

LEGAL **BUSINESS** WORLD

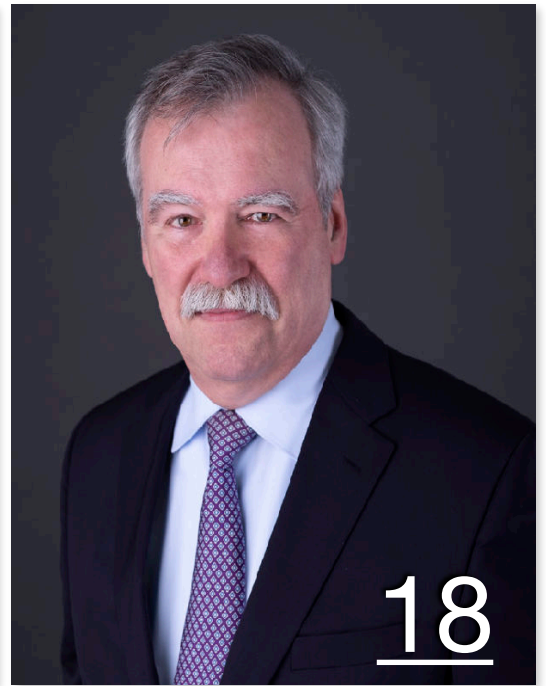
• Legal Business World Publications • No.9 • 2022 • www.legalbusinessworld.com

Q&A ON REDUCTION OF INTERPERSONAL DYSFUNCTION AND SUPPORT FOR MENTAL WELLNESS

With Elizabeth Ortega

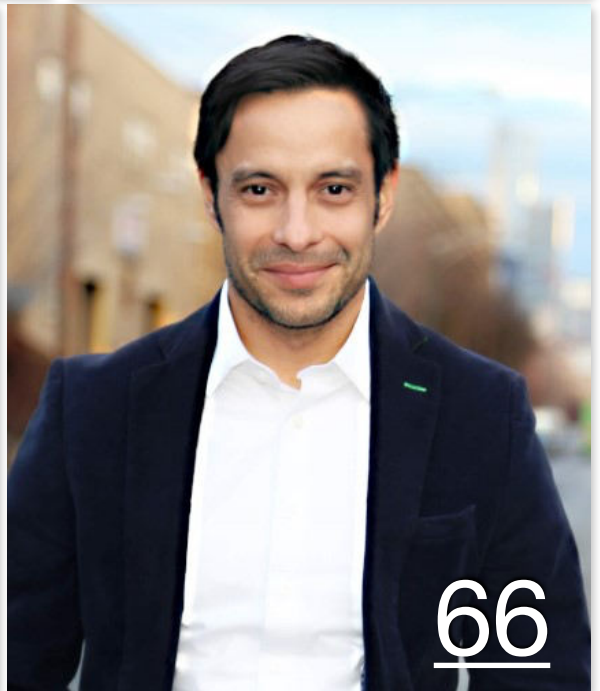
Other contributors: Arnoud Engelfriet, Richard Stock, Priyanka, Pam Cone, Chiara Lamacchia, Jeanne-Mari Retief, John Kwan, Benjamin Woods, Jennet Hydyrova, Tural Hajiyev, Melissa "Rogo" Rogozinski, Ines Curtius, Marco Imperiale, Ari Kaplan and Juan Ramirez

Business of Law



Q&A on Reduction of interpersonal dysfunction and support for mental wellness, Elizabeth Ortega	08
How legal tech transforms contracting, Arnoud Engelfriet	12
Top Performance and Knowledge Workers, Richard Stock	18
Decoding Cloud Strategy For Legal Professionals in India, Priyanka	22
Legal summit shares the transformative power and potential of ESG, Pam Cone	26
De-siloing Legal, Chiara Lamacchia	32

Click on the page number in the photo to jump to the article



Top 3 Reasons Why The Human Rights Engine Is Failing Those In Need, Jeanne-Mari Retief	38
Office Plug-Ins Don't Have To Be Ugly, Slow, And Clunky, John Kwan, Benjamin Woods, Jennet Hydyrova, and Tural Hajiyev	44
Making LinkedIn Your Favorite Client Source, Melissa "Rogo" Rogozinski	50
Book Review "Research Handbook on Contract Design", Ines Curtius	56
Mindfulness. A new horizon for legal professionals?, Marco Imperiale	60
Custom Developing in E-Discovery, Ari Kaplan speaks with Juan Ramirez	66

Click on the page number in the photo to jump to the article

NEW

LEGAL OPERATORS

• Magazine for Legal Ops Experts & Professionals • No.3 • 2022



ALEXANDRA GUAJARDO ON LEGAL OPERATIONS

WILL EY LAW CHANGE
THE LEGAL DELIVERY
PARADIGM

EDISCOVERY VS DIGITAL
FORENSICS & HOW TO
BRING ABOUT CHANGE

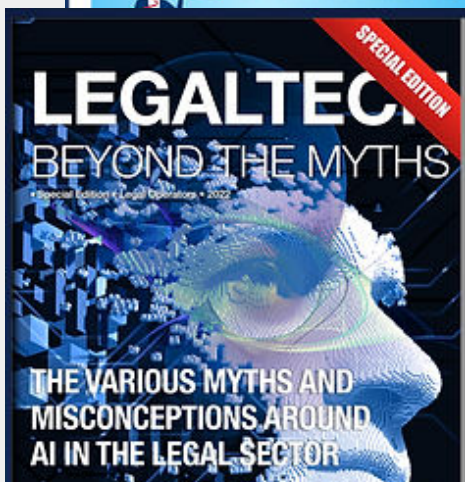
SEVEN CRITICAL STEPS
FOR A NEW DEAL & IN
THE PICTURE: LATTITUDE

INTERVIEW WITH ANNA
LOZYNSKI ON WOMEN
AND INNOVATION



DON'T FORGET TO READ OUR PARTNER PUBLICATIONS

VISIT THE
LEGAL BUSINESS EZINE LIBRARY
BY LEGAL BUSINESS WORLD



Management/Publisher
LegalBusinessWorld Publications
Joek Peters | CEO | President
Allard Winterink COO | SVP

jpeters@legalbusinessworld.com
awinterink@legalbusinessworld.com
© LegalBusinessWorld™

Editorial

LegalBusinessWorld Publications
Editorial Dept.
MBL Media

Sales Representatives International

contact our media department at
info@legalbusinessworld.com

Design & Layout

LateNight studio's
info@legalbusinessworld.com

Contributing Photographers:

Pexels & Unsplash



Cover photo Elizabeth Ortega



REINVENTING PROFESSIONALS

ABA JOURNAL
TENTH ANNIVERSARY EDITION

100 BLAWG

HONOREE

"CUSTOM DEVELOPING IN
E-DISCOVERY"
READ THIS ARTICLE
(TRANSCRIPT)
IN THIS MAGAZINE AT
PAGE 68



Podcast series by Ari Kaplan, designed to offer ideas, guidance, and perspectives on how to effectively navigate a perpetually shifting professional landscape, with a unique focus on the legal industry and the technology that is driving its evolution.

The Benefits of a Digital Mailroom [👉click](#)

December 2, 2022

I spoke with Steve Irons and Joe Scott, the President and Senior Director of Client Engagement, respectively, for DocSolid, maker of the Airmail2 Digital Mailroom and Digital Records Room solutions. We discussed how Airmail2 supports remote and hybrid workplace preferences, why the proper management of scanned material directly impacts a law firm's security protocols, and the benefits of digital mailrooms...

The Digitization of Court Reporting [👉click](#)

November 28, 2022

I spoke with David Greenblatt, a Senior Account Executive at Rev, a provider of transcription services. We discussed the value of automated speech recognition in capturing the record in a deposition or court proceeding and where the digitization of court reporting is headed...

Transforming Contracts with Natural Language Processing [👉click](#)

November 22, 2022

I spoke with Horace Wu, the Founder and CEO of Syntheia, a contract data search and analytics company. We discussed how improvements in natural language processing technologies have affected the way lawyers work with contracts and how that process will continue to evolve...

Changes, Challenges, and Choices in Managing Modern Mobile Collections [👉click](#)

November 18, 2022

I spoke with Monica Harris, a product business manager for Cellebrite, a digital intelligence software company that provides tools to collect, review, analyze and manage digital data for law enforcement agencies, enterprises, and providers of services. We discussed its new report, Changes, Challenges, and Choices in Managing Modern Mobile Collections: Harnessing New Technology to Enhance E-Discovery, and new developments in remote mobile collections that law department leaders should be prepared to address in 2023.



Q&A on Reduction of interpersonal dysfunction and support for mental wellness

With Elizabeth Ortega

In this Q&A, communications strategist and ECO Strategic Communications founder Elizabeth Ortega explains how law firms can reduce interpersonal dysfunction and support mental wellness on their litigation teams by articulating language and expanding on concepts that draw hope through authentic experiences.

1. How do we go about humanizing litigators in the eyes of clients and the public?

By first humanizing litigators to themselves. But let's not underestimate the complexity of that task, given the zero-sum battlefield on which the litigator goes to war. Akin to Sylvester Stallone in "Rocky," these gladiators of the law inhale raw eggs for breakfast. (Warning: It is unsafe to consume raw eggs.) The high stakes of their work can spell life or death for a product, a company, and their own reputation and career. But at what cost does a person--especially one who's been fighting their way to the top since law school (if not high school)--spend every waking hour on the battlefield?

Of course, the longer the lawyer-to-be, and then the litigator, spends in this supercharged survival mode, the better they may feel they can tolerate it. You can see how one could become addicted to the adrenaline and the way it focuses the mind. A tolerance readily develops for endless work as the price of victory, especially when that formula that has worked again and again. In fact, the more the litigator works, the more control they may feel over the outcome, and what could be better than control over the uncertainties of total war?

Only a colleague or family member might notice that the armor is staying on so long that it's getting harder and harder to take off. That the person inside has more and more difficulty transitioning away from the litigator. But even when in hell, all the incentives are for the litigator to keep going.

2. Your description of the legal gladiator is, indeed, daunting. One can see how the strain would build up and maybe cause problems at home or with the team. So how do law firms confront the long-term mental wellness challenges to their litigators while maintaining their incentives for winning for clients and the firm?

First, by acknowledging how the day-to-day stresses and successes, the day-in / day-out experiences of their litigators, add up over the long-term. How the person ultimately grounds the litigator, who must somehow integrate with the person. There must be a wholeness about the work if the person doing it is to remain whole enough to sustain high levels of challenge and stress over a career.

Luckily, this can start with something litigation firms are already good at: asking penetrating questions and not shying away from factual answers. Where firms may need outside expertise, however, is in articulating a language for exploring something that by training and inclination they do not typically give much weight.

This is where a professional legal communicator with a coaching / counseling specialty comes in. Since childhood, I have wanted to defend the underdog: to make right what is wrong. And after more than a decade propelling star litigators into new roles in global thought leadership, I became more and more intrigued by the idea of the “happy warrior.”

Is this litigator “type” born or made? What does it take to build a career on a foundation of super-charged, zero-sum adversarialism while remaining positively connected to oneself, colleagues and loved ones for a balanced life?

3. From what you're saying, it sounds like firms might begin to approach challenges to litigator mental and emotional well-being through whatever work-life balance programs they already have.

That is one angle of approach because work-life inherently encompasses the idea of the whole person. The profession's increasing acknowledgement of work-life issues in recent years probably has already made it easier for litigators to consider themselves more holistically than their peers decades ago. Another angle of approach is created by the general positivity of the language surrounding

work-life balance: the opportunity for goals-and-resources rather than problem-oriented framing.

The necessity of creating such a positive opening for the litigator to approach mental wellness is made clear by a 2021 New York State Bar Association survey of more than 3,000 New York lawyers conducted by the [NYSBA Task Force on Attorney Well-Being](#). In the survey, respondents [reported a reluctance to seek help](#) when they needed it. This should come as no surprise when we're talking about super-warriors who are naturally loath to acknowledge any chinks in their armor. Mental wellness resources must be deployed systematically and approachably where the litigator lives: at the firm.

4. So, how does the problem-solver, the hero, ask for help? What would approachable mental wellness resources at a law firm look like?

We have to stop counting on lone lawyer “cries for help” (or concerned bystanders offers of embarrassing or unwanted help) that research shows we have no reason to expect to succeed. Everyone must collectively realize that it is good for no one, not good for the team or its outcomes, when any member of the team is being ground down by tension.

Even if work-related mental unwellness may manifest in the toxic reactions or non-reactiveness of the individual, the solution lies with the team. And law firm leadership can act to increase team communication and to improve “team play” while interrupting negative patterns of interaction that increase stress.

Let's say a partner reacts in such a way as to escalate a situation, causing distress to team members. The team can engage by pointing out the negative effect of the exchange, putting it into context and underscoring any negative pattern. When a partner raises their voice and imposes a false deadline requiring an immediate response, the team experiences a pervasive and cumulative shut-down. Even a subtle and otherwise innocuous request from someone higher up the food chain can be difficult to ignore.

Leadership can draw on resources to expand and reorganize the team to yield a more reasonable workload and response time. A good way to reduce deadline toxicity is to establish boundaries and explain that leadership has accessed and reviewed the timeline and deliverables and pulled in others to support the strategy in a respectful and timely fashion.

5. Beyond improving team dynamics, is there a place for one-to-one counseling in lawyer wellness?

On the one-to-one level, I create an approachable emotional vocabulary for those who may be largely closed off from their own emotional lives or who take refuge from family problems in overwork—in the old days, this would have looked like “hiding out” at the office.

Wellness is ultimately the opposite of being walled off in one's armor or one's office. And having the right language to stay positive and encourage connectedness is absolutely essential. So, even though we may start by naming “it,” meaning the problem, we move quickly

to accentuating the positive, bringing forward resources and techniques for positive and preventive change.

And when the idea of change, itself, seems negative or threatening we can help re-focus the person on their unexplored opportunities in the present moment so they can more innocuously re-balance away from an isolating, future-focused mindset. We are here and now. Depression remains in the past while anxiety lives in the future.

It's all about exploring alternative narratives, making suggestions and providing tools for broadening the field of awareness. When we help create authentic, new experiences of the litigator's own personal and interpersonal potential, we create and expand little oases of hope: hope amid hell. And who would intentionally and authentically experience hope but then chose to keep slogging through hell?

6. We know that the pandemic and the isolation it spread wreaked havoc on everyone's mental health. But did COVID's universal impact make it easier to kickstart the conversation about mental health at law firms?

It did. If there was a silver lining to the pandemic, it was our common experience of isolation and other mental wellness challenges. The isolation experience was a big negative. But normalizing video calls heralded a new era of constant communication from the privacy of home. And everybody communicating and working from home opened up more space for the whole individual, the integrated person, and created new bonds and ways

to relate and talk—together, not apart.

