

Briefing

February 2018

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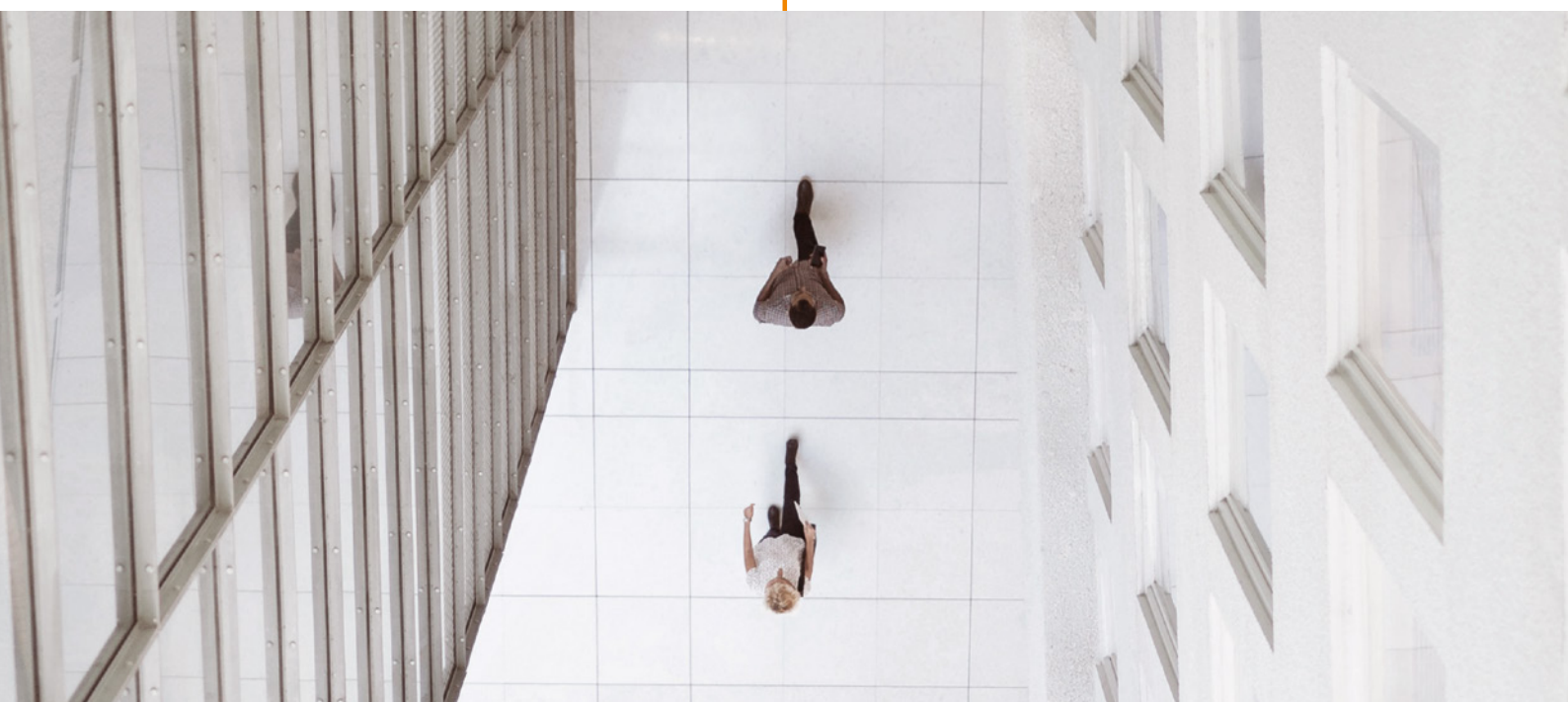
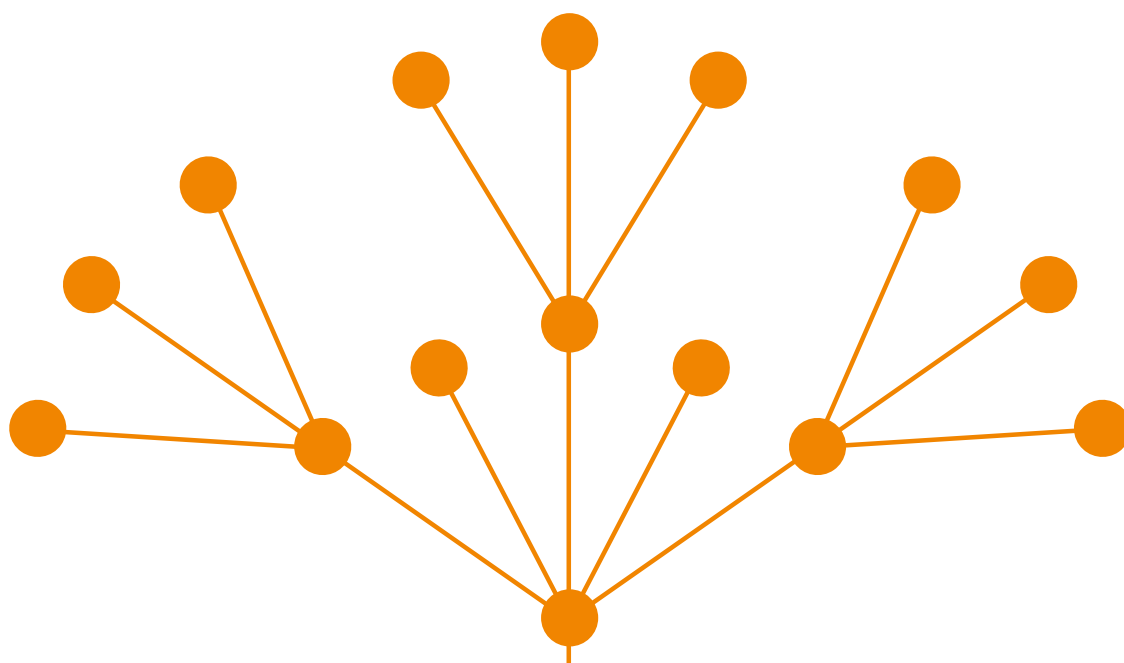
Ideas people

You can't move for innovation projects in the legal market, it seems. How do law firms all manage it?

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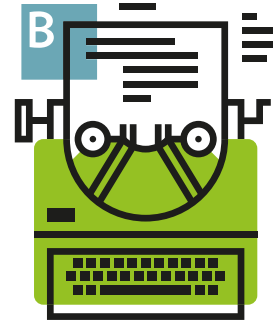


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Editor's letter



Who we are...

Freestyle



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Our annual Legal IT Landscapes research asks readers to identify the technologies available they think are best placed to help their firms toward what must surely be ultimate twin goals – on the one hand, maximising efficiency, on the other edging that critical bit ahead of the competition.

But this year we also asked which specific species of competition were most threatening. We were a little amused that by far the scariest category was “other law firms like mine,” which we'd even subtitled “standard competition.”

Not those trendy legal tech-based new businesses – although a fifth did mention those. Not clients bringing more work in-house (12%). But both of those were more worrying than the much-touted multi-disciplinary Big Four (10%).

What's changed? Deloitte, in a word – the last of the looming quartet to at last apply for that ABS licence

This isn't, of course, to say our readers are definitely wrong about who to worry about – nor that your ‘traditional’ law firm is necessarily complacent. But a few weeks back, I did wonder whether the results might be a bit different if we polled people now.

What's changed? Deloitte, in a word – the last of the looming quartet to at last apply for that ABS licence. “We don't want to replicate a traditional law firm,” said managing partner for tax and legal Matt Ellis. “We're planning to use our technology and advisory skills to transform legal services.” How? “By automating repetitive processes and completing routine tasks in a fraction of the time, lawyers will be able to spend more time on specialist areas.”

That brings us back to Legal IT Landscapes 2018, where automation in its various forms was the really big riser on those axes of efficiency/competitiveness. Will we perhaps also see some movement on one of the poll's other big findings – the yawning ‘automation gap’ (the difference between how automated legal workload is now and how automated it could be, even now, with greater investment in IT that's on the market today)?

And that's before you even consider the likes of Deloitte's new global Legal Management Consulting (LMC) pitch to the in-house world – exactly the sort of business stream law firms have also started adding to bulk out their brands.

Frightening as it may sound, firms might just need to find some entirely new innovative ideas.

RICHARD BRENT EDITOR



Briefing

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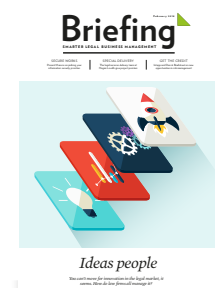
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Project the power

“The same principles will underpin the work, but the specific approach can be quite different.”

Stephen Allen, global head of legal services delivery, Hogan Lovells



Briefing is the only legal business management title, and is focused exclusively on improving the work and worlds of law firm management leaders. Every issue is packed with relevant insight and lessons from peers and pros.

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 ROUNDUP

A move on

Is it just us, or is the pace of change in some quarters picking up so much as to be just a bit ... silly? We'd not been back aldesco for a week before one Toby Young – appointed to the board of the **Office for Students** early in the new year – decided, on reflection, to give it a miss. That seems like a pretty swift U-turn even for a (former) “journalistic provocateur.”

We've heard no complaints about any other members of that particular board though – **DLA Piper's** Simon Levine, for example. “I am passionate about higher education and its future, both as a father, to two current undergraduates and hopefully one more in the near future, and as global co-CEO of DLA Piper, where we recruit hundreds of graduates from higher education worldwide every year,” he said in a press release.

20

Years as managing partner for Bill Drummond of **Brodies**, succeeded by Nick Scott on 1 May 2018

“Our graduate recruits come from a diverse range of backgrounds and institutions, and their talents have fuelled our firm's dramatic growth and success.”

It's also all change (again) for the **Ministry of Justice**, where former **Macfarlanes** solicitor David Gauke has been reshuffled into place as lord chancellor and secretary of state for justice. Although the first ever solicitor to get it, Gauke is the sixth individual in the post in six years – with David Lidington moving across to pick things up at the **Cabinet Office** after just six months.

Law Society president Joe Egan welcomed Gauke's appointment, saying it came “at a time of challenge for the legal sector.

“The lord chancellor will be a prominent voice as we seek to gain the best possible deal for the UK legal sector in the government's negotiations for a

new relationship with the European Union post-Brexit.”

There's also a change of leadership coming at Scotland firm **Brodies**, where Nick Scott has been elected to succeed Bill Drummond as managing partner after the latter's impressive 20-year stint in the job.

The firm's chair, Christine O'Neill, said of Scott: “His extensive involvement in our strategic and operational management, coupled with his track record of success for clients and development of partners and staff, made him the ideal candidate.”

Scott said recruitment and people development would remain top priorities, and the firm was “optimistic about the opportunities ahead for well-run independent law firms.”

And finally, there will surely still be new year smiles on faces at **Eversheds Sutherland**. Just before Christmas, the firm announced the winning of two new five-year contracts with dream client **Thames Water**.

A managed legal services agreement includes insourcing the client's current Reading-based legal team across from **Berwin Leighton Paisner** – and ES also joins **BLP, CMS, Herbert Smith Freehills** and **Pinsent Masons** on the panel to advise on major projects. The firm's CEO, Lee Ranson, said: “We were able to demonstrate the difference in our innovative and creative approach to managing complex, high-value legal services for our clients ... to meet the extremely high benchmark set by the tender process.”

“We were able to demonstrate the difference in our innovative and creative approach to managing complex, high-value legal services for our clients.”

Lee Ranson, CEO, Eversheds Sutherland



READING LIST

Prima cut

Leading Professionals: Power, Politics and Prima Donnas – by Professor Laura Empson – reminds Emma Dowden, COO at independent UK firm Burges Salmon, that you learn as you go with leadership, and she’s keen to uncover some secret influencers



Power, Politics and Prima Donnas – it quickly becomes apparent that Laura Empson’s latest publication is about the complexity, confusion and challenge of leading within professional organisations.

I found it a fascinating read. This is not another ‘how to lead’ book – nor, as she herself proclaims, is it a book that seeks to give you the answers. You will need to look elsewhere for that. However, Empson says she wants the reader to “see familiar phenomena with greater clarity.”

Much resonates. The quotation at the start of chapter two – “I thought once I was elected chairman I would finally have access to the levers of power. But when I moved into my new office I realised there was nothing there – just a desk” – encapsulates, for me, a lot of what is misunderstood about management and leadership within professional firms. As those who undertake such a leadership role will know, there is no manual or rulebook telling you how to lead and operate successfully within the complex, relational and multi-layered environments of such an organisation. In my experience, leadership is self-navigated, and success is built from gaining credibility, influence and a proven track record. Then on top of this, you must have regard for, and operate effectively within, the dynamics of your own business. At all times leaders have to balance what Empson describes as the “paradoxes of leading professionals” – for example, autonomy and control.

