

LEGAL **BUSINESS** WORLD

• Legal Business World Publications • No.3 • 2020 • www.legalbusinessworld.com

Cut costs, reduce marketing, do not do business development - law firms in 2020

By Kamila Kurkowska

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Management/Publisher

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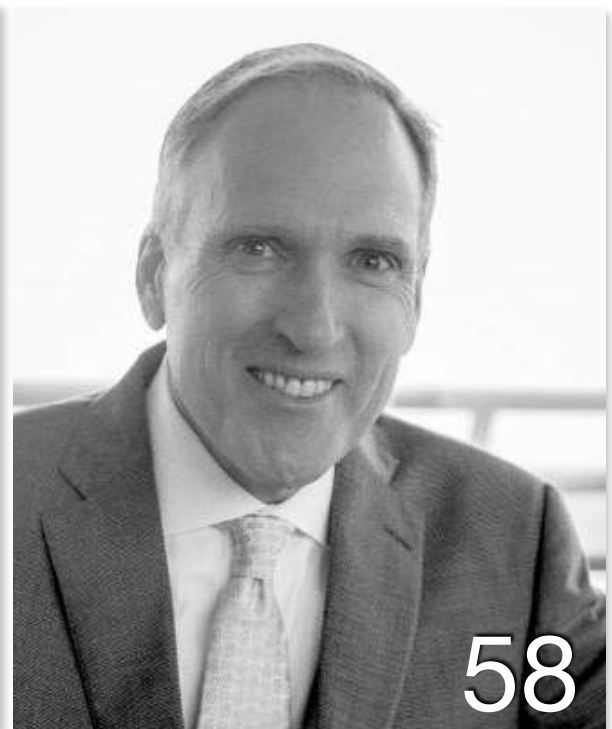
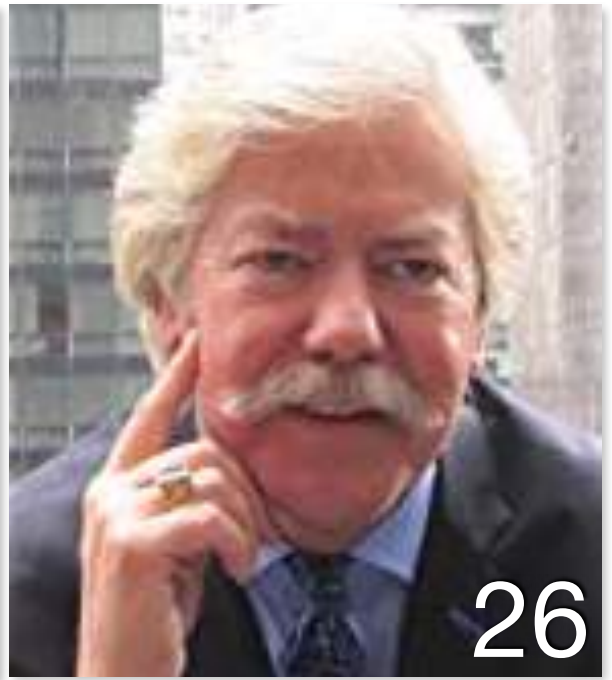
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Kamila Kurkowska, CEO of Firemind, President and Founder of Women in Law Foundation, Ambassador of European Legaltech Association in Poland



Cut costs, reduce marketing, ‘do not do’ business development law firms in 2020

By Kamila Kurkowska

One of my clients, the managing partners in a large law firm- „we shine with the light of our clients”. The light of some law firms’ clients is dimming, sources of income are running dry, and managers of lawyers fear the crisis and cut costs, at the same time in panic searching for clients. After reducing employee salaries, the next step is reducing marketing. The irony of it is that it is a „low-hanging fruit” of cost optimization. Should marketing be reduced? How will it affect sales?

Is it the right approach and how will it affect sales?

I have emphasized many times that treating marketing as a „slightly better” assistant (unfortunately still popular in legal firms) is a big mistake among lawyers. Currently this approach is backfiring on organisations and management presenting such an opinion. The main role of marketing is responding to the needs and challenges of the market. Marketing should be the partners’ eyes and ears, informing them what is going on in the business, both on the domestic market and abroad. Unfortunately, daily business operations in marketing- preparing events, rankings and ordering gadgets and a not strong enough position in the organisation effectively hinder the development of professional services marketers. Or maybe this is the time to change the game?

Marketing in the times of coronavirus

The main task of internal marketing teams as well as external marketing companies in the last month (and probably in the months to come) has been to aid advisors, consultants and lawyers in effectively advising their clients. Undoubtedly, leaders of marketing teams will deal with very limited budgets and reducing workforce. This will require a much more creative approach to resources. Marketing teams and external firms will be assessed more closely in terms of expenses and their activities. Those organisations which have a CRM and assess their marketing activities on a daily basis will gain an advantage from the start. I hope that this will be a signal for those companies, who have not yet adapted a CRM, to implement one as fast as possible. Currently, the Internet is swarming with offers of webinars and on-line courses. It becomes visible who is experienced in them and who is a „newbie”, forced to change the course of marketing actions due to coronavirus. Definitely, law firms will not spend their planned budget on conferences, stationary trainings and sponsoring, but I highly recommend diverting a portion of the budget to online activities.

Should you do a follow-up after webinars? In my opinion- yes, but with care. It is worth contacting participants and letting them know that we are at their disposal. If they have additional questions, the firm will be glad to answer them. I would however avoid direct sales pitches.

How can marketing help me?

Marketing (internal or external) in professional services should act as a strategic partner.

The role of marketing professionals is also to hinder ideas that may be a source of operational and reputational trouble, given the condition that partners will listen.

What am I talking about? A large number of law firms are declaring pro-bono aid. As a rule, the intentions are good, but if a campaign like this is not executed correctly, it will rather do more harm than good. We have to have knowledge of many issues- do we have enough human resources to answer the demand? It is also worth knowing that it will be more difficult for us to return to our normal services and their prices. Another argument is how our current clients see us- those for which we provide services for and pay invoices.

Will they feel like an old telecommunication client with an old telephone and expensive subscription, while the new client gets “more for less”?

If we want to help and we have the resources, we can do this through associations, charities and chambers with which we cooperate on an everyday basis. We will minimize the risk of a PR setback, and provide help where needed.

In my next article, I will point out which activities pose to bring the most advantages.

Informational hum

Tedros Adhanom Ghebreyesus, the Chief of WHO used the term „infodemia” during an official statement. Infodemia is a situation where there is an excess of information, often unfounded. In the current state of things, most information is shared through social media. How to navigate them? What to publish in a

newsletter and what on LinkedIn, Facebook or Twitter? This is the domain of a professional marketer- for once, trust them and hide your big-lawyer ego...

What is the future of law firms?

In the upcoming future, teamwork will play a very important role, and I do not mean only the marketing team, but the entire firm. I predict that many law firms will have to change their business model. It is worthwhile to include not the management and lawyers, but also managers responsible for HR and marketing as well as external specialists that know the business. The more the merrier, or rather- the more diverse, the better.

It is obvious that in the case of firms that have several specialties or business lines, some, such as restructuring or employment law will be on demand, and others, such as mergers

and acquisitions will be sidelined.

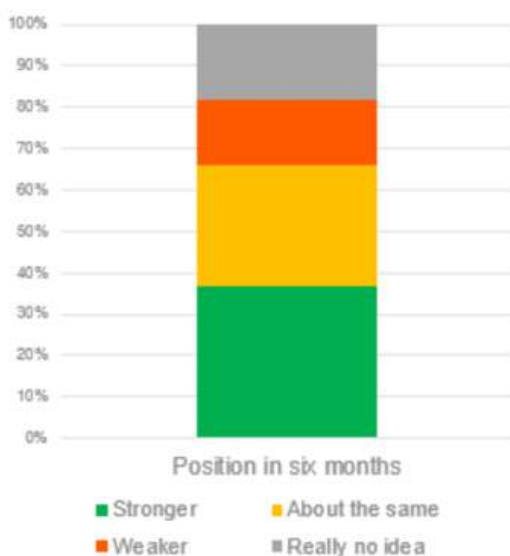
A survey done by Acritas (as of now a part of Thomson Reuters) interestingly shows lawyer opinions on the position of their practice within the company in the next 6 months. Only 15% of lawyers state that it will be weaker, 20% cannot show any predictions. Others think their practice will be remain the same or become stronger. Optimistic assumptions prevail.

No one could have prepared for the 2020 scenario, but those who are flexible towards market needs and correctly communicate their business to clients will win.

Wrapping up – a huge mistake is to drastically reduce the marketing budget, shooting into your own goalpost. Right now is the time to decide who positions themselves in the top

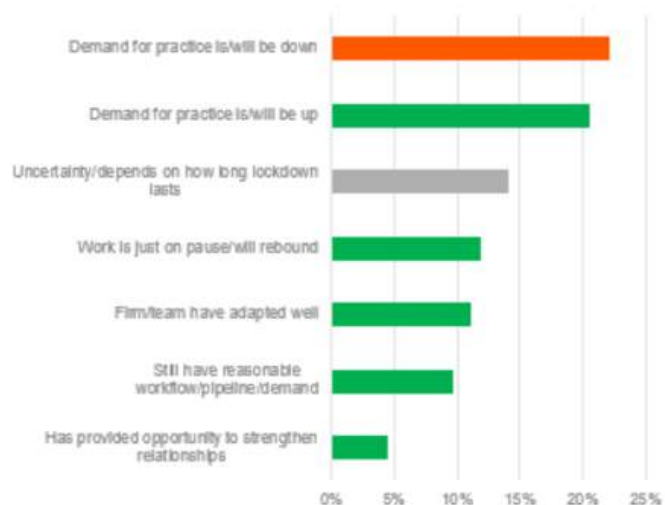
Lawyers forecast for their practice

Predicted position of practice area within firm in six months' time



Source: Acritas

Why?



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slots during the pandemic and after the crisis.

What can legal firms do now?

No one knows what the world will look like in 2020. Will it be different? Definitely. There are, however, a few things that lawyers can do now. I recommend 6 things:

1. Call your client

There are a plethora of materials available on how to handle coronavirus. Shield 1.0., shield 2.0 (1.1?), anticrisis packages, etc.

How to navigate the business? This is what lawyers are for. Clients expect support in this difficult, era and advice on what to do. Of course, it is necessary to take into account empathy and how you express yourself during the conversation.

2. Arrange a virtual meetup with key

clients: their priorities have changed. All business plans must be revised. Prepare a list of things that pose a threat to the clients' business. Advise the client on how to handle them. What key areas should you cover?

- Company cash-flow
- Cybersecurity threats of remote work
- Employment issues
- Supply chain
- Mergers and acquisitions- freezing or searching for market opportunities.

Most importantly, provide solutions, not options.

3. Prioritising and assessing the situation

During the 2008-2009 crisis, internal law

departments had to reduce external advisory costs by 20%. This time, it will be no different. According to my conversations with managers of internal legal teams, this already happened in March and April. If your law firm will be the one to support the client with their priorities during a time of limited resources, it is definitely your lawyers that will be on the "short-list" of external advisors that the client will contact.

4. Prepare to talk finance

Financial issues must be a part of conversations about every new project. The financial crisis has already begun. This means that clients are already reducing their advisory budgets and must learn to navigate a new business framework.

Be prepared to:

- You have to know what the cost of your work is and explain to the client why it may become more expensive. Clients will now more than ever avoid additional costs exceeding the budget.
- Show the worth of your work for the clients' business in relations to your price. Importantly, don't scare the client with potential consequences. Everyone is already scared, even if they do not admit it. Negotiations may be long and hard, so argue:
 - How will your services affect operational continuity?
 - What costs or penalties are you helping the client avoid?
 - How can you help to control the clients' costs

5. Effectiveness will be key

Today, more than ever effectiveness and efficiency are what distinguishes top legal from the competition, and is of particular importance in the case of companies who want to be proactive and do not wait for the client to come to them. If you want to be seen as the company who provides specific recommendations, talk about:

- **Secondment/ interim management/ outsourcing** – or other elastic forms of HR management in Times of increased demand for employees, at the same time with limited resources
- **Trainings for internal teams** – propose training of the internal legal department, HR, production or taxes to help the client in difficult times
- **Write down internal processes and procedures**, so that the client can quickly contact the correct person and diagnose the problem

But why?

In the legal and advisory profession, trust, recommendations and client loyalty is key. Below, the ladder of loyalty shows that developing client loyalty is a process. Actions which I described in the previous sections will definitely move your client up the ladder and enhance their loyalty (even more important in times of crisis) and their recommendation on the market. (source: Thomson Reuters)

6. “Business as usual” is gone

Think fast, think creatively, think differently—that is not how a lawyer is perceived. Many partners and advisors will have to leave their comfort zone, and the argument “Let’s do how we did it a year ago and two years before that”—as I often heard working in Big 4, has just gone down the drain. Will these partners be brave enough to change their organisations and build new business models, confronting their ideas in a diverse team or inviting external ex-

Murray Raphel - Ladder of loyalty



About the Author

[Kamila Kurkowska](#), CEO of Firemind, President and Founder of Women in Law Foundation, and Ambassador of European Legaltech Association in Poland.

Kamila is experienced and innovative business manager, focused on legal marketing, Legaltech and corporate innovation. She has gained her knowledge and experience leading marketing and business development teams at Deloitte Tax and Legal Advisory and Harvard Business Review. Since 2015 she has been suc-

cessfully running Firemind - consulting company, specialized in strategic and marketing advisory to professional services and technology companies. She advises Clients on digital and offline marketing, business development strategy and ongoing projects, serving as Head of Marketing on a number of occasions.

Thanks to years of effective management of large and complex teams, combined with effective building of relationships with different groups of stakeholders, business partners and clients, she has been able to build a broad and strong business network.

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General | Opinion

Lawyers & Black Swans

May 6, 2020 | By Kamila Kurkowska

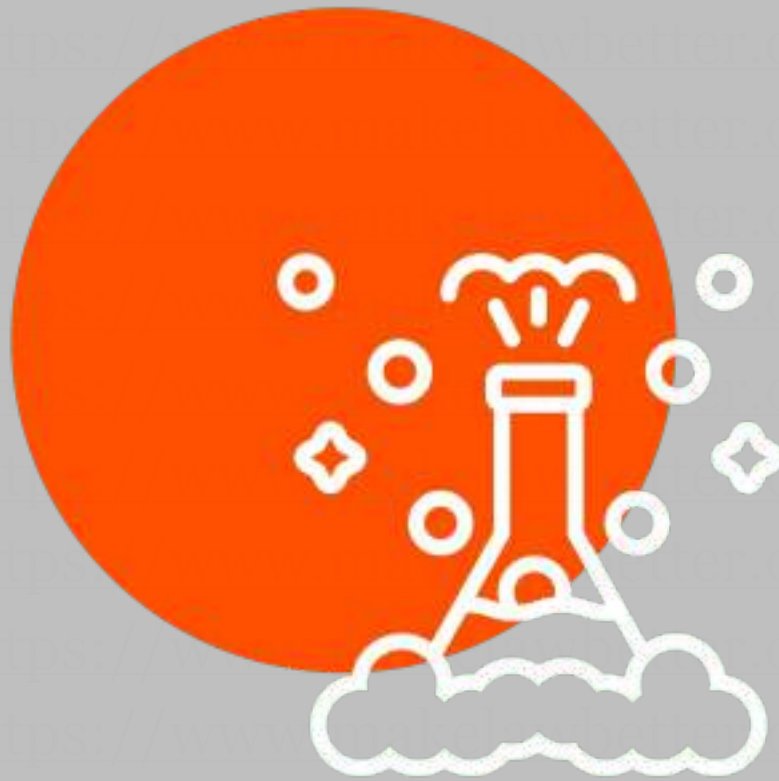
The idea of a black swan, minted by Nassim Taleb in 2007, defines a situation where unpredictable events change the market. The term „black swan“ is the aftermath of a situation where scientists were certain that only white swans existed in the world. That is, until unexpectedly they came across a species of black swans. The current situation fully reflects this idea.

Covid-19 has bought many well-worn rules into question. Rules we considered irrefutable have ceased to function, changing the organisational culture in almost every business. One of the main characteristics of the crisis is that it has exposed the organisational lack of technology readiness. In consequence, it may change how the market is divided, promoting those who invested in technology transformation before the crisis, and taking down businesses with a traditional model.

The market today

Information flowing from the market shows that most companies are not prepared to efficiently transfer to remote working and remote client services. Particularly in Poland, in family-owned businesses, making up around one-half of the Polish GDP, 57.7% stated that they will not survive the next 12 months, according to research done by The Family Business Initiative. Legal firms are equally affected, if not more. They have been relying on the traditional model of contacting clients in traditional, representative offices. Quoting one of my favourite clients, a partner in one of the legal firms „ We shine with the light of our clients.“ According to the ABA Legal Technology Survey Report from 2019, 84% of law companies state that they have some legal technology solutions accessed remotely, however in small firms the number is only 66%. The question remains if „some“ solutions will be enough. Of course, most employees can perform their tasks remotely, however not all are comfortable with it, as they are not used to this type of work.

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Self-Sovereign Digital Identity

The Management of Identities and the Ability to Prove Who We Are

By Tatiana Revoredo, CSO at theglobalstg.com. Liaison at European Law Observatory on New Technologies. Court legal Advisor at São Paulo Court of Justice.

Excerpt from my lecture about Digital Identity at the World Legal Summit (WLS2019)

The ability to prove who we are

Few central things work more effectively to a society and economy than the identity. Without means of identifying one another and our possessions, we would hardly be able to build great nations or create global markets [1].

As more associated people, devices, and personal data go online, there is an increasing focus on one essential element of this new digital environment - our identities.

The ability to prove that we are whom we say we are is more and more determining for our opportunities of establishing trust in each other and make significant interactions in the digital economy.

If correctly approached, it represents transforming opportunities, such as access to basic services and more customized digital experiences, better health and well-being, better trackability in the supply chains, security for the citizens, and global protection of the biodiversity.

However, we are still learning what "identity in a digital world" means.

We have also been developing policies and practices regarding the best way of collecting, processing, and using data related to identity in the form of enabling individuals without violating their freedom or causing them any harm. There is significant space for improving the way identity data are handled online and how much control the individuals have in the process.

Here, it is worth highlighting the fact that:

When thinking about digital identity, we need not see it as a unique thing. Digital identity is the total sum of all the attributes that exist upon us in the digital world, an ever-growing and evolving collection of data points.

There are persistent issues - increasingly serious - in the way the digital identity works today.

Overview of the Current Identity System in Brazil

Nowadays, the identity system in Brazil is still, in its majority, analogical and quite fragmented.

For a better idea, the biometrical civil identifi-

cations are not unified in the country, i.e., Brazil does not have an integrated registry of fingerprints.

Therefore, citizens can take different (physical) identity cards in any place in Brazil.

That means that a malicious person may take multiple (physical) identity cards in Brazil - one in each state. All of them will have the same fingerprint, but with different names and data, due to the lack of biometrical integration among the states.

For instance, a "Potiguar" - a person who was born in the state of Rio Grande do Norte, in the North of Brazil - may use data of a "Paulista" - a person who was born in the state of São Paulo - to make his or her identity registration in Rio de Janeiro.

That occurs because the biometrical civil registry is a statewide attribution (not federal), the reason why each state has its proper regulation and its level of maturation — not mentioning that it is an expensive and troublesome process.

Members of the military forces are in a separate identification data bank, which the other state agencies can't access. If the police arrest someone without an identification card, the person will then have registered the information given at the occasion of the arrest.

Nevertheless, digital identification has advanced in Brazil.

Brazil is one of the few countries where the state has created an infrastructure of public

keys - Infraestrutura Brasileira de Chaves Públicas — ICP-Brasil (the official PKI in Brazil.) - legally established by the provisional measure 2,200, emitted for the last time on August 24, 2001.

Another positive point is that besides the digital identity, the Brazilian method also allows checking the expiration date of the signature and the integrity of the documents.

Furthermore, since 1997[2], Brazil has been preparing to launch its national service of digital identity and has advanced in a schedule of data interoperability.

In 2008, the Superior Electoral Court (Tribunal Superior Eleitoral - TSE, in Portuguese) started registering the voting citizens, now with their biometrical information.

Later, in 2017, the DNI project was approved by federal law - Lei Federal No 13.444/2017 [3] - which created a National Civil Identification - ICN - Identificação Civil Nacional. The tests were performed in 2018 with the TSE team testing digital identification and members of the parliament and federal civil servants who registered in May 2018.

Using the biometric databank of the Electoral Justice as a base, around 100 million Brazilian citizens - from a total population of over 210 million people - had their biometric data captured by TSE up to now. Besides the information regarding voting cards, the Brazilian repository of the digital ID is being launched with data on social security. As stated by TSE, the data of the ICN program could be used by the National Institute of Social Security (INSS - Instituto Nacional de Seguridade Social - to

reduce fraud on the benefits.

According to the agency responsible for the program of National Civil Identification - ICN [4], The Superior Electoral Court - TSE, Brazilian states are currently being evaluated and prepared for the implementation of the national digital identification, expected for November of this year.

The project foresees the inclusion of other documents, such as driver's license, birth and marriage certificates, as well as data of public health registers and, eventually, identification cards - which every Brazilian citizen already owns.

It is expected that the digital identification in Brazil will be totally implemented in 2020.

The International Scenery

The United States of America

According to the report [5] published by The Better Identity Coalition - an organization focused on the development of the best solutions for the verification and authentication of the identity, US\$ 16.8 billion were lost in the United States due to fraud of identity in 2017 and in the same year there was an increase of 44.7% in the number of data violations.

Almost 179 million of registers containing personal information have been exposed, which illustrates the inadequacy of the current identity systems.

The report presents a set of recommendations for consensual policies, intersectoral, and agnostic of technology ("Policy Plan") for

approaching the current inadequacy and improving the digital identity in the United States.