Mental health management talks and strategies took root across the workplace and community on a scale never before seen. This year's World Mental Health Day theme is "make mental health and wellbeing for all a global priority."

And, indeed, when a mental wellness challenge is experienced as universal, not as a personal shortcoming, shame and stigma are lifted. In "[Loneliness in Covid-19, Life and Law](#)", Ash and Huang write that more general acceptance of historically "shameful" experiences "may drive support for psychological interventions to mitigate the persistent loneliness, anxiety, depression, and chronic stress" across the profession.

About the Author

Communicator Elizabeth Ortega of ECO Strategic Communications in Miami, Florida counsels professional service firms and thought leaders worldwide. As an expert in business development strategies and litigation public relations, she advises firms and their clients in high-profile international legal matters. Her aim is to seize the narrative on behalf of her clients—when and if appropriate—and set the record straight.

Over the years, Elizabeth's emphasis on straightforward communications has grown to encompass mental-wellness programming. In line with this, she is currently pursuing an MS degree in Marriage and Family Therapy/Counseling with a concentration in solution-focused coaching. Elizabeth co-founded The International Academy of Financial Crime Litigators.

How legal tech transforms contracting

By Arnoud Engelfriet, co-founder of the legal tech company JuriBlox, and creator of its AI contract review tool Lynn Legal.



In the past years, we have seen a lot of innovation in the field of contracting. We have seen the rise of new companies, new products and new approaches. We have seen the birth of new terms, such as “smart contracts”, “contract automation” and “legal operations”. We have seen a lot of experimentation and a lot of new ideas. But what will the future actually bring?

The rise of legal tech

The rise of legal tech has been described many times before: All technology that has the potential to change or even transform the way that lawyers work. This could be as simple as automating that which the lawyer did by hand before, such as writing a brief



or a contract. Or that speeds up the slow, such as searching case law databases. We have seen many such tools being adopted in one way or another.

The main advantages so far: efficiency gains and standardization. But legal tech has so much more potential, which we are only now beginning to see becoming unlocked. The next-generation of legal tech goes beyond these efficiency gains. It focuses on transforming the way that legal processes are conducted. And this is particularly visible in contracting.

Legal tech in contracting

Contracting processes have come a long way, but still bear clear signs of their manual-labor

origins. First, the business negotiates the key items of a deal. This is noted down in a term sheet or similar document, which is then sent to the lawyers for one side who draft a complete agreement. The other side then gets to review that draft, after which specific terminology and new clauses are negotiated until (hopefully) all parties are in agreement. Finally, the executives come in and sign the agreement.

Legal tech has taken many of the aspects of this processes to the next level. Let's name a few. Checklists for what should (or should not) be in such a contract. Libraries with model clauses from which appropriate specimens can be pulled. Redlining tools to track proposals

and counters. Online collaboration and discussion tools to discuss the open issues. Signature tools to get final approval, including escalation for more important issues. And archiving with metadata for long-term contract management.

What's the one thing that all these tools have in common? Indeed: they automate the existing processes. While the potential for error is significantly lower, interaction is much faster and the resolution of positional differences much easier, fundamentally speaking the process is still the same as in the manual-labor situation.

Transforming the process

A key insight to approach the transformation of any process is that it is never about the technology. It is about the underlying human behavior. It is about the way that humans interact with each other. And this is where legal tech can make a real difference. The underlying problem is that of innovation. There are various types. What we described above is incremental innovation, which is mostly about improving existing products or processes. These innovations all take the existing process and try to make it better, faster or cheaper. And while there is nothing wrong with that, it is not transformational. It is not the type of innovation that will change the way that humans interact with each other.

But there is also radical or disruptive innovation, which is about creating new prod-

ucts or processes that are radically different from the existing ones. This is the kind of innovation that we need to transform the contracting process.

Fortunately, the scientific literature provides us with some useful guidance as to what is "radically different". A good starting point is Clayton M. Christensen's 1997 book "The Innovator's Dilemma". Clayton introduces the concept of "disruptive innovation". This is innovation that creates a new market and eventually disrupts an existing one. A well-known example is the personal computer, which was introduced as a new market and went on to disrupt the market for mainframe computing.

Clayton's work has been continued by others, such as Rita McGrath in her 2013 book "The End of Competitive Advantage". Rita differentiates between "sustaining" and "dynamic" innovation. Sustaining innovation is incremental innovation: it improves existing products or processes. Dynamic innovation is radical or disruptive innovation: it creates new products or processes. The key difference lies in the target market. Sustaining innovation is about creating new products or services for the existing market. The existing market is the target market. The focus is on existing customers and their needs. Dynamic innovation is about creating new products or services for a new market. The new market is the target market. The focus is on new customers and their needs. When we talk about transformation, we

mean true disruptive innovation, innovation that creates new markets. But what does that mean for the legal market?

A new way of contracting

As noted above, it is about the human behavior. Therefore, a transformation of the contracting process requires a transformation of the underlying human behavior. So let's take a step back and look at these humans.

First, we have the business, which is about the people who negotiate the key terms of the deal. Second, we have the executives who sign the agreement. And third, we have the lawyers. They are the most prolific actor in this process, yet at the same time the most conservative in their way of working. Transforming the contracting process thus requires transformation of how lawyers work. Or, more fundamentally: what value lawyers bring to the process.

For a long time, we have designed the contracting process around lawyers. We have asked the lawyers to negotiate the key terms, to draft a contract, to negotiate specific terms, to sign the agreement. But we are now introducing a different perspective, one that is based around the needs of the business.

Contracting is primarily a business process. It is the business that initiates the contract, the business that corresponds with the other side and the business that executes the con-

tract. So it is only logical that the business needs should dictate the contract. However, due to the highly complex nature of contract clauses, in practice it befalls to the lawyers to draft the actual agreement - and then to interpret it as well, in case of disputes.

We can however see a glimmer of change in how many contract assembly tools work. Almost all start with checklists or frameworks that list the key issues. Model clauses are available in various flavors, and the work then becomes assembling the right issues in the right flavors. Similar things happen in contract review: a tool (typically employing natural language processing or other AI) checks each clause and generates a report on whether it is acceptable or not.

What is happening here is that the complex contract clauses are being reduced to standard issues, that we are able to express using simple words or phrases. This is of course the exact opposite of what we have been doing for centuries now, but we think it is a smart move. It is bringing the business back into the limelight, making sure that key terms are negotiated by the business, rather than by the lawyers. And it is shifting the lawyer from being a seasoned negotiator to an interpreter of issues and model clauses.

Moving forward

Of course, we have always had shorthand for such complex clauses. So why is this so different? The first reason is the rise of artificial

intelligence, which has enabled the type of data analysis necessary to identify each variation on a clause and to reduce them to the right type of issue. So it is only now that we can actually deal with shorthand over full clauses.

What's more important: we have - or are close to having - access to tools that can give that shorthand actual meaning, translating back and from complete legal clauses as necessary. Including the strange deviations or sly tricks that may appear from time to time. We can value different formulations, keep track of clauses that get redlined a lot, and promote clauses that work over those that don't. Most of the necessary tooling is already here.

This will allow businesspeople to take back control of the negotiating process and assemble contracts without lawyers in the loop. (Of course, lawyers will still be there as advisers, as supportive figures.) Readers of Richard Susskind may recognize this as the 'externalization' step of his four-part process. Note that this is not the same as standardization: contracts will not be fully standardized, with only two or three options per issue on the checklist. The contents will still be be-

spoke. But assembling the contract will be a whole lot faster.

So there you have it: the future of contracting. A future in which businesspeople - not lawyers - are in charge. A future in which the actual contract is assembled from shorthand clauses and issues, translated back and forth by artificial intelligence as necessary. Where does that leave the lawyers? In the words of Andrew Arruda, former CEO of ROSS Intelligence and Member the Advisory Board of Duke Center on Law & Tech, "As the legal process is further disrupted by technology, lawyers will have to embrace machines, not fight them. We will have to take on the tasks that machines can do more efficiently than us, so that we have more time to do what we do best: solve complex legal problems."

About the Author

Arnoud Engelfriet is co-founder of the legal tech company [JuriBlox](#), and creator of its AI contract review tool [Lynn Legal](#). Arnoud has been working as an IT lawyer since 1993. After a career at Royal Philips as IP counsel, he became partner at [ICTRecht Legal Services](#), which has grown from a two-man firm in 2008 to a 80+ person legal consultancy firm.



Read more by thought leader and industry expert Arnoud Engelfriet in the series [Legaltech Beyond the Myths](#)

LEGAL NEWSWIRE POWERED BY LAW.COM

LEAP Legal Software Shortlisted for 2022-2023 Cloud Awards

International Cloud Computing Awards Program Announces Initial Shortlist Jersey City, NJ – December 6, 2022 – LEAP Legal Software has been shortlisted in the 2022-2023 Cloud Awards program in the “Best Cloud Migration or Systems Integration Solution” category for its [...]

1 hour ago

3 Regan Zambri Long PLLC Lawyers Named to 2023 Best Lawyers List

Washington, DC December 2, 2022 — Regan Zambri Long PLLC is pleased to announce that three of our personal injury attorneys have been named to Washingtonian’s Top Lawyers list. Since 1992, Washingtonian has been publishing its Top Lawyers list, naming [...]

21 hours ago

Diversity, Equality, Inclusion (DEI) and the Law – It’s About Your Soul

BY KEVIN KAMPSCHROR, Esq. Partner & Workers Compensation Department Attorney for Shook & Stone Injury Lawyers In Judaism we believe that your soul lives on forever. Although I recognize that the NJA audience is not all Jewish, DEI and ultimately [...]

1 day ago

Female Employee Files Unlawful Sex-Based Discrimination Lawsuit Against Federal Agency

MIAMI, December 2, 2022 – JD Howlette Law recently announced that it filed a federal civil rights lawsuit against the United States Citizenship and Immigration Services (USCIS) in the Southern District of Florida on behalf of Immigration Officer Yadira Dominguez. According to [...]

4 days ago

Colorado Springs Nightclub Shooting Highlights Need to Understand Sealed Records, Says Criminal Defense Attorney Alexis Austin

The tragic shooting at Club Q in Colorado Springs on Saturday, November 19, has left many struggling to comprehend how the incident happened. “Our hearts go out to those injured and the victims’ families, friends, and loved ones,” Alexis Austin, [...]

5 days ago

Litigation Management, Inc. Prepares for Accelerated Growth and Innovation with Appointment of Sonya Virant as New CEO

Legal and medical data analytics company promotes President and COO to CEO to lead the company’s next stage of high growth and innovation in the legal industry. Litigation Management, Inc. (LMI) announces today the appointment of Sonya Virant as new [...]

6 days ago

SEDA Experts Expands its Cryptocurrencies and Digital Assets Expert Witness Practice – Paul Frost-Smith, a former JPMorgan executive, joins the firm as an Expert Witness

New York, NY, November 28, 2022 – SEDA Experts LLC announced today that Paul Frost-Smith joined the firm’s cryptocurrencies and digital assets leaders’ group as an expert witness. “It is with great pleasure that I welcome Paul on board. His [...]

8 days ago

GTC Legal Group Terminates Merger Agreement with AF Legal

GTC Legal Group (GTC or the Company), a privately held, leading legal services firm with a unique and diversified offering, yesterday terminated the proposed merger deal with ASX-listed law firm AF Legal Group Limited (ASX:AFL) (AFL or AF Legal), citing [...]

13 days ago

Hutzler Law Makes Charitable Donation to Human Services Campus

According to the Arizona Department of Health Services, there were over 500 heat-related deaths in Arizona in 2021. While this loss of life is tragic, it isn’t necessarily surprising. The Phoenix personal injury attorneys of Hutzler Law have stepped up [...]

18 days ago

Pittsburgh Employment Attorney Charles A. Lamberton has again been selected as a Pennsylvania Super Lawyer

The Pittsburgh employment lawyers at the Lamberton Law Firm are pleased to announce that Charles A. Lamberton has again been selected as a Pennsylvania Super Lawyer. Selection is based on an evaluation of 12 indicators including peer recognition and professional [...]

18 days ago

ALM Adds Delaware Court of Chancery to Law.com Radar

Law.com Radar, ALM’s technology-driven legal news platform voted Best Legal News Product, is expanding its litigation surveillance offering with new suit updates from the Delaware Chancery Court New York, NY – November 17, 2022 – ALM, publisher of Law.com and [...]

19 days ago

Top Performance and Knowledge Workers

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

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



“If our companies are going to be more profitable, if our strategies are going to be successful, if our society is to become more advanced – it will be because knowledge workers did their work in a more productive and effective manner.” Thomas H. Davenport (Thinking for a Living, Harvard Business School Press) wrote nearly 20 years ago about how to get better performance and results from knowledge workers, including lawyers in corporate, government and institutional settings. This segment of society now represents more than the 25 per cent of the workforce in Europe and North America than it did 2 decades ago.

For some years now, I have been saying that “managing” a group of lawyers in a law department or in a law firm is like managing the artist colony in Montmartre.



The image underscores the difficulty, but not the futility, of influencing experts in positions whose primary purpose is to create, distribute or apply knowledge. The difficulty increases with the degree of the work's complexity. It is further compounded by a company's geographic reach. Moreover, the mobility of corporate counsel with less than 20 years of practice makes legal services delivery a serious, permanent undertaking for the General Counsel / CLO. The market for legal talent will be even more volatile and costly than ever in 2023.

Getting Results

Experienced counsel, whether members of a corporate law department or of a law firm, thrive in relationship-driven, service-sensitive environments. But they are also finding that

having satisfied clients (users of legal services) is no longer enough in a corporate setting. For some time now, companies have wanted to "measure" effectiveness by introducing "metrics" in legal services. They want to be able to answer the question "What difference do the lawyers make?" and they want an answer in terms that the company can understand.

For some years, corporate performance management programs have applied company-wide templates dominated by financial indicators to service departments like human resources, IT and legal. Rarely were the indicators reflective of the type of work done by members of the law department. Instead, the department was challenged to define its contribution to corporate and business unit goals. When it was unable to do so, its goals were

simply rolled into a composite indicator made up of headquarters' corporate / service departments. If the company did well, then corporate and legal would do well with performance pay. The law department's contribution was not tracked, featured, or rewarded as a discrete contribution, in large part because of its inability to articulate and quantify the results it needed to achieve. Even when the plans and results have been specific enough, corporate performance management systems provided too little latitude for the contribution of the law department to be properly featured.

Law departments play a big role in managing risk and preventing or minimizing losses. These are traditional, core functions carried out with legal drafting, litigation management, and advice about the applicability of laws, regulations, and policies.

There is no doubt that operational support in a company requires these services and the skills to provide them. At most levels, these contributions do not make it onto the corporate radar screen. They are indirect, albeit essential, expert services provided by the law department and by the law firms they retain. In summary, they are not seen to be intrinsically "strategic."

