

Briefing

April 2020

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April 2020

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LEADING LEDGE
A few words with Suzanne Liversidge, global managing partner, Kennedys

FITNESS FOCUS
Why Eversheds Sutherland chose to channel the world of athletics



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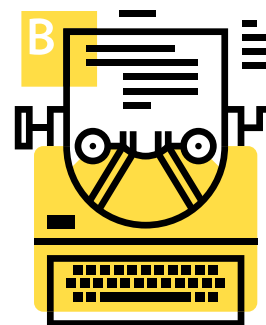
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Editor's letter



Who we are...



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I reflect that as I write these words this morning – traditionally always my final task when ‘putting the magazine to bed’ (publishing parlance for doing our final checks and firing it over to be printed) – that while I’ve written them several times out on the road from this or that conference or coffee shop, this is the first time in five-and-a-bit years now that I’ve done it from home.

That isn’t because I couldn’t – I can work from sofa or similar just as easily as the most agile of you out there, and I do – but I like to be in the office on this last day of the cycle for all those little rituals and the pleasantly palpable relief. The second-to-last typo is slain; that’s another deadline duly conquered, and another great content mix delivered out of the door.

I also like to be doing at least this little bit of the work in proximity to my fantastic team – who have contributed so much to the current issue at hand and have the shared story of so much that has come before.

I like to be in the office on this last day of the cycle for all those little rituals and the relief

Now, as the profession we cover picks up all the kit, process, pros and perils of homeworking when it’s simply an essential (many, many of course also juggling childcare and other responsibilities), I wonder if they

are having some similar moments. Is all the coffee machine, stair-crossing and canteen-queuing chat and buzz – which we’ve often heard plays such a part in super-productive collaboration – suitably replicated by videoconferencing and other whizzy-busy comms out there? What do they (you!) miss most about the office environment as the first few weeks of this uncertain period pass by? Perhaps some even feel a certain ‘be careful what you wish for’ angle now it’s very much WFH-as-usual? Is client-facing chemistry the same? Are there some aspects of good management and great leadership that are just really, really difficult to do on a call or through a screen?

Just a few genuine questions there, genuinely occurring to me as I tap away right now. And as we all get used to our new day-to-day routines amid all the noise – and perhaps very real fear – of the unknown, we must remember that while work may be ‘something you do, not a place you go’, it’s increasingly said that it also pays for it to have a ‘purpose’. It could even have several of them – one of which may well be a source of commonality, perhaps even comfort, for those who carry it out.

RICHARD BRENT EDITOR-IN-CHIEF

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Stress clout

“When we create boundaries, or are recovering, we’re reminded that tasks are still left to be done.”

Keith Froud, international managing partner, Eversheds Sutherland



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

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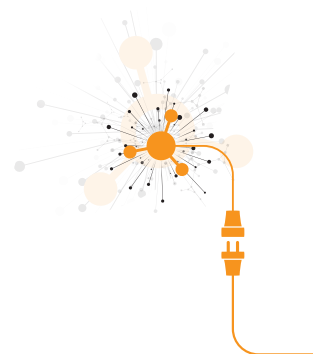
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 ROUNDUP

Crisis response



As this issue of **Briefing** was being finalised, Covid-19 rapidly evolved into a global pandemic, prompting firms to activate their business-continuity and remote-working plans to comply with advice to isolate staff, and of course to reassure clients.

Baker McKenzie was among the first firms in the UK to react to a potential Covid-19 case among its employees, shutting its London office for 24 hours as a precaution. The suspected case tested negative – but the firm took further precautionary measures. “We have taken appropriate steps in our locations around the world where there have been outbreaks by implementing remote-working protocols and are limiting non-essential travel. We have a longstanding flexible working programme including advanced technology for home working,” a press release from the firm said.

The importance of remote working has suddenly come into sharp focus for many organisations of course, with a number of firms and individuals highlighting the challenges. Founder of **LOD**, Simon Harper, said in a statement that the forced change may have something of a future silver lining. Until now, he said, it’s been easy to find excuses for why the commute is needed. “We suddenly find ourselves having a responsibility to think the other way around – ‘what’s our reason to work from the office today?’ As we worry about how to cope day-to-day, perhaps we can find some hope that this might give us all longer-term freedom in how we choose to work and interact.”

Another firm to have implemented remote working at its London office, **Linklaters**, has also been using its videoconferencing capabilities, conducting both client and internal meetings virtually. The firm’s partnership board meeting was conducted by videoconference, rather than taking place in Warsaw. It will conduct its end-of-April partner meeting virtually as well, instead of in-person in Berlin.

