

LEGAL OPERATORS

• Magazine for Legal Ops Experts & Professionals • No.2 • 2022

MANDY SAVOCA ON WOMEN & LEGAL INNOVATION

ALSO IN THIS ISSUE: HOW
STAFFING MODELS DRIVE
LEGAL COSTS

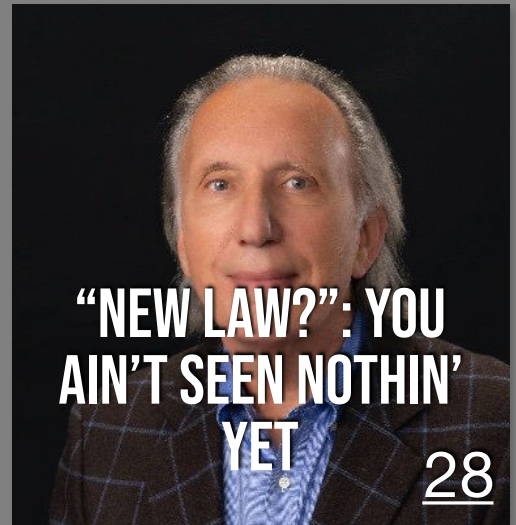
INSIGHTS IN NEW LAW
& THE EMBEDDING OF
INNOVATION AND TECH

NEXT GENERATION DOCU-
MENT DELIVERY & TWO
NEW PODCASTS

JUSTICE BID IN THE
PICTURE & THE
LEGAL OPS DIRECTOR



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A special thanks goes out to Cliff Dutton, Anne Grau and Fatima Hussain, Mandy Savoca, Abdul Hakim Manattil, Mark A. Cohen, Lynn Reilly, and Richard G. Stock for their excellent contributions.

EDITORIAL

This is the third issue of the Legal Operators Magazine. In this magazine we share insights, information and knowledge from experts, thought leaders and connoisseurs from around the world.

This issue

In this issue Cliff Dutton shares insights in the costs of law firm staffing. Anne Graue and Fatima Hussain talk with Mandy Savoca, legal ops manager who worked for companies like PlayStation, Kayak/OpenTable, Square and most recently Robinhood. Mark Cohen takes you with him in the world of New Law, and Abdul Hakim Manattil talks about embedding tech and innovation in the legal industry. Lynn Reilly shows you document delivery 2.0, and Richard Stock looks into the legal operations director. Justice Bid is this months Company in the Picture, and we've converted 2 interesting webinars into free podcasts.

First Special edition

Next to this issue we also published our first special edition. In this edition "Legaltech Beyond the Myths" Dutch legal tech entrepreneur and thought leader Arnoud Engelfriet shares his opinion on the various myths and misconceptions around AI in the legal sector.

Become a household name in the industry

With its backbone in the Legal Operators Community the magazine is a perfect medium to share your expertise, claim leadership, and increase your brand-awareness throughout the industry. Make yourself heard, increase engagement with

Management
Legal Operators
Mr. Colin McCarthy

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legal professionals, and let us help you to share your message thru eZines, eBooks Whitepapers, Webinars, and events.

The Community

If you're interested to learn more about Legal Operations I'd like to invite you to join the **Legal Operators community**. In this community you can connect with your peers across the legal industry, discover innovative solutions, learn about upcoming events, etc.

Furthermore your feedback, suggestions, and ideas are warmly welcomed as we build specials and future editions of the magazine that are tailored to the topics and people you want to read about. Please send me a message at **colin@legaloperators.com** to let me know what you think.

I hope you enjoy this second edition!

In community spirit,
Kind Regards,
Colin McCarthy, CEO



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AGENDA OVERVIEW

Day 1

- Opening Lunch Followed by Peer to Peer Facilitated Sessions
- Welcome Reception at Ritz Carlton Ocean Lawn
- Opening Dinner at Ritz Carlton Tacos and Tequila

Day 2

- Breakfast & Lunch Followed by Peer to Peer Facilitated Sessions
- Offsite Dinner Sam's Chowder House
- Night Cap Ritz Carlton

Day 3

- Breakfast Followed by Peer to Peer Facilitated Session



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Summit By The Sea is a Legal Operators Initiative



LAW FIRM STAFFING MODELS DRIVE LEGAL COSTS

By Cliff Dutton

Too many of us focus too hard on hourly rates. I am an advocate for alternative fee arrangements, but I also acknowledge that most legal services are still billed by the hour. So, what is wrong with working toward hourly rate discounts? The problem is that hourly rates are not so clearly related to either legal outcomes or actual legal expenses.

If your goal is to manage legal costs billed by law firms, in addition to managing rates, it is necessary to manage staffing models.

I have been focused on achieving the best possible legal outcomes for the most compelling value for more than ten years. From 2012 through 2017, I was an executive in



AIG's pioneering Legal Operations Center, where I was globally responsible for alternative fee arrangements, alternative dispute resolution programs, and non-law firm legal services procurement. After my time at AIG, I was chief innovation officer at Epiq, a leading alternative legal services provider. For the past three years, I've been independently ad-

vising global companies on legal operations strategies. All of my experiences have taught me that balancing legal costs and legal outcomes is always harder than it might seem. But it is not impossible.

There is no magic here. Legal operations and legal cost management must always be done

in the context of the legal requirements of a particular company. We can learn tools from one another, and the recently emergent legal operations community creates powerful opportunities to share knowledge. How that knowledge and those tools are applied will vary not only with the legal and business strategies of the client corporation, but also with the skills and strategies of the law firms that support them.

Why is it so difficult to measure law firm performance? There are many factors: We don't always have objective measures of what constitutes a "good outcome."

- We usually think of matters as unique
- We usually think of law firms as unique
- We usually pay law firms by the hour, with each timekeeper having a unique rate
- We usually leave the staffing of matters up to outside counsel

What if corporations challenged these usual ways of thinking and managed the way law firms staff their matters?

Before we explore management of staffing models, it is necessary to clarify what a staffing model is in the first place. There are two major terms we need to define – what is a timekeeper, and what is a practice area.

Timekeepers

While the skill and perspective of every legal professional is unique and uniquely valuable, the business of billing by the hour requires categorization of individual lawyers into "time-

keeper" levels. Each human being that provides legal service is a timekeeper, and each timekeeper has a rank. Could be paralegal, first year associate, etc. all the way up to of-counsel and senior partner. Law firms vary in how they categorize their timekeepers, and that is one of the first obstacles to corporations managing law firm staffing models. Unless you use only one law firm, when there is no data consistency in how the law firms label their timekeeper levels, it is not possible to compare performance – either by cost or by outcomes – on similar matters handled by different firms.

The only solution is both elegantly simple – from a data perspective – and notoriously difficult to achieve – from a legal operations perspective. Within reason, it is possible for clients of law firms to require the law firms to consistently categorize their timekeepers. As with any data alignment initiative, the details matter. For example, "First Year Associate" is not the same as "1st Year Associate" or "1st Year" or "1st Yr." and on and on. While it is possible for the client to build lookup tables to normalize all of the incoming billing data, that approach is error prone and difficult to maintain. It is much easier and more reliable to ask that the law firms conform their timekeeper labels to a client-defined standard, then use only those timekeeper levels when they submit their invoices through an ebilling platform.

Practice Areas

In many law firms, rates vary not only with timekeeper classifications, but also with practice

areas. Rates in the employment practice area might vary significantly from rates in the real estate or M&A practice area, for example. To build a data model that enables cross-firm cost and outcome metrics, it is necessary to define practice areas and require firms to code timekeeper, timekeeper level and practice area in all of their electronic invoices.

