

NOVEMBER 2018

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BOOK REVIEW

*Narrelle Roy at
Kerman & Co reads Lexcel
Risk Management Toolkit*

BRAIN TRAINING

*Lynne Burdon, author and
founder of Bolt Burdon,
lays down the law on
organisational rules*



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WELCOME

What do Black Friday and law firms' clients' buying behaviours have in common?

It's turkey season, dear LPMers! It may not mean much to you but I hope you'll join me in Thanksgiving festivities this month; though I may not be able to cook for all of you, the sentiment is still there. Now I'm not one to get jumbled up in the Black Friday chaos that follows after everyone is being thankful for the things and people they have in their lives, but perhaps your clients do.

What do Black Friday and law firms' clients' buying behaviours have in common, you ask? Well, in the future maybe they will be one and the same. This month's feature is all about productisation – of legal services that is. Can SME law firms learn to package their legal advice, get clients to self-serve and still make a profit? Read all about it on p24.

The LPM 2018 conferences were a blast – and you thought so too. But what did you think about the challenges facing the market in the years to come? Find out by reading up on our conference polling results from p29. The fun doesn't stop there of course. Missed out this year? Don't worry because we've just dropped dates for our LPM roadshow next year. Check out the LPM 2019 conference nearest you by going to www.lpmmag.co.uk/conference. Hope to see you there!



Kayli Olson, acting editor
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INSIDE:
LAW LAW LAND**

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About us

LPM magazine is published by **Burlington Media**, a media and events business focused solely on people in legal business services and management – whatever size or type of legal services provider they work for.

We run LinkedIn groups with thousands of members, across several areas, from legal IT to legal process outsourcing. Find our LPM group at bit.ly/lpmgroup.

Our sister brand LSN's website is where you can find news, views and resources from the established legal news providers and hundreds of suppliers to the legal industry, all rolled into one useful information feed: www.lsn.co.uk.

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We also run the popular **LPM conferences**, tailored for anyone working in management in SME law firms and ABSs. Our 2019 trip is almost ready to roll. Find out more about conferences here: lpmmag.co.uk/conference

ISSN 2398-9742

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LPM NORTH	15.05.19	The Met Hotel King Street Leeds LS1 2HQ

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IN PRACTICE

SNAPSHOT PUBLIC EXECUTIONS

The market shakedown continues. Unsurprisingly, we bit another PI firm farewell. **Cheshire-based Roberts Jackson has been sold to Manchester-based firm AWH Legal following its going into administration.** The firm began insolvency proceedings at the end of September after going into administration following financial difficulties, and all staff will now be transferring to AWH Legal.

Insolvency specialist Quantuma said the firm had suffered from "substantial competitive and regulatory changes in the personal injury sector." Roberts Jackson was one of the country's leading industrial disease specialists and in its last financial results, for 2015/16, posted £11m turnover and more than £1m in operating profit, with a headcount of almost 200.

In related news, **the Civil Liability Bill is nearing its final stages. During the third reading in the House of Commons, MPs voted to approve it by 294 to 238.**

It was introduced into the House of Lords in March 2018 and entered the House of Commons in June 2018 and currently awaits consideration of amendments following the vote.

The bill seeks to reform the claims process for whiplash injuries lasting up to two years resulting from road traffic accidents, and to make changes to the setting of the personal injury discount rate, applied to lump sum awards of damages for future loss.

And, **the Law Society encourages the Solicitors Regulation Authority to take a light approach to enforcement as the pricing transparency deadline fast approaches.**

Law Society president Christina Blacklaws said: "Many firms that provide legal services to consumers and small businesses will be required to act quickly to comply with these new rules. Given the short time some firms have to cover a lot of ground – and the uncertainty surrounding what adjustments they may have to make for



Brexit – we'd encourage the SRA to take a light approach to enforcement in the first months."

For more views and information on this subject check out pages 7, 44 and 46 in this issue of LPM!

Finally, **the SRA recently received £700,000 of public money in an aim to increase the use of artificial intelligence in the legal profession.**

This comes as part of a programme where 15 organisations won a slice of a £10m 'regulators' pioneer fund' set up by the Department for Business, Energy and Industrial Strategy.

Paul Philip, SRA chief executive, said: "Smart use of technology could help tackle the problem that far too many people struggle to access expert legal advice." [LPM](#)

✓ Have you got a story or report for us? Write to lpm@lpmmag.co.uk

IN NUMBERS

That's unethical

Doing the right thing has never been so important. An unethical culture or work habits can hurt a business's reputation.

33%

said their line manager rewarded employees, even when they knew they had used ethically-questionable practices to achieve good results

35%

said the biggest factor that influenced UK staff to act unethically is lack of resource

11%

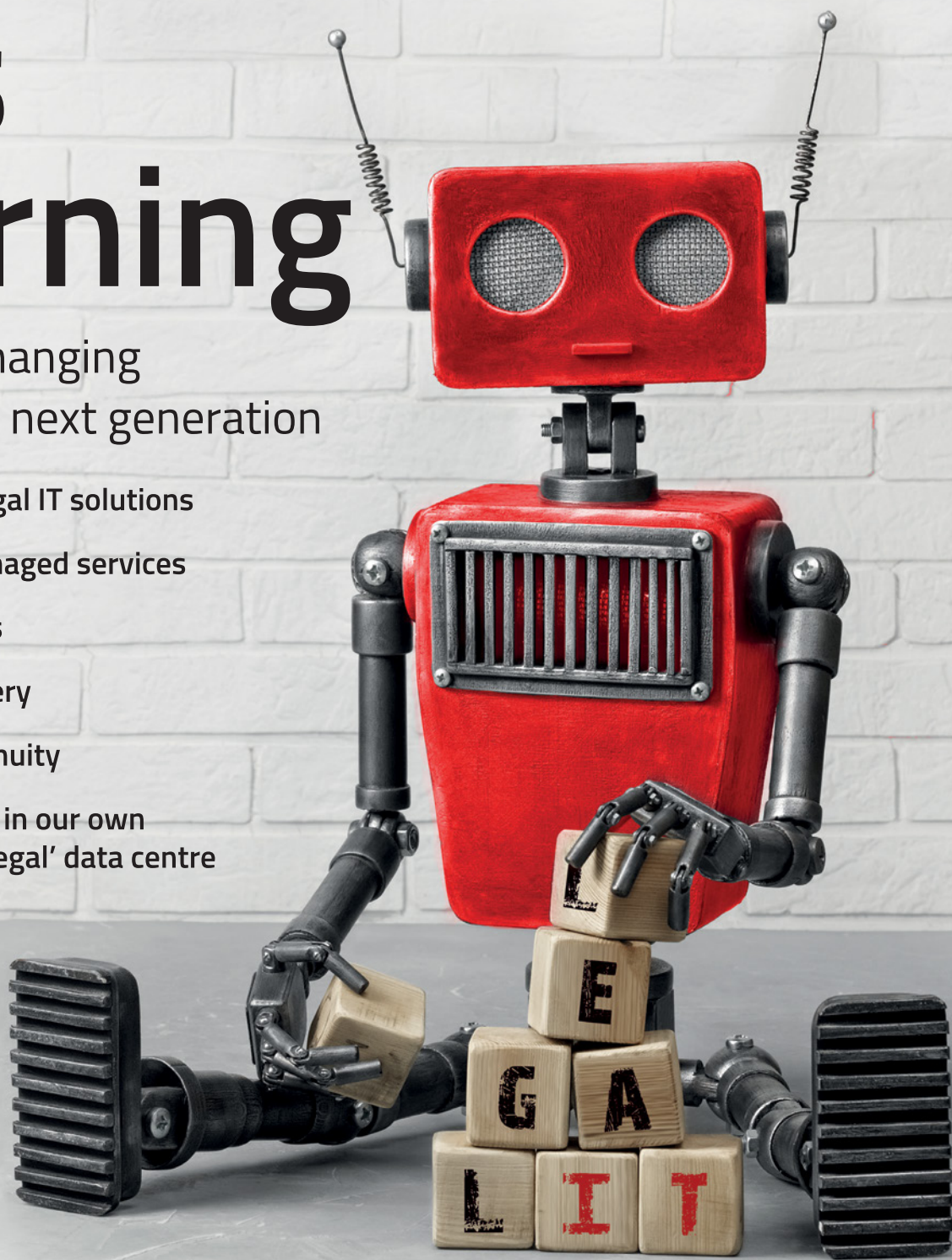
said the driver for being unethical was viewing the business's culture as already unethical

Source: Ethics at work 2018 survey by the Institute of Business Ethics

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See our Q&A for market insights on AI

YOUR VIEW



FRANCIS GEORGE
MANAGING DIRECTOR,
FRANCIS GEORGE
SOLICITOR-ADVOCATE

At Francis George Solicitor-Advocate we pride ourselves on providing the utmost transparency in relation to our prices. It is one of the first things we address in our initial client meetings and our initial letters. We have a duty to provide a proper standard of service and behave in a way to maintain the trust the public places in us. Our transparency is an essential element of our relationship with our clients and we fully support the incoming SRA rules.



With the upcoming SRA pricing transparency rules fast approaching, LPM asks:

“Will posting your prices online help generate more business for your firm?”



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DAVID MANN
DISPUTE RESOLUTION
AND INSOLVENCY
PARTNER, AARON &
PARTNERS

It's unlikely that posting our prices online will help generate more business for our firm, as most of our work is bespoke and not commoditised. Generally, the value we provide is more important than price to our clients. Our focus is on delivering the outcomes our clients want, cost effectively. In some cases, for instance when dealing with disputes, we can offer bespoke solutions and funding options that provide certainty around the fees as the case progresses, which enables us to share both the risk and the reward with clients.



DUNCAN JACKSON
CEO, BUCKLES
SOLICITORS

While the SRA's commendable objective is to champion consumer rights and enable informed choice, the methodology is flawed. Rather than promoting transparency, it will only muddy the waters and undermine trust in law firms. Why? It's too simplistic – law firms don't offer identical services and every consumer's circumstances are different. The guidelines create a false impression that choices can be made on a 'compare the market' basis without proper research, meaning consumers potentially end up repeating the process to get a bespoke quote.



ANDREW TWAMBLEY
DIRECTOR,
INJURYLAWYERS4U

These rules are clearly written by bureaucrats who have never in fact run a legal business. Pricing a bottle of bleach is easy. Pricing a legal matter, up front, where there are so many potential variables and pressure points, is an entirely different matter. The wording on websites will be so vague and woolly it will be worthless. I will of course comply with the rules ... but no, I do not expect it to generate more business.

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ASK THE EXPERT



SME SMARTS

Mark Day, CEO at Law South Group, discusses stepping into the role of looking after the productivity and risk of 12 mid-market law firms and what challenges face the market

Q What's on your priority list at the moment?