Effective Processes

In-house counsel vary widely by type. Dav-
enport uses several dimensions to categorize knowledge workers, including lawyers. He considers 1) judgment and collabora-

tion needed, 2) knowledge activity, including the creation (or not) of new knowledge, 3) cost and scale, 4) the nature of the work processes they perform, 5) their business criticality, and 6) their mobility. General Counsel responsible for setting goals and getting results must do so with processes that reflect the types of lawyers and the law departments and industry sectors in which they are found. The law department of an oil and gas company differs from that of a Schedule I bank, and both differ from the law department of a national media company.

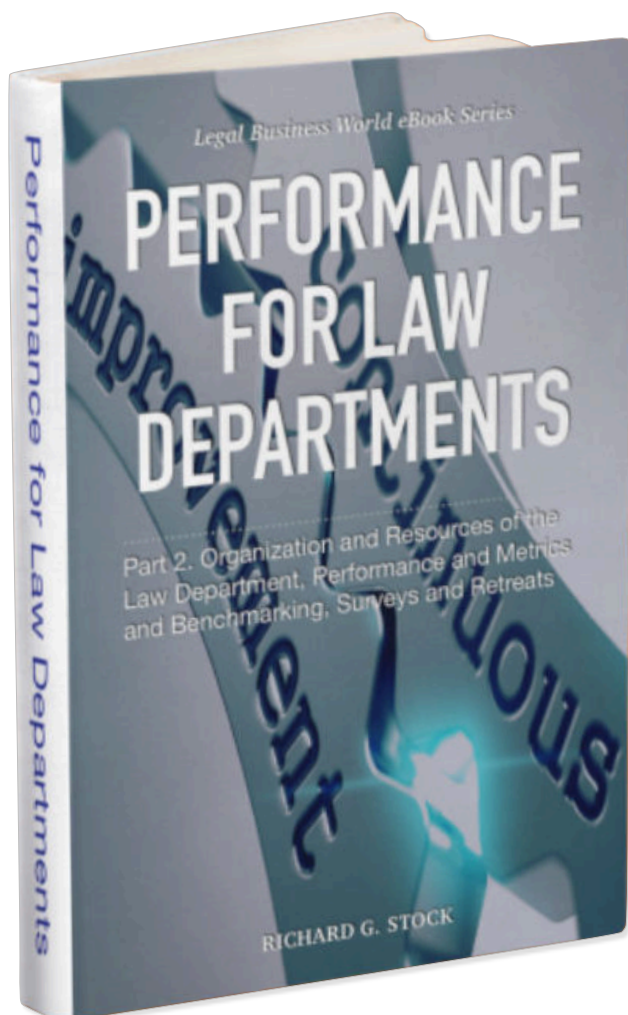
Getting the best "results" from legal counsel ("knowledge workers") and from law departments in such disparate settings requires considerable insight into their unique characteristics. Finally, the processes used by the General Counsel to set objectives and measure the contribution for counsel must take into account the more challenging characteristics of knowledge workers - even of consultants. They crave autonomy, it is very difficult to specify detailed steps and the flow of knowledge compared to other types of work and securing commitment to anything depends on "fair processes" to get there. As well, knowledge workers do not share their knowledge - i.e. their assets - readily.

When managing performance, General Counsel must balance getting results with effective processes in setting the goals and monitoring the contribution of counsel.

About the Author

Richard G. Stock, M.A., FCG, CMC is the Managing Partner of Catalyst Consulting. See www.catalystlegal.com Richard can be contacted at (416) 367-4447 or at rstock@catalystlegal.com.

Part 2 is now available

The image shows the cover of an eBook titled "The Definitive E-Discovery Buyer's Guide". The cover features a blue and white design with a stylized globe and the words "The Definitive E-Discovery Buyer's Guide" written in white. The author's name "RICHARD G. STOCK" is at the bottom. The cover is part of the "Legal Business World eBook Series".

NOW AVAILABLE!

**The Definitive
E-Discovery Buyer's Guide**

» Get the Guide

Decoding Cloud Strategy For Legal Professionals in India

By Priyanka, COO at Manupatra



If there is one thing the Indian legal industry isn't known for, it is its ability to ditch traditional modes of operation. While the recent pandemic has highlighted a need to keep up with the times, the adoption of technology remains an uphill battle.

Firms In India need to ensure that their exaggerated fears regarding security and privacy aren't holding them back from enjoying significant savings and opportunities to scale up. A perfect example of this is the non-migration to cloud computing which is leading to severe opportunity costs.

As per [Microsoft Azure](#), a leading provider, "Cloud computing is the delivery of computing services—including servers, storage,



databases, networking, software, analytics, and intelligence—over the Internet (‘the cloud’) to offer faster innovation, flexible resources, and economies of scale.”

According to [Forbes](#), compared to running an on-premises data center, shifting to the cloud offers a better return on investment and a lower total cost of ownership to the tune of 30-60%.

These percentages come from replacing CapEx expenses for equipment and software with OpEx expenses which are predictable recurring subscription fees. Even the smallest of moves like switching to a cloud-based productivity suite such as Mi-

crosoft’s Office 365 leads to a reduction in the total cost of ownership for firms.

But to address the elephant in the room, the majority of [cloud-based providers](#) employ military-grade physical protection for their premises. They have protocols for disasters where they can quickly and transparently transport your data securely to another data center. They also employ a large number of security experts who continually ensure that their data is at no risk. With the offer of role-based access controls, cloud servers provide legal firms with far better security and control over their data than they would get through their in-house servers.

Legal firms in India are aware that when they store sensitive data on their servers, they are completely accountable for it. They must ensure that data is secure by installing updates, fighting attacks, and continuous maintenance of the physical hardware. By switching to the cloud, these responsibilities transfer to the cloud provider leaving firms to focus on what they do best- serve their clients' legal interests. According to the ABA Legal Technology Survey 2018, 31% of lawyers surveyed advised that the primary reason that their firms made the move from premise-based software to cloud-based software was because it provided better security, than they were able to provide in-office.

Apart from security benefits, shifting to the cloud allows legal firms to enjoy remote collaboration across geographies and to scale up seamlessly. It also helps them provide a more client-friendly experience. As per the 2020, Legal Trends [Report](#), firms using online client portals received 11% more casework than other firms in 2019. And, in 2020, firms using online client portals received 17% more new casework per lawyer in April.

However, there are a few challenges that legal firms especially, must remain cognizant of when they switch to the cloud. Standard consumer-grade cloud solutions rarely meet the confidentiality regulations and compliance requirements that govern legal data in India. Uploading sensitive client data that does not meet these requirements could lead to a violation of current laws. Using a cloud provider that extends robust security protocols across devices including smart phones and tablets is also vital.

Another key challenge that Indian legal firms face, is the absence of a comprehensive and overarching legal framework that governs or offers safeguards for cross-border transfer of data, while maintaining user privacy. While the EU and the US are governed by the Safe Harbor Framework, the 1995 Data Protection Directive, and the more recent Privacy Shield, India is yet to develop an approach to securing the cross-border transfer of data.

Jurisdiction and sovereignty over data in the cloud is a global grey area that requires immediate attention.

The nature of cloud storage leads to data being stored in fragments across multiple geographies with different jurisdictions. While India's IT Act does provide for extra-territorial jurisdiction, it does not offer a comprehensive solution.

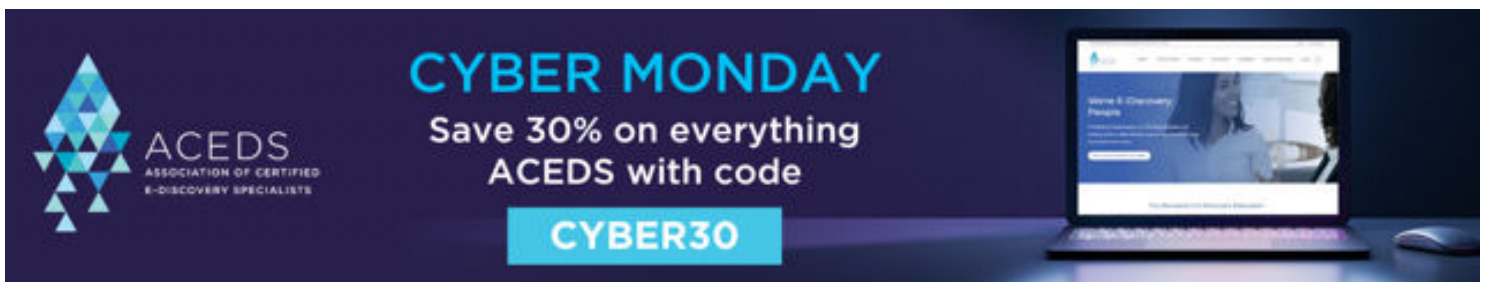
The limitations of the Indian IT Act and the absence of a regulatory framework that deals with minute data issues, leaves clients at the mercy of the contractual provisions contained in the cloud provider's service level agreement (SLA). The SLA gives service providers the upper hand, when it comes to controlling sensitive data, and their inability to separate non-personal and proprietary personal information allows them to subject it to the same ownership standards.

It is not just India that is grappling with these issues, regulators around the world are scrambling to put regulatory safeguards in place and work out bilateral agreements across borders and with private service providers.

As long as Indian law firms do their due diligence when it comes to the service provider's policies and standards, cloud-based computing is comprehensively a better solution that pays off dividends across time in saved costs and ease in scaling up.

About the Author

Priyanka is the COO at Manupatra, a 22 year old legal-tech firm which pioneered Online legal research in India, and specializes in designing and developing technology products to simplify operations for professionals in the legal ecosystem.



ACEDS
ASSOCIATION OF CERTIFIED
E-DISCOVERY SPECIALISTS

CYBER MONDAY
Save 30% on everything
ACEDS with code
CYBER30

Image of a laptop displaying a website interface.



**Bringing Transparency to
Legaltech Procurement**

 **Legaltech Hub**



 **chief litigation
officer summit**

marcus evans event

4 - 6 December 2022 | Amelia Island, FL, US

Meet Senior
Litigation Counsels
and Innovative
Service Providers



 **IPI law**
summit

marcus evans event

4 - 6 December 2022 | Amelia Island, FL, US

Meet Senior IP
Counsels and
Innovative Service
Providers

Legal summit shares the transformative power and potential of ESG

By Pamela Cone, Founder and CEO of Amity Advisory

In what can only be described as prophetic, a panelist from South Africa who spoke at the 2nd annual Legal ESG Summit had to participate via candlelight—when the power in Johannesburg was cut just as the session began.

More than 300 representatives from law firms and legal departments worldwide connected October 4-6 for the event.

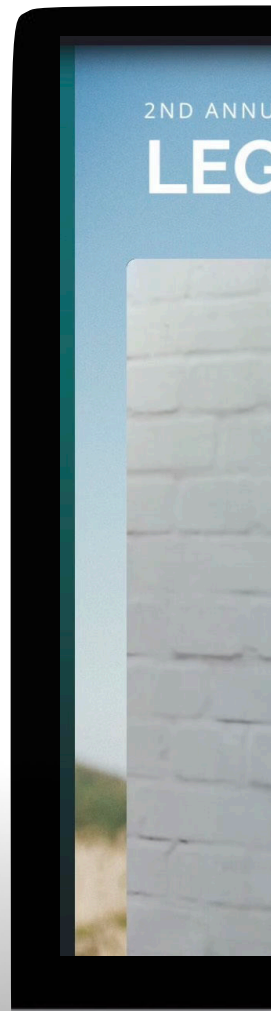
The fully virtual event featured the latest Environmental, Social, and Governance (ESG) developments, regulations, and practices that are quickly becoming preeminent topics for leadership teams and boards of directors.

Some might think we scripted the South African power outage for effect, but the blackout's timing was a coincidence. The South

African utility that powers the area relies on aging coal-fired power plants that frequently break down. The utility has struggled with unplanned outages, requiring it to implement rolling blackouts to repair systems and replenish generation capacity.

The blackout drove home the point of why many elements of ESG are important and affect all of society.

More than ever, organizations are applying an ESG framework to their strategic plans to create enterprise value. They're assessing and measuring elements of ESG to manage sustainability risks and create opportunities with clients, suppliers, and employees. It's clear that:





- The way we have always done things is not sustainable or viable for the future.
- Those who recognize the need to change, and who lead the change will emerge as victorious rather than as victims.

ESG is not charity. It is not a philosophy, not a political position, and not a program. ESG is a strategic perspective for all business decisions. ESG cannot be a check-the-box compliance exercise. Boards of directors and senior executives must engage and lead.

Summit takeaways

For a taste of the highlights, I offer the following points that resonated the most with me. Note that it's still possible to register to access

the replays of all the sessions on the Legal ESG Summit website.

Insights for law firms

- The cost of doing nothing. When considering the cost of and ROI on ESG, remember to consider the cost of doing nothing—which is everything. ESG is a strategic imperative that stands to affect firms' profitability, reputation, and relationships with clients and employees and other stakeholders.
- Stakeholder Engagement is a “listening tour,” NOT a “talking tour!” Everyone needs to feel heard, but not everyone will feel happy with the ultimate, necessary decisions.
- Transparency on the journey - good or bad – is expected from all stakeholders.
- Data, data, data. Metrics, metrics, metrics.

Start collecting NOW! Whether required by regulations or because your firm is part of your clients' Scope 3, you must know your metrics.

- You can't treasure what you don't measure.

When it comes to ESG, we all win if we all win. We must collaborate on this journey for all of us, for our society, to meet our objectives.

Every professional services firm is part of its clients' Scope 3 emissions. So, when it comes to carbon emissions and the environment, you must know your metrics, whether required by regulations or not. Your clients will need the carbon emissions metrics from each of their vendors, including their outside law firms, to meet their Scope 3 reporting requirements.

If you don't know your firm's carbon emissions metrics, start collecting data and metrics now so you will have some answers when your clients ask.

Consider your culture. Law firms have cultures, whether by default or by design. It's possible to analyze the maturity of your culture, deliberately set out to change it, and measure your progress toward that goal.

Embed ESG within your firm. ESG is more of a mindset or a lens through which to advise and serve clients in all areas of practice. Consider how you can embed ESG performance as a metric in your firm's success.

- People, planet, and profit are NOT mutually exclusive aspirations.
- Compensation plans at law firms must evolve to include ESG performance metrics.

- The climate crisis is just one of many converging crises facing society today. And all of them need to be considered in your legal advice to clients and in your law firm leadership's decisions.
- ESG is not all that different from work around diversity, equity, and inclusion. It is not a single person's role—but the responsibility of all—and senior management must lead it.

Advice from general counsel and clients to law firms

Greenwashing should really be labeled ESG washing. Too many law firms are practicing greenwashing when declaring their ESG expertise. How many of your lawyers truly have deep ESG expertise?

Know your firm's values. Your answers do not have to be the same as mine, but when asked about your law firm's values, you'll need to have answers.