The reason I found the book

compelling is that it articulates and pulls together a lot of unspoken and hidden dynamics that can be observed within law firm partnerships. It comes across as credible, apparent from the in-depth research. It’s rich in illuminating extracts from the more than 500 leader interviews conducted.

Specifically, the book introduces the concepts of ‘leadership constellation’ and ‘plural leadership’, encouraging you to look behind an organisation’s published governance organogram to what really happens. Who are the influencers? Who has power without control? Furthermore, it doesn’t shy away from the often ignored and delicate issues, such as potentially uncomfortable reading about the traits of “insecure overachievers” – a type, Empson says, attracted to highly successful professional organisations. She sets out the impact of such dynamics on individuals themselves and their organisations, and expresses a need for organisations to actively manage them.

I hope there will be a follow-up. It would be of value to see Empson analyse her research to guide professional organisations on some of the trickier issues they’re facing, such as gender diversity, which she references, acknowledging the vast majority of leaders interviewed were male.

The book has left me motivated to go and map my firm’s leadership constellation. But one of the book’s themes is the need for management to lead discreetly ... I’d better do it quietly! ▀

Publisher: Oxford University Press
Publication date: September 2017
Price: £35

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WHAT'S ON YOUR WHITEBOARD?



Axel Koelsch, chief operating officer of Addleshaw Goddard, talks to Richard Brent about his strategic to-do list, and the significance of giving AG a slightly new ID

Q Why did you introduce the new banner of AG Intelligent Delivery (AG ID)?

A It has been a long time in the making – since the very outset of the new wave of alternative delivery models. The firm's client development centre goes back a decade, and is actually the basis of a Harvard Business School case study. The transaction services team in Manchester – one of the first of its kind – has been going for seven years, and the AG Integrate flexible offering has just celebrated its three-year anniversary. The position as Intelligent Delivery highlights that these strands aren't standalone. We simply realised that we needed to find a clearer, more differentiated way to articulate to clients how we bring together these aspects of people, process and technology to deliver better business outcomes. It's about operational transformation of both big projects and the client's day-to-day business. And as vital for lawyers' understanding of the model as it is for clients.

Q How far ahead does AG set its strategy?

A We're working toward 2020 now. There are short,

medium and long-term horizons, but for a strategy action list I like to work on three years. So, at the beginning of 2017 managing partner John Joyce and I articulated our ambition and vision for the next three years – what we want to look like in terms of product excellence, client service, collaboration, commerciality, employee awareness and innovation. That's informed by a view toward some five-year trends – but within the three-year framework I'm able to, for example, define our hybrid-cloud strategy, and so on.

Q Has the arrival of AG ID necessitated any changes to the way you manage?

A Yes, internal engagement structures are key. We have functional experts running the specific teams that comprise AG ID – strategic consulting, flexible resourcing, innovation and legal technology and process improvement – but active participation from each practice group, engagement partners and others is also key. They look at the ideas we develop centrally and share across their teams, but also feed back improvements and new opportunities. It's important that people come

forward with things that frustrate them with inefficiency in their daily work. That's a really good source of ideas, from which we can generate a prioritised list for change.

Q Where do you think firms are most challenged when it comes to innovation?

A One thing they do need to recognise is that it won't be something they work out on their own sitting in an innovation group somewhere. They need to sit with their clients and discuss how different combinations of people, process and technology changes can change the running of their businesses for the better. A process-mapping exercise can significantly improve that level of collaboration.

Q How do you feel about the billable hour?

A For a culture that's moving away from it like ours, it's a really good opportunity to break up the classic dichotomy between a firm's fee earners and business services expertise. It's about reaching a point internally where you're focused solely on business outcomes – because at that point, you empower people to create the best value that they can individually bring. ▀

SPEAK UP

Reverse the charges



Mentoring isn't just changing how others behave. You could also manage to change yourself, says Andrew Woolfson, former director of knowledge management and capability at RPC

I have taken up mentoring over the last couple of years via the 30% club – influential in changing views on gender diversity and improving the platform and opportunities for women to move into senior management and the boardroom. And now, as a non-exec director, my mentoring experiences continue. However, on reflection I'd been reverse-mentored for a long time before this.

In one of my first real jobs – you know, the sort where suddenly you're responsible for the team and its services – I hadn't a clue. I think that would have been the end of my career if I hadn't spoken to someone who had previously worked in the area with a passion for making a difference. She enabled me to understand what worked, what didn't work, who to talk to, who not to listen to. This was a simple example of practical reverse mentoring. She helped me. I set up the team to succeed. She was promoted, and eventually went on to run a much more extensive service, and I moved on. So, lesson here – throw away your pride and take learning where you can.

The next example is my work as a visiting professor. I ostensibly set out to provide insights around professional services – for some strange reason I think I know something about the sector. Over the last five years, I've met and listened to students of many different ages – backgrounds, cultures, recent graduates, postgrads, executive MBAs. And it has been illuminating. It gave me the chance to understand so many different views and soak up the energy from within the various seminar and lecture rooms. This has led to a change in the way I engage with a whole range of issues, from talent management to organisational design. Lesson two – you must seek out people from other generations and listen to their views

– and although you're acting as a mentor, the reverse will happen.

I asked one mentee from the 30% club about her experiences of being a mentee. Was she seeing her mentors getting more from her than the other way around?

She raised an interesting point – a lot of older mentors were well read, and followed old-school management styles. Guidance had been about dressing to impress, branding yourself, work ethics, networking. Quite frankly, little more than a 'serving suggestion' – the management equivalent of a microwave ready meal. This is a challenge.

But I've also listened to a lot of other mentees – and if they get the chance, they like to talk about what success and engagement means to them. Through small steps the relationship can be reversed. The mentor can start to understand issues from a different perspective. With these in mind, your job is easier.

The relationship must be based on trust and – perhaps less appreciated – an easy communication style. Both sides must want to learn, and enjoy these conversations. The aim is for a neutral position. Nobody is judging, and you're hopefully giving each other the chance to swap from 'or' to 'ee' without really realising it.

Reverse mentoring stops you resting on your laurels. It jolts you into thinking through issues, from succession planning to business model innovation, and to consider the world we work and live in more deeply. It keeps you in touch. One of the indirect benefits of a mentoring programme is changing people's minds, and by that I mean the mentors changing the minds of other people as they're often in positions to enable change.

Final lesson – reverse mentoring creates great mentors. ▴

SPEAK UP

Trading post-haste

Tony Williams, principal, Jomati Consultants, takes a long, hard look at apparent progress with Brexit – and it isn't yet a pretty picture



Now the EU has confirmed that sufficient progress has been made on its three key issues to advance to negotiating terms of any transitional arrangement and the longer-term trade arrangements between the UK and the EU, the hard work begins.

As was made clear in our recent report, A retreat from globalisation? The potential risks and rewards for the legal sector, the negotiation of trade deals with countries of economic significance is a long and tortuous affair. A myriad of detailed issues impacting every business and industrial sector need to be considered and negotiated. Various industry lobbyists will be hyperactive, and each EU country will have its own red lines. It has been suggested that we should adopt the Canadian/EU free-trade agreement with extra bells and whistles. But this took over six years to negotiate and is not yet in force. In addition, like so many trade agreements, it does not cover most services. The service sector dominates the UK economy.

Although trade agreements may be difficult to negotiate, the concept of tariff-free trade is relatively simple. What's more complex is achieving a level of alignment – which is essential in terms of product standards if genuinely frictionless movement of goods is to be achieved. This impacts every aspect of the trade in physical goods. Unless we have an alignment of product standards and/or a level of recognition of each other's regulatory and testing bodies, free trade is meaningless. Without such a concept of

equivalence, goods will face border checks and certification requirements that will add to administrative costs and slow down the movement of goods.

Fortunately, after 45 years of EU membership, we start with an aligned position. If we wish to diverge this may impose extra barriers to trade with the EU. However, any failure to change may make achieving trade deals with third countries more problematic. For example, as part of our negotiations of a US free trade agreement we will be urged to admit chlorinated chicken and genetically modified crops. But, if the US door opens, this may close our door to the EU.

In services the issue is more complex. Lawyers have benefited from reasonably unfettered rights to establish and operate in other EU countries. Will that continue, or will firms need to restructure their EU operations? At the moment so much is unclear.

Regrettably, our politicians dealing with Brexit appear to have the attention span of gnats. We have not negotiated our own trade deals for over 45 years. There is much to do and so little time in which to do it.

Lawyers need to help their clients to analyse the impact of potential trade and services deals and to ensure that their analysis is shared with, and understood by, politicians and civil servants. The UK may have much to gain from a wide range of trade and services agreements. Whether our politicians can deliver workable solutions in time remains to be seen. ▴

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The big idea

How should law firms best structure their innovation investments to get the most out of people and profit in the process? Kayli Olson reports

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Team profile

The legal services delivery team at **Hogan Lovells** have only known one another for a little while, but they're ready to make a big difference



THE BIG IDEA

Spaces to think

Every law firm wants to be innovative, but all innovation strategies aren't equal, hears Kayli Olson

There's so much change in the legal sector – client expectations, new technology and all sorts of other opportunities. And bringing all of that together creates an exciting, and perhaps terrifying, environment.

“Innovation is very important for law firms. If they don't learn to develop new services or products for their clients, they will eventually die. And it's important to note that small innovations are just as crucial as big ones,” says Peter Hiscocks, fellow in entrepreneurship and innovation management at Judge Business School, University of Cambridge.

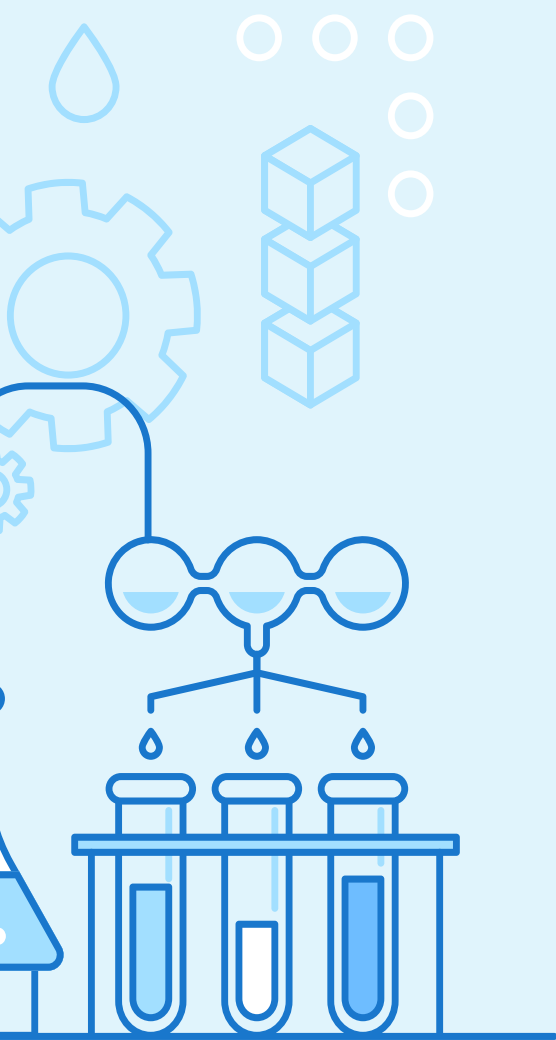
There's interesting innovation movement internationally at the moment, as law firms and large corporates figure out how best to structure

their innovation teams, create innovation hubs and address culture change across the business. Many leaders are asking how they can best support innovation arising in their business.

Question of the committee

Nick West, chief technology officer at Mishcon de Reya, thinks of innovation as three key horizons – current technology use, its MDR LAB tech startup programme, and projects with universities. And everyone directly involved in innovation and R&D projects reports up to him.

“As well as dedicated staff for R&D projects, we have individual lawyers in different departments who have been allowed to devote 20% of their time to working on innovation and technology projects. In turn, 20% of their fee-earning time and



“My role is to engage people to share ideas. Embedding a culture of innovation means that everyone can submit ideas for areas to innovate or change – making it more fluid.”

Kerry Westland, head of innovation and legal technology, Addleshaw Goddard

services team, whose role it is to seek work with people across the divisions of the firm identifying where they can look to apply technology or new ways of working.

But that’s not all. She says she has a change team that her team works with quite closely, as well as the IT team. The people in her team mainly build solutions on the firm’s platforms and work with fee earners to identify the work streams that ought to be re-engineered.

“Innovation isn’t just my responsibility. It has to be the whole firm that has this innovative approach and culture,” she says.

Simon Owen, CEO at Deloitte AG in Switzerland, says he isn’t a fan of having a head of innovation, and prefers having champions or sponsors across the business with an appropriate connection to his leadership, so opinions are heard.