As of 20 March, **DWF** was also in remote-working mode. The firm’s press release stated that over 90% of its staff globally were equipped to work remotely and that

the majority of its workforce was working from home, due to respective national government restrictions. And that teams from risk, IT, HR, finance, facilities and client development departments met on a daily basis to ensure the wellbeing of people, clients and other stakeholders.

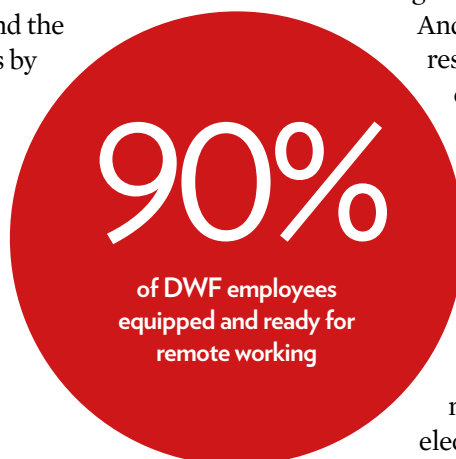
Firms have also been setting up resources – including panels, hubs and guidance centres – to reassure clients and keep them updated as to the Covid-19 situation.

Eversheds Sutherland’s disputes team has set up a 13-member global working group dedicated to dealing with litigation-related requests.

And in addition to creating an emergency response team of senior leaders to coordinate decision-making and ensure operational continuity, **Gateley** has put in place a number of measures to comply with social distancing instructions, including home-working, and restricting travel between their 13 UK offices so an outbreak in one office would not force the entire firm to close. It has also requested that communications be sent electronically where possible rather than by post.

Having already closed its London office on 13 March, **Simmons & Simmons** then assembled an internal working group to address the challenges facing its clients during the pandemic. A spokesperson for the firm told **Briefing** that the group comprises sector, practice group and product experts and that it would help mitigate business risks for clients by using innovative products, services and technology. The working group will provide updates to clients through a programme of daily calls – supported by a client hotline and an inbox monitored around the clock. The firm’s marketing and business development team has also been pitching in, developing an international effort to co-ordinate and organise all work related to Covid-19 on both the firm’s website and the staff intranet. The initiative aims to keep both clients and employees up-to-date.

Briefing will continue to monitor developments as they relate to our reader community and bring relevant news, comment and best-practice recommendations concerning the changing responses to the crisis. ▾



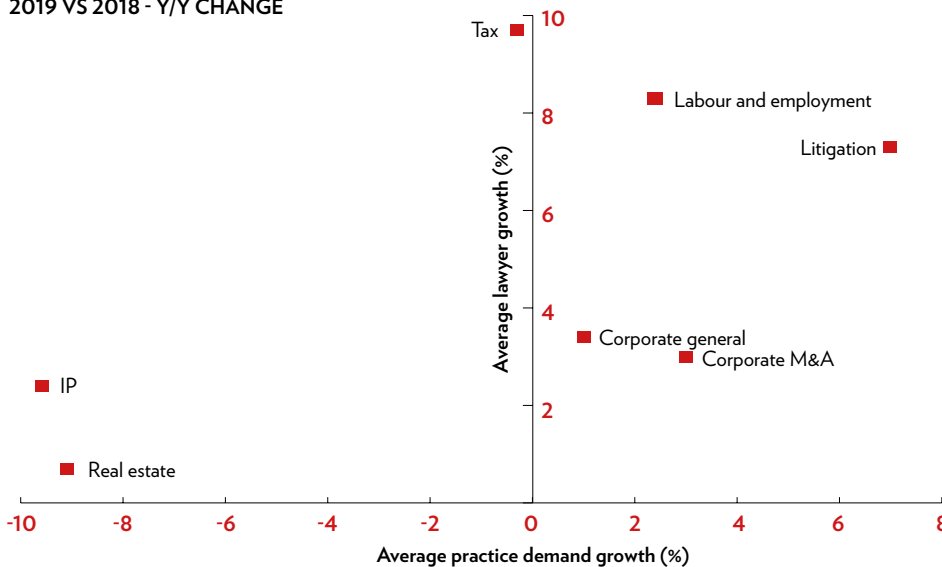
Database

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2019 was a mixed bag of business for US firms operating in the UK, with headcount growth hitting utilisation and billing rates requiring attention