A Creating the focus – I want future projects to be rooted in the priorities of the firms. So, I've done a couple thousand miles and quite a few train journeys in the last two months, meeting firms face-to-face instead of sitting in isolation coming up with ideas. I haven't visited everyone yet but there's a real energy around the table when you meet the managing partners, CEOs and other key people – the Law South members have always been on the progressive side of the mid-market but I can really feel that it's gone up a notch recently. And with my background as CEO in professional services for many years, I understand where they're at with various projects and challenges. I'm looking at new ventures that may be of benefit to the members. We may have

scope to add a 13th or 14th member, however membership is by invite only as we don't want to dilute the group. It has to be a good fit.

Q What are the biggest challenges for the legal market?

A The member firms face the same challenges as many other mid-market firms in terms of attracting, keeping and developing talent. A proximity to London makes recruiting difficult when you're in the regions. Also, in the mid-market, truly basing your plans and objectives around what your clients actually tell you they want, rather than what you assume on their behalf, is quite a differentiator. Doing proper structured research will be a huge eye opener here – which is why Law South Group has just partnered with a research and

consulting business to gain deeper understanding of clients. A big challenge will be to follow that initiative through and connect more closely to their client base on a regular basis.

Q What's going to have a big impact on firms in the future?

A Risk and compliance is always a top priority for the market. We're working on a major programme to benchmark our practice against industry best practice and create a capability to better anticipate and jointly deal with forthcoming changes to regulation. We will come together to work out what the new SRA Handbook requires and come up with a common approach in the same way we did for outcome focused regulation. This supports the group purchasing of professional indemnity insurance. We also provide the member

firms with a lot of learning and development and workshops.

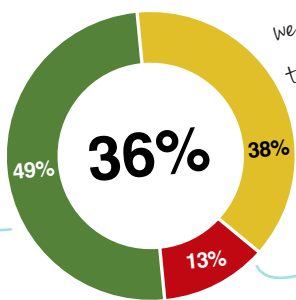
Q Where do you find inspiration for work?

A I enjoy going to really good quality events that push boundaries in terms of topics, with high quality speakers. Legal is often behind the curve, so I try to keep tabs on what's happening outside it as well. Having done an MBA very early on in my career, I've always had that inclination to look broadly for those lessons. Something that's always stuck with me is that before I came into legal I was in a consultancy business and the founder was imaginative enough to find some really great non-executive directors from other industries. Access to top minds can have a really positive impact on a firm. **LPM**

Client Feedback Report

Loyalty

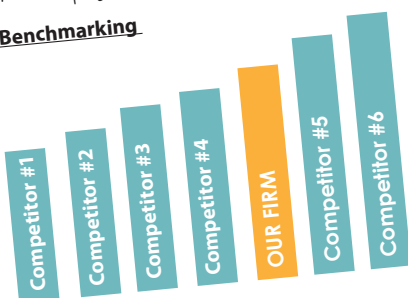
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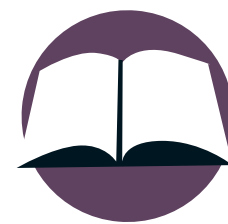
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BOOK REVIEW

COMPLIANCE CULTURES

Narrelle Roy, practice manager at Kerman & Co, reviews Lexcel Risk Management Toolkit and highlights some areas where firms can create a culture of awareness and engage the firm on best risk management practices

Risk ... it seems every time we turn around a new risk factor is being talked about or something new has bubbled to the top of the SRA's risk outlook. But what does it mean for us at the coal-face, and what do we do about it? Is it just about writing down a few policies and procedures and ticking the box? Chance would be a fine thing.

The first thing to mention is that the speed with which our world changes is highlighted in the book being up to date for Lexcel version 6, not the shiny new version 6.1, which has recently been rolled out. But if you're starting from scratch and/or thinking about applying for Lexcel accreditation, this would be a helpful place to start in providing an overview of risk management principles and actions to take.

It is worth highlighting that about half of the publication is made up of annexes, with exemplar policies, forms and other documents. Given that it also comes with a CD of documents (and a lot of templates are already available on LexisNexis and PLC) I would have liked to see more guidance and suggestions in the text.

The book touches on why risk management is important and why it should matter to everyone working within a firm, along with the potential implications of getting it wrong. But let's face it, getting the whole firm to buy into concepts like this can be the real challenge, so the section on risk management culture does not go astray. The idea of a staff suggestion form is a good one, can result in good ideas and include everyone in the concept – although it does come with its own risks in acting, or not acting, on suggestions and how that is communicated.

It could go further and deeper, though. We all know 'the need for good decision-making comes into play' (and not just around risk management!), but how can the already busy practice/risk/compliance manager work with their management team to have this accepted as more than just another Lexcel requirement? What are some hints and tips that then support the management team in getting their fee-earning teams on board? While there is never a one-size-fits-all answer to the challenges we face, anecdotal tales of success and caution can provide interesting insight.

Having said that, the introduction and framework does provide a good summary of the fundamentals that underlie risk management and breaks down the three types of risk: strategic, operational and regulatory. Supporting this are



Lexcel Risk Management Toolkit, Practice Management Standards, 3rd edition by Tim Prior

Publisher: Law Society Publishing
Publication: 31 October 2017
Price: £59.95



Reviewer: Narrelle Roy, practice manager, Kerman & Co

examples that could help guide conversations in fleshing out an individual firm's approach, thereby circumventing the daunting task of starting with a clean sheet of paper.

Interestingly, despite the book carrying the Lexcel logo and title, there is little reference inside to the Lexcel standard itself. So, unless you are already au fait with the standard, it's difficult to know what actions will meet the requirements and what won't. As a 'basic guide to ...', it would be helpful if there was a cross reference to the standard everywhere it applied.

Particularly valuable were references to the SRA Code of Conduct. Ultimately, this is the guiding light as to how we run our firms and care for our clients, and being able to reinforce with our teams where Lexcel crosses over the Code can only help to gain acceptance of new processes as more than just administrative, Lexcel-driven exercises.

In the Identifying Risk section, the author has helpfully laid out a risk-mapping exercise along with charts and tables, and a scoring guide. This is another job that can be arduous, particularly the first time around, but the step-by-step guide breaks it down into an eminently sensible approach.

For firms that already have Lexcel accreditation or robust internal processes and policies, this book doesn't really bring anything new to the table. But for anyone thinking about reviewing their risk management approach or seeking accreditation, this would definitely be worth a place on the bookshelf.

It is clearly written, has good overview information and is supported by templates for guidance. **LPM**

MINDFUL MENTOR

BARRY DAVIES, PRACTICE DIRECTOR



Mental health awareness is a topic high on the agenda across all industries, but what about the legal sector? Legal is identified by the Health and Safety Executive (HSE) as one of the most stressful sectors, but it's also been perceived as an expected 'pressured environment', with focus being on big billers – and the 'first in, last out' or presenteeism mentality to office hours – before we consider client demands and relationships with peers.

Such pressurising factors might make it difficult to take a step back and identify signs of mental health issues. How prepared are law firm managers to identify and, as best possible, support those experiencing poor mental health while at the same time being alert to their own state of mind. Those in senior positions are as likely to display symptoms of stress without realising it.

I recently attended a two-day mental health first aid course (facilitated by the Law Society in Wales) with the purpose of gaining better skills and understanding for providing initial help to people experiencing mental health distress such as depression, anxiety and psychosis. The course was designed not with the intention of creating medical experts but to help develop a greater understanding and awareness of such conditions – and it was certainly worthwhile.

Quite often there are external factors that cause an individual to go through poor mental health such as a relationship breakdown, bereavement or financial worries, to name a few, but some workplace issues are: workload, client needs and demands, lack of support or supervision (particularly for the younger lawyers), competition, (for promotion and approval from managers), billing targets and chargeable hour expectations, financial and business concerns (for partners or boardroom disputes).

Some of the common signs that you, or a colleague, may be experiencing mental health symptoms are: physical changes (sometimes in appearance, such as skin issues, sleep issues, excess perspiration, weight changes, or stomach issues), increased alcohol consumption or taking recreational drugs as a coping mechanism, erratic or inconsistent diet and mealtimes, sudden mood swings and irritability, chest pains, shortness of breath, shaking or twitchy actions.

So, what can law firms do to assist? Many firms offer private medical insurance to their fee earner and quite often all staff. It's worth considering an Employee Assistance Scheme if one is not already in place. Ensure that staff are aware of the policy and place helpline numbers in prime locations such as the staff canteen or in washroom areas. Consider a mental health first aider. And this doesn't have to be a partner of the firm, but it's beneficial if it's one of your HR team and someone who is able to listen. It's also worthwhile 'mapping' your workforce to identify any risk areas that may be present in comparison to HSE trends based on age and gender.

What might individuals do for themselves to help?

- Self-reflect to get to the nub of what is causing you to feel this way
- Take time out – make use of your leave entitlement and do something you enjoy that is not related to work
- Talk to someone – a good listener
- Breakdown your problems into manageable pieces and try not to get overwhelmed
- Eat healthily and get some exercise. Spend time away from your desk, preferably in daylight
- Try to avoid alcohol, smoking, and (if applicable) recreational drugs.
- Consider mindfulness techniques or cognitive behavioural therapies

In an industry such as the legal sector, one of the major issues to overcome is the long-enconced cultural environment. This is especially true at a time when we see a multi-generational workforce with a varying degree of attitudes to mental health. Some employees see it as a weakness to admit feeling stressed and fear that they may be writing their own P45. Progress is being made in raising mental health awareness but, in an environment that inevitably comes with a lot of work pressures, it may take a little time. **LPM**

ABOUT

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Revenue: £3.5m

Corporate status: Limited company

30 fee earners, 50 total staff

Offices: Swansea, Mumbles, Cardiff, Porthcawl

HYPE, HORROR OR HOPE?

STEVEN TREHARNE, MANAGING PARTNER



If you're like me, you will be fed up reading reports of artificial intelligence (AI) robotic domination and the end of the legal profession as we know it, the end of the world and, more importantly, the end of ordering food face-to-face with a person at McDonalds!

There are far more tech savvy people than me that can spout with authority about the differences between chatbots, robots, AI and algorithms. I don't really care about that – what I care about is what impact this may have on my business and what I can do now to start positioning the firm to remain competitive. If you remember the Terminator films, a sort of resistance fightback against the synthetic intelligence machine network of Skynet.

Well not quite. I believe all of these new ways of producing work and services to clients must be embraced. Rather than seeing it as a bad Terminator, as in the first film, we need to look at this as if it is a good Terminator, like in the sequels, here to help us.

We know that the big boys and girls in our large cities have been investing in computer learning for many years: RAVN, ROSS and Kira are names we're all familiar with. Massive projects with large budgets and enormous IT teams. I don't know about you but I don't have access to any of that!

So what to do?

I would suggest starting small. Find a work type, or part of a work type or process where value can be added by having that task or tasks

undertaken by a machine. Speak to a number of AI/robotic providers and find a fit where the machine capability currently exists and matches your need.