Estonia

Estonia has one of the most advanced systems of digital identification in the world.

Much more than an identity document with a legal picture, the mandatory national card also offers digital access to all the electronic secure services of Estonia. 98% of the Estonian has a "cumulative" digital identity, 67% regularly uses ID cards, and 88% frequently uses the Internet [6].

The card chip carries embedded files and, using 2048 bits public-key cryptography, can be used as definite proof of identification in the electronic environment.

Here are some examples of how it is regularly used in Estonia [7].

- legal travel identification for Estonian citizens who travel inside the EU
 - national health security card
 - proof of identification when logging in bank accounts
 - digital signatures
 - i-vote
 - checking medical registries
 - presenting tax declaration, among others.
- Estonia sees the next natural step in the evolution of the electronic state as a total transfer of essential services for the digital way.

World Economic Forum

The World Economic Forum has an initiative called Shaping the Future of Digital Economy

and Society [8] consisting of a global platform of cooperation to establish a sustainable, inclusive, and reliable digital economy.

This global platform of cooperation has the aim of reaching six results on a worldwide level. They are:

1. Access and adoption - everybody - with no geographical differences of gender or income - may access and use the Internet.
2. Responsible digital transformation (businesses, governments, and leaders of the civil society must act with responsibility and competence to promote a sustainable digital transformation.)
3. Fit for purpose, informed governance (worldwide, regional, and national policies are informed by pieces of evidence and well equipped to deal with the transnational nature of the digital connectivity.)
4. Safe and resilient people, processes, and practices (all individuals, institutions, and infrastructure are resilient to vulnerabilities created by the increase of digital connectivity.)
5. Digital identities focused on the user and interoperable (people can access and use included systems of digital identity that enhance their social and economic well-being.)
6. Reliable data innovation (institutions may share data to create social and economic value, respecting the privacy of digital citizens.)

Taking these six guidelines as a base for an inclusive and reliable sustainable digital world, a digital economy, at the Annual Meeting of the World Economic Forum of 2018, in Davos,

a diversified group of interested parts, public and private, made the commitment of cooperating in a shared way to promote good digital identities centered on the user.

Thus, the Platform for a Good Digital Identity has come up, aiming to advance the global progress towards digital identities that satisfy at least five criteria.

Criteria for the Platforms for a Good Digital Identity

According to the World Economic Forum, a good digital identity must be fit to the purpose, inclusive, useful, safe, and offer options to the individuals.

Such will be done through the advance of the collaboration in six significant areas [9]:

1. Moving the emphasis beyond the identity for all for identities that provide value to the user.
2. Creating metrics and responsibility for a good identity.
3. Creating new models of governance for ecosystems of digital identity.
4. Promoting the stewardship of good identity
5. Encouraging partnerships around the best practices and interoperability, when appropriate.
6. Innovating with technologies and models and constructing a library of successful pilots.

Indicating paths

1. Build up new structures of identification based on the concept of decentralized identities.

Due to a combination of technological advances, including an increasing sophistication of smartphones, advances in cryptography, and the advent of blockchain, now, an interesting subset of decentralized identity is feasible.

2. Searching for a self-sovereign decentralized digital identity system where the user controls not only the identity but also the data associated with it, what is known as Self Sovereign Identity (SSI). On an SSI approach, the user has a way of generating and controlling exclusive identification, as well as some facilities to store identity data. The users become free to use the identity data they like. These may be verifiable credentials, but they may also be data of a social media account, transactions historical in an electronic trade website, or certificates from friends or colleagues. It has no limits.
3. Awareness that digital identity is the total sum of all the attributes that exist about us in the digital world, a collection of data in constant increase, and points in evolution.
4. Establishing international coordination and the harmonization of patterns of identity.
5. Instructing consumers and companies regarding better digital identity solutions.
6. Governments should seek partnerships with the industry to educate consumers and companies regarding modern approaches and better practices in identity protection and validation.

HAND RECOGNITION SYSTEM

Hand Recognition System



FACE RECOGNITION SYSTEM

Face Recognition System



EYES SCANNER



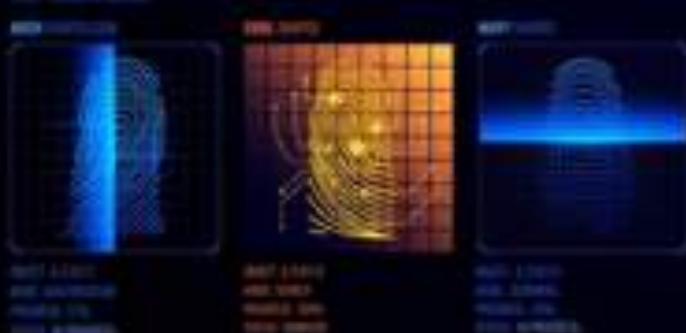
VOICE IDENTIFICATION SYSTEM

Voice Identification System



FINGERPRINT RECOGNITION SYSTEM

Fingerprint Recognition System



EAR IDENTIFICATION SYSTEM

Ear Identification System



An example of a potential partner that we have to consider is the National Cyber Security Alliance (NCSA), which already has a strong portfolio in the handling public-private partnerships to make the public aware of cybernetic security.

Blockchain — powerful solution for different aspects of the decentralized identification structure

Regarding perspectives and insights about digital identity, there are unrelenting - and more and more serious - issues in the way digital identity works today.

Most of the problems related to digital identity are not associated with technology, though, but to the processes.

The shift from a centralized Internet (Web 1.0 and 2.0) to a decentralized Internet (Web 3.0) has already begun. It is not by accident that many countries have adopted a paradigm of decentralized identity, especially Europe - which goal is to put the user in the center of the structure, thus removing the need of third parties emitting and managing identity.

In the decentralized identity world, the users create their own digital identities. That usually starts with a user creating his or her own exclusive identifier or identifiers, and then attaching information to that identifier in the way of enabling the validation that it is genuine. That done, the user can collect credentials from trusted authorities, and produce them when necessary.

While Blockchain is not necessary for decen-

tralized identity, it may be a powerful solution for different aspects of the decentralized identity structure. It could work as support for the creation and registration of DIDs, notoriety accreditation, a supply of a decentralized infrastructure for the access control and consent of use of data, and potential propagation of credentials to smart contracts, for instance, to make automated payments.

Although technical and pattern developments are, with no doubt, significant for the implementation of a new digital identity structure, as well as in so many other aspects of technology, the legal and regulatory issues are fundamental. Even more, if we consider that our identity touches so many critical elements of our personal and economic lives.

Takeaway

Finally, for promoting the ideal digital identity scenery, the public policymakers could:

- 1 - Clarify the "gray area" of regulatory issues, especially around the position of signatures based on new technologies like blockchain and timestamps under eIDAS.
- 2 - Create the structure of decentralized digital identity while instructing the government agencies and encourage them to get involved in the construction, for example, with issuers of verified credentials.
- 3 - The government can and must play an essential role as an issuer of verified credentials.
- 4 - Legislators must modernize the legislative framework referent to the platforms of digital authentication and reduce the barriers to the

adoption of innovative security systems.

5 - Elucidate open issues around decentralized identity.

6 - The new legislation regarding privacy, data protection, and security should not be written in such a broad way that could prevent the use of promising technologies for validation based on risks.

7 - Governments need to give special attention to cybersecurity and the migration of cybernetic risk, creating detection systems and protection against invaders, practicing cooperation with public and private institutions, thus significantly contributing to the awareness of the users, and taking part of the intense international collaboration.

I wrote this text for my participation in the panel "Digital Identity" at the World Legal Summit (WLS2019), which took place in Belo Horizonte, Brazil, on the 1st of August, 2019. I thank so much the Law Commission for the Startups of the OAB-MG for the invitation.

Notes

[1]Blockchain and Digital Identity — European Observatory

[2] when it was determined to merge registration systems at the state level into a future unified ID registration.

[3] <https://www2.camara.leg.br/legin/fed/lei/2017/lei-13444-11-maio-2017-784695-publicacaooriginal-152527-pl.html>

[4] <https://www.zdnet.com/article/brazil-attempts-to-advance-unified-id-project/>

[5] Better Identity in America: A Blueprint for Policymakers” (the “Report”): https://static1.squarespace.com/static/5a7b7a8490bade8a77c07789/t/5b4fe83b1ae6cfa99e58a05d/1531963453495/Better_Identity_Coalition+Blueprint+-+July+2018.pdf

[6] <https://e-estonia.com/solutions/e-identity/id-card/>

[7] <https://e-estonia.com/solutions/e-identity/id-card/>

[8] <https://www.weforum.org/system-initiatives/shaping-the-future-of-digital-economy-and-society>

[9] <https://www.weforum.org/projects/digital-identity>

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Clients Want Firms That Know Their Industry

by Patrick J. McKenna, Thought Leader and Michael Rynowecer, President
BTI Consulting Group

It is surprisingly common how often at some legal conference you will witness a panel of corporate clients discussing their views on law firms. Invariably someone in the audience will ask these panelists, “*What is the most important criteria for you in selecting outside counsel?*” We fully suspect that the person asking this is expecting to hear that the most important criteria is “cost” or perhaps “responsiveness.” While those things are important, they are NEVER the answer the panelists give, especially if that panelist is a General Counsel. The answer invariably is, “*I want someone who knows my business*” or framed more pointedly, *someone who can demonstrate a thorough understanding of my industry.*”

*In nearly every other profession from accounting to engineering, it is widely accepted that “Clients do not have legal, financial, technology or other technical problems, **they have business problems.** Those business problems just happen to have legal, financial, technology or technical elements to them.”*

In fact, *Understanding Your Client's Industry* is the single biggest differentiator among law firms – it is also the single largest driver behind clients being able to justify paying higher rates to any law firm. At least that is what we know based on more than 5,000 interviews with top legal decision-makers by The BTI Consulting Group (Wellesley, MA)

Because *practices* and *offices* are the traditional management units within law firms, *industry* is often the undervalued component of many law firms supposed “client focused model” and organizational structure. Organizing by *practice* is an internally focused structure that is firm-centric, while organizing by *industry* is externally focused and client-centric.

From our research we found that 36.9% of law firms indicated they had dedicated industry group in 2019, which was up from 27.3% in 2017. BUT – not all industry groups are created equal. We say that because our research indicated that:

- less than half of industry groups have a dedicated budget – one proven key for success;
- only 13% have dedicated attorneys who work solely on these industries and have skills that are focused on the industry; and
- less than 10 firms (out of 350), rely on industry groups to define strategy and map out plans for practices serving their clients.

All this suggests that in only half of those law firms claiming to have industry groups are there actually dedicated industry groups. For far too many firms, any pre-

tense of having a real industry focus is simply a list of industries displayed on their firm's website – without any recognition that perhaps the clients can discern the difference.

Bad News Flash: you are not fooling anyone!

Perhaps worse, some firms claim to serve far too many industries – and seriously undermine their credibility with clients in the process.

Meanwhile, we continue to hear how industry group leaders are **completely frustrated** . . . by their lack of any clear mandate, authority, and visible support from firm leadership. Few get any meaningful leadership training; get a separate budget or a dedicated marketing support professional attached to the group. Few meet on a regular monthly basis or collaborate across offices; nor have they developed a ‘real’ formal strategic plan. Worse yet, few get the support from partners or firm management, which could, for example, make a firm require that partners work only in one core industry

Typically, firm management is organized along practice lines and office lines, and while industries can be some (vague) part of the management matrix, most firms have not got that balance right . . . quite yet.

I. Are Your Industry Practices Just for Show or Are They REAL?

Turning back to The BTI Consulting Group

research – clients, on average, rate their primary law firm an 8.3 out of 10, with 10 being best – not exactly premium rate worth. The good news – clients will teach you through client feedback and meaningful dialogue outside the context of a case or matter.

Here are a dozen diagnostic questions (and not intended to be comprehensive) that you might internally review and discuss, to evaluate where your firm stands with respect to having a genuine industry focus:

- Does your firm understand how much importance your clients place on industry knowledge? (Do you have client survey or interview results that you can easily share with attorneys throughout the firm evidencing your client's views?)
- Does your firm leadership really believe that industry knowledge has a direct and meaningful impact on your overall financial performance? (For example, through the ability to retain clients, cross-sell other services, build a reputation to win new/better clients, achieve selective niche dominance, etc.)
- Has your firm made definitive decisions about which selective industries to strategically target and focus on? (or are industry teams simply a marketing ploy and/or does your firm claim to serve many different industries?)
- Has your firm organized and actively recruited partners to join and commit a specific number of non-billable hours to working in ONE chosen industry team? (or are partners left to join in as many different groups as they wish, leaving group leaders to wonder who specifically is committed to doing anything?)
- Does each industry group have a leader (or co-leaders) trained to manage, coach, support and facilitate the group's initiatives? (or are group leaders left on their own to determine whether to have their group meet and what to do if and when a meeting occurs?)
- Does the firm have any formal programs and budgetary resources available to develop the industry competence and expertise of the partners, (or is the task of developing, and continuing to build, valuable industry knowledge and skills left up to each individual's personal initiative?)
- Does your firm have industry focused research programs that monitor and identify emerging industry trends? (or is the aspect of developing thought leadership and identifying new service opportunities simply left to chance?)
- Has each industry group developed a formal, written strategic plan identifying specific niche opportunities where they are working to develop a position of dominance? (or are groups just expected to meet occasionally to discuss what each member has been working on with their clients?)
- Has your firm assigned specific marketing professionals to support each of the industry groups? (Or are you just expected to call upon the marketing department as a need might happen to arise?)

- Does your firm capture and leverage the industry specific intellectual knowledge gained from client engagements? (or is knowledge management just not a recognized priority within how we add value to our client work?)
- Are industry competence and expertise assessed and tied directly to lateral recruitment efforts in order to build upon the industry group's market strength? (or is lateral recruitment simply a matter of finding those with a book of business irrespective of any recognized industry expertise?)
- Does your firm report and assess performance by industry (fees, profitability, growth, partner contribution, partner promotion, compensation decisions, etc.)? (or is performance by industry secondary to practice group, office, or some other performance criteria?)

Law firms that have made a commitment to industry focus and industry teams need to do these things. And those that don't are missing out on one of the primary benefits of an industry focus, which is to differentiate the firm and build relationships by showing clients and prospects that your firm knows something that the client (and your firm's competitors) don't know.

II. Do Clients Value You Having An Industry Focus ?

While attorneys tout their deep technical or functional expertise, most clients view that as table stakes. They assume you're an expert in employment law, international tax

or complex litigation. And as clients face increasingly complex business challenges that go well beyond any one (traditional practice group) area of the law, they wonder if you really understand the key aspects of their industry. To be fair – they don't care if you don't know the intricacies of making their widgets – but they DO want you to know the idiosyncratic aspects of what they are having to deal with. For example:

- any exclusions they can use to avoid a regulation unique to their company, product or service;
- how much a Pharma company spends on due diligence before beginning serious development, so they know you know what you are getting into;
- sound strategies to accelerate the time to get permits and approvals; or the legal spend per barrel of oil, for an energy company.

You can be a great technical expert – but the secret sauce is proving you can put it to work in specific and granular manner for clients. A few good strategies to really gain insight into one of your valued clients is to:

- read at least 6 pages deep into their website – homepages don't count;
- check all client career pages, LinkedIn and places like The Ladder to see what kind of people your client is looking for – especially in product development, engineering and within their legal departments; and
- assign an associate to assemble all the

alerts about this client, their competitors. and ask that it be delivered in an organized fashion on a monthly basis.

But wait, there is more.....

What they also want to know is – have you done it in their industry? Do you understand the nuances of their industry? Can you hit the ground running or will they have to invest hours to teach you and your team how things are normally done in their world?

In assessing the strength of your industry practice, you need to ask:

- Are clients in our market footprint aware of our specific industry practice?
- Do they consider us a viable option to service their needs?
- Do they proactively inquire about our industry capabilities and ability to address specific opportunities?
- Does the firm have luminaries who are widely recognized as experts on key industry issues?
- Does the firm have bench strength that enables us to effectively serve multiple clients or bring full scale teams to bear on complex high stakes engagements?
- Do they hire us in preference to our competitors?
- Do they continue to hire us because of what we know about their industry?
- Would they recommend us to others in their industry?

- Do the top companies and top executives in the industry trust us with addressing their
- most complex problems or do they just send their commodity work?
- Is our firm able to attract, develop and retain the best industry talent or do talented industry experts seek out opportunities elsewhere?
- Is our firm one that young professionals with an emerging focus on an industry aspire to work with?

Hence if you have any aspiration of being a trusted advisor and offer valuable advice to your client, you must first understand the client's business problem. When the CEO calls the GC – they never ask about the legal risk – they ask about business risk. The more you can understand and advise on the business risk, the more clients are willing to pay and use your services.

Understanding the client's business problem requires understanding the client's business. It is at this point that industry becomes relevant as it becomes a proxy for understanding many aspects of the clients business – such as: industry terminology; kinds of products and services offered; industry specific revenue sources and revenue recognition issues; common contractual terms; industry specific laws and regulations; typical business practices; types of talent employed; technologies used; and supply chain structure and practices.

Be on the lookout for signals that you

Understanding your client's business is one of the **most potent** law firm **differentiators**. Every minute your firm waits to strategically invest in industry groups gives another firm a chance to build their brand.

might not be up to speed on the deeper industry matters:

- Do clients express frustration at “... having to teach your people our business”?

This can sometimes be a reaction to someone not understanding the basic industry lingo or technical terminology commonly used by members of the industry

- Do you find yourself sheepishly asking questions about basic terminology in client meetings, or bluffing your way through the meeting and frantically re-searching the topic later?

We remember seeing one client asking the attorney, “So you are representing yourself as a HealthCare attorney, please tell me what you know about BHRT?” only to receive a bewildered reaction.

- Do clients and prospects explicitly ask to see industry credentials or meet with professionals in your firm that have industry expertise?

This may come about as clients do not see your industry group members actively involved in any of the industry or trade associations. Or alternatively the client is highly skeptical as they observe on your website, the same lawyers supposedly active in multiple unrelated industries.

- Do you avoid following up on a particular discussion point (and therefore miss opportunities) because you’re really not sure what the client is talking about or its significance?

We remember the partner representing his Manufacturing Industry Group who was completely unfamiliar with new developments in the sub-industry known as Augmented Manufacturing / 3D printing, and just seemed to shrug his shoulders when the subject was raised.

The logic of all this rests on the idea that businesses in the same industry face similar legal challenges and that clients can benefit from a firm's accumulated expertise, built up over years of deal-making and litigation in a particular industry. Industry groups promise that a firm knows the jargon, power players and problems that its clients deal with daily.

Industry knowledge may be less of an issue with a pension matter but becomes incredibly important when advising on specific international trade regulations. Typically, the more complex the issue, the greater the need for industry expertise. The key question for any professional professing having some industry knowledge becomes:

What do I need to know about this industry in order to understand what my client is talking about, explore the various implications and options to achieving the results my client is looking to realize, assess the possible risks, and deliver service and advice that is relevant and appropriate to this client’s business?

It is worth recognizing that this is where having a **real industry “team”** can make a significant impact. For example, those in the group with different levels of seniority

may require different levels of industry knowledge based on the nature of their work and the client interaction. Also, the client's work may be effectively executed by drawing expertise from across practice disciplines and successfully leveraging only one or two key industry lead attorneys who can help explain the industry characteristics to others that are bringing some specific deep expertise around say a tax, technology or intellectual property issue.

III. Should “Industry” be THE Critical Component of Your Overall Firm Strategy?

“Strategy” is often misunderstood amongst law firm leaders. Being a law firm leader means that you are not managing one homogenous firm, but rather a portfolio of very different businesses. Strategy should be thought about at the business unit level with a clear, shared understanding of where the firm will allocate its scarce resources (people, time, dollars) towards the goal of being the “leading” or “go to” firm for one (or multiple) segments of clients, facing one (or multiple) types of business issues.

In practical terms, strategy helps guide deliberate choices about where your firm is and, just as importantly, where the firm is NOT going to direct limited resources. It can also (more controversially) include which clients and targets your firm will (and will not) continue to serve and/or pursue. Our experience is that being more industry focused allows your firm to find more (and better) client opportunities

for three key reasons:

1. Prospects and clients actively seek you out because of your enhanced profile within their particular industry and trade associations, because of your publishing and speaking on topics that are relevant to their specific businesses interests;
2. Unlike more “generalist” firms where the client is often wondering how much time and money it will cost to “bring you up to speed” on their business issues, you demonstrate an insider’s knowledge of key industry issues and trends; and
3. With an industry focus, you are able to more quickly and concretely identify how a new regulation, piece of legislation, disruptive technological advance, or economic development, etc. is likely to specifically impact a particular industry and the companies within it.
4. Clients believe they will get better outcomes and results because you understand the business risk, which clients believe drives legal strategy with the business risk defining the goal.

These points were reinforced in a recent discussion we had with by Jon Lindsey of [Major, Lindsey & Africa](#), who outlined some of the results from his firm’s recent 2020 Lateral Partner survey. According to Jon, the search for the right lateral is not about the individual simply having “a book of business” anymore, but rather, 75% of Major Lindsey’s executive searches are concentrated on finding some attorney with the

“right practice specialty.” And at least one-third of the inquiries Lindsey’s firm receives are very industry specific, along the lines of: *“Please find us a private equity attorney with a specialized knowledge of the Pharma industry.”* Lindsey said that from his experience, those kinds of industry-specific inquiries have definitely been on the rise.

In Australia and New Zealand, our friends at Beaton Research conducted their [annual survey on the performance of their professional service firm clients](#) and found that half of the law firms in the study had their clients rank Innovation as the law firms’ worst performing attribute. Also, there appears to be a big gap between firms’ current innovation activities and what clients truly value. For example, clients do not view innovation simply as technology, apps, AI, etc. In fact, the number one thing that clients say they want is for their law firms “to understand them better.” Indeed, clients want firms to “improve client service and client experience through better understanding the needs of clients, including understanding their business and industry.”

