following three to four months when you apply those tools to your daily work.

The return on your investment is going to be that you

- are able to use the most important tools of Legal Project Management in practice and

have started to use them regularly in your everyday work. Thus you

- can see specific results regarding your work efficiency, your improved collaboration with clients and cost control. Further you
- have gained new insights into the way how you provide legal advice which enables you to further optimize your workstreams in the future.

### **Apart from that, do I need to invest big, e.g. in special software?**

You do not. You can continue to use the tools (paper or software) that you currently use in order to manage matters and your practice. Neither do you need special Project Management software; you can get very far with Word or similar, a little bit of Excel or similar plus a couple of whiteboards and lots of sticky notes. Maybe you need to invest in sticky notes in different colors and some pencils. But you don't need more to start. And you don't need to be tech-savvy either in order to include good Project Management into your legal tool box.

### **In a nutshell, what are the 4 most important advantages of good Legal Project Management?**

1. You are able to advise your clients in a more target-focused way and manage their expectations better, also with regard to costs, because you do a thorough scoping of your matters.
2. You reduce risks and mistakes and decrease stress, because you plan your work and the work of your staff and colleagues better and work more efficiently.
3. You are able to control costs, because you have a good overview over the tasks at hand and work efficiently.
4. You improve both client and team loyalty,

because you initiate regular evaluations and improvements.

Do you have more questions? Please send me an e-mail! [ehmann@consultingforlegals.com](mailto:ehmann@consultingforlegals.com). You might also want to check with <https://www.consultingforlegals.com> to find out more about upcoming LPM training opportunities. If you sign up for the newsletter, the information will drop right into your inbox.

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#### About the Author:

Marion Ehmann is an expert for modern lawyer skills beyond §§: Legal Project Management, Client Focus, Tailored Communication, Productivity and Efficiency, Time and Stress Management, Innovation through Legal Design Thinking. She has trained more than 300 lawyers (law firm and inhouse) in Legal Project Management through intensive workshops and individual coaching. Marion is certified both as professional coach (PCC-certified by International Coach Federation) and as expert for Legal Project Management (LPP-certified by International Institute of Legal Project Management). Marion also has many years of experience as a practicing lawyer in Sweden and in Germany, where she was admitted to the bar in 1999. More information about her at <https://www.consultingforlegals.com>.

*“My approach to training lawyers isto training lawyers is ‘Learning and Doing’: experimenting with tools in workshops is equally important as the transfer of knowledge, and so is quickly applying the tools in everyday legal practice, which is supported by coaching.” Get in touch with Marion at [ehmann@consultingforlegals.com](mailto:ehmann@consultingforlegals.com).*

A vertical banner for the World Legal Summit 2019. The background is a dark blue gradient with a bright light source at the bottom, creating a lens flare effect. The text is white and yellow. At the top, 'World Legal Summit' is written in large, bold, white letters. Below it, '#WLS2019' is in a white box. The main text reads 'Informed Development for a Globally Sustainable Future' in white. At the bottom, 'Learn More' is in a yellow box.

**World  
Legal  
Summit**

**#WLS2019**

**Informed  
Development  
for a  
Globally  
Sustainable  
Future**

**Learn More**



## The Value Series

A ClariLegal interview with Mary Mack,  
Executive Director of ACEDS

By Cash Butler, founder of ClariLegal and James Johnson, principal attorney of First Venture Legal.

We recently had the privilege to speak with Mary Mack, CEDS, CISSP, Executive Director of ACEDS, the Association of Certified E-Discovery Specialists. Mary's background including serving as counsel to technology corporations, including software platform and SaaS providers. Prior to entering the field of e-discovery, Mary worked for 20 years in corporate IT; she is also a certified telephony engineer. At ACEDS, Mary is focused on facilitating the global expansion of the organization and the up-leveling of their offerings, including working with other groups to raise the positioning of ACEDS' cross-functional members. Mary notes that, as part of BARBRI, one of ACEDS' primary missions is to help attorneys to improve their e-discovery and technical competence to meet new state bar standards for attorneys. One of ACEDS' new offerings is surrounding the language of finance: a Mini-MBA delivered both online and in person at client sites. The modular course is designed to increase the financial competence of ACEDS members to better serve their organizations and clients.

