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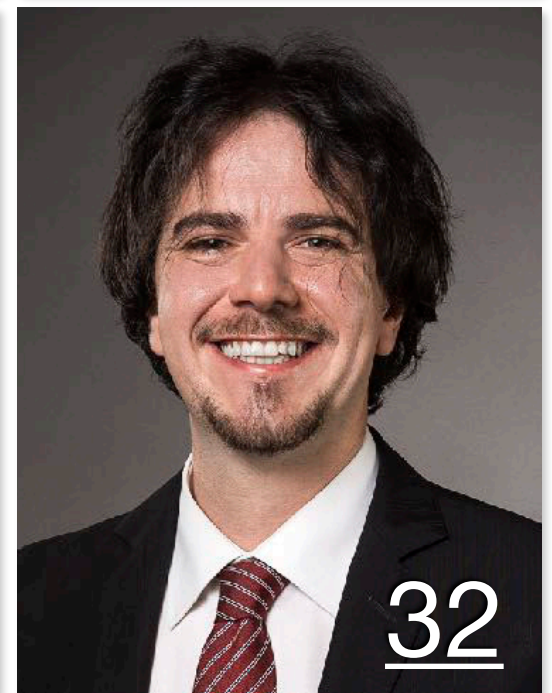
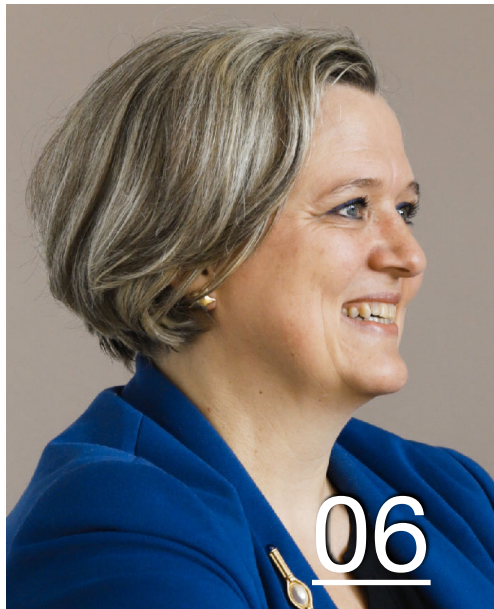
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Mobilising the power of what could go right to evolve legal ecosystems

By Valérie M. Saintot

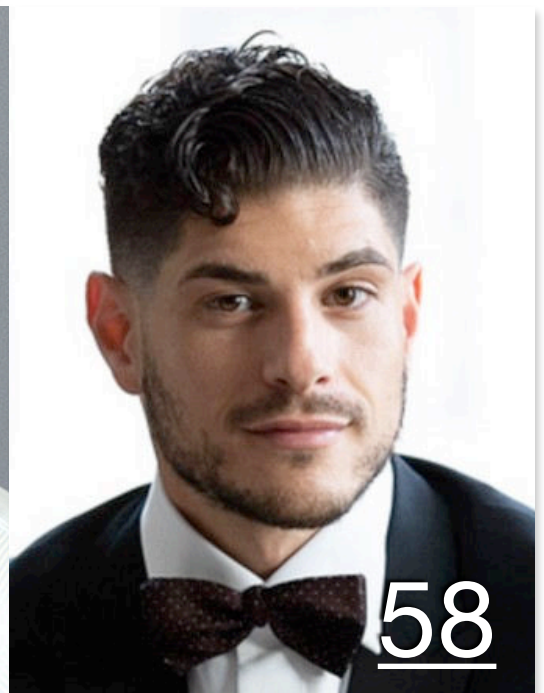
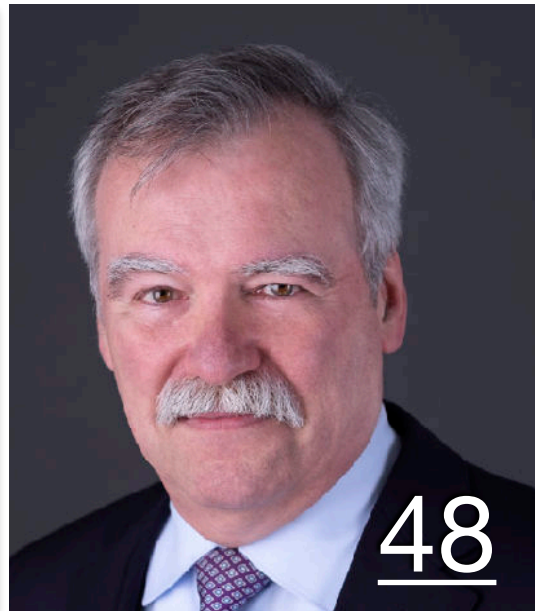
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Business of Law



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Mobilising the power of what could go right to evolve legal ecosystems

By Dr. Valérie M. Sainto LL.M, Lawyer and Mindfulness Teacher



We live in a world of overstimulation: cognitive and sensory. We tend to oversimplify reality to cope with life complexity. The latest hype of contradictory information about generative artificial intelligence (GAI) has been the paramount of confusion. Thought leaders are pulling in opposite directions when predicting risks and promoting opportunities. The affirmed intentions of the creators and investors into GAI appear misaligned with their actual actions. The race to bring underdeveloped AI based products to capture a large chunk of the new market adds to a blurry picture. Citizens can hardly be expected to catch up and become a part of shaping the public space while being directly and structurally affected. Authoritative voices without



proven credentials broadcast their volatile opinions which appear to evolve by the day.

What are we left with as choices in such a context? Fear and freeze? Be seduced and overreact? Rationalize and put judgment on hold? Pressing the pause button to take a step back and reflect might never have been as demanding as now. The world is loud. To cultivate the ability to detect reliable signals and to sustain attention on our needs and objectives without useless distraction is crucial. It is a competence we need to strengthen significantly and speedily over the next years. The complexity of the phenomena at play will grow exponentially, even more so in a world in phygital expansion. Giving up before hav-

ing even tried to create the space for dialogue does not appear to be a good idea. Hard work is in sight, and it is not for the fainthearted.

Technology is rapidly moving from being used as productivity booster to affecting us on the subconscious level. People did not keep their hammers and screwdrivers next to their beds when they first invented them. Today, we sleep with multiple devices and screens in our bedrooms. This is possibly the starting point of realising how much we have become one with digital technologies. We are already augmented beings.

The present piece is written from the perspective of activating our critical thinking

discernment. It is not a collection of miraculous tips and tricks. It is just a humble and possibly clumsy yet authentic attempt to self-reflect together. It intends to mobilise the power of what could go right.

1. Using critical thinking to prompt engineer ourselves, not just the bots

Are lawyers immune to the above questions? Should lawyers and their ecosystems invest in the efforts of developing a renewed interest in ethical dilemmas and be actors of sense-making? For several decades, the legal profession was left to its own slow-paced evolution. A sort of illusion of immunity to the triviality of day-to-day worldly matters. Slow pace can have a lot of merits and bring more depth and time to think and consider change. That acknowledged, it can become a hurdle when it stands in the way of democratic access to justice and when peace cannot be taken for granted anymore.

When too many weaknesses start to undermine the democratic building blocks of our judicial systems it is more than time to act. Legal costs may be unaffordable. The slow pace of procedures can be discouraging for citizens. Human cognitive biases are known to twist judicial decision-making. The goal is not to strive for perfection but for an acceptable level of imperfection.

Lawyers do enjoy quite some standing in society, giving them access to a regulated profession and making their services unavoidable in many private and professional occasions. In turn, citizens should expect that legal professionals feel compelled to willingly play an ac-

tive role in shaping the societal and institutional mechanisms forming the very structures of our societies.

We can cultivate a legitimate expectation that the legal professionals must upgrade their game technologically to be best placed to influence the very functioning of democracy.

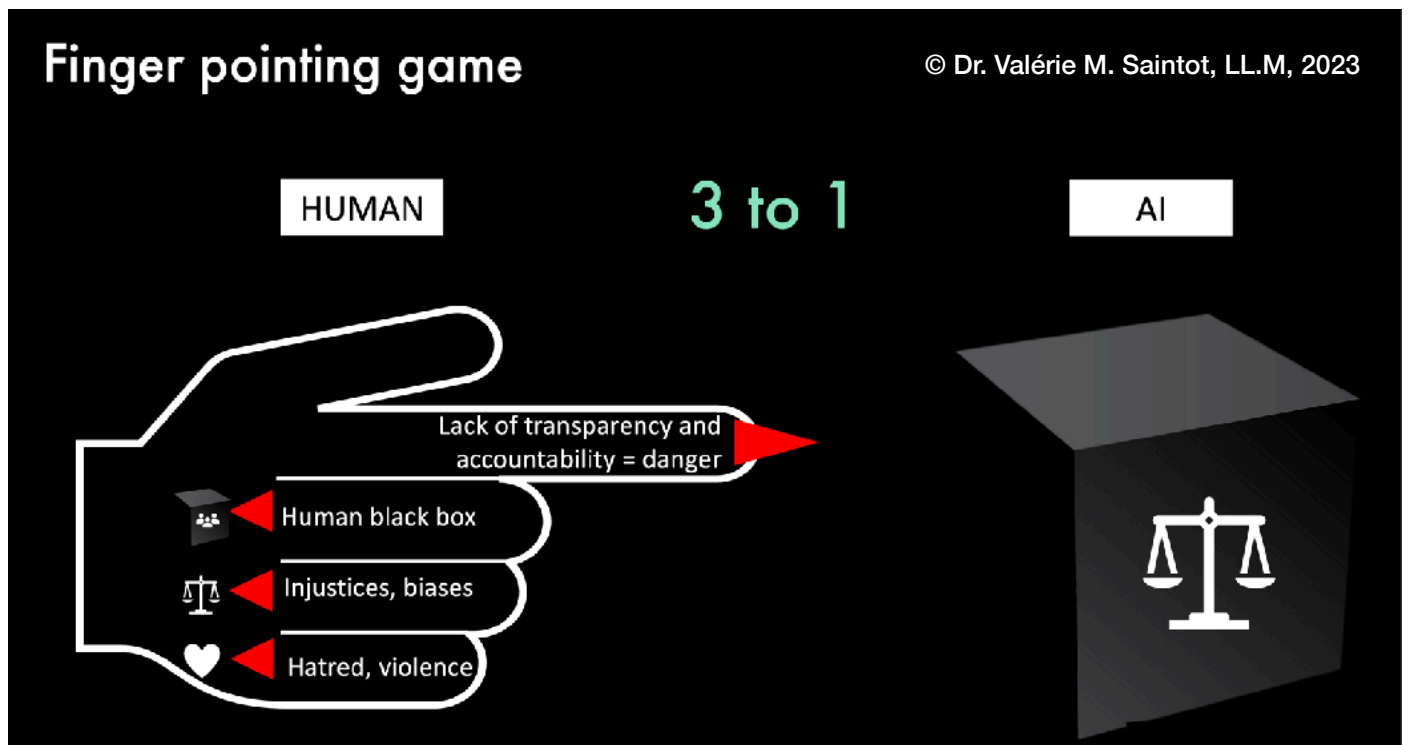
This piece is not about convincing that it is a good idea for legal professionals to become digitally literate, to be effective and efficient leaders who care for the human factors, including mental well-being. We have passed this point by now and the contributions of thought leaders like Richard Susskind or Mark Cohen are globally acclaimed. It would be a waste of precious time, energy, and intelligence to even start disputing these working assumptions.

The goal is to self-reflect and come to new levels of understanding. Thinking critically involves remembering, understanding, applying, analysing, evaluating, and creating (see Bloom taxonomy) new approaches to evolve the mindsets we generated yesterday. The thinking process need to be extensive to help us acquire a new level of consciousness. When we critically think we can design and shape futureproof prototypes. Prompt engineering used to interact with GAI is a perfect pretext to train the advance art of thinking. As much as we are learning to prompt GAI we should even more intensely learn to prompt ourselves to tap our critical thinking capabilities.

Being born in the category called 'human being' and being member of an evolutionary

species may not be enough to live up to our full human potential. How can we really be serious about the challenges at hand if we are not honing the extraordinary human potential we could access? The old philosophical debate on the impact of nature (innate skills) and culture (acquired skills) on people and society has never been as vivid as in the 21st Century.

If we cumulate black boxes and hallucinations, it is obvious that we will not aptly contain the GAI risks and even less tap the many opportunities GAI brings. Developing GAI can be an unprecedented way to develop ourselves as it holds a revealing mirror in our face and appears to be an integral part of our evolution. Large language models have figured out how



How can we humbly realise that when we point one accusatory finger to AI weaknesses, we point three accusatory fingers to our own limitations?

We commonly criticise the algorithmic black box but are we not an even bigger black box to ourselves? We focus on the hallucination of the bots connected to large language models parroting human discourse and creativity but what about the multiple human hallucinations, past and present we might parrot *ad nauseam*?

to decouple knowledge, context, and form. This should speak to the heart of lawyers and their syllogistic thinking mindset. Lawyers have all it takes to be front runners in the societal conversation on GAI if they want and go for it. They need to viscerally stay attached to seek truth.

2. Seeing the living dimensions in the technological and AI arenas

What are the long-term goals pursued? Are the goals set big enough? Are the goals capable of making a structural and sustainable difference?

How similar or different are the goals for legal professionals versus for society as a whole? Can the goals of legal merely pursue effectiveness and efficiency of our judicial systems and well-being of legal professionals? Or are we up to something much bigger and significant? Is the project not as big as preserving life on planet Earth in the absence - until further notice - of a planet B... also for lawyers?

Can we rethink the legal profession without intertwining the redesigning project with three societal transformations: well-being, sustainability, and digital technologies? Can we really consider we will find ethical ways to regulate GAI and mitigate risks if we do not deeply go into life-centric and regenerative design principles? How can we seriously claim to design regulation(s) which will respect humanity if we are still not outgrowing the mindset of seeing lawyers as commodities to produce billable hours in a breathless fast forward system?