With all of this data definition in the background, it becomes clear that managing staffing of matters is more complex than having a conversation with lead counsel at the outset of an engagement. Without data and processes that align activity with strategy, even the best intentions to manage to a staffing model do not often survive as the arc of a matter unfolds. In contrast, if law firms and their clients cooperate and do the hard work necessary to establish and maintain useful timekeeper-related data structures, it is possible for corporate clients to understand exactly how their matters are being staffed. For clients that use outside counsel regularly, it will soon become clear how each firm is allocating staff to the matters they are supporting. Are the partner-heavy? Associate heavy? Evenly distributed? How does the distribution vary across matters? Is it possible to evaluate relative outcomes of various staffing distributions? When answers to these questions are evaluated, it becomes possible for clients to specify desired staff distributions when matters are assigned.

Staffing Models

Of course, achieving the legal objective of each assignment is the paramount goal. It should

also be apparent that there is no one “target” staffing model. Matters vary in risk and complexity. Practice areas vary in risk and complexity. Corporate clients may want matters in one practice area to be staffed with a partner-heavy timekeeper distribution; in another practice area they may prefer associate-heavy timekeeper distribution. From a cost management perspective, the key point of staffing model management is that the total cost of a matter is often more heavily influenced by timekeeper distribution than by hourly rates.

Table 1 illustrates a hypothetical pricing list for hourly rates at 10 different timekeeper levels.

Timekeeper	Hourly Rate
1	US\$150,00
2	US\$175,00
3	US\$200,00
4	US\$250,00
5	US\$300,00
6	US\$400,00
7	US\$500,00
8	US\$650,00
9	US\$750,00
10	US\$1.000,00

Table 1

Figures 1 and 2 illustrate the cost of two 1000-hour matters with the same timekeeper levels and timekeeper rates, but different timekeeper distributions. In Figure 1, the staffing model emphasizes the use of more junior resources to accomplish the requirements of the matter.

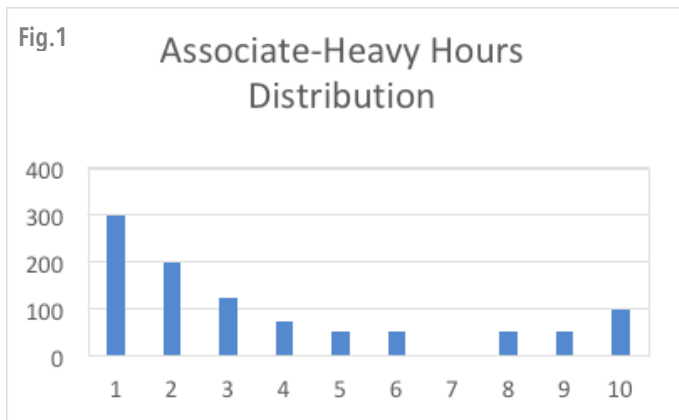


Figure 2, in contrast, illustrates a staffing model that emphasizes the use of more senior resources. For the sake of comparison, the illustrated staffing models are symmetrically inverted across the timekeeper levels.

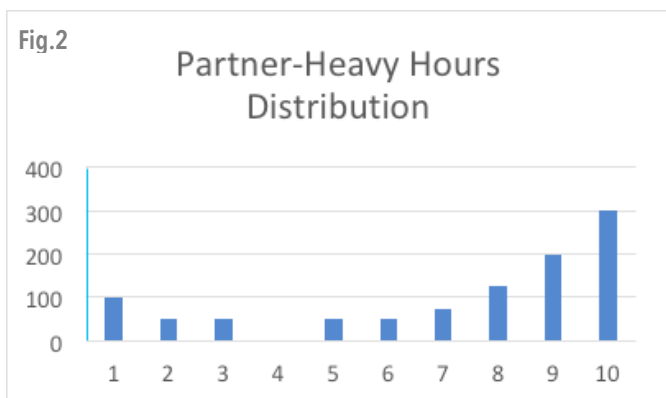
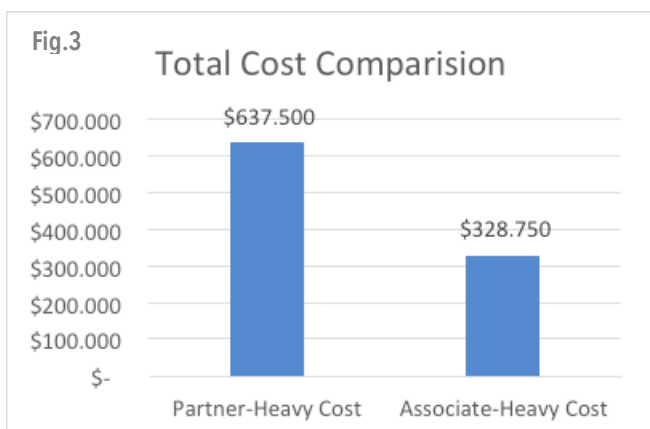


Figure 3 highlights the fact that under these two staffing models, the total cost is substantially



different – the associate-heavy model cost just over half as much (52%). *Remember, the hourly rates are the same in both models.*

This simple illustration motivates monitoring staffing models. While negotiating rate cards with outside counsel is important, managing overall costs requires more detailed analysis. By measuring and monitoring staffing models, legal operations professionals can help their legal department and business colleagues achieve desired legal outcomes at appropriate costs.

When in-house counsel communicates target staffing model objectives with outside counsel, both parties benefit. As more matters are delivered in accordance with staffing model objectives, it may even be possible to use the data to construct mutually attractive alternative fee arrangements. By untethering the concept of legal value from the traditional rate card discussion, both law firms and their clients can increase their confidence that the best possible legal outcomes are being delivered at the most appropriate value.

It is possible to establish timekeeper level standards across law firms. Managing timekeeper levels opens the door to managing staffing models for your matters. Staffing model optimization can yield even more cost reduction than hourly rate negotiations. Measuring timekeeper data across similar matters sets up the potential for effective AFAs. All of these benefits and more are enabled by a data-driven legal operations strategy that is aligned with client business objectives.

About the Author

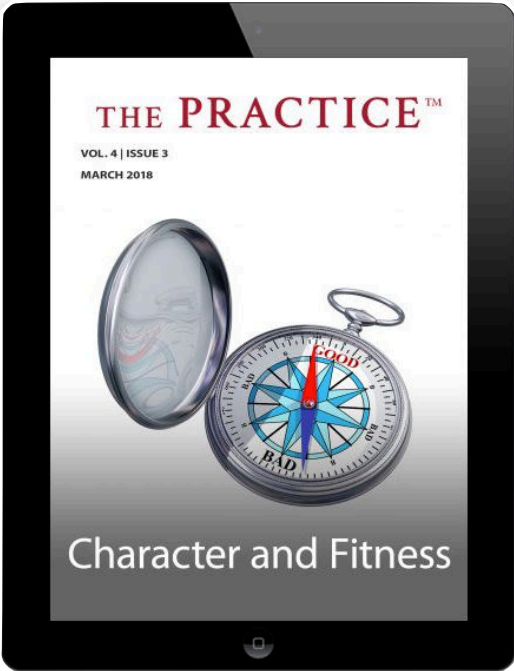
Cliff Dutton has been a leader in legal technology for 20 years. He was the national technical editor for the first Electronic Discovery Reference Model and has testified in US Federal Court on topics including reasonability and completeness in electronic discovery. In 2012, he joined AIG as Senior Vice President, Director of eDiscovery and Director of Strategies in AIG's Legal Operation Center. While he was at AIG, he was a fellow of the Association of Corporate Counsel Legal Operations Section and his team was recognized by the Association of Corporate Counsel as Value Champions, with acknowledgement of \$150M+ per year in legal operations efficiencies across AIG's annual legal spend of \$2B+. Cliff was the architect of reverse-auction procurement of ediscovery services and implemented AIG's non-law firm vendor panels for ediscovery, document review, court reporting and other expert services.

In 2017, Cliff joined Epiq as Chief Innovation Officer, where he directed investments in product, process and business model innovation. In 2019, he returned to his consulting practice Dynamic Legal Operations (www.dynamiclegaloperations.com) where he advises corporations on law firm panel formation and legal operations strategy. He also advises legal technology companies on product and marketing strategies.