Understand the liability of inaction. Ignoring the climate crisis when advising clients is a potential liability. What did the lawyers know or what should they have known, and when did they know it?

Do no harm. Law firms make choices all the time, and the clients you work with are a choice you have made. Defending the accused is not the same as helping clients who are doing harm.

Show commitment and transparency. Your firm may not even be aware of the RFPs you are NOT receiving due to lack of (or perceived lack of) ESG commitment, including

evidence on your website. Clients are doing research and making choices. Prospective clients and employees are paying attention. And clients and law students have a very low “BS” meter.

Match actions with ESG strategies. My company is aggressively reducing our carbon footprint, yet my outside law firms fly teams of lawyers to a meeting, each carrying thick folders of papers. We are a paperless company! I have lawyers on my team who could NOT attend that same meeting in person because we are restricting air travel to reduce our carbon. Somehow, outside law firms seem oblivious to these points.

Be proactive. Clients are dragging their law firms on this ESG journey. Why are some firms so slow to act and lead on this?

View ESG as an opportunity not a cost. Consider making ESG a part of your firm’s value proposition.

Form partnerships and create a team. If anyone calls themselves an expert in all things ESG, run the other way. It will take a village of experts to truly figure out all the interrelated components of ESG.

Be a trusted advisor. It seems to me that law firms’ current billing model doesn’t support a broader “trusted advisor” approach, which holistic ESG advice requires. Instead, law firms tend to focus on discreet “disclosure advice,” which is only the tip of the iceberg. Firms are missing opportunities to provide comprehensive, integrated strategies and consulting to meet clients’ needs.

With their broad view of industry trends, law firms are well-positioned to guide their clients as they benchmark ESG performance, address regulatory issues, and navigate transformative new business opportunities.

To quote one of our panelists from the 2nd Annual Legal ESG Summit:

**“We must act with URGENCY
and with AGENCY”**

Acknowledgments

This event would not have been possible without the willingness of participating firms and faculty to share their insights and experiences. To that end, we must acknowledge the following entities:

Clifford Chance, Mischon de Reya LLP, UNEP, SK Futures Inc, Madison River Group LLC, North by Northwest Environmental Solutions, Gowling wlg, Cozen O’Connor, Prudential Financial, Furia Rubel, McGlinchey Stafford, Phillips Foundation, Latham & Watkins, Realty Income Corporation, Edwards Lifesciences, Qorvo Inc, Dentons, Zurich North America, Stories Evolved, Diageo plc, University of Illinois, Hayhoe Consulting, Statkraft, Baker McKenzie, Lex Solutions, OMS LLP, Corcoran Consulting, Law Firm Sustainability Network, Cooley LLP, Law Students for Climate Accountability, Global Counsel Leaders, Tenneco, AB-InBev, Equitable, Borden Ladner Gervais LLP, Webber Wentzel, Simmons & Simmons, Davis Wright Tremaine, Bates Wells, Farrer & Co,

Moye White, and Womble Bond Dickinson, Amity Advisory, and Inside Practice.

Register to access the recordings

For more in depth perspective on ESG in the legal profession, access the recordings.

Legal ESG Summit

Future events and offerings:

Coming in late November 2022, **ESG Literacy for the Legal Profession: Addressing the growing client demands for enhanced ESG performance, advice, and counsel.**

These online training modules will offer an introduction to and overview of the latest developments in ESG for professional service firms. <https://www.insidepractice.com/esg-literacy-for-lawyers>

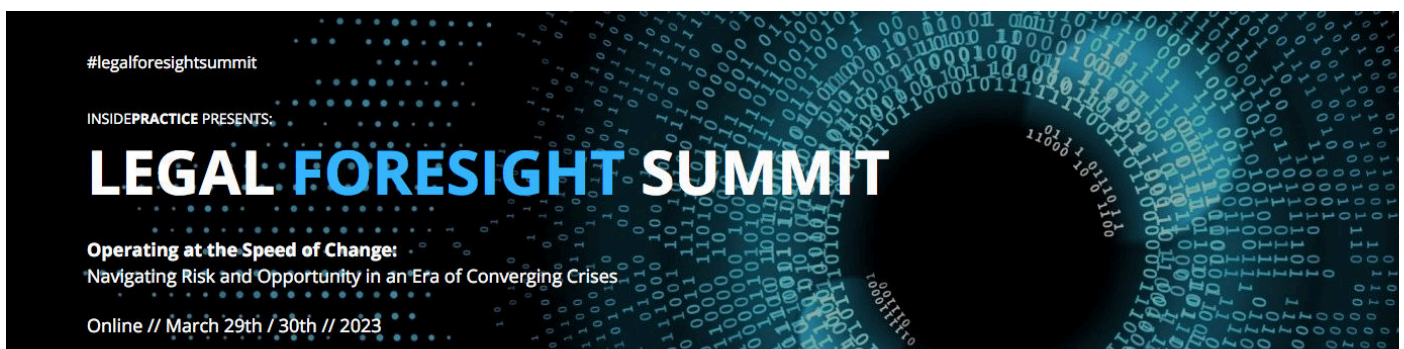
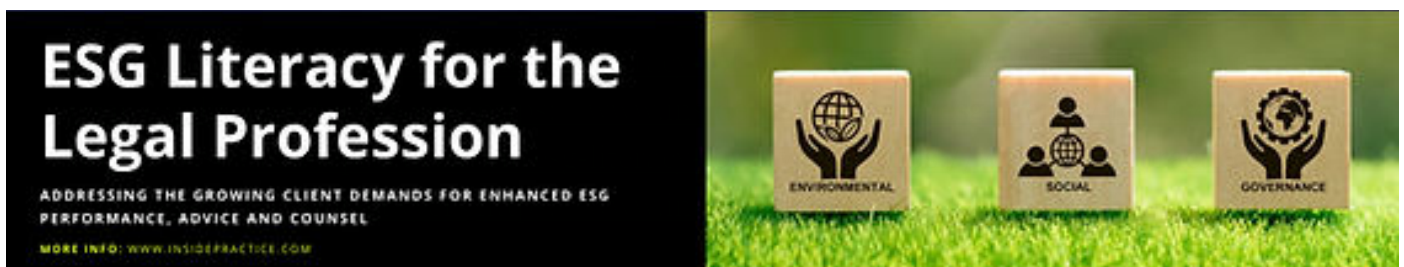
To make sure you don't miss the **3rd Annual Legal ESG Summit**, mark your calendars now: October 3-5, 2023.

Stay tuned for forthcoming information on the **Legal Foresight Summit**, scheduled for March 29-30, 2023. <https://www.insidepractice.com/legal-foresight-summit>

About the Author

Pamela Cone has more than 30 years of experience in the professional services industry in marketing communications and social impact and sustainability roles.

She is founder and CEO of Amity Advisory, a consultancy that helps professional services firms strengthen their ESG, Social Impact and Sustainability programs beyond transactional to achieve strategic and transformational outcomes.



LEGAL BUSINESS DEVELOPMENT

ISN'T
ROCKET
SCIENCE

250+ Easy & Actionable Ways
to Grow Your Book of Business
(In Less Time and with Greater Results)

NETWORKING MARKETING SOCIAL MEDIA
PRACTICE MANAGEMENT BUSINESS DEVELOPMENT



STEVE FRETZIN

FOUR-TIME AUTHOR, TOP LAWYER COACH &
HOST OF THE HIT PODCAST BE THAT LAWYER

Order now at
[amazon.com](https://www.amazon.com) >

De-siloing Legal

By Chiara Lamacchia, Founder at lawrketing.com and withoutconsulting.com



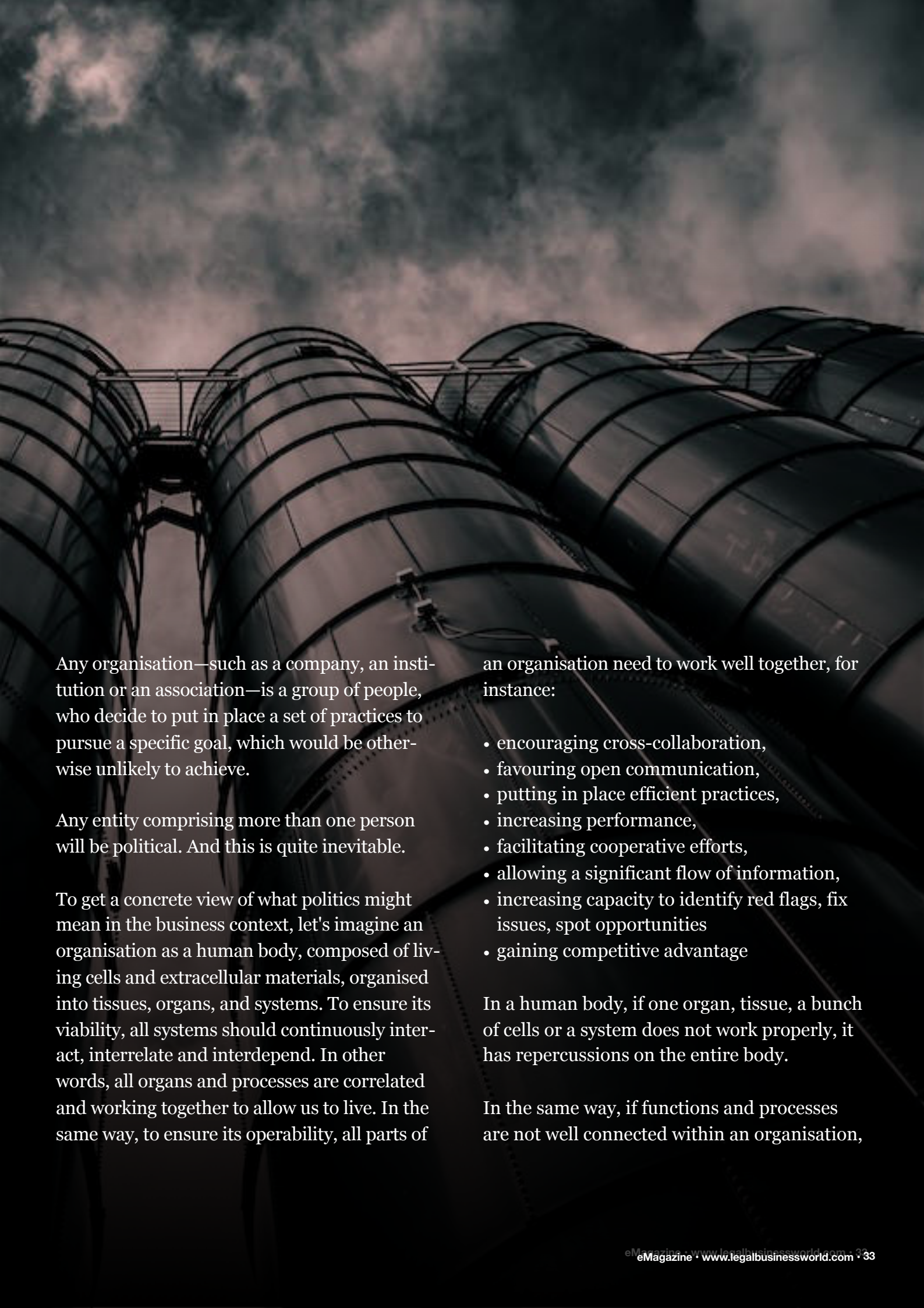
Every organisation experiences a bigger or smaller presence of silos. These are usually created by internal political dynamics. We, humans, are all political in one way or another. Needless to say that as an “organised group of people” any organisation suffers from a certain degree of politics and therefore of silos.

Furthermore, when it comes to the legal field, politics and silos, it becomes more difficult to spot and eradicated: this is without a doubt one of the most siloed corporate functions.

It is worth exploring this topic and proposing ways to achieve the right dynamics between legal and other departments.

Corporate politics & Silos

People bring politics into the business game. “Politics” occur in any context, whenever at least two people are involved. With this premise, organisations are far from being immune.



Any organisation—such as a company, an institution or an association—is a group of people, who decide to put in place a set of practices to pursue a specific goal, which would be otherwise unlikely to achieve.

Any entity comprising more than one person will be political. And this is quite inevitable.

To get a concrete view of what politics might mean in the business context, let's imagine an organisation as a human body, composed of living cells and extracellular materials, organised into tissues, organs, and systems. To ensure its viability, all systems should continuously interact, interrelate and interdepend. In other words, all organs and processes are correlated and working together to allow us to live. In the same way, to ensure its operability, all parts of

an organisation need to work well together, for instance:

- encouraging cross-collaboration,
- favouring open communication,
- putting in place efficient practices,
- increasing performance,
- facilitating cooperative efforts,
- allowing a significant flow of information,
- increasing capacity to identify red flags, fix issues, spot opportunities
- gaining competitive advantage

In a human body, if one organ, tissue, a bunch of cells or a system does not work properly, it has repercussions on the entire body.

In the same way, if functions and processes are not well connected within an organisation,

boundaries arise, impeding the flow of information needed to make full and optimal use of capabilities.

And here they come the silos.

It is so common that should be considered as business-as-usual. Different business functions operate independently, avoiding sharing information, and fighting for budget and power games, regardless of the effect on the overall organisation. Information and its access become an indication of power.

Silos are just another physiological element of corporations. Let's ask ourselves—are siloes bad for an organisation?

Given that I always say that “it depends” is the right answer to all questions, I would like to apply it also to this case (despite those who categorically ascribe silos to the list of the *bad guys*).

In its good meaning, we can think of silos as a synonym for “departments”, and “business units”. As such, these aggregate people who have specific knowledge, complex know-how or other specialities that enables them to be expert in a unique dimension of the business. The silos as such would serve to repose critical knowledge in a specific place and assign accountability to specific centres of expertise.

In its bad meaning, silos are defined by a specific characteristic: the absence of information sharing. Silos are probably the greater example of corporate politics at its worst. These are the expression of a mindset: a reluctance to share knowledge between employees (or in a wider vision, across different departments).

Siloed teams, siloed departments, siloed data, siloed systems, siloed processes. This goes beyond the creation of clusters of accountable expertise – it becomes a default set of attitudes, detrimental to the core of the organisation. Some typical traits of silos are:

- us-versus-them attitude
- accumulation of unshared information
- sharing of manipulated information
- separation of resources to protect “team” interest
- the utilisation of partial know-how and experience
- discouragement of disagreement

Surely, these are only a few examples of what can be usually considered a siloed mentality. Probably, this does not offer a good picture of what it means for an organisation. When silos are involved, the company is operating way below its potential. Let's ask the question – what is the cost of corporate politics and siloed practices?

It was extremely arduous to decide where to start. Simply put, a siloed approach works against the business agenda and towards the downfall of the organisation. It makes the company and its stakeholders suffer (i.e., employees, customers, suppliers, etc.). This is translated into a situation and an environment characterised by:

- strong asymmetry of information
- weak leadership, ambiguous authority, confused roles, diluted responsibilities
- lack of alignment with the overall company strategy and lack of shared understanding of values and priorities
- misallocation and waste of resources

(i.e., time, money, human, etc.)