2019 VS 2018 - Y/Y CHANGE



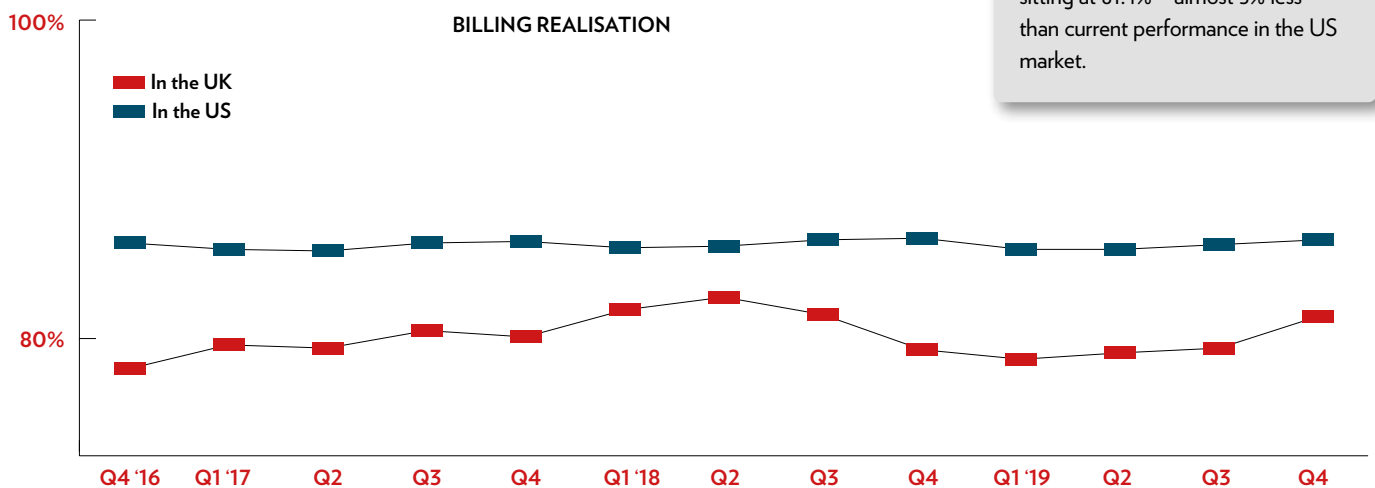
PEER MONITOR® PERSPECTIVE

Demand for US law firms in the UK grew 4.5% in 2019, significantly higher than overall demand growth in the US (averaging only 1% last year). As a result US firms increased their lawyer headcount in the UK by 5.8%, with an overall negative impact on utilisation.

The strategy could be that US firms are attempting to gain traction in the UK market through laterals, or that they expect demand in key areas to pick up in future. Either way, relative to demand levels it's likely that such hiring practices are not sustainable over the longer term.

UK billing realisation (for US firms) also continues to lag behind, sitting at 81.4% – almost 5% less than current performance in the US market.

IT'S HARDER TO COLLECT THE BILLS IN THE UK



FIRM FACTS FOR US-BASED FIRMS IN THE UK ENDING 2019

4.5%

Demand growth

5.8%

Lawyer headcount growth

-1.1%

Utilisation

12.9%

Compound annual growth rate in revenues of alternative legal services providers

Thomson Reuters Peer Monitor® data is based on the reported results from US-based firms concerning activity in the UK. For the full report, please visit: <https://legalsolutions.thomsonreuters.co.uk/en/trends-insights/reports/state-of-the-legal-market-uk-report-2020.html>

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▶ SPEAK UP

Security in arms

Travelex discovered on New Year's Eve 2019 that it had fallen victim to a cyberattack in the form of a computer virus. As a precautionary move, it took its websites offline. By 3 February 2020, the issue had not been resolved and Sainsbury's Bank, Royal Bank of Scotland, Lloyds and Barclays, who use the Travelex service, were still unable to offer online currency services to their customers.

We don't know how the Travelex cyberattack started, but the majority of data breaches can be traced back to an original phishing email, whereby employees are used as targets to obtain data. But an organisation's staff need not be a security problem, nor seen as its weakest link. They are in fact part of the solution and could be its greatest asset.

Here are some of the risks that a business needs to be aware of:

1 Opening emails from unknown people. Staff should be trained to avoid clicking on links, or opening attachments or emails from people they don't know, or companies with which they don't do business.

2 Having weak login credentials. Require staff to create unique, complex passwords of at least 12 characters, and to change them if they have been compromised. Password hygiene rules should provide that, if written down on sticky notes, they are at least kept in a locked drawer.

3 Weak access controls. Set up tiered access levels, giving permission only to those who need it. Don't provide

employees with admin privileges. Close the accounts of departing staff on their final day.

4 Poor controls over remote working or bring your own device. Every device should be password-protected. If a device is lost or stolen, have a point of contact for staff to report to and deactivate devices remotely. Software tools should be implemented to manage devices remotely, and staff should be warned not to use public Wi-Fi. Consider having some rules about printing at home.