Look at administrative tasks such as data cleansing, client relationship marketing, file opening, client due diligence. Look at how you engage with clients and whether chatbots could enhance that process by answering enquires and managing the distribution of work. Look at document preparation and drafting. Look at legal research. Look at litigation outcome predictors.

We have, in testing, a robot that will open our files (complete the contact, client and matter detail insertion into our practice management system), perform the identification checks, prepare the terms of engagement and other initial paperwork, and send them to the client as an email, with encouragement to use an electronic signature process.

Skynet it is not. But a good start it is.

All of this stuff seems a bit of a leap of faith. Will it work for us? Will it improve our service? Will it save money? Although 'having a robot' may sound sexy, many partners will think of it as a gimmick and that there is no substitute for a person doing the job.

This may be based on concerns over the robustness and reliability of the machine – which is ironic as, if properly set up, the machine is more robust and reliable than a human. Just ask my children, who ordered their Big Mac and fries from a touchscreen yesterday. **LPM**

ABOUT

Steven Treharne
Managing partner
Mogers Drewett
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Q&A

AI sight

Victor van der Poel, director at Accesspoint Technologies, breaks down some key details of artificial intelligence for SMEs



Q What is so important about artificial intelligence?

A Artificial intelligence (AI) is set to be the next major influencer in legal IT, bringing with it a differentiating factor for the competitive edge. Turn the clock back a few years and the concept of cloud technology was possibly just as daunting or – to some – exciting, carrying the prospect of risk and uncertainty. Firms were talking about it, but very few were willing to stick their toe in the water and trust the technology enough to make use of it. In a very short space of time, it became clear that the firms who were willing to embrace cloud technology surpassed all of their sceptical competitors. Unlike cloud technology, however, the practical impact of utilising AI will have even more exponential benefits to those firms willing to apply it correctly.

Q Is there any proof that AI can help in practical terms?

A The recent findings from the LPM LITL 2018 survey highlight that AI has become the hottest topic for discussions within the SME sector. What was surprising, however, was that only 73% of the SME market had a good understanding of the practical implications of AI for the market. Embraced and adopted in the United States, AI has already proved it's worth within the legal sector, both expediting and streamlining

business functions such as document review and legal research, assistance with due diligence, contract review management and automated divorce applications to mention but a few. Those sceptics among us still contemplating the practical implications need only look at the recent LawGeex landmark study, which pitted 20 experienced, trained lawyers against an AI algorithm to determine various comprising factors. The outcome was simply astonishing. During everyday contract management, the AI system achieved an accuracy of 94% when compared to an average of 85% across the 20 lawyers. What really set the bar was the time taken for the AI algorithm to complete the function in only 26 seconds compared to the average 92 minutes averaged across all the lawyers.

Q How do you think AI will impact the legal profession?

A If we're to believe industry insights from Deloitte, 100,000 legal roles will be automated by 2036. It reports that, by 2020, law firms will be faced with a 'tipping point' for their new talent strategy. As frightening as that may seem, now is the time for all law firms to commit and embrace AI and all the functions it has to offer. AI may not spell the end of the legal market as

we know it, but, like cloud technology, it will set those who use it apart from the rest, surpassing the 'purer' market drive and commercial viability. For example, the team at Accesspoint have embraced AI and are actively working on various technologies to introduce them to the UK legal market, from the business functions mentioned above to improving the financial reporting applications that are currently available, making it a practical, three-dimensional data flow that will drive law firms forward over the next five to 10 years. **LPM**

Send Victor your questions:
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ABOUT

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DON'T DWELL ON IT

MARTIN PALMER, THE CLOUD EXPERT

Cyber criminals may hate the law but they certainly love legal firms. All that highly sensitive client data and cash make law firms an obvious target.

The threat is real and growing. The Solicitors Regulation Authority (SRA) believes that on a conservative estimate, £10.7m of client funds were stolen from UK law firms in 2017. And, of course, it's about more than money. Cyber criminals know that legal practices hold extremely valuable information belonging to major commercial clients, including details about M&As, IP and emerging legal disputes.

When this information is stolen or held to ransom, it can hit a firm like a massive sledge hammer in terms of reputation and cost – particularly SMEs. Hefty bills for expert investigation and remediation are unavoidable, probably followed by legal action from those affected (along with compensation) and potentially severe fines or loss of accreditation. Everyone from the SRA to the Legal Services Board and the Information Commissioner's Office will be involved.

Irrespective of where your data is held, on premise, managed service provider or public cloud you'll be responsible for securing your data – and cyber criminals are increasingly prolific and professional. But don't despair. Protection from all these nasties starts with understanding the jargon – especially when evaluating service providers. For example, do you know what dwell time is?

You should. Dwell time is the duration a threat actor (attacker) has undetected access in a network before they're completely removed. The more time an attacker has to access your environment, the more time they have to understand your valuable data and find ways into your more sensitive data and systems. Security specialist Armor says that while it takes a cyber criminal four to six days on average to carry out an attack, it usually takes more than 146 days on average for a company to discover a breach.

Therefore, minimising the dwell time and the ability of the cyber criminal to work inside your environment lowers the risk of malware distribution, encryption of data through ransomware, delivery of botnets and the volume and value of the data breached. Thus, the shorter the dwell time the lower the cost of the security incident through lost revenues, client churn, client communications, brand damage, investigatory costs, technical remediation costs and potential regulatory/legal penalties.

This year's Ponemon Institute Cost of a data breach study calculates that companies containing a breach in fewer than 30 days saved more than \$1m, compared with those that took more than 30 days to resolve.

Fortunately, solutions are at hand. Advanced techniques deploying continuous threat-hunting make it possible to intercept the cyber criminals' process, and deploying these from a cloud provider can mean affordable operating expense solutions rather than heavy capital expense equipment and licensing.

When legal firms conduct due diligence on cloud vendors, they need to concentrate on companies that offer these capabilities and for whom the reduction in dwell time encompasses eradication.

For all legal practices, dwell time has to be more than a mere metric: it must become the catalyst for an active security policy. This is a vital factor in risk-mitigation that has to be at the forefront when law firms consider how they use the cloud. **LPM**



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Hayley, Money Penny Receptionist.

BRAND STRENGTH

ADRIAN JONES, THE TECHNOLOGIST

Our firm's brand is essential. By 'brand' I don't simply mean the colour of your logo, or the wording of your website, I mean the whole brand experience. This encompasses aspects such as initial perceptions, images, feelings of trust, attitudes staff demonstrate to their services, the overall experiences and so on. With more decisions than ever before being influenced by, or made, online, it's necessary to make technology and process the backdrop to your overarching customer journey and satisfaction, or rather your 'brand'.

Take client relationship management (CRM) as a starting point for the experience clients and potential clients have of a brand. How many times have you received a marketing email that is irrelevant to you? How many times have you hovered over said email, clicked and moved it to the bin? Every time you delete an irrelevant email like this, you're experiencing a lack of satisfaction with the brand that sent it to you, and eroding their value. This is the same scenario your clients will experience every time you send them a marketing communication that is irrelevant to them.

So how do you solve this challenge? Having good data, which is well managed and well used, streamlines customer experiences. But this all has to start with effective data entry. System usability is key here, and so is having a single point of data entry. There is no sense in using separate databases for your firm's fee earners and marketing data. It should all feed into the same system to ensure clean and accurate data. This yields better business development efforts but crucially results in a better customer experience. Consider allocating time, resource and budget to the following areas, which are key to your overall strategy and objectives: data collection and management, and data analysis and reporting.

The process of onboarding new clients differs depending on your own individual business, but the essence is the same. Of course, you'll be updating your PMS and complying with legal regulation and whatever else, but that's not going to make the customer think you're the best choice. You've also got to build a relationship, and get to know the customer's individual needs.

Perhaps also introduce digital signatures to speed up client signing processes, or look at alternative communication methods that are going to help you deliver real-time updates, or look at ways that you can provide more transparency and collaborate better on documents. Whatever your brand promise – whether you are about speed, efficiency, cost or something else entirely – ensure you invest in the right technology to help you deliver on that brand promise and supply a service in line with your client's expectations, or better.

If you're looking at strengthening your firm's brand, the best advice is to place technology at the heart of client experience in the following ways:

- Take the time to understand where your data is stored and use it to give your clients what they want. My recommendation: have a single data source within your PMS database to ensure clean data at all times.
- Joined up integrated systems. In order to deliver the best possible customer experience, integrated technology that provides a clear journey for the client from the beginning of their transaction to the end is essential.
- Talk to your supplier. A good PMS vendor will be able to advise you on how best to approach planning a great customer experience and what technology is available to you.

The modern brand is customer-centric and is about delivering an experience that leaves the customer satisfied at every stage of their transaction. Technology should be at the heart of this journey. **LPM**



ABOUT

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PRIME POSITION

JANINE PARKER, THE BROKER



“ *If your firm's turnover increased this year and you managed to obtain a flat or decreased premium then you have likely outperformed the market in obtaining competitive terms.* **”**

The analysis is still incomplete but the overall impression resonating from the London insurance market is that the majority of insurers achieved some level of rate increase on their portfolios post-October. Somewhat paradoxically, the excess layer insurers appear to have achieved greater rate increases (between 5 and 15%) than the primary insurers, although this could be due to the large premium differentials that exist between the primary and excess layers.

As always, one or two insurers were able to offer significantly lower premiums in comparison to the rest of the market but the long term sustainability of this strategy should be questioned. With the continued backdrop of economic uncertainty and the knowledge that many PI Insurers are losing money, we will consider whether rates have increased sufficiently or we will see further rate increases throughout 2019.

Finally, what can your firm do to best navigate the potential challenges it faces? History demonstrates the insurance market is cyclical and the solicitors' professional indemnity market, is especially sensitive to any economic disruption.

There have been many challenges writing solicitors PI for insurers since the demise of the Solicitors Indemnity Fund (SIF) for insurers. Notably, the breadth of cover provided by the SRA minimum terms and conditions of professional indemnity insurance is far greater than

the majority of other insurance policies. This makes it a very easy target to attack should an issue ever arise. As a result, very few insurers have made a profit writing this class of business and there comes a point when adjustments have to be made if a company is to continue in an area. As previously written, several PI insurers have already withdrawn from the class, which in itself has affected pricing. For insurers to write profitable books of business, rates will have to increase further and it is therefore likely this will continue in 2019.

It must be remembered that no one law firm is the same and that there are many factors that influence how an underwriter decides what premium to charge. That said, if your firm's turnover increased this year and you managed to obtain a flat or decreased premium then you

have likely outperformed the market in obtaining competitive terms. When selecting an insurer, the track record of this insurer along with the size and security of their balance sheets must always be considered. While most insurers are now A rated, there can be huge differences in the capital base of insurers. Therefore, how can you ensure you mitigate your own risk and best navigate an increasingly challenging insurance market?

- Maintain and ensure all your staff implement your risk procedures – this has to be a continuous process.
- Don't forget that the work you carry out now will be the work that will come under scrutiny in the future should the economy change.
- Ensure that you audit all fee earners on a regular basis – this can help identify potential issues at a far earlier stage.
- Make sure your firm's file management system is accurate and thorough – pay particular attention to telephone notes and memoranda of conversations.
- Pay particular attention to conveyancing – 50% of claims come from this area.

