OCTOBER 2018



EXPERT COLUMNISTS AND ADVICE FROM PRACTICE MANAGEMENT

THE ONLY MAGAZINE FOR LAW FIRM MANAGERS

LPM ASKS Sobea Irfan, director at Bank Solicitors, talks people empowerment

BRAIN TRAINING Will Taborn, founder and managing director at Taborns, on straying from tradition



Make the cuts

SME firms on taking a slice of life from their high volume, low margin practices

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WELCOME

Where can you cut costs and still service clients?

don't know about you, but for me September was packed full of events in the legal sector. I had the chance to follow up with Taylor Vinters on its Zebra Project and see one in action: 'purpose led growth', a nice continuation of LPM's recent features around creating cultures. Among other events, I also popped along to the Barclays Eagle Labs launch event. The top 100 firms are looking to work with startups ... perhaps the SME market could benefit from such a partnership? But what do they all have in common? Innovation – or perhaps that's a bit too broad, it's about knowing your business and driving efficiencies.

Our Andrew Muir investigates what SME legal leaders could learn about driving efficiencies from firms' high volume/low margin areas – for example, how's work allocated, what technology can you use? More importantly, where can you cut costs and still improve service to clients? Read all about it on p23.

Having trouble with building up your employee pipeline? We've got a couple of perspectives on succession planning by Sean Stuttaford (p12) and David Green (p20).

And don't forget to check out our brand new columnists Accesspoint (p15), with a Q&A on law firm website strategy, and MHA MacIntyre Hudson (p17) on business models and financing for the future.

Kayli Olson, acting editor @LPMmag | kaylio@lpmmag.co.uk



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REAR VIEW

Last word: An update from Christina Blacklaws, the Law Society president

About us

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IN PRACTICE

SNAPSHOT NOT SO SMOOTH RIMINA

ensions rise as the government delays to fulfillment of its £15m promise to barristers following their end of the boycott of legal

aid cuts. The Ministry of Justice is currently consulting on how the £15m should be allocated within the advocates' graduated fee scheme. The deadline for the consultation to amend the scheme has been extended to 12 October

And further frustrations follow alongside as the Law Society questions the initial assessment of the proposal for the expenditure. The Society says the ministry's assessment amounts to £15m, based on the 2016-17 'case mix' information but the amount is only £8.6m when applying data for 2017-18.

"Our initial assessment shows that a disproportionate amount of the additional expenditure will go to QCs, rather than targeting the crisis among junior advocates. We believe that this is the wrong priority to achieve the policy aim of mitigating the current recruitment crisis among both barristers and solicitors," said the Law Society.

The criminal bar only narrowly voted to accept the government's offer in June, but at the time solicitor-advocates were not eligible to vote and no solicitor associations were consulted on the terms of the offer.

Meanwhile, the Bar Council continues to list the names of solicitors who fail to pay their barristers. The bar

confirmed that it has added 13 firms to the list of defaulting solicitors in the last three years.

There are currently over 100 firm names listed. Solicitors and firms can apply to be removed from the list after six months, although no applications have made their way to the bar in at least three years.

In other news, the Solicitors Regulation Authority (SRA) has called for a lay majority of non-lawyer tribunal members in the panel that reviews solicitors facing prosecution.



Currently, the rules require only one law member on the three-person Solicitors Disciplinary Tribunal panel the draft rules by the SDT that retain this rule are now subject to consultation

The SRA recognises that there is no evidence that a solicitor-majority panel leads fellow practitioners to a more favourable outcome. But, it insists a lay majority would support public confidence by "removing the perception of a structural bias in favour of solicitors."

The SRA is also urging the SDT to adopt a civil rather than criminal standard of proof. According to the SRA, the criminal standard is "costly, burdensome and unfair to the users of legal service and undermines confidence that regulation of the profession is in the public interest." LPM

✓ Have you got a story or report for us? Write to Ipm@Ipmmag.co.uk Is this the end of justice as we know it?

Reform reality

The legal industry voices concerns around the Solicitors Regulation Authority's Looking into the Future reforms



of respondents said changes to sale of non-reserved legal activities is a risk to the profession



don't believe the SRA is adequately representing SME firms under the reform



think the regulatory change will increase competition

Source: LexisNexis Bellwether Report 2018

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ALEX HAMILTON

CEO. RADIANT LAW Radiant Law has standardised its services into five ways of supporting commercial contracts: managed legal services, remediation projects, large deals, contracting optimisation and

lawtech. Lawtech (RemarkableX) is a product, but the others are all for large companies. Standard methodologies are used but tailored for their needs. If we supported repeatable contracts for smaller companies then we would have to turn it into a product, but I don't expect large companies to ever accept being told the only colour car they can have is black.



MIRIAM WALTERS

PRACTICE MANAGER, FAMILY LAW PARTNERS Much of what lawyers do, due to procedure and regulatory rules, is the processing of

information. Clients provide huge amounts of information, particularly in family law cases. We have developed a 'virtual family lawyer' to gather all of this information online. It provides our team with the relevant facts before that crucial first meeting. Consequently, we can provide bespoke advice at an early point in the consultation, adding real value for clients.



As SME firms find new ways to improve legal service delivery for clients, from subscription packages to automation, we ask:

"What area of your firm has the most potential to be packaged into a product?"

IAN BOND DIRECTOR AND HEAD OF TRUSTS AND ESTATES, TALBOTS LAW

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IN PRACTICE

ASK THE EXPERT



BALANCING ACT

Sobea Irfan, director at Bank Solicitors, discusses starting her own practice in a global financial crisis, empowering women in the sector and her legal charity work

QHow did you start Bank Solicitors?

I started the practice in 2008. It was risky and scary, but I felt the local legal services were about 40 years behind how I was taught to work. So, my vision was a new-age law firm with City service for a non-City price. Much of the initial feedback was from clients who were very vocal about the reasons for choosing us, which gave me confidence that I could offer something no one else can. We started in March when the banks crashed, and we survived by giving good customer service and getting referrals from that.

What's been your greatest achievement at the firm? A It's got to be the growth and the fact that it was based on reputation rather than marketing. Initially it was just me here, so it's all been quite organic. As I built the team, keeping clients happy was at the forefront of everything - we knew that's how excellent reputations are built. At first, my only advertising was being in the Yellow Pages as the majority of clients came from referrals or client relations. This all came from the fact that I wasn't an employee in a big firm where clients would flow in – I had to work very hard and care about my clients to get more. It's a huge achievement and we're not done yet.

QWhat was it like to be awarded at the Redditch celebration of women awards? A I was delighted to win the Achievement in business award. I never thought I would because there are so many remarkable women out there. When my colleague asked to nominate me, I balked, but went for it because I'm always the first to say women deserve more. It's been so nice to have a bit of recognition. I'm not only a lawyer, a businesswoman and (at times) a developer, but also a full-time mum. It's hard for women as they often feel compelled to choose between their career or family, but I think I've done both well.

QWhat do you think law firms can do to encourage more female role models in the sector? Compassion. It can only come from people in senior roles. My previous boss wouldn't grant me the odd hour in the morning to take the kids to school. I was the highest biller there but got no respect or compassion. That was one of the reasons I decided to work for myself and why I'm very flexible. Someone recently had a baby and when she needed scans I said don't book any holiday leave, just go. You're not going off for a gab, you're going for an important appointment. It's all about being nice to people and being a nice employer.

QWhat is your relationship and involvement with the 'Onside' charity?

Onside is an amazing charity Athat helps provide vulnerable people with advocates. It has a lot of people with mental health difficulties who may not fully understand things. For example, they might be going through a divorce and don't understand what the settlement should be. I give free advice and guidance to the people who need it more than anyone else. I'm very passionate about it because we should all being supporting the vulnerable people in our community. LPM



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BOOK REVIEW

DEFINING SUCCESS

John Turner, chief operating officer at Ellisons Solicitors, examines what it takes to drive business success

hen asked to review a book about embracing change in your law firm to help drive competitiveness, efficiency, profitability and future success, I approached the task with a feeling that this book might resonate with me. Having recently undergone a restructure at Ellisons Solicitors, and directed our attention to technology to support our growth plans, I felt that this couldn't have come at a more appropriate time.

The Law Society's Driving Success in Your Law Firm, Revolutionising the Client Journey, is a book that brings many key aspects to life, but is it revolutionary? I'm not convinced, and the word 'journey' is overused in my opinion.

Despite there being many positive things I can share about the book, there are unfortunately some vital elements lacking, particularly with regard to finance, people, risk and compliance – all areas that I believe are essential in terms of driving success in a law firm.

Instead, the book is centralised around three pillars: clients, brand and technology. To a certain extent, I agree that your brand is everything you are, your clients are everything you do and your technology is how you do it, but for me this is too simplistic. A key element that I feel has been overlooked is having the right people with the right skills. This is not just about having technically competent lawyers, it's about having lawyers with all the correct relationship skills and competencies, and having a training and development programme that keeps all skills current. Surely, having the right people is a major contributor to driving success? The book seems to almost entirely ignore this possibility.

When speaking about clients, authors Eddie Ross and Sally Holdway introduce the idea of the client lens – in other words, seeing every aspect of a firm's work from the client's point of view. They break down firm activities into four key stages: attracting, convincing, delivering and keeping, which are all based on the 'journey' clients make when buying a legal service.