Meanwhile, Graciela Gomez Cowger, CEO of Schwabe, Williamson & Wyatt directs her firm on a strong focus on six industry sectors. In a [recent interview](#) she explained that the firm moved that way as a response to client feedback. “They wanted industry-tailored legal advice that takes into account the particularities of the industries in which they operate,” Cowger said, adding that how the firm spends its time and resources, how it hires, and how it trains its lawyers is

all dictated by this industry knowledge.

“Having this narrow focus simplifies our operations, helps us make decisions, and allows us to partner with our clients.”

And in a time when some firms still do not understand the dynamics of industry fragmentation and simply attempt to package it all under one umbrella, we salute the announcement made last month by [Marshall Dennehey](#). In an effort to keep pace with client needs in the evolving healthcare environment, this firm launched four new practice groups: Behavioral Health Risk and Liability; Electronic Medical Record and Audit Trail Litigation; Emergency Medical Services; and Telehealth and Telemedicine. As an example of how strategic this move is, we all know that HealthCare is one of our most regulated industries, but COVID-19 is taking the shackles off “Telemedicine.” As part of the \$2 trillion CARES Act passed by Congress the FCC plans to spend \$200 million to support telehealth programs. So if your firm has a vanilla labelled HealthCare group, how are you expecting to compete?

When your firm focuses on a specific industry, it quickly deepens its understanding of how to apply its expertise in that industry.

Your firm can move quickly to identify key issues, determine best practices or spot how emerging trends may create new opportunities and problems for companies in that particular industry. But the real issue here is not about the deepening of industry knowledge and insight, but whether your firm has a structured process for developing, refining and sharing those industry insights that can then allow you to enrich your relationship with valued clients.

Here are some specific steps to make sure you have covered in making your industry group efforts worthwhile:

Determine your firm's current industry experience

It's an easy step to take since every client has a Standard Industrial Classification (SIC), North American Industry Classification System (NAICS) or International Standard Industrial Classification (ISIC) code that is determined by the company's primary line of business. That said, it will be inevitable that some of your clients may be players in multiple different industries. At last look, Amazon is a major player in well over a dozen different industries.

Also, clients that make silicone chips have nothing in common with companies that make cars, but law firms keep creating "Manufacturing" industry groups. The key is finding industry definitions that reflect the firm's actual client base and experience.

Decide which specific industries to target

This requires examining the various industries your firm is currently serving and the revenues realized, together with your firm's ability to deliver qualified service expertise. Expertise is the largest requirement to creating an industry group because the members of the team must have hands-on experience working within the particular sector. In addition, having group members who are active participants in trade associations provides you with the advantage of having your people hanging out where the potential clients are.

Compare the strength of your firm's capabilities to your major competitors

Critically and objectively assess your firm's existing capabilities to solve clients' most pressing problems in each targeted industry. Will clients view your firm as credible? Does your partner group have solid client references and relationships that will help you compete effectively? Do you have (or can you quickly develop) insightful points of view and usable intellectual property (checklists, templates, tools, etc.) that will pique your clients and targets' interest? If not, it will be difficult to compete effectively and might not be the best industry sector to focus on — unless your firm is willing to invest in building the missing capabilities and credentials.

It is not unheard of to see some firms enter markets where they had few existing clients and were up against well-positioned competitors dominating the landscape. We are not saying that you should never move into totally new industry markets, but you do want to carefully evaluate whether the competitive battle is your firm's best investment of time, energy and focus compared against other industries where your firm is starting from a more established position.

Analyze the current size and projected growth rate of each targeted industry

You should ensure that the current size and the projected growth rates for each target industry under consideration will result in a sufficiently large market for you to compete in. "Sufficient" will naturally vary by firm

— but should always be substantial enough that it can support a critical mass of partners and professionals as it evolves.

Now that said, there are some industries that may be in their early developmental stages (e.g. Vertical Farming) or it could be a mature industry that is currently going through a fracturing process where multiple sub-industries are emerging (e.g. DNA based medicine in HealthCare). In these instances, being a ‘first mover’ could secure a competitive advantage . . . over some period of time. You need to feel comfortable that you can achieve that first mover advantage and that the targeted industry has traction and is not going to become simply a fading fad.

Coordinate practice breadth with each targeted industry

Clients that come to a law firm because of its industry knowledge expect their industry experience to extend over a range of necessary legal specialties. Successful industry groups are narrow in their industry focus but broad in their practice capabilities.

Clients coming to an industry group also expect their law firm to be an industry insider. The best way to do that is to be the first to advise clients on breaking industry news. A simple client email within 24 hours of an important regulatory change affecting an industry screams industry knowledge much more than a well-crafted formal newsletter a month later. Don’t be one of those firms or attorneys who simply rely on sharing industry news, as it fails to tell clients anything of value.

Ensure geographic alignment between the targeted industry and your locations

Be sure to evaluate the level of geographic fit between your target industries and your office locations, given the geographic clustering that is prevalent in many industries. For example, it will be challenging to service oil and gas clients in the Houston area if your firm only has offices in the Northeastern US. Similarly, a firm with a presence in Silicon Valley is likely to be well placed to serve clients in some aspect of high technology.

Try to match culture between partners and each targeted industry

The reality is that some firms and their partners are better suited to some industries than others. For example, media businesses and their executives are quite different from oil & gas executives who are different from those running hedge funds. Because clients generally tend to retain people they “like” and are like them, it is hard to understate the importance of this criteria. This cultural/personality match (or lack thereof) should be discussed openly (and without fear of retribution) to help guide your firm and it’s individual partners towards the right industry focused decisions.

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About the Authors

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[Read more about Patrick McKenna.](#)

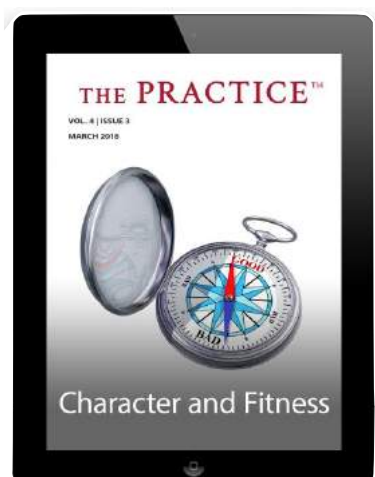
[Michael Rynowecer](#) is President of The BTI Consulting Group. He helps his clients drive robust growth and client relationships. He

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Michael has advised virtually every market leading professional services firm in the world over the span of his 3 decades of experience. Michael writes the widely followed blog The MAD Clientist.

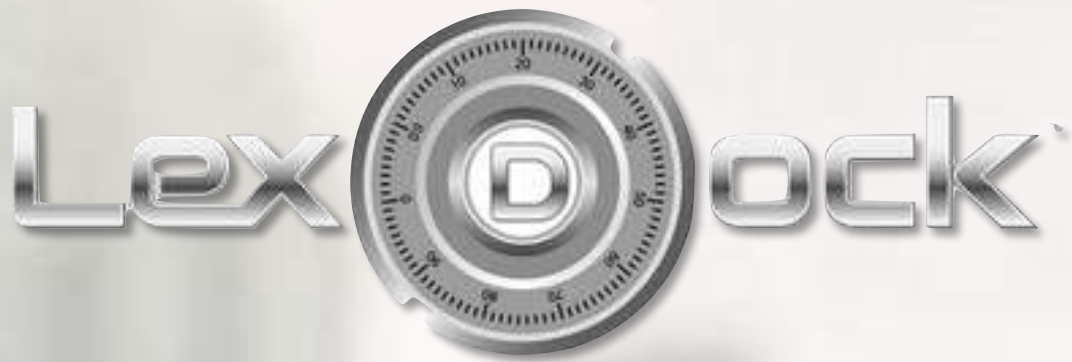
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Cost Levers along the Next Gen Value Chain of Professional Services

By Sebastian Hartmann & Stephan Kaufmann, KPMG

The cost pressure is on for professional services. Shifting client demands, declining prices, new technologies, and an [emerging set of fierce competitors](#) are taking a toll on law, consulting, tax, and accounting firms. Especially in times of crisis, cash is king. Once the topline deteriorates, outlasting the competition requires superior cost management. COVID19 is surfacing which firms have successfully adjusted their business and operating models and will be able to cope with the harsher climate of a global recession – and the accelerated digital transformation of professional services. But what exactly are the cost levers when the game is no longer about utilization and hourly rates?

Earlier this year, we explained the emerging next-generation value chain for professional

services firms in Legal Business World ([see here](#)). We described the up- and downstream extension of the traditional value chain – adding elements such as innovation, design, development, service/product management, and even after-sales support. The changing value chain is reflected in the multitude of new roles in professional services firms (e.g., in law firms, we now find legal designers, solution architects, engineers, data scientists, operations and project managers ..., etc.). Underneath, we also see a more front-office related operating layer emerging – especially around the technology embedded in client-facing delivery work. The management layer, in the meanwhile, needs to rise to unprecedented importance and professionalism for handling the emerging complexity.

So, the overall mechanics of professional services are changing drastically – and that includes the financial model and the available cost levers, which need to be mastered by managing partners, CEOs, COOs, and other leaders across the firm. In the following sections, we will work through some of the essential cost levers – one by one along the next generation value chain:

Innovation – Cost Levers:

- **Client co-creation:** Innovation should always start with clients – their needs, challenges, or issues to be solved. Getting clients to pay for the creation of something new is, of course, common practice in professional services. Explicitly co-creating solutions, which may also be sold to other clients, however, is a different game – a game for which legal (e.g., IP), financial and operational implications need to be diligently managed. When investment budgets are scarce, co-creation is the best method to avoid developing a market flop and thereby sinking vital cash. It is by far the most cost-effective way to design, develop, and launch a new

solution, service, or product.

- **Ecosystem innovation:** Limiting the search for innovation to your organization alone is like walking around blindfolded and only using one ear to listen. Understanding and leveraging a firm's ecosystem as a potential sensory advantage can significantly lower the R&D spend and broaden the spectrum of innovation options (by incorporating clients, suppliers, and alliances). This lever, however, is not just about “increasing the firm’s surface” for ideation, but probably even more about the efficient design, development, and go-to-market of innovative solutions through ecosystem partners.

Sales – Cost Levers:

- **Pricing model:** The extended value chain and client ask for incentive alignment (= outcome-based compensation instead of billable hours) requires firms to re-think their pricing. The emerging answers acknowledge value (throughputs or outputs) as price drivers instead of cost (inputs). A value-based pricing model unlocks the

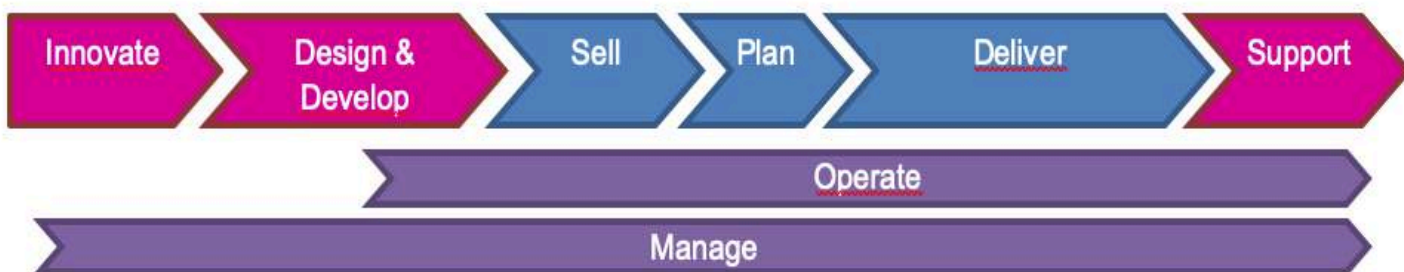


Figure 1: Emerging value chain

opportunity to de-couple revenue and costs for professional services firms. Technology costs and other elements can be incorporated much easier, and economies of scale can be leveraged at a much higher level (see also the cost levers in the "Solution & Delivery" section).

- **Growth hacking:** Growth hacking describes an organization aggressively focusing on ramping up solution, service, or product sales often through relentless digital sales. It thereby often seeks to utilize and expand existing networks of the firm's individuals (bottom-up). The approaches focus on low-cost, targeted, and direct access to desired clients – often through social media and digital content. Growth hacking banks on speed and determining a product's viability in the market. Fast success (or failure) is the consequence and makes it so much more cost-efficient than many traditional sales approaches.
- **Sales partnerships:** Leveraging go-to-market alliance partners can be very cost-effective for many reasons. First of all, an alliance partner salesforce can be leveraged for both existing clients (broader penetration) and new client segments. Another reason is the cost-effective differentiation of the value proposition design itself, which is enhanced through the combination of complementary elements, e.g., expertise and technology. Needless to say, a trusted alliance partner vouching for your firm is also worth more than narcissistic self-promotion. Played well, both

alliance parties benefit equally, as this logic applies vice-versa.

Solutions & Delivery – Cost Levers:

- **Standardization:** Professional services have evolved from highly bespoke advice towards delivering much more client-centric solutions. This evolution was predicted by Richard and Daniel Susskind several years ago. The basic stepping stone in their model is the [decomposition of solutions, services, products into methods, insights, tools](#), and delivery processes. It unlocks the most potent levers outlined in our article: Standardization, digitalization, and automation. Most firms are still surprised how easy it can be to take the first steps by merely leveraging already existing data, templates, and best practices. The key, however, is the repeated and very systematic use of declared standards across all applicable client engagements – and the subsequent closing and use of feedback loops for rapid, continuous improvement. So, here's a practical example: Engaged by a consulting firm a few years ago, we have been able to standardize their five top-selling solutions (accounting for >70% of revenue) within six weeks – and thereby improved contribution margins by 6-11% within a year (see fig.2 and 3). This has also improved the adherence to project plans and client satisfaction scores at the same time.
- **Digitalization & Automation:** Developing and deploying standards in professional services is often based on Microsoft Office formats, such as Word, Excel, or PowerPoint. Deploying such standards to client

EFFECTS OF DELIVERY STANDARDIZATION, DIGITALIZATION & AUTOMATION



Figure 2: Improvement of adherence to plans and budgets across client engagements of a mid-sized consulting firm



Figure 3: Improvement of contribution margins across all client engagements of a certain type (solution) in a mid-sized consulting firm

engagements through service-specific pre-configurations of collaboration sites (e.g., SharePoint or Teams) is not rocket science anymore. But it is impacting the ways of working for many professionals and may require extensive change management and user enablement efforts. As firms progress on this journey, the emergence of low-code and no-code platforms is taking bespoke applications, smart workflows, and analytical capabilities to a new level – at scale. To put this very simple: Do not teach coding to lawyers! It is not necessary. Focus on providing the right toolset and workplace environment instead.

These environments also make the knowledge work of professionals accessible to the power of analytics and systematic workplace optimization. There are several [explanatory videos about this](#) out there. Most of them based on technology, which your firm is probably using already.

Automatic time capturing is another critical element here – especially for firms, which are still running on time and material models. Automatically capturing and allocating the time of professionals to client projects and other task buckets not only increases immediate financial realization opportunities but also improves visibility into the actual costs of delivery, sales, and other activities.

- ***Virtual engagement design:***

The current pandemic and recession are accelerating remote and virtual collaboration models across all industries. Facetime and onsite presence are deteriorating even

faster now and will probably never come back to pre-COVID19 levels. But aside from the associated impact on pricing models and solutions, these new modes of collaboration allow for a completely new structure and setup of client engagements. For example, leveraging a single expert in multiple client projects around the globe is getting much easier when no one is expecting this expert to appear physically in a conference room. The usage of more cost-effective delivery resources as another example is also so much easier when the client is focused only on the deliverable. If you think that switching to video conferencing and some collaboration tool is all it takes to deliver virtual client engagements, you are leaving a lot of money on the table – or may even have to give up your seat at the table soon.

- ***Shared delivery & outsourcing:***

Hand in hand with the decomposition of knowledge work, many larger firms have started to invest in shared delivery centers in the last decades. Repetitive tasks across client engagements have been pooled into shared delivery centers, are being outsourced or automated altogether. The outsourcing provider landscape has matured alongside this development – and is now able to cater to ever-smaller volumes of work or higher levels of complexity. Many providers also strive for deeper and smoother integration with their clients through digital interfaces and connected workflows.

- ***Flexible contingent workforce:***

Hand in hand with the previous aspect, a

contingent workforce is about building more flexible "breathing" capacity into your delivery. Some firms have begun to make this a policy under normal circumstances, e.g., by resorting to 10-30% of freelancers or other subcontractors at all times (while monitoring for dependency and lock-in). This setup gives firms the flexibility to quickly ramp delivery capacity up or down depending on the situation. It is not just critical in the current, harsh climate, but also key to seizing the eventual pickup in demand. Tapping into this market of freelancer talent is not difficult anymore given the greatly improved visibility through marketplaces (like Upwork) or social networks, like LinkedIn.

- **Sourcing:** The latter also goes hand in hand with the rising importance of the Procurement function – and the absolutely and relatively growing external spend of many professional services firms. Procurement needs to step up its game – as it has in many other industries before. Legal, consulting, and accounting firms must realize the immense potential of building a responsive, flexible, and cost-effective supply chain, which underpins the client delivery work. Specialist sub-contractors, outsourcing providers, third-party research, analytics, development or design services, and technology providers are the typical focus categories now. These categories directly contribute to client delivery work and can improve both speed and quality for clients next to the cost benefits for the provider. In these cases, negotiating a new contract every two years or so and working through purchase requests from profes-

sionals is not enough. The entire strategic category management playbook needs to be applied here: Engaging with business owners about their demands, surfacing market options and trends, modeling financial implications of business requirements, deriving targets and benchmarks, managing supplier portfolios, or establishing accountability with demand owners for their spend. So, it is about managing costs from both the supply and the demand side. The effect of savings or cost avoidance on external spending may easily outweigh an increase in the revenue side regarding the impact on profitability. The savings may represent disposable partner income – or additional budget for investments.

- **Client segmentation:** The fact that client journeys and requirements greatly vary is often overlooked. While some engagement types or services require 24/7 attention, others allow for a more punctuated deployment of resources. Firms can use this to their advantage by explicitly designing distinct quality and experience levels throughout their solution, service, and product portfolio. Instead of a universal quality level, differentiated journeys and delivery approaches (depending on the client or service) allow the firm to allocate resources more optimally. Client experiences do not need to suffer – instead, they are more adequately shaped to suit the visibility of the work, the deliverables, and, of course, the client's quality requirements.
- **Technology management:** Next to personnel expenses, technology is on its way to becoming the second-largest P&L

constituent. In turn, managing technology costs is no longer a back-office activity but gravitates towards the center of next-generation financial management of professional services. Typically, one can differentiate cost measures based on the time horizon of their effects. Immediate effects stem from measures like headcount reduction, postponing projects, and changes in IT support outsourcing and are considered cost-cutting. Cost optimization, on the other hand, concerns process standardization, data center consolidation, and the migration of existing services to cloud-enabled XaaS offerings. These measures carry yields, however, probably more on a mid-to long-term horizon – and in terms of up- or down-scaling flexibility. Unfortunately, we find many firms still lacking mature technology management practices. Having come from a "keep the lights blinking" mandate, most CIOs are challenged by the growing front-office demands and attention. CIOs must now provide a clear definition of technology services and cost in business language – and as a constituting element to client delivery work. Approaches like technology business management (TBM) can help to overcome this hurdle. They shape the technology organization to work in-sync with the business and integrate technology in business models, pricing, cost management, and solution (service, product) design.

Support, After Sales – Cost Levers:

- **Service level differentiation:** Many firms proudly consider quality one of their biggest differentiators over competing firms. However, few firms succeed in

achieving optimal quality. Optimal quality is not synonymous with the highest quality – contrary to many professionals' mindsets. That is particularly important in after-sales support, which is growing alongside subscription, XaaS, and classic managed services offerings. While clients traditionally can expect almost instant responses during traditional onsite projects, in a more long-term support model, response times need to be tied to service levels. This differentiation enables better cost management and best-fit service quality for each client segment.

- **Cross-/up-selling:** Support and after-sales are not only important to sustain deep and meaningful client relationships (= keeping them happy, active, and paying) but furthermore to cut the overall cost of sales. After-sales is one of the most overlooked cross- and up-selling opportunities in many firms. Clients who are willing to bridge from a one-time engagement into a more continuous, recurring liaison with the firm are also more likely to follow suit with an additional or better solution, service, and product purchase (e.g., higher service levels, see above).

Many of these cost levers are not short-term oriented, but about the longer-term competitiveness of professional services firms. As such, we consider these levers as critical pillars of success for the emerging next-generation value chain management in legal, consulting, tax, or accounting services. With the accelerated pace of change, which we can see in the market today, the focus of leaders and managers must shift from quick fixes to the

constant adaptation to a changing and more dynamic environment.

Unlocking these cost levers, however, requires institutionalized ownership. Firm leaders need to introduce roles and responsibilities around each lever and assign dedicated resources with clear targets. It is important to assess how these might conflict with established roles and responsibilities. To help overcome potential contradictions, firms require a more holistic management reporting capable of tracking profitability in different business dimensions and granularities. Reporting performance for each practice group, office, and down to project (engagement, matter) and solution (service, product) levels is vital to effectively managing cost lever ownership and ensuring compatibility of roles within one firm. Firms with this prioritization of management excellence thrive even in uncertain conditions and outperform their competition. These firms have established resilience by structurally addressing profitability and systematically reducing dependencies on the fading input-based business models.