Cliff's contributions to business, law and technology include:

- Brown University School of Professional Studies Advisor


- Former Bloomberg Law Advisory Committee Member
- Faculty member of the Electronic Discovery Institute
- Advised Senate Banking Committee on implications of Sarbanes-Oxley for electronic discovery
- Invited guest lecturer on electronic discovery at Electronic Discovery Institute, Brown University, William & Mary Law School, Widener School of Law, University of Rhode Island Graduate Program in Forensic Science
- Four US Patents in digital image processing, network topology and game design.



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A portrait of Mandy Savoca, a woman with long, wavy brown hair, smiling slightly. She is wearing a dark blue top. The background is a blurred indoor setting with windows and plants.

MANDY SAVOCA ON WOMEN AND INNOVATION

Fatima Hussain and Anne Graue talk to inspiring women in their series "Women & Legal Innovation - Global Edition". The goal is to encourage young women to develop their own voice and become actively involved, through showing them different stories & potential role models

During this interview Mandy Savoca, now working at Block, was Legal Operations Manager at Robinhood

Who is Mandy Savoca

Mandy Savoca has been in Legal Operations for about 12 years. When talking about Innovation, you can truly see that she loves what she is doing: “Within these last 12 years, I focused on legal tech implementations - contract management and e-billing, matter management, ticketing system - you name it! It's been a really fun journey!”

At the beginning of her career, she started working as a contracts manager in health care, then worked at PlayStation, Kayak/OpenTable, Square, and most recently Robinhood.

The Value of Coding Skills

When Mandy went to school to become an English teacher, she decided to take coding classes. “My husband is a front-end engineer. It always looked like he was in the Matrix to me.” Through a one-year coding program, she saw the pieces coming together and everything made sense: “You probably remember in the Myspace days- we were already using coding language. CSS - you were changing the color of your Myspace and adding music. When I started building mobile apps and websites, it was like taking a ton of lego pieces and then at the very end you didn't know what you would get, but you knew it was going to be awesome.”

Her coding experience has supported her path in Legal Operations. Even if a platform uses no code, it follows coding principles: “I recommend taking coding classes to my

team as I believe understanding the fundamentals of it is so important.”

Approaching innovative solutions with a peanut butter sandwich method

When Mandy approaches solutions, she tries to look at them by how many people the solutions are going to impact: How many people will this help?

“I try to prioritize projects that impact a lot of people a little higher. That can be a ticketing system or an intake form - things where we are helping people streamline a process; or it can be as big as a contract management system, where it's impacting multiple departments of the business.” Mandy then tries to think about it as breaking down the process in a peanut butter sandwich method, where you are thinking about every single touchpoint: “How did you get the bread - meaning: how did you get to the store? Did you drive there, did you walk there? - and how did you get the peanut butter? I try to remember these tiny details of the process so we can automate as much as possible.”

In Legal Operations, you work with many different teams in a company, who sometimes want to do it their own way. Mandy approaches this by hearing them out, asking them for the reason why they want to do it this way. “I explain that we are working on a common goal and that I will work towards your ideal state, but they have to work with me together to reach the goal.”

Legal Innovation in the US

Mandy highlights that Legal Innovation is very diverse in the US - not only in regards to gender, but also in regards to races and backgrounds: "That's what changes things: It's not about listening to someone that sounds the exact same as you, and has the same mindset and ideas - it's getting someone who totally doesn't agree with you and then finding a really cool common ground."

Women & Innovation

Yet, she agrees that we need more women in Legal Innovation. To the question, why she believes so, she replied: "Perspectives! We need women of all backgrounds: We need women with families, we need women without. We need older women, younger women, different races, women from different countries. Women with different approaches, women with innovative ideas. Without their perspectives, we are not going to move forward in technology."

Through connecting with more women and through making Innovation and Technology more accessible, we get more women involved: "We need to let them know that there is this really cool path that they probably didn't hear about. A lot of great legal operations professionals came from legal interns, admin assistants - these people who were doing a little bit of everything. And now they have this beautiful career path, where they can be very powerful in their career and have a voice. Seeing other women do that is one of the first steps:

Oh, she does that? I can do that too!"

Challenges for female professionals

Mandy sometimes feels that, as a woman, she has to try harder and that she has to prove herself: "When I walk in a room and start speaking, I have noticed at times in my career - men try to correct me or interject about a technology, when I know the technology very well." She solves this, by explaining her background to them and proving that she knows what she is doing: "I understand integration, I understand APIs. It's been challenging to prove that you know what you are talking about. It's worth it, but definitely one of the biggest challenges I have had to face in my career."

Her advice for other females is to not be afraid to speak up: "Use your voice. When I was younger, I was more afraid to speak up to a Director or Senior Executive. As I have gotten older, a lot of this has faded away. You know your stuff, don't be afraid to voice it. Sometimes you do know the best method forward, sometimes you do know the best practice - but if you are not voicing that and are not part of the conversation it won't change."

Role Models on Mandy's path

Mandy has been inspired by her Mom and brother. They have been her biggest role models: "My mom owns a barber shop in my hometown and she has a voice. She is not afraid to use it. She really encouraged me and my brother to know how and when to

to speak up but also when to listen. Watching them and having that example has brought me out of my shell.”

About the authors:

Anne Graue

Anne Graue is an attorney-at-law and Legal Innovation Advisor. She works as Legal Counsel in the automotive industry in Germany. Previously, she was Associate General Counsel at TIER Mobility SE - a hyper-growth start-up in the field of e-mobility, where she drove the digitalization & development of the legal department.

Prior to this role, she worked as Legal Counsel at AUDI AG, where she was responsible for litigation in APAC & Europe and advised on e-mobility related product safety issues. Further prior experience in-

cludes working as a criminal judge and associate at Clifford Chance.

Fatima Hussain, LL.M.

Fatima Hussain is an attorney-at-law and Legal Innovation Advisor. She is a Senior Legal Counsel at Trade Republic Bank GmbH, a FinTech in Berlin. Previously, she worked as in-house counsel at Tesla Manufacturing Brandenburg SE and AUDI AG.

During her time at AUDI AG, her responsibilities included providing legal advice on product liability and safety issues in Germany and international markets, for example the U.S. and South America, and conducting national and international litigation. Prior to joining AUDI AG, she worked as a legal assistant in the Dispute Resolution team at Freshfields Bruckhaus Deringer and in the Banking & Capital Markets team at Clifford Chance LLP in Frankfurt am Main.



Black In-House Counsel Network Report 2022



The Black in-House Counsel Network is a comprehensive engagement platform designed to identify, qualify, and celebrate Black attorneys. Through media properties, digital tools, and live events, the Black In-House Counsel Network serves as a vital resource highlighting the achievements of Black attorneys while serving as a central resource for networking, professional development, and executive leadership training.

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DIVERSITY & INCLUSION

For Legal Operators diversity and inclusion are important topics. Luckily we see a lot of organizations prioritizing these topics and starting to roll-out dedicated programs. However there is still a lot to learn, and why not learn from each other?

Therefore we welcome everybody who is willing to share their experience, programs, what works - what not, challenges and more in an article published in Legal Operators eZine.

Feel free to send your article, article outline, or idea to [Colin McCarthy](#).




























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EMBEDDING THE CULTURE OF TECHNOLOGY AND INNOVATION IN THE LEGAL INDUSTRY

By Abdul Hakim Manattil



Legal technology has by far been the most trending and thought-provoking topic for quite some time now. In a solid attempt to empower law firms and allow lawyers to work more efficiently, the legal industry strives to adapt and consolidate technologies in the everyday work routine.