Upon reflection, I think that everything a service-oriented firm does must be viewed through the eyes of the client. The authors are right; you should always put your clients first. This is at the core of the business at Ellisons, but this is nothing new – firms have been doing this for decades. In the 1980s I worked at a financial institution on the technology side of the business, and even then we were redesigning all our processes by reviewing them from the



Driving Success in Your Law Firm: Revolutionising the Client Journey by Eddie Ross and Sally Holdway

Publisher: Law Society Publishing Publication: April 2017 Price: £69.95



Reviewer: John Turner, chief operating officer, Ellisons Solicitors client or customer's perspective. Something else that I felt harked back to the 1980s was the reference to the term 'mission statement'. I believe that all mission statements are designed by management and ignored by staff, and I think it's more relevant to discuss the culture, values and behaviours of a firm. This is something that we have coined as 'the Ellisons way', which is our cultural framework that ensures high standards across all areas of the business and which was recently recognised with our fourth Lexcel accreditation in as many years.

When discussing the role of technology in a law firm, the book highlights it as the driving force behind progression. However, for me, what this book lacks is the understanding that there can be great resistance to technological progress, and some of that resistance is justified. Technology can never fully replace the personal touch required in most legal transactions, so while technology can help to drive success, it can never be a total substitute for interaction with human beings. As mentioned before, the legal profession is too reliant on people to become totally automated and the book doesn't emphasise the importance of people v technology nearly enough.

Ultimately, I found the book informative, and it offers some useful guidance on branding. It was also reassuring to find that much of what was suggested, we are already doing. Like most law firms, we have embraced some necessary change to drive our own success and it has paid off. We can't credit this book with that success, but even with the glaring omissions, I would still recommend this as a good read for anyone working in the legal sector.





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SUCCESSION SPIRAL SEAN STUTTAFORD, CHIEF OPERATING OFFICER

<complex-block>

fter 37 years of service, Julian Wilson, Thompson Smith and Puxon (TSP) head of clinical negligence, recently retired from the practice and has been succeeded by long-term colleague and fellow director, Steve Webb. While this transition process was very smooth for TSP, it reminded me that this has not always been the case.

Although this tends to feel like the natural course of things, professional services firms have a tendency to fail to plan early enough for successful succession, or can perhaps suffer an unexpected departure that throws the firm a curve ball.

A law firm's partners often offer a competitive advantage to the business – but for some reason, planning to replace not just their raw skills but also their presence in their area of expertise falls short of the mark.

You're possibly thinking at this point: 'That's OK, an aggressive recruitment strategy will resolve the issue. After all, no one is irreplaceable, are they?'

True, but this short-termist approach to succession can lead to additional and less obvious problems. The less experienced associates in the firm, particularly your rising stars – you know, the ones you've nurtured and invested in so carefully, perhaps since they were a trainee – could well see this approach as one that leaves them overlooked. They may feel that they have no knowledge or awareness of their potential prospects, as well as a lack of clarity on how to progress in the firm.

This can be a vicious circle – your natural successors move on to pastures new, where (they perceive) opportunities for development exist. This can leave your firm treading water, with long periods of stalled growth and potentially a lack of equity investment, both of which can result in severe repercussions for the future.

So, how can a firm have better succession strategies?

Professional service firms have a tendency to fail to plan early enough for successful succession, or can perhaps suffer an unexpected departure that throws the firm a curve ball. As with most strategies, don't 'reckon' – analyse. Look at retirement dates and age profiles in general. Factor into your analysis how client ssuccession will take shape, what skills gaps there might be in a team and ensure that you consider retention and diversity statistics.

It's also important for you, and the individuals themselves, to know who has been identified as being on the road to partnership and what plans you have to develop them into your future leaders.

Consider a process that recognises future leaders and provides a mentored, detailed personal

development programme that starts with the publication of the pre-agreed criteria for admission to equity at your firm.

Provide your associates with clear feedback at regular reviews, not just at an annual review (the results of which are often popped in a drawer for 12 months and forgotten about). Make sure they know how they're progressing towards gaining equity and, if they're keen to acquire it, the further steps they need to take.

It is also important that your firm helps these rising stars by supporting them in the development of their personal capabilities to help them build their own practices within your firm.

Remember though that, for this process to succeed, careful regard should be paid to the fact that it is achievement, recognition, responsibility and advancement that will motivate these individuals, help reduce attrition and develop them into your firm's future business owners.

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LET'S EXCEL GEMMA GAREN, HEAD OF QUALITY AND COMPLIANCE



btaining and maintaining the Lexcel accreditation can be quite a challenging journey. Lexcel, an international accreditation, is the Law Society's legal practice quality mark for excellence in practice management and client care. Navigating the landscape to achieve Lexcel accreditation can turn out to be full of trips and traps. Accordingly, SME leaders need to have the right tools to succeed in what can be a tricky landscape.

In the main, there are two trips and traps when preparing for the annual Lexcel visits: misconception and misdirection. Some SME partners and managers fail to perceive the full breadth and depth of preparations required to effectively deal with the annual Lexcel visits. For instance, there's a misconception that Lexcel accreditation visits mainly involve lawyers and/or fee earners. A high proportion of lawyers are interviewed during the visits, but the proportion of support staff interviewees is steadily increasing.

Regrettably, this increase in proportion of support staff interviewees is often not matched by the focus on preparations. Support staff are often neglected and not sufficiently supported when preparing for the accreditation visits. Support staff must be given the tools to prepare as early as possible.

Refresher workshops, when deployed regularly, can sharpen the tools required for support staff to understand their role in the accreditation visits. Refresher workshops are acutely important for support staff as they are traditionally not proactive in seeking training because, unlike lawyers, they are generally not required to undertake continuing professional development. These workshops also enhance engagement and strengthen buy in from all staff about the importance of the Lexcel accreditation.

Another reason for the propensity to get tripped up is misdirection due to the 'busyness trap'. Partners and managers often adopt a scatter-gun approach, where the entire law firm is set into an endless and often seemingly aimless motion, busily trying to address everything and ending up essentially doing 'nothing'. A tool to address this misdirection is through a riskmapping exercise. For SME firms, a risk-mapping exercise can be carried out with a huge dose of common sense while steering clear of cumbersome processes.

Risk mapping can be done through crystal clear focus on the firm's five key risks that can undermine the delivery of excellent client care. Focusing on a small number of critical risks focuses resources and enables effective mitigation procedures.

Once the five key risks are mapped out and mitigation actions are set in motion, an effective plan for how to tackle the rest of the risks can be drawn out.

There are numerous templates and tools available but one that is tried and tested is the 4Ps tool. In brief, the 4Ps tool lists all the firm's plans, policies, procedures and precedents and maps out the key actions that need to be undertaken to enable clear accountability, for example, who is responsible for the policy, when was the policy reviewed and so on.

Most importantly, these tools enable effective planning. When faced with the challenges of navigating the Lexcel accreditation landscape, it would be wise to remember General Eisenhower's advice that plans are useless, but planning is indispensable.

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Web wisdom

Scott Brown, digital services manager at Accesspoint, discusses the importance of an intelligent website

Q We have a website, but how do we know if it's performing well?

The best way to view your Awebsite is to treat it as an employee of your law firm - let's call it 'Steve' for the purposes of this article. Steve's working for you 24/7 and is in charge of introducing your firm to clients and then delivering leads. We don't want him walking around with his hands over his eves all day long - it makes much more sense that he's watching what people are doing in order to understand, help and manage them. This is where analytics comes into play and operate in the same way. Analytics is at the forefront of making your website intelligent. Understanding how all visitors use your site, identifying hot topics then understanding which pages lead to high conversions/cases, plus which pages on the site are causing visitors to leave, and so much more.

Row do I use this intelligence to get more clients?

A By using and evaluating this newfound analytical data mentioned above, you can identify which areas need improvement and continuously edit these pages with high-quality relevant content. In addition to carrying out extensive keyword research, you will soon learn that a client's search terms are very different to 'legal lingo'. Keyword research allows you to identify how Steve should be talking, displaying content to suit what the visitor is searching for. This higher quality, personalised content that Steve now has in his arsenal increases the chances of higher conversion to client.

So, once I have done this, what else can I do to improve? to the front of the queue (#1 position in Google). Google is

There are key areas to check A over to ensure that Steve looks the part - clean and tidy with a high-quality clever design. Make sure that it's delivering information quickly and easily by reducing load time and making use of high-quality website hosting. Clients want websites to load almost instantly and each additional second a page takes to load can lose valuable visitors. Embrace the continuous expansion of Steve's team by using social and marketing platforms like LinkedIn, Google Ads and email marketing. Encourage relevant people and authorities to point to Steve, as a higher number of relevant links to Steve will increase your awareness and importance and your ranking factor as a whole.

Q l've heard about search engine optimisation (SEO). Is it important for SMEs?

Alt's crucial. SEO is Steve's partner in this world, helping to continually promote and push him



to the front of the queue (#1 position in Google). Google is continuously changing its algorithms to ensure that it delivers the best results which are audience relevant. This is a great thing – especially for SME firms. Their most recent update was aimed at promoting sites once undervalued, and giving them a chance to sometimes outperform those of larger firms.

Send Scott your questions: scott.brown@theaccesspoint.co.uk

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WHAT FUTURE? KATE ARNOTT, THE NUMBER CRUNCHER

ith the fourth industrial revolution upon us, the legal profession is facing a period of rapid change. Competition is increasing, client expectations are higher and the downward pressure on fees continues – all while the sector braces itself for the impact of Brexit. At the same time, for many practices, performance has plateaued or, in some cases, declined. Achieving growth in current market conditions is challenging.