“I don’t have all the answers and neither do our partners, no matter how seasoned. We make sure that we’ve got open channels to our younger staff – it’s important to hear those voices of challenge,” he says.

West at Mishcon adds: “You need to build up the skills needed to be able to deliver on innovation projects. Where you’re trying to solve a client need, fee earners may need access to skills and capabilities that the firm hasn’t had traditionally. That’s the point of bringing in new people, building up the current staff’s skills, and working with universities.”

John Fernandez, newly appointed global chief innovation officer at Dentons, says: “We’ve always had more of a focus on bottom-up innovation. And part of the rationale for creating the global chief innovation officer was so that the firm could

associated targets have been removed.”

It’s not about having innovation committees deciding on what the firm does, he adds. It might work for some, but it doesn’t really get ideas and progress going across the entire firm.

Kerry Westland, head of innovation and legal technology at Addleshaw Goddard, agrees. “Rather than having an innovation committee, my role is to engage people to share ideas. Embedding a culture of innovation means that everyone can submit ideas for areas to innovate or change – making it more fluid.”

Addleshaw Goddard has innovation leads in each division who are the go-to people if others need guidance or have something to report. And the people who report to Westland are primarily paralegals who had been in the firm’s transaction

“We want ideas to bubble up from the bottom, but we can’t expect the decisions about when to select ideas, and where to find them, to come from the troops.”

Peter Hiscocks, fellow in entrepreneurship and innovation management, Judge Business School, Cambridge University

increase focus on transformative large-scale change as well as accelerate the smaller-scale bottom-up initiatives we were already doing.

“I work alongside colleagues across the globe, and we’re looking at how we collaborate on a global scale and refining our organisational framework for driving that change.”

But he says that leadership really starts with the firm’s global CEO Elliott Portnoy and chair Joe Andrew. “It’s their vision and passion for innovation that really drives the right culture throughout the company – and that’s mirrored in the global management committee and the regional CEOs, who all share a very deep and consistent commitment to innovation.”

Hiscocks at Judge agrees with this perspective. “We want ideas to bubble up from the bottom, but we can’t expect the decisions about when to select ideas, and where to find them, to come from the troops. You need the strongest decision-makers to be the ones who set the strategy.”

Lab floats

Fernandez at Dentons says: “Because of our global reach, we’ve historically always viewed the regions as our innovation laboratories, where professionals

or fee earners closest to clients can experiment and drive change.” And as the firm shares knowledge about what’s working well, there’s opportunity to scale those innovations into more markets, he says.

But the ‘real’ lab is Dentons Nextlaw Labs. It was set up as a wholly owned entity and sits outside the day-to-day operational structure of the firm – complete with its own management team and operating budget.

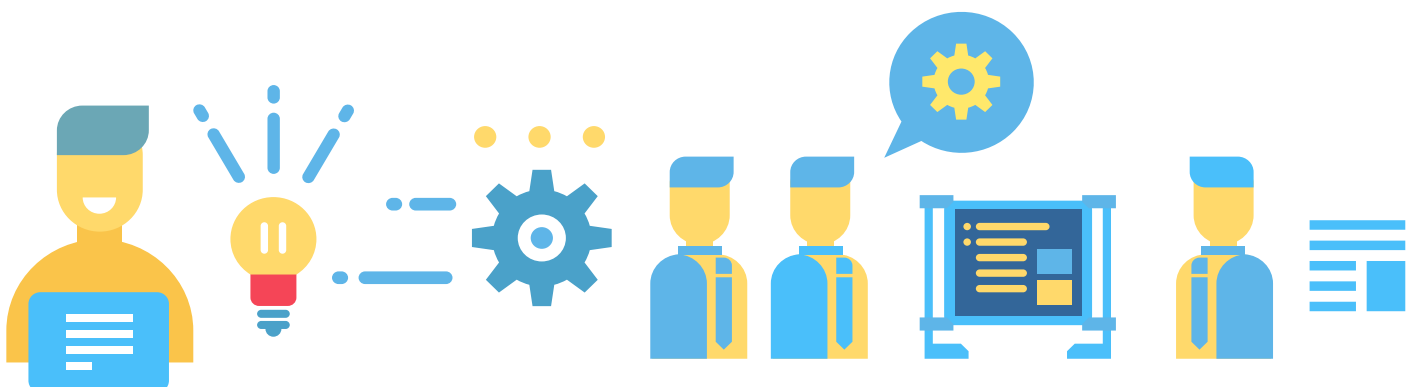
Fernandez says this was designed to do three things. It works with the firm’s own staff internally to develop proprietary solutions. It works directly with clients to co-develop solutions. And it invests in legal tech startups that align with the business priorities of Dentons and its clients.

He says: “We’ve really seen how fast the pace of change is on the tech side of legal, the number of new startups alone is amazing. But our clients are also noticing, and they’re coming to us asking to partner and pilot new solutions.”

The Mishcon de Reya MDR LAB is solely focused on working with startups – and many other firms are now seeing fit to follow suit.

West says it looks for startups where the lab makes most sense for them and for Mishcon. The chosen ones are then put through an intense 10-week period – it’s a big commitment to be a part of MDR LAB.

Robyn Weatherley, programme manager, says: “MDR LAB brings dynamic and forward-thinking companies into our building and a certain atmosphere is created. This allows people to experience first-hand the potential of technology and the difference it can make to their working day. Technology doesn’t seem quite so scary. It opens their eyes to new possibilities and



encourages them to get involved.”

The firm has now announced investment in two companies from its 2017 programme – Ping and Everchron. Weatherley adds: “Fee earners would also invite startups into their department meetings, and along to social events, so they could really embed themselves in the firm. This exposure to new ideas has helped to create a culture of people at Mishcon who are questioning the way we do things and open to finding tech solutions to problems they may have.”

West adds: “The firm’s innovation strategy is a combination of factors – partnerships with universities, with clients, and also existing suppliers – but the lab is an entity, a being. And as it gets all the attention, we certainly try to use it as much as we can as a sort of lightning rod for innovation.”

Owen at Deloitte says: “There’s nothing better than testing out thinking on the market in beta form – and having that relationship with your client or a supplier where you can really express your views and hear theirs. It’s a great judge and jury for your idea.”

What’s more, he adds, taking the initiative to go out to a client with an idea or solution demonstrates to the client you’ve been thinking about them even when they weren’t on instruction.

Measure time

Innovation measurement is the really tricky part. “Some people think it’s kind of magic,” says Westland at Addleshaw Goddard. “But it takes a certain amount of organisation, and understanding that not everything will succeed.”

Hiscocks adds: “Firms need to be wary of the amount of budget and resource they can allocate to a project. I don’t like the word ‘prioritise’, because it implies a sort of temptation for firms to take on more projects than they can manage.”

Westland says Addleshaw Goddard focuses on finding the best technological solutions, and uses those to come up with ways to make its clients and the firm more efficient, ultimately saving money and time.

“Automation enables you to do work more profitably because you’re spending less time doing

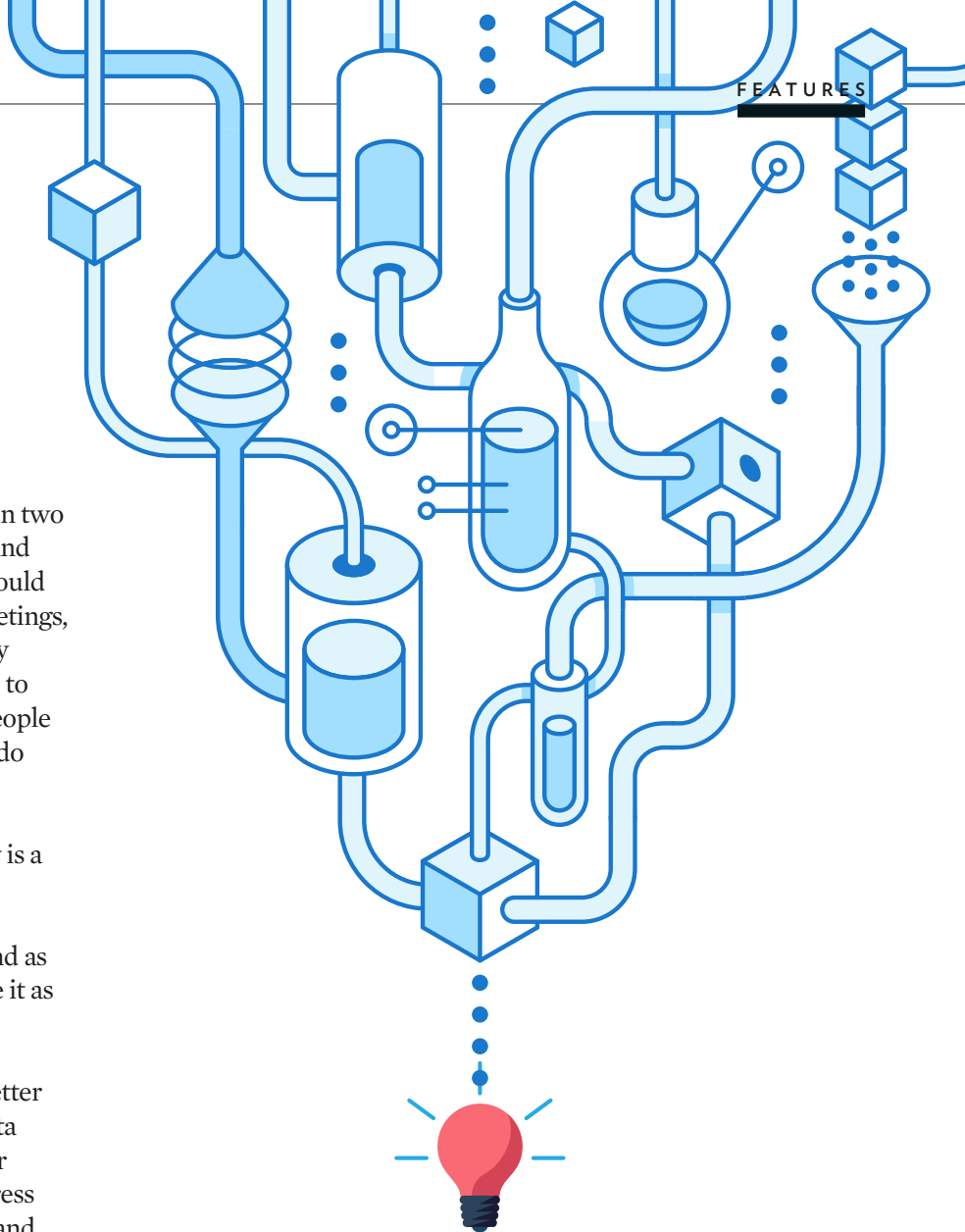
it – but the challenge for law firms is the balance between profitability and saving clients’ money.”

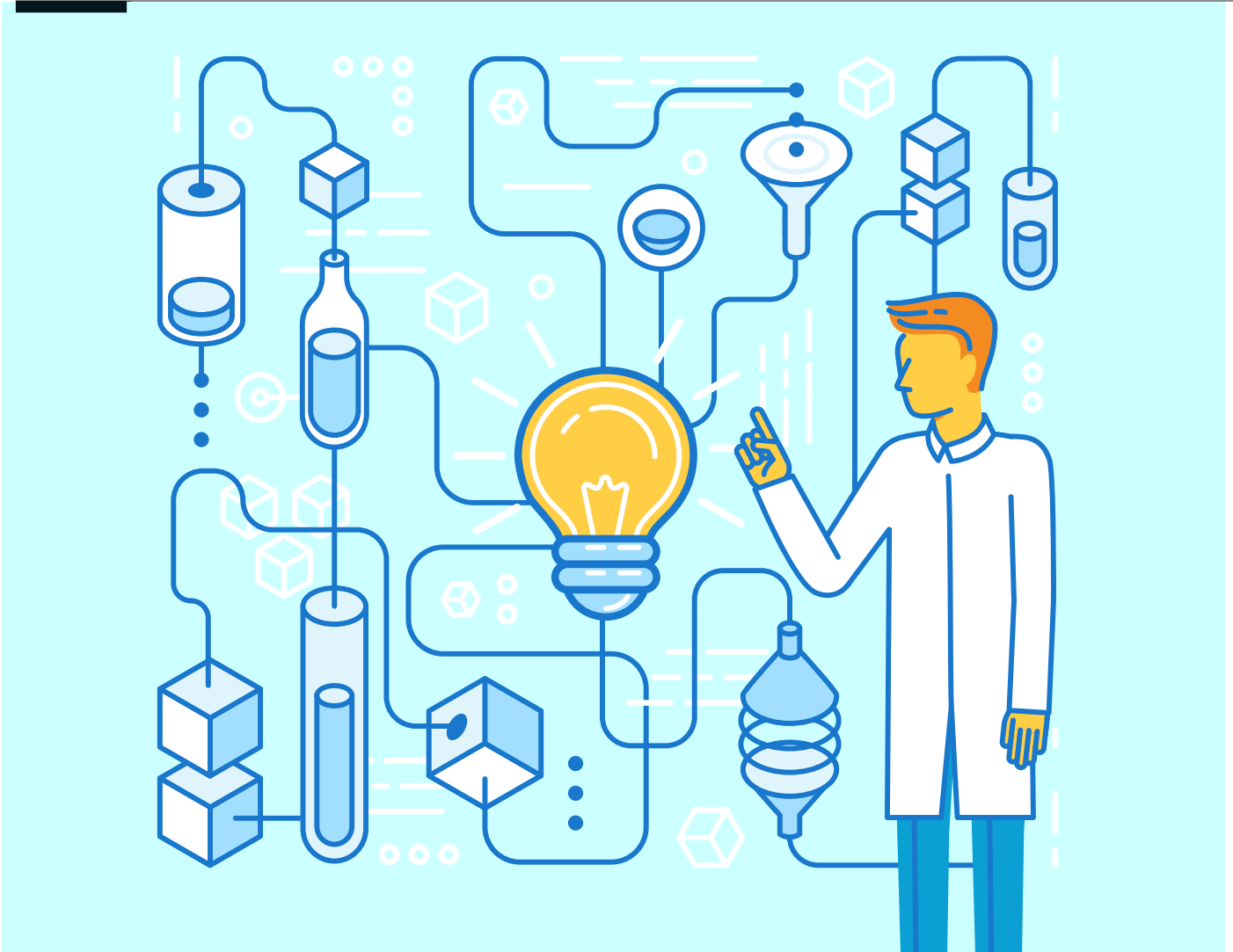
Fernandez at Dentons says it’s a constant process of experimentation, evaluation, iteration – then rinse and repeat.