About the Authors:

A classic career in the field of operations consulting (working for DAX and Fortune 500 as well as midcaps in Germany, Europe, Asia and the US) has led [Sebastian Hartmann](#) to

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Due to the COVID-19 crisis the legal innovation event Lexpo is rescheduled to September





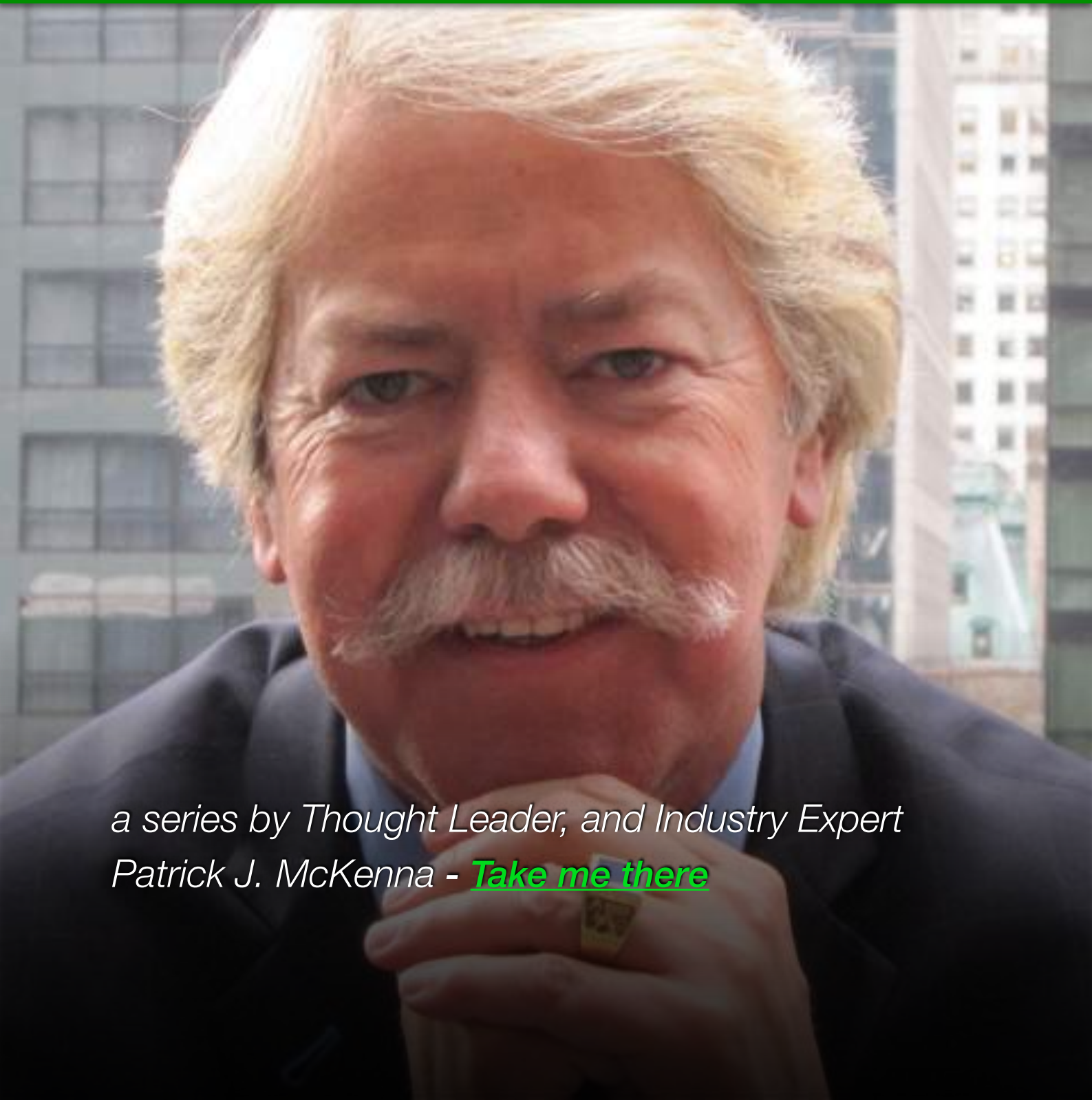
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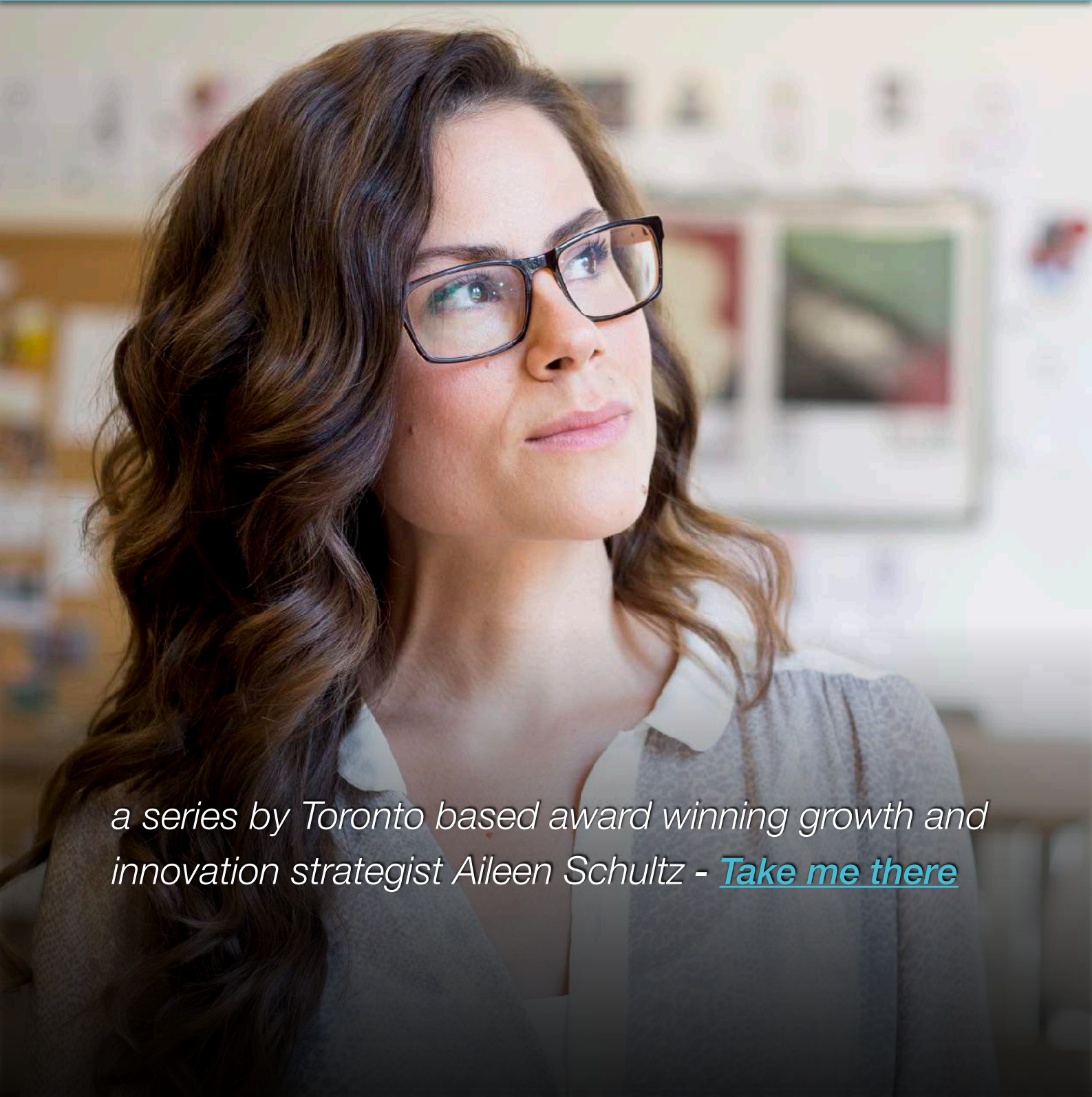
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Good Intentions

The Idea and Execution of Diversity Management

By Dr. Susanne Reinemann and Markus Hartung

The pharmaceutical company Novartis expects their external legal counsels to take diversity management more seriously. That sounds like a good idea. But idea and execution are two different concepts. Susanne Reinemann and Markus Hartung have taken a close look at the policy from a German perspective.

The world is a very colorful and diverse place. More than 7.7 billion people live in around 200 states spread over seven continents. We Europeans account for only 10% of the world's population. The proportion of women and men in the world is about the same, or more precisely: at least as far as those are concerned who have been assigned a particular gender after birth. The same applies to Germany, where there are slightly more women than men.

Of course, there are other differences between people, beyond origin and gender, for example with regard to religion and sexual orientation. But it is sometimes difficult with the German language. We lack the ease with which "racial diversity" is addressed in the USA or England. Adding to that, there is obviously more statistical appreciation of diversity elsewhere: in addition to gender, one finds evaluations of faith/belief, race/ethnicity, sexual orientation, gender identity, disability and disability level.

The status quo at law firms

In the western world, diversity ends at the doors of (large) business law firms. Bar some country differences, on the whole more women than men study law and when it comes to starting a career, the proportion of female lawyers is often even greater than that of their male colleagues. Then, however, the proportion of women decreases over the years, until it is only just under 20 percent at partner level, in some countries even significantly less. This has also been known for a long time in Germany.

The exact reason for this is not known, at any rate there are hardly any empirical studies. We are dependent on assumptions and anecdotal evidence, all in the field of “empirical impressionism”. Maybe the rather traditional and male-dominated working atmosphere in law firms is unattractive for female employees per se and, moreover, the “dogma of permanent availability of lawyers” does not allow for the compatibility of family and career. For this reason, women often leave the law firm in the run-up to concrete family planning and prefer the judiciary and the state administration as employers, but also companies where, unlike in law firms, more modern, and at any rate, up-to-date personnel development methods are applied.

Apart from the gender issue, there are no other diversity issues in Germany, unlike in the USA or England – or rather not yet. After all, it is no longer just white German law students (with white German ancestors, in German: “Bio-Deutsche”) in Germany. Nevertheless, ethnic diversity does not play a role in the legal market.

The Novartis approach

Based on experience, law firms only change under pressure from clients. Against this background, a policy of Novartis, one of the large global pharmaceutical companies based in Switzerland, caused a stir. Because for the first time, a company adopted a numbers-based approach.

According to the policy announced in February 2020, Novartis has recognized the importance of the role of in-house legal departments in the (further) development of diversity and inclusion. At the same time, by selecting external law firms, the company wants to ensure that these values are also taken seriously there.

Novartis was well aware that mere appeals and voluntary commitments might not be enough, and with the policy they also introduced benchmarks that law firms would have to observe in the future. Novartis’ policy says:

“As part of the new program, Novartis preferred firms will make specific diverse staffing commitments for each engagement (and in any event commit that not less than 30% of billable associate time and 20% of partner time will be provided by females, racially/ethnically diverse professionals, or members of the LGBTQ+ community, with an expectation that such commitments will move to parity over the next several years). If a firm does not meet its agreed-upon diverse staffing commitment for a particular matter, Novartis will withhold 15% of the total amount billed over the life of that specific matter.”

In other words, no headcount based but a

mandate- or project-based quota of at least 20% at partner level and 30% at associate level. The goal is to achieve parity over the next few years.

Diversity at Novartis itself

Novartis also takes diversity and inclusion (D&I) very seriously. On the company's home-page there is a wonderful statement:

"We want our employees to be themselves every day."

And a little later on:

"We are passionate about Diversity & Inclusion (D&I) because it fuels innovation, drives engagement and attracts talent. D&I is a fundamental part of our culture aspiration to be curious, inspired and unbossed."

The pharmaceutical group has committed itself to achieving "pay equity & transparency" by 2023 at the latest and also supports the "UN Human Rights global LGBTI business standards" (LGBTI stands for "Lesbian, Gay, Bi, Trans, & Intersex"). These standards go far beyond mere acceptance by LGBTI people.

Among other things, they oblige companies to respect human rights and thus ensure that there is no discrimination within the company.

Diversity at Novartis is also expressed in figures: The workforce, nearly 104,000 people in 2019, comes from 149 countries, and gender parity has been fully achieved in the workforce and largely achieved in management. On the Board of Directors, however, four of the 14 members are women, or around 28%.

The policy for panel firms

However, this is not reflected in the policy for

panel firms. Of course, a fee reduction of 15 percent is considerable. But otherwise? Novartis accepts panel firms that are predominantly white, male and heterosexual on the one hand. On the other hand, there is the "minority worth protecting": women, non-heteros, non-whites.

Why is that? When asked, the company said:

*"Take for example data reported by National Association of Law Placement (NALP) and the Minority Corporate Counsel Association (MCCA), which shows that in 2018, only 33% of law school graduates belong to racial and ethnic minorities, while only 6% of law school graduates self-identify as LGBTQ+. And for areas like gender, where 50% of law school graduates are women, but only 21% of law firm equity partners are women, we need with urgency to understand the *why* behind this dramatic attrition (which may vary by law firm, practice area, and geography) and develop concrete action plans to address the gaps."*

So it seems to be the recognition of a necessity - the policy more or less reflects the status quo. It seems that Novartis can't find any other law firms to engage.

...but also well done?

Novartis is right about one thing: At the moment, parity does not work without a quota. The figures of the large commercial law firms speak for themselves. So far, law firms do not seem to be impressed by the fact that diverse teams are considered more successful, nor do they seem to be concerned about how to find young talent that meets their requirements.

Therefore, the fact that the pharmaceutical company is now setting guidelines for its panel law firms and thus setting an example is a good thing, to say the least.

However, well-intentioned is often the opposite of well done, as is the case here. At Novartis, women - after all, half the population and an equal number of successful law graduates - are to be found in a group with "other" minorities worthy of protection.

The status quo is thus perpetuated, and women are worse off than before, because the claim for parity is certainly not supported by the Novartis policy. If one assumes that it is the male law firm culture, because of which women in the western world do not (or do not want to) make a career in large economic consulting firms, then it is possible that the Novartis quota does not change this.

Low hurdle

And in general: a quota just reflecting the status quo is a low hurdle. If this is meant to be a step toward equal pay and transparency, which the company claims it wants to achieve, it surely is a step in the right direction. But will it motivate law firms to change anything? Probably not, as we all gather from our previous experience. As mentioned, law firms need hard figures and quotas to accept change. Therefore, further perspective guidelines are needed, such as in which period of time the quota will be increased.

Last but not least, at least in Germany, sexual orientation cannot be regulated by a quota. It is not only protected by data protection law, but is also simply not an employer's business.

And a policy that in turn takes into account those who out themselves voluntarily is not a diversity policy.

If Novartis wants to ensure that its service providers are committed to human rights and do everything possible to avoid discrimination in the workplace, then in some cases this can be achieved through a number-based target, in other cases not. Last but not least, Novartis does not do this in its own company, despite their high standard of diversity.

Quotas are a good and a bad idea

So how can female lawyers and "other" minorities be attracted to join Big Law as associates and partners? Because that is what it is all about. This is not just a question of zeitgeist or doing good. It is in law firms' own interests, not only because diverse teams are considered to be more successful, but also because it will become increasingly difficult for these law firms to attract young professionals who meet their requirements.

Basically, a quota is a bad idea and a good idea: no doubt the world would be a nicer place if we didn't need quotas. But to achieve this paradise state of affairs, we need quotas. Operating with quotas requires a smart approach, not schematic thinking: quotas should differentiate between individual groups. As far as gender is concerned, it is simple: a corresponding target could be based on the proportion of women who have successfully completed law school.

As far as origin is concerned, it is more difficult. In Germany, a quota for this would be an arbitrary figure, because we do not know what

the proportion of different ethnic groups among the graduates is, and furthermore, nobody knows whether and how many people are deterred from studying law because they fear that they will not have a chance on the labour market anyway. Social mobility in legal professions has long been a topic in the USA and England, but not (yet) in Germany. Hence a quota is not going to help.

And when it comes to sexual orientation, the matter is clear again: it is simply nobody's business, in particular not in a professional environment. A quota, or even a promotion due to voluntary disclosure of sexual orientation, would be inappropriate.

Other methods

In addition to policies, other methods are proving to be helpful in other countries: naming and shaming. After the New York Times heavily criticized the election of eleven white men and only one woman to the partner team of the US law firm Paul Weiss, a rethinking process began at the firm. It publicly committed itself to take diversity seriously and to take it into account in partner appointments. And after London's Allen & Overy was heavily criticised by the government and parliament for failing to provide gender pay gap reports, the Magic Circle law firm has now become a role model in this respect. Easy, isn't it?

The article was published in German language on Legal Tribune Online (www.lto.de) in April 2020.

About the Authors

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The Times They Are 'A-Changin'

4 Areas Law Firms Should Rethink

By Brian Kennel, CEO and Lead Consultant PerformLaw

We believe it is time for law firms to rethink four essential elements of their operational models. In this article, we discuss each of these areas and our ideas for constructive change.

1. Physical Space
2. Marketing and Business Development
3. Attorney Performance Management and Morale
4. Financial Resources

Physical Space

For many lawyers and staff, their identity and sense of wellbeing are anchored by a physical location and the support that goes with it. Smart firms strike a balance between an office dependent culture and a distributed work environment.

Are assigned private offices necessary in all cases, or is the ability to use an office when needed a better approach?

To better understand office needs, a firm could survey the track the unused office days during a sample period. The results could inform a space allocation and use strategy.

Do all jobs require a centralized location, or will productivity improve in a remote setting? Are temporary spaces off-premises better for the big new case?

In our experience, at one point or another, office space becomes an anchor around a law firm's neck and can contribute to its failure. Distributing your operations provides flexibility and allows for an averaging down of rental costs and, more importantly, flexibility in long term obligations.

A decentralized work environment with strong remote capabilities requires adequate technology. Cloud-based practice management and communication applications can function as a virtual law office. The former is an application that combines case management, document management, email and calendar, contact management, accounting, and reporting. It is accessible through a browser and fully integrates the essential business tools of a law firm in one virtual location.

To facilitate remote communication, we also suggest implementing a team communication application. The instant messaging, video call, and screen share features enable attorneys and staff to interact seamlessly and without email internally, as well as with clients.

Marketing and Business Development

We believe that law firm marketing by defense firms misses the mark. We think it is better to create a marketing system built on a strategy map, brand strengths, a useful website, SEO credibility, automated marketing systems, and superior service delivery.

The most important benefit of a system-oriented approach is that it serves everyone, creates goodwill value, and establishes an economic benefit that will strengthen connections to the firm.

Imagine not having to rely on a lateral approach for growth and long term success. Many brilliant lawyers never learn to market but crush it when given a vital case or client. With new business coming to the firm based on brand strengths, the need for traditional in-person approaches diminishes.

The components of a system oriented approach include:

Strategy Map; BrandScripts; Website Wireframe, Web Development, Marketing Automation Software (MAS) Selection; MAS Build-Out; Team Development; Team Roles and Responsibilities; and Activity Plans.



For most, the effectiveness of the traditional approach is overstated. If objective performance measurements continue to supplant personal relationships in the purchase of legal services, traditional marketing approaches will become even less effective. Finally, this type of marketing system is not location dependent and can provide benefits on a much broader spectrum.

Attorney Performance Management and Morale

So how do we keep our talent together without the physical space and connection that a brick and mortar culture provides? For those who do not need to see you working to believe that you are working, it is easier. Those who rely on in person meetings as a main means of communication will struggle.

Better tools can help, but a change in thinking is necessary. For example, the most important elements of an attorney relationship management system include:

- A Planning Process;
- A Training and Development Program;
- Compensation and Incentives;
- Performance Measurement and Evaluation;
- Informal and Structured Feedback; and
- Recruiting and Hiring.

All these can work without in-person meetings. I am not saying in-person visits are never necessary, but we need a lot less of them, and remote communication tools, in many instances, are

more effective.

For example, screen sharing a document and working real-time is more effective than trying to decipher handwritten notes or sitting in front of a busy partner who has several things going on at once.

In-person meetings often provide emotional support, which is essential, but are often overused and consume incredible amounts of time. One way to address these aspects of a more distant culture is to provide funding for a professional coach who can help sort out relationship issues. Again, this is an entirely different approach to human resources management.



Financial Resources

Building capital in a law firm is challenging. Most small/mid firms are taxed as partnerships, and retaining capital requires members to receive taxable income without the corresponding cash. If a firm is considering a plan to hold back earnings to build cash reserves, the easiest way is to withhold 60% of targeted profit distributions until the accumulating the desired reserve amount. In this way, partners will mostly have the cash to pay their tax liabilities. Alternatively, the equity owners can contribute cash from their private resources.

The philosophy of the partners and their financial capability often determines the capitalization methods used. It is typical to see a combination of approaches. For example, a firm might create a base capital layer by requiring owners to contribute an amount of capital (cash) commensurate with their ownership interests. Earning holdbacks and debt support capital needs beyond the base layer.

We strongly believe that a paid in capital layer of at least two months operating expenses, including a minimum draw for the owners, makes sense. A reserve in this amount will allow a firm to endure a temporary situation without incurring debt.

Most firms do not suddenly lose 100% of their income at once, and capitalizing for that eventuality is impractical. A more likely situation is a firm that experiences a partial decrease in revenues requiring only partial draw on capital reserves. Finally, it is possible to have too much capital, which can lead to a delay in addressing performance and other financial issues.

Capital reserves can also support expansion and other strategic initiatives. Using capital forces equity owners to more carefully consider speculative investments because their money is at risk and not the banks.

Responsible use of debt for equipment purchases or to finance client cost advances makes sense if the appropriate financial policies accompany it. For example, paying back equipment debt to coincide with the rate the equipment is written off (depreciation). Applying a bad debt reserve to client costs is also sensible.

Using debt for expansion and speculative hiring is most dangerous, and we believe this is a mistake. Firms who capitalize at the appropriate level, govern with the right policies, employ competent planning processes, and implement the right systems will create institutional value.