5 Not investing in employee wellbeing. Happy, committed staff are unlikely to turn rogue when it comes to cybersecurity. Discontented staff pose a clear security risk, especially when resigning or leaving the organisation.

JMW has launched a data breach helpline to guide clients through the early stages of an attack or breach – putting people in contact with specialist lawyers and IT forensics experts, who can guide them through the initial steps to take, 24 hours a day, seven days a week. However, we also work with clients to provide lunchtime workshops for their staff on how to surf the web safely, set up their own mobile phones and devices, and help their children to do their homework. Raising staff awareness about internet safety makes them less likely to click on unsafe links or succumb to phishing attacks or social engineering. Statistics prove that employees who have been through this type of training are less likely to click on phishing emails or create other cybersecurity risks. ▶



Toni Vitale
Partner and head of data protection
JMW Solicitors

🐦 @ToniVitale

Require staff to create unique, complex passwords. Password hygiene rules should provide that, if written down on sticky notes, they are at least kept in a locked drawer



DATA BITE

NEW LAW, SIMILAR PROBLEM

A recent survey asked women founders and co-founders of 'New Law' / legaltech businesses about their experience of seeking investment

1%

Of formal investment in the sector is to women-only-founded businesses

62%

Of women asked had taken no external investment at all

8%

Had taken funding from friends/family

RESULTING RECOMMENDATIONS:

- **Procurement leaders** at clients considering diversity of teams put together by alternative players as much as traditional firms, and "ringfencing" some spend
- **Investors** challenging themselves to move past any preconceptions
- **Educators** producing more courses combining law with business and/or technology
- **Champions** of entrepreneurial women in law being more vocal.

Source: Female founder survey of 64 women founders and co-founders in March 2020 (compiled by Dana Denis-Smith, Obelisk Support)



Andrew Cheung
Partner and general counsel, UKMEA
Dentons

 @Dentons

See the crisis as a 'burning platform' to escalate and accelerate business transformation and efficiency initiatives. This may herald a very different way for law firms to work in the future

 SPEAK UP

Risk steadiness

If you are reading this, you may already be working from home and ineffectually smacking your modem because you've been kicked off your office computer network ... again. If you're like me, you may also be trying to work with one hand, while fending off bored young children with the other.

Covid-19 has indeed caught global economies, businesses, health services and governments by surprise. And for me it's offered some real practical lessons around risk management.

For example, which resources or efforts should have been directed towards planning for, and managing, such a remote risk? Was it ever really that remote? Other lessons centre around how swiftly we should respond – which is difficult to determine when we're working with an imperfect understanding of the risk. For example, protecting staff from an outbreak would seem to be an immediate priority. At the very least, it will ensure business continuity. However, it would have been a brave risk manager, general counsel or CEO who ordered staff to self-isolate at the beginning of March.

The most important risk-management tool you can have in these rapidly-evolving circumstances is a nimble management team with clear roles and responsibilities – one that communicates daily. Dithering, ambiguity and splintered purpose could be disastrous.

Here are a few thoughts, at the time of writing, on managing the risks that have been presented by Covid-19:

- **Governance** – Set up working groups, regionally if applicable, to assess, plan and respond to Covid-19 risks by country and office. Make the roles of these groups

clear to everyone across the business.

- **Remote working** – Agree a clear trigger for remote working and phase it in (if you haven't already). Ensure you have suitable remote-working platforms (we use Citrix) and enough licences. Have everyone test their homeworking equipment and prepare detailed technical guidance for confidential working.

Consider solutions to permit, for example, e-signatures and online collaboration.

- **Social distancing** – Keep abreast of the symptoms to look out for based on current advice from medical authorities and make sure staff know where to report symptoms, so the business can accurately assess its risk exposure.

- **Suppliers** – Identify suppliers that are key to the provision of services and assess them for Covid-19 risk. Ask them to confirm what measures they have to manage this risk and how they will ensure continuity of service.

- **Insurance** – Check whether existing insurance provides cover for sustained or high levels of business interruption. Is your professional indemnity insurance sufficient to cover negligence claims arising from lack of staff availability?

- **Cyber risks** – The risk of phishing attacks on staff will increase, as will the risk of data theft through hacking home computers or personal email accounts. Ensure that protections are up-to-date.

In addition, deputise key leadership positions and start reviewing budgets and expenditure to weather a potentially prolonged period of economic disruption. See the crisis as a 'burning platform' to escalate and accelerate business transformation and efficiency initiatives. This may herald a very different way for law firms to work in the future. 