While longstanding relationships will always be highly valued, advisory work will come to dominate fee income sources in future as clients demand that the more repetitive, manual work and transactional aspects of services utilise new technologies to reduce the burden and costs. Clients will also increasingly expect that their professional advisers have access to artificial intelligence-based technology in areas such as document review or research, and in screening litigation matters to predict their likely success.

Expectations of employees are also shifting away from traditional working patterns towards a more flexible model that better suits their needs, which provides law firms with both challenges and opportunities around retaining staff and attracting new talent.

Professional practices will not escape the digital revolution and will need to invest in technology, people and flexible working practices to maintain a competitive edge and future-proof their operations.

So, what structure is best placed to meet future challenges? The majority of professional practices operate through a partnership (or LLP) structure. The fit is excellent for a participative business that has been handed between generations in a flexible manner. However, the ability to raise funds to invest in new technology and people is limited to what equity partners are able (or willing) to put back into the business or raise from alternative funding streams. Any significant funding investments should be monitored closely to ensure the original strategic objectives, such as fuelling growth or expansion, are being met.

Some firms have looked to private equity backing or have floated on the Alternative Investment Market. This brings a completely different dynamic to a more traditional LLP structure and should be approached with caution. While the initial cash injection can be used to invest in technology and support growth, the model could potentially leave the next generation of partners (or employees under a corporate structure) with an external investor to pay from profits of the business, which may not be sustainable in the long term.

In any structure, consider the range of skills and strengths of the senior leadership team to ensure there is a balance between those who excel at generating fees and bringing in new business and those who can drive future strategic change. Being agile is a key factor for future success and the firms that will survive and prosper are those that are able to adapt quickly.

MHA MacIntyre Hudson has developed a comprehensive guide – The Roadmap to your Financial Future – for professional practices. The guide covers everything from partnership agreements and the financial responsibilities of becoming a partner, through to tax-efficient financial management, succession planning and plans for retirement – it's essential reading for both new and established partners.

The free guide can be downloaded at: www.macintyrehudson.co.uk/publications/article/theroadmap-to-your-financial-future LPM



ABOUT

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INDICATORS OF SUCCESS graham moore, the data guru

tanding still is the fastest way of moving backwards in a rapidly changing world," said Lauren Bacall - not necessarily known as a business guru, but clearly a wise woman.

"

GG What are your

BGIs? In your law firm, what

measures truly indicate the

future potential for growth,

and your progress towards

that?

In the world of performance management, there's much talk of key performance indicators (KPIs) - but, in a recent meeting reviewing our own business performance, I was introduced to the acronym BGI - business growth indicator. A subtle change in terminology, but to me one that captures the importance of measuring the right things. I often talk about key attributes of KPIs being 'forward looking' and 'aligned to business objectives', and the term BGI neatly encapsulates these, for our business at least.

What are your BGIs? In your law firm, what measures truly indicate the future potential for growth, and your progress towards that? Well clearly, when talking about the future, it will not be billing or time recorded last month.

At Katchr, we have adopted eight BGIs to monitor across all aspects of our business: customers, new business, people, process and finance. Identifying the right future-focused measures has been an interesting challenge, and I'm sure we will refine these over time.

For customers, we have selected one customer feedback measure – net promoter score (if you've never heard of it, look it up) – and one indirect measure of engagement – percentage of active users across our licenced users. This second measure is important for us, as licensed users not actively using the product are far less likely to continue to pay us recurring licence fees. It's therefore a key indicator of future revenue.

In terms of new business, we measure a fairly conventional combination of pipeline value and

conversion ratio. This is a common practice in most commercial organisations, but one I rarely see attempted in law firms.

We have decided that the key peoplerelated measure for us at present is delivery capacity. This directly impacts our key outcome of future revenue, but also indirectly impacts on both staff morale and customer satisfaction. Two really important objectives for us are keeping these factors high – we measure this in terms of lead time to next new project commencement.

Our two measures of process are both financial in nature, chosen partly because this is the most accurate data we currently

have. We look at measures that indicate project stage completion by linking these to invoicing, and then we look at project gross profit as an indication of efficiency.

And finally, our key finance BGI is future contracted annual licence fees, which is common for a software-as-a-service (SaaS) business, and a true indicator of future income for us.

Clearly, the appropriate measures for a business delivering legal services will be different to those of a SaaS business, but what I see as really relevant here is that the measures I have outlined above are specific to Katchr. They are not copied from other SaaS businesses, and they're not the same things we were measuring last year, or five years ago. They're specific to the current highlevel objectives for our business at this point in time. And they will evolve as we develop and grow as an organisation.

So what are the BGIs for your firm? And are they really the right indicators for you? $\ensuremath{\hbox{\rm LPM}}$

ABOUT

Katchr Profit from your data Contact on: 0845 680 6843 www.katchr.com @KatchrData



STAR SEEKERS CLAIRE SMITH, THE CLIENT SERVICES CHAMPION

s I write this, we have just had the fabulous Geoff Ramm come to talk to us about 'celebrity service'. An expert in marketing and customer service, Geoff got me thinking about two things. The first is the importance of going the extra mile, and the second is how crucial it is to celebrate our 'unsung heroes'. We all have them in our office. They are the people who quietly go about their job, wowing colleagues and clients every day (even when noone is watching). They are people who live and breathe your brand, and who consistently go the extra mile. More often than not, though, they're also the people who miss out in the awards season simply because they don't fit into any of the categories.

Of course that doesn't mean they're any less extraordinary or deserving of the recognition. So how can businesses recognise and reward their superstar employees? And how important is it?

We all know that happy staff translate into happy clients, and we know ourselves how great it feels to be told we're doing a good job. And if we feel like we're doing a good job, that means we'll stay in that job longer. Research backs this up too. A survey by HR consulting firm O.C. Tanner, for

example, looked at 1,000 employees in large businesses and found that seven out of 10 employees who received appreciation for good work were happy in their jobs. In contrast, only 39% of those who hadn't received recognition said they were satisfied.

Moreover, the research found that recognition isn't only of benefit to the person who directly receives it. Simply seeing great work being rewarded had a significant impact on peers, with the entire team feeling an increased sense What works for one company culture may not be a good fit for another – what is important is the fact that staff feel valued and appreciated, and not just once



of being cared for. Acknowledgement also fosters loyalty, meaning organisations are less likely to lose their best employees.

In our business, we've found that recognition is about consistently rewarding the everyday and telling our fantastic team how wonderful they are. One of the most useful tools in communicating this is our intranet, Workplace by Facebook. A quick look on any given day will reveal a whole host of posts that employees have written to shout about how wonderful a colleague is, or to share praise that one of our receptionists has had from a client. Instantaneous, easy to use and viewed by the entire company, it's a fantastic way to recognise the team on a daily basis. We also have 'wow' cards, which we're encouraged to give to co-workers along with a little gift when we think they've done something brilliant, and once every few months the team nominate colleagues for our internal awards, the Fellows.

The method of acknowledgment isn't important though – what works for one company culture may not be a good fit for another – what is important is the fact that staff feel valued and appreciated, and not just once a year.

So ask yourself the following questions: who are your unsung heroes and how can you make them feel valued? Your employees are your most valuable resource – so let them know.



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UNPLANNED EXITS david green, the strategist



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any law firms don't give full consideration to the exit of their owners, planned or otherwise, and the impact this will have on the firm and those left behind. SME firms have the most to lose. When setting up a firm or becoming an owner of an existing firm, the last thing on your mind (or the last thing you want to address) is what happens if you want to leave or retire. Here are the typical issues a firm may face if an exit has not been planned: **1**Partnerships and shareholders agreements - The agreement was drafted a long time ago and has not been revisited or updated as new people have taken equity in the firm, or it has simply become out of date as the years have slipped by. Often agreements have not fully contemplated exit and instead have used standard, basic clauses for this purpose, which don't really reflect or take care of the needs of the individuals, or indeed the firm. What happens if an exiting owner would like to stay but without ownership risks (for example, as a consultant)?

2Financial - Little or no thought has been given to the financial implication of an exit and what happens. Does an exiting owner receive a reward for the goodwill and value of the firm generated over the years? If, as is likely, money was put into the firm to obtain equity, has that been protected in a high-interest savings account or (as often happens) has it been used as working capital? Does the firm use the money from a new entrant to pay out the old owner? What is the state of the capital account?

Skills and timing - If there's no exit plan or a premature exit occurs, whether due to illness or another change in circumstances, does the firm have time to find, recruit and train a replacement? If it is a sudden exit, almost certainly no. What's the notice requirement? Is one year a long time? It may seem like a fair notice period but if the resigning person is one of two partners or the department head for a specialist area of law, one year is not a long time to plug the skill gap. What happens if there's nobody in the market willing to join or the internal staff aren't ready or willing to train, or simply don't want the responsibility? Would a firm appoint a new owner out of desperation and if not, what's the solution?

Loss of staff – An unplanned exit, or one that results in a dispute, will quickly reverberate around the firm. If staff feel that their security is at risk you can expect people to look for comfort from another firm. The loss of staff will only serve to further damage the business.

5 Loss of service areas – If an exiting owner has a particular Sexperience in an area of law or special skillset then, on leaving, this experience risks walking out the door. Planning to replace at senior, supervisory level is not easy and takes time. This issue is magnified in smaller firms where owners have deliberately specialised and the firm doesn't have the need or finances for other senior staff in that department or service area. This is understandable but leaves a firm exposed, as replacing a department supervisor adds to the challenge of finding a replacement.