We began by asking Mary what value means to her. Mary begins by stating that value usually depends on perspective – namely, whether one is imparting value or whether one is receiving value. Mary says that, if she is imparting value, value does not mean what she as the service provider wants to do, or even what the customer wants to do. Instead, Mary believes that imparting value means ascertaining what is the problem that the customer wants solved. This means, as Mary puts it, “thinking creatively and collaboratively [about] what can be brought to bear to solve that problem”, including valuable solutions not expected or envisioned by the customer, and helping the customer achieve their desired state of career,

business, personal life, etcetera by using the customer's “stated goals and principals...and taking those into consideration”. When receiving value, Mary says each organization defines their own value, noting that some organizations see value as having things done their preferred way. However, Mary sees value in time, ease of doing business, transparency, capabilities and limitations, pricing, and integrity.

We asked Mary how value is defined at ACEDS. Mary begins by stating that one of the primary value metrics ACEDS looks at is renewal rates – ACEDS wants to know whether its clients are happy with ACEDS' service offerings and willing to stay. ACEDS also monitors its delivery of value through customer service calls, along with certification exam pass rates and specific exam questions; in turn, ACEDS develops new program offerings and modifies existing programs to address subjects that participants have particular difficulty with. Mary notes that ACEDS has many other triggers that are reviewed weekly to alert the organization to issues with existing offering and opportunities for new offerings. Ultimately, when it comes to value, ACEDS is concerned with ensuring that it is fulfilling its primary mission to help legal professionals improve their competence and experience in e-discovery and legal technology.

In her past experience with software platforms, Mary notes that value was often defined by cost displacement – in other words, “what did they spend before they brought e-discovery in-house and what did they spend after they brought e-discovery in-house”. Mary also notes other kinds of value that customers looked for, including reducing the number of staff needed for a project or reducing the time

spent on a project. For SaaS platforms, Mary notes that having transparency allowed legal teams to more accurately budget for quarterly disclosures or represent “where the status of a matter was during meet-and-confers or motions to compel: electronic billing also provided high value in removing friction in billing and in allowing billing by matter and custodian. delivered a high level of value to customers by enabling them to receive influxes of reimbursed costs from insurance during ongoing legal matters. Mary further notes that customers and clients in her past roles saw value as service providers delivering better ways of doing things, even if it required a short-term financial expense to deliver greater value in the future. Mary also notes that clients valued providers who were flexible to the customer’s/client’s way of doing things – some firms moved very quickly on projects, whereas others liked to take their time – and didn’t try to impose the provider’s way of implementing the project. Lastly, Mary notes that clients always valued providers who are willing to admit mistakes and work to rectify them and prevent them from happening again. Mary believes that there is danger in commodity pricing when the market expects and needs white glove service.

We asked Mary about her thoughts on how value is understood and communicated in the legal industry. Mary sees a lot more talk about value in the legal industry ever since the launch of the ACC Value Challenge. Since then, Mary sees greater understanding of and conversation about responsiveness (which Mary likes to call reporting), transparency in billing, and alternative fees. Mary also believes that increased understanding and use of e-discovery is allowing legal professionals to head off more problems that arise during legal dis-

putes. However, Mary says there is further room for improvement. For example, Mary believes that legal professionals can still ask themselves what really needs to be done to more efficiently resolve disputes – it is necessary to go to court, or can the matter be resolved through alternative dispute resolution; can litigation “pre-nups” avoid conflict and disputes?

Ultimately, Mary believes that current methods in the legal system still aren’t especially conducive to delivering value. Mary notes that many businesses, especially the smaller ones, still do not have access to legal resources and technology that efficiently get them through the legal system. Mary further argued that the legal industry may currently be a broken business model, in that it makes some fabulously wealthy without serving the legal system’s actual purpose of achieving justice – Mary notes that there are many kinds of disputes that need speedy and inexpensive resolution, but the legal system as currently constructed is just too expensive and takes too long.