About the Author:

[Brian Kennel](#) is Law Firm Management Consultant providing advice and implementation support for improving law firm operating results.

As CEO and Lead Consultant at [PerfomLaw](#) he understands the opportunities & challenges that exist in law firms.



Three Basic Competencies for Corporate Counsel

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

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

We are all so busy that enough time is seldom taken to perfect the competencies to manage a legal practice within a law department. For that matter, not enough time is invested by senior corporate counsel to acquire the administrative, professional and management competencies to lead a law department. Not enough preparation, too much improvisation and only on-the-job training.

In the normal course of my consulting practice, I meet many capable 8 – 10-year corporate counsel being put in charge of significant matters and portfolios of legal work for a legal department. Sometimes they serve as primary relationship managers for a number of business units. Sometimes they are the expert for a legal specialization such as regulatory affairs, tax or health law. The big challenge is to stay on top of the work, because business units do not always provide the law department with a lot of advance notice or documentation. The internal “client” is undisciplined. In summary, the relationship is not “managed” as such.

It follows that the law department’s workflows are erratic and that workloads “seem” excessive. I say “seem” because corporate counsel often believe themselves unable to influence the flow of work. Everything is a scramble. Industry surveys suggest that there has been no real increase in the length of the work week in the last 3 years. Yet, the demands for service are insatiable. What can be done?

There are at least three competencies which corporate counsel should master by the time they reach the 10th year of practice. The first is

efficiency. This is where one finds ways to accomplish the most with the available time and resources. There should be evidence of getting things done more quickly with less money and fewer people, regardless of whether the resources are in-house or with preferred law firms. Senior counsel should be able to organize their professional practices to achieve multiple objectives or tasks simultaneously.

We have conducted regular studies to evaluate the backlog of work in individual practices, the number of in-bound and out-bound e-mails and phone calls per day, and generally to gauge all forms of interruptions to daily work. The bottom line is that a minimum of 10 % of available time is lost because of the failure to manage communication traffic on a daily basis. That represents at least 200 hours per year per lawyer. Imagine the chaos at our airports if air traffic controllers took the same approach in the delivery of their services. So, some structure and skill are necessary to achieve and maintain efficiency. There should be no problem sacrificing the accessibility of business units to the law department in order to improve turnaround times.

The second competency for senior counsel is relationship-building. Proficiency here recognizes the importance of positive personal relationships in business. Senior counsel establish mutual trust and credibility with business units and other stakeholders through a track record of reliability and results. Some law departments formally align individual lawyers with specific business units to deepen relationships.

Still, there are many law departments with legal specialization as the primary organization criterion – competition, commercial law, litigation and so forth. I have seen 4-lawyer legal departments made up of 2 commercial lawyers, 1 labour lawyer and 1 litigator with responsibility for up to 16 business units divided among them.

In one company, the business unit is also told who the back-up lawyer is in case of emergency – not unlike how general practitioners manage in the medical community. Relationship lawyers make it their business to anticipate the type, volume and demand of all legal work from their business units, regardless of whether some of this work is then referred to another member of the law department or to external counsel. This type of alignment with business units is essential to proficiency in building and maintaining relationships.

Some companies rotate their lawyers through a wide range of business units over the years so that they can expand their working relationships beyond a handful. They also get to learn the business from operating and strategic points of view.

The third competency calls for formal training in legal project management (LPM). Long practiced by engineers, IT and some clinical professions, project management is now acknowledged as a core skill set for legal services delivery. Law firms have specialists training partners and associates in LPM. They have invested in the software and the research capabilities to ensure consistency and financial viability

of plans and related budget estimates across the full life cycle of individual legal matters. It is good discipline to develop a legal project plan for matters projected to have as few as 50 hours. Good plans will detail phases and tasks for matters. They will detail the planning assumptions for all phases and most tasks, and they will suggest the probability (percentage) of those assumptions or hypotheses being valid. The LPM plan goes on to allocate tasks by lawyer and technical staff and includes a schedule for every element. Law departments should start by getting their professional firms to share LPM techniques and tools. They can ask their preferred law firms to train members of the law department in LPM.

Efficiency, relationship-building, and legal project management skills are three basic and essential competencies for corporate counsel. Proficiency in the early years depends on operating protocols, training, and frequency of opportunity to practice the three competencies. Multi-disciplinary project teams and the volatility and pace of business need corporate counsel to demonstrate this type of knowledge and skill across the board.

About the Author

Richard G. Stock, M.A., FCIS, CMC is a partner with [Catalyst Consulting](https://www.catalystconsulting.com). The firm has been advising corporate and government law and procurement departments internationally since 1996. For legal services procurement and law department management advice that works, Richard can be contacted at (416) 367-4447 or at rstock@catalystlegal.com.



Series on Corporate Social Responsibility and Sustainability for
Law Firms

The COVID-19 Pandemic

A Catalyst for Change in a New World

By Pamela Cone, Founder & CEO Amity Advisory



“Defining purpose in slogans and statements is the easy part. What makes purpose real is following through on its implications and letting it guide the choices you make.”

Reimagining the post-pandemic organization. McKinsey & Company Quarterly, May 15, 2020

Before COVID-19 changed the world, some firms considered social impact and sustainability nothing more than a “nice to have” program. In other words, social impact programs weren’t strategic to their business.

The pandemic and corporate responses to it have shined a light on what is important in guiding a company’s choices in the midst of the crisis.

Many senior executives, partners, clients, and employees are seeing that robust social impact and sustainability programs are key to their firm’s credibility—a community buy-in or acceptability akin to an unofficial “license to do business.” This social commitment is crucial not just in good times, but perhaps even more important in times of crises.

COVID-19 reveals firms’ core values

Most companies have mission and/or vision statements. Decisions made in response to the pandemic have revealed such statements as either simply window dressing or as strategic and core guides to the company. When the mission/vision statement is central to the business, it directs all decisions the firm has made and will make in response to this or any

crisis. Doing the right thing now—based on the firm’s purpose and values—will contribute to a firm’s success in a post-COVID world.

“We can and must see this as an opportunity (albeit a forced-one) to adapt and change for the better,” said Richard Susskind, a legal technology advisor, during a webinar hosted by Legal Geek in April. “Companies can improve and recast themselves, using CSR best practices to help guide process, policy, and procedure decisions in this COVID world and beyond.” Behavior and decisions during COVID illustrate and highlight a company’s values, vision, purpose—or not.

Calling on social impact programs to manage crises

Some may assume that we can set aside our corporate social responsibility (CSR) program during this crisis. However, a robust CSR program is integral to managing crises.

Consideration and discussion of environmental, social, and governance (ESG) issues are increasingly important as we navigate the pandemic. After a slight drop of ESG news coverage in the early stages of the pandemic, April had almost double the news coverage of ESG issues that November did, according to Bloomberg News. And, since the beginning of the COVID-19 outbreak, UK Independent Financial Advisors reported a sharp rise in investor interest in the ESG performance of their investments.

Clearly, the pandemic is reminding or teaching us how critical social impact and ESG issues

are to a successful and sustainable global economy. Rather than setting aside social impact and sustainability programs during this crisis, we should amplify and enhance their components to help guide decision-making.

The coronavirus is changing public values

Recently, Mark Carney, the former governor of The Bank of England, told The Times in London, “Companies will be judged by what they did during the war, how they treated their employees, suppliers, and customers, and by who shared and who hoarded.”

As unemployment rises and the economy falters, perspectives are changing about what people value. The pandemic could reverse the slow transition from a market economy to a market society by exposing a gulf between what markets value and what people value, Carney said.

In other words, a singular focus on short-term shareholder returns at the expense of all other stakeholders’ interests is no longer sustainable (if it ever was), nor does it serve companies’ or societies’ best long-term interests.

How the legal industry is responding

By all accounts, the legal industry is responding to this crisis more thoughtfully and transparently than it did during the financial crisis of 2008-2009. In that crisis, law firms moved quickly to lay off employees to preserve cash for the partners.

Given the premise that a firm’s greatest asset

is talent—creative, innovative, and flexible approaches during this pandemic differ dramatically from those taken during the last financial crisis. In this current crisis, most firms are “sharing the pain” across all levels of their firms in a more equitable manner. Partners are reducing draws and distributions, and associates and staff are bearing salary reductions in an attempt to help preserve as many positions as possible.

A number of firms are establishing funds to assist employees who face financial difficulties as a result of the pandemic. Many firms are paying healthcare costs of furloughed employees. And a number of firms are offering reduced hours and even sabbaticals at reduced pay for people who are interested.

Even as firms are dealing with work-from-home environments, their clients’ industry disruptions, and court proceeding changes, they’re also paying attention to very important ESG matters. Firms are continuing to progress on diversity and inclusion efforts. And they’re moving their health and well-being programs to virtual services to ensure employees have access to support during these very emotionally isolating and challenging times.

We’re all struggling with the emotional toll of this pandemic. In a two-part series in *The American Lawyer* in April, Rebecca Simon Green and Jarrett Green defined the term Post Traumatic Growth: “An event that causes intense stress and trauma can also lead to significant positive change in five general areas: appreciation of life, relationships with others,

new possibilities in life, personal strength, and spiritual change.”

This is our moment

Perhaps personal and professional lessons learned as we deal with this pandemic will make us better prepared for the next global crisis: climate change. This pandemic and the climate change challenge have the same characteristics—They’re global in scope and intangible. Both require preparation, as well as a global, coordinated response.

Will lessons we have learned from COVID-19 help us more successfully address climate change? Will the clear, blue skies as a result of the pandemic’s travel restrictions be permanent? Will we work now to “flatten the curve” of the coming climate crisis before we run out of time?

Will we work to rectify many of the injustices of the economic system that have existed for decades and that the COVID-19 pandemic has so painfully revealed? Will we experience post-traumatic growth?

This is our moment. How will current and future generations judge our behavior and decision-making during this time?

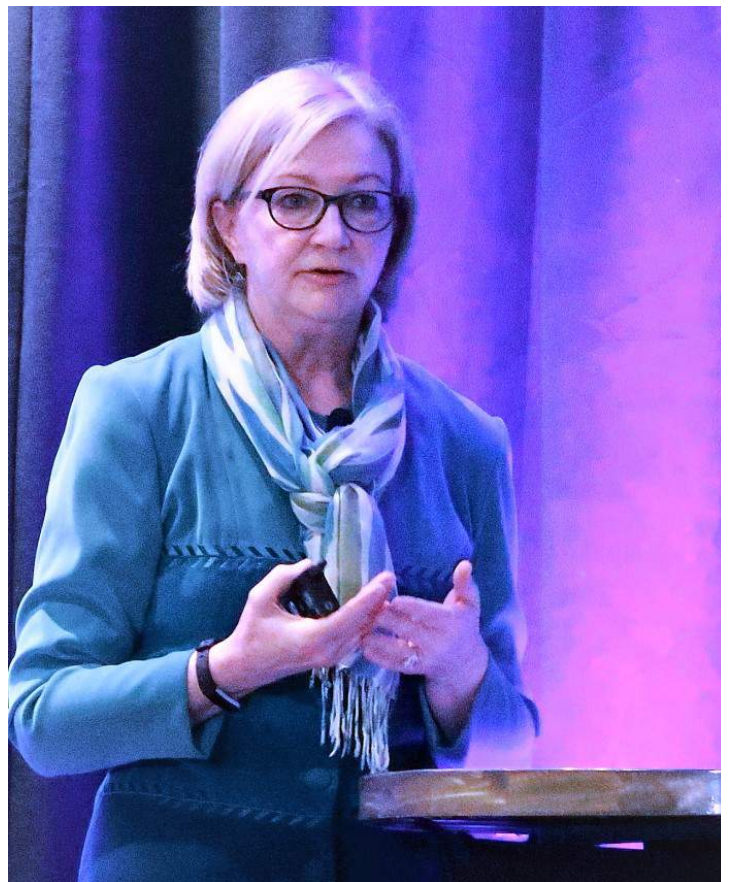
As my mother too often found it necessary to repeat when I was an ill-behaved teenager, “You cannot talk yourself out of problems you have behaved yourself into!”

Let’s ensure our actions now are celebrated for being progressive—rather than viewed as

missed opportunities to create long-term sustainability for our firms, employees, clients, and communities.

About the Author

[Pamela Cone](#) has more than 25 years of professional services experience in marketing, communications, and social impact and sustainability. She is founder and CEO of Amity Advisory, a consultancy that helps firms strengthen their social impact and sustainability programs and go beyond transactional efforts to achieve truly transformational outcomes. For more information, contact her at pamelacone@amityadvisory.com or +1 (206) 499-6890.



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IMPROVEMENT FOR LAW DEPARTMENTS

A portrait of Richard G. Stock, a middle-aged man with grey hair and a mustache, wearing a dark suit, light blue shirt, and patterned tie. He is looking directly at the camera with a neutral expression.

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Monotony in the midst of Covid-19: a Legal Pandemic

By Rethabile Konopo, Labour Law Consultant and Founder of Konopo & Partner Labour Law consultancy in Botswana.

Work seems a lot different today than just 3 months ago.

Legal professionals are left defenceless during the COVID19 pandemic, they too are pushed out of their jobs as the whole world remains homebound. The question that comes to mind is, “how ready are legal professionals for remote work?” An alarming rate of unemployment is showcased across the world, as the viral scourge spreads without warning. Courts and law firms shut down just like your favourite pub, instantly the powerline is invisible. Meanwhile, amidst this chaos, and the legal expert who has readied themselves with new skills adapting to legal technology are doing business as usual. But mind you, greater automation was already occurring before COVID-19.

Does it call for a pivot or new business model?

Vulnerable. The word I will use to describe how legal professionals have become since the pandemic in most countries. Legal professionals have been gasping for air since the Governments shut down the courts in which they conduct their business, stripping them off of their powers to secure human rights. But did this power struggle exist before this plaque? A few months ago when I approached a few law firms to take part in the Law & Tech Summit we have organised in Botswana to take place in April, a majority of the legal professionals were indecisive to push the agenda.

One of the biggest pain points in the legal community at this time, and a reason why legal professionals are reluctant to embrace change, is the fear of the impact of technology on their future, the fear that their jobs may very well be made redundant because the technology could replace them in the future. When we launched the 'Employment Justice Lab' in Botswana-- a platform for co-creation and experimentation; using legal design to find solutions for access to justice-- the response was generally the same. Legal innovation requires more than just a modern white paper or great talks, but immersing ourselves in the experience of the user.

Given the facts that this contagion will have a long term impact in the way legal professionals do business, tweaking is not an option it calls for a new look into the legal business model. While some are hoping that things will get back to normalcy, the question is, what is the new normal for the legal profession?

What will normalcy be like for legal professionals?

Lawyers do not only have legal knowledge but are also skilled at the application of the law, made possible through years of acquaintance in dealing with an abundance of cases and cannot be acquired with the aid of any technology. Thus, the attorney's knowledge and legal acuity will always be of the ultimate significance in the legal profession. To combat the sentiments of suspense and turmoil that might be felt, firms and business leaders need to capitalize strength into creating a culture of honest communication and confidence with employees to ensure that motives are appreciated.

"When a crisis like a coronavirus pandemic hits an organization, owners need to assess the impact on their business model, both immediately and over the long term," write Thomas Ritter and Carsten Lund Pedersen in the Harvard Business Journal.

Acquainting a new profit model concept in the legal space is challenging. The Total Solution, First Mover, Spin-Off, and Product Pyramid models are among those enabling law firms to flourish. The law firm model also involves evaluating the scope of activities proposed to consumers, which comprises both the techniques essential to immediately satisfy clients' needs as well as those expected to operate a business. In a litigation practice, for example, the first category of processes would include things like client consultation, pre-trial motions, discovery, depositions, and court appearances.

The second includes general functions like finance, human resources and back-end operations.

A firm's choice of activities in both categories shapes its strategic approach to winning business. The concept of selling time will only remain in the past in the legal industry.

What's subsequent?

Now that the future is here, how do legal professionals pivot?

Total Solution: Law firms will need to address the full range of clients' needs – legal issues and allied business concerns. Developing solutions requires a major initial investment to understand clients and their needs, create the solutions, and cultivate a client relationship.

Spin-Off: Law firms will need to apply “lean” principles to provide options to a wider market of new ways to serve clients and a wider pool of potential clients. Streamlining is becoming fashionable and sustainable in the legal industry.

First Mover: In the legal market, first movers will be those that address new legislation or regulations or those that establish a task force on an emerging issue, like cybersecurity breaches. First-to-market firms can command premium pricing. This can be sustained until viable competitors enter the market. Given the ready accessibility of precedent in the legal space, the window for first movers is small. But for genuinely

innovative firms, it can be highly lucrative.

Product Pyramid: The Product Pyramid model focuses on providing high-priced derivatives that may be low-volume but with a high-profit leeway. It also works with lower-price, high-volume products, where the per-unit dividend margin isn't high, but the volume of units moved propels the widespread profitability.

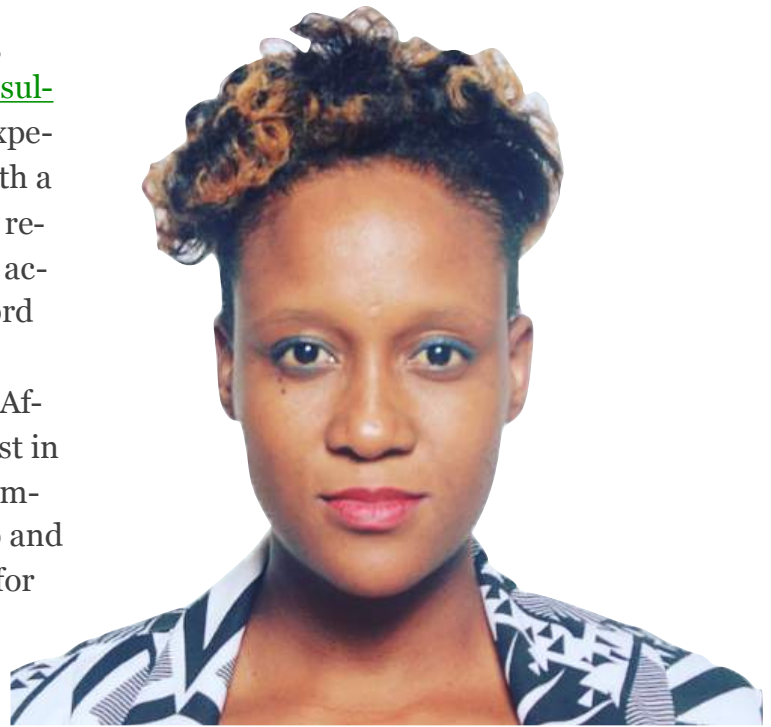
What skills do legal professionals need to remain relevant?

The skills that are required in the legal industry to meet the needs of this turbulent profession is resiliency—the ability to absorb a shock, and to come out of it better than the competition—will be the key to survival and long-term prosperity. New skills are definitely needed when transitioning into Law-Tech.

Though legal professionals are equipped with a vast knowledge of legal education, they usually lack data protection experience. Soft skills such as design thinking are also prominent within the industry creating new careers at the intersection of law and technology. Entrepreneurship spirit, curiosity, emotional intelligence and strategic thinking are the characteristics that could become relevant in the education and recruitment of future lawyers. Therefore, legal professionals will find the need to continuously increase their scope of learning and familiarize themselves with the latest trends of technology.

About the Author

Rethabile Konopo is a Labour Law Consultant, Founder of Konopo & Partner Labour Law consultancy in Botswana. She has over ten years of experience in both nonprofit and private sectors with a strong background in business and law to lead research in legal and systems design projects for access to justice. Rethabile spent a year at Stanford University, Hasso Plattner School of Design (d.School), as the John. S. Knight Fellowships Affiliate where she developed an immense interest in the human-centered process of creative problem-solving, spending time at the Legal Design Lab and the K12 Lab. She then participated as a fellow for d.School Designing for Social Systems, joining high impact social sector leaders across the world.



**THE IRONY OF
SEXUAL
HARASSMENT
IN THE
LEGAL PROFESSION
AND
WHAT WE CAN DO
ABOUT IT**

KAREN M. SUBER, ESQ.



**DATA &
DIALOGUE**

a relationship redefined

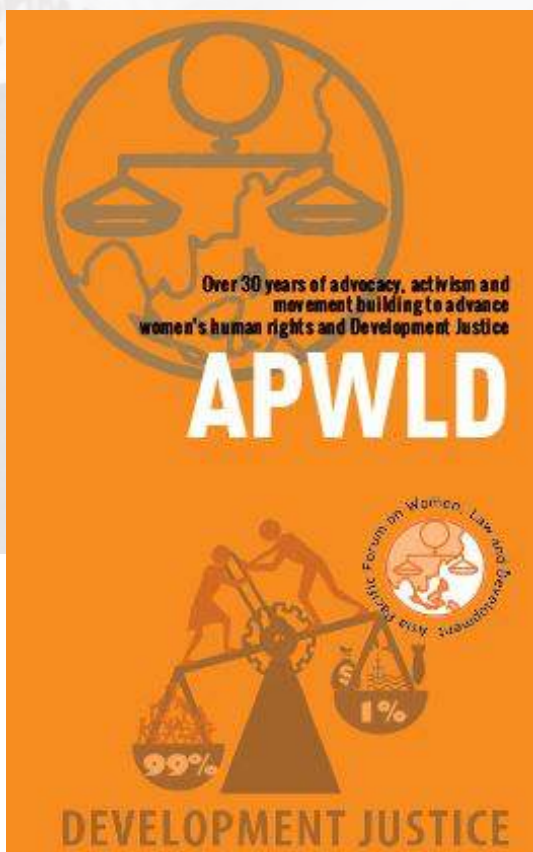
Transforming relationships between law firms and their clients

Written by Jaap Boonstra





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How Legal Design will change the way we approach innovation in legal services

By Alisha Andert, Co-Founder of This is Legal Design

Innovating legal with Legal Tech and Legal Design

How do you drive innovation within the legal field? This question concerns many of us. And there most certainly is not one answer to it but many. However, there are two terms that are frequently mentioned in this context: Legal Tech and Legal Design. On the one hand, Legal Tech seems to be quite easy to grasp. As the term itself already tells us, the whole concept of it is to make use of technology or some sort of digital service within the legal field. During the Digital era it seems rather natural that Legal Tech be-

comes an integrated part of most innovation attempts within the legal field.