6 Loss of clients - Holding and maintaining key client relationships, or development of new business, is not something that can be fixed or learned overnight. If a relationship has not been handed over, will the client stay or have the confidence to stay? What if the exiting owner is going to a new firm - what can be done to stop the clients following? Business development doesn't come naturally to some people. It's a skill. It can be learned but has to be mastered and not everyone is cut out for it. Losing an owner with this skill or someone who holds a key client could deal a devastating blow to the firm.

Failing to address succession and plan an exit is, arguably, a breach of the mandatory principles of the SRA Handbook (2011, Principle 8). But it's much more than that. A firm could find itself being destroyed through bad planning.

In my next column, I'll go over some solutions to these problems and how to prevent them altogether. \fbox{PM}

GOING GREEN DARREN GOWER, THE TECH GURU

or law firms, direct environmental impacts may be small in comparison to companies in sectors such as extractives or energy, but increasingly stakeholders, clients and employees expect firms to minimise their impacts and report on their environmental performance – and firms may begin to lose out to competitors who do. There's most certainly a business case for law firms going green: it reduces costs by using fewer resources, requiring less energy and generating less waste. This keeps firms competitive as environmental credentials become a bigger part of clients' buying decisions, and improves employee attraction and retention.

For many law firms, office waste and travel are often among the first areas to come under the spotlight to drive down costs and carbon emissions. It seems that many organisations still underestimate just how much office waste is actually costing - Waste and Resources Action Programme reports that it could be as high as 4% of turnover. It has been estimated that the average office worker in the UK uses 45 sheets of paper a day and I suspect this figure is much higher in our sector, so it follows that going paperless is a key step that a law firm can take in its environmental journey.

Cut out paper – cut out cost. I've worked with mid-sized law firms that have gone paperless, one of which makes a conservative estimate that it's now saving £65,000 per year. Others tell me how time-sapping manual document production has been eliminated thanks to going paperless, and associated costs of secure storage and expensive DX services are eliminated too.

Today's technology functionality can drive you closer to a paperless office at pace. Several law firms I work with take pride in operating with no physical documents and virtual mail rooms. Yet, in saving natural resources and reducing a firm's carbon footprint in this way, business value is also created from what this automation brings to communicating and collaborating with clients: more efficiency, via selfservice technologies, creating auditable automated workflows, and the like. Such technology innovations not only enable the paperless office but bring efficiency, improved case progression and transparency, and also significant reductions in staff time spent on administrative tasks.

Minimising the need for staff and client travel is also important when law firms set about reducing their environmental impact. Accessible conference venues and locating new offices near public transport can help. But, encouraging and supporting employees to use technology to collaborate anywhere at any time - way beyond email and mobile phones, with cloud services, SaaS models, videoconferencing and distributed case management systems, and self-service tools for clients - can help decouple environmental impact from revenue growth. Enabling working from home in this way delivers significant savings in the form of commuter carbon. But again, the planet's not the only winner. I've spoken with firms where it has helped with staff retention because their people can relocate to different cities, working entirely without paper or at least working at home part of the week in harmony with their domestic needs. And, of course, they no longer need to transport heavy physical files backwards and forwards.

So, from what I've seen, using technology to support your environment strategy is absolutely the right thing to do: it's good for your people, your profit and the planet.



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More from

What can firms learn from the world of high-volume, low-margin work? As fees are being slashed, LPM looks at how to be efficient and use technology to boost margins. Andrew Muir reports

part from death and taxes, there's one shouldn't (we hope) come as a surprise that the legal sector is full of it. Of course, this is great for clients, with an array of law firms to choose from for all their legal needs. But, it means a lot needs to be done to stand out from the crowd and offer enticing services.

Firms face continuing pressure to drive fees down and maintain the same quality of services to their clients. With fewer resources, lawyers and business services have to find new methods to make more from less

Though it might be new for many, this is business

as usual for others. Understandably, firms whose work thing that's certain in life: competition. It is high-volume, low-margin (HV/LM) are more accustomed to strain on their legal fees. Personal injury (PI), conveyancing, compensation claims and similar work demand firms keep their fees to a minimum to stay competitive and profitable.

Unsurprisingly, fixed-fee models have taken off in these sector lines, but what else are HV/LM firms doing to boost margins? Pricing and measuring profitability play an important role, but financials are only one area to think about. Enabling collaboration through the right technology also means firms can keep their people connected and productive while minimising office overheads.

The application of technology doesn't end there (buzzword bingo cards at the ready). Automation presents a new way of dealing with HV/LM work. Firms are now focusing on automating as many areas as possible to free staff from grunt work, all while AI and blockchain promise the world.

Non-HV/LM firms are clearly under their own pressures to cut costs and boost profitability, so what lessons can they learn?

BILLABLE BLUES

So, what are HV/LM firms actually doing? It's no surprise that we see our old friend the billable hour rear its ugly head. With clients becoming ever more demanding, they want to know what legal services are going to cost them. So, of course, doing away with the billable hour can offer their clients greater cost transparency and may become more appealing.

Barry Davies, practice director at DJM Solicitors, says he's surprised that firms continue to make use of this practice: "In all areas of work, it's on its way out. In work like dispute resolution or litigation, it's often very hard to give a fixed price. But we're finding that by offering some level of pricing – whether it's a stage-by-stage estimate or a job-andfinish basis – we become more attractive for clients. It's also better for us because we know what budget and time frame we've got."

David Laud, managing partner of i2i Business Solutions and former CEO at Samuel Phillips, also agrees. He says: "Clients need to know what they're in for. Cost pressures are all around us and I don't think it's going to get any better with Brexit on the horizon. So, if you're going to maintain and grow your client base, you've got to be looking at fixed fees or a form of subscription.

"The traditional approach isn't going to work these days. Clients are too switched on. They're happy if you get the work done for them. But, they're aware that firms are delivering services differently, employing artificial intelligence and other technologies. So, that's what they'll expect. They don't want to be paying for somebody's time when their firm isn't using the most efficient way to deliver their service."

FINANCE FIRST

Efficiency is king when it comes to attracting clients, but what happens once you've got their attention? Davies at DJM says that firms need to be thinking differently about pricing, especially as they face upcoming regulatory changes.

He says: "I'm finding that clients are becoming more like consumers. And, with upcoming SRA guidelines requiring firms to publish prices for certain areas of work, firms are going to have to rethink their approach. It's going to make clients adopt a 'compare-the-market' way of choosing a firm. So, you've got to get your pricing right to make it competitive.

"To handle this, we've introduced a quote manager into the firm. This is mainly for residential conveyancing, but we see this being rolled out to other types of work that require pricing transparency. It means we're approaching pricing with a high level of attention to detail, making sure it's accurate and correct."

But pricing hasn't been the only area of attention for Davies. The firm has also focused on measuring profitability and reassessing how this is done for HV/LM work. He says: "There's now a need to have more 'grown-up' measures of profitability. Law firms have always adopted an approach that sets out what a chargeable hour is and what its profit is. They have to guess how much work will come in, setting a budget at the start of the year and seeing how it goes a year on. This needs to change."

Laud also agrees, advising that firms should instead be measuring each part of their business. "This means you can find out where you might be spending too much money to make work viable," he says. "Undertaking an effective profitability analysis by worktype ensures you can offer a fixed fee but still make a margin."

Measuring that profitability might seem like a complex task, but Laud says it doesn't need to be.

"You need to look at what you're charging clients and what your costs are. That sounds really simple, but it's not readily adopted. Many case management systems don't accurately calculate profit. At times, you need to get a caculator, pen and paper out and go about your finances in a very simple and obvious way.

"You need to assess the direct costs. The approach I've taken to this in my work is to physically look at the number of support staff and fee earners. That figure gives you a measurement of

G There are some good products available but the days of case management are probably drawing to a close. Millennials and Generation Z are going to work very differently when they join a firm.

Martyn Wells, IT director, Wright Hassell

LPM FIRM FACTS

DJM Law

Revenue: £4m

Corporate status: Limited company

33 fee earners, 55 total staff

Office locations: Swansea, Mumbles, Porthcawl, Cardiff

LPM FIRM FACTS

Samuel Phillips

Corporate status: Limited company

Staff: 20 fee earners, 13 support staff

Office location: Newcastle upon Tyne



the resources you're employing. You then begin to see the associated costs linked to service delivery. They're taking up seats, desks, square footage – this all adds up to rent. I've applied that to HV/LM firms and it's worked.

"You shouldn't overlook indirect costs sitting within your annual budget. Every part of that budget has a cost associated with delivering the services your firm offers. Whether it's the professional indemnity cover or practising certificates, everything needs to be associated with delivering your services. From that, you can see quite quickly what's making money and what's not, and it essentially helps identify an appropriate price point for fees."

VIRTUALLY THERE

When it comes to making the most out of limited resources, enabling collaboration is also important. Firms adopting new policies of remote working and flexible hours means that office space can be reduced and employees get to decide their own hours. But, managing this incorrectly can mean productivity takes a hit.

Martyn Wells, IT director at Wright Hassall, says that technology is key in preventing this: "We need to take a break from trying things like case management, AI and some of the more complex approaches. Instead, it's better to look at operational differences around how we're processing law and the way that we work with our clients.

"I'm currently looking at Office 365. Its collaborative tools mean we can move the sharing of work and preparation with clients online – into a digital environment. This takes the client-lawyer interface from around the table to something that's more immediate and transparent to the client. For me, these tools are going to make a difference to productivity, rather than the small and incremental changes we've always made through more traditional methods."