The above is by no means all you should do and may appear simple, but it will be your first line of defence should a claim be made – and maintaining a good claims record will be the most influential factor in keeping your insurance premium at a reasonable rate in a hardening market. **LPM**

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REPUTATION INFORMATION

NATASHA RAWLEY, THE FILE QUEEN

So here we are in the run up to Christmas already – the clocks have changed and the evenings are darker. This is a great time of the year to look back at the achievements of 2018 and see where your firm and team have had success. What changes have you made? What projects have you slam-dunked? How happy are your clients? What has your brand and firm's reputation achieved?

Now we know this month's LPM feature is focused on productisation. So we can start to think about how to package legal services so they can be marketed to and purchased by clients. A massive part of the productisation process is not just what to package but how the firm can market that service. As we all know, in this industry, marketing and clients' calls to action are extremely reliant on reputation – and reputation is dependent on service quality, which is fundamentally based on the firm's talent and the efficiency of its processes.

One of the major processes your client will interact with is your information management process, which will interact with your clients at every service stage – potential, present and past.

Here are some questions you should be asking:

How effective are you at keeping a tight client database on your practice management system – one that is regularly updated and checked for errors or old information? Who is the gatekeeper of this database? Who keeps it compliant and up to date? On this client database, can you separate potential clients from those who are past and present? When was the last time you surveyed all three of these groups with regards to your reputation/process/client service experience?

Is your management of client files process as tight and efficient as it can be? How compliant is it? When was the last time you had this process audited? Again, look at this process from the point of view of potential, present and past clients. How quickly can you set up a new client matter file? How efficiently are all checks carried out? Is your client kept up to date at every stage of the process? When the matter is closed, does your client know how their file is handled? Do you have the security to keep that file safe? How long will you keep that file for? What is the retention process attached to that file? If a client decides to use another firm, how efficient is your firm at transferring the files? How long does it take? What checks are in place? How do you guarantee a secure transfer? How do you contact past clients to let them know you're destroying their files?

How quickly do you locate wills and transfer them to the family? How quickly do you validate and confirm the access rights to these documents, how do you track/record this? Again, is the client's family kept up to date at every stage of the process?

There are so many factors to think about in the information management process within your organisation. It is such an important process, which can form a major part of your reputation as a firm.

If you have any questions, why not contact me for some free advice: filequeen@archivestorage.net. **LPM**



“ *Reputation is dependent on service quality, which is fundamentally based on the firm's talent and the efficiency of its processes.* ”

ABOUT

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Product power

Lucy Trevelyan investigates the logistics of creating packaged products out of SME legal services – how and where can firms make advice cheaper and more easily accessible for their clients?

Productisation: the ‘packaging’ of legal assistance and advice to allow services to be repeatedly reused, but with less direct input from lawyers. The net result: fewer man hours, and more money. Many legal services are now eminently replicable, with technology allowing numerous legal contracts and processes to be standardised and sold on as a package over and over.

Some large law firms have embraced productisation, from creating portals that allow clients to build their own contracts to offering tools that outline risk exposure to possible Brexit scenarios. But can and should SME law firms get in on the action?

SME law firms should not consider the use of client-facing technology as the sole preserve of larger firms, says Tony Williams, principal at Jomati Consultants.

“The use of the cloud means developing new

products does not necessarily require significant hardware costs and there are a range of technologies available that could be adapted for a specific client base. Smaller firms can also be far nimbler and roll out technology over a few days – whereas for a major firm that process can take months or even years.”

MAKING MODELS

The growth of organisations such as Legal Zoom and Rocket Lawyer suggests a clear demand from clients for out-of-the-box legal solutions, which are seen to deliver more affordable, easily accessible legal advice and guidance, says Ann Harrison, chair at Stephenson Solicitors. For law firms, however, the development of such products in the SME legal space is driven by different needs.

“They can be used as a marketing tool to engage with clients who may otherwise not seek legal advice, perhaps because they think it will be too

expensive, or are unsure whether their issue is worth pursuing.

“Or they can be used to package a specific piece of work or advice – for example, for clients who may be able to process their own divorce, but want advice on financial issues (unbundled services). Or to automate a transactional process, for example, in residential conveyancing or preparing a straightforward will.”

Legal service providers have been packaging up their services for SMEs and trying to sell them at fixed prices for a few years now, says Mark Edwards, senior vice president, EMEA at Rocket Lawyer – and some are getting traction.

“Typical models are fixed-price monthly retainers, providing on-demand legal help when you need it, usually with limits on the amount of usage, or fixed price pay-as-you-go packages for specific legal services, such as incorporation, GDPR compliance or employment contracts.”

However, he says, although many law firms and other service providers have developed legal products or packaged services, often they don’t get much uptake. “This may be because they’re seen to be cannibalising hourly fees revenue or maybe because they aren’t being effectively marketed.”

Legal products, Edwards says, work best when sold and delivered online so clients can access them conveniently when and where they need help. “Even better is when the packaged services are productised with transparent pricing and scope, and technology is used in their delivery, as this drives down the cost, making them affordable for small businesses.”

CLIENTS COUNT ON IT

The benefits of these products to clients are certainty on what is being purchased, and an understanding of total cost at the outset, says Harrison at Stephenson’s. “For the law firm, these products are easy to identify and can be automated, often to a high degree.”

Problems arise, she says, when the law firm doesn’t stick to what has been agreed, straying beyond the specific retainer – for example, a firm that sells a fixed-fee divorce package to process the divorce itself may stray into advising on children disputes or financial issues.

“The risk here is that everyone ends up in an unhappy place – the lawyer because they are effectively working for nothing, the client because they feel they aren’t getting proper advice,” she says.

Giving clients comfort that a law firm has experts in the field and have previously helped other organisations navigate similar concerns is a key benefit of productisation, says James Boyle, senior associate in the Taylor Vinters commercial and technology team.

“Often, clients are grateful to see we have already thought about the type of support and documentation they need, and wrapped this up into a single legal ‘product.’”

A key risk, however, is losing the personal

“ The risk here is that everyone ends up in an unhappy place – the lawyer because they are effectively working for nothing, the client because they feel they aren’t getting proper advice. ”

Ann Harrison, chair, Stephenson’s

chemistry (which many clients continue to value highly) when delivering the product, he says.

“We still need to ensure we recognise each client as an individual with their own unique risk profile, and that their specific legal needs, while potentially similar to those of another organisation, are unlikely to be exactly the same.”

PREPARE PROPERLY

The CEO and founder of rradar, Gary Gallen, says the benefits of productisation outweigh the possible pitfalls – a business should be able to access material that can be adopted and used when they need to use it.

He adds: “The pitfalls are that the delivered content has to be relevant and correct for the particular type of business and sector its in, taking account of the activity to be carried out.

“While technology is being used as an enabler to deliver advice quickly and cheaply, that advice can often be from people not used to carrying out the actual legal work themselves and the content can be out of date or wrong for the business trying to use it.”

Harrison at Stephenson’s says packages can be created in most practice areas. However more transactional processes lend themselves more to being dressed up as a product – especially where the end result is a document such as a will or a debt recovery letter.

“Any piece of work that can be clearly defined can be sold as a package – this can range from court representation, such as driving offences, the giving of initial advice in most areas, production of a will or lasting power of attorney.

“Packages can also involve work done under a more general retainer – a fixed-fee employment package for an annual retainer, which may involve access to an advice line – using standard documentation and a certain amount of time with an advisor.”

There needs to be different approaches to productisation of legal services for the consumer and corporate markets, says Williams at Jomati Consultants.

“For the consumer market, it depends on client base and has to be focused on the needs of the clients, but potentially can stretch the areas of reputation of the firm.

“These products have to be simple, intuitive and easy to navigate, and as jargon-free as possible. For corporates, depending on the exact nature of the client base, a greater level of sophistication may be

PRODUCT IN ACTION

Recently, Moore Blatch completely rewrote and relaunched its website, clearly promoting Escalate, its contingent commercial dispute resolution solution.

“Escalate removes all the financial risk and upfront cost for a SME client. There are no restrictions on the types of cases we tackle, which include bad debt, contractual, negligence and IP,” says Mark Osgood, asset recovery partner at Moore Blatch.

The benefits are that businesses that may have previously been reluctant to pursue a case due to financial concerns now have certainty of cost and the ability to pursue their loss, he says.

“They don’t pay out unless the case reaches a successful settlement. We pay for all of the upfront costs and the aim is to get the client’s money back in just three months.”

Packaged products, Osgood says, will be driven by firms identifying a need that is currently not being serviced because potential clients are reluctant to commit to the unknown.

“This is why Escalate has proved successful. There is a huge opportunity in the SME market, where currently businesses walk away from issues as they are more concerned about the potential costs than the benefits.”



included and the client may be able to navigate more complex options, such as Orrick’s GDPR product.”

Areas where it is easiest to provide packages tend to be those recently identified by the SRA in their pricing transparency guidance, Harrison says, as they tend to have a set number of more controllable variables, making it easier to predict the amount of time each case will take, and therefore to quantify the cost.

Boyle at Taylor Vinters adds that given that the SRA’s transparency pricing rules enable clients to assess firms’ services and the prices they charge for them without having to formally engage with firms, we may see increased competition among firms, particularly at the lower end of the market where clients are not looking for particularly complex support, or an ongoing legal relationship.

“Referrals may become less important in this area of the market too, with clients being able to quickly ‘shop around’ for a one-time service at a price they can ascertain upfront.

“Firms may turn more toward packaging their services in an attempt to attract more clients by offering increased value for money and to retain clients who may otherwise go elsewhere after seeing the prices other firms are charging for their services,” he says.

The new rules will almost certainly see more law firms package their services, Williams agrees. “The

price transparency rules require firms to think about what is and is not covered within a fixed price and also to consider ways of driving that fixed price down. Productisation may be part of that process.”

WEDDED TO WEB

Small firms should be tech savvy and try out new technology to help them attract and service customers, says Edwards at Rocket Lawyer. “I love to meet lawyer coders who can build web applications and automate legal and business processes, but these are quite rare.

“But you don’t have to be a coder to innovate with technology. There are lots of solutions that can easily be plugged into your website and automation tools that can be configured without coding to power your front and back-office operations. Even smaller law firms need to be experimenting and learning how to use technology to provide the low-cost legal help that SMEs require.”

Firms are adapting their websites for a more productised world of legal work, says Gallen at rradar, but some are still confusing and don’t actually say what the business does and what outcome is achieved.

“The outcome is the most important thing for a customer. They don’t necessarily want to talk to a lawyer but they like the outcomes a lawyer can provide in terms of help and showing them how to do things better and perform more smartly without having regulatory issues, or breaching licenses and getting into conflict with the regulators,” he says.