Lawyers, organisational ethicists, and compliance professionals are central actors of the transition to more sustainable business models, green finance, and other normative conversations aiming at rethinking our impact on the Earth. If we do not care for the living dimensions in us as persons, if we do not care for evolutionary biology, how are we going to be the voices and agents of sustainable needs in investment portfolios or companies balance sheets and cultures? Human beings are agents of proximity. Whatever is far from their eyes is far from their hearts. What is far from the hearts will not count in the design and decision-making process. How can anyone deal with today's challenges without caring for

their embodiment and living presence on the planet?

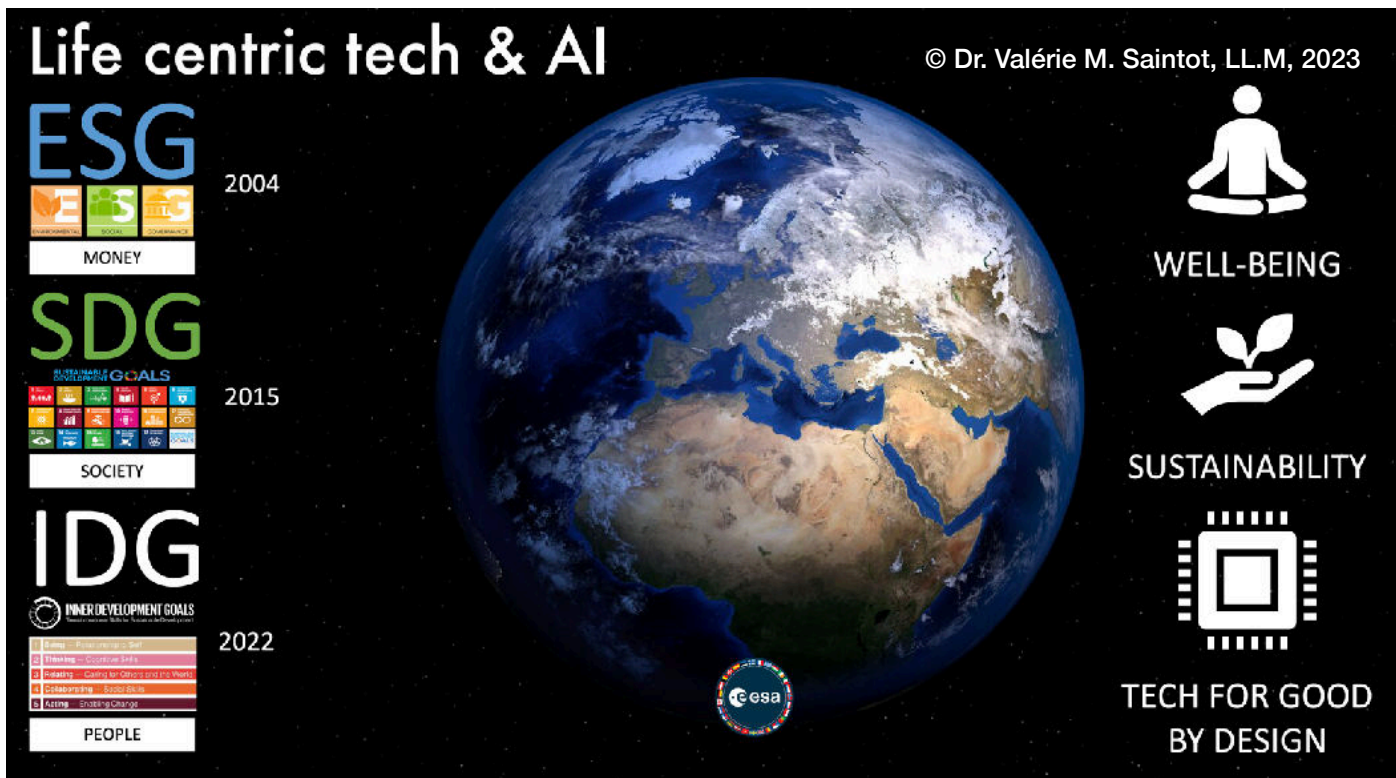
Legal professionals, as knowledge workers, must not only know about the sustainability goals and standards their clients must comply with (ESG and SDG) but also experience them in their own skin. Anything aiming below this ambition is self-deception, window dressing, or green washing. The new set of goals entitled Inner Development Goals (www.innerdevelopmentgoals.org) published in April 2022 and endorsed in last autumn by the European Parliament was a key missing piece.

We cannot see the transformation for a more just and sustainable world as something happening outside us. We are nature. We need to factor in our own inner developmental transition towards being ever more humane, acting ever more respectful of life.

Making life-centricity a top design principle in whatever we touch, including evolving legal ecosystems, can empower us as legal professionals to impact the systems with meaningful intention, sustained attention, and desirable results.

3. Amplifying life-long microlearning to sediment technological skills over time

In the West, the common learning model is to attend some twelve years of primary and secondary school. Then one adds a few more years of professional or academic training. It is not common to pick up full academic qualifications later in life. It is unusual to pursue a fully-fledged new professional requalification too.



How does this square with the newest technological revolution brought by artificial intelligence, where knowledge workers are more affected in redefining their added value and ways of working than manual workers? This is a first in our short human history.

Legal professionals are required to proceed with a serious upgrade of their belief systems, mindsets, and skill mix. New clusters of literacies are needed possibly implying a serious upskilling. There is rich literature about the concept of T-shaped legal professionals. No need to expand on this. Legal education from now on needs to be envisaged from, at least, a triple perspective. The first perspective is when training as a lawyer at the law faculty and the first years at the bar. The second perspective is lifelong learning during the decades of practice most likely using ongoing microlearning. The third perspective is teaching

basics of legal knowledge to non-lawyers like computer scientists developing AI solutions for lawyers.

Obviously, AI literacy needs to become part of legal professionals' learning paths and be tailor-made to various roles (judge, litigators, advisor, paralegal, legal technologist). One of the new competencies trending is prompt engineering for legal professional. It is an obvious and rather easy one to acquire. As GAI performance will keep improving, the importance of prompt engineering is likely to decrease. That said, digital skill are many. The more you learn and practice, the more the sedimentation makes you agile to navigate the ever set of options available. But if you do not train or use the technology on an ongoing basis, you do not learn progressively and seamlessly. It leads to growing a gap which over time is daunting to close.

Another important learning dimension to mitigate the risk of AI becoming a threat is learning to be human: what is thinking, feeling, relating to life, to people, to nature. It matters to have workshops to learn a handful of neuropsychology and biology principles. We need to appreciate how unique the human brain, body, and mind are. Workshops on natural sciences would also be transformative. Understanding the universe, where we are coming from and where we are possibly heading to are not superfluous luxuries for salon discussions. They directly impact the way we set the values we see fit to consider. It helps to see the relation to the machine as an augmentation, not as a substitution. It would also make sense to be exposed, even if only couple of hours, to the philosophy of technology to equip lawyers with an inquisitive mindset.

The purpose is not to make lawyers jack of all trades but to possess a deeper and more incisive way to question technology and AI from an ethical and epistemological viewpoint. Other skills such as the ability to manage projects, design strategies, collaborate and mobilise collective intelligence obviously needs to be part of the necessary additional toolboxes. These are human software skills and can be of great use. In a nutshell, what matters is a serious upgrade of our human operating systems in line with our evolutionary nature.

In addition, lawyers tend to lock themselves into the kingdom of words and linear thinking. Large language models used for generative AI purposes are multimodal: numerical data, visuals, graphs, audio, videos, etc. Helping

lawyers to become multimodal using legal design thinking and legal knowledge visualization is just the next best thing to do. Legal design augments the individual and collective analytical thinking potential of legal professionals. In combination with plain language, it improves the way citizens understand their rights and obligations.

There is no contradiction in terms between innovation and ethics. We, humans, tend to need a lot of shortcuts to come right with our lives. Commonly, ethics is perceived as bureaucratic while innovation is promoted as good. This is a little too simplistic to have a constructive conversation. Ethical aspects are a form of healthy constraints. Innovation perform for the sake of it is not necessarily helpful. Bottom line, we should help solve real problems and not invent new ones because we created a possible solution. The mindset you have towards ethics and innovation defines how you will see the way to team them up. If ethics is from the start considered as a part of a technological project, it can encourage innovation by asking ‘How should we act in the world?’.

4. ‘Fast alone, far together’, embracing the power of communities of practice

The antidote to a world that moves ever faster and is becoming less personable is heartfelt human relations. We need to deselect sources of distraction and tune up to the sources of sense-making. We can delegate ancillary tasks to the machine, so we have more time for person-to-person quality interactions and tackle what is transformational versus transactional. I will mention three communities that I

wholeheartedly recommend when it comes to legal, tech, AI and ethics.

The first community is the Liquid Legal Institute e.V.. It is a global community of legal professionals. The purpose is to help evolve the legal ecosystems with an emphasis on legal technologies and AI. It has a very modern way of distributed collaboration and collective intelligence activation and action planning using Microsoft Teams, Github, web-based collaboration to deliver wonders. Kudos to Dr. Bernhard Walzl, Kai Jacob, Dr. Dierk Schindler and Dr. Roger Strathausen for being open and walking their talk as the founders of the Institute. Many members - Baltasar, Anita, Jutta, Robert, Carolin, Graciela, and Tati - are wonderful lawyers with whom I have the most stimulating conversations and hope to enjoy for many more years.

The second amazing community is the people at Z-inspection under the lead of Prof. Roberto Zicari. They have been working over the years to build a community of practitioners to grow criteria and methods to assess the trustworthiness of AI. They are acknowledged by many fora and their tools are part of the OECD.AI toolbox.

The latter is to be explored and consulted on all matters relating to AI ethics. Karin Tafur is a member of this community, co-author of the first book on Legal Design in Spanish and a source of inspiration to be followed on social media for AI and the law.

The third community worth closely following is ForHumanity under the lead of Ryan Carrier. ForHumanity defines its mission as 'to examine

and analyze the downside risks associated with the ubiquitous advance of AI & Automation, to engage in risk mitigation and ensure the optimal outcome'. Rohan Light is an active member from New Zealand. I learned so much interacting every month with him on a co-created learning agenda for more than a year. This was a wonderful system of peer-to-peer learning. This approach helps identify one's own blind spots.

Each of us should identify strategies to regularly 'publish' upskilled versions of ourselves resulting from our regular human hardware and software updates.

5. Away from transactional improvements towards legal transformation

While we spoke little of hard-core legal knowledge and legal disciplines in this article, it legitimately and obviously remains the core focus for legal professionals. That said, ethics, strategy, culture, operations, procedures, services, and products are likely the hotspots of the digital transformation of legal. The three fundamental domains of well-being, digital and AI, and sustainability bring the motion and direction to the overall picture.

That is why we promote the idea that to support peace and democracy and to mobilise the power of what could go right, legal ecosystems need to dream big and far. Symbolically we call the approach 'The Dove of Legal Transformation' as we attribute to it a direct role to nurture peace and preserve democracy on a lovable planet.

We should be less concerned whether AI eventually access consciousness than whether we

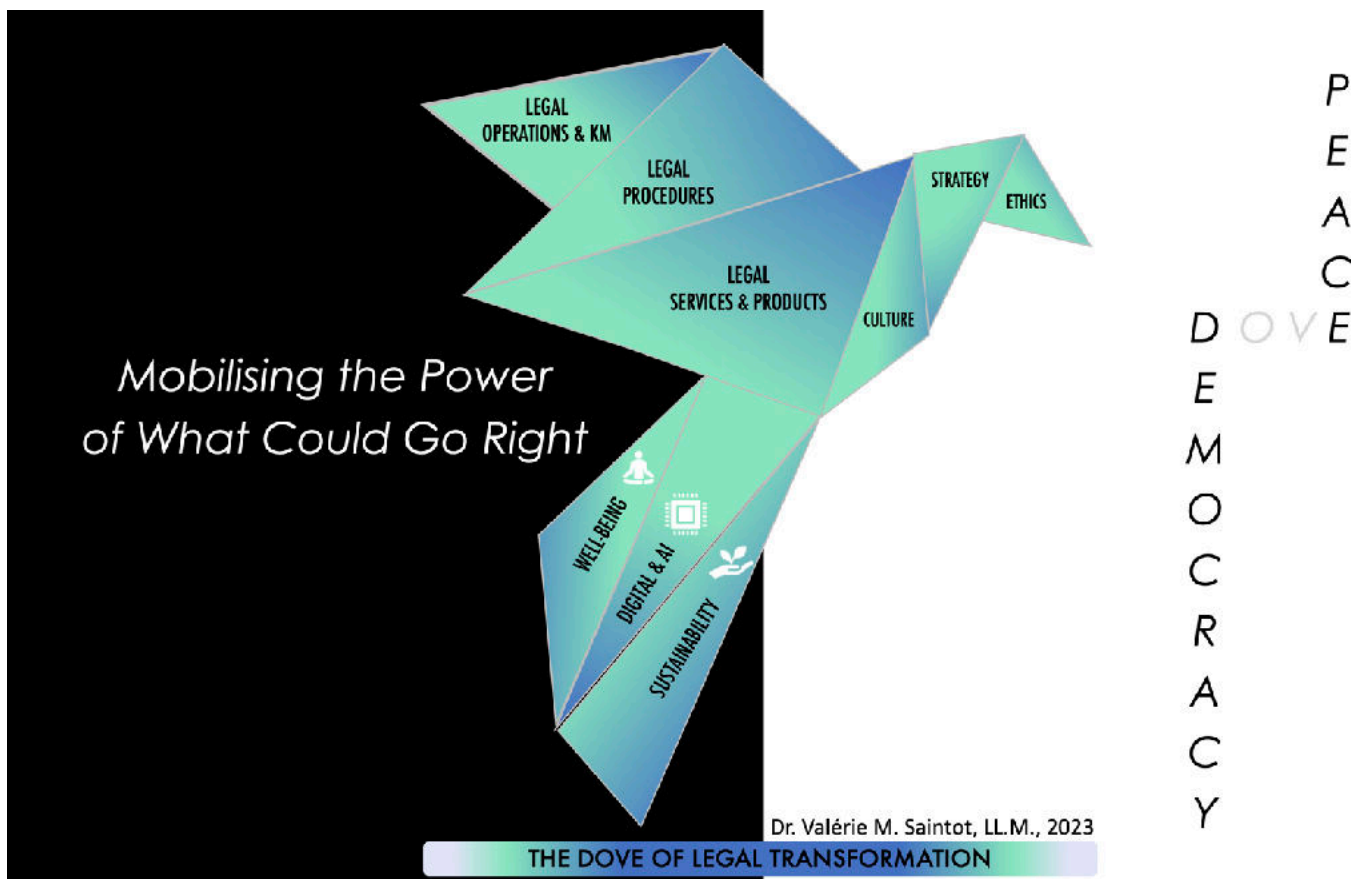
human beings will access collectively a sufficient level of consciousness to be life centric in our choices. May the fundamental values enshrined in democratic constitutions become embodied realities expressed by biologically intelligent beings before being merely parroted by artificially intelligent bots. We should ponder not to do with generative artificial intelligence what we did to nature: believing we are on top of it instead of realising we are one with it. It would take another complete article about how GAI may deserve to possibly be contemplated as a biological evolution. To be continued.