“It depends on the initiative. For example, if you’re piloting something at the front end you need to have clarity of what you’re expecting to achieve. Is it a business-process improvement where you can measure the efficiency gain? Is it a client-facing objective where you’re going to deliver more quantity for greater value? And what’s the impact in terms of internal metrics around margins or profitability?”

“In order to set the right KPIs and milestone evaluations, you have to be clear about the innovation objectives.”

Hiscocks adds that, if you wait until the end to measure what happened, unfortunately it’s too late to do anything about it. “Innovation doesn’t go well by throwing money at people and telling them to get on with it – it needs effective oversight, senior





management involved, and consistent monitoring.”

What’s exciting at the end of a successful project, Westland points out, is having a case study. “Showcasing how we have done something different or innovative before is a big motivator for change. People will look for things that can apply to their practice. You’re not reinventing the wheel every time with different practice groups.”

Fail away

The word ‘failure’ isn’t one used internally, says Owen at Deloitte. “I’m a big fan of trying things out and learning from our mistakes. If you don’t make those bold decisions, then you’re never going to really push yourself and learn. And your clients will feel you’re not pushing the boundaries and having an impact.”

West at Mishcon de Reya says: “It’s a lot of hands-on experimenting, playing with technology, thinking about how we work – it’s good, honest hard work. It sounds less glamorous than the kind of brilliant moon-shot innovation story but we just like to get stuff done.”

Fernandez adds that embedding this sort of innovation mindset in the DNA of the law firm is

“It’s the nature of law firms that appetite for risk-taking and failure is a little more complicated than in other organisations. So, having the ability to try things, and be ok with it if they don’t work, is one of those culture changes that takes time.”

John Fernandez, global chief innovation officer, Dentons

crucial. “It’s the nature of law firms that appetite for risk-taking and failure is a little more complicated than in other organisations.

“So, having the ability to try things, and be ok with it if they don’t work, is one of those culture changes that takes time.”

But, he points out, until you go through a couple of cycles and people see how the organisation and management respond to things that are working from an innovation perspective (or not) there can be a healthy dose of scepticism.

“That’s where the leadership is so important. The messaging needs to keep people focused on what we’re really trying to achieve.” ▴



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TEAM PROFILE

Hone delivery

Legal services delivery (LSD) is the big new kid on the Hogan Lovells block – but don't expect them to play by the old rules

Words Richard Brent Photography Simon Brandon

Briefing has been covering project management in legal for so long – or so it sometimes feels – that it's easy to forget quite how relatively new the ways of this world still must be to the traditional law firm.

Hogan Lovells is one of the firms that has been in the business for the longest – but the representatives of the legal services delivery (LSD) team that have taken a little time out to chat today haven't yet been colleagues for a full two years. Some haven't even known each other for one.

Global head of legal services delivery Stephen Allen (formerly of DLA Piper and PwC) came aboard in September 2016. The firm's legal delivery centre (LDC) in Birmingham (part of the Birmingham office, headed up by partner Michael Gallimore) opened its doors in early 2015 – but its current leader Rachel Dabydoyal joined as recently as March 2016. And legal project manager Katrina Emmanuel, analyst Robert Hurley, allocation manager Olu Pommell and Maria Apetrei (recently moving across to LSD London from the Birmingham base) all approach their one-year anniversaries in the next month or two.

"There are two beauties to being such a completely new team," says Allen. "One is there's no real legacy or very rigid remit" – a characteristic many have described to Briefing as a common obstacle to pursuing innovation in an organisation. "The second is quite a sudden influx of new blood and energy into business services teams generally." More on that later.

Project powers

Combined with a timely "hunger" for various forms of management support from the firm, Allen says having so many fresh faces and new perspectives has almost certainly helped challenge

and change ways of working – both within and beyond the team.

And if ever a team was evolving before its very eyes, this is it.

"Legal project management isn't that new to the firm, but it used to be much more all-focusing," explains Emmanuel. Today, she's one of another team of nine, who've all won the space to further specialise in the value they can provide.

Emmanuel works predominantly with the corporate practice, focused on the UK and Europe.

"I'd also say that when I started I was involved most at the end of matters – often handling a problem – but partners now approach us for the pitch. We don't charge for project management, the service is a value-add. It's typically the most high-value or very time-sensitive matters – they may be smaller, but are often for the most challenging clients."

Allen adds: "We train lawyers in some points of legal project management – they need to recognise why it really matters – but lawyers are best at being lawyers." Having the dedicated expertise in LPM is evidently more efficient, he says. "But it also means we're increasingly winning even bigger mandates from clients in the first place.

"Clients will ask us how we're going to manage all that work, and Katrina's in the room to tell them how it's done – as only she can," he laughs.

Emmanuel continues: "Many of the partners will also prefer me to have direct contact with a project lead at the client. In fact, I'll often project manage the client. And as well as partners appreciating what my role takes off their different plates, it can help the client relationships when certain tasks, such as chasing

FIRM FACTS

HOGAN LOVELLS
 Offices: 47 (excluding associated offices)
 Countries: 22
 Revenue: \$1.93bn (£1.39bn)
 Headcount: 7,408
 Ratio, fee earners to business services staff: 1:3



“As well as partners appreciating what my role takes off their plates, it can help the client relationships when certain tasks, such as chasing responses, are one step removed.”

Katrina Emmanuel, legal project manager, Hogan Lovells

responses, are one step removed.”

There’s now a Hogan Lovells ‘project management summit’ in Paris each year – a forum for useful face time of course, but one which can also help to develop new directions for delivery. One recent example has been the option of a more pick-and-mix approach to LPM services. “A partner may only have a problem with some scoping, or delivering a piece of work at a fixed price,” says Allen. “It’s not always all or nothing, and it’s also adaptable – for example, by country. The same principles will underpin the work, but

the specific approach can be quite different.

“A team in Johannesburg also recently developed us a tracker product to report on the progress of every matter’s actions against budget – which may even be a law firm first.”

Centre service

But Allen stresses that although his is the only “global” title in this group, the team’s roles are global in scope. Several have effective “tag team” international counterparts in place (among many other relationships, of course). This takes advantage of time-zone differences for efficiently handing work over, but also builds up banks of global best practice over time.

A good example is Dabydoyal in Birmingham. “The delivery centre function here is more mature than the one we’ve now opened on the US side, so we’re in a good position to export some useful lessons to them,” she says.

While clearly benefiting from certain ‘lower-cost’ credentials, the LDC’s typical workload has

Left to right: Maria Apetrei, Katrina Emmanuel, Robert Hurley, Olu Pommell, Stephen Allen, Rachel Dabydoyal, Hogan Lovells

“It can be too easy for a law firm’s partners to have their ‘favourites’, and to go straight to those individuals by default – all day, every day – regardless of how busy they are.”

Olu Pommell, work allocation manager, Hogan Lovells

also changed. “Initially, focus was solidly on paralegal resource for discovery and disclosure – taking that type of work away from trainees and solicitors to allow them to focus on more complex matters, but also enabling a more cost-effective service for our clients. Today we’ve also moved into due diligence, as well as sensible parts of tasks that are more bespoke to practice groups,” says Dabydoyal.

“And we’re assisting more internationally – in Paris and Munich for example, by fully taking on some work from the US, and after a number of enquiries we’re looking forward to welcoming our first matter from Hong Kong.

“Although the resources are more junior, the training, structure and management process is more robust – and as tasks are repeated more frequently, our paralegals really become specialists in their own right.”

Good reviews

Apetrei is also working across borders – a key area being a new programme of diagnostic individual practice reviews.

As its name suggests, this looks “not at how to do a particular matter, but how a particular practice functions,” Allen explains. “That includes how different work comes in, is organised and delivered, as well as interactions with clients.” The reviews will occur on a rolling basis in 2018, he says, and in this instance, are coming over to the UK and Europe from the US.

In her role, Apetrei interviews people in the practice at a range of levels to identify any “quick wins”, as well as other interventions that could change things for the better. “There are three core question areas – the type of work, the issues they face daily, and the ultimate impact of those problems,” she says. “It’s interesting to see which issues surface, and occasionally contradict one another, and we can use those findings to make continuous or perhaps even radical process improvements.”

“In one instance, it transpired partners needed something or someone to help with tagging and capturing learning. In another, a process was fully lifted and shifted somewhere else,” explains Allen.

Another component of the solution could be more effective work allocation among individual fee earners – which is Pommell’s area. One of the very newest management roles to make the transition to legal, she arrived at the firm from KPMG after a successful pilot of



this concept in the London corporate practice.

“I’m responsible for engaging with partners to allocate the right associate – for example – to the right level and quantity of work,” she says. “It can be too easy for a law firm’s partners to have their ‘favourites’, and to go straight to those individuals by default – all day, every day – regardless of how busy they are. I take a high-level view of everyone’s workloads, plus what’s coming down the pipeline on top.”

In addition to the risk of inefficiently over-burdening talent, there’s a fairness of opportunity (and perhaps even diversity) aspect to this responsibility. If some employees have significantly more to do than others, they may have both more interesting work and greater chance to shine, placing them at an obvious advantage. And to put this staffing development in context for legal, Pommell’s previous employer – KPMG – had some 80 or so resource advisers with equivalent responsibilities.

Completing the sextet, project analyst Robert Hurley has a broad change remit. He considers business processes from the perspectives of both possible cost savings and measurable service improvements, and project manages the implementations that result. “I’m a consultant to a lot of different groups around the business to improve our overall efficiency,” he says.

It brings us back to all that very fresh blood now flowing around the wider body of business services power at the firm – and the LSD team is strongly encouraged to keep it pumping. From working collaboratively with knowledge management and IT on the next set of collaboration tools, to pitching in on business development and honing pricing, this is a group that’s in no danger of keeping themselves to themselves.