In general, says Williams at Jomati, SME law firms are not doing enough to encourage clients to ‘self-serve’ – for instance, allowing them to use technology/automation to create their own contracts, even though it is inevitable in this cost-conscious world that more advice has to be made readily available and tailorable whether for free or on another basis.

“Many SMEs never seek legal advice for their legal

LPM FIRM FACTS

Stephensons Solicitors

Revenue: £19.6m

Corporate status: LLP

**105 fee earners,
420 total staff**

**Office locations:
Manchester, London, Wigan,
Bolton, Leigh, St Helens**

LPM FIRM FACTS

Taylor Vinters

Revenue: £16.7m

Corporate status: LLP

**100 fee earners,
164 total staff**

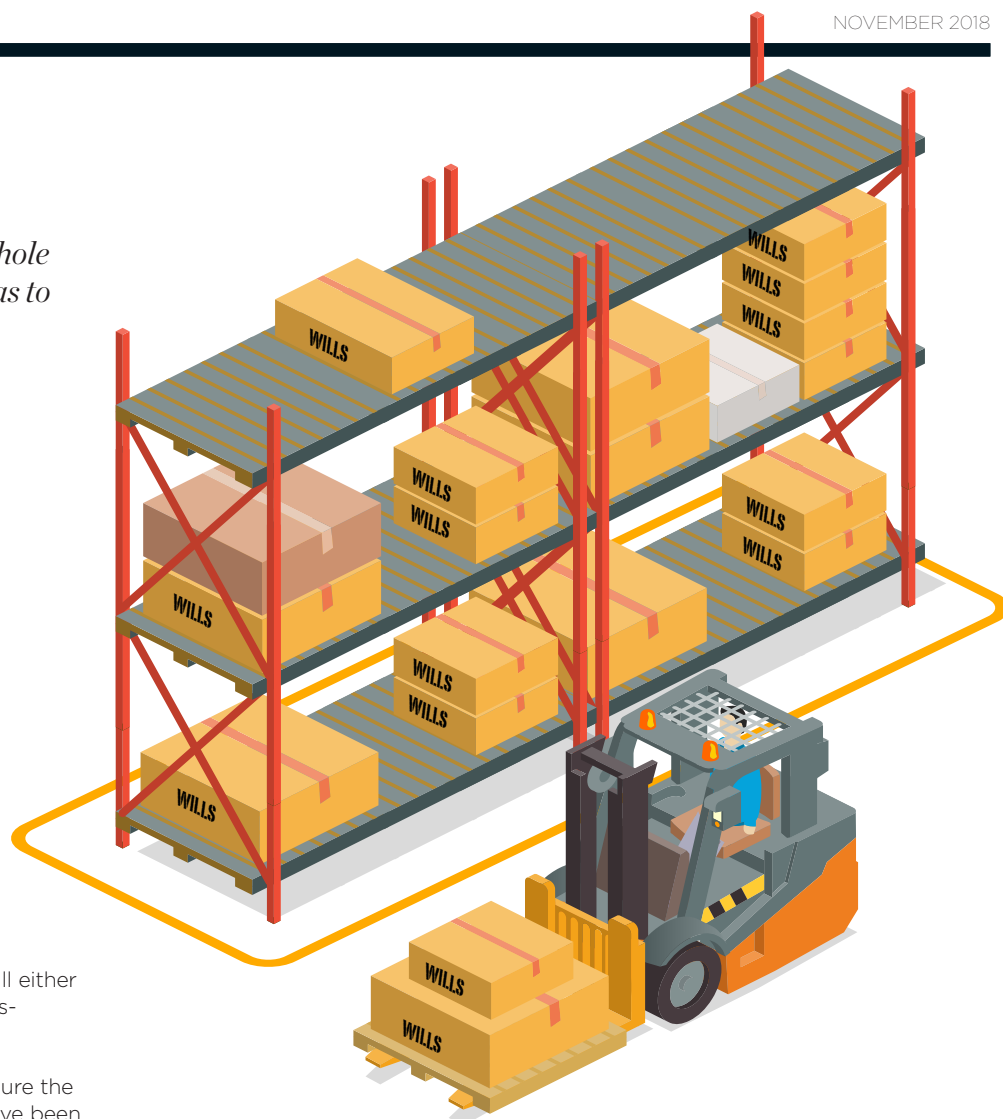
**Office locations: London,
Cambridge, Singapore**

“Firms may turn more toward packaging their services in an attempt to attract more clients by offering increased value for money and to retain clients.”

James Boyle, senior associate, Taylor Vinters

“The fee model – and the whole way law firms operate – has to be readdressed and that doesn’t just mean providing some online self-service models.”

Gary Gallen, CEO and founder, rradar



problems because they think the lawyers will either be too expensive or not sufficiently business-focused. Opening up this market is a great opportunity for law firms.”

To manage the risks, law firms should ensure the self-serve products are good quality and have been created by their lawyers or reviewed by them, and that they are up to date, says Edwards at Rocket Lawyer.

“Make sure it’s clear to the customer what they can be used for and when they need to speak to a lawyer for more complex situations.”

Gallen says law firms still cling onto their knowledge and provide little self-service at the moment, certainly on an open access basis to customers – unlike the way technology companies provide their solutions. It’s an impediment that stops the systems being widely provided and rolled out by law firms.

“They think that if they provide knowledge and insight, they’ve lost the opportunity to charge a fee. The fee model – and the whole way law firms operate – has to be readdressed, and that doesn’t just mean providing some online self-service models. It’s still a struggle for law firms to do on a piecemeal basis and I don’t see a lot of adoption,” he adds.

Offering ‘freebies’ is increasingly required to get people into the sales funnel, says Harrison at Stephenson.

“Numerous firms are offering free guides, videos and templates. These materials leave the client more informed and can benefit the firm as they can cut down the volume of questions needed at the initial stage.

“Free initial advice and seminars have been around for a long time; and the use of webinars in the legal profession and on the corporate side, offers of free training are prevalent.”

CONTINUED LEARNINGS

To help develop the skills and tools needed to

package and sell their services effectively, more law firms should tap into the rich research and development (R&D) market, says Boyle. Firms can quickly and easily access their clients.

“Asking our clients what legal products they want us to provide has been critical to our success. Involving clients in this way helps make them feel valued, and helps validate the claim that their lawyers genuinely care about building lasting relationships with them, rather than looking for the next billable hour.”

R&D is more available on a small scale today than previously and is something that small businesses could look at collaborating on to achieve, Gallen at radar says.

“They are often each supplying information at a different part of the value chain. However, by working together, they can pool resources, knowledge and time – and perhaps cash – to pay a technology company to design the solution that can deliver their knowledge and content. The combined solution is of a greater value to the customer.”

Fixed fees, capped fees, pay-as-you-go fees and other pricing models have been used in different ways in the legal profession for many years. Gallen says the real challenge is providing learning and development, training and education models that truly drive a membership or subscription.

The legal profession is now having strategic conversations about helping businesses grow and develop and seize opportunities for themselves in new areas of business, Gallen says. And the more you educate the business, the higher up the value chain the conversation moves. **LPM**

LPM FIRM FACTS

Moore Blatch

Revenue: £27m

Corporate status: LLP

**180 fee earners,
322 total staff**

**Office location:
Southampton, Lymington,
Richmond, City of London**

LPM FIRM FACTS

rradar

Revenue: undisclosed

Corporate status: Limited

110 total staff

**Office locations: Hull, Leeds,
Glasgow**

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MARTIN PALMER, THE CLOUD EXPERT



The SME sector is in a state of upheaval — we all recognise that the face of business has changed over the last 18 months and will continue to do so going forward. We've got the likes of GDPR, Brexit and deregulation to thank for it. While these external factors play a role, there are also

significant internal factors that are driving change.

And yes, I mean digital transformation. This is especially evident in the legal sector, where digitisation efforts go far beyond migrating to the cloud.

The fact is, legal firms are already transforming to a degree and have some aspect of their infrastructure in the cloud, even if it's just using Microsoft Office 365, email scanning/archiving, or using a SaaS solution to capture time. But more than this, there is the appetite among firms to optimise their technology investment (and infrastructure) and capitalise on the benefits that digital transformation can deliver.

“There is the appetite among firms to optimise their technology investment and capitalise on the benefits that digital transformation can deliver.”

For the most part technology-driven change offers firms greater convenience, efficiency and in a lot of cases productivity. Consider the use of collaboration software and how that has revolutionised the way we work — regardless of industry. In the LPM Legal IT landscapes survey 2018, law firms

specifically highlighted interest in transformation to deliver automation, smart working and mobility, and looking further ahead to the use of AI and machine learning to get greater value from their data.

Those are the benefits and they are most sought after, especially in an increasing competitive market, where partners are fighting declining margins. In a recent PwC report, improving the technology used in practices was identified as a top priority. But looking at the industry in general, and certainly based on the work we do, it's not always as easy as that. There are significant barriers to transformation, and they're not all based around cost.

Of course budgets play a role — justifying expenditure on new technology has never been easy for professional services firms. There is also a



significant staff challenge — not just retaining key staff and having skilled IT staff in-house to assist, but also in terms of culture and attitude. As with any type of change, there is often resistance to it, and buy-in for technology adoption needs to happen at the partner level in order for that positivity to filter down to the rest of the practice. Then there's implementing the change and seeing it through — all the while considering the big picture of compliance, security and client experience.

In spite of the challenges, change is always required to keep pace with the market and changing client demands. To prosper, to grow, to adapt, is all about making sure your organisation is best placed to deal with that change, embracing the right technologies to help you get there. **LPM**

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Ask the audience

How will SME law firms face up to challenges from regulators and clients in the next five years? What are the key areas of interest? The LPM 2018 conference poll is out. Kayli Olson reports

The roadshow for this year's LPM conferences polled SME legal leaders in London, Birmingham and Manchester. What do firms think of the challenges that will face their firms in the years to come?

More turbulence is most likely to hit the market. Across the regions, 46% of attendees said the challenges their firms face will be either more or much more (35% and 11% respectively) serious than in past years. For 42%, the response was that it would be similar.

Change is definitely afoot. Yvonne Carratt, director at Lincolnshire-based JMP Solicitors, says that historically, the firm was a niche personal injury (PI) law firm with almost no walk-in business. Unfortunately, because of changes to the PI landscape and reduced fixed costs, it's no longer possible to build a business model purely on PI cases.