- duplication of effort, inefficiencies and inconsistencies
- lack of collaborative advantage
- workplace stress, employees' frustration and friction

These examples are critical blocks to success triggers, inevitably causing:

- unresponsiveness to customers and competitive pressures
- inability to cope with shifting market conditions
- bad decision making
- defensive behaviours
- stifle innovation
- incapability to recognise business opportunities
- low employee performance and productivity, high turnover
- inhibition of consistently profitable trends, with a lack of performance and loss profit company

I could go on and on, but this is not a grocery list for despair! In case you are asking yourselves "what would be then the advantages of breaking silos?", you can simply read again the list above and turn every line into its exact contrary. Of course, organisations that can reduce politics and silos are usually outperforming those with dysfunctionalities.

But first, legal.

Before laying into solutions, let us go "legal". We have all been there, at least once. Your organisation is over-demanding with urgent last-minute legal fixes and issues. I dreamt about movie-like speeches: *"No worries, there is only one consequence of all this astonishing redundancy and poor collaboration, in a jun-*

gle of unaligned conflicting priorities across the organisation, making it very hard to stay ahead of the competition. The consequence is damage to your business outcomes. But, at the end of the day, do you really care?"

Leaving the venting part, after observing e speaking with many professionals, there are a couple of hidden elements of silos worth mentioning when referring to the legal department. Silos in these particular departments suffer from additional problematic layers.

- Operations > Legal departments are usually understaffed, in some cases incorporated in the finance department. Furthermore, when it comes to operation, the legal function is used intermittently and transactionally. The Legal department is often looked at as an outsider, something the company relies on, a shoulder to cry on, a protection to seek. It is never seen as equal to the other departments. Many organisations, small to large, even outsource the legal function and competencies, while the law is the backbone of any organisation (even the illegal ones find their *raison d'être* in the law!).
- Knowledge > The all-things-legal is regarded in a quite standard way – the legal matters are most of the time considered as "lawyers' stuff". Legal knowledge is most of the time relegated to a different level, regarded as non-understandable, intimidating, too boring. The complexity and consequent inaccessibility of legal topics make many other departments perceive law as a limit, a constraint, a roadblock. They tend to go to legal at the eleventh hour – hoping to tear a last-minute "yes", with the excuse of haste.

- Attitude > As said, legal knowledge is most of the time relegated to a “different level”. Legal professionals might come out as "snob-ish". I am referring to that general attitude towards and inside the legal field, where legal knowledge is regarded as being on another level – it’s the law, after all! This attitude contributes to the seclusion of the legal function within an organisation.

These peculiarities make it physiological for the legal team to develop a more closed activity within the legal department rather than share it with the rest of the departments. At the same time, it is physiological for the other departments to marginalise the department and nurture the siloed status. Contrarily to other typologies of silos that are moved by "corporate politics", the resulting silos in Legal are the mirror of the legal marginalisation and isolation that is often more than welcome by all other departments.

Solutions

Every siloed environment has its typology and particularity. In some cases, the human and political matrices are intense, creating a maze of dynamics extremely difficult to reduce. In some other cases, silos are the result of a lack of infrastructure and tools that do not allow information sharing.

There is no one-solution-fits-all and beware of those who propose it – legal silos and political dynamics are specifics of each organisation. To be reduced, each specific situation must be studied and analysed.

This being said, there are some high-level inputs that I would like to share with you. At the very end, it is about piercing the barriers and

allowing the so-called "cross-pollination" – meaning exposing other departments to new ways of conceiving legal and working with legal.

A. Educate departments on the "whys" of the legal function. Describe the consequences of silos with real department-related examples – no thin air, but rather very concrete and relatable cases even better if taken from past experiences. Gamify silos dynamics [1] to allow your teams to experience the problems and touch issues first-hand. Let them become aware of their unconscious cognitive biases around legal.

B. Simplify processes and be sure to involve legal from the start. Map your current processes: what is the journey for a department to ask for approval? When are you usually included in the loop? What are your pain points? What are theirs? How do you simplify it?

C. Keep practising experimental collaborations. Let your teams experience desiloing by encouraging teams to work together with the legal one on company-wide problems. Sometimes, when we frame a problem, maybe with the help of an external consultant, we are left with “theory”, a couple of "exercises" and a detailed pdf. Be sure teams are putting into practice what they learn. Employees get to know each other, gain exposure to other areas of knowledge and become more aware and open to collaboration.

Looking forward

This is just an “ABC”, but what is the very first step? Get the buy-in from top management. Usually, breaking-silos initiatives should be

directly embraced by top management. Once leaders understand the incentives and advantages in terms of business and culture, they are usually pervaded by a voracious will to start *de-siloing* as soon as possible.

However, when Legal is in the picture, this might be slightly different (were you expecting something different?!). Top management rarely decides to tackle siloed dynamics in connection to legal – also counting that many times this department is quite isolated (or even outsourced). Therefore, the incipit must come from the legal department itself, which needs to sell it and get the buy-in from top management. In legalese, this means advocating and lobbying.

They say companies will not be moved until they truly understand the connection between silos, politics and performance. Be sure to make this connection sparkling clear.

Learn more

[1] Gamify silos dynamics, available at <https://bit.ly/3CykBFL>

About the Author

Chiara Lamacchia Chiara Lamacchia is a consultant in legal, marketing & legal forecasting, working in corporate strategy for global organisations across different sectors, after an LL.M. from Bocconi University (Milan, Italy) and an MSc in Marketing from Edinburgh Napier University (UK). Chiara is the Founder of lawrketting.com and withoutconsulting.com, promoting the adoption of ground-breaking ways of using the law for innovation and competitive advantage.

Besides, among other things, she authored and published the book "[Lawrketting – What Business Never Realised About Law](#)", introducing a new concept, lawrketting, combining law, business, marketing and innovation.

Connect with Chiara on [linkedin.com/in/chiaralamacchia](https://www.linkedin.com/in/chiaralamacchia)

For more articles see [The Legal Edge Series](#) at Legal Business World



I Build or Revitalize your website and make sure your web presence matches your DNA. Gigs from \$50,-

ZIHAD AREFIN | WEBDESIGNER | WORDPRESS DEVELOPER | UI/UX DESIGNER


Top 3 Reasons Why The Human Rights Engine Is Failing Those In Need

By Jeanne-Mari Retief, Foudrer of CALIBRICS



Human rights are contentious between the camp dubbed "idealists" and the camp dubbed "realists." Add to this the fact that human rights are, at its core, largely dependent on the whims of politicians, and it becomes easy to understand why progress is so painfully slow. The lack of practical outcomes in many human rights projects, agendas, and programs further exacerbates this issue. In a post-pandemic world, everyone is forced to look after their own and actively practice the "charity-begins-at-home-principle"; it is now even more challenging to advocate for hard-earned funds to be granted to projects of human suffering, no matter the degree.

I specifically refer to the "engine" of human rights in this article because, quite honestly, that is precisely what it is. It is no longer a concept for good, a system for change, or a way to bring power to the powerless. It is a multi-billion-dollar



industry of corporates seeking tax write-offs, politicians seeking moments of victory, and large-scale human rights entities with processes as complicated as brain surgery (let's call these entities "Corporate Human Rights"). Making a decision or bringing about practical change is a long and drawn-out process that often results in a decision only after the victims have already resorted to their own methods and means to solve an urgent crisis.

I am an idealist, and my hope and belief in the power of practical human rights will never fade. However, my experience in this industry and the field has allowed me to understand the biggest hurdles that face those like me, who are just doing their best to bring about a practical change. Here are the top 5 reasons why the engine of human rights is failing.

1. LACK OF EDUCATION TO AND BELIEF IN GRASSROOTS NON-PROFITS

I have seen it so many times; Each organization hoping to bring change has its idea of how that should come about, regardless of the community they will be working in, regardless of the personal relationships that need building, and regardless of the impact their ideas will have. We must consider how the community will continue to build and thrive after the vans pull out and the volunteers return to their countries.

Seeking any aid from Corporate Human Rights or other sponsors is impossible for most of these NPOs. The simple reason: they need help understanding the processes of asking for help and then securing that help. To be clear, I have been in this industry for over a decade, and even I need help understanding

all the complicated, red-taped processes. There is little consideration of the fact that most grassroots NPOs are run and staffed by community members working on little to no salary, who are purely driven by creating a better life for the people around them, because no one else seems to care. They are not accountants, lawyers, or high-level negotiators. However, they have one crucial characteristic that makes them different: A personal stake. They are personally affected by the help they can secure, and the support they can grant their communities.

Expecting an overwhelmed NPO leader like this to complete complicated budgets, make yearly projections, and write proposals is like asking a lawyer to do open heart surgery. They understand precisely why they need the funds, why they need to ask for help, and why the support required is urgent, but they need to gain the skill to apply for it through the human rights engine.

Here I have to be fair. If you think about the millions squandered in the name of human rights, the large sums donated per annum that seem to disappear into thin air, or buying the latest Mercedes, it is easy to understand these complicated processes. Although there will always be people who take advantage of any situation, most squandered funds in the human rights space are due to in-education.

For example:

- NPOs not understanding how to narrow down the community's immediate needs on paper.
- Not understanding all the elements to include in a budget (that extra telephone card you need to buy for the field worker, or the

- taxi trips you need to pay for the volunteer).
- Not knowing how to negotiate better prices for the services they need to acquire.

A lot of grassroots NPOs I have worked with fall prey to this. Their intentions are good, and their passion is real, but they crave guidance on how to make it a reality, from how to apply for aid to using it in a way that reaps practical results and is sustainable. Unfortunately, in my experience, this help is not afforded to grassroots NPOs. The route usually followed is complicated application forms, instructions, and Excel budgets (often not in their native language). When there is more help, it's quick online chats to walk them through an entire accounting education in an hour. Most of these calls are worthless because there is a good chance there will be little internet connectivity. There is no one on the ground spending time with the applicant, walking them through every step (in their language), and training them to be able to do this easily in the future.

The simplest solution is often sending someone from the West to tell (notice how I do not say teach here) the NPO how to do things, when to do them, and what will work best. They only stay for short periods, introduce methods and ideas foreign to the foundation of the community, and then ultimately leave. It is of little wonder that these programs always fade out and evaporate after the ground patrol leaves.

2. THE RED TAPE AROUND CONSULTANTS AND THOSE TRYING TO HELP

I am not projecting sour grapes here; I am merely stating the facts as I experienced them

and as many of my clients have. If I could list the hours I spent on the phone trying to keep other human rights consultants positive when they have again run into the brick wall of bureaucracy, I would be sitting in a library of my own making. Entering corporate human rights to hopefully effect change and bring your expertise to the table as a native, and someone on the ground experiencing the practical challenges, is like trying to book a Michelin star restaurant one night before your anniversary.

Navigating the complex recruitment systems of these large human rights entities is not only extremely intimidating but unbelievably time-consuming. In a field dedicated to the human element, it is shocking to see how cold, and mechanical the process of offering your expertise can be: Lists upon lists of questions that always seem to repeat themselves, recreating standard and well-drafted CVs to fit the "look and feel" of each different entity's requirements, and explaining for the umpteenth time why you are the right fit for the project. The process is incredibly academic and works on ticked checkboxes. If you are out by one, the system is onto the next applicant on the list.

These systems fail to consider the on-the-ground experiences, perhaps not as part of the corporate human rights team but as a native and national. Often nationals with first-hand practical experience of the problem, and most importantly, the trust and the ear of the community. There is no room for expressing the passion and the functional change the applicant may have already brought about, or any unique ideas to build the community or

address the identified issue that does not fit within the bureaucratic framework of "this is how we do it in our other projects, so this is what works."

Alienating consultants that can help is a missed opportunity to place willing people on the ground who understand the community and the situation and can work to bring about the foundational changes needed for grassroots to function successfully.

3. THROWING MONEY AT THE PROBLEM

Corporate human rights are incredibly guilty of this. There needs to be more consideration given to foundational education and mindset changes. Most of the human rights projects I've worked on focused on the problem, not the root cause. I will admit that many lengthy sponsor training sessions include complex diagrams and "trees" to be crafted to take you through the entire issue to get to the root cause of the problem. The exercise is overly complex but wonderful. Unfortunately, that is as far as it goes. When it comes to practical implementation, there is always a fallback to addressing the issue at hand.

Let's take an example: The community is starving. The tree diagram I drew shows me that the community is suffering due to a lack of primary education; this lack of basic education leads to a lack of understanding of the electoral system, which, in turn, leads the community to questionably exercise voting rights which leads to questionable leaders, making horrible decisions, resulting in hunger. This example is highly oversimplified, but if I explain this in more detail I will

need to write a few chapters for a book.

The solution to this is: Let's cure hunger. Bring in vans of food, teach people to cook and farm, and invest in dieticians explaining the need for nutritious diets for babies. Then, as always, the sponsor team leaves, the community is left to its own devices, and within a year, there is a request for more money to continue the project. This is a vicious circle that does not bring about any long-term change. Although there is something to be said for addressing immediate and urgent needs, more is needed to solve the root problem. So, unless we are willing to adopt every starving community in the world, something has to change.

The most effective change one can bring about is educating the victim and not educating them purely on their rights, but on their responsibilities in terms of those rights. Rights do not just appear; we are responsible for nurturing and protecting them and actively working to sustain them. In this sense, primary education and voter education are lacking in the human rights engine.

Most community issues stem from developing country governance, often based on corruption and shady government practices. Communities need to be empowered to stand up for their rights so they can work to change themselves. To do this you have to start at the beginning. Educate parents of school-going aged children about the benefits of an education. Teach them that what they can learn and how this will impact their future will have a much larger impact than staying home to relieve domestic burdens. This change in mindset is a significant sacrifice for them.

Get children excited about education and teach them more than the curriculum: Focus on life skills and dealing with anxiety, anger, and rejection. Explain worldly concepts like good communication skills, fundamental rights, and their responsibility to exercise these rights.

Follow this through until they are of voting age and invest in the education of voting-age youth. Help them understand the current political challenges, how they impact their everyday life, how to understand the different messages from different candidates, and how this may affect their futures. The goal here is to have educated youth who form part of the voting community and can make educated voter choices to elect better leaders who can, in turn, start bringing about change.

Again, I have extensively oversimplified this complex issue for purposes of summarising. Of course, a lot more goes into each bullet point above. Changing things at a foundational level is the most challenging task to undertake. It is human nature to become vested in your beliefs, especially if they have been passed down from generation to generation and it is the only beliefs you know.

To many, this explanation may be the epitome of idealism and why there will never be enough money to fund human rights. However, we also need to remember that we are willing to keep throwing money at the problem, we are just not ready to invest funds (that will be wasted) into permanently addressing the issue.