COMMENT

Calculated success

Have you ever felt the need to blur the lines between your job description and the responsibilities of completely different teams and departments in order to be successful in your role? Sometimes I feel like I'm working in marketing, or sales, or product management, or technology. But my favourite colleagues in each of those departments feel – as I do – that they're often working in customer advocacy as well.

That's because, in my opinion, the best employees have a sense of ownership and accountability for the bigger picture. I've often said that if I hear anyone use the phrase "That's not my job", what I really hear is "I don't want to work for this company anymore".

How do we create those best employees? How do we break down silos and encourage holistic accountability? How do we get people away from a 'victim mentality' and into proactive action – away from thinking "If only that other department did their job, my job would be so much easier"?

I'm no business school professor – nor am I a best-selling author of organisational health books. Like most people, I've stumbled through my career, bumping up against many a roadblock, trying to remember what worked the last time in a similar situation. But something I've always reverted to when in doubt, or even when I just need a little injection of job satisfaction for myself, is the concept of the team – and its product: teamwork.

When you have a highly functional team, there's a risk that its members develop such tight and close bonds that they become insular and closed-off (or, to use the corporate buzzword, siloed).

They close ranks, start using 'us and them' language, and can become indifferent to the success of the overall organisation. If you see any of those warning signals, my experience says it's time to broaden those team members' horizons and help them to see that they're also part of many other, bigger teams.

It's like adding layers to an onion, rather than removing them. We're all part of so many different, overlapping, and sometimes interdependent teams and communities. How do we get people to remember that? How do we get them to think outwardly, with empathy and optimism?

I think it's all about the employee experience (EX). Engaged employees are open to helping leadership in new, different and bigger ways, and see everyone who asks for help as a customer (C) – and therefore deliver a better customer experience (CX).

This week, I had one-on-one meetings with each team member in one of our newest teams. All of them talked about how their team leader supported them and encouraged them to focus not on individual performance, but on the overall success of the team. One employee described that team leader as "present and caring". I'm not sure there are two more important attributes in a leader. And the really fascinating thing about this team? The satisfaction scores they're receiving from our customers are second to none.

And so, I leave you with the simplest and most important formula in your career: EX = CX. Happy employees make happy customers – who make money for the company. Mic drop. 📌



Patrick Hurley
Vice president, customer advocacy
Thomson Reuters Elite

🐦 @TPatrickHurley

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We're all part of so many different, overlapping, and sometimes interdependent teams and communities. How do we get people to remember that ... to think outwardly, with empathy and optimism?



COMMENT

Let IT grow



Andy Bevan
Cloud sales specialist
Pulsant

@PulsantUK

For more information, visit:
www.pulsant.com

To drive a better balance between the day-to-day tasks and innovation projects, law firms need to reset the status quo, and this means passing the routine or ‘bread and butter’ tasks to a third party

Discussion around the impact on the legal sector of new technologies – such as artificial intelligence (AI), machine learning and cloud – are perennial, with collaboration and automation often the areas of highest priority.

But how many firms looking to drive strategic advantage through improved work efficiency and competitiveness are actually realising the benefits? And how can businesses balance the need for innovation with the need to keep the lights on?

Innovation requires actively seeking out ways to improve things in the future – and a conscious effort to avoid the present-day diversions. This can be a challenge for law firms dealing with operational efficiencies and regulatory requirements. For example, with AI, machine learning or other new technologies, the real value is in identifying the right use cases and developing them – not the implementation of the technologies themselves. Whether we’re thinking of practice management automation, document assembly or legal research, it’s about delivering the outcome, rather than the mechanism to do so.

But at many firms, the everyday challenges faced by the IT team constrain the time and headspace needed to drive innovation and deliver on the firm’s aspirations. These distractions can include anything from facilitating remote

working through to improving security infrastructure and keeping the patching strategy current.

To drive a better balance between the day-to-day tasks and innovation projects, law firms need to reset the status quo, and this means passing the routine or ‘bread and butter’ tasks to a third party. A supplier can focus on routine tasks, or worry about ageing infrastructure, and enable the in-house IT team to better use their expertise for the good of the business.

In essence, the third party can be the engine room, taking the pain away and freeing up IT resources to focus on what delivers most value: driving innovation and collaboration, which improves competitive advantage.

A common challenge in the legal sector – as in many others – is that IT is viewed solely as a service provider. It provides a function, and keeps the business running. But to remain competitive, firms need to change those perceptions. Getting the most from new technology requires a shift in mindset around the purpose of IT; no longer a function on the periphery, the IT department needs to transform to become an innovation driver.