While experts still argue that the industry is yet to fully accept the benefits of technology, many believe that digital transformation and technology is making its way to revolutionize and re-shape the traditional way of law-practice. Fundamentally, it's because most digital

law-practice. Fundamentally, it's because most digital technologies provide possibilities for efficiency gains and customer intimacy. But if people lack the right mindset to change, it only displays that the current organizational practices are flawed.

Blamelessly, technology has proven its notable role in enabling lawyers as "Service Providers" through efficiency in an extremely cost-effective manner. After the role goals concrete, technology sophisticating expeditiously in providing law firms the shot to thrive and expand, which has been substantial in almost every department of a law firm including courtroom operations, archive management to service deliverance. This has in turn led to an upright democratization in the industry business, assuring a more competitive edge for lawyers to use their expertise for ease in delivering the information.

Additionally, another proven factor to have had a positive outcome for lawyers/law practicing organizations is innovation. Nowadays, law is rife with 'innovation departments,' 'legal pioneers,' and 'visionaries.' The current state of the legal industry stands between two major groups of law firms the one which believe and tend in contrasting manner of performing legal services and the tech innovators and the staid traditional law firm.

Law Innovation Between Fiction and Paramount

To put it in simpler terms, innovation can be defined as an improvement by applying ideas to satisfy the needs and expectations of customers. Lawyers' consensus their critical concerns on one question: How can I improve client's accessing with efficiency legal advice deliverance? How can we deliver legal advice more efficiently?

This may be a bit contradicting to what lawyers have been taught in working by themselves that tends to take a decentralized approach but legal industry business has now begun to work things differently, in a more innovative manner to execute cleverly. Based on interactions with clients' satisfactions surveys, a more unified process would be better to receive. Whether traditional law firms accept it or not, the legal industry around us is changing rapidly and more positively, generating new ideas and trends to meet their client goals.

Innovation isn't a mere trend, but in fact is one of the most imperative functional areas in law firms today. In order to vantage legal service deliverance to their clients and increase competitive advantages, law firms are now incorporating innovation strategies through the use of digital technologies such as AI, data analytics, automation and more.

Based on experts' statistics and law firm leaders, some prominent law firms are already creating their own innovation departments that serve new strategies and implement various solutions throughout the firm. But the question here remains- When should the law firms' transition stage take place?

According to a recent survey conducted of corporate counsel by Thompson Hines in March of 2018, only 4% of in-house counsel reported seeing a lot of innovation from their law firms. Only 29% of these in-house counsels said their firms had made any significant changes to help alleviate pressures they faced. 70% of the counsel could not cite a single example of an innovative change made by their firms.

Instead, the majority of firms continue to be focused on short-term profitability, and are thus rewarding partners on that basis rather than taking steps to create more efficient internal firm processes:

“Most firms (62 percent) that have moved toward rewarding efficiency and profitability (not just absolute revenue) in partner compensation decisions have seen consequent improvements in performance. However, few firms have made serious attempts to systematically reengineer work processes (22 percent) or implement formal knowledge management programs (28 percent).”

This proves to be both problematic and

unsurprising. Problematic because with the wave of technological and innovative change driving across other industries, the legal sector is lagged behind in seizing an opportunity that will only help in the better outcome of legal services. Unsurprising because law firms have become so comfortable working in the same traditional manner since decades that they are hesitant to welcome any sort of change.

Factors Taking Legal Innovation Downhill

While innovation keeps to bring positive changes and is slowly morphing into something different, there may be factors that are ceasing law firms to adapt it. One of the main reasons why law firms aren't willing to innovate is risk assessment.

Since the commencement of law and in the entire history of legal industry, lawyers are taught to minimize the risk in any given case or matter. The archetypal solicitors have been practicing to take the least in risk approaches and rules.

On the other hand, it's rightly said that “Necessity is the mother of invention,” which means innovation is all about taking risks and breaking the rules. However, when you abide by rules, you may predict certain results. Lawyers, thus, need to explore a side and maintain a certain mind-set that would allow them to experiment and tolerate failure as part of the process just as the saying goes, “Without taking risks, original ideas wouldn't be possible”.

Lawyers need to be bold, willing to achieve thoughts in a new manner by taking risks. Such particular characteristics tend to lead to innovation. In an innovative legal world, lawyers need to think and work miscellaneously. While risks may lead to failure, lawyers must implement strategies where they can quantify the risks in a way that is useful in order to serve their clients insightfully.

One pro-tip for lawyers beginning to adapt innovation strategy is trying out newer methods. This involves unlocking the ideas, which may seem audacious or adventurous as it is and a little outside of their comfort zone. But they also need to keep in mind that the more lawyers flourish fresh ideas and creativity, the more optimal rewards they will achieve.

Leadership- a strong foundation for innovation

For innovation, leadership is key. The innovative enterprise and the innovative industry have creativity in leadership. Large legal enterprises do not act typically democratic or can be categorized as a premise where people aren't really motivated to try new things.

Research shows that fresh lawyers looking to innovate are enthusiastically joining small firms where they can find like-minded colleagues rather than bigger enterprises that lead to dangerous and potentially misleading signposts, thus proving the point that if the management doesn't trust innovation

culture and enhance diversity, new lawyers tend shall disdain the enterprise trust.

Innovation isn't about using future technology; it's about realizing where we truly stand as we have to add the component of art in which to make a wise choice for the future of technology and bringing in new ways and ideas that would drive innovation into the system.

Instead of using the traditional chronology methods to find and approve the ideas, meanwhile that approval process could be spread across the whole organization.

What law firms must understand is that through the correct use of current technology today, we are actually preparing and building ourselves for the technology in the near future by facing extreme challenge as we must meet the growing demand, and begin the process of converting to more efficient, secure in ethical methods.

Consider it as a stairway, we cannot miss a staircase and jump into the future and get involved in the future technology without truly having knowledge about the current one.

Using the Right Tool- why automation is the right answer

What has been achieved so far is irrevocable, but we can still predict where it goes in the future. Another imperative factor would be the use of right tools and systems. If lawyers make use of a proper, dedicated and suitable

system, there's always room to improve and prosper. But what if they've been using a wrong system throughout their career? Wrong tools will offer limitations and stop lawyers from moving forward in their career. The importance of a correct and updated Practice Management System for lawyers can do wonders in driving in innovation, automation being the key. Through automation, data will be digitalized that will help law firms progress to the next level technology.

Automation, however, shouldn't be worrying for lawyers in today's world. They need to think about how to provide better legal services to their clients rather than being pressurized about future technology and its impact on human efforts. Automation will enhance the capabilities of lawyers to execute their expertise better, giving a strong competitive edge in the market, where law firms would compete and strive to provide more and better legal services to cater their clients' needs.

Conclusion

Innovation is a two-way street. Law firms must realize the importance of leadership in creativity, motivating employees to participate in strategies to explore new ways of delivering their services that will lead to innovation. On the other hand, lawyers should dedicate the best of their expertise and creativity to contribute to the innovation strategy of their law firm. There should be constant attempts by lawyers to incorporate in-

novation to improve the legal function, along with aiming for a larger goal, and being able to see the bigger picture and act as a "problem finder."

About the Author

Abdul Hakim Manattil is the Founder and CEO of LegalTech ME, one of the first Legal-Tech companies in the UAE.

After a career at one of the most prestigious law firms in the Middle East, Al Tamimi & Co Abdul started Caseengine.

Casengine is a bilingual legal task automation system for law firms and in-house legal departments, it is a case management solution designed to ease legal departments burdens in managing daily work. This is being offered not just to legal departments but to Law Firms, In-House Legal Teams and Government. It was during the lockdown the legal practitioners realized their need for something like 'Casengine' having to work from home and no access to office technology, they struggled with their legal practice. Casengine helps law firms and legal departments automate workflow and help save employees' time, energy, and creativity that has proven to help in a maximized productivity, and increased profitability as well as more revenue as an outcome. Automation not only saves you time that can be used for winning new business but also maintain a more efficient streamlined workflow.