The Takeaway

Human rights are one of the most complex problems of our generation. There are too

many in need and too little help available. I am not suggesting that there is a cure for all and that we will never have to deal with specific issues again. However, the current engine is not working and is not on the path to more practical and permanent solutions.

There are so many players serving their own agendas in this structure, there is too much red tape and bureaucracy for those willing to help, and the focus should be on the right solutions. Unless we change this, we will keep repeating this vicious cycle.

We must remember that human rights are, in fact, for the people. It is not a stagnant issue that can be clinically dissected and treated. The playing field changes whenever human suffering, emotion, and life is concerned. Are we going to change with it?

About the Author

Dr. Jeanne-Mari Retief, founded CALIBRICS, a global human rights consultancy, in 2012. She holds a PhD in international humanitarian and criminal law and is a Prince2 Practitioner. She has developed multiple human rights programmes and projects across the globe and works toward seeing practical change in her endeavours. She's spoken on various panels, published in various international mediums and presented talks all over the world. She has recently taken a hiatus from the industry to focus her human rights background on other ventures where she believes she can affect more change.

She believes she cannot change the status quo unless she is an active participant in driving that change. Practical implementation is where human rights projects often fall apart, and she hope to change this.

Israel's leading consulting & legal marketing company

robus robus cpa robus International tech&law lawflex. wello

Advance Your Career With the Global Standard in eDiscovery Education

LEARN MORE

ACEDS ASSOCIATION OF eDISCOVERY PROFESSIONALS

Office Plug-Ins

Don't Have To Be Ugly, Slow, And Clunky

By John Kwan (l) Dr. Benjamin Woods (m), Jennet Hydyrova (r), Tural Hajiyeu (next page)



The Microsoft Office suite remains by far the most popular set of business applications for the legal community. [1] Plug-ins extend the functions of these applications and tailor them to legal professionals' needs. One major advantage for users is that they do not need to leave the familiar Office environment to take advantage of these enhancements.

As Shreya Vajpei, Assistant Manager at Khaitan & Co commented, "Given the amount of time that lawyers spend working in Microsoft Office 365, we would like to see more of them take advantage of the rich features and capabilities the suite has to offer. This includes third-party plug-ins that can add a lot of extra functionality to MS Word and MS Outlook and tailored to our sector's needs."



A common frustration, however, is that plug-ins tend to slow down Office applications. In some cases, they could even lead to crashes and valuable work being lost

in the process. Many also observe that a lot of plug-ins have old-school interfaces (especially when compared with modern consumer apps) that detract from the user experience.

It is now possible to have your cake and eat it too. Plug-ins built using Microsoft's "Office Add-in" framework can be beautiful, fast, and a breeze to deploy. In this article, we draw upon our recent experience developing Send-Check [2], a plug-in for Office Outlook.

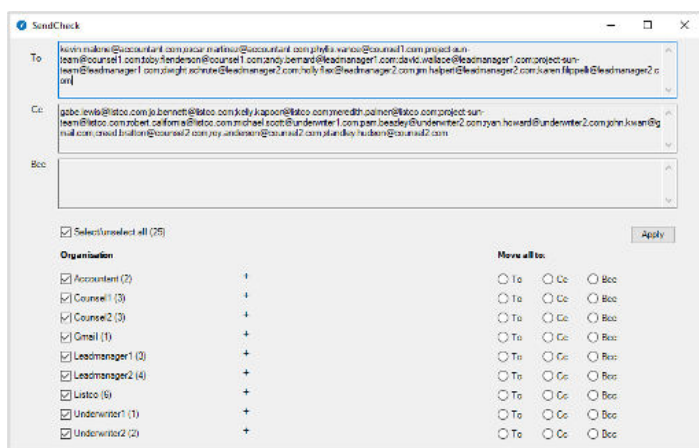
Two types of plug-ins

Until around 2011, Office plug-ins were VSTO, or COM, add-ins (VSTO Add-ins). The standard mode of installing a VSTO Add-in is through the use of an MSI, and a VSTO Add-in runs only in Office on Windows. VSTO Add-ins are built using Microsoft's proprietary .NET Framework. Significantly, Microsoft has announced that they will not be bringing VSTO support to .NET Core or the latest versions of .NET. [3]

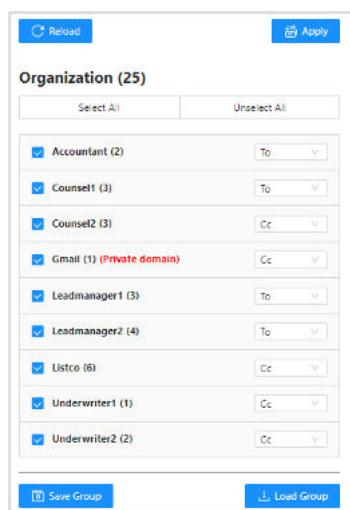
The launch of Office 365 in 2011 heralded the introduction of a new kind of plug-ins, somewhat confusingly named "Office Add-ins". Office Add-ins can be built using standard web technologies such as HTML, CSS, Sass, LESS, and JavaScript that enable one to create richer, more modern, and more

streamlined interfaces. Office Add-ins can run across multiple platforms, including Windows, Mac, Outlook mobile, and in a browser.

For illustration, below are screenshots of SendCheck that we developed initially as a VSTO Add-in, and then as an Office Add-in. Although the core functions are materially identical across the two versions, we prefer the latter's modern interfaces which integrate seamlessly with Outlook in a side pane (as opposed to a pop-up window) and provide a more pleasing user experience.



VSTO Add-in



Office Add-in

Reasons to choose new Office Add-ins

It is noteworthy that Microsoft itself appears to be encouraging the marketplace to opt for Office Add-ins. In its official documentation, Microsoft enumerates the following advantages of Office Add-ins over VSTO Add-ins: [4]

- A. Cross-platform support
- B. Centralized deployment and distribution
- C. Easy access via AppSource (Microsoft's app store where individual users can browse and purchase Office Add-ins)
- D. They are based on standard web technologies

The cross-platform nature of Office Add-ins responds well to the increasing number of legal professionals that use Apple and other mobile devices to perform their work.

Admins can deploy Office Add-ins centrally across an organization via Microsoft 365's admin center. [5] Specifically, they can assign an Office Add-in to a single user, multiple users within a group, or everyone within the organization. Once so assigned, the Office Add-in will automatically appear within the relevant Office application, without troubling the users to take any action. This feature also makes it easier for administrators to deploy upgrades, remove users from the deployment group, or delete the add-in for everyone.

Office Add-ins have better performance

We have observed that Office Add-ins tend to have better performance and provide a smoother user experience than VSTO Add-ins. Notably, the risk of the relevant Office application crashing at start-up is considerably reduced in the case of Office Add-ins.

Whilst VSTO Add-ins, installed locally, tend to run upon starting up the relevant Office application, the code of an Office Add-in is generally only loaded when a user uses it.

Further, if the Office Add-in crashes, this generally will not crash the Office application itself.

In this connection, Microsoft itself noted that “Office Add-ins have a small footprint compared to VSTO Add-ins and solutions”. [6]

Office Add-ins are more secure

Further, Office Add-ins, being based on modern web technologies, have additional advantages from a development and security perspective:

- One could set up automated testing and build pipelines for Office Add-ins on more operating systems than for VSTO Add-ins. Most CI/CD frameworks use Linux by default and therefore it can be easier to set up CI/CD for Office Add-ins out of the box. In turn, the development team could find it easier to run security tests on a timely basis.
- Office Add-ins can be built on modern web technologies that are regularly updated, patched, and maintained. By contrast, as noted above, Microsoft has announced that they will not be bringing VSTO support to .NET Core or the latest versions of .NET. Because one is not able to use the latest versions of .NET, one is more likely to use third-party libraries with potential depen-

gency vulnerabilities that might not be patched. This could present security risks, especially with the passage of time.

Requirements for using Office Add-ins

The full requirements can be found in Microsoft’s documentation. It is not sufficient, however, to check only the Office versions supported by the relevant Office Add-in. There are, in fact, three intertwined aspects that should be considered together:

1. Office version (e.g., Office 365 on Windows, Office 2016 on Windows). [7]
2. Availability of centralized deployment. [8] This requires Microsoft 365, Exchange Online, or active Exchange Online mailboxes.
3. Authentication and licensing. Microsoft recommends authentication via Azure Active Directory. [9] If Office 365 users are not connected to the organization’s Azure Active Directory, however, this would require an alternative method of authentication.

Concluding remarks

Legal professionals spend the bulk of their time using Office applications, and they call upon Office plug-ins to augment the functions of those applications without navigating to a different environment.

The proliferation of plug-ins, however, has led to significant concerns about performance and crashes. Indeed, many law firm CIOs and IT personnel we spoke to reported that they were actively looking to cull and remove plug-ins for this very reason. As Yuriy Fishman, Director of Enterprise Applications at Cleary Gottlieb Steen & Hamilton LLP, commented,

“Our lawyers expect a smooth and seamless experience when using the Office suite. We are always on the lookout for options to facilitate that.”

Further, accustomed to slick consumer apps outside of work, legal professionals are increasingly demanding intuitive, attractive interfaces that are easy to write with modern web technologies.

For the reasons set out above, modern Office Add-ins could avoid many of these issues and enable law firms and legal departments to make use of plug-ins without sacrificing performance, administrative ease, or user experience.

As Kristian Weberyd, Digital and Innovation Manager at Advokatfirman Vinge, commented, “Office plug-ins are a vital part of our attorneys’ toolkit. The enhancements made possible by Microsoft’s Office Add-in framework are a welcome development and could significantly improve the user experience.”

Notes

[1] E.g., “ABA Survey: Legal Software Use In Law Firms In 2021”, available at <https://www.mycase.com/blog/general/aba-survey-legal-software-use-in-law-firms-in-2021/> and “Microsoft 365’s Growing Dominance in Law Firms & Legal Departments”, available at <https://www.iltanet.org/blogs/sarah-gayda1/2021/06/22/microsoft-365s-growing-dominance-in-law-firms-lega>

[2] Learn more through this link: <https://10be5.com/sendcheck/>

[3] “Create VSTO Add-ins for Office by using

Visual Studio”, available at <https://docs.microsoft.com/en-us/visualstudio/vsto/create-vsto-add-ins-for-office-by-using-visual-studio?view=vs-2022>

[4] “Office Add-ins platform overview”, available at <https://docs.microsoft.com/en-us/office/dev/add-ins/overview/office-add-ins>

[5] “Determine if Centralized Deployment of add-ins works for your organization”, available at <https://docs.microsoft.com/en-us/microsoft-365/admin/manage/centralized-deployment-of-add-ins?view=0365-worldwide>

[6] “Create VSTO Add-ins for Office by using Visual Studio”, available at <https://docs.microsoft.com/en-us/visualstudio/vsto/create-vsto-add-ins-for-office-by-using-visual-studio?view=vs-2022>

[7] “Office client application and platform availability for Office Add-ins”, available at <https://docs.microsoft.com/en-us/javascript/api/requirement-sets?view=common-js-preview>

[8] “Determine if Centralized Deployment of add-ins works for your organization”, available at <https://docs.microsoft.com/en-us/microsoft-365/admin/manage/centralized-deployment-of-add-ins?view=0365-worldwide>

[9] “Authentication options in Outlook add-ins”, <https://docs.microsoft.com/en-us/office/dev/add-ins/outlook/authentication>

About the Authors

John Kwan is the co-founder of 10BE5. He was an associate in the London and Brussels offices of Cleary Gottlieb Steen & Hamilton LLP between 2013 and 2019. He was born and raised

in Hong Kong and holds a law degree from the University of Cambridge.

Dr. Benjamin Woods is 10BE5's Head of Engineering. He holds a doctorate in Plasma Physics from the University of York.

Jennet Hydyrova is a Backend Engineer at 10BE5 based in Istanbul, Turkey.

Tural Hajiyevev is a Frontend Engineer at 10BE5 based in Wroclaw, Poland.

BUMP D.

Fight back against discrimination

Bumpd is a registered **not-for-profit** helping people who have lost their job because of **pregnancy or parenting-related discrimination**. Designed by legal and technology experts, Bumpd's **free** online tool automates the process of preparing a formal legal claim **tailored** to your situation, making it easier for you to seek compensation, stand up for your rights and **fight back against discrimination** at this stressful time.

FIGHT BACK

Making LinkedIn Your Favorite Client Source

By Melissa “Rogo” Rogozinski, former litigation paralegal, legal technology sales executive, guest speaker, CLE presenter and trainer, and entrepreneur



Thriving law firms around the globe share two common elements that bring them a steady stream of new clients and a stable core of repeat clients: a team of talented lawyers dedicated to achieving their clients' goals, and a successful messaging strategy that associates the firm's brand with quality services their clients need.

While many clients of long-established firms found their lawyers through traditional methods of networking, one of today's most effective lead-producing marketing tools is literally at your fingertips: LinkedIn.

The LinkedIn platform is currently in a class of its own in its ability to allow professionals to find and connect with business owners and



individuals who genuinely have an interest or need for their services.

The key to making LinkedIn a productive source of leads to actual clients is knowing how to make the best use of it and committing as little as fifteen or twenty minutes a day to check in, view, and respond to those connections and contacts who visited or reacted to your content or comments and consider if your services might help them in the future.

For those worried that their daily schedule is too busy to spend a few minutes on a professional networking platform, think about how much time is spent consulting in person or by phone with prospective clients who don't hire the firm. Rarely are those consults limited to

only a few minutes, and during that time, only one prospect is being attended to. On LinkedIn, you control the time you commit and your content and posts may be viewed by thousands.

LinkedIn Builds Professional Relationships, Not Just Connections

The difference between LinkedIn and other social media platforms is its focus on business, professional services, and professional development. Only those who are either looking for services or offering services participate.

Building Solid Client Leads on LinkedIn

LinkedIn is a tool with which professionals “build” relationships with solid client leads. The mission is not to build relationships with everyone, but to focus on those who are likely

to want the firm's services and those who are in a position to make or influence the final hiring decision.

Consider who your target client is. Does the firm serve a particular industry, or concentrate its practice on solving certain problems, like business law, tax law, international trade, or bankruptcy? LinkedIn lets you filter your search for contacts according to location, job title, skill, and company. The page returned will include only those who fit your search criteria.

LinkedIn "Groups" enables a user to scan a list of LinkedIn groups and associations where people of shared interests can connect and communicate about matters of particular significance to their group. There are hundreds of groups to search through, from Small Charities and Groups (5.5k members), America's Physician Group (1.7k members), Accounting Discussion Group (1.7k members), International Trade 2.0 - Import & Export (133k members), and hundreds more.

The next step in the relationship process involves establishing three important assets with others:

- Credibility
- Expertise
- Value

Credibility

LinkedIn users can begin to establish credibility by ensuring their profile page includes only material that conveys the serious nature and quality of the services the firm provides. Think about engaging a professional photographer to create the best headshot or image to be used

as the face of your firm. Another signal of credibility is a custom banner at the top of the profile page including an image communicating the firm's identity, not merely in name but in purpose.