We asked Mary for her opinion on how software platforms such as vendor selection and vendor management tools facilitate the communication of value between clients and vendors. Mary argues that the best vendor selection and management software tools and services should be customized to assist the customer’s or vendor’s workflow. But Mary notes that any tool requires that an organization’s personnel be trained on the tool; otherwise, the tool becomes dangerous because it can take up more time than it saves and falsely give the impression of cost savings. Mary believes that the best tools are the ones that allow in-house counsel to manage acquisition of legal services – in-house counsel know their company’s data better than outside counsel

does, so any tool should allow in-house counsel to effectively communicate with outside counsel.

Specifically, Mary notes that vendor selection and management platforms like ClariLegal allows firms to more efficiently run their procurement processes. Remembering the processing of filling out RFPs and how much time that process took, Mary argues that such tools are a “no-brainer” for vendors, since it allows vendors to have a central reservoir of pre-filled answers for basic information and standard questions and instead focus on answering the project-specific questions, which represents a huge time-savings. For law firm and corporate clients seeking services, Mary sees the value in such platforms having “pre-vetted, recommended providers that answer their RFP very, very quickly”, and in giving clients the opportunity to provide review and performance and satisfaction metrics. Mary believes the value from a platform like ClariLegal will show up on a client’s quarterly and annual reports.

*Disclaimer: The statements of the interviewees in the Value Article Series are opinions and observations of a personal nature and do not necessarily reflect the opinions and policies of their respective employers.*

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#### **About:**

[James Johnson](#) is principal attorney of [First Venture Legal](#), a Cambridge, Massachusetts-based law practice focused on corporate and transactional law for very-early-stage startups. James assists entrepreneurs and small business owners with corporate formation and structuring, contracts, commercial law, employment matters, and early-stage fundrais-



ing. His practice utilizes alternative fee structures to deliver value-based service to early-stage ventures. In addition to practicing law, James works with ClariLegal, focusing on building out its innovative platform

and spreading the word of ClariLegal’s mission to reduce cost and complexity in legal vendor selection and management for law firms and corporations.



[Cash Butler](#) is the founder of ClariLegal

A seasoned legal technology innovator, Cash has over 18 years of experience in the legal vertical market, primarily working in eDiscovery, litigation & compliance. Cash is an expert in legal vendor, pricing and project management.

[ClariLegal](#) is a preferred vendor management platform for legal services that improves business outcomes. Made for legal by legal experts. We match corporations and law firms with preferred vendors to manage the work through a fast and complete RFP and bidding process. ClariLegal’s platform allows all internal client segments to improve business outcomes across the board – predictability, time and money. [Learn more](#)

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# GROWL



## **What is GROWL?**

As part of the 2019 Global Legal Hackathon is launching Global Rise Of Women in Legal-Tech (“GROWL”) initiative to support up-and-coming women leaders in legal innovation around the world. GROWL will be fully integrated with this year’s Global Legal Hackathon, providing an enhanced track for women-led teams.

## **Why is GROWL important?**

Extensive research has shown that women tend to approach problem solving differently than men, typically in a more collaborative and social way, talking through the problem, discussing the situation in detail, and collaborating effectively with a complex array of stakeholders. As the legal industry evolves to become more responsive to client requirements for innovation and value, women are ideally suited to lead the legal innovation movement around the world.