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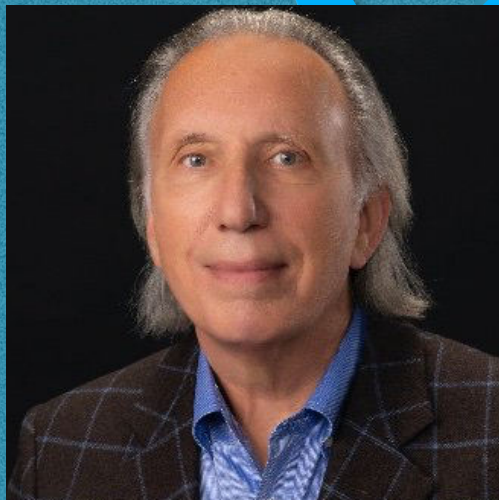
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“NEW LAW?”: YOU AIN’T SEEN NOTHIN’ YET

By Mark A. Cohen



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“New law” is a catchall industry term popularized in the aftermath of the global financial crisis. It is often linked to [“legal tech,”](#) [“legal ops,”](#) [“ALSP’s,”](#) and [“legal innovation.”](#) Each is usually considered discretely, not as part of a larger change process. That begs the question: Has new law produced [change that is impactful to legal consumers and society-at-large?](#) That is what matters.

Internal Efficiency and Profit Preservation, Not Innovation

The past fifteen years have produced changes in legal delivery. Legal operations has introduced established business processes, technology, and multidisciplinary expertise (“non-lawyers”) to the industry. This is good delivery hygiene but not innovation. Legal ops is internally focused, not client-facing. It is tactical, not strategic. Internal efficiency is a building block for paradigm change that drives customer impact and enhanced experience. That is new law.

Legal technology has proliferated during the past fifteen years. Many formerly “legal” positions and tasks have been [automated.](#) “The office” has begun to morph from a place to a platform. “Plug and play” solutions are becoming more common, and artificial intelligence is finding its way into the legal space. So too are an expanding library of on-demand educational ([upskilling](#)) tools now a part of the marketplace. Still, the [legal function lags business](#) and other professional services in tech utilization, budget, and understanding that tech is an enabler of change, not its designer.

Legal tech has become an end unto itself for many “legal techies.” To be impactful, technology must have a use case that addresses a material challenge. [Fit-for-purpose](#) technology investment and design should be part of a larger strategic plan whose end game is to improve customer/end-user experience and outcomes. This is a [multidisciplinary team sport](#) that includes legal practitioners, “techies,” process/project managers, data analysts, and other allied legal professionals. New law will not lead with technology; it will be an element of a customer-centric delivery plan reverse-engineered from the end-user perspective.

[Law companies](#) (a/k/a “ALSP’s”) have become [mainstream](#), especially in the corporate legal market segment. They have steadily gained market share, secured investment [capital](#) to scale, and recruited [allied legal talent](#) from other industries. They are neither “alternative” nor presumptively relegated to high-volume, low-value tasks. They are multidisciplinary professional service companies that have demonstrated that [practice skills diverge from delivery expertise](#). What remains is for the two to be [culturally](#), functionally, and synergistically linked with each other and with customers.

Law firms and in-house legal departments remain the industry’s dominant provider sources. While they routinely collaborate, they operate from different economic models, cultures, remits, technology platforms,

data, and end-user expectations. New law will have an integrated platform-based delivery structure from which agile, fluid, and on-demand resources with verifiable, material expertise and experience can be sourced. Profit will not be derived by adherence to a legacy economic model built on input but by a purpose-driven, customer-centric, data-backed, tech-enabled model fueled by output and net promoter score.

Innovation Is A Process Requiring Self-Reflection, Re-imagination, And Customer-Centricity

“Innovation” has become a favorite word in the legal lexicon. It is over-used, over-hyped, and over-recognized. The industry is awash in self-proclaimed “innovators,” “disruptors,” and “visionaries.” An unending cycle of award dinners and accompanying press coverage are the industry’s way of convincing itself it is innovating. This is law’s version of “every kid gets a trophy.” But is it innovation? That is not simply a semantical question; it goes to the heart of whether we have yet seen “New Law.” Spoiler alert: hold on, it’s coming.

The legal industry, unlike many of its customers, has yet to undergo a paradigm change from provider to customer-centricity. When that occurs, law’s purpose will revert to better serving legal consumers and society-at-large, not preserving its [legacy delivery models](#) outdated legal [education](#), [self-regulation](#), and dispute resolution mechanisms.

Legal providers will focus on customer impact that produces high net promoter scores, not self-congratulatory awards and profit preservation. Innovation is the end result of this paradigm-shifting, human adaptation process. It is enabled by technology and data; it is driven by human beings and their ability to adapt to a rapidly changing world.

The Pandemic Accelerated Legal Automation, Not Transformation

The legal industry has convinced itself that it has been highly innovative during the pandemic. It has quickly and successfully transitioned to a predominantly remote workforce, online learning, and electronic court proceedings. This transition affirmed the latent potential of existing technology and exposed that when the economic need arises, the legal industry *can* adapt. But this was automation—using tech to preserve existing models, not creating new, [customer-centric](#) delivery models enabled by technology. My good friend Richard Susskind explores this important distinction in [Online Courts and the Future of Justice](#), concluding that law is at the foothills of transformative change, not well into the ascent.

Business is well along its paradigm-shifting journey (a/k/a [digital transformation](#)) to a customer-centric model. It is also recasting the purpose of a corporation and redefining its role in a digital world. The narrow corporate focus on profit and shareholder value has expanded to a wider stakeholder group.

This includes its workforce, supply chain, customers, communities it touches, society, and the environment ([ESG](#)). Corporations have also committed to diversity, equity, and inclusion ([DEI](#))—not just for themselves but also for their supply chain with whom they expect cultural alignment. The legal function will make this transformation, not only because business demands it but also because it's good for business.

Microsoft CEO Satya Nadella famously noted that he witnessed two years of digital transformation in two months of the pandemic. The legal function has yet to make the digital leap, though a growing number of companies are pressuring it to join in their journeys. Change management and human adaptation are the biggest obstacles in the digital journey.

What Will New Law Look Like?

The speed of business and the breadth of social change make it difficult to render an accurate portrait of what new law will look like. Some of its defining characteristics are taking shape.

1. Diverse, Agile, And Collaborative Workforce

The legal industry will more closely resemble its corporate customers and society at large. It will be more holistically diverse—cognitively, demographically, culturally, and experientially. Its workforce will be more creative, tech and data-proficient, [empathetic](#),

and collaborative. A diverse, team-oriented, customer-centric, integrated workforce will be united by a common purpose: to provide accessible, affordable, on-demand, scalable, data-sharing, legal products and services that help solve challenges and capture opportunities at the speed of business and society. The legal function will be internally integrated and will work cross-functionally with other enterprise business units as well as across industries.

2. Synergistic And Standardized

Standardization is anathema to most lawyers because it undermines the myths of legal exceptionalism and bespoke legal work. These fictions have sustained the legacy legal delivery economic model. Other industries regard standardization as a way to share investment costs, speed time to market, simplify processes, create uniform quality standards, and share data. They leverage economies of scale and create impactful synergies by targeted cooperation and collaboration with like-minded companies.

This is the path new law will take. (See www.dlex.org).

3. Data Agility And Sharing

The legal industry is sitting on a [gold mine of data](#) that can enhance its internal performance as well as [positively impact the enterprise and its customers](#). Legal has barely begun to harvest data's enormous potential because it lacks [data agility](#) and a compelling business case for budget.