AUTO-MAGIC

As well as changing lawyers' processes, HV/LM firms are also finding ways to relieve them from work. Automation can improve the way a modern practice operates, reducing manhours and freeing up staff.

Laud at i2i says one area is document management: "Many larger firms, especially those dealing with litigation and complex property deals, have invested heavily in automation. It can really cut down the costs of employing somebody to scroll through endless pages of documents. Now, they can be scanned to highlight mistakes very quickly. **C** There are some good products available but the days of case management are probably drawing to a close. Millennials and Generation Z are going to work very differently when they join a firm.

Martyn Wells, IT director, Wright Hassall

Early adopters of this technology broke ground for smaller firms who are now seeing the benefits. These solutions are now less 'buggy' and, importantly, have reduced procurement costs."

Davies at DJM says that automation can also be a game changer for due diligence: "Small things such as getting your client ID or file closing procedures right can quite easily be automated. Lawyers haven't had to worry about this as long as they have good processes and people who are very diligent. But, it is something that should be processdriven and automated to boost efficiency."

But it shouldn't end there. As more services become available for SME firms, Wells at Wright Hassall says automation is becoming increasingly critical.

"The traditional approach has always been focused on case management, precedent and document production," he says. "There are some good products available but the days of case management are probably drawing to a close. Millennials and Generation Z are going to work very differently when they join a firm. They're not going to want as much time with support staff but instead want to manage their own work. That's going to bring its own challenges for firms.

"As that generation takes control of their own lives - doing their own typing, scheduling and similar work - it's going to have an impact on fee production. So, we need to find other ways of preserving margins. This especially impacts on fixed-fee work because those lawyers are going to be less effective and their utilisation rates will drop."

Automation then needs to pick up more work as a new breed of lawyer emerges. In doing so, firms should be able to cut back on billable hours and let lawyers focus on work that brings in more profit and boosts margins.

FIRM REQUESTS

Beyond automation, HV/LM firms are also looking into other technologies.

Davies at DJM says that artificial intelligence will eventually result in huge savings in initial contact LPM FIRM FACTS

Wright Hassall

Revenue: £21m

Corporate status: LLP

180 fee earners, 326 total

staff Office location:

Leamington Spa

LPM FIRM FACTS

Buckles Solicitors

Revenue: £8.5m

Corporate status: LLP

102 fee earners, 141 total staff

Office locations: Peterborough, Nottingham, London, Stamford with clients: "You can see firms with free resources and the ability to chat with a human adviser on their website. But, I think the next step of that will involve having an Al computer dealing with the basics. Then, if the legal problem is more complex, it has a mechanism to refer it on to the firm and a human adviser."

Laud at i2i agrees, noting that this can also bring in more clients. He says: "Using an automated first line of response saves a lot of time for a client. This helps overcome the fear of going through a website and being charged initially. It builds the first level of trust, which is really important. There are also simple ways to implement it. Facebook Messenger is an important tool but there aren't many firms using it. Most people will use Facebook or WhatsApp to talk to friends and family, meaning these tools have become more trusted than email. So, building automation and chatbots into these apps to manage inquiries makes a great deal of sense."

However, Wells at Wright Hassall offers a reminder that firms shouldn't limit their focus to AI. He says: "AI's fascinating, but it's just another tool in the box of things that are available to deliver profitable work. And, I don't think it's the silver bullet. AI in the current environment is probably what case management was ten years ago."

One alternative option for HV/LM work may be to adopt blockchain technology. Laud at i2i says this will potentially offer huge benefits in key areas: "Conveyancing is an obvious example, along with any transaction where there needs to be a trusted connection." Parties would be able to look back on an item to understand its history. This would remove the reliance on trust in these transactions and also cut down on hours of research.

"Blockchain has arrived," Laud continues. "You cannot ignore that fact that governments, public authorities and corporations are adopting this to transact and communicate. If law firms aren't already thinking about how they might make use of this technology, they risk losing a great deal of business and adopting blockchain might only be for partnership peace of mind, but firms may well be glad they did so."

IMPLEMENT THIS

But, being aware of the tech solutions available is only one part of getting more from less. Implementation is a process which can't be taken lightly. Laud says: "We shouldn't be leaving all this to the IT department to make the procurement decisions. Equally, we can't throw money at a situation in a blind panic over falling behind competition. In terms of delivering more efficiencies, it's about really understanding what the client's needs are and putting them right in the middle of it.

"It's also important to manage client expectations. This needs to be central to the way we work. If you don't, you could potentially find a legal ombudsman breathing down your neck. So, delivering services with technology really involves understanding what a client needs and what they're looking for, and then wrapping that around how your practice delivers the service."

Wells also warns that investing in new technology isn't the only element of a long-term solution. He says: "The changes that you start making can become less effective after a period of time. They can become quite specific and bespoke for certain areas of the firm, but not benefit overall business processes. This means processes become cumbersome and don't get used. There's a balance to be had between delivering something that's productive and effective and not choking the lawyers into a business process for business process's sake."

Colleen Gostick, chairman of Buckles Solicitors, also warns that relying on proceduralisation isn't enough to survive as disruptors enter the legal sector. She says: "New entrants will be able to invest far more in technology, client services and marketing. They will also have far greater experience of pricing and the management of service delivery. Their approach to white labelling and joint ventures may represent a more costeffective route to their legal services ambitions. With a large chunk of the consumer market likely to be captured by non-lawyer competitors, finding different routes to market, inserting yourself into a different point in the lifecycles of clients' legal needs and fishing in international markets will also be crucial."

MARKETS EVERYWHERE

Other firms have a lot to learn from the processes of HV/LM work. But exactly how they

G In terms of delivering more efficiencies, it's about really understanding what the client's needs are and putting them right in the middle of it.

David Laud, managing partner, i2i Business Solutions



learn from them is less certain. With competition in the market fierce, what appetite is there for collaboration between firms?

Laud believes that this is possible and firms just need to actively seek it. He says: "I always advocate it, but firms seem reluctant to go and knock on doors. There's a great deal to be learned from looking at those who are best at practice, policies and procedures."

But, learning from HV/LM work can also be done internally, as long as leaders are willing to listen to their peers. Laud continues: "In larger firms you can sometimes see an internal market developing. Partners need to recognise this and talk to each other about what they're doing.

They need to listen out in meetings for efficient practices that could be adopted by departments

G In terms of delivering more efficiencies, it's about really understanding what the client's needs are and putting them right in the middle of it.

David Laud, managing partner, i2i Business Solutions

that aren't related to HV/LM work. This leads to a development of processes through the best practices within a firm. You don't always need to go knocking on other firms' doors."





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Got the difference

Will Taborn, founder and managing director at Taborns, examines the problems of the traditional law firm model

pot the difference - a game where two images seem the same, but they have differences. Prastising law and delivering legal services in 2018 - they seem the same, but they have differences. A squeeze is being put on the traditional partnership model. Wether it's the Big Four accountancy firms squeezing the larger law firms, or the second-tier law firms being impacted by the incursion of new models and ideas, the change has started.

It's commonly known that in economic downturns any given industry will look into restructuring. The UK legal market was no exception, especially as it had reached saturation point with a lot of law firms fighting over clients – clients that are finite. What was needed was a serious look at how things have traditionally been done.

Some time has now passed since we have had a relaxation of the rules about who can own a legal business or firm. Regulation has been cited as the greatest barrier to innovation, and the lifting of obstacles to innovation by easing the regulatory burden is something that happened a while ago now - the Legal Services Act 2007. As a result, the way these new businesses operate, and the structure they take, is now clear.

THE PROBLEM

The partnership model, if it is to remain, needs to change. In my opinion, it should shift from supplying the commodity to what the client needs. Henry Ford said: "If I asked people what they wanted, they would have said faster horses." There are things wrong with the model in terms of the fit in the modern world and it has to change in the same way that Ford was instrumental in replacing horses and carts. The problems include:

• Difficulty of achieving pay and status parity within a firm with a partnership model

• The move of a partner to a competitor with a large salary or bonus impacts the client in terms of cost

• More senior partners not being interested in an actual legacy and only in the short term - they

will not have a stake once they leave • Client protectionism – owning a client because the system demands you do something to be rewarded, rather than thinking of the client more. This is an internal issue, not external

• The lockstep method of remuneration – it assumes that senior people will generate more for the business than junior ones. While certain firms have now established a merit-based system, the old lockstep model still exists.

So, in summary, although robust, the partnership model is rigid, and erects a barrier to change. It is financially driven at the cost of values. Of course, we simply must have rules and regulations in place – society, not just law, would fall apart if we did not. However, the model currently still prevalent does not seem to possess the agility and flexibility our modern world is increasingly leaning towards.

NEW PLAYERS

There is no doubt that the ABS model is here to stay. This is helping to shift law with the times and the much publicised Riverview Law/EY deal is one of the headline examples. This is not the only element, though.

The new incumbents are able to operate at a level where the price is more palatable to the client. This is made possible, because where the traditional model is geared to a large cost base, the 'new kids on the block' have no problem competing with the partnership model. The new regulations also mean that for new entrants the available investment can come from a wider area and expertise can be brought in from other sectors.

The driver now should be sustainable, longterm relationships. In the wider business world, this means partnering and growing with clients – having a deeper relationship.