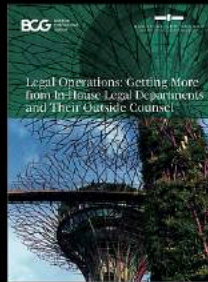
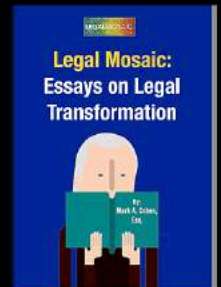
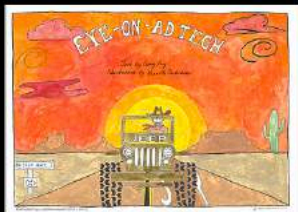
## **How does GROWL work?**

A globally located panel of senior women leaders in the legal industry drawn from The Americas, Europe, Asia, and Africa, will support the hundreds of women-led teams expected to participate in #GLH2019 with an unprecedented global network of mentors, tools, and resources to accelerate and amplify their efforts to evolve and improve the world’s legal industry. Participation is voluntary, and there is no cost.

[More Information](#)

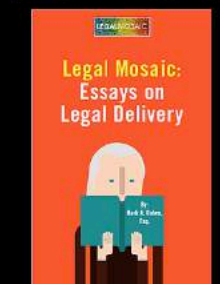
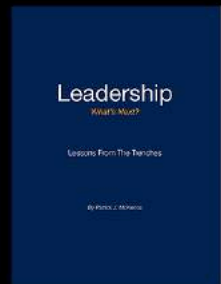
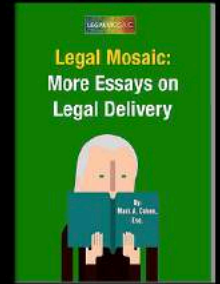
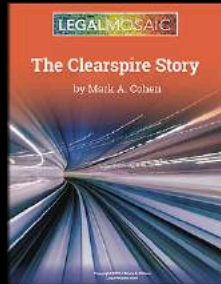
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# “STAND OUT”

## You Need It To Stand Out And Outperform

Series on building your personal brand, becoming the go-to expert and authority in your field  
by Itzik Amiel

*Ready to become the sought-after expert your clients will want to work with and be willing to pay a premium to do so? Do you want to know how you are unique to your clients & how you can stand out in the sea of competitors? Are you the "best kept secret in your market?" If you want to know the shortcuts to build your personal brand and become the go-to expert and the authority in your field, DO NOT MISS this series by advocate Itzik Amiel, bestselling author and international speaker and the global authority on personal branding for professionals.*

Have you ever wondered why some professionals seem to garner all the praise and success, while others are overlooked?

Do you think it's sheer luck – being in the right place at the right time? Or maybe because these professionals work so much harder than others?

The truth is far away from it, as you'll discover in this part of our special series.



## GET RECOGNIZED

In my research for my bestselling book [“The Attention Switch”](#), I found out, not surprisingly, that all of us like to get attention and to be recognized.

In the book “The politics of Recognition” the author Charles Taylor asserts: “Due recognition is not just a courtesy we owe people, but a vital human need.”

I never met any professional (or actually any human being) that does not strive to be acknowledged for her or his efforts.

This acknowledgement is an important part of building and creating your everlasting authority position.

But here are the interesting finding.

There is one asset that can a tremendous influence on your capacity to garner that respect and recognition and help you build your authority faster.

Do you want to guess what it is?

It is – Likeability.

Do you need evidence?

Let’s go back to your school period.  
Can you recall – if you rate your teachers by your likability?

The university of Hawaii conducted a students survey about course evaluations to investigate the link between liking and learning.

They found that *“Students who rate their instructor high in likeability reward that instructor with high rating on overall teaching ability...likeability was the strongest predictor of students’ overall rating of thir teachers; and, as a predictor of rating, likeability had three times the effect of perceived learning”*.

The same is also true about the students themselves. Likeable students receive recognition and reach better positions due to their likeability factor as well.

Very interesting, but not surprising.

This is true also in our professional environments. People are emotional creatures, like our bosses, clients, partners , etc.

A likeable professional, that produces positive feelings in others, be it their colleagues, partners, clients or even their boss, will get better annual reviews and opportunities than an unlikeable professional.

And more importantly, the likeable professional gets more sincere feedback from different people, who really want to help them succeed, allowing for continued improvement.

## OUTPERFORM

With so many demands on your clients' attention these days, they have to filter and carefully select what they are going to pay attention to.