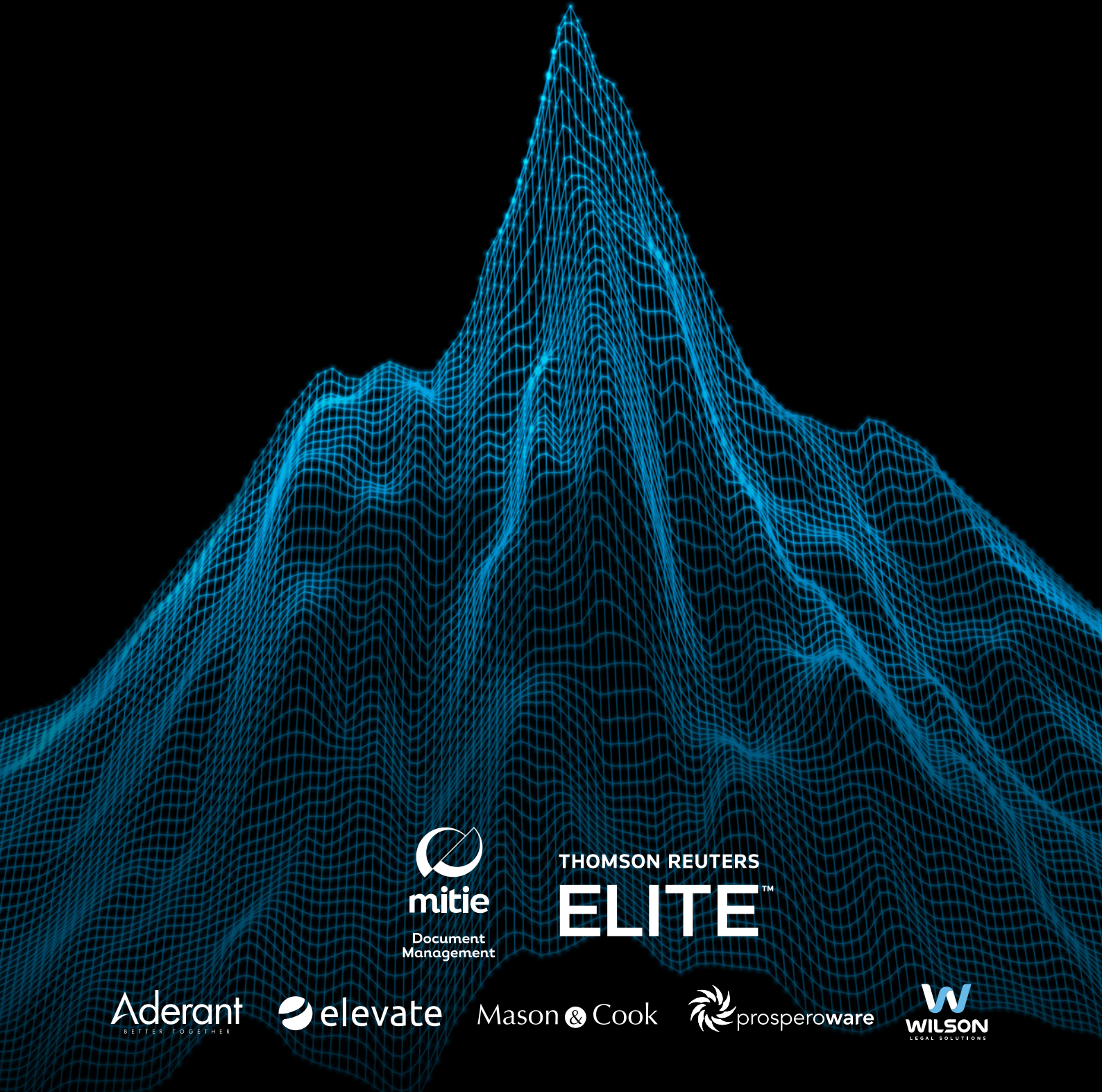
“People often like to work along very clear lines, but I prefer intentionally blurred ones,” says Allen. So, that’s legal services delivery – and with that, they’re off. Blink, and you might miss them. ▀



Briefing

OPERATIONAL LEADERS IN LEGAL

ONE-DAY CONFERENCE, LONDON, 6 MARCH 2018



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8.50 Chair's opening address

Stuart Whittle, business services director, Weightmans

9.00 Risks and impact - the cyber threat facing the legal sector

A representative from the National Cyber Security Centre

9.20 Scene setting: How businesses are disrupting the future

With a wave of new and disruptive technologies about to hit the mainstream, how do you separate the hype from the reality?

Felicity Burch, head of innovation and digital, Confederation of British Industry

9.40 Panel: How can firms build operational excellence by leveraging technology, resources and alternative operational models?

- What technology is currently being leveraged within firms, is its true value being realised, and if not, what are the barriers?
- How to overcome silos and get operational and business service leaders working constructively together across boundaries
- How should firms optimise the allocation and utilisation of resources?

Catherine Johnson, group general counsel, London Stock Exchange

Matthew Newman, assistant general counsel, Royal Mail

Justin Nuccio, chief operating officer, Advent International

Dominic Regan, senior director EMEA logistics, Oracle

Dan Wright, partner, service innovation, Osborne Clarke

10.15 Law firm case study

James Gilding, managing director, Mitie Document Management

Bob Jones, head of UK operations, and Nathan Cornell, business and operation manager, Linklaters

10.30 Lightning talk – Five minutes, one insight: The CFO and making things happen

Steve Rowan, chief financial officer, RPC

10.35 Unconference workshops: You write the agenda (prep session)

10.45 Coffee and chat

FOCUS TRACKS – ROUND ONE – 11.15-11.45

A1 | PEOPLE

Attract, retain, invest and enable

- How to present the firm to attract and retain talent
- Retaining talent and demonstrating career paths that fit with evolving career expectations
- Investing in people
- New ways of working
- Building the business case for wellbeing

Rebecca Johansson, head of operations, real estate, DLA Piper

B1 | TECHNOLOGY

Technology has made it easier to measure performance, but are we measuring the right things?

- How to get the most out of the technology you are using – moving beyond the PMS
- Driving analytics to root causes for people and profitability
- Making BI a decision-support tool

Norm Mullock, VP, strategy, Wilson Legal Solutions and Mike Giles, FD, Fieldfisher

C1 | TRANSFORMATION

Outside the law – Case study: Bringing order from chaos in a tech startup

- Technical raw talent v trained legal minds
- Communicating quickly and lightly
- Using and adapting agile principles
- Rethinking team structure by skills
- Technology first v minimal viable product

Danvers Baillieu, COO, InfoSum

FOCUS TRACKS – ROUND TWO – 11.45-12.15

A2 | PEOPLE

Harness your inner 'chimp' for personal and professional excellence

- This session, based on the innovative and critically acclaimed 'Chimp Model' will tell you how you can develop skills to help yourself and those around you flourish

Dr Trevor Gedeon, psychological skills mentor, Chimp Management

B2 | TECHNOLOGY

Law firm case study: Effective use of technology and integration

- In this case study presentation we will hear from a top-tier law firm presenter outlining how their firm is leveraging technology for better ROI and effect in the business

Aderant and law firm guest

C2 | TRANSFORMATION

Managing change and making it stick

- Securing buy-in – building the case for change and capacity to invest
- Where to focus – prioritising where change needs to be made first
- Laying the right foundations
- Delivering meaningful benefits

Tom Birdseye, MD, head of EMEA consulting and Jack Diggle, VP, global head of consulting, Elevate

FOCUS TRACKS – ROUND THREE – 12.15-12.45

A3 | PEOPLE

Case study: How to bring your people with you during change

- Increasing engagement by supporting staff development
- Promoting agility and flexibility
- Reducing unconscious bias
- The role of technology in managing your people

Dave Cook, CEO, Mason & Cook and a law firm guest

B3 | TECHNOLOGY

Case study: Technology and data transforming legal services delivery

Prosperoware and law firm guest

C3 | TRANSFORMATION

Design thinking: Putting the end user at the centre of the process and developing a better understanding of client needs

- What is design thinking and how can it be practically applied in a change management context?
- Empathy as the foundation for design thinking

Chris Rowe, founder, Rehumanise, and empathic designer

12.45 Lunch

13.30 The OLIL in-house panel – the view from the client-side

James Ormrod, chief legal officer and company secretary, International Personal Finance

Martin Potter, group general counsel, Canary Wharf Group

Kate Staples, general counsel and secretary, Civil Aviation Authority

Sarah Spooner, head of legal, Vodafone

Lucy Vernall, general counsel, Funding Circle

INTERACTIVE MASTERCLASSES – 14.20-15.00

Option one: Creating operational excellence

- What does the operational support of a typical law firm currently look like? And if you started from scratch, what would it look like instead?
- The development of the ‘extended enterprise’
- How do you get people to think in terms of the firm and not just themselves?
- What does the future lawyer look like? What skills and competencies will be most valued?

Led by Andrew Edginton, chief operating officer, Gowling WLG

Option two: Managing operational threats, uncertainty and risk

Delegates will examine how they create a robust and agile operational unit able to:

- Mitigate and exploit known knowns, known unknowns and unknown unknowns
- Work in the context of a dynamic political, economic and technological environment
- Examine which roles, technologies, investments and processes are needed

Led by Andy Wansell, managing director, OJK

15.00 Coffee and chat

15.30 Unconference workshops: You write the agenda

Around focused discussion tables, led by OLIL session leaders, delegates will network and discuss their most pressing challenges with their peers. Each table’s content will be based on the results of the pre-event polling and the key topics highlighted by their group earlier in the day.

Rod Harrington, chief operating officer EMEA, Norton Rose Fulbright

Rebecca Johansson, head of operations, real estate, DLA Piper

Joanna Lorimer, director of administration, Hunton & Williams

Dominic Regan, senior director EMEA logistics, Oracle

William Robins, operations director, Keystone Law

Steve Rowan, chief financial officer, RPC

Stuart Whittle, business services director, Weightmans

16.05 Closing keynote: The view from the new client – in-house legal operations leaders

Adam McArthur, assistant general counsel, corporate UK, AstraZeneca

16.25 Chair’s closing remarks

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26

Security complex

Christian Toon, chief information security officer at Pinsent Masons, describes what happened in his first 100 days



HANDS ON

Security complex

Christian Toon, chief information security officer at Pinsent Masons, describes how the first 100 days of a new person in his position should ideally unfold – which also ought to reflect the top protection priorities of the business and build up to buy-in from the board

So, congratulations – you’ve been appointed responsibility for information security, a critical business-protection function. This is the protection of all information – paper and electronic, and will also include other elements of IT security and the protection of digital processes from manipulation.

This will be the most rewarding of roles, difficult at times, but business critical. You only have to look at the 2017 Verizon Data Breach Report to see that nearly two-thirds of malicious software is installed through infected email and that over 70% of these breaches are financially motivated. Here is a short diary of what to expect in your first 100 days.

You’re a people person

If your appointment – externally or internally – is your wedding, then clearly the first 20 days is the

honeymoon phase. You're here to protect and save – you're some kind of information-security superhero. But use this time to get right to the top and right across the organisation, and speak with as many of the senior team as possible. No one is off limits. Build that network high and fast, as it will be pretty crucial by day 90. Information security isn't an individual race – it's very much a team event. It's also a key time to get input into your strategy, finding out what is important to the business or senior individuals, and reflecting this in the finished business case.

Not that your first quarter will be unending champagne and cocktails. You should also immediately start assessing the organisation's current security performance and nuances. This isn't a 'commission a maturity-gap assessment' moment. You might wish to bring in a third party to assess for you, but organisations can be hesitant to invest in this activity without being able to see the bigger picture. Plus if you've made it to these dizzy heights, there is also an expectation that you are the expert in the field, and should be able to present this view yourself. Sometimes time pressures or scope also make this untenable, however, so be prepared to present the business case for external support.

Whatever your choice, the next 30 days should be about prioritising critical areas to help you understand the existing security culture and performance. One of those areas is almost certainly training and awareness. This normally sits in the HR function, and so they will hold the insight as to how training and awareness is



currently delivered and its performance. People should be at the heart of your security programme, and focus should also be on secure behaviours and reporting of concerns or incidents without attribution.

Time to get technical

Once you've got the position on how engaged the teams are, you should then turn your efforts to understanding the technical landscape of the organisation. This may involve one person or whole teams. What does your network look like, how is it connected and how does it operate?

More often than not, this information is verbally delivered – but ask for help to get it documented so that it's clear and you operate off a single version of truth. I used to work for an organisation whose IT department was so fragmented that network responsibility was split between different groups. I had to have three versions of the schematics, which I needed to combine to get a complete network picture.

The infrastructure team will have been maintaining current firewalls, web and email proxies, as well as the network devices, so will be in a position to give you a good appraisal. Areas of focus will be overall network segregation (that's a good thing), configuration and management. Also, ask the individuals in the team what their concerns are – again, there's no one more informed about what needs

fixing than the team with their hands on the keyboard.

Having the picture painted of the back-end systems and servers, it's just as important to review the desktop estate. This is probably another group or team within IT. Here you're looking for build standards, patching processes and reflecting on how IT is used within the organisation. A common challenge here is that people have typically seen their business-issued laptop or mobile device as just another personal device (resulting in storage of family pictures, and libraries full of music and videos). This indicates a lack of a clear information-security policy, as well as a melting pot of employee discontent should any of this information be lost.

The final area of immediate technical focus will be IT operations. This capability will be able to present a perspective on user accounts, passwords, patching, testing and development. Approaching 80% of breaches have been the result of stolen or weak passwords (the Verizon report again). One good trick here – running alongside your minimum password requirements – is to incorporate the databases from www.haveIbeenpwned.com (if you use this for work, please support Troy Hunt), which run checks on passwords that featured in published breaches.

This reduces the risk of brute-force attacks on your accounts and it helps with user

Instead of speculating about the cost of the technology or change programme, speak to vendors or your peer network for anecdotes and other reference points.



awareness when the employee is presented with the message: 'This password was compromised in a recent breach and should not be used on this system or others. Please use another.' It makes people think, drawing attention to the fact they're being insecure.