About the Author

Dr. Valérie M. Saintot, LL.M., is a lawyer (since 1994), mindfulness teacher (since 2005), visiting lecturer at Bucerius Law School (since 2021), and adjunct professor (since

2022). She has worked in the private sector and EU public sector. She has been featured as legal design thinking pioneer in the first book in Spanish on this topic (2022). Valérie is an active member of the Liquid Legal Institute and recently contributed to the update of the Legal Digitalization Guide. She has authored articles on the visual navigation of the law and legal knowledge visualization.

She has extensive experience in (legal) knowledge management. She is also actively promoting the transformation of legal ecosystems to take advantage of (G)AI and technologies to actively preserve peace and democracy. She promotes mindfulness-based leadership to face with resilience and discernment the many societal transformations under way. She is also a passionate international keynote speaker (www.valeriesaintot.com).





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Embracing Innovation to Unlock the Future of the Legal Industry

By Alejandro Esteve de Miguel Anglada, Co-Founder and CEO of Bigle Legal



In today's rapidly evolving world, technological advances are reshaping industries and revolutionising the way we work. Fortunately, the legal profession is no stranger to these changes. As the CEO of [Bikle Legal](#), a leading company in Contract Lifecycle Management, and with a background as a corporate lawyer advising major corporations, I have witnessed first-hand the state of innovation in the legal sector. In this article, we embark on a journey to explore the evolution of technology, delve into the latest trends and groundbreaking innovations already existing in legal tech, and highlight the opportunity that AI presents to the legal industry.



Myth-busting: Technology is Already Making Inroads into Legal Departments

Often known for its traditional and conservative nature, the legal sector has undergone significant change in recent years. Technology has been a driving force behind this change, with numerous advancements aimed at streamlining processes, increasing efficiency and improving client service. Gone are the days of relying solely on paper-based documentation and manual research.

Today, legal professionals have access to a wide range of tools and technologies that enable them to work smarter and more effectively.

Legal tech companies are developing innovative solutions that address the unique challenges faced by legal professionals. Document automation tools have revolutionised the creation of legal documents, reducing the time and effort required to draft contracts, agreements and other legal documents. These tools use templates and pre-defined clauses, allowing lawyers to create accurate and consistent documents with just a few clicks. This not only saves time but also minimises the risk of errors and inconsistencies.

In addition, e-discovery platforms have transformed the way legal teams deal with the vast amounts of electronic data involved

in litigation and investigations. These platforms use advanced algorithms to analyse documents, emails and other digital records, enabling lawyers to quickly identify relevant information and make informed decisions. Using machine learning, these platforms continuously improve their accuracy, making them indispensable tools for efficient and cost-effective legal processes.

We cannot forget about **predictive analytics** tools. Advancements in technology are driving the development of predictive analytics tools specifically designed for the legal industry. These tools leverage historical data and machine learning algorithms to forecast legal outcomes, assess litigation risks, and even predict judges' decisions. By analysing patterns and trends, these tools can help lawyers make informed decisions, optimise litigation strategies, and allocate resources more effectively.

The list of technologies is long, and we are often tempted to look even further into the future for more and more innovation. Personally, I believe that **innovation is an unstoppable force and we should embrace it as an invaluable asset**. But when it comes to applying innovation, solutions that address key concerns and are already transforming an industry that has historically been inflexible and conservative.

So **let's appreciate the solutions that the legal sector has at its fingertips**. The spark of innovation has already been lit, and not only will this make them more efficient, more secure and better at their jobs, but it will also bring them several steps closer to the business, the place where they belong.

Current Technologies to Address Historical Concerns

Solutions that enable seamless collaboration and remote working, while making operations more efficient and secure, are the current game changers in the legal sector. Those platforms offering secure storage, version control, and real-time updates, fostering efficient teamwork and enhancing productivity, are set to mark a turning point in the legal department.

Data security and privacy are paramount concerns in the legal industry. With an increasing amount of sensitive information being stored and shared digitally, **legal tech solutions have focused on robust security measures to protect client data**. Advanced encryption protocols, multi-factor authentication and secure cloud storage have become standard features of legal tech platforms to ensure the confidentiality and integrity of client information. In addition, legal tech vendors have taken a step forward by certifying themselves as secure solutions for the world's leading corporations.

Legal professionals can now access their documents and collaborate with colleagues from anywhere in the world, breaking down geographical barriers and enabling global legal practices. And they can do so securely, in compliance with these safety standards, with full control over documents and legal transactions. This is an evolutionary leap that legal departments in large organisations are already enjoying, thanks to solutions such as Contract Lifecycle Management.

Another historic concern within the legal sector is the control of information, the elimination

of errors and the precision of the content. **It is an industry dedicated to detail, with professionals striving to perfect every aspect of their work.** Today's reality, however, is more pressurised than ever, with lawyers overwhelmed by a sea of cases, internal requests and legal documents to approve. While the commitment to excellence remains, today's technology offers two unprecedented opportunities for improvement.

On the one hand, in terms of efficiency, technology enables each lawyer to handle a greater number of cases and provide them with the level of detail they require, without neglecting the less important ones. It is a way of driving the work of the department, **meeting the numbers without losing sight of the excellence of a job well done.** It also eliminates the human error that was prevalent in traditional methods.

On the other hand, there are technologies that allow lawyers to integrate their work with the power of the data at their disposal. Technologies such as Named Entity Recognition (NER) help lawyers **extract data, generate reports and monitor all processes** within the legal department from a bird's eye view. In the business world, what isn't measured doesn't exist, so having a tool that makes this task easier is a real game changer in today's world.

AI: Technology that Broadens the Horizon Even Further

As we have seen, the legal profession today is full of opportunities to enhance its work thanks to technology. However, I have already said that innovation is key and I believe that **it is never healthy to turn a deaf ear to**

novelty. Even less so when it comes in the form of a tsunami. Yes, I am talking about artificial intelligence (AI). It is the technology that everyone is talking about and has created so much excitement worldwide. Let's see why the legal sector, like all other sectors of a company, should start to consider its use.

Artificial intelligence (AI) is set to play a central role in shaping the way legal professionals practice law. With a boom that has left no one indifferent, IA and machine learning algorithms can **analyse vast amounts of legal data, extract relevant information and provide valuable insights for case strategies or contract negotiations.** Natural language processing (NLP) capabilities enable sophisticated contract analysis, allowing lawyers to identify risks and opportunities efficiently.

Some may view AI as a threat to the legal profession but it is, in fact, an incredible opportunity to enhance and expand the industry. AI-powered legal tech solutions can **handle routine and repetitive tasks**, such as contract review and due diligence, freeing up lawyers' time to focus on higher-value work that requires critical thinking and creativity. This enables legal professionals to deliver greater value to clients, provide more strategic advice, and tackle complex legal challenges. Moreover, AI can quickly identify relevant cases and extract key insights, saving lawyers countless hours of manual research. AI-powered tools can also help lawyers stay updated with the latest developments in their practice areas, ensuring they have access to the most current legal information and precedents. With LLM (Large Language Models), lawyers will be able

to summarise, translate or generate text based on knowledge of large amounts of data, enabling them to produce legal documentation and legal research more efficiently.

Another significant trend is the integration of AI-powered chatbots and virtual assistants. These intelligent tools can respond instantly to common legal queries, assist in legal research, and even automate simple legal tasks. By leveraging natural language processing and machine learning algorithms, these chatbots can engage in conversations with clients, provide preliminary legal advice, and help streamline the initial stages of client intake.

Reimagining the Way We Practice Law

As we have seen, we have **a horizon full of innovation ahead of us**, both in terms of current tools and those yet to come. In any case, we have seen that technology has brought a lot to the sector in recent years and we have a favourable scenario that has nothing to do with what it was 20 years ago. Right now it could be said that the legal industry is standing at the precipice of a technological revolution, and embracing innovation is key to unlocking its full potential.

As we have explored in this article, the state of innovation in the legal sector is rapidly advancing, and technologies like AI are poised to shape its future. By embracing legal tech solutions, legal professionals can streamline processes, improve efficiency and deliver exceptional client service. The future of the legal in-

dustry is bright, and **those who embrace technology and adapt to the changing landscape will thrive** in the era of digital transformation.

So, let's seize this opportunity, reimagine the way we practice law, and **unlock a future where innovation and legal excellence go hand in hand**. By embracing technology and leveraging the power of AI, the legal industry can deliver enhanced services, promote access to justice, and usher in a new era of efficiency and effectiveness. The time to embrace innovation is now, as we unlock the full potential of the legal industry and shape its future for the better.

About the Author

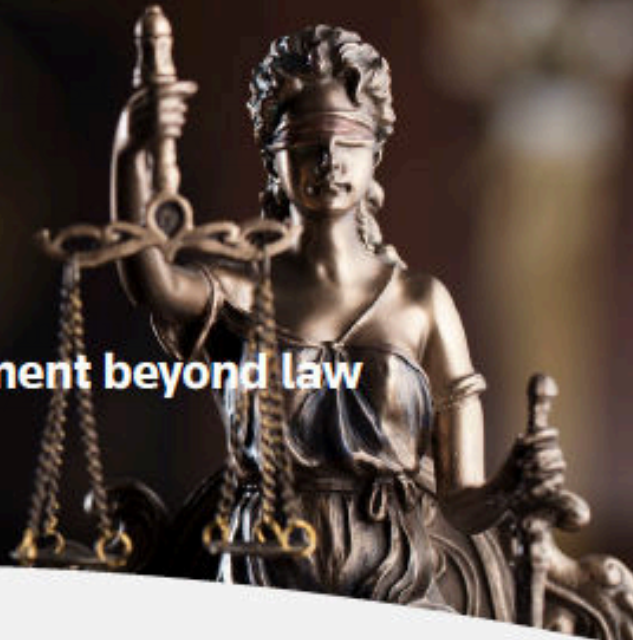
Alejandro Esteve de Miguel Anglada is Co-Founder and CEO of [Bigle Legal](#). He is a corporate lawyer with a Master's in International Business Law. After working at the prestigious Spanish law firm Roca Junyent, he wanted to start a solution to meet a need that he experienced firsthand. Dedicated to business consulting for large companies, Alejandro realised that the excessive time spent on repetitive tasks was compromising the productivity of his daily work, making it inefficient and unsafe. He found that the market lacked a solution and decided to create it: he founded Bigle Legal with his brother Sergio, in order to automate those repetitive tasks of drafting contracts and documents that every day occupy much of the work of a lawyer.

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The Rise and Fall of the Single (Outsourcing) Provider: Hello, Flexible Sourcing

By Anthony Davies, Chief Revenue Officer for Forrest Solutions



The pandemic has permanently changed how organizations outsource. Competition for talent and the great resignation reached unprecedented intensity during and following COVID while at the same time supply chain disruptions forced new ways to source services regionally and locally. The typical cost reduction drivers that are the bedrock of outsourcing became overshadowed by the ability to deliver the right skillset at the right time in the right market.

Historically, outsourcing providers for law firms have grown their relationships by constantly adding new services to their core contracts and bundling them



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together as one package deal. Providers take these bundled services, then figure out the best delivery models--onsite, near-shore, or off-shore.

Service 'bundling' had the benefit of providing economies of scale, lower overheads, a single point of contact and a single invoice at the end of each month.

However, the bundling of services also created a single multi-service provider that may now be hurting firms as they transform operations post-pandemic and require specialized offerings that did not exist prior to the pandemic.

In fact, flexible sourcing models, with inter-

changeable or multiple service providers, is now becoming the mainstay for most client sourcing strategies. This outsourcing trend has been consistent over the past two years, with clients describing their strategies as "multi-vendor" and "multi-sourced." [1]

How does this look in a law firm?

In the beginning (30+ years ago), outsourcing at law firms started with low value non-core services such as facilities, security, and switchboard. Quickly, other onsite services such as the reception, mailroom, print and copy center, records management, and administrative support services also were outsourced. Today, Litigation Support, IT, Finance, Marketing, and HR all have access to

mature outsourcing offerings. In fact, the market estimate for global legal process outsourcing is estimated to rise by over 30% per year from now until 2027. [2]

Over time, outsourcing providers have added on-shore and off-shore Business Processing Outsourcing (BPO) centers to leverage global wage arbitrage and specialist skills. They have developed technology to assist with information and document workflow, launched alternative legal service offerings, and continue to work their way into increasingly complex areas of the law firm operations.

During the pandemic, these off site BPO centers grew exponentially as law firms grasped the opportunity to leverage the ‘remote work era’, and shift more administrative tasks to low cost, high quality off-site service centers. At the same time, the core onsite services were paired back as there was a reduced need for onsite support when everybody was working from home.