This is why becoming and establishing yourself as a highly likable authority is so important.

It is quite obvious that without having people paying attention to your message, you will not establish your authority position. Agree?

Your potential clients need a reason to deem your message important enough to sit up and listen to it.

Now, if you're likeable, you've got a better shot at capturing their attention. And, they are far more likely to remember what they've heard and see you as an authority in your field.

Let us revisit again the Hawaii university research.

When the university checked if likeable teachers received good rating because of their likeability or because they in fact thought well, they found that “students who perceive a teacher as likeable, in contrast to those who do not, may be more attentive to the information that the teacher delivers, and they’ll work harder on assignments, and they’ll be more receptive to grading, and they will learn more.”

In other words, the positive feelings you invoke in other people, also as a professional, are returned to you.

This is called – ‘the feedback loop’ and it influences also your authority building as a professional.

You probably noticed the pattern in your professional life (and also in your personal life) when you try to give someone advice.

The more likeable you are to the other person, the more positive your relationship with that person, the more she or he seems to listen,

and the more you feel your authority position, i.e., you feel more certain that the other person intends to act on your advice.

To emphasize the power of likability in building your authority position as a professional, I will dare to say that a likeable lawyer tends to be skilled in convincing others to act and helping them understand exactly what he needs them to do (internally and externally).

## **INFLUENCE & PERSUADE**

People prefer to say yes to those that they like.

This is the reason why Dr. Caldini describes it as one of the 6 Principles of Persuasion in his classic book Influence, the principle of “liking”.

But what causes one person to like another?

Persuasion science tells us that there are three important factors.

- a) We like people who are similar to us.
- b) We like people who pay us compliments.
- c) And we like people who cooperate with us towards mutual goals.

Actually, it may surprise you to learn that the key to the liking principle isn’t so much about getting others to like us; it’s really about us coming to like them.

Too often people are concerned that building their authority means doing whatever it takes to get people to like them.

It is the opposite.

Please realize that if you genuinely like the person you’re with, that person will sense it and naturally reciprocate (at least in most cases).

## The Super Simple Secret

Your likability has an enormous impact on your perceived value.

So what's the straightforward secret to a better and faster route to build your authority?

Just be attentive and present.

We find those people who genuinely give us their full attention to be the most likeable and charismatic.

As I prove in my bestselling book “The Attention Switch” - if you meet someone who is completely attentive to you and actively engaged in the conversation, you are much more likely to find them likeable and interesting.

Why?

Because in that moment, the only thing that seems to matter to them is you. You are the most important person there, and they have gifted you with their most precious asset – their time.

Likability builds your authority position.

As you can see, the vital need to be recognized may be more controllable than you think. Your personality will have as much to do with your recognition and building your authority, as your results or even your luck.

Develop your credibility, establish yourself as an expert, strive to be your most likable self and you'll quickly become the best and most obvious choice for clients to buy from.

From elementary school to school of life and your professional work, when you are likeable, you are praised. You are acknowledged. And you are able to build your authority faster.

And you know that it feels great.

So what are you waiting for? How are you working to become a more likeable authority?

Want to discover what it really takes to become more likeable and build your authority in your field – and the steps you need to take?

Attend our next free training session on Building your authority position or [schedule a strategy call here](#).

You've got to want to be an authority, not just want what authority brings you.

Is it worth it?

Absolutely. If it's right for you.