Litigators may use an image of an imposing court building; tax lawyers may use a photo including tax forms. The goal is to instantly inform the person who sees the profile page about the critical services at which the firm excels.

Expertise

Credibility is not obtained by only constructing a professional profile page. What builds credibility is generating and sharing insightful, original content on the platform, in long-form articles, short posts containing immediately useful information relating to the area of law practiced by the firm, or even in posts with checklists that other users can download and refer to in conducting their own business.

In short, the currency that buys credibility is "content" that LinkedIn connections learn to trust, to value, and to which they will turn when in need of further help. Business law firms may choose to write a comprehensive article on how contract language can anticipate problems and insulate a company from costly losses in the event of a breach. In the world of law firm marketing in a digital society, "Content Is King."

Value

As with all commerce, the factor that turns a prospective client into a paying client is the fact that the services provided by the law firm are worth the price. A continuing message

integrated into every LinkedIn post or other form of content is the fact that working with this particular law firm delivers the highest quality legal service the client needs to fully resolve their problem. If the initial engagement is successful, regardless of how weighty the matter was, the client is likely to return when other, more substantial issues arise.

Reach Out with Personal Follow-up

Searching through LinkedIn to focus on a target clientele, leveraging groups and other filters to isolate your ideal client population, will connect you with new businesspeople or potential consumers of the firm's legal services. Do not rely on the default messages LinkedIn offers as invitations to connect. The purpose of the network is to connect, to find out about the other LinkedIn party, and learn if you have mutual business objectives.

LinkedIn analytics tools enable users to monitor the activity on their page, identify most of the visitors, and follow up with them to thank them for connecting and engaging. This is an opportunity to inquire if they have any questions.

No pressure should ever be applied. LinkedIn is not a hard-sell tool. Like any new relationship, courtesy, respect, and generosity are always worthwhile attitudes.

But note the potential client's name, business, and contact information. Visit their LinkedIn profile and follow them if they seem promising. After the passage of time, a month or two, consider reaching out to them again.

Respond personally, though briefly. If the

communications continue over time, consider taking the relationship offline. Even infrequent messaging with an individual about a shared interest, especially one in which the firm can be of service, will often ripen into a fee-generating attorney-client relationship.

Be Patient and Persistent

This process requires patience and persistence. LinkedIn will provide real clients after thoughtful and gently persistent attention. Navigating the platform becomes second nature with a little practice and education.

The value of LinkedIn is the filtering function that allows every user to dig down to the clients who meet the description of the perfect clients. Few, if any, other marketing techniques are available that can so effectively expose your firm's services to those most likely to need them and most able to afford them.

About the Author

Melissa "Rogo" Rogozinski is a former litigation paralegal, legal technology sales executive, guest speaker, CLE presenter and trainer, entrepreneur, and a 2016 ACEDS eDiscovery Person of the Year Nominee. She is a regular contributor to LegalTech News, Law Journal Newsletters and Legal Business World.

At RPC Strategies, she leads a "Dream Team" of consultants who specialize in legal marketing and sales strategies for law firms and legal tech vendors.

See training videos on the next page >>

Making LinkedIn Your Favorite Client Source

Free Training videos by RPC Strategies



LinkedIn Training

Generate Prospects & Referrals
(Connections, Engagements, Inbox)



0:06 / 6:09



LinkedIn Training

Make It Rain with Published Content



0:06 / 6:38





“Research Handbook on Contract Design”

By Ines Curtius, Senior Legal Counsel



“Contracts are the meeting of minds not words.”

Introduction

When the author heard about the publication of the book she thought: *“If only this had been published 10 years ago! It would have saved me some time.”* Why?

She could then have started earlier to:

- 1.) think about how one “has to” look at contracts and law from other than legal perspectives, and
- 2.) apply these insights in a practical way.

Review

The book consists of 5 main chapters that highlight the different stages of a contract (from cradle to grave) and its measurability.

It elaborates on how to consider and use methods from other disciplines, e.g. linguistics or design thinking. It also highlights new legal approaches that have developed from the multi-diversity of the research base. #proactivelaw.

Chapter 1

"Rethinking contract: From drafting to design".

In this introductory section, the authors provide an overview of why and how contracts and their management need to be rethought and possibly critically analysed. One of the outstanding chapters in this first part is the historical overview of contracts, their how and why. The other chapters in this first chapter introduce the **leitmotif** of the book:

“The need to take a multidisciplinary approach to working with contracts at all stages. “

Chapter 2

"Why contract design matters: rethinking the business and legal purpose and functions of contracts".

The content and insights described in this chapter enable the reader to understand the academic and scientific background of why design as a science matters also for contract design.

Fascinating and novel insights are presented in the chapter on the "Functional Contract Framework " and its findings on research and evaluation models for contracts. It continues with the chapter on the combination of, among others, linguistic genres and the design of contracts. It describes how such a combination specifically takes lawyers into other di-

mensions of thinking about contract design. It explains how different genres as well as theories of linguistics are to be used and taken into account in order to improve the accessibility and understanding of contracts for their users. Users in this context are not only lawyers, but almost more important people/functions who work with and manage the content of the contract.

Chapter 3

"Designing better contracts for business and legal purposes".

This 3rd chapter starts with a "big bang". The true story of Tuula Pere, a Finnish lawyer who has recently become familiar with innovation in law. She compares her experiences with the newly gained knowledge on contract drafting and shares her very interesting and insightful findings with the reader.

The other chapters offer practical and very well explained insights on how to better design and measure contracts.

Chapter 4

"When text alone is not enough: Visual contracts."

The chapter describes how visual representations should be used in contracts, using real-life examples.

One of the most interesting chapters is the one on "Interpretation of images in contracts". That is, how will judges react to visualization in contracts. This topic has been wildly debated by many lawyers and contract managers for several years, as it has been a recurring problem. And this ambiguity hindered the acceptance of visual elements in legal documents.

The chapter gives an overview of the various responses and suggests what other aspects around this issue need to be considered. Fortunately, all this is also done in an international context and in several jurisdictions.

Chapter 5

"What does the future hold? Designing for humans and machines."

This chapter is again a very successful mix of theoretical and practical information. It touches on the issues discussed by legal academics, practitioners and legal tech providers when it comes to legal tech in general and its future. This is all about the increasingly important aspect of making legal documents more user-friendly. For example, it describes how and why a more technocratic approach should be combined with a linguistic one.

The chapter concludes with an insight into the future of lawyers, their clients and technology. "We are interested in technology, but not those technologies that perpetuate or reproduce the overly legalistic and unfriendly contracts of the past" (Chapter 23, page 421). This statement is perhaps one of the most important in the book, as this idea is too often forgotten. Typically, fascination and enthusiasm for new technologies trump much more important criteria such as people and processes first, then the platform. The authors outline very well what the function of contracts should be, for example, and how lawyers can or even must redefine or expand

their role. The book concludes by focusing on new, emerging technologies with a fair and reasonable amount of criticism and skepticism.

Summary

The book contains extremely valuable and practical information for anyone who uses or works with contracts, not just lawyers. As a research handbook, it provides a variety of excellent sources of information to support readers' research on the book's topic.

One small downer: the authors do not practice often enough what they "preach". Both the information layout and the language are sometimes very classical in the style of "academic research". Fortunately, this is interrupted in several chapters by visualization and a more UX friendly style.

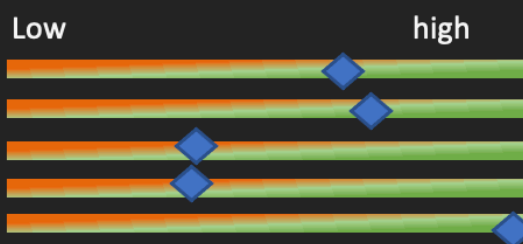
Personal comment

In addition to the book "Legal Design Thinking" by Kohlmeier&Klemola, <https://www.wolterskluwer.com/de-de/solutions/legal-design>, this is one of the best books I have read in recent years on the subject of innovation, law and contracts.

I have done a lot of research, reading, discussion and thinking on the subject myself in recent years. Pleasingly, this book has also provided me with a great deal of new inspiration, insights and results that enabled me as a lawyer to think and dream further, bigger and better.

BOOK OVERALL

Easiness to read and understand
Easiness to implement
Information Design
Graphic Design
Must-read-recommendation



Editors: Marcelo Corrales Compagnucci,
Helen Haapio and Mark Fenwick.
Edward Elgar publishing. Edited 2022
Paper and electronic version available
<http://dx.doi.org//10.4337/9781839102288>

Her main areas of expertise after 20 years of experience in the space industry are: international business law, CLM, design thinking, initiating and implementing innovative projects.

About the Author

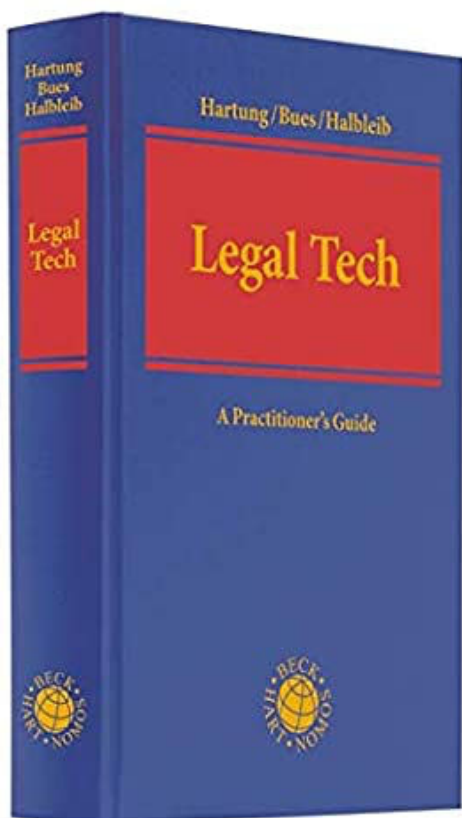
♥ 4law was the reason for Ines Curtius to study law. She wanted to design/translate legal content in such a way that the people whom the law is supposed to "serve" really understand it, in order to also strengthen trust in democracy.

In 2022, she was a full-time carer for her husband. November 2022, she moved back into the legal field as in-house senior counsel for SonoMotors.com (<http://sonomotors.com/>). An OEM for solar e-cars, solar kits and also facilitating individual mobility while preserving what matters most, our planet!

#longlifelearning #Sion

Legal Tech: How Technology is Changing the Legal World (Hardcover – 2018)

This handbook, illustrates the current state as well as future developments of the digital transformation on the legal market. It thereby gives an overview of the legal tech field worldwide as well as examples of its application in order to show how and to which extent automatized workflows, artificial intelligence (AI), automatized generation of documents and contract management in law firms and companies are in use even today. This book, in its first part originally written for Germany and German speaking countries, now also exemplifies the development of legal tech in numerous jurisdictions, including the USA, Europe, Russia, China and Australia. A third section is devoted to future developments, including smart contracts, block chain, AI, and publishers as legal service providers. More than 50 authors from all over the globe have contributed to this unique book. Particularly helpful: up-to-date examples show how legal tech is already in use in various fields of application in the context of jurisprudence.




Mindfulness. A new horizon for legal professionals?

By Marco Imperiale, Head of innovation at LCA Studio Legale



When we hear about mindfulness, we tend to think about meditation, Zen, and a general sense of wellbeing. This is not entirely wrong, but doesn't properly show us mindfulness essence and potential. Mindfulness, indeed, is much more than that. It is a way to be more lucid, clear, and focused. A tool to be more creative. A strategy to feel better and be more attentive to our emotions and to the ones of our clients.

In the last few years, and despite the initial skepticism of lawyers and operators of the legal business, mindfulness entered in the



legal field from the front-door. The pandemic, the rising burnout rate, and the constant load of stress that partners and associates experience daily, are highlighting our necessity of seriously intervening on our emotional balance.

As a long-time mindfulness trainer, and a passionate of mindfulness application in the legal field (especially concerning mediation and negotiation), I decided to wrap up the two main ways of considering mindfulness, as well as some possible applications for legal professionals. It may be just a few para-

graphs, but for both newcomers and long-time aficionados, it is a way to understand better our profession and to adopt some very simple tools in our daily life.

Langerian Mindfulness

Ellen Langer, Harvard professor of Psychology and first woman able to reach tenure at Harvard Psychology Department, is considered as "the mother of mindfulness".

Her way of considering mindfulness, which is non-meditative, could correspond to the concept of "active noticing" and "being constantly

creative”. In other words, being always aware of what is happening around us, not taking anything for granted, and doubting of most of what people call "facts". Would the results at the ophthalmologist be the same if we see an inverted chart (spoiler alert: no)? If we fast two days, would we look at restaurants signs in a different way? What if we assume that 1 plus 1 is always 2, and then we eat two pieces of a chewing-gum, finding that we created just a bigger one?

In her book “Mindfulness”, Langer provides several examples of how much the way we look at the world can impact our productivity and decision-making. Curiosity, challenge of the status quo, and inclination to disrupt our own beliefs can be the key to unlocking our full potential. Unfortunately, as described in the famous example of the copying machine (where participants were required to provide non-sense reasons just to skip the lines to make a copy, reaching most of the times their goal), we tend to be mindless most of the time.

Even more interesting, however, is that mindfulness could have impactful consequences on our health. In her book “Counterclockwise” (which also inspired a BBC show), two groups of elderly people were required to participate in an experiment – one of them required to live remembering the past and the other one impersonating their younger-selves (using old magazines, listening old songs, speaking avoiding the past etc). The results were mesmerizing. The ones who acted like their younger-selves showed significant physical improvements, whether in terms of heart-rate, muscular flexibility, and reflexes.

Non-Langerian mindfulness

Non-Langerian mindfulness is the one that tends to be associated with meditation, and it is the one most practitioners use to refer. Basically, it is the science of being in the present moment and fully aware of our emotions and feelings.

Despite the inclusive term, under the umbrella of mindfulness we can find a lot of activities. Listening to our heartbeat and being attentive to our breathing can be a good way to be mindful. But also walking, showering, eating, drinking, or counting (the list is potentially endless) can be activities done in a mindful way.

Considered this way, mindfulness is more a way of doing things than a specific activity. How much are we aware of what we are doing? How much our tensions and our negative thoughts are influencing our actions? How much can we describe in detail our current emotional state?

It is interesting to notice that, in most of the cases, our working environment does not favor our wellbeing. Neon lights, messy desks, and telephones always ringing are damaging our internal balance and rising our stress threshold. The situation doesn't change (and sometimes gets worse) when we work from home. How many of us are able to create clean, ordered, and quiet environments for our focus – allowing us not to be distracted by sirens, ambulances, or screaming kids?