Time to define

You've approached the end of 60 days now, and you have a good technical and non-technical appraisal of the organisation. It's time to start putting your strategy together. The reality is you've probably already thought about which direction you want to go in, but now you need to articulate it to the business, and potentially even the regulator.

Choose the standard to align your business to – ISO 27001, Payment Card Industry Data Security Standard or National Institute of Standards and Technology Cyber Security Framework. It's not a prerequisite, but you'll need to demonstrate compliance with one of them at some point. Your regulator may also have a preference for one or another. If you're not sure, I'd advocate ISO 27001 – it's a good place to start if you have no other direction.

However, articulate why you're heading in this direction, and then set a vision. From here it's imperative you're clear on the terms you're using. This industry is littered with versions

and abbreviations of cyber, information security, data security, and so on. To avoid confusion, state what you mean when you use those terms.

Your level of proposed response will be relative to the organisation's risk appetite. If it doesn't have one, define it. If the organisation doesn't agree with the level of investment, they don't agree with the risk appetite you've set – or perhaps you've done a bad job at articulating it. Remember a good security programme is all based on risk.

The chosen standard will help to identify the required capability and you should map this against the current organisational controls. This isn't about building an empire – no security leader should seek to amass large teams. A RACI matrix, while basic in nature, can be useful to identify who would be 'Responsible, Accountable, Consulted and Informed' on all aspects of information-security capability. It's a team sport after all.

As your strategy takes shape, you now need to think about the governance model of your organisation. Who's signing off on this? Chances are it won't be a single role, but a committee or board. When do they meet, and how can you get on the agenda? Hopefully you're already there, but you need to formalise your attendance, and papers are due about a week before. Working with boards is sometimes

overlooked. They don't teach you office politics and management at CISSP school, and only really scratch the surface with other training. What you're after here is an investment by the business, not just in terms of resources, but also in intent to achieve a goal.

As you approach your 90-day marker and presentation to the board, it's important the data you're presenting is relevant, pragmatic (no one wants platinum if silver will suffice) and reinforced by authentic data points. Instead of speculating about the cost of the technology or change programme, speak to vendors or your peer network for anecdotes and other reference points. Your network should not be underestimated. Play back your strategy to them and see what they think. It also helps to formulate responses to questions you may get when you're up with the board.

Another piece of advice would be to rehearse. So many have failed to get support or required levels of investment because they fell at this sort of final hurdle. Your final 10 days boils down to this – the 15/20-minute agenda item with the most important people at the office. Convey the message, get the support for the vision and hopefully secure the resource you've requested. ▀



Industry views

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INDUSTRY INTERVIEW

AI on the prize

Pat Archbold, VP of risk management, Intapp, and Chris Laws, global head of compliance and supply product development, Dun & Bradstreet, outline a new era of collaboration between the two businesses, and explain how law firm risk management helps drive profitability



A

utomation in the right areas remains one of the great untapped opportunities for legal business.

Briefing's Legal IT Landscapes 2018 research asked readers how automated, on a scale of 0-10, they thought current workload was at their firms overall. The answer? A mere 3.1. However, asked how automated their firms could potentially make themselves with technology that's already available (using the same scale), they responded with an average score of more than double that: 6.8.

In an increasingly competitive legal market, firms can either choose to embrace automation or be left behind. Companies such as Intapp and Dun & Bradstreet are partnering to provide law firm clients with a more automated, and therefore efficient, approach to taking on new business, managing financial risk and guiding firm strategy.

It's the basis of a new phase in the pair's relationship. Pat Archbold, VP of risk management, explains: "The power of aligning process and content is hugely valuable for firms that are looking to guide firm strategy more proactively to compete in the next decade. So many of our clients need Dun & Bradstreet content for things like corporate family tree linkage to manage risk. Increasingly

firms are also leveraging beneficial ownership, financial stress, adverse media and other insights to make better business decisions. Unfortunately, with many bespoke systems this required complicated technology integrations that take time to build and are expensive to maintain."

Chris Laws, global head of compliance and supply product development at Dun & Bradstreet, adds: "Our partnership with Intapp enables joint clients to have Dun & Bradstreet corporate hierarchy and detailed business information, from our 284 million-record global database, immediately available in their own familiar workflow within the Intapp platform, with no need for custom development or logging in to another system."

Deal or no deal?

Archbold says that improved access to data should support more strategic risk planning – a growing trend among law firms. "Risk management is no longer about checking conflicts of interest after a lawyer engages with a prospective client. Risk departments are now directly impacting the firm's bottom line by proactively exploring potential engagements and running conflict checks to clear

Left: Chris Laws, global head of compliance and supply product development, Dun & Bradstreet. Right: Pat Archbold, VP risk management, Intapp



the way for lucrative work. By leveraging and monitoring the Dun & Bradstreet data directly into their onboarding process, firms can analyse and identify any potential conflicts of interest.” The risk team can step in at the right time, and manage practice heads in the right directions for the greater good of the firm.

He continues: “To be truly effective, risk management professionals need to help their firms make the right decisions to achieve the best level of profitability on any particular piece of work. Does the client align with our strategic direction? Will we get paid? Are we pricing this matter correctly? Will this create future business conflicts? These are all questions that need to be answered when new business is being reviewed. Without the right data, these questions are challenging to answer.”

“To be truly effective, risk management professionals need to help their firms make the right decisions to achieve the best level of profitability on any piece of work.”

Pat Archbold, VP risk management, Intapp

Dun & Bradstreet’s data, he explains, helps to get these key decisions made as early in the prospecting process as possible – which also improves the personal efficiency of each fee earner. “If it’s pre-cleared, lawyers can proactively chase work they already know they can take on in practice, rather than wasting time on what won’t materialise,” he says.

A related risk is failure of internal communication at the firm. In May 2017, Intapp launched its new experience management system – Intapp Experience – in a striking bid to capitalise where client relationship management has failed.

“Firms capture incredibly valuable data throughout the matter lifecycle as they complete intake forms, enter time and analyse new business. Unfortunately, most of that data is never leveraged or accessed other than to send a bill out. By providing a correct picture of the firm’s breadth of experience and costs for specific types of engagements and jurisdictions, firms can really improve the odds of winning work that’s most profitable.” Using Dun & Bradstreet’s corporate family tree data helps to stitch together the internal knowledge and relationships that have produced success on similar matters – the



“In a firm with thousands of clients, the credit team is unlikely to have full visibility of everything that changes every day. It only wants the client-management team alerted to the things that matter.”

Chris Laws, global head of compliance and supply product development, Dun & Bradstreet

combinations that should have most leverage now and in future.

“But the point,” says Archbold, “is to avoid relying on lawyers to volunteer their most valuable information. These are highly valuable resources that shouldn’t have to complete administrative tasks. Passively capturing information as lawyers complete regular matter activities creates a powerful set of data. When lawyers can quickly identify internal experts to help win deals and access accurate matter costs to price deals more intelligently, they begin to share more data anecdotally.”

This data can also be leveraged to improve the integration of strategic lateral hires into the firm – itself another category of law firm risk. If the expertise of a new lateral were proactively presented to other lawyers as they were pitching new business, the lateral integration would take care of itself, he says.

Laws adds: “Even if an onboarding decision doesn’t break a rule, it could pose a credit risk or generate reputational concerns. Without using data and analytics to conduct due diligence, your odds of a mistake increase. And gathering the information that determines an accurate level of exposure in an efficient way is challenging when it resides in multiple locations.”

A single source of information offers other significant benefits, including resource allocation. “By using third-party data and automated workflows, skilled employees can focus on client-facing work rather than completing manual, information-gathering processes.”

Archbold continues: “In the past, conflict reports would be put on the fee-earner’s desk, but it’s now transitioning into a far more sensibly centralised function. The impact on overheads is obvious. Every minute I save a fee earner can be invested in business development, mentoring or billable work to improve the bottom line.”

Dream machines?

It’s almost inevitable that the question of smarter resourcing also raises the topic of artificial intelligence. And for the world of risk

management, says Archbold, it’s a game-changer.

For example, Intapp has already embedded AI in its product which analyses clients’ terms of engagement. “Humans simply don’t need to read 200-page documents that will have different provisions, but are largely about similar things. It’s a fantastic use case, and proving hugely beneficial already. AI is a great fit where you have a fairly repeatable process and consistent good data.”

As such, conflict-checking also shows early machine-learning promise, he says – and Intapp is working with some global firms to that effect to automate initial summaries for certain types of matters. Archbold says: “Imagine you could have a machine analyse time entries to understand tasks, phases and costs. Imagine having a machine analyse all your matter data to identify similarities and help you deliver better outcomes to your clients. No need to imagine. You can do it today.

“AI is not as early in the journey as some in the industry appear to think. It’s here today, and firms should either get on the bus or get left behind.” His example of checking terms is seeing an acceleration of up to 66%, he says. And the biggest impact may be seen in dealing with clients’ billing guidelines, “where firms are automatically detecting billing requirements and passing them directly to the time-entry system to avoid write-offs. This is happening today.”

The potential of Dun & Bradstreet’s data can benefit the bottom line as well – for example, the way client credit behaviour can be factored into decision-making (for example, the suite of D&B Credit solutions). “Impacting the realisation of a firm by just 0.5% can mean a difference worth millions of pounds. It’s money that’s just falling through the cracks,” says Archbold.

“Lawyers desperately need to be led through the factors that mean a deal or client just isn’t as great as they think,” he says. And Intapp has developed its own risk-scoring methodology for onboarding, which takes in work type and value, but also Dun & Bradstreet’s proprietary scores.

“All the elements come together in one assessment, and the firm can either rule work out, or allow it with conditions, such as pricing in the



“Impacting realisation by just 0.5% can mean a difference worth millions of pounds. It’s money that’s just falling through the cracks. The firm can either rule work out, or allow it with conditions, such as pricing in the financial risk.”

Pat Archbold, VP risk management, Intapp

For more information, visit:
www.intapp.com and
www.dnb.co.uk

financial risk or forcing action at particular spikes and debt milestones.”

Laws continues: “The benefit of integrating data into workflows is that risk isn’t always identified upfront, and indeed the risk may not exist at the

point of onboarding. A lawyer may have already started on billable work – then something changes that means a need to pause or change course to limit credit, compliance, or reputational exposure.” Here the situation needs to be rigorously monitored, with the most appropriate risk data available at the right time.

“In a firm with thousands of clients, the credit team is unlikely to have full visibility of everything that changes every day. And it only wants the client-management team alerted to the things that matter – a drop below a certain acceptable threshold or other red flag.”

And Archbold points out that diligent monitoring of data can highlight emerging opportunities as well as changing risk parameters. “A client acquisition of another business, for example, can kick a notification to the risk department that a structure has changed and to check for conflicts, but also provide insight into new revenue opportunities.”

On the money

Another possible flag is where a beneficial ownership level changes, impacting a firm’s compliance with anti-money laundering (AML) regulations. In early 2017, Dun & Bradstreet also launched a new Beneficial Ownership solution, now the world’s largest database of its type, covering over 94 million companies.

Laws says: “This uses technologies like those behind social-media platforms to identify complex, sometimes very unobvious, relationships between people and businesses, and applies them to complex corporate data sets. The aim is to identify the ultimate beneficial owners who have 50% or 25% share ownership – which is often quite complex to track down, and often the result of organisations structuring themselves to create less transparency.” This can enable identification

– where it’s available – in seconds rather than hours, he says. “We’re also doing a lot of proof-of-concept work on machine-learning engines to identify new use cases that would provide even more value.”

Money-laundering checks should continue to be a key area of risk-management concern for firms in 2018, according to the Solicitors Regulation Authority’s latest risk outlook. But on the other hand, they’re also another resourcing issue that could generate welcome efficiencies.

Archbold explains that if firms have calculated a reliable AML risk score for work, they can decide whether to outsource it to one of a new breed of UK ‘centres of excellence’ – in Belfast or Glasgow, for example – or send it elsewhere.

“They can use the score to monitor AML staffing needs over time, and route requests in different directions,” he says. A high-risk matter might need the dedicated attention of the firm’s head of compliance, for example – whereas simply confirming an entity is a listed company can be left to an admin team.

Again, the bottom-line impact is clear. “Assess your risk accurately, and cut a million pounds from the budget,” says Archbold.

Another option is to outsource the due diligence entirely as a managed service. Certification effectively provides assurance that somebody else has it covered. Archbold predicts a rise in the number of large firms looking to the centre-of-excellence model, with managed services managing to mop up a notably risk-averse mid-market.

Laws adds: “The biggest challenge is keeping pace as regulations and guidelines in the world of AML and Know Your Customer (KYC) compliance keep evolving and tightening. Instead of pulling a basic report, or placing a tick in a box, firms need to go deeper into the available information to ensure a more detailed and transparent view of their business relationships and decision-making process is available.”