By way of an example, I set up my model so as to give SMEs, corporates and the high net worth a clear, easy, cost-effective route into the right legal services, whether advisory or contentious. Going back to the Henry Ford quote – I saw a need for it. I'm not one for naming my clients, but



G The lockstep method of remuneration assumes that senior people will generate more for the business than junior ones.

as an example, a construction client asked me to assist on legal matters as it was fed up with inflated fees and substandard work from a very large City firm. Simply put, people want value.

We then move to the way the new firms are embracing other areas. The notion that all legal work should be done by legally trained people has now been blown out of the water – look at the technological, process and project management firms out there now – just a glance though LPM magazine will tell you the full story. Simply put, the new guys 'get it'. The lack of a partnership driven-structure allows them to be successful in a number of ways. These are just some of the ways to which I have been privy: they address client dissatisfaction and do something about it; they thrive on customer service; they know the client's business; they do not have a high hourly rate-driven cost culture; they thrive on efficiency through various means; they apply some value to work by valuing the client's input; they utilise technology to provide efficient solutions; and they project manage matters which complements almost everything on this list.

The traditional partnership model is in the throes of a defining time. The ones that look to take time to understand their client's business, utilise technology and streamline processes to give value, will see it through. The ones that do nothing will find it hard at best.

So, what are you doing to demonstrate to your client that you do not just know the law?



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A RACE TO THE MIDDLE?



Kate Briscoe, CEO at The LegalBeagles Group, delves into publishing prices online and what it might mean for firm ratings

e recently released new nationwide research into fixed fees and ratings to understand how easy it is for consumers to shop around. The research benchmarked what consumers should be paying for common legal services and where to find best value and quality across England and Wales. The report is the first real-time picture of the availability of fixed fees.

Currently, only 9.6% of law firms across England and Wales are actually publishing fixed fees on their websites; 7.5% say they do fixed fees, but they don't appear on their websites, and 26% of laws firms have no website or digital presence. Over the next six months, we will track fixed fees availability, costs and ratings and publish an updated tracker in December, shortly after law firms are required to publish information on prices and services by the SRA.

People want to find good value and reliable high-quality legal services when dealing with life's major events and our research found that despite current low levels of law firm engagement, there is a significant volume of products available across the country and all a consumer needs to do to shop around is search on their mobile device.

Today, 58% of law firm billing is originating from fixed fees but this figure is dominated by conveyancing fixed fees, which are only offered upon knowing the nature of the sale or purchase and are not routinely published. Despite such a sizeable proportion of revenue coming from fixed fees, in reality fewer than 10% of firms are currently publishing any detail on such fixed-fee services.

SHOP AROUND

Looking at consumer preferences when shopping around, it's clear that higher costs don't necessarily guarantee quality. The biggest consumer insight from the data is that there's a sensible and proportionate mid-price market of fixed-fee legal products - 87% of the digital fixed-fee products this year fit into the mid-range price category and 57% of those are rated four out of five stars. Low cost and high cost fare poorly overall in ratings, so there is no evidence of a race to the bottom, but rather a strong indication of a race to the middle.

Our research also benchmarked costs against consumer ratings to see where law firms rated four and three-star-and-under sit across all three legal services – divorce, wills and lasting power of attorney. Some firms are five star on Trustpilot but three star on Google, so we aggregated all their rankings together to achieve an overall picture. Of these, 57% hold four-out-of-five-star ratings and 18% have no corresponding rating online, making it much less likely for consumers to trust and engage firms, based on the SRA's stated consumer preferences of 42% consumers guided by ratings and 32% guided on price.

For those law firms offering fixed-fee products without linking to a ratings site, it's an 'own goal' - so while they will be compliant with the December measures outlined by the SRA, they will be missing a marketing opportunity to attract new instructions by offering these products with an apparent 'zero rating'.

The 26% of regulated law firms with no website or digital presence have a huge opportunity to address their digital presence over the next six months and make it easier for consumers to ascertain which fixed-fee products they are offering from December 2018. With the countdown on, it's never been more important for law firms and practice managers to increase their online ratings and make it easier for consumers to find and evaluate the services on offer.

PUT A LABEL ON IT

Despite wariness from the industry around fixed

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JustBeagle is a search engine and comparison site transforming traditional approaches to the purchase of legal services.

www.justbeagle.com



fees, there is little doubt that action must be taken to increase legal instructions from consumers and SMEs. Research states that eight out of 10 people requiring legal help do not even speak with a qualified professional. The market is sitting waiting to be reached, and fixed fees provide an opportunity to break down misconceptions about cost. With the LSB approving the rule changes going ahead, they can be viewed as a pointless hassle or an opportunity to increase revenue. Everyone in the industry accepts that files cannot be properly priced until considered in detail and, so long as it is made crystal clear that these are example prices for simple procedures, it should not be too difficult to manage client expectations when their matter requires more work.

And let's not forget that the new 'recommendation' is for online reviews and

ratings which will be written about your firm whether you like it or not! That is how platforms like Trustpilot, Google and JustBeagle operate - independent reviews are the lifeblood of modern web commerce. A high rating can accelerate success very quickly. This is a great chance for a law firm to actively encourage its clients to leave online reviews - the impact in a matter of weeks can be dramatic, and at virtually zero cost.

Fixed fees are going to be a fact of life for every law firm from now on. So, they should face the process with enthusiasm and ensure that they work to actively improve their online ratings web presence. This would then ensure that new fixed-fee products are displayed with both price and ratings for maximum benefit to any new client revenues that come in.

THE RIGHT YIELD

Phil Snee, development director at Linetime, explores the opportunities and easy wins for SME law firm profitability

he bottom line of any successful business: turn leads into clients, satisfy client needs and turn a profit. It may feel like a day in, day out phenomenon but profitability doesn't have to feel like a churn.

Phil Snee, development director at Linetime, says there are so many opportunities out there for SME law firms to work on and approach profitability in exciting and strategic ways.

AI FLAVOUR

Let the computer do the grunt work, Snee says. Artificial intelligence (AI) and automation are all the rage at the moment. But he says, it's important to understand which type of AI – data and outcome-based or machine learning, which may be a little out of the SME market's league at the moment – and how it can be applied in a practical manner in the business.

The main takeaway from this technology at the moment is labour-saving – which can have a big impact on profit.

"Traditionally, a conveyancing or PI department

has a system that handles high volume work to take that grunt work away from users. But we have seen this spread into more ad hoc and complex areas of work, such as commercial departments. They're making use of workflow and document management to improve efficiency. across the board"

Linetime has created a robot that assists staff who want to get on with their day job, Snee says, it can detect when things need to be done and sends prompts.

Automation of administrative tasks is a big and easy win for firms. He says firms can use automation for internal purposes – such as handling expenses claims and holiday requests.

"Freeing up HR-type processes frees up management to spend time where it matters for the business, but it also provides a good audit trail for those processes."

And it's digital - the SME market has seen huge growth in paper-light environment and documentscanning initiatives. Snee says everyone is either doing it or looking to.

Freeing up HR-type processes frees up management to spend time where it matters for the business, but it also provides a good audit trail for those processes.

CLIENTS CARE

Client satisfaction and experience is crucial to any profitable business – law firms are only now understanding the value of digital processes and interfaces for better client relationships.

"Client-facing software has been very important to the market recently. Having products that are optimised for smartphones means that clients can be kept up to date online, 24/7. And one very attractive component is that they can pay their bills online," Snee says.

Not just earning more work but seeing that work paid for - fee collection is often a job in itself, but it doesn't have to be. He says feedback from his clients shows there's more of a chance of firms getting paid when there's a client portal or phone-friendly interface for them. After all, people are used to paying for things on their phone in the consumer market, law firms shouldn't be any different.

Client-facing software also means that clients can do the work for themselves or look into their matters when the time best suits them.

Snee says it's not always necessary for your client to come into the firm – client relationships won't be hurt by doing things digitally. It may even increase client satisfaction, and the firm will see the reward in money but also time given back to lawyers.

"It's not good for either party, especially if the reason for the client's visit is an update to the matter or signing some documents. If you can send them a pdf to be filled at their leisure and sent back electronically, everyone benefits," he says.

It's time to get your clients off the phone and out of the office, though to the time-bound fee earner that may sound counterintuitive to profit.

KNOW YOUR PROFIT

Visibility of profitability becomes key here, Snee says – once a firm has automated its admin tasks and digitally-enabled the client relationship, it needs to work on improving its KPIs and data gathering. He says an integrated client relationship management (CRM) system means there's only ever one source of truth for data – and firms can make business decisions not based on what they think is profitable but on scientific evidence.

For example, he says, Linetime has a real-time barometer that shows fee earners their accumulated time as it creeps up, coupled with an indication of tolerance levels.

"We're seeing that everyone time-records, even if they bill a fixed price because this feeds into the cost awareness of the firm.

"So, the important thing here is to allow staff to time-record where they need to but at the same time make them more conscious about whether they are being cost-effective in real time."

Snee says the time recorder is optimised for smartphone and it's linked to KPIs in the reporting dashboards. All of this data visibility, from time recording to integrated CRM, means increased profitability and a better chance of cross selling.

"It's always been people's ambition to look at what they sell based on the work they've done for people, and the route to that is an effective CRM. If you know how much time you're recording or billing under different types of work you can figure out where your bottlenecks are and where to focus more work."

On top of this, Linetime has a product called data manager, which helps firms avoid GDPR penalties and keep clients' data secure. It goes back to letting technology do the work for you, Snee says.

"Systems should be able to handle everything, from complaints to checking whether you've done the file reviews. Staying on top of AML checks and risk assessments will ultimately lead to cost savings for the firm."