Data Agility is mastery of data's prime value elements: capture, unification, applied human and artificial intelligence, visualization, real-time refresh, decision driving, and global business integration. New law will possess this; it will harness and share data internally and throughout the enterprise. This will enable the legal function and its cross-functional enterprise colleagues to be proactive in identifying, eradicating, mitigating, and extinguishing risk. It will also help them identify and capture business opportunities. This will drive significant value to business and its customers, avoid significant lost opportunity costs of protracted disputes, free-up management to focus on core objectives, and produce better-informed risk assessment and business decisions. Data agility will help transform the legal function from a [cost-center and deal-blocker to value creator and commerce facilitator](#).

Large-scale legal consumers should require their law firms to share their matter-relevant data with other panel counsel and with them — subject to confidentiality considerations.

A law firm's data is a significant untapped component of its expertise and should, therefore, be made available to clients. This can be addressed in the engagement letter. Blanket assertions of data confidentiality by prospective providers should be carefully evaluated by legal buyers *before* retaining a firm. Appropriately curated data sharing is an ethical issue for legal providers (competent

and zealous representation) in the digital world.

4. Platform Driven

[Platforms](#) enable people and organizations to interact and work within a basic collective framework conducive to address multiple use cases and common challenges. Holistic platform solutions are well-established across multiple industries and provide a secure environment for tackling complex challenges affecting multiple organizations, geographies, and constituencies.

[The World Economic Forum](#) recently announced it is embarking on an ambitious [initiative](#) to harness the potential of the meta-universe as a platform for collaborative, inclusive and effective international action. The Forum, in collaboration with Accenture and Microsoft, is building a Global Collaboration Village as the virtual future of public-private cooperation. It will provide immersive spaces where stakeholders can convene, create and take action on the world's most pressing challenges. This “big picture,” collaborative approach (in which legal will play a role) provides a roadmap for a new legal paradigm whose purpose is problem solving, facilitating commerce, dispute avoidance/rapid resolution, and ensuring that legal rights and obligations are democratized.

Platforms will play an important role in shaping a new law environment that is more collaborative, transparent, accessible, af-

fordable, efficient, data-backed, and solutions-based. They will be a secure repository of data and collective experience to provide faster, practical, and predictable solutions to once “bespoke” legal matters.

5. Collaboration

[Collaboration](#) is essential to surviving and thriving in the digital age. The [speed](#), complexity, and fluidity of business, the accelerating pace of change, and significant global challenges that cannot be mastered by a single person, function, enterprise, stakeholder group, or nation require it. The legal function can—and sometimes has—played an important role in the broader collaborative process. Pharmaceutical company collaboration in the research and development of the Covid-19 vaccine is a notable example.

The automotive industry offers another example of collaboration. Competitors like GM, Ford, and Honda collaborate on a range of development initiatives. These companies and their peers also routinely collaborate with joint venture partners from other industries. This is emblematic of the different forms of collaboration and fluidity of business in the digital world. Why not legal delivery?

New law will consolidate the industry by horizontal and vertical integration, joint ventures, managed services, and other collaborative mechanisms. Large law firms like Dentons, DLA, and others have expanded by

horizontal and, less frequently, vertical integration. Large legal departments are beginning to explore integration that leverages infrastructure, shares data, pools expertise, shares risk, reduces the cost of legal services, and meets growing cost takeout targets.

As the legal industry integrates with the businesses and societies it serves, it will adopt a more fluid, collaborative approach to delivery and problem solving. This will be multi-dimensional and include: (1) increased collaboration between legal practitioners and allied legal professionals on the business of law side; (2) collaboration between and among firms and in-house legal functions as well as with law companies; (3) collaboration among corporate legal departments, especially data sharing, risk mitigation, and synergies that create economies of scale and facilitate business opportunities; (4) integration of the legal supply chain, erasing artificial, lawyer-created distinctions between provider sources; and (5) collaboration between legal and other professions and industries.

Conclusion

The “new law” moniker was coined by lawyers, not customers and society. It is fresh icing on law’s stale cake. Don’t expect legacy legal stakeholders—especially those nearing retirement—to reverse-engineer existing paradigms that continue to reward them.

New law will be shaped by two principal sources: (1) large-scale legal buyer activism; (2) corporate Goliaths that have the brand, capital, know-how, customer-centricity, data mastery, tech platforms, agile, multidisciplinary workforces, and footprint in/familiarity with the legal industry. Microsoft, [Amazon](#), and Google are among those that come to mind. Speculation is enticing, but what’s more important is understanding why “new law” is not here but will be soon.

Legal industry: [you ain’t seen nothin’ yet.](#)

About the Author

Mark Cohen is CEO of Legal Mosaic, a legal business consultancy. He serves as Executive Chairman of the Digital Legal Exchange, a global not-for-profit organization created to teach, apply, and scale digital principles to the legal function, and as the Singapore Academy of Law LIFTED Catalyst-in-Residence. He has held Distinguished Fellow and Distinguished Lecturer appointments at Northwestern University Pritzker School of Law, and Georgetown Law as well as at numerous foreign law schools including IE (Spain), Bucerius (Germany), and the College of Law (Australia).

The first thirty years of his professional career were spent as a “bet the company” civil trial lawyer--decorated Assistant U.S. Attorney, BigLaw partner, founder/managing partner of a multi-city litigation boutique,

outside General Counsel, and federally-appointed Receiver of an international company conducting business across four continents. He pivoted from the representation of clients to 'the business of law' approximately fifteen years ago.

Mark co-founded and managed Clearspire, a groundbreaking 'two-company model' law

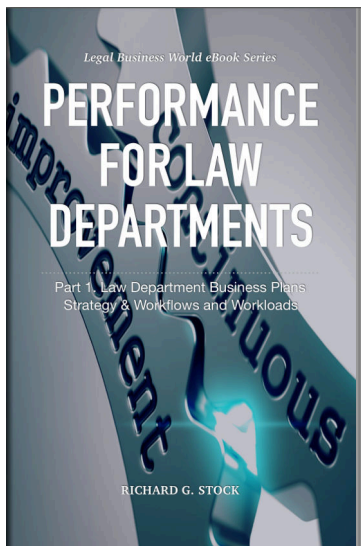
firm and service company. The Clearspire model and lessons learned from it are the foundation upon which my current activities are fused with the practice portion of my career. And Last but not least: Marc is a renowned speaker and shares his insights in the Global Legal Market.

All Articles by Mark are also published at Forbes.



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ARE YOUR DOCUMENT DELIVERIES ARRIVING FROM THE 20TH CENTURY?

By Lynn Reilly



Modernizing your legal document delivery

Legal teams ship documents every day—in response to discovery requests, to outside counsel for early case assessment, to a vendor for processing, or for any number of other reasons. But while new technology has revolutionized much more complex tasks, document delivery seems to have gotten stuck in the 20th century, with options that are either not secure, not practical, or both. Legal teams still struggle with outmoded, cumbersome, non-compliant, and expensive methods.

Option 1. Paper Documents

Paper is cumbersome to handle, problematic to track, and can't be secured. It requires that people work from a single physical location—where the paper is. Courts don't consider it a "reasonably usable format" consistent with procedural rules. Although it is still a common delivery method, paper is labor-intensive, time-consuming, and outmoded.

Option 2. Encrypted Email

Third-party encrypted email systems present myriad process challenges, including the requirement of Outlook plugins, the need to manage encryption keys, lack of integration with other systems, and file size limitations. The sheer complexity of the process makes this an impractical option for routine document delivery.

Option 3. External Media

Sending documents on external media is easier than using an email encryption system, but it has some issues. It's costly to buy and ship media. One traditional practice was to ship media and a password, in separate packages—doubling the shipping cost of each production. More importantly, shipping sensitive information on external media typically fails to comply with information security protocols.

Option 4. SFTP/FTP

SFTP/FTP alleviates the costs of external drives and shipping along with the risk associated with external media. The trouble is that it's time-consuming to set up a transfer for every delivery. This method can be efficient for large and relatively infrequent productions in litigation, but it's less practical for frequent, small deliveries.