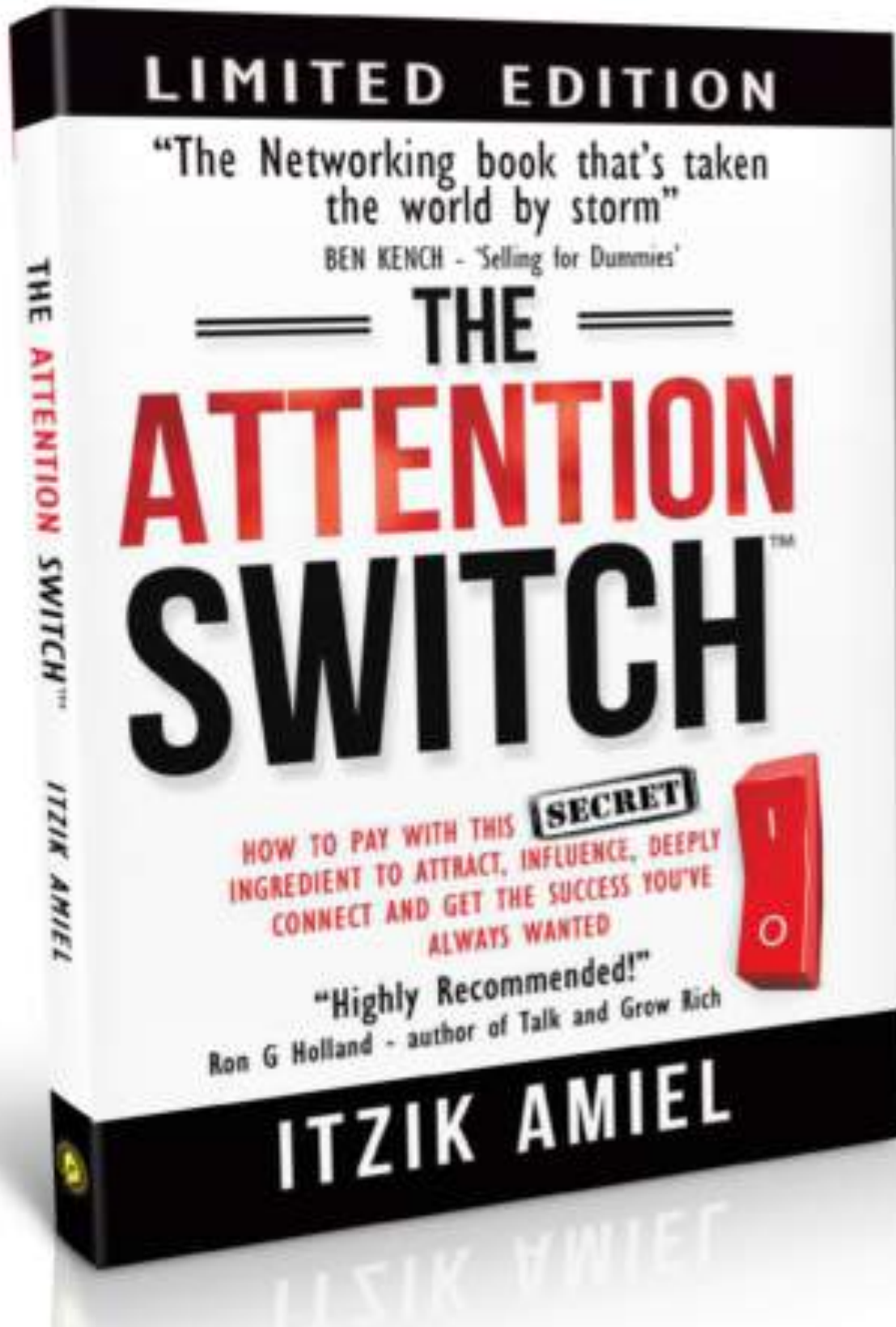
If you have any specific questions with regard to building your authority position and your personal brand, [please send us an e-mail](#) and share it with us. I may include it in one of the upcoming articles.

Until next month, be LIKEABLE & STAND OUT!

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## About the Author

[Itzik Amiel](#) is considered the global leading authority on Business Development, Business Networking & Personal Branding. He is a sought-after international speaker, trainer, business mentor, & attorney-at-law. He is also the bestselling author of “[The Attention Switch](#)” & Founder of [THE SWITCH®](#), the global community for professionals to grow their practice. Itzik teaches Lawyers and other professionals to attract and win their ideal clients by becoming seen as authorities in their field and to SWITCH their relations to Referrals+Revenue+Results.



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