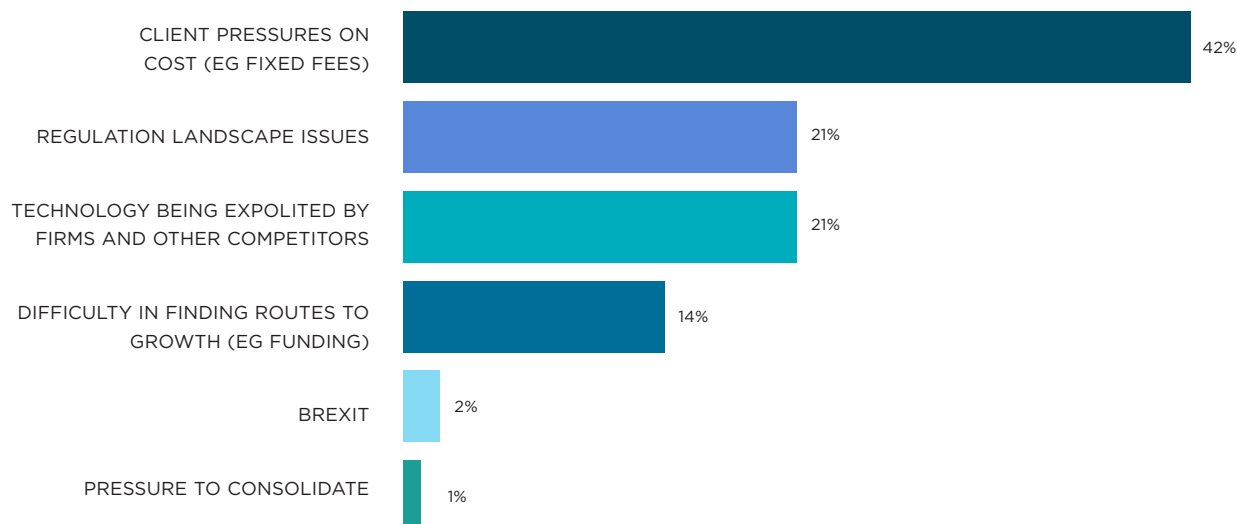
"It's forced us to move into other areas of law and

focus on how we market the firm and improve our accessibility to the general public, which in the long-term was probably the best thing we ever did," she says.

Where one firm may need to add on services to stay in the game, others, however, will need to specialise. Steve Bradley, practice manager at Birkenhead-based Haworth & Gallagher, says: "As more and more legal services become process-driven and fixed-fee, it seems more people are being forced to specialise. And the traditional high-street, versatile lawyer or secretary is becoming a dying breed."

We did indeed ask LPM conference attendees their views on this subject. With more risk and lower margins in some work areas, and the prospect of non-legal businesses grabbing non-reserved work in the future, 19% of respondents said the idea of the full-service SME firm is destined for the dustbin. The majority is still with the full-service firm, with 56% of

OUT OF THESE, WHICH FACTOR IS HAVING THE BIGGEST IMPACT ON THE SME LEGAL MARKET?



respondents' votes, however a quarter (25%) think the jury's still out.

WHAT'S SHAKIN'?

It seems no matter what type of firm – niche, full-service or otherwise – the greatest hurdle to firms' growth or further success is 'finding high-quality staff', said 38% of respondents.

Bradley at Haworth & Gallagher says finding good quality candidates with a broad range of legal skills and experience is becoming more of a challenge – especially for small firms, which don't have the prestige or staff benefits that large corporate firms can offer.

"We have to overcome that by offering a career path and varied workload that give opportunities to learn a diverse range of areas of law."

And, he adds, many young professionals prefer to work in a large city with a thriving legal community, rather than small towns or suburbs – so it's about trying to attract them to the regions.

Carratt at JMP Solicitors points out that it's not only about finding high-quality staff but finding those who the firm feels will fit in with the culture.

"Generally, we find that most people who qualify with us stay on post-qualification. We do have to compete with larger firms in the surrounding cities, so we try to promote a healthy work-life balance and flexible and good working environment."

Paul Bennett, partner at Aaron & Partners, and speaker at this year's conferences, says the firm has different problems in different offices. But his firm absolutely follows the trends found in the LPM conference polling, he says.

First and foremost, the problem is recruiting and retention, we want the best people and it's a competitive market for them which we do well in but always look to pick up other quality solicitors with a following, Bennett says, followed by use of change of pace and use of technology.

"Everyone talks about artificial intelligence and robotics but it's probably not where our clients are just now. But they are expecting ever-increasing use of technology to

push prices as low as possible.

"And we're definitely concerned about the pace of change. There has been an awful lot of legislative work in the background fuelling this. Regulatory change puts a lot of strain across business, especially in funding arrangements over Laspo."

HIGH IMPACT

In terms of the biggest factors to impact the SME legal sector, it's of course client pressures on cost (42%), followed closely by regulation and technology (each with 21% of respondents).

The market will certainly see more fixed-fees for private client work and more awareness and choice for consumers, says Bradley at Haworth & Gallagher.

For example, he says, price comparison websites will enable clients to shop around for legal services, comparing prices from various local firms.

"I believe this will develop in the coming years and lead to even more competitive pricing – with clients leaving online reviews on price comparison websites and social media, further aiding the consumer's choice."

Carratt at JMP Solicitors says client pressure is definitely top of the list. "Managing client expectation is hard because they do have higher expectations now. They expect you to be available 24 hours a day and to respond immediately – but this is really a reflection on today's society and consumer expectations.

"We therefore try to keep the client updated and in the picture as much as possible using a variety of communication methods suited to that particular client. All clients are different and some tend to require more attention depending on the case type, circumstance and individual."

Bennett at Aaron & Partners agrees that more clients are wanting to communicate on channels such as Facetime or Skype.

Technology can be a blessing and a curse, says Carratt. If it works well it can be your greatest tool but if it fails, and it inevitably does at times, it can be a source of frustration and you suddenly realise how much you all really depend on it.



"It's constantly evolving and we have to keep up with that if we want to succeed – we're currently transforming into a paperless office but obviously need to make sure that all of our systems and processes are robust enough to withstand technological challenges and disruption."

STARRY EYED

Needless to say, there are opportunities to hand but also some tough decisions to make for SME firms going forward.

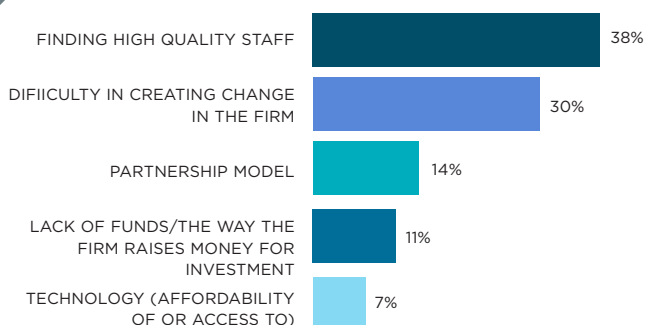
Since adding matrimonial, commercial, conveyancing and private client departments to its PI offering, JMP Solicitors has also moved premises to a more visible office and welcome walk-in enquiries.

The firm made the difficult decision to close down one of its branch offices and consolidate its efforts while expanding the head office premises and headcount.

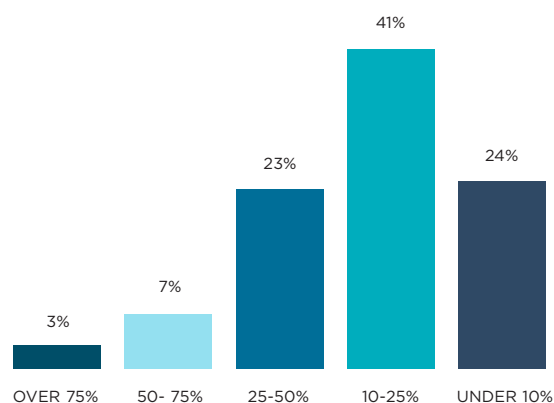
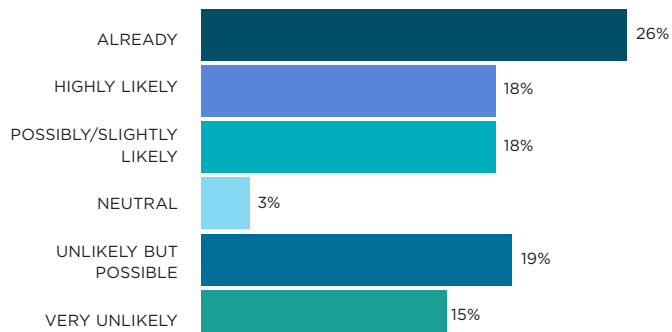
Carratt says many small firms will disappear because the profits have fallen in many areas – it takes vision and constant monitoring to see where the weak areas lie and how to build them up.

"Change is essential and we have had to offer the

WHAT IS THE GREATEST HURDLE TO YOUR FIRM'S GROWTH OR FURTHER SUCCESS?

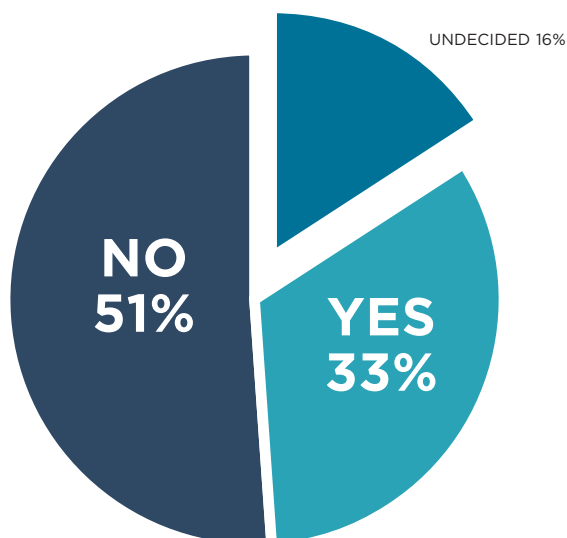


HOW LIKELY IS IT YOUR FIRM WILL INCORPORATE AS A LIMITED COMPANY IN THE NEXT FIVE YEARS?



IN 10 YEARS, WHAT AMOUNT OF CLIENT-FIRM INTERACTION AT YOUR FIRM WILL BE HANDLED BY AN AI SYSTEM SUCH AS A CHATBOT? (INCLUDES FIRST-TIME INTERACTION, UPDATES, AD HOC INTERACTIONS)

ARE YOU CONSIDERING
EXTERNAL FUNDING AS
AN ALTERNATIVE TO
TRADITIONAL PARTNER
CAPITAL?



public what it requires. Commercial in particular seems to be an area that is growing rapidly,” she says.

Bradley at Haworth & Gallagher agrees, and says a lot of firms have already closed down. “There used to be a lot of law firms like ours in this part of the world but they’ve been disappearing in the last five years.

“It makes us aware that we’ve got to do the things we do well and do them right, particularly client care.”

He says partners will need to put the needs of the client first, so any change must support the firm’s long-established reputation for high levels of client care.

It may take a change in business model to do that. Bennett at Aaron & Partners says firms should be looking at their business model.

“Advising other law firms on partnership matters I’ve heard a lot of law firms talking to their banks about the possibility of moving from an LLP to a limited company – they’re also seeing this from an attraction and retention of staff perspective.

“If you look at the profile of the majority of SME law firms, the partners are over 55 and there’s a clear gap in

the market for more junior partners and legal practice managers. A possible way to bridge that gap is by changing your business structure and bringing in people gently over time.”