Legal Design, on the other hand, seems to be a little harder to define. It can be called a new approach to innovation within the legal field, although, the methods that are used, such as Design Thinking, Business Process Modeling and Information Design, are not really new. They are just new to the legal world. What makes Legal Design especially unusual to legal professionals are not only the methods, but also the mindset that comes with it.

A mindset that includes being collaborative and approaching a new challenge with the idea of not knowing anything about it, and therefore, being open about what the result of a process will be. These elements are not what we are being taught in law school and they are most definitely not what the legal business world has taught us thus far.

But other fields outside the legal sector have changed. Agile approaches, new work and other cultural changes in many companies made us reflect on the legal field as well, and the feeling of being behind grew stronger. But with it grew an openness to try new methods.

So how does Legal Design change our approach to innovation? I am looking at that issue and will focus on innovating legal services.

Shifting from increasing billables to product thinking

I don't want to get too much into the discussion on the "billable hour" and its effects on the willingness to optimize processes or reach results in time. The whole topic has become highly controversial and there are more and more firms that are trying out other pricing models, or at least adapt the original concept of billing by the hour, as it is not satisfying for clients to not know what they will be paying for a service.

Although there hasn't been a huge breakthrough yet in the pricing of big law firms, something else can be noticed within the controversy: the client's needs become more relevant. Of course, the discussions are driven by the fear of losing clients if they find a better pricing model at another firm, and thus, they

are still focused on increasing or not losing revenue. But this should be approached with the idea of creating a better product for the client, rather than billing as much as possible for the same service. This mindset is what will be increased when using Legal Design to innovate legal services. We are getting into product thinking. Not out of altruistic motives because from a business perspective, creating a product that customers like is more sustainable than just increasing prices.

From result to development driven

"We need Legal Tech in our law firm."

"We are looking into AI solutions for our business."

"In a few years from now we will have automated all manual work."

These are statements that sound familiar when innovation is at stake within the legal field. I am not saying that that way of thinking is wrong. In fact, I am glad to hear when firms are open for new technology and realize that the way they have worked for decades might need to be adapted for the future. However, I see a pattern here that is very common among legal professionals. We tend to be driven by a very specific result that should come out of an undertaking. This is not surprising as lawyers usually are supposed to achieve a certain result for their clients. However, innovation is not a linear process in which a certain result can be set in the beginning and then be reached step by step as time goes by. Still, I see companies making big plans for the future on how to involve technology and digitize their whole business.

Sometimes, the plans are so big that they get cancelled completely when the final budget has to be approved. The sole idea of setting a very specific goal now of what the business will work like in 5 years from now is not only naive, it can be harmful. Changes happen so quickly in these times, needs evolve, new technologies are invented. What's important is that we are constantly able to react to these things and to keep our developments going. Innovation is not a linear, it is an iterative process. Progress is not measured on how close you got to a result that you predicted in the beginning, but rather on how well you adapted to the changing needs and developments.

There is a famous quote by Henry Ford (although there are debates about whether or not he said it like that) that goes: "If I had asked people what they wanted, they would have said faster horses." This is often quoted in the context of customer feedback lessons. But I also find it suitable to display why we should take a development, rather than a result driven approach to innovation.

Imagine instead of pursuing the goal to make people get around faster with less effort, the early inventors of the automobile would have simply set the goal to breeding faster horses. Super-horses that would be well-trained, never get tired and are extremely fertile to create more super-horses. Being open to a variety of results from an innovation process does not mean that all of the results are equally desirable. It gives more room for the various ways a great result can come in. Development-driven means being agile instead of sticking to a fixed goal, which enables innovators to adapt to

changes in the working environment. There is no need to give up on a service when it doesn't work right now. I am not concerned about a service that does not yet hit the nerve. I am much more concerned about a service that hasn't changed in many years because a company thinks they have "reached their goal."

Taking a user-centered perspective

Another important change that Legal Design brings to innovation within the legal field is a user-centered approach. Users can be from many different types of groups of people based on the context we are focussing on. When innovating legal services we will often speak about the client as a user, but lawyers delivering the service and other stakeholders involved can also be users. Why is it so important to take a user's perspective when innovating? In order to understand that we just need to look into a different field in which products are designed.

How would a product designer approach the new design of a soda can? He would most likely talk to customers first. "In what situation do you use a soda can?", "What do you like about it and what are you missing?", "Do you have a favorite soda can and why is it your favorite?". But not only that, a product designer would become fully immersed with the customer's perspective. He would buy a soda can himself, look at it, hold it in his hand, drink from it. He would also observe the typical user at a fast food restaurant or cinema and truly determine the status quo of the current product. Why? Because in order to create a better product (which should always be our goal), we need to really understand the needs and pain points that go along with it. I am aware that

lawyers will never design soda cans. But a product thinking approach will help create better legal services. Legal services that people want, like and yes, are willing to pay for. This cannot be done without taking a user-centered perspective at some point.

In practical terms it means that when approaching innovation in legal services we should always identify the users that are involved or affected by it. Before throwing around ideas on how to improve a service, there will be a research phase in which the core needs and pain points are recognized. This is a way to prevent focusing on a service that clients don't really desire.

Co-creative design as a key for desirable solutions

Along with a user-centered approach to innovation comes co-creative design. Co-creation means developing solutions together with a user. Asking a client what he or she wants in the beginning of a project and then never talking to them again until delivering a solution is risky when you want to make sure you're meeting that client's expectations. A typical pain point in contract design is that what the parties wanted wasn't quite understood or when important issues only come up late in the process. The important difference of a product thinking approach is that you keep the user involved in the process. Having short feedback loops and testing a result with users enables us to get much closer to the user's needs.

Imagine coming up with a great idea, such as offering pre-recorded video counseling for clients in order to increase time efficiency and enable clients to access legal counseling at any

time they want from every possible place. A fancy cloud-solution for the recorded video counseling is developed by a tech team and a huge pile of money is invested in that innovative service. Finally it goes to market and...clients don't use it. It now becomes apparent that what the clients were actually willing to pay for was not just the legal advice itself but rather the interaction with their lawyers that has now gone missing.

In an innovation process that used co-creative design, you would have built a prototype of the new recorded video-counseling and tested it with your clients. This way, early on, you would have found out that the great idea you had just didn't quite hit with your clients, which would have saved a lot of money. And in addition, made you acquire new insights into your client's needs.

From separation to interdisciplinary team work

The different roles that are needed when developing a good product cannot only be performed by lawyers. And they shouldn't be expected to. This seems unusual to many legal professionals as there are very few interdisciplinary touch points in law school and law firms.

But let's have another look at that product designer with the new soda can. Will he be the one crafting the new can, design the font and market the product? Will he deliver it to the stores and sell it to his users? Most likely not. For some reason, it still seems to be a common understanding that lawyers do all of these things alone. There might be different specialties on tax law, corporate law and criminal

law, but in the end, our minds work similarly. We have learned to think in very specific directions. Risk management, liabilities, costs - all of which are expected from us on a professional legal level. In order to create legal services as a better product though, it's time to open up to more directions. The best way to do that is by bringing different minds together. Interdisciplinary teams have a huge advantage in combining different perspectives and skill sets. This way they perform better on various levels and are more likely to adapt to changing environments.

Legal Design will change the way we approach innovating legal services. With a shift to product thinking, lawyers will be driven by development. Creating solutions will involve the user's perspectives as well as the attempt to develop solutions together with the affected users. In more practical terms, using Legal Design in legal services requires a shift from the way law firms currently perform, to a more interdisciplinary type of team work.

About the author:

[Alisha Andert](#) LL.M. is co-founder of This is Legal Design, an innovation consultancy for the legal field. She is also holding

the position as Head of Legal Innovation at the digital law firm Chevalier in Berlin. Alisha moreover is honorary chairwoman of the German Legal Tech Association.







The Rise of Legal Operations in EMEA

By Catherine J. Moynihan, Associate Vice President of Legal Management Services at the Association of Corporate Counsel and Robin Snasdell, Managing Director at Consilio

Legal operations is a growing trend in international law departments. As a function, it optimises how a legal team deploys people, processes, technology, and data to improve efficiency and cost-effectiveness of the legal service delivery model.

In 2019, the Association of Corporate Counsel (ACC) partnered with Consilio to raise awareness and competency in legal operations across Europe, the Middle East, and Africa (EMEA). That collaboration formed [ACC Legal Operations EMEA](#), a project to support in-house legal teams as they work to enhance their law department management. ACC Legal Operations EMEA holds bi-monthly virtual roundtables to discuss different aspects of the legal operations function, with over 500 attendees from legal departments across EMEA.

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A meeting last October in Frankfurt saw over 50 legal operations leaders attend from 14 countries.

Some of the insights drawn from these online and in-person discussions are presented below.

Legal Operations - what is it?

Corporate law departments in EMEA, as elsewhere globally, are implementing legal operations functions. Legal Operations functions vary in focus but broadly have remit to improve operational performance and maximize efficiency of spend. As cost pressures and complexity of legal services mount, and technology options abound, many general counsel (GCs) are now delegating responsibility for legal operations to a deputy GC; others are establishing a dedicated legal operations team, which may or may not be led by a lawyer. In one polled session, 55 percent of respondents reported that their legal operations team consisted of one to five members. A further 31.3 percent reported six to 20 members, and 13.5 percent identified 21 or more.

From the virtual roundtables, we know that many corporate legal teams are less sophisticated in their use of legal technologies than their colleagues in the US. They frequently lack any specific legal technology solutions and have limited, or no, specific budget for

IT. Counsel facing these challenges appreciate support in understanding how others have made a business case for technology solutions, and share tactics to bring their team around to successful adoption.

Change Management – a core competency

One virtual roundtable focused on change management, with participants from companies of various industries, sizes, and levels of maturity. Sixty-eight percent of participant poll respondents identified their legal teams as being in the early stages of change management maturity.

We heard about difficulties in implementing new ways of working within the legal teams, which can be partially attributed to the fact that very few (12 percent) of those responding to questions during the roundtable had someone dedicated to change management in their legal team. However, 40 percent reported having a team member in this role on a part-time basis.

The advisory board of ACC Legal Operations EMEA (which include representatives from Adidas, ASML, Banco Santander, Barclays, BT, Capgemini, Continental, Heraeus, Idemia, Lindt, Novartis, Orange, PVH Europe, Total, and UBS) have discussed ways to address challenges with technology user adoption. We believe the lack of change management maturity might go some way to explain this. Our speakers addressed the ‘change transition curve’, and encouraged legal department leaders to use the ACC Legal Operations Maturity Model Toolkit (<https://www2.acc.com/maturity/>) to benchmark and advance in any given area.

The Change Transition Curve – what is it?

Without involving or considering how people work and react to changes, new technology/processes can fail, leading to financial consequences.

Encouraging user adoption throughout the transition is key. So how do we ensure the user remains in the forefront of the process?

Below are four key stages to managing change. Addressing each stage, Consilio suggests the following remediation approach:



1. Identifying a Change: Change can happen at any time, in systems or in processes.

Remediation: Keep the communication channels open between the organisation and user. Think about the communication form to be used: meeting, email, newsletter. Listen to user concerns and address them immediately.

2. Period of Adjustment: There will be a period of adjustment, marked by anxiety and uncertainty.

3. Resistance to Change: Behaviours such as denial, self-doubt, frustration, and resistance are common.

Remediation: Depending on the type of change, adjustments can vary. A good example

is a data entry system. Whilst the data can be shared with management, the change curve might not be as challenging to that of a data entry employee. Ensure you look at the different personas and ways to bring them along the change journey.

4. Change Readiness: How do you change or enhance what an individual already knows?

Remediation: Suggested approaches include

* **Champions:** A champion is integral and can make a difference between the success or

failure of the change. The champion works with the project team, individuals, and the organisation. The champion's role is to:

- support and promote the change, echoing the benefits
- serve as first point of contact for dealing with or passing on any concerns/issue on behalf of the project team
- be a 'super user', the go-to person for staff questions.

***Training:** Training can be delivered via

- email, newsletter, or publication
- face to face meetings
- online tutorials.

Ongoing training has shown to be useful in increasing and embedding user adoption.

Digital Transformation – tailoring is important

Digital transformation — automation, cloud computing, and extensive gathering and application of data — has different implications for every organisation. It is crucial for legal teams to understand how digital transformation adds value, and how to quantify that value specific to their own departments and needs. One ACC Legal Operations EMEA virtual roundtable elaborated how technologies and digital transformation can drive efficiency. However, implementation is challenging, and support is often required from external consultants: 63 percent of poll respondents said their legal team was not ready for digital transformation, and 33 percent said digital transformation had only made them ‘somewhat’ more efficient.

Outside Counsel Management - data & dialogue are vital

Roundtable speakers and participants highlighted the importance of increasing communications with law firms, and of using data to gain insights and make better strategic decisions about legal matters. They identified structured, continuous dialogue (e.g., quarterly business reviews) between law firms and clients as a significant aid to successful management and cost efficiency. This is consistent with the “[End Of The Duopoly Report](#)” from Blickstein Group and Consilio, in which 79 percent of respondents rated a direct relationship with law firms as effective in controlling external spend.

Leveraging the Legal Ops Function – focus leads to impacts

It is clear from the knowledge-sharing throughout 2019 that legal departments with

dedicated legal ops staff, led by an executive who has a seat at the GC’s leadership table, are advancing rapidly in maturity – and more important, optimizing legal services for the corporation. By ensuring that work is performed by the right resources, both internally and externally, applying data to inform decision-making and manage performance, and change management techniques to nurture adoption of new processes and systems, legal operations professionals across EMEA are helping their legal departments shine as valued business partners.

ACC partners with Consilio to host bi-monthly virtual roundtables. To register or view previous roundtable(s), visit <https://www.acc.com/legal-operations-emea>

For information on the services provided by Consilio refer to: <https://uk.consilio.com/services/law-department-management/>

For information on ACC’s maturity model refer to: www.acc.com/maturity

This article was originally published at [Business Law Magazine - No. 1 - February 27, 2020](#)

About the Authors

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Robin Snasdell

Robin joined HuronLegal/Consilio in 2002 following 5 years at Arthur Andersen, LLP. His expertise includes legal department per-

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He offers a dynamic blend of practical experience in law, business and technology. Robin focuses on assisting global companies improve their business performance by providing



strategic consulting, process improvement, change management and technology-related solutions to the General Counsel and Chief Compliance Officer.

Due to the COVID-19 crisis the legal innovation event Lexpo is rescheduled to September





Small country, big opportunities for international law firms

By Adv. Yaara Deitcher, Head of Robus's
International department

Israel. A small Middle Eastern country that you have all heard about. This tiny country has been one of the focal points of the world during the past 7 decades, since its establishment back in 1948.

Until about two decades ago, the focus was on Israel's disputes with its neighboring countries, but in the past 20 years - and to a larger extent during the last 5-10 years - **the focus about Israel shifted**. Israel's technological superiority and strive for **innovation** have made the country to be known and described as the **Start Up Nation** - one of the world's leaders in cyber and everything that ends with tech.

It seems that the Israeli “climate” and *chutzpa* (audacity) acts as a catalysis for the formation of startups, and a lot of them. Israel is one of the world’s leaders in the number of startups per capita, with almost 7000 active startups. This technological activity led to a tremendous boost in the Israeli economy, with one of the implications being the fact that the market became much more global.

In the past years you probably heard that Israeli companies are leading the Hi-tech market, find alternative energy sources, new medicines or re-defining agriculture.

Indeed, Israel is selling innovation and technology to almost every country in the world, transforming its market into an international one, and enjoying outstanding transactions in the process. Just to name a few:

- Mobileye - acquired by Intel for 15.3 Billion \$
- Frutarom - acquired by [International Flavors & Fragrances](#) for \$7.1 Billion
- Mallanox - acquired by NVIDIA for \$6.9 Billion
- Playtika – acquired by Caesar’s Interactive Entertainment for \$4.4 Billion
- SodaStream – acquired by PepsiCo for \$3.2 Billion
- Waze - acquired by Google for \$1.1 Billion

As a result, Israel is an interesting market for international law firms, which are rushing to Israel, hoping to get in on the next billion dollar deal.

Another milestone that amped up the rush of international law firms to Israel was new legislation. In the beginning of the Millennium,

there was already significant international activity in the Israeli business market, and therefore - international law firms, along with their Israeli counter parts led various international transactions.

The presence of international law firms in Israel at that time was not formal, and usually based on an international law firm’s commuting representative to Israel, that would arrive multiple times per year.

In September 2012, with the understanding that the Israeli business and thus legal market is becoming more and more international, the Israel Bar Association made a reform, which opened the Israeli legal market to foreign law firms - the reform allowed international law firms to open a branch in Israel, in which they can practice their respective foreign law, in cross border transactions related to Israeli companies and entities.

International law firm’s presence in Israel

Following the 2012 reform, some international law firms have opened Israeli branches, amongst them are Freshfields and BLP. The entry of these legal giants led many other international law firms to the understanding that Israel’s business market should be explored further.

Today, there are more than 110 international law firms that currently active in Israel, 70% of them are US or UK law firms, and about 30% of them come from continental Europe (mainly France and Germany), Asia (mostly China and Hong-Kong), and lately BRIC countries like India and Brazil.

Not all of foreign law firms that are active in Israel have a formal branch. The presence of international law firms in Israel occurs in a number of different models the main ones are as follows:

- **Israel desk** –the law firm has a formal team that handles Israeli related clients and transactions. Many law firms around the world work according to this model including – Cooley, Dentons, Skadden and many others.
- **Commuting representative** – the firm has a specific representative that visit Israel a few times every year, facilitating closer relationships with key individuals in the business and legal sectors. To name a few - Howard Kennedy, Taylor Wessing and K&L gates.
- **Representative in Israel** – in this format, in which a firm has a representative living and working in Israel, we usually see international law firms that have upgraded from the 2 first stages to this one – such as Clifford Chance, Allen & Overy, Fox Rothschild and Bersay.
- **Branch** – opening a branch in Israel is reserved for law firms that have already explored the market and decided that Israel is a strategic and key destination for the firm for example - Greenberg Traurig and Asserson.
- **Merger** – It should be stated that there are less common modules such as mergers (in 2013 the Israeli firm Eyal Khayat, Zolty, Neiger & Co merged with the Chinese firm – Yingke) and exclusive partnerships

(Kennedys with the Israeli firm Zalichov, Ben Dan & Co. in 2019 is one of them).

The entry process to the Israeli market

Indeed, there are many ways in which international law firms can operate in Israel, and many law firms that wish to enter Israel's lucrative market. The question is - how to do it right.

In order for an international law firm to obtain clients in Israel, it should form relationships with Israeli decision makers in the legal and business sector. The target audience changes with respect to the different practice fields of each firm, but it is safe to say that the main target audiences are Israel's significant law firms and accounting firms, CFO's, corporate counsels and high-level directors in companies.

This is done by investing in the firm's business development and marketing plan with regards to Israel. In general, the plan should consist of the following:

1. **Precise Road Shows with key individuals** – business trips that include one-on-one meetings with relevant decision makers, such as top partners in Israeli law firms and accounting firms. Needless to say, the vast majority of large-scale cross border corporate transactions is led by law firms, and being acquainted with the partners who are in charge of the international work is crucial.

The meetings must be precise in order for them to create relationships that can actually be fruitful (i.e. bring clients) and that is why the research process for these meetings

must be thorough. In many cases, and especially if we are not talking about one of the world's biggest law firms, it will be best to try and meet not only the most well-known law firms in Israel, but with smaller law firms that might actually refer work.

2. **Events and conferences** – law firms that are active in Israel, tend to host conferences and events targeted to their relevant audiences. This is a great way to step up a firm's presence in Israel, taking your relationship building process from the necessary stage of 'one on one meetings' – to the next phase that allows firms to catch more birds with one Martini (or coffee).

Some events are aimed at showing the firm's professionalism in a specific practice field and will consist of more professional content like a morning professional seminar. These events are especially relevant if your target audience consists of corporate counsels, for example.

Other events are more social and aimed to brand the firm as one that is operating in Israel, for example: "XXX's Annual Israel Event". These kinds of events are usually held as evening cocktails. The atmosphere in these evening events is somewhat less formal, and that is exactly the time in which relationships go to the next level.

We recommend to set events in Israel, because it is the ultimate way to meet again with contacts that the firm has (whether you know them before or met them on one of your road shows) and also provide a great way to invite and meet other key in-

dividuals that you haven't had a chance to meet on a one-on-one basis.

3. **Ongoing marketing in Israel** – it is crucial for a law firm to be somewhat physically present in Israel - but some of the international law firms manage to obtain large scale clients and still – do not operate a branch or even a permanent representative in Israel.

These law firms make it a point to be "present" even when not physically in Israel, by investing a lot in their marketing in Israel – having Israel designated newsletters, writing articles (that are sometimes translated to Hebrew), being a part of publications in the Israeli financial media and they make sure to stay in touch with their contacts – gapping over the fact that they are not physically present.

To conclude – Israel's fast-growing economy and super active hi-tech ecosystem - along with vast activity in cyber security, autonomous vehicles, real estate, energy, agriculture and many other sectors - makes it a key destination for International law firms. It is vital to build an accurate entry plan, but if a law firm does it right, it will be able to enjoy the opportunities that the Israeli market produces on a daily basis.