Option 5. Online Delivery Systems

The modern method is a secure online portal, set up and managed by the party making delivery. Information security requirements are met with documents encrypted at rest and in transmission. Rather than separate physical packages, access control works by two-factor authentication. When a set of documents is uploaded and ready, the system auto-generates credentials and sends them to the recipient with one click. The recipient then logs in and downloads documents. The system tracks portal activity, and the portal closes automatically.

Unlike every other option, this type of online delivery eliminates the cost of media and shipping, the manual steps involved in shipping or setting up an FTP site, and the security issues associated with sending files on external media. It provides a way of

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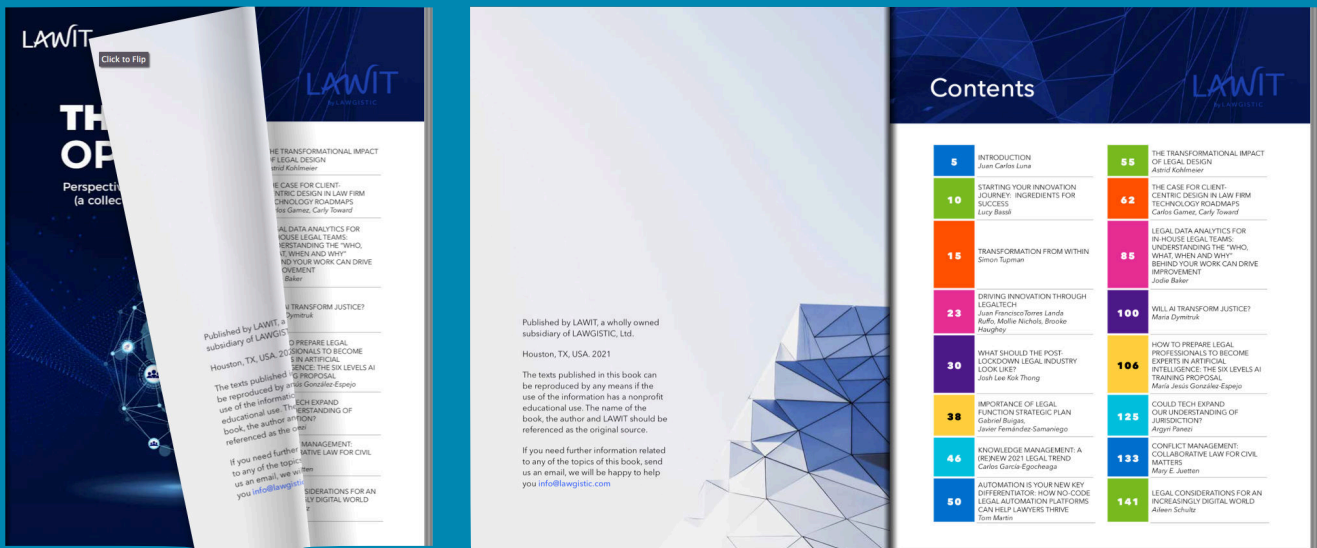
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THE DIRECTOR OF LEGAL OPERATIONS

By Richard G. Stock



Over the last 15 years, I have had the opportunity to work with dozens of corporate and government law departments responsible for legal resources in 25 countries. Most have at least four features in common. First, the leadership and lawyers of the department must comply with a broad range of financial, human resource and technological requirements identical to those affecting all other departments in the organization.

Second, as inside counsel become more closely aligned and sometimes embedded, with business units, the demand for their advice and legal services increases.

The average work week gets longer with much legal work getting done after 6 p.m. There is never enough time to meet real deadlines. It is the new normal with no relief on the horizon in the post-pandemic workplace.

The third feature is pressure to manage relationships with external counsel more effectively and more efficiently. Very few law departments have the experience and the appetite to rely on progressive practices to manage the “supply chain” with law firms.

The fourth feature is a performance imperative. Law departments must have business plans and objectives with measurable targets. Some of these are financial and readily quantifiable, but others are strategic or developmental and can be difficult to frame. Key performance indicators are here to stay and law departments must add measurable value.

Part of the answer is to professionalize law department operations. In most cases, this means introducing a new management position in the form of a Director of Legal Operations. The job title may vary, but most financial institutions and many government law departments have had such positions in place for more than 15 years. I recently spoke to incumbents and General Counsel at Air Canada, Bell Canada, CN, SNC-

Lavalin and the Regional Municipality of York about the current state of law department management and about the prospects for the future.

Air Canada’s Director of Legal Operations was in place for several years, bringing with him 20 years of experience in legal leadership positions with two Montréal-based law firms. He supported the General Counsel on efficiency projects, tracking departmental objectives, managing professional development programs, the introduction of new technology, and concluding fee arrangements with law firms. I was told that law departments would be capitalizing much more on emerging technologies to improve service delivery soon. Today, there are significant resources for the law department management community: the Corporate Legal Operations Consortium (<http://www.cloc.org>), the Association of Corporate Counsel (<http://www.acc.com>), the Association of Legal Administrators (<http://www.alanet.org>), and last but not least Legal Operators (<https://legaloperators.com>)

The Regional Solicitor for the Regional Municipality of York, north of Toronto, recently retired. The department of 26 lawyers and 26 staff has a full-time Manager of Business Operations and Financial Planning. The position has evolved since 2005 from a purely

administrative one to include strategic planning for the department and oversight of retainer agreements with external counsel. The Manager brings business and budget planning experience to the position. Forecasting resource needs as the region grows and securing legal and technical resources are central to the job. The primary responsibilities of the position are planning / performance measures, arrangements with external counsel, financial planning, and technology in support of the courts program.

Bell Canada's Legal Ops Manager divides his time between Legal Operations and the role of Assistant Corporate Secretary. His longstanding responsibilities for relationships with external counsel were formalized in 2013. Since then, the emphasis has been placed on harmonizing arrangements and controls for legal fees. He predicts that technology will continue to transform legal service delivery for in-house and external counsel. However, technology literacy will need to improve for all counsel to keep pace.

CN is one of North America's Schedule One railways. Legal operations are the responsibility of a Financial Analyst in the law department who facilitates the flow of information between the law department and the Finance/Accounting Department. Budget and performance targets are tracked. One initiative was to invest considerable time in working out the operational details of con-

verging external legal work to two primary firms.

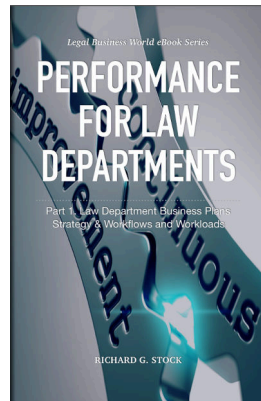
SNC-Lavalin added a Director of Legal Operations in March 2017. This multinational construction engineering firm is active in more than 50 countries. The company once retained dozens of law firms and managed a decentralized team of 70 lawyers and staff across 15 countries. The Director of Legal Operations has helped transform the law department into a new "Center of Excellence". His responsibilities cover systems and technologies, policies and procedures, training, talent retention, and measuring performance. A significant role was to manage SNC-Lavalin's convergence of global legal services to two primary firms. He believes that business and legal technologies must drive change in how firms are retained and service delivered across 24 time zones. Innovation, management information and focus are the watch words.

General Counsel leading departments of 10 or more lawyers should consider the cost-effectiveness of hiring a full-time Director of Legal Operations. The return on investment is significant.

About the Author

Richard G. Stock, M.A., FCG, CMC is a partner with Catalyst Consulting. The firm has

been advising corporate and government law departments across North America and abroad since 1996. For law department management advice that works, Richard can be contacted at (416) 367-4447 or at rstock@catalystlegal.com.



More on this eBook by Richard G. Stock see [page 35](#) of this Magazine.

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JB also accelerates law departments' DEI programs for outside counsel by taking the grunt work of diversity data tracking out of the equation, saving in-house FTE resources.