It's a rocky terrain for sure – SME law firms have to push harder to be profitable against new entrants and the larger firms, but the effort doesn't need to come from their people. Technology is here, Snee says, and it can provide firms with the lifeline needed to see business at the top.

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Linetime is a specialist provider of Microsoftbased practice and case management solutions. Clients include mid-tier law firms and in-house legal departments. www.linetime.co.uk





CALCULATED CASES



Paul Hinchliffe, managing partner at Bott and Co, says that Converge Technology Specialists has given the firm stability to deal with thousands of cases on a daily basis

ott and Co handles thousands of cases to protect consumers and victims. With
to protect consumers and victims. With
such a high volume of work, the firm
such a high volume of work, the firm turned to technology solutions to ensure
hey could handle demand and deliver justice for
heir clients.

Managing partner Paul Hinchliffe says this reliance on technology meant the decision to use Converge Technology Specialists wasn't taken lightly. Working alongside the firm's IT team, Converge TS provides guidance on IT strategy, day-to-day specialist support and managed disaster recovery.

Hinchliffe says: "Our purpose is to help consumers get justice against big organisations. We take on insurance providers, airlines, travel operators, and anywhere people can't get justice for themselves. We have a clear stance of acting for the little guy against the big guy.

"We only do consumer law. At the moment, we've got departments that do personal injury work along with thousands of flight delay claims, holiday sickness cases, and a few hundred tuition fee claims as well.

SILICON CENTRAL

"Our client capture team is available from 8am to 8pm to secure clients, but our flight delay clients are where the volume is. We're taking those in through an online calculator. Clients enter their flight number and date and we run these through a gigantic database. We interrogate hundreds of millions of rows of data and the calculator decides whether we can take a case. If we can, we'll be prepared to offer our services on a no-win no-fee basis, and we'll tell that client what a likely outcome will be."

Hinchliffe says: "Keeping all of our clients happy is a big challenge, particularly when we only generate a few pounds of revenue for each case. As we're not on the high street, we don't have a physical public face. Our website really is the be-all and end-all of the business. It's important that everything runs smoothly, and like everyone else we also see the future of consumer law becoming ever more digitised. In fact, the firm has more software developers than solicitors, and we spend a lot of time and effort getting the



most that we can from each software product."

Handling so many claims each year means continuity of service and maintaining our good reputation is especially critical. Therefore, the firm has really prioritised its resilience – which is where Converge TS comes into play. "The stability that they've helped us attain is vital," says Hinchliffe.

KNOW-IT-ALLS

Luckily, the decision to use Converge TS was a straightforward one. "Converge really is the technical expert within the legal sector," he says. "It always helps when you meet with them because they're familiar with legal language. You save a lot of time and wasted effort by having somebody who's knowledgeable about the sector.

"They've also gained a lot of experience from working with other legal businesses, that knowledge gets passed to us and we benefit from it. They're familiar with things like SRA rules, so you know you're covered and won't have to waste time trying to explain legal concepts.

"Data security is absolutely critical. We're dealing with so many clients, we need to take how their data is captured, stored and handled extremely seriously. We have just been accredited for ISO27001 across the whole of our business and Converge were helpful in us achieving that. Protecting our clients' data also means we're protecting our business and the jobs of everybody in it."

MAINTAIN MORE

Bott and Co has also been able to maintain its focus on security at the same time as expanding its range of services. "Converge has been helpful in integrating with other IT products," Hinchliffe says. "It helps with integration between our website and backend databases, including our calculator, which play a crucial part in bringing in business to the firm."

Hinchliffe says the firm is also better able to keep track of IT infrastructure, improving cost control. "In terms of quantifying results, Converge actively monitors our services, including server networks, storage and cloud services. We've also got a technical relationship manager personally assigned to us, who is on hand to help with any queries or issues. This means the overhead of IT engineer time onsite is greatly reduced."

Bott and Co has just renewed its contract with Converge TS for another three years, and Hinchcliffe seems to be confident in this decision.

"After three years, we have a really strong relationship," he explains. "Our direct account manager at Converge helps to resolve or escalate any queries we have. They cover everything from support and licensing to possible outages and technical failures. It all means our main focus can be on our end users and further enhancing their experience of our systems."

LPM FIRM FACTS

Bott and Co

Revenue: £14.4m

Corporate status: Limited company, ABS

40 fee earners, 144 total staff

Office locations: Wilmslow

ABOUT THE SPONSOR

Converge TS provides law firms with mission-critical managed cloud services including laaS, hosting, business continuity and security services.

www.cts.co.uk



INTELLIGENT INTEGRATION

Phil Whitehead, general manager of alliances at InfoTrack, says SME law firms are working to push down costs and make things happen quicker, and good technology integration needs to be a part of that strategy

mplementing new technology is, and has always been, a big challenge for law firms. It's been said time and again that the legal sector is a bit stuck in its ways – slow to change, and poor at adopting and implementing the right technologies.

But that's all destined to change. Phil Whitehead, general manager of alliances at InfoTrack, says there's been a big shakedown happening in the market – and there's a lot to lose in terms of profitability and stability if firms don't take notice and act accordingly.

"When I was working at a law firm 15 years ago, we were processing remortgages at £150, and that was bog standard, but now firms are doing that work at £15. You can't do that with people – you can only do that with technology. And I don't think law firms fully understand how important technology integration is," he says.

EVERYDAY SUPER POWER

Although certain technologies offer functions that support efficiency, getting that technology up and running can often be a challenging task in itself. The nature of legal work is that it's based on precedents and making decisions retrospectively – this mindset can be a hindrance to effective technology implementation, Whitehead says.

And unfortunately, many suppliers lack integration offerings, making it an arduous process for practice managers to migrate data from one platform to another.

"Suppliers think more about making their product best-of-breed, and seldom along the lines of integration. Whenever a firm buys a case or practice management system it must integrate all that data onto one central system."

Whitehead says technology integration should be "out-of-the-box easy" for the law firm – it should be as simple as plug-in and go.

Firms shouldn't be left to their own devices after a piece of technology is bought, he says. InfoTrack aids in the tricky integration and data migration, which not only saves time for the firm so it can get on with servicing clients, but it also reduces the likelihood of mistakes.

Manually inputting data is a thing of the past – integrations nowadays have to be fast and efficient. "The information simply passes from one platform to the other – without any rekeying. The time saved frees you up to focus on more important work."

In the long term, practice managers can rest assured they've got a reliable and efficiently integrated system, and they'll know roughly how long an integrated task will take.

For example, Whitehead says that when you integrate your CMS with InfoTrack, it orders a firm's searches and conveyancing tasks. It prepopulates more than 90% the compulsory AP1, which is the transfer of title on a property. It saves a firm two hours per conveyancing matter – and firms aren't charged extra to integrate InfoTrack.

Integrations are delivered using the CMS's standard functionality and a manager can access InfoTrack's services regardless of the firm's CMS type, he says – and InfoTrack will easily plug into another CMS if the firm ever decides to change systems.

FEAR NOT, TECH IS HERE

There's no doubt the legal market has changed over recent years and continues to do so at an accelerated pace. Downward pressures on cost are driven by the client but also by the market – as new technologies become available and business models are revisited, firms must approach their work in new ways to stay competitive and generate profit.

Whitehead says: "Some of the younger lawyers are now very commercially astute and have realised they can get technology to do a lot of the heavy lifting for them."

But tech-savviness isn't limited to millennials, he says, and technology needs to work for everyone in the business regardless of age or position.

While some SME firms are still playing catch up, others are finally starting to adopt more forward-thinking technology to drive profitability,

ABOUT THE SPONSOR

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

www.infotrack.co.uk



and Whitehead believes this change is driven from two sides.

-24

"Firms are willingly putting technological support in place because of client expectations surrounding transparency and efficiency. But legal professionals are also expecting technology to do more for them. They've got top-end mobile devices that are doing some really innovative things for them personally and they want the same at work.

"Just 10 years ago, lawyers were sitting with little to no software in their practice, but that just doesn't cut it anymore. Now they want software that works how they need it to work and comes with a good user experience," he says.

Behaviours in the consumer world are leaking into business decisions around technology and client experience – as firms work to push down costs and make things happen quicker, they shouldn't be afraid of adopting technology, says Whitehead.

INTEGRATION EXTRAS

Whitehead says integration should play a role in your business's strategy, the benefits are too strong to ignore:

Consistent data - Clean data means better delivery of work, full stop. And there's the added benefit of not having to rekey data between systems, which means less likelihood of there being redundant data or mistakes, and this feeds into better auditability and therefore compliance. Time savings – Both short- and long-term, $2^{\text{firms savings}-\text{both short s$ taken stressing over integration and use it to drive efficiencies elsewhere in the firm - for example, restructure departments and reassign admin tasks that would have otherwise been occupied on the integration. **3**Financial matters - Better-connected technology means better delivery of services, which in turn means more profit. But also, with a proper two-way integration, where you can pass data one way and get results the other, financials can be automatically written into a ledger. You'd never have to write a disbursement ever again.

ASSESS ALL AREAS

Regulation continues to evolve in the legal sector, says Richard Beech, CEO of Riliance, and law firms will need to focus on what it means for them in practice

t is now a full seven years since the Solicitors Regulation Authority introduced its policy of outcomes-focused regulation (OFR) – putting the onus on firms to demonstrate how they have achieved their regulatory obligations.

That same year, Riliance launched its first core software platform to help firms manage OFR. Since then, Riliance has evolved from a software provider to an all-encompassing risk and compliance business, delivering software, advisory services and training. The business is now looking to the future of the law firm risk and compliance landscape to see what it may hold.