However, in order for this to happen, the way the IT team is used also needs to evolve. Law firms need to move away from the old model of using the function just to ‘keep the lights on’ and envision a function that adds real innovation and value to the business operation. ▽

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Decisions are tough for law firm IT leaders. Jem Sandhu reports on their strategies for navigating the legal tech ecosystem we see today

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First for change

Richard Brent speaks to Suzanne Liversidge, first to take on a new global managing partner role at **Kennedys**

▶ THE BIG IDEA

On the tech list

The volume of new solutions out there can give the impression there's now an answer to every problem that could ever be on your IT leader's list. But challenges remain – both old and new. Jem Sandhu reports

The legal tech ecosystem has always been in a state of growth and flux – but at no time more so than over the last five years. Navigating this increasingly complex world of vendors, products, services and third parties is throwing up new challenges for IT leaders.

But navigate it they must – the same timeframe has also seen a slew of ‘New Law’-styled tech businesses entering the fray. What does this mean for a firm’s tech spend? And to what extent does remaining competitive even depend on that spend? After all, some of the most common obstacles to realising the benefits of new technology (shelfware, to name one) are not even directly related to IT spend.

Competitive tech

“Most of them are not doing law, but enabling the practice of law through new technology – the threat is overstated,” says James Alexander of some of the latest players. He worked as a technology consultant before joining Fletchers in 2019 as director of digital and disruption, and he doesn’t see new legal tech companies as great competitors. He, like many others, is more concerned about the increasing capabilities of the Big Four firms. “They are better placed than startups to harness technology in order to move into the market – process automation is just one example,” he says, predicting that these inroads will gain traction over the next three to five years.

However, he notes: “Law firms that can spend on tech can compete.”

But whether the competitive driver is fending off New Law, other law firms, or the Big Four, how much tech investment is enough to remain competitive? **Briefing’s** Legal IT landscapes 2020 report found that firms spend an average of 5% of annual revenue on IT spend. But the question is not so much whether the figure is too low for a firm to be competitive. It is where that spend is focused. And CIOs are increasingly vocal about the IT function being seen as more than just a cost centre – it needs to have a seat at the table.

Mark Parr, global director of information technology at HFW, distinguishes between business as usual (BAU) spend and technology spend that can serve to differentiate HFW (a specialist mid-tier firm, he says) from its competitors. And he’s driving a different view of the IT function: “That I am not just a cost. I take

part in client conversations to demonstrate where we can bring in technology offerings that are a differentiator,” he says. He is also keen to change the ratio of BAU to the “differentiating” tech spend – it is currently about 85%-95% BAU.

Alexander concurs. “In the legal industry, IT is still seen as a support structure – a scope-driven cost centre. However, when you start looking at the function in terms of driving efficiency and profit, IT will need to sit with the decision makers.”

“I’m surprised it’s so high,” he remarks, of LITL’s 5% finding. Although he notes that much of law firms’ IT spend is on maintaining legacy systems rather than on new technologies. “Just 5% is low for a tech-focused industry; it’s around 7-8% in the banking sector. If a law firm wants to transform core functions, it needs to undertake significant investment,” he says.

What’s on the wishlist?

Joe Borstein, managing director at EY legal managed services, sees a big trend towards extending and configuring ‘enterprise’ technology in the legal field. “In addition to a ‘build or buy?’ philosophy, we’re seeing a ‘customise’ option, where the power of enterprise platforms can be used within legal,” he says, noting that he also expects to see more expert systems that clients can access to “solve” legal problems – with fact-specific answers coded by lawyers. And EY Law is focused on moving its technology agenda forward (with the corporate legal function) in areas like contract lifecycle.

A key priority at Fletchers at the moment is the customer journey. “We are looking at spaces such as digital onboarding, in addition to focusing on decision support and information exchange,” says Alexander. He says he has noticed that not a lot of law technology is in fact innovative. “And that which is innovative is mostly in commercial law, where the big clients are – clustered around things like contract review, matter management and automation. It’s about efficiency around existing processes, but nothing disruptive in terms of actually altering the business of doing law,” he says.

In addition to looking at robotic process automation to make certain tasks cheaper and quicker, HFW is keen to use AI to obtain more value from its data, says Parr. And the biggest technology investment driver for him at the moment is how to be more collaborative. “So clients feel we are a trusted adviser and that we are





“You need to ask questions, such as: ‘how does a cloud or SaaS platform actually change ways of working? What else goes along with the technology platform?’”

James Alexander, director of digital and disruption, Fletchers

collaborative and offer visibility in terms of things such as how much it’s costing,” he says.

Routes to tech success

Of course, there are a number of routes to achieving these technology goals – including incubating startups (although none of the firms we spoke to was far along this route). And Fletchers, as a consumer-facing law firm, has different strategies to other larger firms. “We might build ourselves, or through joint ventures,” says Alexander, highlighting a broad approach to technology investment. “We take it on a case-by-case basis. We want to do some development work in-house and are building on existing relationships with universities.”