However, now in the return-to-office (RTO) phase, many firms are seeking more sophisticated on-site services and amenities that did not exist prior to 2020, and in fact, are looking for a competitive advantage in the ongoing talent war. These niche services are often highly specialized offerings.

Not only are specialized onsite services taking center stage as firms attract talent, but they are also a means to increase attorney time in the office [3]. Traditional outsourcing providers servicing the largest law firms have moved so far up the value chain, however, it is difficult to see them reinvesting and reinvigo-

rating their low margin, lower value onsite offerings.

Outsourcing and Niche Offerings Like Workplace Experience

Finding and keeping the right talent with the right skills at the right price is more elusive than ever.

Executives reported talent acquisition as the top internal challenge for their organizations. 62% of executives say they are ill-prepared to address the causes and impacts of poor employee retention and 71% of CEOs expect the global talent shortage to continue. [4]

This revolving door effect, coupled with new remote working options, creates an opportunity for service providers to deliver solutions for outstanding talent problems.

With law firms moving dangerously close to losing a quarter of their attorneys, it is clear that there is a dramatic divide between what attorneys and staff want from their law firm versus what they are actually receiving.

Many firms understand the significant toll that the pandemic has placed on attorneys and staff which is why, as partners are creating return-to-office plans, many have tried to reimagine the office with social and recreational activities—and a percentage of leader firms have taken this to the next level by creating and implementing workplace experience.

Workplace experience is a hospitality-based, high engagement, white glove service that transforms your office into an experience that

is better than home. It is like the Ritz Carlton has come to transform the law firm office into a delightful experience—a very particular workplace experience, that is, that is a highly specialized outsourced service unlikely to be offered by a traditional global outsourcing provider.

The Multi-Sourced Approach

Service models are always evolving. Clients are increasingly seeking providers who can elevate the way they do business, enable them to be more flexible, and help them leverage the latest services, technologies and workflows.

Understanding providers' strengths is critical to deploying the right mix of large and niche providers to achieve the desired outcomes—but what is clear is that most organizations are moving toward a multi-sourced approach when it comes to outsourcing, and rightly so.

When it comes to workplace experience, the skeptic may wonder, is this such a specialized service that it should be unbundled from, say, your document processing provider?

In a word, yes. Just like the experience of the Ritz Carlton is vastly different than the experience of a Super 8 Motel, the purpose and model of each are different because they serve different purposes. The purpose of workplace experience is to attract and retain law firm talent onsite, the number one challenge and risk faced by firms in 2023.

Employment choice is in large part driven by the experience professionals have while in the office. By adding a layer of 5-star hospitality

services and creating concierge roles staffed with people who have experience working in 5-star hotels like the Ritz Carlton or Mandarin Oriental, the law firm office can become better than working from home. It can become a destination that attracts professionals back into the office voluntarily, sustaining vital collaboration, innovation, mentoring and training while eliminating the risk mandates bring of losing attorneys. That's branding, that's culture, that's loyalty—outsourced.

Notes

[1] Deloitte Global Outsourcing Survey 2022

[2] [https://www.researchandmarkets.com/reports/5530592/legal-process-outsourcing-market-global-industry?](https://www.researchandmarkets.com/reports/5530592/legal-process-outsourcing-market-global-industry?utm_source=BW&utm_medium=PressRelease&utm_code=qbzjrf&utm_campaign=1700834+-+Global+Legal+Process+Outsourcing+Market+Report+(2022+to+2027)+-+Industry+Trends%2c+Share%2c+Size%2c+Growth%2c+Opportunity+and+Forecasts&utm_exec=jamu273prd)

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[3] Forrest Solutions 2023 Return-to-Office Survey: <https://www.forrestsolutions.com/news-insights/news/forrest-solutions-announces-results-of-2023-return-to-office-survey/>

[4] Deloitte Global Outsourcing Survey 2022

About the Author

Anthony Davies serves as the Chief Revenue Officer (CRO) for Forrest Solutions and is also one of the partners for the organization. As CRO, he leads Sales and Marketing for

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Anthony speaks frequently at industry events including ARMA, ALA Annual and the COO

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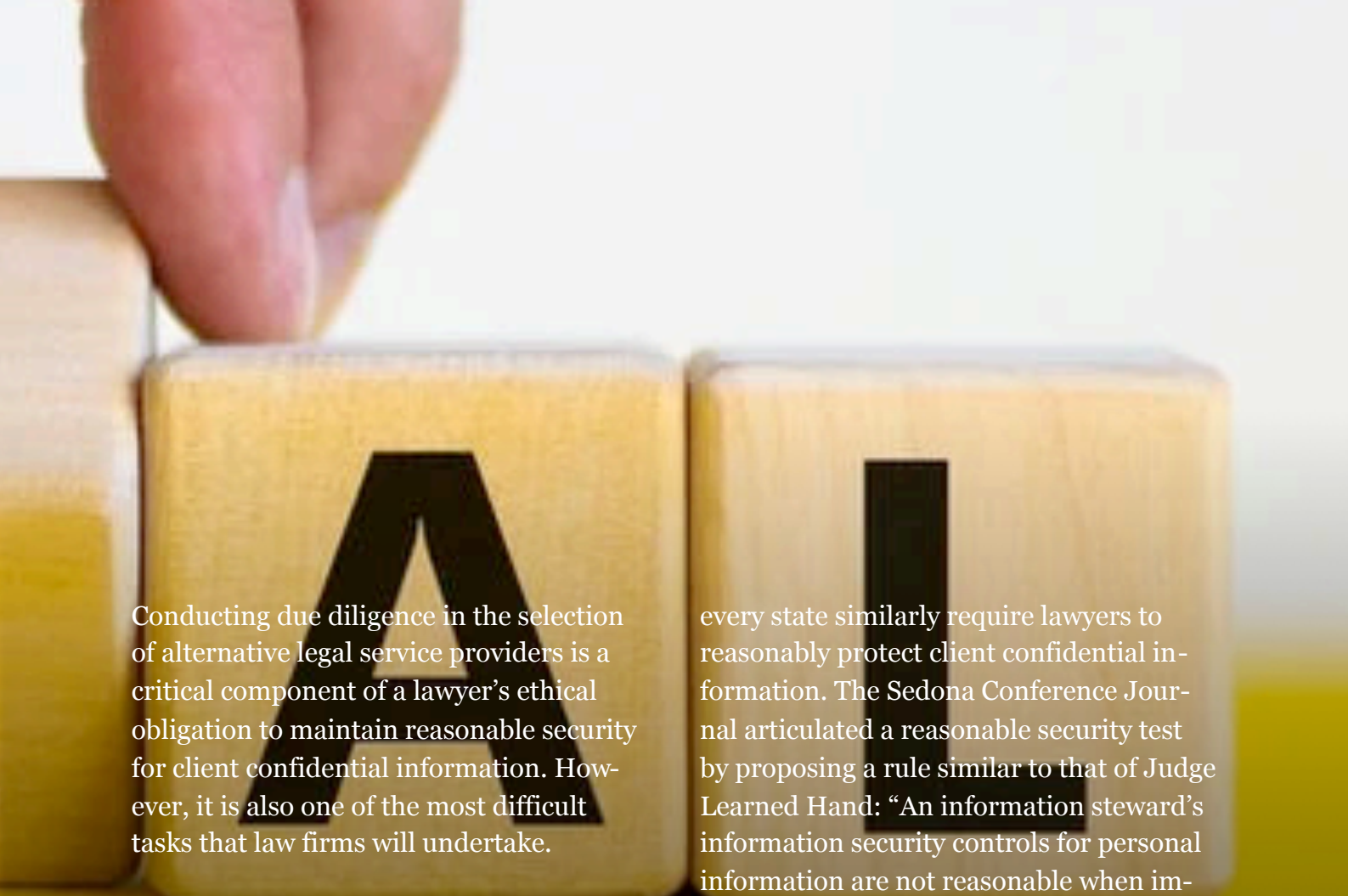
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Partnering with an ALSP? Know Your Ethical Obligations to Conduct Security Due Diligence

By Megan Silverman, Associate Director of Legal Services at QuisL, and Michel Sahyoun, CTO at QuisL





Conducting due diligence in the selection of alternative legal service providers is a critical component of a lawyer's ethical obligation to maintain reasonable security for client confidential information. However, it is also one of the most difficult tasks that law firms will undertake.

Security is often not a high priority when lawyers select an ALSP, because the client will prefer the lower-cost providers and it can be difficult to assess one vendor's security vis-à-vis another vendor. In addition to researching whether the ALSP can efficiently and cost-effectively perform the required work, however, lawyers must ensure that data security is a priority for the vendor by conducting due diligence on the security practices of the ALSP to assess whether the ALSP has the policies and procedures in place to appropriately protect the data that will be entrusted to it.

Rule 1.6(c) of the American Bar Association's Model Rules of Professional Conduct provides: "A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client." Legal ethics rules in

every state similarly require lawyers to reasonably protect client confidential information. The Sedona Conference Journal articulated a reasonable security test by proposing a rule similar to that of Judge Learned Hand: "An information steward's information security controls for personal information are not reasonable when implementation of one or more additional or different controls would burden the information steward and others by less than the implementation of such controls would benefit the claimant and others."

Under the ABA rules, lawyers are required to provide competent representation and to ensure client information is kept confidential. These requirements come into play when you are choosing an ALSP, because under ABA Model Rule 5.3 when lawyers use service providers outside the firm to assist in rendering legal services to the client, the lawyers must make reasonable efforts to ensure that the services are provided in a manner that is compatible with the lawyers' professional obligations. Thus, lawyers have an ethical duty to perform due diligence on any vendor that they contract with which may be accessing client data.

The ABA issued an opinion on Model Rule 1.6 that what constitutes a reasonable effort is not a “hard and fast rule,” but rather a flexible set of factors that are weighed on a case-by-case basis. The ABA opinion’s factors to be weighed are similar to the Sedona Conference’s and include the sensitivity of information, the likelihood of disclosure if additional safeguards are not employed, the cost of employing additional safeguards, the difficulty of implementing the safeguards and the extent to which the safeguards adversely affect the lawyer’s ability to represent clients. The ABA committee stresses that attorneys should assess the risk of inadvertent disclosure of client information before connecting to unsecure networks, using computers and servers without antivirus software and sending unencrypted communications. A lawyer’s assessment of these risks extends to the due diligence required when selecting ALSPs as well.

Lawyers should include some or all of the following questions in their ALSP security due diligence checklist, while noting that the checklist should be regularly updated to reflect changes in legal and regulatory requirements, the nature of security threats and standard industry practices.

ALSP Security Due Diligence Checklist

Overview

- What is the ALSP’s history of data security events?
- Does the ALSP have an incident response plan?
- What business continuity plans are in place?
- Will the ALSP provide the right to audit as well as records of external security audits and third-party and penetration reports upon request?

- Will the ALSP permit the client to conduct penetration testing or audits of the ALSP’s security controls?

Certifications and Insurance

- Does the ALSP maintain security certifications such as International Standards Organization’s ISO 27001, SOC 2, HITRUST, etc.?
 - Note when conducting due diligence, it is important that lawyers review the SOC 1 and 2 reports and understand that many ALSPs have unqualified reports.
- Does the ALSP have adequate insurance, including cyber liability coverage? Does it maintain a coverage limit consistent with the client?

Controls

- What access controls and related data security measures does the ALSP employ?
- What physical measures are taken to protect the security of the office environment and individual review rooms?
- What cybersecurity preventative measures does the ALSP employ, including intrusion detection software, end point detection response applications, whitelisting applications, periodic ransomware resiliency and breach attack simulations, multifactor authentication requirements, data encryption, cloud security controls and vulnerability remediation timelines?
- What are the ALSP’s robust data backup and recovery processes?

Staff and Training

- Does the ALSP have a dedicated in-house security team along with an appointed CISO/CSO?

- Are the ALSP employees full-time or contract employees?
- What due diligence does the ALSP conduct for its own employees, subcontractors and suppliers, especially those that might access the organization's data?
 - Note lawyers should contractually limit subcontractors and other third parties accessing the data provided to the ALSP.
- What cybersecurity training and phishing awareness simulations are provided to employees and is the training one-time, quarterly or annual?
- Do the ALSP employees work remotely or from a secure office environment? If employees work remotely, what measures are taken to safeguard the client's data?

Evidencing the priority bar associations are beginning to place on cybersecurity and technology, New York and 39 other jurisdictions now specifically mandate technology competence as a component of lawyers' ethical obligations. Effective January 1, 2023, all attorneys in New York must take continuing legal education courses on cybersecurity topics as a condition of practicing law in New York. One of the key topics covered by New York's new cybersecurity training mandate is vetting and assessing vendors relating to policies, protocols and practices on protecting electronic data.

As the number of cyberattacks grows exponentially each year, it is not a matter of if, but rather when an organization might be hit. In order to comply with ethical obligations, lawyers must take reasonable efforts to protect their client data, including vetting third parties that are assisting with representation. Bar associations are taking notice, and although histori-

cally there have not been many disciplinary proceedings for failure to vet ALSP security practices, this is likely to change in the coming years. In addition to disciplinary proceedings, lawyers and law firms that fail to vet ALSPs are at risk for potential liability through class-action lawsuits, malpractice suits, bar sanctions, regulatory enforcement actions and reputational harm resulting in lost business.

About the Authors

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Michel Sahyoun, CTO of QuisLex, leads its technology, security and data protection efforts and was instrumental in QuisLex being the first LPO to obtain internationally recognized certifications in those areas. Sahyoun also leads the technology innovation group, utilizing cutting-edge technology to provide optimized solutions for clients. He has over 20 years of experience in risk management and in designing, building and deploying mission-critical applications for Fortune 500 companies. Prior to joining QuisLex, he was vice president and senior architect of risk management at JPMorgan Chase. Sahyoun holds Master of Engineering degrees in computer science and operations research from Columbia University.