"OFR puts the onus of risk and compliance decision-making and management on firms, and regulation continues to evolve towards a more principles-based framework," says Beech. 2018's EU General Data Protection Regulation (GDPR) is the most recent high-profile example, he says, with its headline-grabbing powers to impose fines for those that fail to uphold the principles of protecting and safeguarding personal data.

"There has been a lot of focus on the increasing and severe fining powers and sanctions available to regulators in several areas of regulation. However, we see the main drivers for change in risk and compliance as very much focused on the commercial benefits of looking after clients," says Beech.

"In addition to GDPR, for example, there are the new rules concerning information transparency on websites, a new SRA handbook and new accounts rules due in 2019. Those are examples of what we call the 'push' factors for action.

"But 'pull' factors, including client and consumer expectation, are equally important. We've seen the arrival of social media-powered, highly public rating of law firms, a move toward greater client choice of law firms supported by information on pricing in the upcoming transparency regulations. Commercial clients are moving away from tick-box assessment of their legal service providers and are no longer relying purely on signed service agreements. Instead, clients are increasingly performing audits to evaluate how firms are meeting their contractual and regulatory obligations."

He continues: "Of course, data such as client complaints and claims are certainly litmus tests -

but just as the legal market is diverse, so are the possible repercussions. A high-street firm may not live in fear of a client audit, but may be concerned about client relationships, local reputation, or training and its impact on hiring the best talent available."

BRAND OF SCOPE

With such a dynamic landscape, and so much expectation being placed on firms to decide and evidence how they will comply, Riliance continues to develop its breadth of services to help bring clarity and support to firms. Riliance has provided clients with blended services that include training, software and advice, and is developing a new set of package and training options for 2019 to help firms deal with next year's regulatory changes. If firms are being told to work out risk management for themselves, says Beech, Riliance wants to be able to guide them on that journey.

"We want to help our clients understand what regulation means to them in practice. Firms can always call us up with any queries about what they're experiencing day-to-day, and our training uses practical examples relevant to solicitors. We want to help prepare firms and their solicitors for dealing with common business scenarios. Be it navigating anti-money laundering and client takeon, data rights requests, breach management, or working with regulators – whatever it is, we are here to help."

The team at Riliance is excited to be working on new service launches and a complete rebrand of the business. "Like the regulatory landscapes, Riliance has grown as a business and we are excited about continuing to enhance and launch our risk and compliance services into 2019. We are working on a rebrand to underpin client packages and ensure our clients are aware of the full scope of our services and support available to them," he explains. "We have something to offer firms of all sizes, and work with sole practitioners through to the top 100." A significant part of the rebranding work is effectively letting clients know, he says. At the same time, Riliance has worked with clients to understand their priorities in managing risk and compliance, leading to service packages being enhanced and upgraded, which will add more value to the client's Riliance subscription.

ABOUT THE SPONSOR

Riliance specialises in providing marketleading risk and compliance solutions, innovations and support to the legal sector.

www.riliance.co.uk



SPONSORED EDIT



RIGHT CALL

A continuing area of development for Riliance in 2019 is the risk and compliance support embedded in all product and service offerings. Riliance's risk and compliance team has grown substantially, says Beech, and has taken on expertise from both the legal and other regulated sectors, such as financial services, to grow the skills and perspectives available to clients.

"What clients with a concern about client due diligence or anti-money laundering often need most is a reliable sounding board. Compliance officers in most firms just don't have a compliance team around them to discuss options and reach the best one. Complying with regulation is becoming more subjective, and it is now so important to rationalise and document your thought process when making risk and compliance decisions. Our team is there to help people through that process."

Perhaps no surprise, but he says the team at Riliance has received a particularly high volume of GDPR-related calls in the last year. "First, it was advice about a programme of implementation – now there's a lot on the individual practicalities of responding, such as managing complaints and reporting breaches. In some cases, we are engaging with regulators on clients' behalf, as we understand the issues in detail and can help them navigate more formal processes. Whether calls relate to GDPR, Compliance Officers for Legal Practice or Compliance Officers for Administration obligations, AML queries or general code of conduct questions, firms often want to check what it means for them and receive some practical guidance. When you cut through the black and white text, risk and compliance is often about applying common sense, which is what we seek to deliver."

LEARN TO DRIVE

Improved risk management performance for the long-term really requires effective training of staff. Once you have identified what you will do to manage risk and compliance, the next step is to educate the firm about how. Riliance is expanding and updating not only its content mixture, but also the channels for consumption. Longer reads are being broken up with many more "bite-size" parcels of training like quizzes, says Beech – while an expanding range of themed webinars builds on what's already proved to be a winning formula.

"There's no longer one 'right' way of training people, but the cost benefits certainly continue to make e-learning attractive. There's less loss of your fee earners' time travelling to events – they can be sitting at their desk, and fit it around the rest of their own schedules themselves.

"But we've also seen more demand for workshop formats at the senior management level. Blended learning – some online, some faceto-face – is popular for good reason. Overall it is down to the learner. We want to offer a range of content and formats so that learners can select what best suits them."

Ultimately, training strategy is just one part of firms' assessment of their own risk management requirements. "Some compliance training courses are considered mandatory, some expected for particular accreditations, and the Riliance learning management system lets firms assign courses and content to users as needs change to make managing training easy," explains Beech. "We also understand how risk and compliance training is part of a wider competency framework, which can also be managed from our learning management system to keep everything in one place. Like all management frameworks, managing risk and compliance needs to be straightforward and practical, which is where technology platforms can really help."

The development of principles-based regulation is set to continue in the legal sector, with increasing onus put on firms interpreting the regulation and making their own decisions about its implementation. While this may seem daunting for firms concerned about non-compliance or the increasing resource needed to manage risk and compliance, Beech is optimistic that firms have access to compliance solutions, training and an ever-growing support network that can help guide them.

"Whether you have some areas of compliance you want help with, or just want to sense-check a decision for peace of mind, we are always happy to talk it through with you," he says.

🕀 Last word

CHRISTINA BLACKLAWS LAW SOCIETY PRESIDENT

Some exciting initiatives are in place at the Law Society under new president Christina Blacklaws. LPM catches up with her about what stage each project is at and how SME firms can get involved

WOMEN IN LAW

Since 1990 women have represented two-thirds of new Sentrants into the legal profession, yet the number of women who make it to partnership plateaus at 28%. A big backdrop to this is that many of those women are partners in small firms, which they've perhaps started up themselves. Also, partnership doesn't equate with ownership – if you look at many of the large firms and look at ownership, that number is under 15%.

This is a business issue, says Law Society president Christina Blacklaws. "It's as much about surviving as it is about thriving."

In good news, 2019 will mark 100 years of women in law, following the Sex Disqualification Removal Act 1919.

To further progress opportunities for women to reach senior positions in the legal sector, Blacklaws has introduced a number of roundtables for women to discuss their experiences and also to get men involved. The Law Society has also conducted a survey of women in law - the largest of its kind - and created a toolkit broken down into five areas for activities.

Everything will be pulled together into a final piece of content and conference in June 2019. Watch this space.

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ACCESS TO JUSTICE

There's a role for technology to play to ensure that justice is accessible for everyone, particularly the most vulnerable and disadvantaged in our society, Blacklaws says.

In England, it's a matter of law that anyone accused of a crime has a right to see an experienced, qualified solicitor for free in the police station – and those solicitors work 24/7, she adds.

"We did a study around the age demographics and found that in the UK there are fewer and fewer solicitors under 50 are choosing to work in this space because of funding cuts. In about 10 years we'll hit a cliff edge scenario, so we're alerting the government that the current system is unsustainable."

MENTAL HEALTH AND WELLBEING

There's a wealth of evidence that shows that people in the legal profession see themselves as under often significant stress, Blacklaws says.

"Many people are still working long hours in the office despite pushes for more agility and flexibility in the workplace."

Best practices for this are to have role models in the firm. She says a great area particularly is male role models practicing family friendly working hours. Shared parental leave is becoming more 'socially acceptable' and having healthy, happy staff benefits business.

"It's incredibly powerful for everyone in the business that people are seen to take time off to care for their family, but also for themselves."

FUTURE OF LEGAL SERVICES AND TECHNOLOGY

'' was asked by the government to chair a new body called the 'LawTech Delivery Panel'. Our aim is to ensure that we have a supportive environment in the UK to nurture the development of legal tech and the right legislative and regulatory framework for forming smart contracts, electronic signatures and disputes about them," she says.

It's really important that we don't neglect the ethical issues Blacklaws adds. She also chairs a technology and law policy commission set up by the Law Society which is looking into this. The co-commissioners are a professor of ethics and another of computer science.

"The idea here is to convene all of the relevant people – technologists, lawyers, academics, policy makers and government – to investigate the use of algorithms and big data in the justice system.

"We're preparing a report that will

make recommendations to the government and policy makers as to the appropriate ethical and legislative response to developments in this area."

Alongside that the Law Society has teamed up with Barclays on its Eagle Lab incubator, to support solicitors. Blacklaws says she wants lawyers to be able to engage and influence the development of new technology products and services and to de-mystify legal tech for solicitors wherever they practice.

She says: "It all comes down to enabling solicitors to make well-informed decisions – aiding their careers and their businesses and being able to position themselves to advise their clients on technological developments and the ramifications of these."

To fuel this, the Law Society is proposing a multi-media campaign to include advice, information and guidance and regional law tech cafes.



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