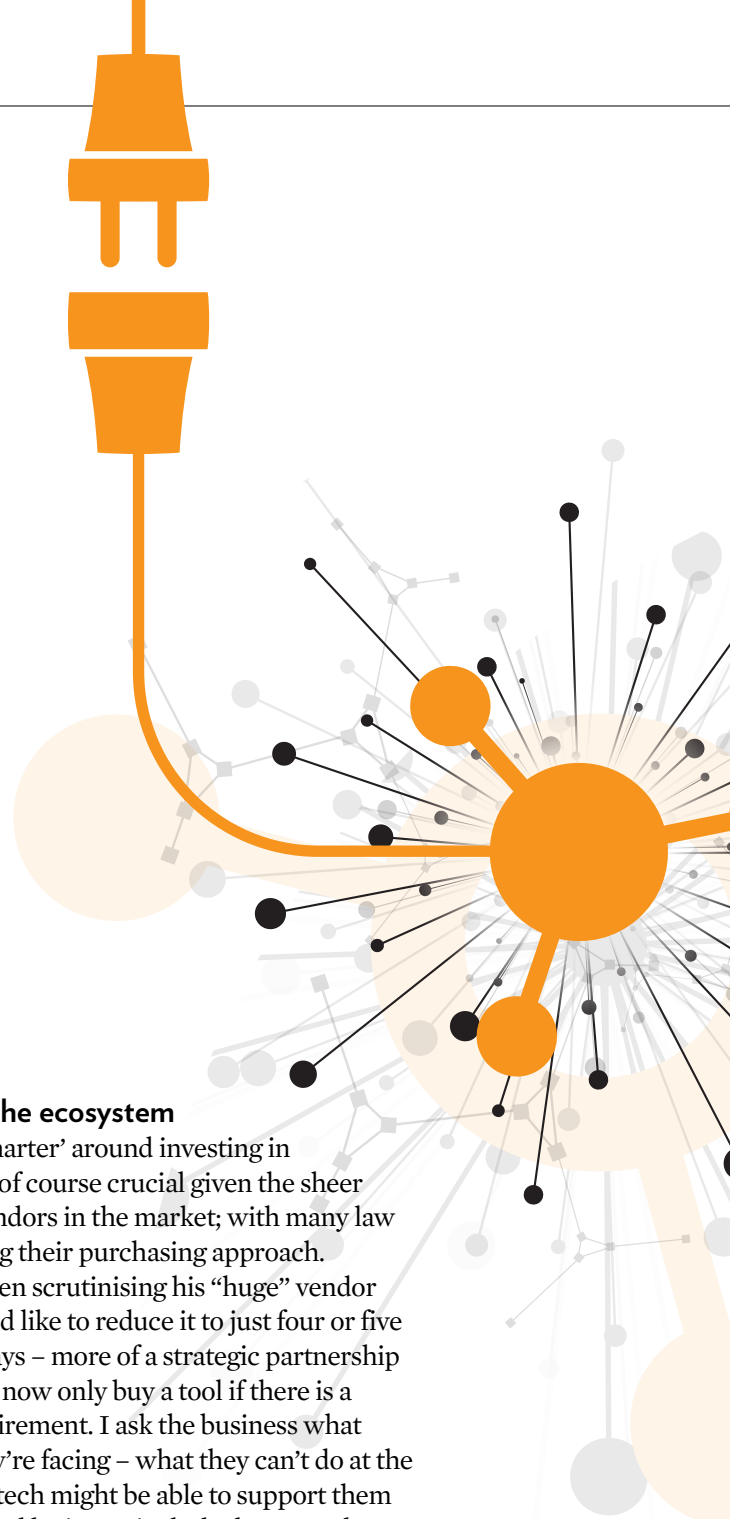
It’s also possible to use a firm’s existing technological capabilities to solve a new problem. Stewart Crane, global IT director at Withers Worldwide, points to one solution that he is responsible for at Withers – a centralised architecture capability: “This function will understand which solutions are being used across the firm. When faced with a problem, they will pick bits from different areas and create a solution.” However, he does note that something like this might not always be possible for mid-sized firms that have more constrained budgets and resources.

Vendors of the ecosystem

And being ‘smarter’ around investing in technology is of course crucial given the sheer number of vendors in the market; with many law firms changing their purchasing approach.