It also means yet another opportunity for the power of automation to prove itself in business-critical areas of a law firm’s business services. ▀

INDUSTRY INTERVIEW

Attention retention

Law firms need to get on top of their information governance, and can leverage automation and good retention workflows to stay compliant, say FileTrail president Darrell Mervau, vice president product development Tom Pemberton, and vice president engineering Jamie Richgels

Information governance and retention solutions have long been a part of regulated industries with rigorous requirements when it comes to compliance and auditing.

But law firms today may have their work cut out to comply with both increasing regulation and the stricter requirements of their clients – especially now that even more pressing stress comes from sets of outside counsel guidelines (OCGs) and the EU General Data Protection Regulation (GDPR).

FileTrail has observed the challenges around document compliance evolve in corporate environments, where formal document-retention schedules have been commonplace for years, it says, before pressures hit the legal market with the same force.

Darrell Mervau, president at FileTrail, says: “Law firms have paid maintenance fees for systems left without enhancements or new features year after year, and it hasn’t amounted to much. The

labour involved in retention policy can be eliminated, and that saves firms money.”

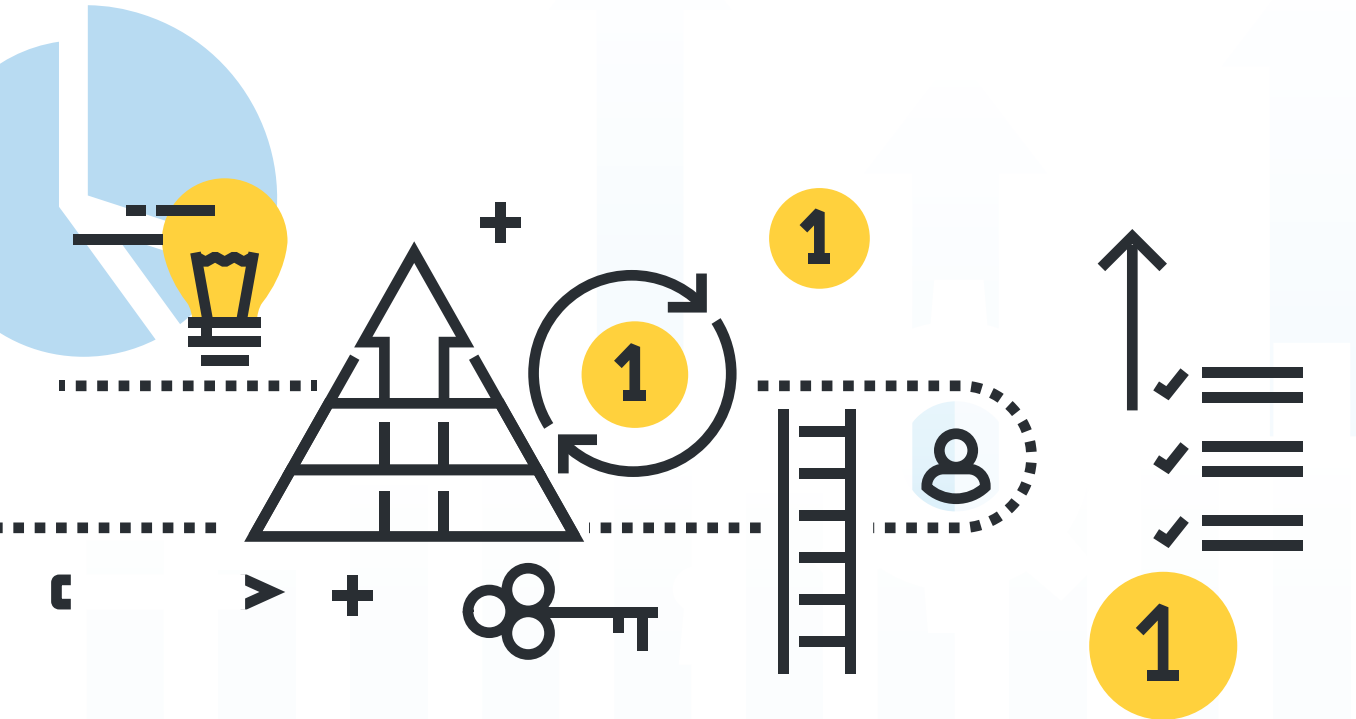
For the record

Changes in regulatory demand in the market and the pressures of those OCGs mean law firms need to have a very clear information governance (IG) strategy. Those who don’t stay on top of data-retention policies are at risk of failure to comply – with potentially a penalty, and almost certainly unhappy clients.

“It seems that very few law firms have applied retention policies to physical records – and none that I know of have implemented them for electronic documents,” says Mervau.

“One of the key barriers to this has been the cost of implementing retention against a backlog of documents and records. That’s exacerbated by the need to manage this using a dozen different systems.”

FileTrail’s system, he explains, sought to



overcome these challenges by providing one central location for all retention-policy management and application, with investment in automation processes to further reduce cost.

And that’s not all. Its Governance Policy Suite (FileTrail GPS), out February 2018, incorporates retention workflows and connection to common document repositories to apply classification, conduct review, and automate disposal of

documents and records wherever they exist.

This means that law firms can move away from managing information manually. They can worry less about the time and cost associated with the need to be compliant and have clean records.

“And because FileTrail is the keeper of metadata, not actual document content, the personally identifiable information (PII) or protected health information (PHI) in the system is limited to a few areas that can be sourced by authority systems,” adds Mervau. “As long as firms anonymise or update data through the authority system – a DMS or accounting system, for example – it will synchronise into FileTrail without the need for anyone to touch it.”

This is especially good news when it comes to GDPR compliance – but compliance isn’t complete unless firms can prove it. All activities are logged in audit trails in FileTrail and can be reported on, adds Tom Pemberton, vice president, product development.



“As long as firms anonymise or update data through the authority system – a DMS or accounting system – it will synchronise into FileTrail without the need for anyone to touch it.”

Darrell Mervau, president, FileTrail



“The combined efforts of automation, email notification and actionable dashboard ensure that tasks get done in a timely manner, while monitoring tools provide oversight.”

Jamie Richgels, vice president engineering, FileTrail

Retain automatic

OCGs are really driving firms to be as compliant with the requirements of clients’ regulators as those clients need to be themselves. “It rolls downhill,” says Pemberton. “The client has to follow certain rules, and therefore the law firms that handle their information must do the same.”

Automating retention processes in FileTrail can prevent gaps in compliance. As well as the expense, Mervau says a big reason retention and lifecycle-management compliance still isn’t happening as it should is that processes are still heavily manual.

“The user is provided with generic searches to identify what work has to be done. Often work is done on printed reports, where notes made by others must be manually keyed into the system. Sometimes the solution is a cobble-together of third-party tools with different interfaces.”

The FileTrail system, by contrast, uses email notification to drive actions in the schedule, and calendar settings determine when retention-review cycles start and milestone dates are due. A dashboard provides helpful illustration.

Law firms are finally realising that many of the processes related to dealing with documents and records are very labour-intensive, Mervau adds.

He says: “The ability to track the lifecycle of your content is a necessity. Since we’ve been engaging directly with law firms, the number wanting to contribute to automation, and participate in our design meetings, is growing.”

FileTrail has already used input from its Law Advisory Group to add a number of new automation features. “These include a disposition review progress monitor, increased access to OCG documents, simplification for OCG-driven retention policies that only apply to a specific matter or client, and a few more subtle features.”

Incredibly, the trio have been working on these things outside the legal sector since the early 90s.

“Even outside of regulated industries, corporations like Honda and Toyota and GM had retention schedules. They knew retention was important. Moving into more regulated industries and developing global solutions really set us up to be prepared for law firms when the time came.”

The dashboard knight

Jamie Richgels, vice president engineering, says: “The combined efforts of automation, email notification and actionable dashboard ensure that tasks get done in a timely manner, while monitoring tools provide oversight.”

The dashboard is designed so that records managers can see all the activity that is coming in from different knowledge workers upfront. There are “buckets” to sort workflow out into creation, requests to fulfil, active file room, disposal review, and so on, Richgels explains.

“And if items are reviewed in the DMS, that



“The client has to follow certain rules, and therefore the law firms that handle their information must do the same.”



Tom Pemberton, vice president product development, FileTrail

For more information, visit: www.filetrail.com

shows up on the dashboard too. Our system counts the number of items in those systems – whether from NetDocuments, iManage or OpenText – and the firm can see that content’s lifecycle.”

Richgels says the dashboard alerts staff when something is ready for the next step, and they can simply click into it and complete it from there.

“End users can also access the dashboard through their DMS – we want to make sure that they don’t necessarily have to go into FileTrail to be efficient, review retention workflow, or investigate something concerning their physical records,” he says.

Trend reporting

Mervau says: “We’re also delivering a system that has proven ROI. Compliance, trend, and other reports allow firms to understand where they’re meeting or missing their KPIs and other goals.”

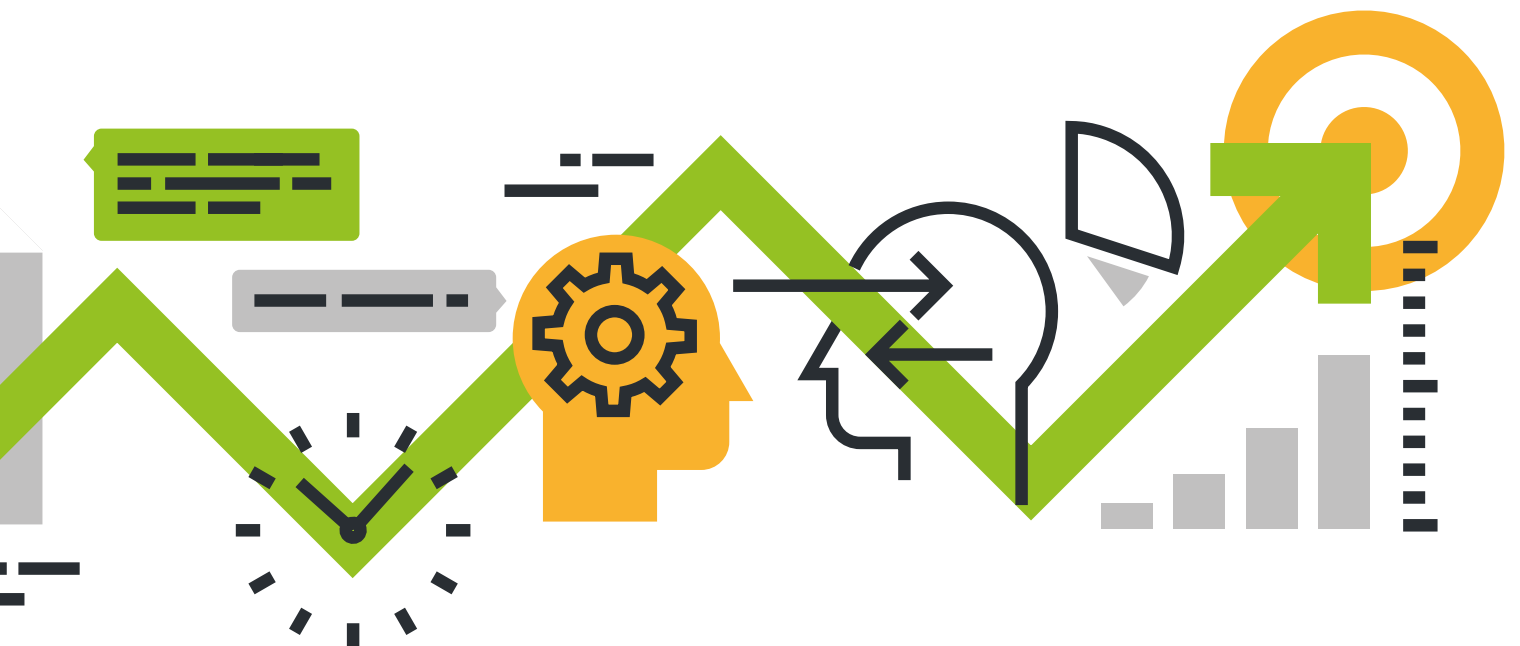
Law firms looking to become significantly more

paper-light can also track progress on that journey using FileTrail. Hundreds of folders are created by firms every day, and CIOs need the information to make the right efficiency cuts by clamping down on paper use.

They need to review the cost of data storage, and also get a view into likely future demands to retain and destroy the right information.

“That’s a very powerful insight,” Mervau says. “Firms can define information, and also gather metadata for the different practices the way those practices want it gathered.”

Sometimes the insights are, frankly, staggering. If the date to destroy certain information expired a long time ago, the system will of course flag that as well. “When firms implement our system they may suddenly see that there’s 30 years or more of items that need to be destroyed! It may seem like a bit of a pain at first glance, but ultimately it’s a huge relief.”