If we concentrate on our body, and not on the environment, the results tend to be dramatic. How many of us tend to use uncomfortable

dresses or shoes? How many of us feel pain in our back or neck after a day of work? How many of us are skipping meals, or tend to drink less than a couple of liters of water a day? The curious element is that each professional I know is aware of how much some simple changes could affect not only our well being, but also our productivity, but we still take pride in being busy, stressed and full of tasks on our to-do list. Paradoxically, it seems that suffering is a core part of the legal profession, and something we should be proud of.

From awareness to action

The world of mindfulness is showing practitioners its potential, and luckily for us the market is already full of apps, books, and tools that allow us to be more mindful in our daily job. On the other hand, for most of us finding time and showing commitment on our well-being is the hardest part. For this reason, I chose three simple strategies that are – at least on paper – easy to adopt:

a) Avoiding multitasking

We live surrounded by mails, calls, and instant messages. Moreover, most of the clients are expecting us to be available Monday to Monday, 24/7. On the one hand, this is understandable. In a world of commerce on demand, news on demand, and entertainment on demand, the idea of lawyers of demand seems normal. On the other hand, sometimes we are the first ones not able to draw lines, whether for fear of competitors, Superman complex, or inability to define our priorities.

Despite the reasons, research shows us that multitasking is highly dangerous for our performance, and also the many self-proclaimed

multitaskers could highly benefit from a serial, not parallel-approach. Doing one thing at the time is not only useful, but necessary to solve complex issues in a reasonable amount of time.

b) Being creative on our work

Law is renowned to be creative, and most of the lawyers I know define themselves creative. Truth is, we tend to be quite the opposite, whether it is for the use of templates, the adoption of pre-defined approaches to specific scenarios, or the presence of a daily routine.

In this case, being mindful could mean underlining the difference between cases, parties, and situations. But we can also select a different/diverse team for a specific dispute, create new patterns in the way we structure our thoughts, or intervene on our environment (e.g. working from a different place or changing the position we sit at the table). Research shows us that new scenarios are helpful to determine creative solutions and improve our focus.

c) Being aware of our emotions

Emotional management is a crucial task for lawyers, and one of those with the highest impact, considering that clients and colleagues are daily affected by our behavior.

One of the tools I suggest is the use of an emotion wheel (there are many available on the web). What does it mean being “happy”? Is it joy, enthusiasm, hopefulness or a mix of all them? And how about being “angry”? Does it mean irritation, guilt, rage, doubt, worry, or a little bit of everything? As lawyers, we tend to say “bene iudicat qui bene distinguit”.

How about doing it with our emotions?

Another way to increase our emotional awareness could be doing a “body scan” before a working day or an important meeting. Are the legs crossed or not? And the shoulders up or down? Is our jaw tense? How about our blood flow? And our breathing? Even five minutes could have relevant effects on the way we structure our thoughts. We tend to believe that stress is a trigger for our best-self, but paradoxically the more we are relaxed, the more we are able to focus and find creative solutions. The strategies, however, are endless. We can write a diary at the end of the working day, spend a specific amount time trying to wear the shoes of other players at the table (colleagues, clients, counterparties), or use a device like Muse, Sensate, or Heartmath to analyze our body/mind connection. There is no specific formula, and most of the times the means is less important than we think.

Whatever works for us and is able to provide better awareness and relaxation, is worth a try.

Conclusions

The potential applications of mindfulness in the legal field are difficult to be defined in a

short-article. On the other hand, it is harder to find a topic that sounds more appropriate to our world, especially in these peculiar, difficult times. I hope that the rise of interest in the field will represent the beginning of a more human-centric approach to the law and to our profession.

The post-pandemic scenario is taking a toll on our personal and professional life. Mindfulness is basically asking us not to think about, but to feel it and intervening on it. How about giving it a try?

About the Author

Marco is Head of Innovation at LCA, a leading Italian law firm, and visiting researcher at Harvard Law School. He has extensive experience in legal design, legal tech, and in the interplay of copyright law and the entertainment industry. Whenever he finds time, he also works as mediator, teaching fellow, and mindfulness trainer. He is a frequent public speaker and the author, together with Barbara de Muro, of the first Italian book on legal design.



**Bringing Transparency to
Legaltech Procurement**



Lawyers for Lawyers: Every lawyer must be able to practice their profession freely and independently. To provide people the legal assistance they are entitled to uphold the rule of law, and to protect human rights.

We are committed to upholding a free and independent legal profession. In every corner of the world. Whenever the rights and freedoms of lawyers are under pressure, we take action. Connecting lawyers who are threatened or prosecuted for their work, to their colleagues in the Netherlands. Always independent: *by lawyers, for lawyers.*

The rights of lawyers are protected through the [*United Nations Basic Principles on the Role of Lawyers*](#). However, not all states comply with these international agreements. The *Basic Principles* form the basis for Rule of Law, which is why they're the guiding principle in everything we do.

Situations may arise where lawyers are threatened and prosecuted, just for doing their job. Dutch lawyers support these colleagues around the world. We do this by working across three pillars: Defend, Empower & Influence.



[Learn more about Lawyers for Lawyers >>](#)

Custom Developing in E-Discovery

Ari Kaplan speaks with Juan Ramirez, the founder and CEO of NSerio, a company that develops customized software applications for electronic discovery.



Ari Kaplan

Tell us about your background and the genesis of NSerio.

Juan Ramirez

10 years ago when we started, I did everything from setting up the computers, talking to the clients, and building some code. NSerio focused on developing a niche and supporting it with a nearshoring operation that we were building in Bogota, Colombia. At the time, Relativity was emerging as a market leader and I had established a relationship with its founder Andrew Sieja. I was in the right place at the right time, and it worked out.



Ari Kaplan

What has changed in e-discovery that has prompted the need for custom applications?

Juan Ramirez

The increased complexity of cases generally requires customization beyond out of the box tools. Relativity is a great example of a platform on which to build unique solutions and may have been the first legal software company to offer an API that enabled custom development on top of their platform. The birth of the API replaced manual processes and launched a vibrant era of custom development.

Ari Kaplan

What is your team's development process when serving a new client or supporting a new project?

Juan Ramirez

Before each new project, we engage our client in a conversation about the problem they are trying to solve and collaboratively brainstorm on ideas for addressing it. Then, we develop a plan of action, which may include encouraging the client to use an existing portfolio of technology more effectively, rather than to build a custom application. Generally, our development team designs options for the

client's consideration and we have a very high-touch approach as a boutique software development shop. We apply agile standards and integrate the client throughout the process.

Ari Kaplan

What are your favorite types of applications to create?

Juan Ramirez

Applications that are challenging enough for our team to feel the pressure of doing something new and that emphasizes the satisfaction of custom development. We love building tools that have big impact, promote adoption, and offer a broad return on investment. We want to solve a big problem that either increases accuracy, reduces time, lowers cost, or generates more revenue. Applications with the greatest ROI result in happy customers and a proud developer.

Ari Kaplan

Are there advancements in technology that have changed your process?

Juan Ramirez

The need to work remotely over the past few years has resulted in significant improvements in communication tools, which has allowed us to engage with clients more comprehensively. We can more easily convey the status of projects, provide images, and conduct demos. In addition, the Microsoft stack has evolved and Relativity's collection of APIs in the cloud has created a new set of possibilities. Everything seems to be growing and the amount of Lego pieces that we can play with has increased.

Ari Kaplan

What leadership lessons have you learned over

the past few years managing a fully-remote team around the world?

Juan Ramirez

Being genuine about caring for my team is the strongest quality I can offer. We all experienced hard times through COVID and we fully supported our staff. They felt that our caring approach was genuine and we guaranteed employment, with no layoffs. Caring is often what people need and what they want. It has allowed us to build a team that is very loyal, dedicated, and passionate about their work.

Ari Kaplan

How do you see custom development evolving?

Juan Ramirez

I see continued growth and more flexibility in the tools that we are using. Artificial intelligence are common buzzwords, but the AI-enabled tools and third-party offerings that exist are really powerful and just getting better. It almost feels sometimes like we are living in the future. Organizations are implementing more AI and analytics.

About the Author

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

Listen to his conversation with Juan Ramirez here: <https://www.reinventingprofessionals.com/custom-development-in-e-discovery/>

DID YOU KNOW THAT WE HAVE OVER 1.400 ARTICLES ON THE BUSINESS OF LAW IN OUR OPEN DATABASE

Billboard (119) 119 posts	Series CIC (12) 12 posts
Business Development (353) 353 posts	Series Appetite for Destruction (3) 3 posts
Events (70) 70 posts	Series Legal Operations (5) 5 posts
Finance (28) 28 posts	Series LegalTech Beyond the Myths (6) 6 posts
HRM (67) 67 posts	News Press Release (36) 36 posts
Legal Operations (16) 16 posts	Survey Report (4) 4 posts
Legal Tech (307) 307 posts	General (80) 80 posts
Marketing (56) 56 posts	Newsletter Lawtomatic (77) 77 posts
Opinion (171) 171 posts	eBooks (3) 3 posts
Pricing (16) 16 posts	Innovation (6) 6 posts
Sales (7) 7 posts	Estate Planning (2) 2 posts
Series (83) 83 posts	Personal Injury Law (4) 4 posts
Strategy (98) 98 posts	Article (138) 138 posts
Thought Leaders (141) 141 posts	Legal Leader (1) 1 post
Series Pricing & LPM (7) 7 posts	Industry Specialization (3) 3 posts
Series Leadership (28) 28 posts	Criminal Law (1) 1 post
Series Reinventing Professionals (16) 16 posts	Series The Legal Edge (4) 4 posts
Series Improvement Law Departments (31) 31 posts	Series Going Digital (1) 1 post
Series The Value series (20) 20 posts	Funding (1) 1 post
Series Staub on Law Firm Management (19) 19 posts	Legal Podcast (1) 1 post
Series Legal Mosaic (26) 26 posts	Series Marketing Minute (1) 1 post
Series TechnoBrew (13) 13 posts	Investing (1) 1 post
Series CSR and Sustainability (11) 11 posts	Disability Lawyer (1)

SIGN UP FOR LEGAL BUSINESS WORLD, THE BIGGEST
OPEN COMMUNITY ON THE BUSINESS OF LAW

[SIGN UP \(FREE MEMBERSHIP\)](#)

LBW

Notes

- View table of contents
- Thumbnail view for all pages
- Send this book to your friends via email
- Share on Social Network
- Print pages
- Save page as PDF document
- Download offline version
- Access to previous or related digital editions
- Change settings
- About this Book

Book Information

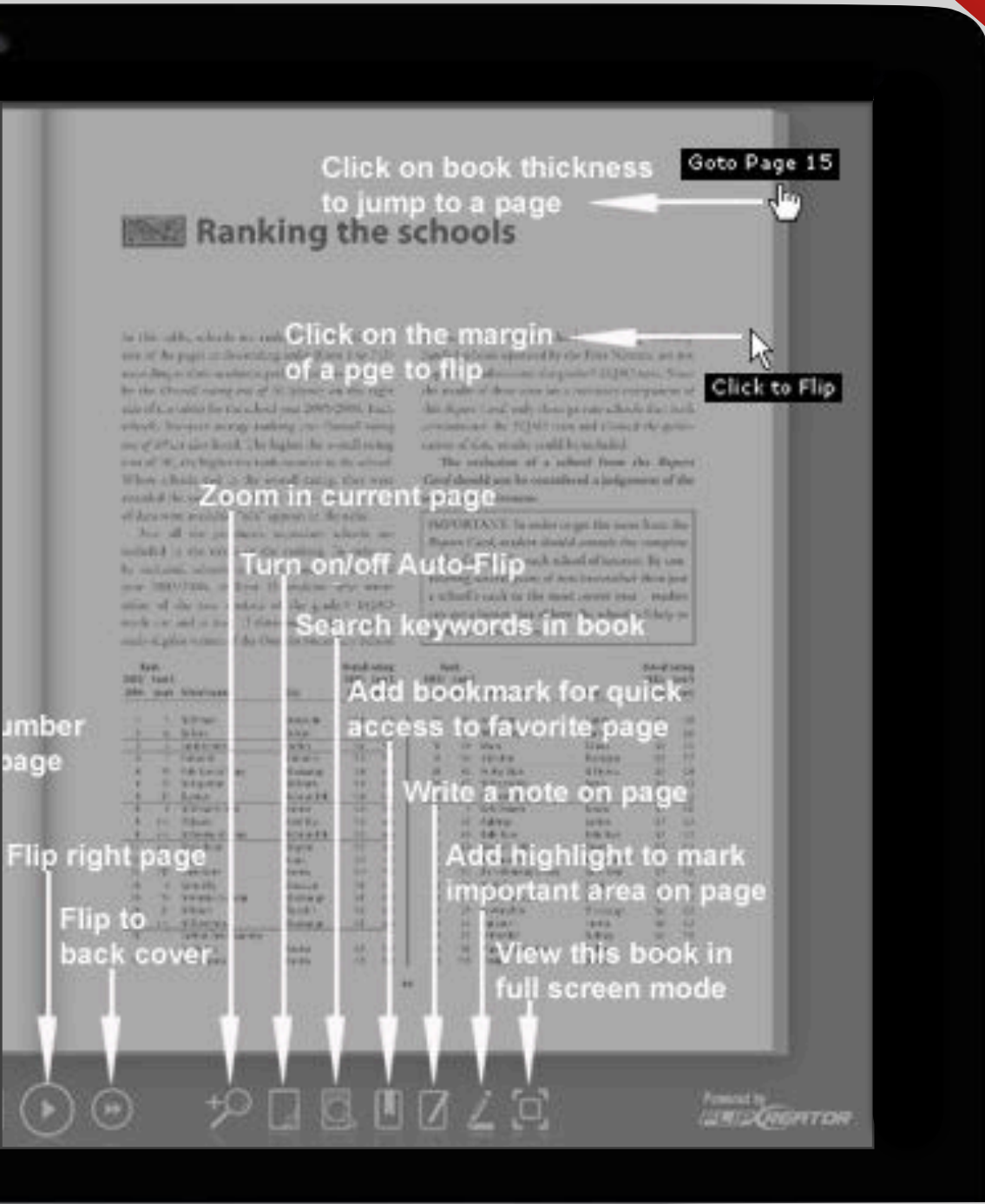
Help Info

Flip to front cover

Flip left page

Enter a page number to jump to the

10 - 11 / 24



SHARE YOUR NEWS & PRESS RELEASES

WITH

+11.000 LEGAL JOURNALISTS, BLOGGER & PUBLICATIONS

5 COMPREHENSIVE RESEARCH DATABASES

28 NEWSWIRES & AGGREGATORS

AND MORE...

Get 45,000 targeted views through geographic, demographic, keyword & interest-based targeting and incl. your news and press release as an article in Legal Business World's eMagazine on the Business of Law, the newsletter and on the Legal Business World website.

MORE INFO [CLICK HERE](#)