LEGALLY BURNED. THE DARK SIDE OF PRACTICING LAW

By Marco Imperiale, Head of innovation at LCA Studio Legale




Introduction

Burnout is an increasingly prevalent phenomenon in the legal industry, and, unfortunately, its impact has been amplified in the post-pandemic scenario. The legal professionals operate in a VUCA world (a world characterized by volatility, uncertainty, complexity, and ambiguity), and often find it challenging to experience excitement and passion for their work. Instead, energy depletion, stress, and fatigue have become constant companions of their activity. The outlook for the future months is far from optimistic, adding to the already burdensome challenges faced by legal practitioners.

Definition and Data

According to Christina Maslach and Michael Laiter [1], burnout is a psychological syndrome



emerging as a prolonged response to chronic interpersonal stressors on the job. The three key dimensions of this response are overwhelming exhaustion, feelings of cynicism and detachment, and a sense of ineffectiveness and lack of accomplishment. This syndrome is not only detrimental to the well-being and mental health of professionals, but also has significant implications for the quality of their work, personal life, and the overall working environment. Over time, the concept of burnout has evolved and been redefined in various occupational contexts, building on the seminal work of C. Maslach and S. Jackson.

The data concerning burnout in the legal field is both compelling and concerning. A survey conducted by ALM for its Mental Health Abuse re-

port [2] revealed that 31.2% of the 3,800 legal professionals surveyed reported feeling depressed, 64% experienced anxiety, 10.1% faced alcohol addiction, and 2.8% reported drug abuse [3]. These figures paint a stark picture of the mental health challenges prevalent in the legal profession. Moreover, according to American Psychological Association [4], burnout costs the United States an astounding 500 billion U.S. dollars annually, equivalent to 550 million lost workdays. What is even more alarming is the upward trajectory of these mental health issues, which now play a crucial role in evaluating performance, resilience, and the attraction and retention of top legal talents.

Reasons behind the rise of burnout cases

The burnout crisis in the legal profession is

influenced by various factors, both intrinsic to the nature of our job and related to how legal professionals manage their personal and professional lives. Understanding these factors is crucial for developing effective strategies to mitigate burnout.

The following are some of the most significant reasons contributing to burnout:

- *Workload and constant pressure:* The demanding nature of legal work often entails heavy workloads, tight deadlines, and long hours. Additionally, the need to meet client expectations and billable hour targets further exacerbates the perception of the pressure.
- *Typology of interactions:* Legal professionals frequently encounter stress and emotional strain in their interactions with clients, counterparties, and sometimes colleagues. Dealing with difficult or demanding clients, managing conflicts, and navigating sensitive and emotionally charged cases – especially in adversarial settings - can take a toll on our well-being.
- *Organizational factors:* Organizational factors within law firms and in-house legal departments are a relevant issue, considering their impact in terms of autonomy, excessive bureaucracy, poor leadership, and limited opportunities for growth and advancement. Additional factors may be toxic work environments characterized by high levels of competition and cultural factors (e.g. implicit favor for in-person presence over smart working).
- *Work-life imbalance:* The demanding nature of legal work often leads to a significant imbalance between professional responsibilities

and personal life. We may struggle to find time for self-care, leisure activities, and nurturing personal relationships due to work demands.

- *Role ambiguity:* Uncertainty regarding job roles, unclear performance expectations, and conflicting demands from different stakeholders can create frustration and raise stress levels.
- *Personality traits and coping mechanisms:* Individual characteristics and personality traits, such as perfectionism, self-efficacy, and resilience, can impact how we perceive and respond to work-related stressors. Additional factors may be the individualistic nature of legal professionals and reluctance to work in group, which can hinder collaboration and the establishment of support systems.
- *Lack of resources and proper support:* Law firms and legal departments have been significantly impacted by economic crises and the constant uncertainty surrounding the future of the legal profession. As a result, resource constraints and reduced support for legal professionals have become prevalent, even in successful companies.
- *Difficulty to catch-up and high competitiveness.* It is undeniable that being a legal professional in a world driven by exponential innovation is harder than ever. The amount of legal updates and the constant emergence of new areas, most of them driven by uncertainty (from nfts to cryptocurrencies, from anti money laundering to artificial intelligence, from esg to litigation funding, the examples are endless), is mesmerizing. If this is not enough, the amount of competition among

legal professionals, mixed with declining demand in many areas and the emergence of new technologies and alternative providers, create a “perfect storm” scenario. I was very surprised when, at a managing partners international conference, the main question was: “*What keeps you awake at night?*”

Consequences of Burnout in the Legal Profession

The consequences of burnout in the legal profession extend beyond individual well-being and mental health. They also have significant implications for firms and organizations. Research consistently highlights the following outcomes associated with burnout:

- *Decreased performances and professional functioning:* Burnout can significantly impact the professional functioning and performance of legal practitioners. Emotional exhaustion and reduced personal accomplishment can lead to decreased job engagement, impaired concentration, and diminished productivity.
- *Increased turnover and career dissatisfaction:* The prevalence of burnout in the legal profession is associated with high rates of turnover and career dissatisfaction. Studies consistently show that burnout is a significant predictor of intentions to leave the legal profession and/or the legal department/the law firm. The demanding and stressful nature of legal work, coupled with the negative effects of burnout, can indeed lead to disillusionment and decreased commitment. It is worth to stress that high turnover not only disrupts the continuity of legal services but also incurs significant costs for organizations in terms of recruitment, training, and loss of expertise.

- *Ethical issues and professional conduct:* Burnout can have ethical implications, potentially compromising the professional conduct and ethical decision-making of legal professionals. Exhaustion and emotional detachment associated with burnout can erode empathy, impair judgment, and increase the likelihood of engaging in unethical behaviors. Research has shown an association between burnout and an increased likelihood of unethical practices such as neglecting client interests, compromising confidentiality, or engaging in dishonest behavior.

Strategies to avoid burnout

Burnout can be both avoided and limited through various interventions. Implementing these strategies is essential for promoting well-being and maintaining a resilient legal workforce. The following major steps and additional strategies provide a comprehensive approach to addressing burnout:

Major Steps:

- *Acknowledgement and awareness:* Recognizing and acknowledging the existence of burnout is a crucial first step. Without this awareness, we may not be inclined to seek help or take necessary actions to address burnout.
- *Improving sleep:* Prioritizing adequate sleep is essential for replenishing energy levels and manage/balance our emotions. Establishing a consistent sleep routine and practicing good sleep practices, such as avoiding screens before bedtime, and exploring relaxation techniques or sleep aids can contribute to our wellness.
- *Analyzing the reasons behind the burnout:* Understanding the underlying causes of

burnout is a crucial part of the process. Was burnout related to workload, difficulties in managing work-life balance, lack of self-care, financial issues, or a combination of factors? The more insight we gain into the reasons behind the burnout, the better equipped we will be to address the challenges effectively.

- *Setting Limits:* Embracing the concept of limitation is essential in conserving energy and preventing burnout. This can involve practical steps such as learning to say no to additional commitments, delegating tasks, or avoiding taking on unnecessary responsibilities. Implicitly, it may mean refraining from pursuing specific career promotions or additional tasks that could further strain well-being.

- *Seeking help:* Overcoming the stigma surrounding therapy and counseling is crucial for addressing burnout effectively. Seeking professional help can provide valuable support and guidance, both in the short term and for long-term well-being and performance.

Additional Strategies may be the following ones:

- *Cultivating positivity:* Engaging in practices that promote positivity is essential for preventing and combating burnout. Practicing gratitude meditation, where we reflect on and express gratitude for aspects of our life, or positive affirmations - whether keeping a gratitude journal, or engaging in acts of kindness - can help rewire the brain to experience and appreciate positive experiences, fostering resilience and well-being.

- *Regular Exercise:* Regular physical activity is not only beneficial for physical health but also plays a significant role in maintaining

mental well-being. Engaging in activities such as jogging, swimming, yoga, can release endorphins and lower our cortisol level, therefore reducing our stress.

- *Healthy Eating:* Nutrition plays a crucial role in maintaining optimal well-being and preventing burnout. I would suggest implementing a balanced and nutritious diet rich in fruits, vegetables, whole grains, and lean proteins, in order to provide the body with essential nutrients for energy and mental clarity. I would also recommend staying hydrated by drinking an adequate amount of water throughout the day and avoiding excessive consumption of alcohol and caffeine, which can disrupt sleep patterns and contribute to anxiety.

- *Self-Care:* Prioritizing self-care is paramount for preventing burnout and maintaining overall well-being. I would therefore suggest engaging in activities that bring joy, relaxation, and fulfillment. This can include hobbies, creative pursuits, spending quality time with loved ones, or simply taking time for oneself to rest and recharge. Another strategy could be “spoiling ourselves” after concluding a difficult task or a challenging project.

- *Redefining technology usage:* The rapid advancement of technology has created new challenges in preventing burnout. However, establishing healthy boundaries and redefining the relationship with technology can help mitigate its negative impact. I would suggest setting designated periods of time for screen-free activities, disconnecting from work-related devices during personal time, and practicing mindfulness. Another recommended strategy is limiting compulsive email checking and social media presence. I am aware of the challenges

related to this last point (how can we manage our boundaries if clients and/or bosses are asking us to reply to emails and chat messages in real-time?). A good idea could be an honest conversation on the matter, highlighting the benefits of dedicated focus time.

- *Recognizing Limitations:* Acknowledging personal limitations is an essential aspect of preventing burnout. As one of my Zen masters used to say: “the best way to have more energy is spending less energy”. Understanding and accepting one's limitations, whether setting realistic expectations, delegating tasks when necessary, or seeking support when feeling overwhelmed, is a necessary step for personal and professional well-being. Is that weekend task really essential? Do we really need that promotion? Can we avoid an unnecessary meeting?
- *Focusing on the long term:* This is a crucial, but sometimes underestimated element. Legal profession is not a sprint, it's a marathon. How about prioritizing long-term goals and sustainable practices over short-term gains? How about considering the broader impact of decisions and actions on physical and mental health? How about taking a short break in order to understand better the direction we want our carrier to move?
- *Journaling:* Engaging in reflective writing or journaling can serve as a valuable tool for self-reflection, emotional processing, and stress management. By putting thoughts and emotions onto paper, we can gain insights, identify patterns, and obtain a better understanding of their experiences and feelings.

The Aftermath

Addressing burnout is not only about finding

strategies to overcome it but also about navigating the aftermath and finding ways to prevent its recurrence. This is why I would suggest professionals to take the following steps to foster recovery and resilience:

- *Speaking openly about burnout:* Sharing personal experiences openly and honestly can help reducing the stigma surrounding burnout and creating a supportive environment, whether inside the office/firm and more in general in the legal profession. By initiating conversations, we can provide support and encouragement to others who may be facing similar challenges.
- *Mentoring Other Professionals:* As we recover from burnout, we can play a pivotal role in mentoring and supporting colleagues who may be experiencing similar difficulties. Sharing insights, coping strategies, and lessons learned can create a sense of camaraderie and help others navigate their own journeys toward well-being and resilience.
- *Promoting Positive Initiatives:* We can actively contribute to fostering a culture of well-being and mental health within our professional circles. Most of the legal associations, for example, have chapters and/or initiatives related to mental wellness. How about advocating for supportive policies and practices, organizing awareness campaigns, or establishing support networks? How about sharing our experience for an incoming report on the topic?
- *Maintaining Vigilance:* Recovering from burnout requires ongoing self-care and vigilance. It is essential to continue implementing healthy coping strategies, maintaining boundaries, and prioritizing self-care even after the

immediate effects of burnout have subsided. Burnout can be a recurring challenge, but with ongoing attention and care, we can build resilience and maintain our well-being.

Conclusions

Burnout poses a significant challenge to the legal profession, impacting the well-being of legal professionals and the quality of our work. Lawyers and in-house counsels can safeguard their mental health and overall well-being by implementing strategies to prevent and address it.

With this article, I aimed to provide information and practical takeaways to raise awareness on a delicate topic. I am aware of the fact that navigating the complexities of legal profession is harder than ever, but through individual and collective efforts we can foster a culture of well-being and resilience, ensuring the success of all practitioners and the long-term sustainability of the field.

Notes:

[1] C. Maslach, M. Laiter “Understanding the burnout experience: recent research and its

implications for psychiatry” in [World Psychiatry](#). 2016 Jun; 15(2): 103–111.

[2] For further info <https://www.alm.com/intelligence/solutions-we-provide/surveys-rankings-and-reports/surveys-rankings-and-reports-list/mental-health-substance-abuse/> [3]

Further details are provided in Sharon Miki’s article “Lawyer Burnout: Stopping it Before it Starts”, available at <https://www.clio.com/blog/lawyer-burnout/>

[4] For further information, check this article on Harvard Business Review, available at <https://hbr.org/2019/12/burnout-is-about-your-workplace-not-your-people>

About the Author

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



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Lawyers Need to Always Be Fishing for New Business

By Steve Fretzin, President Fretzin, Inc



One of my favorite meals of the year are the fish fry dinners shared with my family each Summer. We have this special treat up at my in-law's lake house after catching walleye, perch and crappies. It's easy to tell the difference between a good fish fry and an average one by how fresh the fish is. My wife can tell by the yummy noises I make when I'm eating. So what does this have to do with growing your law practice or building a book of business? Well, hang on and let me rewind to 15 years ago to when I started fishing with my father-in-law.

As everyone knows, part of the deal when you get married is having in-laws. My wife's family hails from Milwaukee, with a lake house in Fond Du Lac, Wisconsin in the States. While I've been around fishing for most of my life, my



father-in-law, Sol, has been perfecting the art for over 65 years.

Fishing with him this year made me think of three specific analogies fishing has to business development that were spot on, so I thought I would share.

Fishing Tip #1 – Change things up

You don't have to be a fan of fishing to understand the concept of trial and error. When we go on the lake, Sol knows all the hot spots or reefs where the fish are most likely to be. If we try for a period of time and it's not happening for us, we try a different spot.

Now consider your efforts in business development; what's been working and what needs

to be changed up. If you've given a networking group a year or two and have little to no business to show for your efforts, either change your tactics for networking, or bail on the group (nicely) and try another group. Don't feel obligated to stay longer than your original commitment if there are better or more beneficial places for you to invest your valuable time.