Firms polled at LPM 2018 conferences certainly have a range of opinion here too: 26% of respondents said their firm operates as a limited company already, with a further 36% saying it is highly, and possibly, likely (both saw 18% responses) in the next five years. A further 19% of respondents said it was unlikely but possible and only 15% said it was very unlikely.

And, of course, Bennett points out that it’s important for firms to investigate what big changes to the business might mean for the firm. “Does their current structure make sense and if it doesn’t, they should be reviewing it carefully and making strategic decisions for a five-to-seven-year period.”

The status quo is a big challenge with an aging partner profile, he adds. And there are more challenges to come – so bring it on 2019. **LPM**

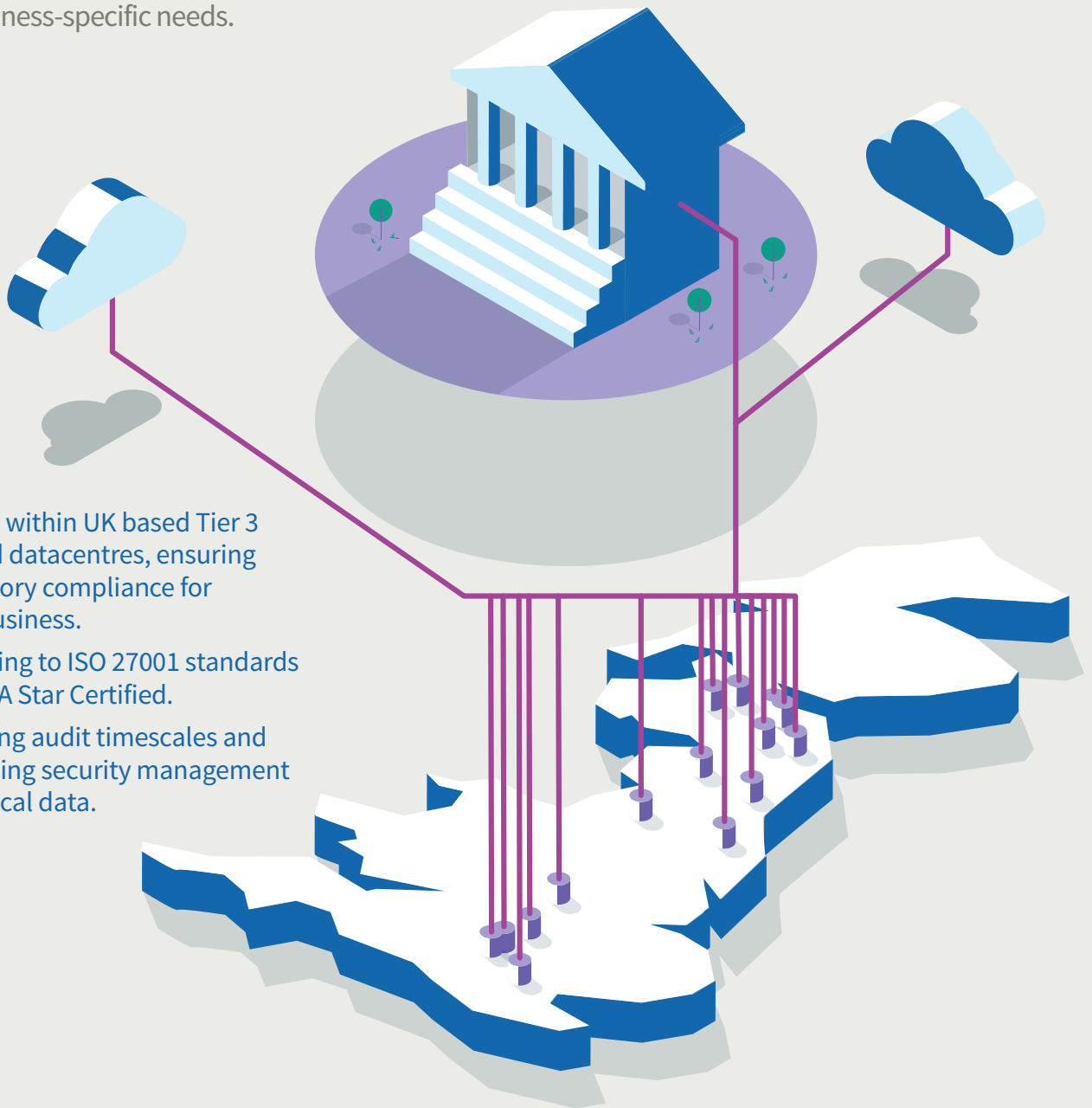
“There used to be a lot of law firms like ours in this part of the world but they’ve been disappearing in the last five years. It makes us aware that we’ve got to do the things we do well and do them right, particularly client care.”

Steve Bradley, practice manager, Haworth & Gallagher



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LPM FIRM FACTS**Bolt Burdon Kemp****Revenue: undisclosed****Corporate status: LLP****100 total staff****Office locations: London**

Rule of lawmaking



Lynne Burdon, founding partner at Bolt Burdon and Bolt Burdon Kemp, and author of *Lynne's Laws of Leadership: 20 big lessons for leading a small law firm*, describes the things to keep in mind when making your own internal laws

When my children were teenagers, I received two pieces of very valuable advice: Say 'yes' whenever you can and, when you need to say 'no', mean it – and whatever happens, keep lines of communication open.

I can't remember who gave me these gems but they served me well and I have always remembered them. I have taken a similar approach when making the rules for my law firms.

LAW 1: CLARITY

Be clear why every law exists. Before making any rule for your organisation be really clear why you are making the rule. What is the advantage you are trying to create or problem you are trying to solve?

Communicate the reason for the rule clearly to all staff. People respond much better to laws if they understand why they exist.

So, for example, a good rule is: all communications must be stored on the firm's case management system within 24 hours.

People are more likely to comply with it if it goes on to say 'to ensure that if you're unexpectedly unable to work, all the relevant information is in one place, making it easier for another lawyer to take over the case and continue to give the client the very best advice'.

LAW 2: SIMPLICITY

Have as few laws as possible and keep them simple. Back in 1993, I wrote our first office manual – a huge comprehensive document that I thought was necessary for us to become one of the first firms to be awarded a Legal Aid franchise. It got us our franchise but I soon realised that I had gone way over the top – there were so many minor rules and regulations that no one could remember them not even me!

I spent much of the next 10 years trying to reduce and simplify our rules and procedures. The more rules you have, the harder it is for people to remember them and they won't know which are the most important. You will need to work very hard to enforce them.

Before making any rule, first consider whether it is really necessary. Do you need rules around

dress code – or can you just lead by example and trust your staff to dress appropriately?

Invest time in exploring all the possible ways of getting the desired result. Consult with those who will be affected. Ask for suggestions. Choose the simplest way to achieve the wanted outcome.

LAW 3: BE SUPPORTIVE

Make laws to support your best people. I believe most people come to work with the intention of doing their best work. They neither want nor need to be micromanaged. They will work hard because they want to – to please their clients and to further their own careers.

Make sure all your laws are designed to support your best people to do their best work.

In 2003, I introduced our flexible working policy: work when, where and how you like, to suit you and your clients – with a few restrictions to make sure key roles are covered during office hours and that we comply with the law.

This policy has been a great success and has consistently helped us attract and retain great staff to the organisation. It makes life easier if you need to collect children from school or if you just want to go to the hairdresser on a Wednesday afternoon. It says we trust you to do your work in the best way to suit you and we respect your need to run your private life too. It also helps makes it clear that we will not be impressed just because you spend a lot of hours sitting at your desk.

When I first introduced this way of working people said to me, 'but won't people shirk?' My answer was, 'yes, I am sure they will – but only the same people that are shirking now'. I remain certain that is true.

Don't make rules for everyone to help you deal with a few shirkers or to address any other unsatisfactory behaviour: address that, of course, but not by making up rules that penalise your best people.

LAW 4: BE ASSERTIVE

Be completely intolerant of law breakers, but always be open to a better idea. I believe that if rules are made then the organisation should be completely intolerant of anyone who does not



comply with them. If not, why does the rule exist? It is pointless.

Anyone who does not comply with the rules – or, maybe even worse, just pays lip service to them – is not committed to the firm and can do serious damage to the culture of the organisation. If transgressions are not dealt with, the message will soon get around that the rule is optional! Tell everyone precisely what they need to do to comply with the rule – and check that they are doing it right early on.

However, I think it is also just as important to make it clear that all rules can be changed.

If anyone thinks a rule is not a good one they should be encouraged to suggest a better idea – but must understand that until a change is made the rule is compulsory! Things do change – rules about how we deal with incoming post are no longer necessary now nearly everything important arrives by email.

Publicly recognise anyone who does think of a simpler rule to achieve a desired objective. The more people who think about making life simpler, the better

life will be for all.

LAW 5: REMOVE COMPLEXITY

Create your own laws to simplify red tape. We operate in a very complicated world – there are huge swathes of legislation that we must comply with: data protection, money laundering, VAT, accounts rules ... the list is endless.

It is not realistic to expect all your staff to know all these rules and comply with them. You need to put in effort and make compliance as simple as possible.

GDPR is a classic example – probably only those in charge of compliance and IT need to understand every detail. Their job is to distil the parts of the legislation that affect your firm into policies and procedures that are as simple as possible and will ensure that, if the internal rules are complied with, the organisation will be compliant. When your laws have a clear reason for existing, and are simple and designed to support your best people, you will not have too many issues with compliance. **LPM**



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SUPER SCAN

Sharon Petford, partner at Donn & Co, says scanning solution Post Partner, powered by Brother, has saved the firm around 50% of time spent scanning documents for case work

When someone thinks of a traditional high street law firm, what is often pictured isn't far from the environment found in the 1999 film *Office Space*, except with more paper. Over the last couple of years, law firms big and small have been making moves to reduce paper usage and the manual tasks that surround them.

Donn & Co has recently taken on a few initiatives to change the way it works – making it more digitally-enabled. Sharon Petford, partner at the firm, says it's important to create efficiencies and keep up with the times.

The majority of Donn & Co's work is conveyancing and property-based, which means high volume and low margins that require careful, organised management to turn a profit.

"We don't necessarily want to increase staff numbers but we do want to increase our capacity to take on more work. That's why we're looking into various technology solutions to be able to do that."

She says one of the steps on this digital journey is Post Partner scanning solution, powered by Brother, which can move post and other hard copy documents directly to the optimum location in the firm's case or document management system. It has enabled the firm to do 'batch scanning' to cut down on time spent and human error involved in scanning the hundreds of paper documents needed to work on client matters.

SCAN EASY

Previously, the firm used a massive, standalone multifunction printer, which was set up in one room in the office and was used by everyone – for everything. In a not-so-document-heavy business this might be all that is needed – but for a high street and predominantly conveyancing-based law firm, it just doesn't work, Petford says.

Before using Brother's ADS-3600W scanner

and Post Partner, she says, assistants had to stand at a machine in a small room, scanning documents one by one, take those documents up to the computer and re-open them digitally so that they could see what they were and label them appropriately.