About the Author

[Adv. Yaara Deitcher](#) is head of [Robus's International department](#), consulting international law firms interested in operating in Israel.





The Rapid Transformation to a Remote Global Workforce

by Legal Analyst and Industry expert Ari Kaplan

On April 15, 2020, Ari Kaplan published an interview with Bob Rowe and Jamie Berry, the CEO and litigation business unit leader, respectively, for Integreon, a provider of alternative legal services, on his Reinventing Professionals podcast.

(This article is a transcript of the podcast).

Ari Kaplan: Bob, tell us about Integreon and how it is adapting to the current environment.

Bob Rowe: We are a global provider of legal and business solutions to law firms, law departments, and professional services firms. Our focus principally is in the areas of litigation, contracts, compliance, cyber, and administrative services. We have eight facilities across Asia, India, the UK, and the U S so we're doing well because of our global footprint and given the kinds of services we provide. This is a terrible crisis, obviously, but in the last couple of years in various countries and continents, we have experienced as a company, monsoons, typhoons, volcanoes, hurricanes, and political instability so business continuity has been a huge priority for this company for years. The pandemic, of course, is tragic and global in nature and so we have had to react rapidly and globally as opposed to some of these other issues and crises, which were more regional. We have 3,000 employees and 97% to 98% of them are now working from home so we have been fortunate.

Ari Kaplan: Jamie, Bob noted that thousands of Integreon's employees are working remotely. What technologies and workflow strategies has the company leveraged to make these changes?

Jamie Berry: In addition to giving all of our people the ability to work from home, we were able to secure those environments to collaborate and provide them with an opportunity to be productive for our clients. From a workflow perspective, we expanded our se-

cure remote review environment and continue to use watermarks within that secure environment to protect the confidentiality and security of documents that our reviewers are evaluating as they're working from home. It certainly has been a Herculean effort and it is really tough to understand how long this is going to be a part of our new normal. And, I'm not so sure if the industry itself can unring the bell. As a result, we all need to understand the best ways we can adapt to ensure that we're productive and have the technologies in place to collaborate in a secure fashion so that we protect the security and confidentiality of the clients that we're serving.

Ari Kaplan: Bob, from a leadership perspective, how have you managed to achieve this transition so quickly on a global scale?

Bob Rowe: A lot of teaming. We have a very large services footprint and a couple of different platforms as a company that we operate on depending on our client's needs. When this started breaking, it wasn't something as simple as, well, we all operate on platform X and have laptops, so let's all just go home and plug into our work from home environment. There were multiple challenges across the company that for us started in the Philippines as it is so close to China. It quickly spread to the U.S., then India, and then the UK in very quick succession. We held daily calls with the leadership team and had processes and procedures that we implemented locally, regionally, even on a country-wide basis. If someone had said a month before that our entire company of 3,000 employees would go from a standing start in our offices to securely

working from home in a productive and hopefully a high morale environment, I think we would all have wondered if we could really accomplish that. The softer skills, such as patience, over-communicating, giving each other the benefit of the doubt, and empathy were very important because while we are all employees, we have families, extended families, and school situations, among many other issues. Those softer skills were important to us as a leadership team. We committed to the company that we would lead by example with those skills and I think that went a long way towards executing on a coordinated basis.

Ari Kaplan: Jamie, how have you been able to safeguard the security of your files and the transmission of that material in this work from home environment?

Jamie Berry: Security not only matters for us, but given the business that we are in, it certainly matters for our clients. We not only have to protect our information from those on the outside, but also from people in the office that may inadvertently make a mistake without a nefarious intent. We are cognizant of this whenever we are designing new workflows. There are many technologies that are in play, but something as small as making people sign their non-disclosure agreements is important. We use biometric security to lock computer screens when document reviewers are sitting in a brick and mortar Integreon facility, but, even now, when they get up to grab lunch or teach third-grade math and forget to lock their screens, the webcam that is attached to that computer will recognize that there is no one sitting in front of the screen anymore and they will lock it. There is

incredible biometric software that is in beta mode right now that can prevent reviewers from using their cell phone in front of the screens to eliminate unwanted photography and such.

Ari Kaplan: Bob, what specific challenges is the legal industry now facing and which of those do you expect to continue into the near future?

Bob Rowe: We are asking ourselves how long our various facilities will either be subject to shelter in place, have curfews, and otherwise be closed. When you start thinking about work from home over the long term, there are all sorts of logistical challenges with respect to computers freezing or breaking, and replacing that equipment. We are actually seeing increases in cybersecurity work, managed review, and business services. We need to figure out how to interview, hire, onboard, and support new team members in a virtual and isolated environment. We want to make those new team members feel like they are part of the team virtually. And from a client perspective, we cannot meet in person in the current environment. In fact, a lot of these issues are not just specific to the legal industry. We are facing those same challenges from our perspective as an alternative legal services provider. We're cautiously optimistic about business prospects and we're also hopeful this pandemic will land very quickly, but then again, the reality is we're planning for a long-term situation.

Ari Kaplan: Jamie, what advice do you have for companies that are still perfecting their work from home solutions?

Jamie Berry: I am constantly talking to peers, clients, and leaders in the legal industry to learn. Having a support structure that includes relevant leaders in the space, listening to their ideas, and recognizing that we all can learn from each other is critical. We'd like to think of ourselves as naturally resilient people, but we often as leaders anticipate that everybody else is like that and that's just not the case. Ultimately, innovation is people, process, and technology. We are innovating every day because the situation is making us innovate. If we focus on the people aspect of that innovation, we can learn a lot there. As part of that, be vulnerable. Don't be afraid to let your guard down, which can be as simple as turning your videoconferencing on. It doesn't matter if your dog's behind you or your child interrupts you. We're all in the same boat. Also, slow down. The world isn't going anywhere. Give yourself some time to think about creative, innovative solutions, and don't rush to judgment. Similarly, rely on your teammates. We have to rely on delegating to the people we've hired to be part of our teams so that they can own and help design creative solutions, including the person that we just hired last week. Send them a survey and ask them about their onboarding experience and what we could do better from a collaboration standpoint. My advice focuses on the soft people skills that are of paramount importance during this time.

Ari Kaplan: Bob, where do you see the legal industry headed in light of the current crisis?

Bob Rowe: Some of the opportunities in the legal industry started well before this pandemic. The alternative legal services market

has been an alternative to traditional models for decades. There is still an influx of capital that has created many opportunities for innovation. I don't think that is going to change, but it will accelerate change in the industry and we are already seeing it in our discussions with clients over the last couple of weeks. Hopefully, when the pandemic passes and people are able to go back to more of a business as usual travel schedule and go into offices, those mindsets will not evaporate and we will continue to ask how can we do things differently. From a business standpoint, we see a lot of opportunity.

More Info

Ari Kaplan (<http://www.AriKaplanAdvisors.com>) regularly interviews leaders in the legal industry and in the broader professional services community to share perspective, highlight transformative change, and introduce new technology at <http://www.ReinventingProfessionals.com>.



Listen to his conversation with Bob Rowe and Jamie Berry at Integreon here: <https://www.reinventingprofessionals.com/the-rapid-transformation-to-a-remote-global-workforce/>



Digital Fluidity: The Law Firm with no Address

By Anders Spile, client executive advisor in Contractbook

The COVID-19 pandemic has forced companies to leverage technology like never before. Technology is no longer a promise but a lifebuoy. Physical distant measures have resulted in remote work and a digital working culture – and in that process, the modern office building has proven to be largely redundant. The crisis has worked a bit like photographic developer that exposes some otherwise hidden contours: Now, companies everywhere are looking into cutting costs by reducing their real estate footprint.

Contrary to what has shown to be the technological status quo and nature of their business, most law firms are still weary giants of flesh and steel. They inhabit huge concrete fortresses on fancy locations with expensive modernist artworks on the walls, fountains in the hallway and 3-course menus served at the top floors. But for how long will modern companies put up with financing such a luxury treatment when the core service of lawyers – knowledge – is better provided digitally?

The pandemic shows us that it is time for law firms to drop the trophy real estate and embrace digital fluidity. It requires a new mentality, but the benefits are huge.

Digital Fluidity

In 2019, I published an article titled [“The Fluid Law Firm”](#). The objective of that article was to offer insights on how to combine core aspects of open innovation theories with the way a majority of law firms currently operate. The piece received attention and sparked follow-up articles, an Ebook and several debates on the aspects of fluid law firm theory.

In those dialogues, one important aspect keeps surfacing. Law firm executives are still trying to shove the principles of law firm fluidity into the classic way of doing things in a law firm. In other words, the traditional boundaries of the law firm have not become fluid, they have just been expanded. In this article, I will introduce a different approach to law firm fluidity that I hope will inspire to look beyond the current governance and operational structures of law firms.

The nature of being a lawyer is that you are paid in exchange for establishing the certainty of outcomes for clients. To establish certainty, one must have knowledge obtained through years of hard work. While knowledge is the most valuable resource of a law firm, it is also what fuels the internet.

The main value of the internet - in its current state - is the ease of exchanging information and knowledge. This begs the question if the value of a lawyer is to apply Knowledge, to create certainty, why doesn't the internet and

its infinite opportunities for sharing knowledge play a larger role in the externalization of larger law firms? When you live off the exchange of knowledge and you have access to the greatest platform for sharing knowledge ever seen by man, why are you locking 1000 people up in concrete fortresses located on some of the most expensive addresses in the world? What is truly needed in the industry is the introduction of full on digital fluidity.

While the notion of Fluid Law Firms is about increasing fluidity in the boundaries of law firms, digital fluidity refers to the creation of business units or entire law firms without a fixed address. These units can consist of working legal professionals scattered across the globe, collaborating on a single case using digital collaboration tools. Digital fluidity is about replacing the boundaries with a network mindset, where the law firms or legal professionals form up just one node. In its most basic form, it's about the establishment of a remote work-culture in the legal industry, but that is only the beginning. The idea is that a firm's assets are not limited only to what they possess, but rather the networks and systems with whom they interact.

Digital fluidity can be something as simple as realizing that engaging with industry does not mean sending 2 lawyers to a meetup twice a month, but rather establishing an ecosystem for ongoing communication and collaboration with interested stakeholders.

Many lawyers will most likely deny that this is possible. Then they turn around and solve cases for large tech companies and consulting houses who are doing exactly that. It is true

that this way of working is a radical change to the operations of the legal industry. But in an industry relying heavily on knowledge, such initiatives should have been adopted years ago. Not only does it offer a significantly more digital approach to legal work, but it also offers a large degree of flexibility to employees in an industry notoriously known for being stressful and inflexible.

It is no secret, that the majority of law firms currently have no idea how to handle Generation Z. Young lawyers choosing family and friends over the partner-track would have seemed insane just 25 years ago. Yet here we are, with bright young legal minds choosing the path of in-house counsel just to be able to come home for dinner or take a vacation longer than 2 weeks. What is equally important is that facilitating a luxurious physical environment is expensive and it's a terrible message to send to cost-conscious modern clients that are aware of how superfluous to the core business these expenses are. By getting rid of the receptionists and the mahogany-furniture, law firms could lower their prices and gain competitive advantages without it having an effect on revenues.

Digital Fluidity is not a yes-or-no questions. Taking baby steps is the only real way of succeeding and identifying simple business cases where it applies is the true path to success. The current pandemic has shown us that this is possible. Initiatives like Vario introduced by Pinsent Masons is a testament to how larger law firms can approach Digital Fluidity without risking their core business. In my opinion, something much simpler could do, for example, the establishment of a startup community where associates service interesting tech star-

tups on a pro-bono basis, in order to generate new clients and hopefully M&A cases down the road. Same could be applied to specific industries where the inclusion of experts from outside the firms would increase the value of such networks significantly. Starting with a single working group or practice area is a step in the right direction. Start small and scale fast is often the way to succeed in legal innovation.

Digital Fluidity is not an all- or nothing choice. It is to be applied where it makes sense. It would not surprise me, however, to see law firms emerge in the coming 10 years that exists only in cyberspace with the ability to obtain talent, solve complex cases by leveraging experts from around the globe, engage with millions of potential clients through networks and ecosystems, and never walk through the front gate of the concrete fortresses.

Sources:

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About the Author

[Anders Spile](#) is client executive advisor in [Contractbook](#). He has hands-on experience as to what it takes to develop an innovation strategy and implement legal tech solutions in larger law firms. Anders also is a European Legal Technology Association (ELTA) ambassador.

Team Create & PRONTO!

By Abeer Abu Judeh, Attorney and Founder of LexDock

The race to innovate and dominate have never been more ferocious. Startups hustling on fumes and risking it all for the promise of a bite of the billion-dollar apple. Large organizations creating pompous labs and investing in fake startup type spinoffs to tighten their reigns over markets. Both facing challenges and having to compromise in order to innovate. Startups endless search for funding cows. In exchange for investments, they must grow fast and often beyond their limited business experience and capabilities. Large organization unable to think nimble or operate outside of the standard operating procedures.

With the understanding that a happy medium between the grow big and the adhere to protocol cultures is a misnomer, the secret to finding an organization's next big idea may be hiding in unexpected places.

There is no one size fits all path. Each organization's innovation strategy is dictated by the existing culture. To learn what works for your team, perhaps contained small scale experiments is a good starting point.

As in-house counsel at a Fortune 500 Organization, I was responsible for all technology agreements among other projects. In legal, technology and innovation were not a priority. One particular attorney fanatically maintained paper files. Literally printing every email, document record and organizing them in sky high file drawers. As a large organization avert to innovation, my requests for advanced solutions were met with hostility and then contemptible rejection.

With over 200+ agreements on my plate at any given day, managing my legal affairs was tantamount to putting out fires. After assessing my designated business unit's legal needs, I established different pathways to organize my operations sans the paper files. I took control of neglected business units and implemented policies that effectively saved 66% on my outside counsel spend. My proudest achievement there was having rolled out a new pilot program to allow startup solutions to enter our system on trial basis. Small controlled groups of startups introduced to the system with the promise of improving patient services and experience.

After repeated pecking at the lack of innovation strategy, my boss tells me that our General Counsel appointed me to a newly created innovation team. I was finally given the sacrosanct opportunity to break things and let someone else cleanup - on a micro-scale that is.

I was born for this, huzzah!

At the first meeting, I introduced myself to 30+ teammates. The team was largely made up of high-powered executives with the ability to set your career back a few notches, a few dedicated soldiers with subject matter expertise and a solid number of IT associates ready to reinvent coding if necessary. We were led by a self-appointed business development executive with not one creative bone in his entire body. He did look sharp in a three-piece suit and, if I remember correctly, a perfectly matched tie and hanky!

My superiors from the legal department did not partake in the committee's activities. Little did I know, all conduct on this committee was reportable and directly to the GC. In the moment though, I was free to express my opinions including the occasional WTF. The team's bigwigs frowned upon usage of such language, especially the holy lead. I suspect there was a secret contest between the executives. You could see the wheels of creativity turning in their heads with hands ferociously taking notes. Who will deliver upper management the next penicillin? Most non-executive team members were paralyzed with fear averting their eyes and mumbling in disappointment. Others were just uncomfortable swerving in their chairs not knowing how to interact with the group.

The team lead opened the session by distributing a book, the Ten Types of Innovation, The Discipline of Building Breakthroughs.

He also ran the group through two brainstorming exercises involving coming up with a

“name” and a “mission statement.” I am confident that he ran through this exercise all kinds of wrong because we ended up with a mission statement that included everything under the sun, the moon and the seven seas. We also went through an exercise to problem solve intelligently where the team lead was one of the lowest scorers. He was bewildered when he learned that he focused on the wrong angle of the challenge. His feeling of intellectual inferiority did not help the creative juices flow that is for sure!

The creativity team voted for and approved a not-so innovative product touted by the administration as the greatest thing that ever happened to a medicine bottle. The product was literally a rubber band similar to the one you get at a bar. The rubber band would be endorsed with a label of the indication for which you are taking the medication inside the bottle. Despite my objections riddled with inappropriate language, the rubber band won the innovation challenge. It was now my responsibility to oversee the organization’s ability to produce and sell the rubber band with a label. As a team player, I secured a formal opinion from an exceptional IP counsel. I personally vetted the attorney, negotiated a favorable flat fee rate and delivered the formal opinion and right to operate within 60 days. Boom!

Takeaways from my experience on team Create & PRONTO:

- Throw out the book, please. If you don’t have it, reading about it is not going to help you brush up the old talent nugget.
- A team lead is to be chosen by the team

- and only after demonstrating some creative propensities. The role is not to direct innovation but to facilitate the logistics by creating an environment where genius could indeed shine. Ditch the suit!
- Executives already had their day at creativity. Their current roles entail paper pushing, numbers crunching and super important decision making. Kindly, stay out of the kitchen.
- While there are some exceptional executives worthy of creative team membership, they can’t be in the direct line of supervision over another team member. The team must have the freedom to engage full-heartedly in the process.
- The first team member to report to upper management on anything other than ideas gets canned. No rats!
- Focus on micro-cross-functional teams of around 6-8 members to avoid the cat-herding exercises. This also helps in delivering ideas that are business unit specific.
- Sure, why not start with an exercise to come up with a cool team name and get swag to pump up the team spirit. Go team Create & PRONTO!

About the Author

[Abeer Abu Judeh](#) an attorney, a fortune 500 executive and an innovation officer dubbed by Business Insider a “Rule Breaker.” Abeer has 15 years of legal practice experience holding various positions in big law, government and in-house counsel roles. As founder of [Lex-Dock](#), Abeer focuses on creating technology solutions to reinvent the manner in which


legal services are rendered. With infinite passion for justice and technology, she paves the way for the democratization of the legal marketplace. LexDock empowers businesses with the tools necessary for them to manage their

legal affairs in real time and on budget. LexDock was hailed by LawWeek Colorado as a “A New Marketplace on the Market” and was named by the National Law Journal “2020 Emerging Legal Technology Leader.”



The graphic features a background image of a city street with a large, classical-style building on the left and a church steeple on the right. In the center, the Suffolk University Law School logo is displayed, consisting of a blue shield with a gold torch and an open book. Below the logo, the text "SUFFOLK UNIVERSITY" is written in a large, dark blue serif font, and "LAW SCHOOL" is written in a smaller, gold serif font below it. At the bottom of the graphic, there are four light gray rectangular boxes, each containing an icon and text:

-  **Top 20**
Clinical Program
-  **Top 3**
Legal Writing
-  **Top 15**
Trial Advocacy
-  **Top 25**
Part-Time Law Program

A close-up portrait of Alejandro Pérez, a middle-aged man with glasses, wearing a grey suit, white shirt, and striped tie. He is looking directly at the camera with a slight smile.

Law firms collaborate on artificial intelligence training

By Alejandro Pérez, Legal Technology Advisor at Chiomenti

Lawyers were trained to think that practicing law is a zero-sum game, with no space for collaboration. Some recent events gave me hope that this is no longer the case. I know I am biased, because in the past I've been an open innovation manager in a global corporation, but even now that I'm working on legal technology adoption for a big law firm I think we might have a good chance.

I recently attended a working breakfast in Milan (Italy), organized by Luminance, a leading contract review company, which was the first in a sequence of similar events. On that occasion, several partners and innovation heads from big Italian law firms openly discussed ideas and best practices on the matter.

Not long ago, I also read about a more formal example of LegalTech collaboration between LitiGate, a Tel Aviv-based legal tech litigation venture, and Taylor Wessing, Baker McKenzie, and Mishcon de Reya. These prominent firms are helping the startup to develop its AI arguments analysis platform.

In light of this, I assert with confidence that in an increasingly globalized world where not only law firms but business and international entities are merging on one or more aspects of their activity, growth is based on forces "teaming up" rather than being single players. I could not have imagined something like this would apply to the legal field a few years ago. But today, as we benefit from significant technological innovations, keeping information for ourselves is no longer a profitable paradigm.

Nevertheless, change is never simple. Many firms are still reticent about sharing significant information with their competitors. Indeed, information-sharing (especially in the legal field) represents a risk around issues of confidentiality, competition, and relations with clients. This fear makes firms stay independent from other entities, while potentially jeopardizing their growth and efficiency compared to new entities in the legal market.

In particular, going back to the AI contract review, I must admit that one of the first questions I usually receive while presenting such solutions centers on whether "the training remains within our firm or whether is it shared". I have always acknowledged that as a fair question, and I always assure my audience that no private information would be ever shared and suggest that now it is time to look

to things with a new perspective.

When we contribute to the collective knowledge or, more accurately, when we contribute to the training of an AI tool, we know sharing is option that will deliver the best results. If I have to choose between not taking advantage of the training of others, and to keep my training "private" versus taking advantage of the collaborative effort and add my information to enhance the collaboration, I must always default to the second option.

Why collaborate – and on what

Contract review software leverages machine learning techniques to extract information from unstructured data. Typical use cases include contract analysis, due diligence, lease abstraction, regulatory compliance, and more recently litigation. Some well-known players are Diligen, iManage RAVN, Kira Systems, Luminance.

Data + Talent: Training AI tools to be effective requires surmounting two hurdles: 1) data collection; 2) labeling. Considerable time and resources are involved in those activities. There is no public database of contracts that can be used as an initial training set. Even when we find good examples of data, we still need to label them by hand. Labeling involves tagging consistent examples, either positives or negatives. We know that people engaged in labeling activities need to be quite specialized in the field, if not, we won't gain the desired "maturity" out of the training due to inconsistent examples, or even worse, bad examples could result in lousy advice.

Tools that enable collaboration: The number of provisions to train an AI system can be huge. According to Kira Systems, their system delivers more than a thousand concepts and data points, out of the box. However, there are always more specific use cases, such as non-English language cases, changes in regulation, etc., so their customers have built more than 20.000 of what they call "smart fields". Just imagine how much time individual law firms have dedicated to a task that could be shared with others with almost immediate benefit. Which brings me to a key requisite to make this collaboration mindset possible: Software companies should actually facilitate it. Right on point, in a future release this year, Kira is announcing the introduction of a new feature that allows their customers to share that expertise with others, opening "new client service models" in their own words.