Justice Bid, a minority-owned technology company, teamed up with Legal Operators and forward-thinking law firms to reimagine diversity analytics in the legal industry. The Operation Empowering Change initiative is designed to enable law departments to skip the data collection and analysis process, and at the same time, significantly reduce the number of firmwide surveys that law firms are asked to complete, allowing both to get to what truly matters – focusing on DEI collaboration and actual DEI work. Law departments can use filters, in combination with each graph's interactive legend, to view firmwide data through their own lens. If a law department does not see their firm, they can easily add them. To get your free account, law departments should contact operationempoweringchange@justicebid.com




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Change Management in the Time of Automation: How to Boost User Adoption and Engagement Across the Enterprise

There is a growing consensus that the latest legal technology significantly improves day-to-day legal operations, while safeguarding organizations' reputations. But first, chief legal officers (CLOs), general counsels (GCs), and other business leaders need to ensure this digital transformation takes hold — not only in legal departments, but also across the entire business. Join this webinar with Jerry Levine, ContractPodAi's Chief Evangelist and General Counsel, and Daniel Jay Tijerina, of AT&T Sports Networks Business Affairs and Affiliate Relations. Together, they will discuss modern change management and enterprise user adoption, including:

Navigating the usual obstacles around legal tech deployment

Using best practices to increase user adoption and engagement

Measuring critical business outcomes with key success criteria

Daniel Jay Tijerina, AT&T Sports Networks Business Affairs and Affiliate Relations

Jerry Levine, Chief Evangelist and General Counsel (Americas) Jerry Levine is Chief Evangelist and General Counsel (Americas) at ContractPodAi®.

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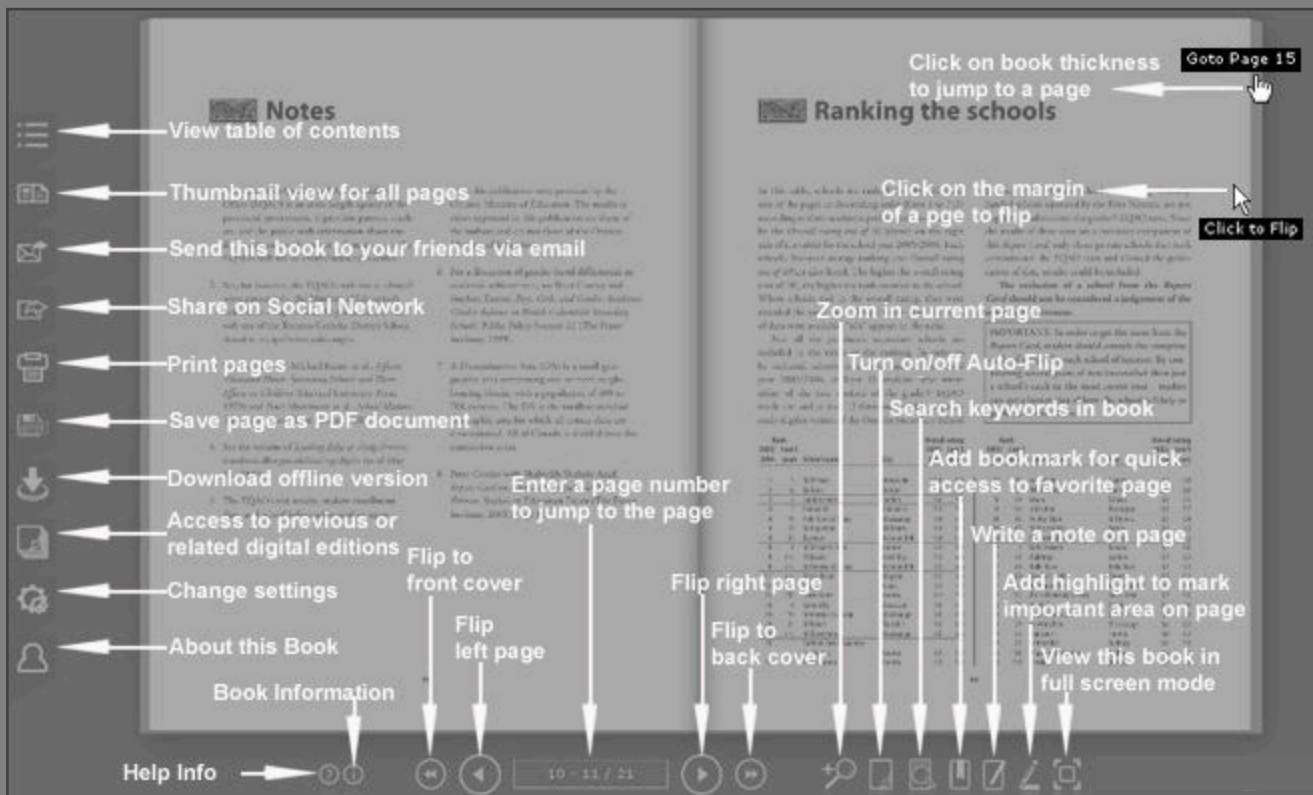
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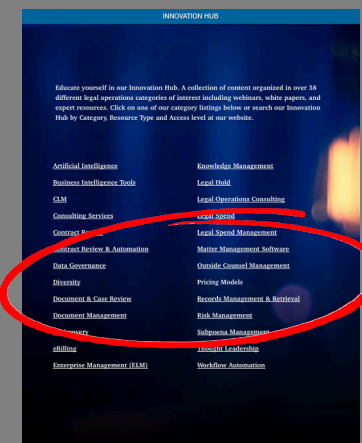


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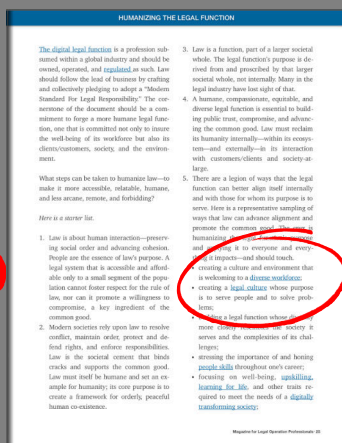
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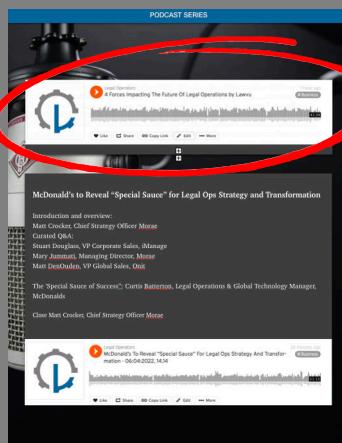
Some linking examples



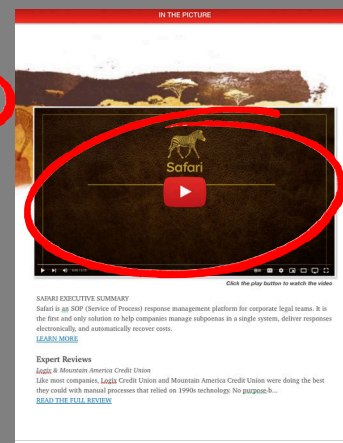
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- ✓ Substantive Conversations on current topics
- ✓ Peer-to-Peer Networking activities and opportunities
- ✓ Best Practice Exchange opportunities for sharing experiences and lessons learned

Day 1

- Opening Lunch Followed by Peer to Peer Facilitated Sessions
- Welcome Reception at Ritz Carlton Ocean Lawn
- Opening Dinner at Ritz Carlton Tacos and Tequila

Day 2

- Breakfast & Lunch Followed by Peer to Peer Facilitated Sessions
- Offsite Dinner Sam's Chowder House
- Night Cap Ritz Carlton

Day 3

- Breakfast Followed by Peer to Peer Facilitated Session

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