Fishing Tip #2 – Perfect practice

A famous name amongst Wisconsinites is Vince Lombardi, who coached the Green Bay Packers American football team from 1959-1967 (boo Packers!). One of the most famous quotes from this five-time champion was "Practice doesn't make perfect. Perfect practice makes perfect." Read that again.

This goes against what we've learned our whole lives. Practicing imperfectly doesn't make perfect. You must learn and improve in order to really practice perfectly.

Now we can fast forward the 15 years I've been out on Lake Winnebago. I used to feel a nibble on my line and just yank the pole up hard to hook the fish. This past weekend, I felt the fish take the line and then I waited and waited until the fish was running away with the bait before setting the hook. In days past, I would hook one or two out of ten, while today I catch more like eight out of ten. Sol was patient in explaining to me how the fish bite and what I have to do to improve my technique. I wanted to advance my skills and was eager to learn, which is 90% of the battle.

The key take-away related to improve your business development skill is to continue learning and improving how you market, prospect and sell legal services. You can't expect a better result if you're doing the same things over and over in an ineffective way. A good example of this is in your "pitch meetings." Are you still convincing, solving and telling the prospective client why they should hire you? Or, have you practiced perfectly, learning that you should be asking, listening, empathizing, and qualifying before solving anything?

Fishing Tip #3 – Learn from the best

I call Sol the fisherman savant, because he can tell what kind of fish he's caught before he even sees it. He actually feels the tug, twitch or weight on the line on his fingertips and makes the call. "It's a walleye" he'll announce to the delight of my son and me. Learning from

someone who is so knowledgeable and talented about fishing has been a real blessing for me. My skills and confidence on the boat are night and day from where I started years ago.

Now it's time to ask, who's been the greatest teacher, coach or influencer in your life? Was it your basketball coach in high school or the wise mentor who headed up Labor & Employment at your firm? Learning from the best is something we all can get behind and understand.

From a business development standpoint, who are you speaking with to improve your business development skills and acumen? It's mission critical, especially with all that's going on right now, to find that extraordinary mentor, coach or teacher to take your business development to the next level. Invest time, energy and even your own hard-earned dollars to get ahead while you can. The most common phrase I hear from my clients is, "I only wish I had found you 20-years ago."

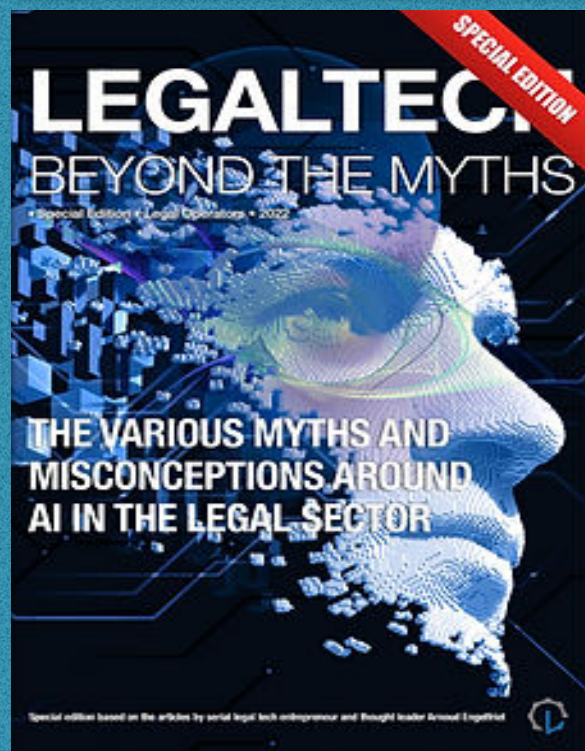
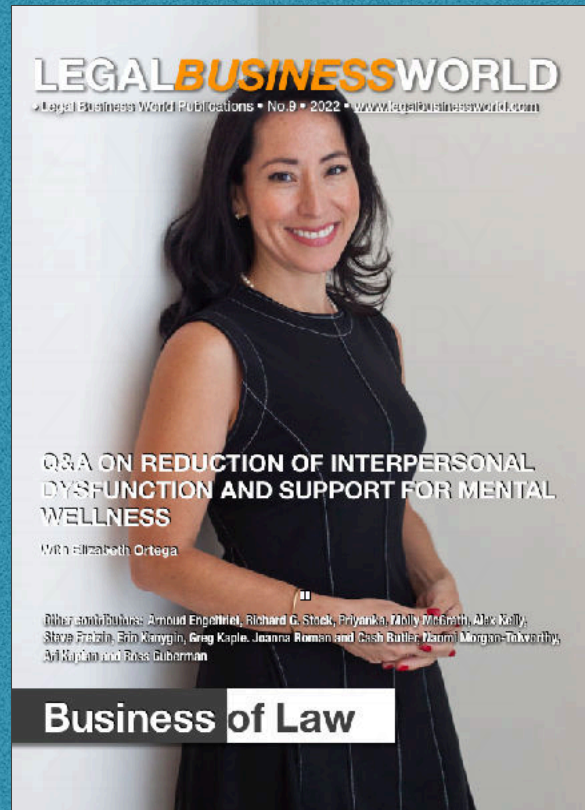
It's important to use the lessons from my experiences fishing to drive improvement and change to get more out of your legal career. And if you're ever out on Lake Winnebago and see a guy drift fishing over the reefs, it might just be Sol, the best fisherman I've ever known.

About the Author

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

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Ensuring Purpose-Built Outcomes in Legal Services

Ari Kaplan speaks with Doug Kaminski, the Chief Strategy Officer for Purpose Legal, formerly Cobra Legal Solutions, an alternative legal services provider.



Ari Kaplan

Tell us about your background and your role at Purpose Legal.

Doug Kaminski


I have been working with attorneys in corporations and law firms, predominantly corporations, for 29 years, 21 in e-discovery and information governance. I'm fortunate to have been part of some really cool software and services companies that have been pretty revolutionary.

Ari Kaplan

Why did Cobra Legal Solutions rebrand itself as Purpose Legal?

Doug Kaminski

The Cobra name was a very good one for the last



15 years. Based on the results of the E-Discovery Unfiltered report, which is excellent, and other independent market research, we found that some people still associate us just with India. In the last five years alone, we have grown well over 500%. While we have about 130 people in India, we have 240 in the US and about 90% of our business is US-based so being characterized as an India-only shop is limiting. To broaden the impression in the market, we began considering a new name, and here we are with Purpose Legal.

Ari Kaplan

What does purpose convey about your approach to solving legal problems?

Doug Kaminski

A company name has to mean something and

should represent the organization, so we started the process thinking about what we stand for. Ultimately, we are purpose-built as a company, specifically for legal operations, as about 80% of our business comes from corporate legal departments. We are also tech-prescriptive in that we will find or develop the tools that our clients need. And we are outcome-focused.

Ari Kaplan

What factors did you consider in the rebranding process?

Doug Kaminski

When we looked at our branding, we realized that we move with purpose and that was a key consideration that represented us. We thought about how we could leverage that concept to

make our approach memorable and sticky.

Ari Kaplan

How are you ensuring a seamless transition in the branding?

Doug Kaminski

We are the same company doing the same good quality work, so the transition has a lot to do with communication. We talked to our clients and industry leaders in advance about the rebranding to incorporate their input. A good plan of this type should be seamless if it incorporates robust communication and proactive reinforcement of our core messaging.

Ari Kaplan

How does your branding shift align with trends that you are seeing in the industry?

Doug Kaminski

Instead of an alternative legal services provider, which is still an accurate term, I call us a legal operations outsourcing provider. Traditional LPOs (legal process outsourcing companies) focus on low-end commoditized services, including legal back-office functions. Given that over 80% of our team members are licensed attorneys, and that we are 89% diverse and 63% female, we are fit for the purpose of supporting global law departments as a legal operations outsourcing provider. In fact, at the 2023 Corporate Legal Operations Consortium Global Institute, we

included the Cobra Legal Solutions branding on our booth and combined that with graphics and giveaways promoting Purpose Legal to organically spark a conversation about our vision for the company moving forward.

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 Doug Kaminski here:

<https://www.reinventingprofessionals.com/ensuring-purpose-built-outcomes-in-legal-services/>



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Digital Forensics and eDiscovery

A Guide to End-to-End Digital Investigations

This guide by Jelle Oorbeek is published at Legal Operators. We thank Legal Operators for sharing it with Legal Business World Subscribers.

Drawn and Quartered: The Municipal Law Department


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

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



The City Solicitor of many local governments often reminds me of Mel Gibson in the movie Braveheart – especially the last scenes where he gets pulled in four different directions by horses in front of a crowd. Competing imperatives make it difficult to please anyone for very long. My experience with several dozen consulting engagements to 20 city and regional government bodies tells me that delivering legal service at the local government level is challenging work. And it's changing all the time.

Law firms in cities and towns across Canada have at least one partner serving the municipal sector. A few firms specialize in municipal law, while others focus on the labour and employment elements with work forces that are heavily unionized. At one time, there was been great



turmoil with city mergers and some “de-mergers” in Nova Scotia, Quebec and Ontario. Most initiatives are provincial in nature and those in Ontario were accompanied by a significant devolution of provincial services to the local level, but without the appropriate supplementary funding.

Not doubt, this type of change has resulted in considerable work for law firms representing city interests. Law firms take an active interest in electoral campaigns to ensure their centers of influence for future matters are not disrupted. It will be another few years before the full range of competitive and transparent procurement practices is introduced for legal services at the local level. This has been hurried along in recent times with the injection of

federal and provincial infrastructure funding.

Local government mergers also resulted in more work for members of municipal and regional law departments. But economic activity is by far the greater stimulus for increased demand for inhouse counsel. Robust economic activity, as can be found in Ontario, B.C., Quebec, and Alberta, spurs commercial and residential development activity. Zoning and other by-law changes, followed by requirements for additional infrastructure, and the interest in public-private partnerships for LRTs, arenas and stadiums, highways and other projects calls for new capabilities in commercial law within local government.

Some regions of the country de-regulated their

utilities such that municipal counsel spend more time with regulatory bodies designed to balance public / private interests, or ensure a level playing field for competition, e.g. electricity, transportation, *etc.* This list goes on, but it suggests two trends: that the legal services required by local government are of an increasingly specialized nature; and that some law departments struggle to be “all things to all people.”

Many law departments try in vain to explain to stakeholders that authority to decide, to act on and to pay for many matters is limited at the local level. Provincial laws and regulations mitigate or at least complicate many programs. Bravehearts in the legal department face at least five challenges.

1. Their roles and responsibilities are not defined specifically enough. Too much time is spent in commodity-level work processing real-estate matters, because of poor streamlining among legal, planning, procurement, engineering, and city clerk departments. All the old procedures and rules remain while new demands are added.
2. Lawyers in some law departments are unclear about their accountability – to Council, to the Law Society or to City Management. Too many have been trapped in a losing trade-off of political, financial, ethical, and legal pressures. The result can be a tendency by some cities to involve their in-house counsel as little or as late as possible.
3. Core capabilities for municipal counsel have been municipal / administrative law including municipal hearings, by-law development, and planning / land use matters.

Few law departments have capabilities in labour / employment law, and many others cannot keep up with the need for commercial contracts and expertise in financing. Too few municipal law departments prepare detailed multi-year forecasts for legal services. Skill, stamina and goodwill are not enough to secure and deploy the resources to keep up with changing demand.

4. Larger law departments will carry some litigation capability. Most prefer to refer large, complex files to law firms, but they do so without active litigation management programs. Cities tend to use too many law firms to spread the work around. In the end, they pay 20 % to 30 % more than they should for external counsel because they do not develop long-term partnering agreements with professional firms.
5. Finally, municipal counsel share a fault with many other law departments. They are poor at tracking their activities by type and by importance. That makes it difficult for them to report significant successes on a quarterly basis. Few conduct satisfaction surveys with their primary users on a regular basis. Key performance indicators with an emphasis on non-financial indicators are in short supply.

Municipal counsel must do a better job in defining and restricting their work to higher profile matters. They must become more adept at shedding routine work. Accountability for service and results must be unambiguous. Successes must be regular and reported to survive and thrive.

Updated from original in Lexpert March 2006

About the Author

Richard G. Stock, M.A., FCG, CMC is the Managing Partner of [Catalyst Consulting](#). The firm has been advising corporate and government law departments across North America and

around the world since 1996. For law department management advice that works, Richard can be contacted at +1 (416) 367-4447 or at rstock@catalystlegal.com.



WHAT ATTENDEES ARE SAYING ABOUT SUMMIT BY THE SEA (SEE PAGE 4)

Aaron Boersma Strategic Projects Lead, Global Affairs Finance (Legal) | Google

"Summit By The Sea was one of the first conferences that I have attended where I got connected with industry peers that are responsible for making decisions on legal technology, process implementation, and finding solutions for similar pain points. The conference provided time for us to share insights and advice during roundtable discussions and hear industry trends from keynote speakers in different fields. Luckily, this is a smaller intimate conference that really allows you to build connections without feeling overwhelmed. I walked away with a different mindset and a better plan to drive efficiency with my law firms and legal technology."

LaTrece Johnson Head of Legal Operations, Palo Alto Networks

"Summit By The Sea was one of the best conferences I've been to. The speakers were top notch, the table discussions were well moderated and a great way to learn from peers. The location was stunning and I walked away with great new connections and people to learn from. I highly recommend attending this conference!"

Karen Helten Outside Counsel Senior Manager | Salesforce

"Summit By The Sea is a unique experience to hear from and meaningfully interact with leaders in Legal Operations. You will learn, teach, and grow with your colleagues, make new connections, and come away with ideas you can actually implement for the benefit of your business and employees."

Angela Dougan Sherrer VP & Chief Counsel, Data and Technology | Walmart

"Summit By The Sea is the perfect convergence of Legal Operations and legal technology thought leaders from diverse backgrounds and disciplines. The program facilitates dynamic and engaged discussions via thought-provoking deep-dives that provide you with the tools you need to solidify your role as a strategic advisor to the business."