INDUSTRY INTERVIEW

Demand digital

Scott Bozinis, CEO of InfoTrack, says law firms should follow in the digital footsteps of the consumer service-on-demand world to improve their own suite of services

Scott Bozinis, CEO of InfoTrack, says implementing technology today doesn't have to be complicated and expensive.

Fee earners need information from hundreds of sources, be it local council, land registry, HMRC, land tax information, data companies, Companies House, debt notices – the list looks endless. InfoTrack, in short, consolidates all of this into one, he says.

“We bring information for lawyers into one place,” he says. “InfoTrack also integrates with firms’ case management and billing systems. The net result is process efficiency and lower costs – firms have one supply of information for their business instead of 12.”

But InfoTrack is about more than just

consolidating useful information. It also has a number of digital tools available to create simplicity in workflow, which improves efficiency, and in turn allows firms to innovate.

Digitise and thrive

Many large firms have been boarding the hype train when it comes to advances in business technology. They’re developing and trialling things like artificial intelligence and even working on blockchain, and are themselves experimenting to see how far they can ride in reality.

But although more law firms are focusing time and energy on innovation strategies, they shouldn’t ignore the ‘basics’ of technology. Bozinis says: “Firms should be digitising existing legal processes if they want to be able to innovate.”

PHOTO CREDIT: SIMON BRANDON



For example, law is still so full of paper – and as a result wet signatures, which are then posted around, are surprisingly commonplace. But that can easily be digitised, he says.

“We always respect the legal process and understand you can’t just change it overnight. We know that digitising processes seems like a big feat but InfoTrack makes it easy for law firms by implementing in increments.”

Still, the now old-fashioned pen, paper and postage stamp can be digitised and centralised – not only to create efficiencies in legal processes, but also to improve service to clients, he adds.

Clients can access InfoTrack from their mobile devices, and if abroad or otherwise on the go, they can send back an electronic signature.

“Businesses now realise that they can’t stand still and be sure they’ll survive. Every industry has businesses that have already worked out that they could be the next Kodak or Blockbuster,” says Bozinis.

“Everyone is at risk of being outplayed, especially when it comes to technology, and firms have to be prepared to move.”

So, the top priority for a firm’s innovation activity should be to become as mobile- and technology-enabled as possible, he says.

Consumer demands

Clients, of course, are the main driver – they’re the reason firms exist, so it’s meeting their demands that is key to success and survival.

Changes in a legal client’s behaviour and expectations stem from the modern consumer experience, he says. “Everything we do as consumers is now powered by digital process – the experience at a bank, for example – and just as you can have groceries delivered to your home at the click of a button, you can sign a lease for a property with an e-signature.”

As with their favourite Netflix TV shows, consumers want their lawyers on demand. But in a world where time is ever-more precious, he says, firms also need to be as non-intrusive as possible in the new client relationship landscape. This means they need to innovate through different modes of communication and collaboration.

“Businesses now realise that they can’t stand still and be sure they’ll survive. Every industry has businesses that have already worked out that they could be the next Kodak or Blockbuster.”

“Firms often hear that their clients want better service, but sometimes fail to realise that the definition of good service has changed. The traditional lawyer might think it means calling their clients more with updates. In reality people don’t want phone calls, they want WhatsApp texts and portals.

“Giving law firms portals where people can log on, sign documents, update information, see where their matter is – all at the clients’ fingertips – has become industry standard now.”

Pay as you flow

But while law firms want to please their clients, technology also tends to mean a period of change – which lawyers are known to resist. Bozinis says InfoTrack is well placed to alleviate some of the stress of change management.

“Firms shouldn’t be afraid to play catch-up with their technology. We wanted to lower the barrier to entry, so firms don’t have to make big financial decisions for technology they need. We will integrate with the CMS at no cost and the firm pays for the service based on use. So, during a quiet period – like holidays, or those three months after the EU referendum, say – they’re not paying if they don’t use our service.”

Also, law firms don’t have to roll it all out tomorrow. In fact, not doing so is probably better change management, he says.

“It’s better to go through implementation gradually. The firm can start with processes that can be instantly digitised, exploring more complicated moves later.”

So, just because clients expect that online update yesterday, firms don’t necessarily need to do everything instantly on the inside. ▀



INDUSTRY ANALYSIS

Get the right ideas

Paul Baum, business solutions manager at Mitie Document Management, says an innovation strategy can be a driver of success for a legal profession challenged to differentiate on service, but ensure you measure the benefits

Working alongside our legal clients for over 16 years, you often hear buzzwords circulate around the office. It wasn't too long ago that 'diversity' was the new hip word for our clients. The word on the street these days is innovation, and the legal industry is no exception. Yet with all the hype, is there some danger of it being over-used and under-applied?

Law firms know they need to innovate to thrive, and many law firms talk about being innovative and casually bandy it about in their marketing materials and on their websites. But if we're to believe the word on the street, or at least the words in those glossy brochures, the legal sector is awash with innovation. Although, despite the word's ubiquity, there is often no understanding within

law firms about what it means to be innovative.

Innovation is not ripping up the rule book and doing something differently. It is in many ways the natural result of a Kaizen approach to business management. Professor Clayton Christensen of Harvard Law defines innovation as: "Doing something different with impact."

A common misconception about innovation is that it only comes from people who are inherently innovative. In truth, innovative ideas come from many sources, and an innovation committee ought to span all corners of a business, as it is important to embrace diversity and perspective, and to seek out multiple points of view when seeking to develop innovative ideas.

In order to keep up with the pace of change, businesses, including law firms, should seek to



innovate because they believe introducing something new, coming up with fresh ideas and reviewing methods and processes, will lead to improved business – usually in the form of growing revenues and profits. However, businesses also need to remember that just because something is innovative, that doesn't mean it's always right for your business.

Time travels

Lawyers and change. Law firms and creativity. The legal sector and revolution. Not concepts that have traditionally sat side by side. So, what does innovation look like in a law firm?

There are a number of new, exciting, and potentially, disruptive ideas coming through – for example the rapid rise of AI technology (cognitive computing) such as ROSS Intelligence, and the gradual emergence of alternative business structures. However, we still struggle to reimagine the sector as a hotbed of innovators and change agents. For a start, everybody is just too busy to have any big ideas. Second, big ideas are usually non-billable. And third, the word – innovation – can be just plain scary.

An example of a practice from Google, largely renowned as one of the most innovative companies, is '20% time', where they encouraged employees – in addition to their regular projects – to spend 20% of the time working on what they thought would most benefit Google. In 2004, the founders wrote to prospective investors: "This empowers them to be more creative and innovative. Many significant advances have happened in this manner."

Examples of 20% products include the development of Google News and Gmail. However, since 2012 the evolution of the 20% principle has been much discussed. In 2013, reporter Chris Mims wrote for Quartz that 20% time was "as good as dead" because it had become too difficult for employees to take time out from their normal jobs, which is an obvious innovation barrier.

Today we are starting to see a real shift in the legal industry. Several law firms have embraced innovation, such as Mishcon de Reya and its MDR LAB. These collaborative workspaces enable the

Businesses should seek to innovate because they believe introducing something new, coming up with fresh ideas and reviewing methods and processes, will lead to improved business.

firm's lawyers, technologists and clients to explore, develop and test regulatory and deal-related solutions.

The firm's aim is to give its lawyers and clients easy access to expertise, connections and ideas that help them to anticipate and solve new challenges in an increasingly complex and fast-paced business environment. This approach clearly removes some of the barriers in the innovation process.

In 2017, Mishcon de Reya advanced one step further and announced its investment in MDR LAB startups within their legal space, giving the firm access to cutting-edge technology and the tech startups access to legal and business expertise – thus creating a symbiotic working environment.

Innovation is increasingly a driver of success for law firms, and clients are increasingly demanding it. Partners in law firms have an important role to play in building the environments, and empowering the teams and processes that make innovation possible.

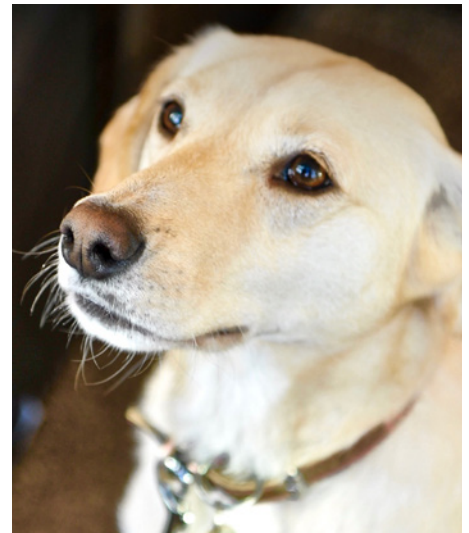
As the legal market adapts to the changing market conditions and inevitable technology curve, it must rely on trusted supply partners to act as the keystone between the firm's capabilities and the client's business needs. Innovation can be the mortar that holds that keystone in place. Both supply chain partners and the firm's operational leads should consider how workspace, collaboration, and client partnership all contribute to making that innovation possible.

We just need to remember – screaming "we are innovative!" is not innovation. Being innovative is contemplative, organic, measurable and necessary. The bottom line is: Has profit improved? Have we enhanced the service? ▽

LAST WOOF

A fur effort

Kayli Olson meets Poppy Ranson, three-year-old 'Heinz 57' dog, who owns Eversheds Sutherland co-CEO Lee Ranson – and hears how she wagged her way into a temporary job with the firm's wellbeing team



Judith Green, communications director at Eversheds Sutherland, brought in the help of Candace Rose, managing director at Canine Creche Group, to create bring-your-dog-to-work-day in December 2017. Clients and employees were encouraged to meet the dogs and pet worries away.

Purina Petcare, a client of Eversheds Sutherland, wrote about its pets at work (PAW) programme early in 2017, which is about helping companies introduce dogs into the workplace. It discussed the obvious wellbeing aspect of having four-legged friends, says Green, but also how much it matters to millennials – they particularly favour this approach.

She says: “The day created a lot more noise with clients than we originally thought it would. Many specifically came into London to see the dogs. And Purina kindly sent treats for the dogs to take home with them.”

There was a little performance management. In the weeks leading up to the event, Canine Creche Group vetted the dogs' behaviour via applications – only the most well-socialised dogs made the guest list. And the firm posted regular 'pawspawts' profile pieces on social media and on its intranet introducing the canine visitors before the event.

Here's how the morning unfolded:

8.30am – Creche Group arrives.

Space is laid out, complete with puppy ball pools, food bowls, bedding, toys, and mini agility course with A-frame,

open tunnels, bar and tyre jumps. A break-out room is also set up as a comfort safety spot.

9am – Poppy arrives, with self-confessed 'human slave' co-CEO of Eversheds Sutherland Lee Ranson, and other dogs. They are gradually introduced to get networking.

Green says: “The Creche Group were monitoring each dog very, very closely. The owners would bring their dogs in on a lead, and wouldn't let them off until Creche was confident that the dogs were ready. Our ultimate goal was that this would be a fun and safe day for all, canine and human.”

Rose says: “It didn't take us long to assess each one and get them buddied up and into the right area. We let the dogs get comfortable and didn't open the crèche up fully for another hour.”

Poppy was excited. She'd never seen so many different dogs of all ages, shapes and sizes. After an initial five-to-ten minutes of silliness, everyone calmed down a bit.

She then met a guide dog named Gibbs. “When he has his lead on that's his signal he's working – he was very focused and calm. But this was his day off, and the instant the lead came off he was clearly a different dog and could enjoy himself,” she says.

“The day created a lot more noise with clients than we originally thought it would. Many specifically came into London to see the dogs.”

Unfortunately, two puppy friends did decide to go home early. It became apparent they'd be too shy or were overwhelmed with all the excitement.

11am – Visitors arrive, but only a certain number at a time so as not to overwhelm the dogs – six to 10 humans are allowed in at a time.

“At the event's height there were about 15 dogs who came to visit – and we had over 200 people come through the area to see them,” says Green. Each dog was taken out once an hour for a short comfort break.

1pm – By lunchtime, Poppy was understandably all networked out. It was apparent it was nap time for the others as well.

Rose explains: “Most dogs aren't used to being in that crèche environment. It's very intense. And for them to play and interact with a group of dogs they've never met, and also be left with a group of people they don't know – it was quite an ask. We brought the beds into the main area, and the crew sat down with them for a nap.”

The dogs got a stream of treats as incentives for their hard work, from basic training such as learning to sit on command, to a hunt for food around the course – it was non-stop stimulation one way or another.

Green says: “What's lovely is the many staff we had come in who don't have pets of their own. It's great for them to get some puppy love too!”

The dogs' day may be over, but we didn't see any departing with tails between their legs. ▀

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