"They were constantly being interrupted because someone would need to print or photocopy something. And it was also right next to reception, so they were again stopped from doing the scanning by clients coming in, as the firm's first priority is to assist the clients."

She estimates it's made Donn & Co's scanning processes about 50% faster – it saves a lot of fee earner and administration time, boosting productivity at the firm.

There are no interruptions, the assistants can put more documents through in one go and label them at the time they are scanned, with the facility to have the document open on-screen, Petford adds.

It means fewer errors as well. "You know that you're labelling the right document because you can see it then and there, and the system saves it to a folder for you, making it easier to drag and drop into the appropriate case file."

The number of documents Donn & Co processes is very high, she says. Just one case file could have numerous letters, contract, property information forms, planning and buildings regulations compliance paperwork and more – so it takes a long time to scan, label and save all of that information manually.

Petford says: "The scanning solution is quick and reliable and we've not had any major issues so far. It's also very user-friendly – staff don't need an awful lot of training on it. It's self-explanatory and just takes a couple of clicks."

And, she adds, keeping staff happy is quite high on the firm's agenda – having an accurate and speedy scanning solution makes them more comfortable and will motivate them to work hard

LPM FIRM FACTS

Donn & Co

Revenue: undisclosed

Corporate status: LLP

Office: Newport



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FIRM CHANGES

Beside the need for greater efficiency and staff happiness, a big driving force for using the Post Partner scanning solution was the firm's recent decision to undergo a few crucial changes to the way it works – the move to cloud was also on the agenda.

Donn & Co has been working with Tom Bailey, managing director at Best Practice Law – which developed the Post Partner scanning solution. Bailey works closely with Brother to further develop Post Partner and other digital transformations. Petford says this has contributed towards the success and progression of the firm's IT strategy.

Currently, the firm's usage of Post Partner is non-integrated, meaning the firm is only using the basic functionality of the product – although that's set to change. Post Partner can move hard copy documents directly into a case or document management system.

Donn & Co will continue to test the integrated version to improve efficiencies and

further reduce human error when labelling and saving documents in electronic files.

"The ideal is to get everything we scan directly linked to our case management system. That would be another big time saving and accuracy boost. If it could read the documents and understand what case it needs to be filed against, that would cut out another step for us."

"The potential is huge," she says.

Documents are split by pieces of black paper, which enables the machine to recognise and separate the documents, meaning that numerous documents can be scanned together.

At the moment, the firm's biggest challenge is dealing with client expectations. "They're constantly expecting things to be done more quickly, so we have to be prepared and be able to respond to that. That's what we're constantly looking into, and using the Post Partner scanning solution is one more way of helping to achieve these expectations," Petford says. **LPM**



CASE CLEARED

James Mawbey-Shaw, co-director and solicitor at Wilsons Solicitors, discusses how InfoTrack saves the firm time on conveyancing and improves productivity

Like any conveyancing firm, Wilsons Solicitors needs to maintain a certain level of efficiency and organisation to meet the time demands from clients. There are a lot of moving parts throughout that process, but conveyancing work doesn't have to seem like a constant mad rush for completion.

James Mawbey-Shaw, co-director and solicitor at Wilsons Solicitors, says there are so many variables and steps associated with the conveyancing process that it's easy to end up with a system for each task and many firms still do work manually.

"The InfoTrack system works so well for us, especially as our main focus tends to be property. The benefit it's given us in time savings has enabled us to do more work.

"And since you can do everything through one system, not only is everything easily viewable and

within reach but it minimises the time spent having to do different things in different portals and trying to marry them up."

INVALUABLE TRANSACTIONS

Mawbey-Shaw says InfoTrack is just part of the way the firm works. "The time saved is invaluable when dealing with other queries that come up in masses, because if you can cut down the time you're spending on the paperwork side then it's easier to deal with all the other queries that come through.

"What I like about the system is that everything is easy to use and provides a huge aid to the work we do – from chasing searches to raising queries on a matter. The minute you order anything it gives you an email back with a time estimate."

It also provides reminders, he says. For example, if there's a time limit on something, as in the case

**LPM FIRM FACTS****Wilsons Solicitors****Revenue: Undisclosed****Corporate status: LLP****40 fee earners, 50+ total staff****Office locations: Leeds, Bradford**

“It's a huge advantage to be able to see exactly where a property application is in the workflow and I don't need any files up in front of me. The system is perfect for what we do.**”**

CONVEY CONFIDENCE

Wilsons Solicitors has been using InfoTrack since the vendor's reach into the UK market – the firm was one of InfoTrack's first UK clients. Mawbey-Shaw says he has a lot of confidence in the staff at InfoTrack.

“When we saw the technology and how they were building on it, we were really impressed. And we've seen the benefits of a strong relationship. InfoTrack has learned a lot from us since the beginning, watched what we did, figured out our pain points and built solutions in the technology.”

He says InfoTrack is well placed and mirrors the market well – as things change, the team update the system and adapt accordingly.

And, Mawbey-Shaw says, if anyone at the firm has an issue or question, they can ring InfoTrack and they know who we are and are able to sort it.

“With InfoTrack, you get a client service manager, and you've always got a contact higher than that if anything becomes more technical. But the reality is, you just phone straight through and anyone can sort it for you.”

Wilsons Solicitors is very happy with InfoTrack and its technology capabilities, he says – it gets the job done and quickly, it's as simple as that. **LPM**

with land registry applications when a requisition is raised, it will prompt the user with a 10, five and two-day reminder.

“It's really helpful because then at least you can give the client a date that you'll have information back.

“And some councils are taking four to six weeks for searches, so when you're under massive pressure from them and the client, you can't afford to spend a lot of time trying to get them back.”

Mawbey-Shaw's favourite feature of InfoTrack, he says, is the APIs and land registry side of things. The system remembers what you've done on previous items within a case – so by the time you get to the last process, which is your application to land registry, it's virtually prepopulated, he says.

“There are only a few things that you have to fill in but you don't have to do the ancillary API form. All that needs to be done is to fill in a few boxes, attach scans and send it off – it cuts down a huge amount of time spent throughout the entire process.”

Alongside that, he says, another great feature for productivity is that he can type an eight-digit code and the system will throw back exactly what's been done on the matter in a timeline.

“It's a huge advantage to be able to see exactly where a property application is in front of me. The system is perfect for what we do.”

ABOUT THE SPONSOR

InfoTrack provides award-winning technology, challenging and evolving the way firms access data from a range of sources including Land Registry, Companies House, HMRC and more.

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NAME YOUR PRICE



Brian Rogers, director of regulatory services at Rliance, discusses changes to pricing transparency in the legal market and what SME firms should look out for

Regulators have long since aimed for law firms to be more transparent about their pricing and legal service provisions so consumers are able to make more informed decisions about which firm they instruct. Now they have achieved their aim and are introducing new rules that will require firms offering certain types of work to provide consumers with more clarity.

There have been concerns within the profession over how different pricing structures used by firms could be published in a way that would not create an unlevel playing field between those handling similar work. However, the SRA has tried to address this by allowing them to provide average pricing if exact prices cannot be quoted.

The SRA is not the only regulator to be enhancing transparency for clients – others include the Bar Standards Board, the Chartered Institute of Legal Executives, and the Council for Licensed Conveyancers.

FAIR PRICE

The SRA's new Transparency Rules will come into effect in December 2018, but what will this mean for you and your firm?

The SRA has said that the rules are aimed at more transparency as well as improving competition in the legal market.

"Our transparency reforms will ensure that members of the public and small businesses have the information they need about firms, the services they offer, the prices they charge and the protections they have in place," says the SRA.

From December 2018, you will be required to publish a number of new things on your website and, if you don't have one, to make the information available on request.

The following areas of work will be covered by the new publication requirements – for individuals: residential conveyancing, probate, immigration (excluding asylum applications and appeals), magistrates, court work (summary only road

traffic offences dealt with at a single hearing) and wrongful and unfair dismissal claims. And for businesses: defence of wrongful and unfair dismissal claims, debt recovery (up to £100,000) and licensing applications.

So what do you need to publish as a minimum?

- Total cost of the service (including disbursements and VAT)
- Basis for charges (if fixed fee it should be clear what is and is not included, and in what circumstances (if any) it will be exceeded)
- Experience and qualifications of fee earners/supervisors
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- VAT payable on fees and disbursements
- Details of services included in the price displayed
- Key stages and timescales in a matter
- CFA/DBA costs that may be payable by a client (if applicable).

PRICING PEOPLE

One of the interesting phrases used in relation to services included in the price displayed is: 'Details of any services that might reasonably be expected to be included in the price displayed but are not.'

It's likely that such a phrase has been used to get firms to be open at the start rather than adding foreseeable costs at a later date.

In addition to pricing, you will be required to publish: your complaints procedure (make sure

“ December is not far off, so you need to start thinking about how the rules will impact on you and your firm and take action to get your website, letterhead and emails compliant. **”**



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this is updated if your complaints partner changes); SRA number and SRA digital badge (websites); SRA number and 'Authorised and regulated by the Solicitors Regulation Authority' (letterhead/emails). Solicitors working in non-SRA authorised firms will be required to publish details about their alternative insurance arrangements and the inability of clients to claim on the SRA Compensation Fund.

December is not far off, so you need to start thinking about how the rules will impact on you and your firm and take action to get your website, letterhead and emails compliant. You should think about whether you will publish the qualifications/experience of individual fee earners and supervisors, or the generic qualifications/experience of each position – for example, property solicitors (1+ years' experience), conveyancing executives (5+ years' experience) –

or link to staff profiles on your website that includes their experience and qualifications.

You will also need to consider briefly describing the stages in the transaction – for example, in the conveyancing process, the average length or range of time taken for each part of the process and the factors (chains, mortgages, valuations, title problems and so on) that may lead to the process taking longer (delays in obtaining searches, delays caused by other third parties involved in the transaction).

It would not be unreasonable to assume that once the publication deadline has passed the SRA will start to visit firms' websites to check on compliance with the new rules, so don't delay in getting ready.

Need more guidance? Riliance can provide you with training on the new rules and a toolkit to help you comply. [LPM](#)



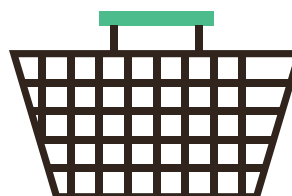
1 More than 60% of small businesses view cost as a barrier that might limit access to legal services.

2 Small business without access to pricing information assumed solicitors were more expensive, by 22%, when compared to the actual costs.

3 75% of businesses surveyed indicated that they would spend time searching the internet comparing different legal service providers if there was more easily accessible information available on the internet (42% of small businesses surveyed already spend time searching the internet for legal service providers).

4 More than 50% of small businesses stated that they would be more inclined to contact a solicitor who publishes price information on their website.

5 Almost 60% of sole traders say that they would still conduct a market search even if they had the option of relying on a solicitor they had already used for personal legal issues.



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