Shani Pipkin Manager, Legal Operations | Pulte Group

"Summit By The Sea is where industry leaders come together and push one another to innovate. It's an incredible forum for sharing ideas within Legal Operations. There's little doubt that you will walk away challenged and encouraged that Legal Operations is an asset that can and will power your business forward."

The Secret Sauce to Successful Change-Management

Human-centered design

By Adrian Francis - Legal Raconteur & Business Development Manager, Legal Ladder



Heraclitus, the Greek Philosopher once quoted – “Change is the only constant in life.” Yet only 34% make the mark when it comes down to statistics as reported by Gartner.

It is commonplace by now that Technology has been making strides and pretty much knee-deep in every crevice of a gazillion industries fathomable; and the burgeoning role AI and Machine Learning have been playing in changing the game and shape-shifting every niche -from Healthcare to Automotive, to Legal and everything in between.

This couldn't hold more true for the current state of affairs in the Legal Diaspora,



grappling and coming to terms with Technology now dominating pretty much every role and at the helm of things.

However, with Change come new opportunities and its own set of challenges which is even more pronounced in the Legal Industry where new processes, systems, and technologies can often be met with resistance and push-back from lawyers and staff. The Legal Industry has long known to be tech- antagonistic with folks preferring to stick to old-school practices and antiquated beliefs.

To address Change, one needs to think differently in their shoes. Global Keynote Speaker and Change Agent – Brenda Bence in one of her LinkedIn post calls out the need to let go

of “What Is”? To quote – “ So, for leaders who truly want to create a different future, that means not only letting go of “what WAS,” but also letting go of what we know about our current reality – our “what IS.”

But what is holding Legal back?

Arguably one of the foremost pioneering brains and evangelist – NY Times bestseller and Professor of Organizational Behavior at the Harvard Business School - John Kotter’s name is synonymous with Change Management and transforming countless organizations, identified a very disconcerting issue.

In 1979, **Kotter and peer Schlesinger** identified principal sources of resistance: Parochial self-interest

Given that a huge part of a lawyer's role and training is to identify and mitigate risks for their clients, it's understandable that they may be risk averse. So, whilst you may be eager to embrace any transformation for your team and unlock increased efficiencies with new ways of working, it is important to approach this process with **a clear focus on people and strategy**, ensuring that any new tech and process is ultimately both desired and adopted.

Therefore, it becomes all the more imperative to figure out a way to channelize and usher in change by facilitating User Adoption. In order to ensure a smooth rollout and that processes are met with minimal friction, it becomes necessary to understand the nuances and attributes that lead to a successful onboarding and consequently better engagement rate. The key is to build a roadmap to channelize and usher in change by facilitating **User Adoption**, which is achieved by ensuring **User Fit**.

So what is User-Fit anyway?

Thematically speaking, when your proposition or offering is in alignment with your audience or users, that's when you have nailed User-Fit. There is a method to the madness when it comes to establishing whether you're really moving the needle as opposed to dumping a barrage of information at your prospect's doorstep.

If you can't connect the dots in a genuine way with your users, you can kiss User-Fit and ultimately User Adoption goodbye. A misplaced user-fit can adversely affect adoption

and overall strategy and end up dwindling efforts despite going down the rabbit hole.

But how do we even get there?

It all starts with **Empathy** – the cornerstone or bedrock of any foundation or simply put - the building blocks for true Organizational Change Management.

By definition Empathy refers to the ability to understand and connect with the needs, experiences, and emotions of the people involved in the (legal) process, including clients, stakeholders, and legal professionals.

It involves taking the time to truly understand the perspectives and experiences of those involved in the legal process.

Right from the get-go - prioritizing empathy and understanding the needs of both your clients and team members plays a key role in developing a **human-centered business strategy** that is tailored to their needs. This approach will help ensure that the digital tools and processes you implement are effective in improving client satisfaction and optimizing business processes for the longer haul.

However, it is important to remember that true transformation is not just about adopting new technologies or processes. It is also about creating a **culture of innovation** and continuous improvement. This means empowering team members to experiment, take risks, and learn from their mistakes. It means creating a culture that values learning and growth and that is open to new ideas and

ways of working and finding recourse even if there are a few jolts along the way.

To overcome the resistance to change, legal teams can take a **human-centered approach** to get the wheels turning. This involves engaging team members in the process, listening to their concerns and feedback, and providing them with the resources they need to adapt to new ways of working. It also means creating a clear and compelling vision for the future that inspires team members to embrace the change.

This is further augmented by leveraging a **phased-framework**. Rather than going the whole nine yards or trying to implement significant changes all at once, legal teams can break the process down into smaller, more manageable pieces and nuggets. A rudimentary and systematic manual allows team members to adjust to each change before moving on to the next one, reducing the sense of overwhelm and uncertainty and other egregious conundrums that could affect the intake process.

Ultimately, for all the talk of change and culture – if there is a lack of **strong leadership** driving that vision, it can all seem mere eyewash. Leaders must be able to articulate the vision for the future effectively and inspire team members to embrace the change. They must be willing to lead by example and model the behavior they expect from their teams. Feedback is a two-way street and goes both ways. Not just Top to Bottom but Bottom to Top as well. They must be forthcoming to feedback, even if that calls for “reverse mentorship” and pivot as needed to

ensure that the success of the bigger picture is worth every nickel and dime.

When everyone has a seat at the table, it speaks volumes of not just leadership as a clichéd term but lies in the heart of serving your people in the form of **servant leadership**

After all, if you don’t pay heed to the end-user of the process, you will just end up hitting a wall that would serve no one any good and defeat the entire purpose.

Turning a blind eye to your key drivers – your People, is nothing but taking a shot in the dark and a recipe for disaster only for your efforts to fizzle out later with a “shiny tech syndrome”.

Now that we have addressed the Biggest Elephant in the Room – Change Management, it’s only fair to highlight the thought-process behind a successful campaign and one that gets you to the finish line.

Let’s talk – Design Thinking.

There are many bits and bolts to this approach and mindset – a Design Thinking Mindset. It calls for putting people at the forefront of the chain; since the former is the driver of any business, we take a more holistic and conducive stance at operational success and not stifling innovation thereby ensuring that any new tool or software is not sitting on the shelf but one that every stakeholder embraces.

Human-centered design (HCD) - A Primer
Human-centered design (HCD) - works on the premise that focusing on understanding the needs, behaviors, and desires of the people

who will be using the product, service or system being designed is a better and more scientific approach to problem-solving. If we can resolve or alleviate to an extent these drivers - we could potentially have a long shot at getting Organizational Change Management dialed in.

So what helps in crossing that bridge as well as Stakeholder buy-in?

Time to explore and take a deep-dive into the nitty-gritties:

1. **Recognizing user needs:** HCD can help identify the needs of attorneys and staff in the legal sector. The development of solutions that address these needs using this knowledge might aid in boosting acceptance and adoption of novel procedures or technological advancements.
2. **Iterative design:** Using user feedback as an iterative process is an essential ingredient to continuous testing and improving solutions. As a result, the likelihood of higher engagement and adoption increases incrementally.
3. **Co-creation:** HCD involves collaborating with users at every juncture, throughout the design process. This can spur confidence and involvement in the change management process, which ultimately can help spike adoption rates.
4. **Prototyping:** Conceptualizing and designing prototypes of solutions can be a game-changer for freeing up time and resources in the longer run. By taking your demo for a test drive, potential issues and bottlenecks can be addressed early on.

This is not a cradle to grave framework but one that leverages the major pillars to securing a foundation or cornerstone for **Change Management**. Without a user centric approach, change is bound to hit a few road bumps that can slow down progress and even lead to other pitfalls including a complete dysfunctional process and even sterile work environment – invariably torpedoing and bringing the entire vision to a grinding halt.

Whether these are tools for project management, collaboration and communication, a steady feedback loop can bridge the gap by leveraging and gleaning data insights keeps you in the driver's seat, ensuring you fast-track any changes and hit the gas pedal from day one.

As a catalyst of a proactive approach and creating a culture of continuous improvement: **HCD** can help regularly evaluate processes, systems, and technologies to identify areas for improvement, which can subsequently have a ripple effect on every team and user using those systems. Only if they are aligned is when new technology and processes are embraced as opposed to finding a needle in a haystack. In short, **Humanizing** the process by fostering a holistic culture can open the floodgates to true change.

Admittedly, change can be hard but with a **Human-centered design** modus operandi at play – it can trigger an inflection point and pave the way change management efforts in Legal are pivoted by keeping it **user-centered** and galvanizing human capital and workflow. Conquering change shouldn't be a

gamble and with a Humans-in-the-loop process, one can avoid playing Russian roulette when it comes to bolstering or skyrocketing adoption rates and augmenting overall outcomes that set you up for success.

About the Author

Legal Raconteur by day, Design Thinker by night. A penchant for the written word, appetite for re-shaping and Humanizing the practice of law fuelled by numerous braindates with General Counsels and Law firms alike - Adrian Francis is a purveyor of all things design thinking to break down legal co-

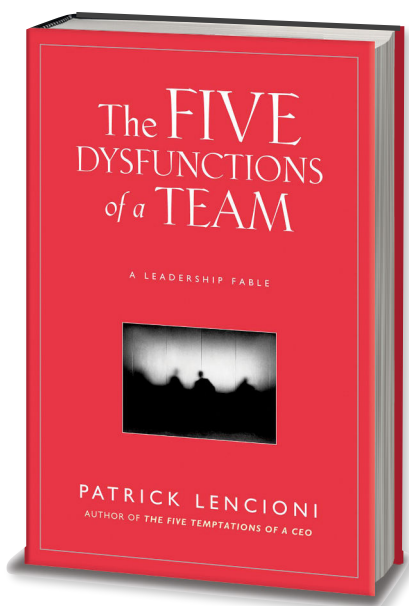
nundrums and subsequently usher in change by exhibiting emotional intelligence and investing in human capital.

With over a decade in Client Relationship at the intersection of Legal consulting, he takes on a more holistic and organic stance at operational excellence by driving change with a human-first approach.

Armed with the forward-thinking aim as Strategic Partner at LawDesigned.com- the endgame is to disrupt the legal landscape and push the envelope when it comes to the future of law.

Book Tip: The Five Dysfunctions of a Team

Kathryn Petersen, Decision Tech's CEO, faces the ultimate leadership crisis: Uniting a team in such disarray that it threatens to bring down the entire company. Will she succeed? Will she be fired? Will the company fail? Lencioni's utterly gripping tale serves as a timeless reminder that leadership requires as much courage as it does insight.

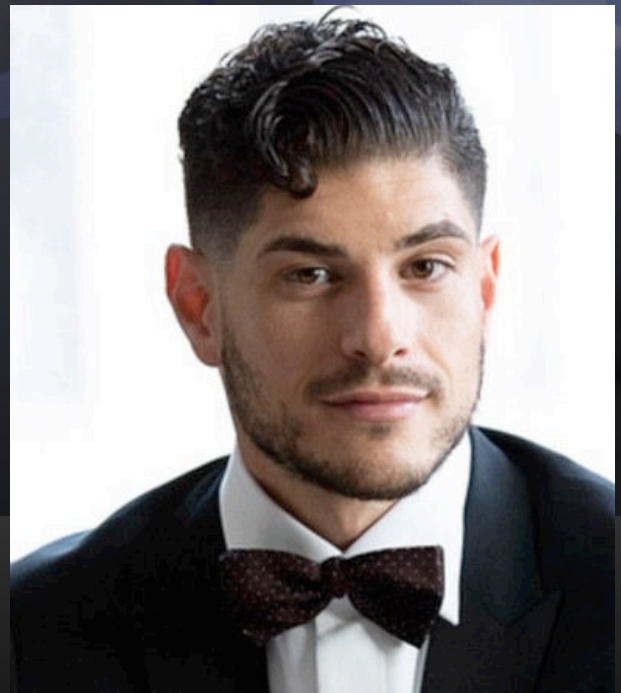


Throughout the story, Lencioni reveals the five dysfunctions which go to the very heart of why teams even the best ones-often struggle. He outlines a powerful model and actionable steps that can be used to overcome these common hurdles and build a cohesive, effective team. Just as with his other books, Lencioni has written a compelling fable with a powerful yet deceptively simple message for all those who strive to be exceptional team leaders.



Using Generative AI to Provide Greater Client Value

Ari Kaplan speaks with Greg Coates (l) and Kennan Samman (r), the Vice President for Generative AI and the Vice President for Global Product Sales, respectively, at Litera, a software company that provides document lifecycle, deal management, and firm intelligence solutions to the legal profes-





Ari Kaplan

Greg, tell us about your background and why Litera created the new role of Vice President for Generative AI.

Greg Coates

I joined Litera six weeks ago and previously sat on the board of the business as a principal at Hg, the private equity firm that invested in Litera, among other legal tech companies. Along with spending a long time in legal tech learning about many businesses, I have a long history with Litera and understand how it has evolved over the last four years. In our effort to create a dedicated team that has room to think about its future trajectory, including disrupting the business, if necessary, and evaluate the potential of generative AI for each component of the entire company prompted the creation of

this role. My goal is to accelerate and execute on what we want to achieve.

Ari Kaplan

Kennan, tell us about your background and how Litera is integrating AI into the company's portfolio of products?

Kennan Samman

I've been in legal tech for over 10 years and eight of them has been in AI. My career in legal and enterprise technology began at Practical Law Company, where I advised major US and global law firms on the acquisition of legal know-how and how-to solutions. In early 2015, I joined a Toronto-based AI startup called Diligence Engine, which rebranded to Kira Systems, where I helped develop and take to market the global sales and customer success. In 2021, Litera acquired Kira

and I now lead a team of professionals, who focus on equipping law firms, professional services organizations, and corporations with a suite of firm intelligence, governance, finance, talent, and workflow products across all segments, verticals, and jurisdictions. There is unique potential for generative AI and large language models to enhance the UI and UX of our current portfolio of tools so we are evaluating ways that these technologies can add value to our already established offerings. Of course, Kira was the first AI product in the contract analysis legal tech category and we are continuing to invest in that space, but it is not just about dropping a chatbot into a platform and pausing. Our solutions are enterprise grade and tested heavily for scalability to handle the volume of documents and data our customers manage. Given our user-centered approach to innovation, we conduct rigorous testing and our legal and object knowledge engineering team, as well as our outside team of lawyers ensure the highest quality before we go to market and launch anything. Litera firmly believes that AI will augment and enhance the quality of work that legal and business professionals do daily.