Organization: Making everyone agree on the scope of the project, and later who gets the benefits can be challenging. After all, what could possibly go wrong if you make lawyers collaborate? These doubts might jeopardize the whole project and open the door to bigger players used to this game. In other words, is it something that law firms will take advantage of or will big editorial powerhouses dominate that space with their ready-made content? We will see in the next few years.

A broader perspective and some network questions

At the same time, focusing on AI training is only part of the picture, and it should be an

element of a larger ecosystem of collaboration. Some concrete examples came from Spain. Indeed, the Spanish model presents a set of tools that enable greater cooperation and interconnection among firms, forming an information-sharing network that increases the speed and efficiency of legal transactions. As a matter of fact, the Spanish Instituto de Innovación provides a platform that compares 300 legaltech solutions in the country. Furthermore, the firm Cuatrecasas has organized four editions of its legal startup's acceleration program - Acelera. Finally, the recently launched Global LegalTech Hub is creating a meeting point where startups, investors, universities, and law firms can collaborate. Such factors help lead to a vibrant atmosphere of excitement and build up the trust towards cooperation in the LegalTech business.

Collaboration and coordination among law firms could strengthen every firm as a singular entity while making work faster, easier, and more accessible. Law firm networks could lead by example or global law firms' networks can offer this benefit to their associates. We should be happy to collaborate. We'll benefit, and our clients will too.

Final note: I focused here on collaboration examples with the outside world. Internal collaboration requires a specific article and another pair of hands.

About the Author

[Alejandro Pérez](#), JD (Univ. Cordoba, Argentina), MBA (Bocconi, Italy), is an innovation management and legal technology expert with

20+ years of experience in the information and legal services industry. An Argentinian Lawyer by training, he led product management roles working for LexiNexis in Argentina, Mexico (Dofiscal) and Italy (Giuffrè), and later open innovation for Thomson Reuters in Switzerland.

Currently he is back in Milan (Italy), leading key adoption projects on document automation, automated contract review and research working at Chiomenti, a leading independent law firm of 330 professionals (including tax advisors) with offices in Rome, Milan, Shanghai, Beijing, Hong Kong, London, Brussels and New York.

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Doing Deals Better with Diagrams

By Ron Friedmann

Lawyers may be the only professionals who routinely rely on dense text to understand complicated ideas. And that could change for transaction lawyers with the release of StructureFlow to diagram and track complex deals. Before I report on this product, based on a conversation with Founder and [CEO Tim Follett](#), some background.

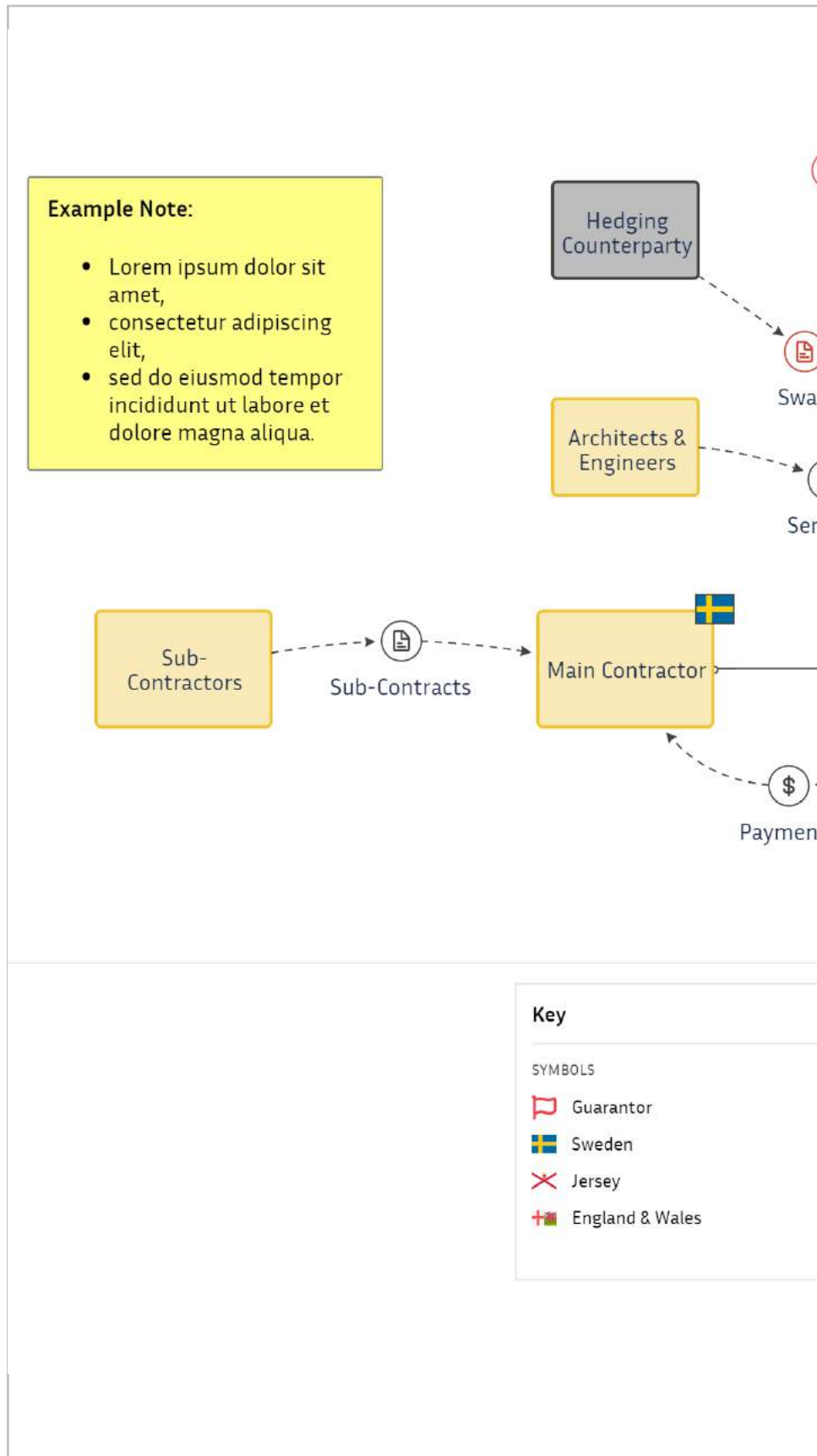
As with all my product-specific posts, this is neither a review nor a product comparison. I occasionally write about products that I think do something new or something differently enough to be interesting.

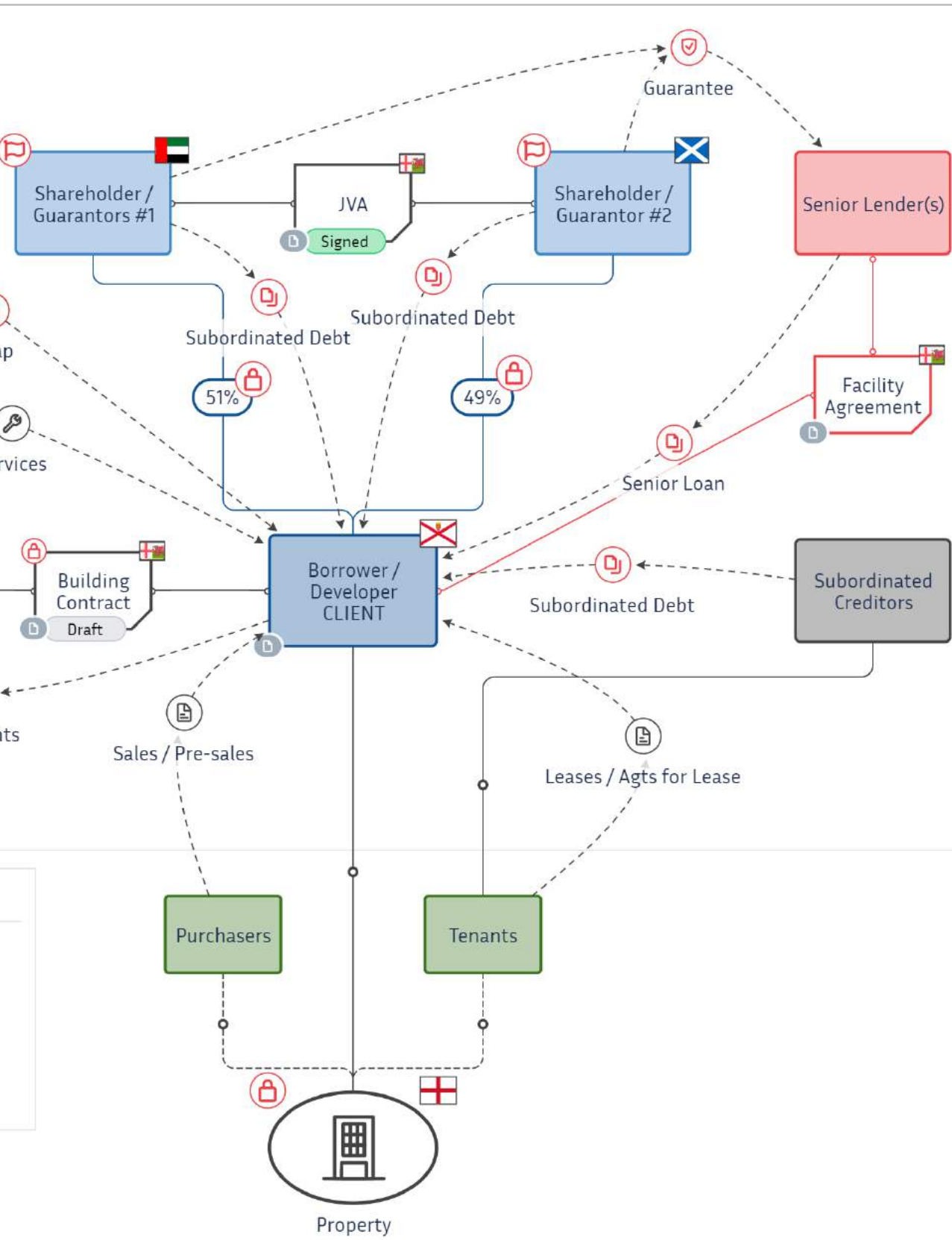
In all my jobs, visual displays have played key roles and I regularly blog about [visual intelligence](#). As an economic and financial analyst after college, I regularly created time series, cross-sectional, and 2x2 portfolio displays. That was before PCs and required programming. After law school, I was a Bain & Company consultant. Bain never wrote reports. It only presented to clients with slide decks. The company employed an army of graphic artists to hand produce multi-color overhead slides (which required Xacto-ing tiny colored acetate sections.)

These stories date me. And illustrate that professionals have long invested to create graphics to inform and advise. And some lawyers do so. My first published article was “Practicing Law with Pictures”. That was about 1992 in Law Technology Product News, today Legal Tech News. (I wish I had a paper or digital copy.)

In it, I showed several visual displays from my firm’s practice. I still remember two examples. One diagrammed regulating commercial banks versus bank holding companies. My firm visually illustrated an adversary’s interpretation of the law, which made clear the implications of its argument. The partner credited that diagram with winning the dispute. A second was a transaction diagram. The lawyer on the deal said “Until I diagrammed the transaction, I did not really understand the deal.” And here we are 25+ years later and transaction diagrams remain far from routine. Beyond any mindset issues, using PowerPoint or equivalent to create them is time-consuming and painful.

And that brings us to Structure-Flow, which is purpose built to diagram – and document – deals. Here is an example of its visualization:





[Download this diagram](#)

Looking at it, I understand quickly the deal elements. I cannot imagine how long that would take reading the deal documents or even a transaction summary.

Tim showed me how to create and document a diagram. The interface seems easy and elegant.

Adding, editing, and moving nodes is easy and StructureFlow maintains connection lines as you move around nodes. It is way easier than PowerPoint. Adding deal data is also easy using a sidebar with fields specific to either the node or the connector.

I see many benefits for deal diagrams. It helps lawyers and legal professionals understand what's happening at the macro level, with the ability to drill down to the micro. The initial product release allows linking nodes and connectors to relevant documents in a document management system.

Because StructureFlow is cloud based, anyone viewing the deal diagram will see the current version. Tim emphasized that a single source of truth in the cloud avoids a problem he regularly experienced as a deal lawyer: out-of-date PowerPoint diagrams. Another nice feature is an audit trail of who changed what and how. (StructureFlow is hosted on Azure, is ISO 27001 compliant, and can be set-up in single tenancy without shared resources.)

StructureFlow will also integrate with transaction management platforms – it is not trying to compete with them but rather sees itself as part of the deal management ecosystem.

That StructureFlow can capture deal terms potentially simplifies creating records in deal databases and experience management systems. Some firms invest considerable non-billable resources to capture deal points (sometimes in excess of 100). I think that it's an open question if lawyers using StructureFlow will diligently complete all the data fields. But even if they don't, I suspect the deal diagram and links to documents would make finding the deal terms faster for a knowledge manager or other legal professional charged with extracting and recording deal points.

I would be remiss not to mention the #DoLessLaw benefits of StructureFlow. DoLessLaw refers to efficiency and effectiveness in law practice, for example, scoping, project management, delegation to lower cost resources, and technology for efficiency. I regularly [blog](#) and Tweet about DoLessLaw.

Lawyers spend much time – perhaps too much – tracking and managing information. A clear and always-current transaction diagram, with links to key documents, can save time by reducing cognitive load and mechanical work. The deal structure stays clear and finding documents is faster. Diagrams also aid in training lawyers. Imagine the difference in explaining the transaction pictured above to a 1st year associate with and without the diagram.

A second DoLessLaw benefit centers around disputes. Diagrams may help avoid disputes. Lawyers may have no problem grasping complex deals but their business clients might like some support. They will welcome a diagram that explains the overall deal, and their part in it. Separately, should a completed deal become

the subject of litigation, the diagram could help a mediator, arbitrator, or judge understand what happened and what went wrong. And this could help resolve a dispute more quickly and at less cost.

In closing, I need to mention that especially during the COVID crisis and lockdown, when lawyers cannot assemble to discuss deals, I can see that sharing the deal overview via a visual sitting on the cloud will be especially valuable. And adoption of this type of tool is an example of what I had in mind when I wrote [Will the COVID Crisis Change How Lawyers Collaborate?](#) (Legal IT Insider, 14 April 2020) My point there was that the crisis could be a pivot point after which lawyers practice differently – and better. I certainly think using StructureFlow would improve deal practice.

You can learn more about how StructureFlow helps with deals via a [four-minute video](#) Tim created, accessible at his LinkedIn profile.

About the Author

Ron Friedmann is a lawyer by training and has over three decades of legal market experience . He helps lawyers and legal business professionals solve their toughest strategy, practice, and operational management challenges.

His Legal Market Experience includes Chief Knowledge + Information Officer at LAC Group; partner at Fireman & Company; executive at a legal process outsourcing company Integreon; CIO at Mintz Levin; practice support

head at Wilmer Cutler (now WilmerHale); consultant to law firms, law departments, and legal vendors; and marketing professional at two legal market software companies (legal expert system software and online digital signing). Prior to joining the legal market, Ron worked as a strategy consultant at Bain & Company and as an economic and financial analyst for Data Resources, Inc. (a McGraw-Hill company).

He is a Fellow of and former three-term Trustee of the College of Law Practice Management; co-organizer of the top annual private legal KM and innovation event (hosted by White & Case) and judge for the COLPM InnovAction award. His other professional activities include co-founder and organizer of the Law Practice Technology Roundtable, founder and organizer of the DC Large Law Firm KM Group, and member of the NYC Large Law Firm KM Group. Ron regularly publishes articles and blog posts about and speaks on how to improve law practice efficiency and improve law firm business operations.

Social Media and other content from Ron Friedmann:

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A close-up portrait of a man with dark hair and glasses, wearing a dark suit jacket over a light-colored collared shirt. He has a serious expression and is looking directly at the camera. The background is a dark blue, textured surface.

*a series by legal tech innovator Cash Butler and
principal attorney and start-up specialist James
Johnson - [Take me there](#)*

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

By Lisa Unwin is co-founder of the Reignite Academy and author of *She's Back: Your Guide to Returning to Work*

(Original source; [see website publication](#))



In 2019, 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 program 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.

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.

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*.

Promoting Your Legal Business Online

If you run a legal business of any kind, one of the things that you are going to have to spend a lot of your time on is promoting the business. No matter how good the services you offer are, or how practiced you might be with what qualifications, it will all mean nothing in a business sense without a good amount of marketing on top of it. But promoting a business online is easy enough if you know how to do it. If you have just started out in business and you are hoping to learn how to properly promote your legal business, take a look at the following. You might be surprised at how easy it can be.



Embrace Social Media

Anyone who wants to promote a business today but isn't making use of social media is missing a trick. You could go as far as to say that social media is an essential tool when it comes to promoting your legal business. Something that really matters here is the voice that you employ when you are posting on social media. You need it to be in line with your brand image, whatever you might have decided that is, so that people can believe it and it will work for you. Most legal businesses will want to make it clear that they are offering a fair and honest service, so that is often a benchmark of this kind of social media use.

Use Affiliate Marketing

As well as those overt methods, you might also want to look into using more indirect marketing methods to promote your business online. One of the most popular of these which is incredibly powerful is affiliate marketing, which when used right can be all you need to promote your business online. With the right kind of affiliate funnel, you can hope to gain a lot of links back to your website, and all with the express purpose of hopefully choosing to use a service that you provide. By doing this, you are going to get many more clients in a short space of time, so it really is worth looking into.



Think About SEO

You need to have a website of course, and in particular you need to make sure that you are going to help your website become as popular as possible. As a legal business, you can help to improve your website's standing by focusing on the SEO

behind the website, in particular by offering advice that is then going to show up in the search engines results pages as often as possible. Methods like this can help you to get high up on the results list, and that in turn can mean that you have a much more popular, and healthier, business to run. It's definitely worth hiring an SEO firm to help you with all this, so that you can get the kind of results you really want from your business.

Legal Industry's Journey to Fixed Pricing is Entering its Final Stages

The Survey of Fixed-Price Legal Services 2020 sheds light on what Australian lawyers are charging for their services and uncovers surprising results. Amidst the COVID-19 pandemic, buyers are increasingly shopping around online, including for legal services. This is forcing law firms to be more transparent with their pricing, which is changing the entire pricing model.

Interestingly, the survey reveals that, when charging fixed-fees, the firm's return per unit time spent is higher for 'complex' documents than for 'simple' documents.

Ben Rosswick, COO of Smarter Drafter, explains, "More transparent pricing means that the old model of billing by the hour has effectively reached its use-by date. Clients really only care about the finished product, and for the law firm, clearly charging \$1,000 for a service that took 2 hours to complete is better than charging the same amount for a service that took 10 hours to complete." That's not to say those simpler documents should be avoided or that lawyers should only work on complex documents. The key is delivering the finished product more efficiently.

That's where technology comes in. Document automation tools like Smarter Drafter improve quality control and significantly cut down drafting time.

More details and other interesting statistics are found in the full survey report: <https://newlawCLE.com.au/purchase-the-report/>

Leading international law firm Clifford Chance announces new partners

Leading international law firm Clifford Chance announces the promotion of 26 lawyers, elected to the partnership, drawn from all of the firm's market-leading practices and every region, with strong representation in both the Americas and Asia Pacific where the firm continues its recent successful strong growth and investment.

Continental Europe

Liesbeth Buitter, Real Estate, Amsterdam

Dominik Engl, Tax, Pensions & Employment, Frankfurt

Fernando Irurzun, Litigation & Dispute Resolution, Madrid

Dennis Blechinger, Real Estate, Munich

Emmanuel Mimin, Corporate, Paris

Pierre-Benoit Pabot du Châtelard, Finance, Paris

Americas

Alistair Dunlop, Capital Markets, New York

Analisa Dillingham, Corporate, New York

John Friel, Litigation & Dispute Resolution, New York

Jeanne Roig-Irwin, Real Estate, New York

Paul Koppel, Tax, Pensions & Employment, New York

Asia Pacific

Viola Lui, Corporate, Hong Kong

Mark Gillgren, Finance, Perth

Tom Lin, Corporate, Singapore

Daryl Liu, Corporate, Singapore

Chad Bochan, Finance, Sydney

Middle East

Deniz Tas, Corporate, Dubai

United Kingdom

Christopher Roe, Capital Markets, London

Jennifer Storey, Corporate, London

Melissa Coakley, Finance, London

Alexandra Dimsdale Gill, Finance, London

Thomas Critchley, Finance, London

Lindsay Bickerton, Litigation & Dispute Resolution, London

Claire Freeman, Litigation & Dispute Resolution, London

Oliver Pegden, Litigation & Dispute Resolution, London

Edward Bretherton, Real Estate, London



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THE CHANGING LEGAL ECOSYSTEM

A professional headshot of Mark A. Cohen, an older man with grey hair, wearing a dark suit, a light blue shirt, and a patterned tie. He is looking directly at the camera with a slight smile.

*a series by Thought Leader and market specialist
Mark A. Cohen - [Take me there](#)*

The single most
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for aspiring
female associates.

Lisa K. Brown
Managing Director
Starbucks

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required reading.

Susan Alker
COO and GC
Crescent Cove
Capital Mgmt

I wish I'd had
this book
early in my career.

Liam Brown
Exec. Chairman
Elevate

The *Ultimate* **Woman Associate's Law Firm Marketing Checklist**

The Renowned Step-By-Step,
Year-By-Year Process For Lawyers
Who Want To Develop Clients.

ROSS FISHMAN, J.D.

Edited by Susan Freeman, M.A.