Ari Kaplan

Greg, how does AI serve as a resource to give lawyers the chance to provide more value to their clients?

Greg Coates

Legal work often falls into one of two buckets.

Things that clients want done quicker and things that clients would like done better. For example, clients want an NDA review done faster and by association cheaper. When negotiating a term sheet with a tricky founder, they want that job done better and would rather take time to get the best legal advice in a situation that has high stakes. AI can help you get that first draft quicker, amend it faster, and perform due diligence more rapidly. Clients are paying for the knowledge and intelligence of the firms they hire, but knowledge and intelligence tends to reside haphazardly with individuals and not in a structured, accessible repository. Generative AI has the potential to finally solve that knowledge management problem and allow lawyers to leverage the value of their firm's intellectual property to be better advisors.

Ari Kaplan

Kennan, where is AI best deployed in legal and what are its limitations?

Kennan Samman

This is an ever-evolving landscape. Technology's advancing faster than ever before and any output that AI provides depends on the data that it analyzes and interprets. Without solutions in place to collect the data that you are interested in understanding, it would be tremendously difficult to extract and generate meaningful insights. AI will allow firms to amplify and unlock the value of their legal expertise, but it needs to be fit for purpose. AI is less about

time savings or billable hours, and more about giving top value lawyers resources to provide better service to clients or enabling them to work smarter, better, and faster. AI is a tool to augment tasks and make you better. AI will not replace lawyers. Rather, it will make them better. So the ones who embrace this faster will understand and realize the value quicker. We have found that human plus AI is better than human or AI alone.

Ari Kaplan

Greg, what steps should law firms and their leaders take to prepare for increased usage of AI?

Greg Coates

Customers seem really excited about using AI based on their firm's knowledge to draft content like a second-year associate, while firms need to balance the ethics and security of doing so because law firms need to examine how clients feel about their work product training an algorithm. To prepare, law firms should consider three factors. First, firms that have embraced and migrated to the cloud are in a better position to move quickly with AI. Second, AI is only as good as the context you put into it so having the right metadata and knowledge taxonomies are critical to producing the most accurate results. Third, adoption is the biggest headache for every innovation leader so law firms with the strongest adoption processes and quickest approval protocols will move quicker.

Ari Kaplan

Kennan, where do you see the use of generative AI headed?

Kennan Samman

A large language model is an AI model trained on an immense amount of text and data. Generative AI refers to AI algorithms that can generate new and original content. So large language models and generative AI represent a massive leap in natural language processing, which can be a very powerful tool in the legal space if used correctly. The potential use cases may include extracting and classifying concepts, among other data, from contracts for due diligence or other types of contract review, research or case law specific queries, producing citations, generating memos, reading depositions, drafting contracts, and summarizing or translating documents. They can also compare terms in policies and playbooks, as well as generate edits and capture deal points. Ultimately, the purpose of AI depends on the use case and business priorities.

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 to introduce new technology [here](#).

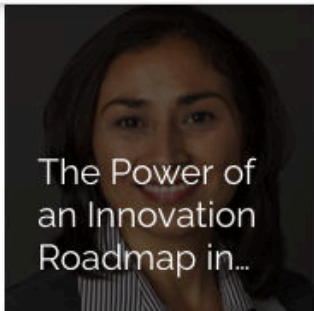
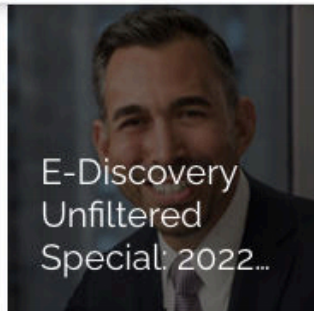
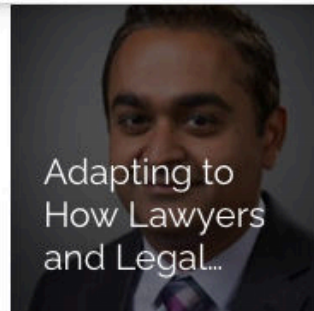
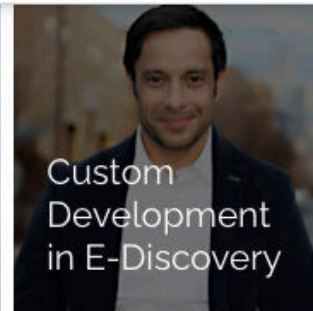
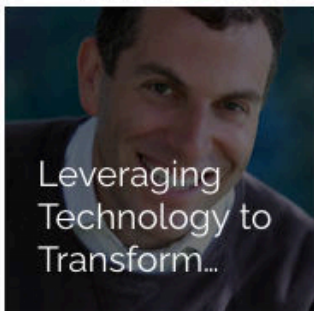
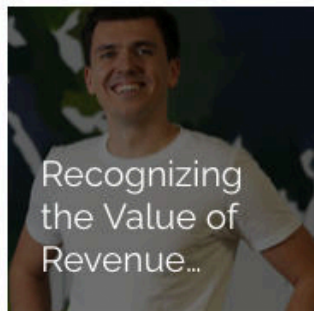
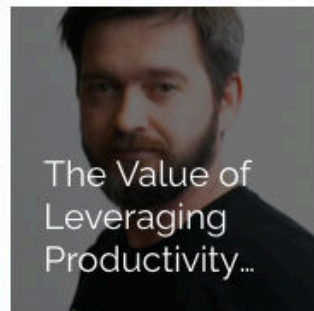
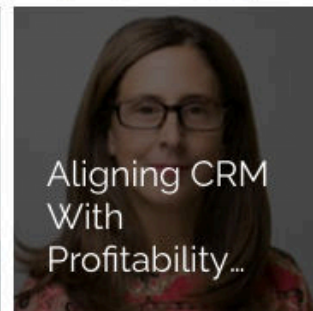
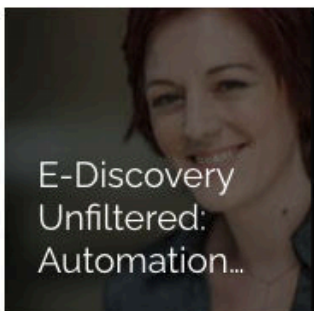

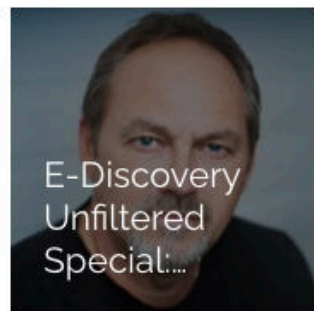
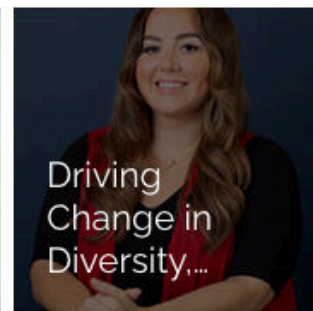
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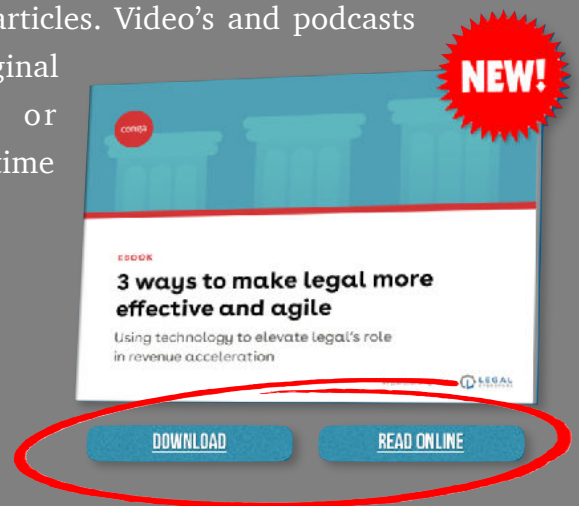
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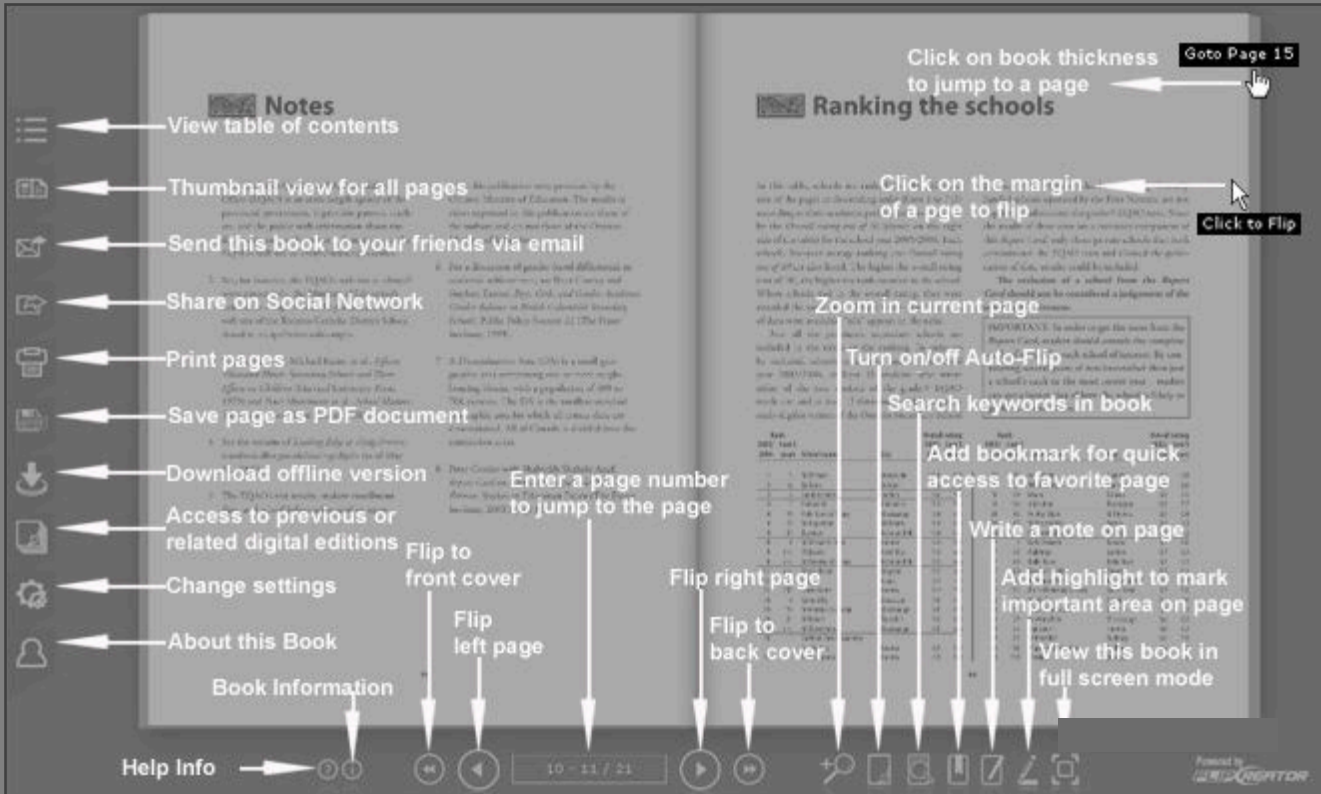
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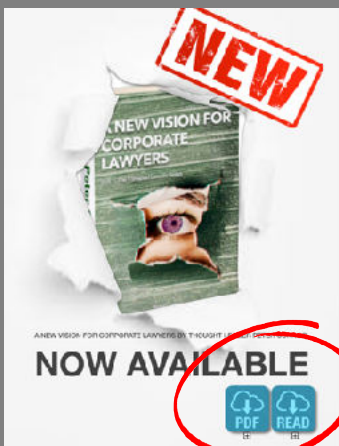


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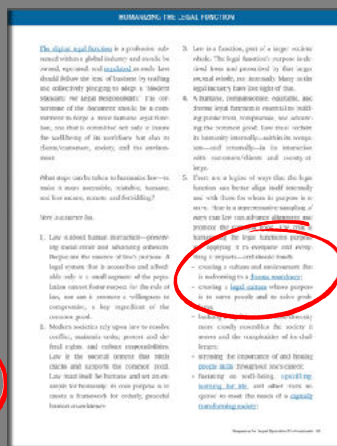
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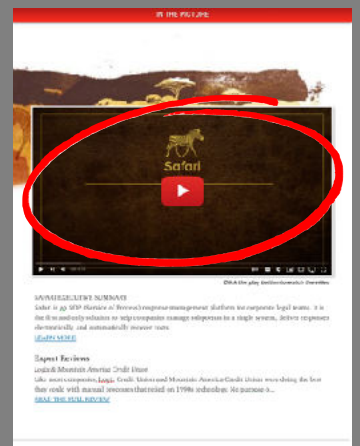
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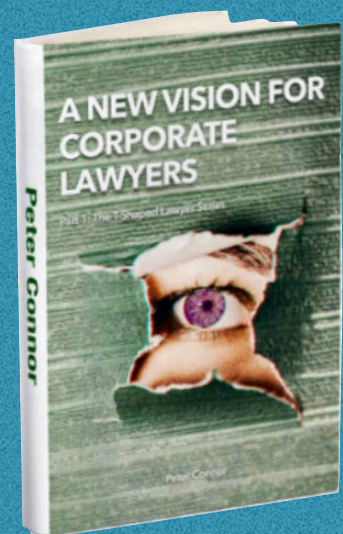


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