Parr has been scrutinising his “huge” vendor map. He would like to reduce it to just four or five vendors, he says – more of a strategic partnership model. “I will now only buy a tool if there is a business requirement. I ask the business what problems they’re facing – what they can’t do at the moment that tech might be able to support them in,” he says. And he is particularly drawn to the consumption model. “I want somebody else to own that box; I just want to draw the service from them.”

EY Law has an advantage when it comes to choosing appropriate legal technology from an increasing number of sophisticated legal tech vendors – arising from the firm’s recent Riverview Law and Pangea3 acquisitions. “With over a thousand legal-process lawyers working on all the leading legal technologies – including contract-building and tech-assisted eDiscovery tools – our lawyers have experienced each marginal and revolutionary feature, and tested their efficacy,” Borstein says. And unlike global law firms, EY Law’s ‘legal process lawyers’ (who do not practice law) ‘hyperspecialise’ in legal support functions –





“In addition to a ‘build or buy’ philosophy, we’re seeing a ‘customise’ option, where the power of enterprise platforms can be used within legal.”

*Joe Borstein, managing director,
EY Legal managed services*

becoming experts on leading legal technology platforms.

Alexander observes that a big factor behind implementation issues such as ‘shelfware’ is firms buying into hype – particularly around AI: “You need to be benefits-driven and customer-driven in your approach – not wrapped up in tech for tech’s sake.” He points to the financial services industry as an example: “A few years ago, everything was about blockchain – but no thought was given as to how blockchain could actually change the day-to-day operations of financial services.”

For Crane, the constraint is not always about the availability of IT budget, but the availability of suitable solutions that meet business needs. “Despite the increasing number of solutions available, and contrary to the sales pitch, when you get into the detail these solutions often fail to deliver on what you need. I work closely with my partners in the business to determine which solutions will deliver benefits most closely aligned to our strategy,” he says.

And it’s not just the sheer number of vendors that makes the current legal tech ecosystem so complex. Crane notes that the biggest change is that the solutions, and even the companies, may be ‘unproven’. “So, there’s even more of a need to assess that the solution meets your objectives before you adopt,” he says.



“More offerings are available only as SaaS, and firms are increasingly compliant with industry integration standards.”

*Stewart Crane, global IT director,
Withers Worldwide*

He also advocates for a corresponding mindset change among people internally. “The legal industry expects a white-glove service, but with new technologies the delivery or solution during a value proof-of-concept may not be quite as polished. Firms wanting a high level of innovation must expect failures along the way,” he says.

Integration issues

Another common challenge is integration and interoperability with a firm’s existing systems. “At Fletchers, we focus on how to protect the core of the business, while at the same time transforming it,” says Alexander. “I have driven home the idea here that it’s not just about dropping in a new system; there needs to be a holistic view. You need to ask questions such as ‘how does a cloud or SaaS platform change ways of working?’ and ‘what else goes along with the technology platform?’”

However, implementing is getting easier in a sense, according to Crane. “More offerings are available only as SaaS, and firms are increasingly compliant with industry integration standards.” He identifies a bigger integration problem. “A lot of SaaS technology is increasingly prone to changes made by the vendors in the background. They don’t test the solution inside the overall architectural environment with integration of the same versions of the same software.” That ends up



“One way we differentiate as a firm is by demonstrating that we are more secure – with both our own data and that of our clients.”

Mark Parr, global director of information technology, HFw

posing an extra burden – in the form of expensive test capacity or automation: “This testing is necessary to ensure that those changes don’t cause a ripple effect to other systems.”

Third party time

Parr says the lack of maturity around security in the legal sector must be addressed. He points out that, rather than seeing security as the thread running through everything, the legal sector views it as a bolt-on. “At one recent event I attended, a lot

of vendors were selling productivity tech but not many were talking about security. One way we differentiate as a firm is by demonstrating that we are more secure – with both our own data and that of our clients. As we become more reputable in that space, clients will trust us more and give us more work,” he says.

So, could the entry into the ecosystem of ‘marketplaces’ such as Reynen Court be an answer to the headache of auditing the security of new providers – not to mention the headache of choosing from so many vendors in general?

Launched in September 2018, Reynen Court is a curated “cloud” store for legal IT directors who are uneasy about entrusting content to third-party SaaS platforms. It audits vendors and offers containerised (portable) cloud applications.

“Possibly,” says Crane, on whether companies such as Reynen Court help with the problem of choosing vendors. But he is wary. “To an extent, they are forcing you into a certain ecosystem of solutions – and firms need to understand how that ecosystem of solutions meets their business needs. It may be that they offer too many constraints on what you can deliver.”

And, although he can see merit in such initiatives, Alexander at Fletchers is also sceptical – seeing it as “another third party”.

However, given the complexity of the full legal tech ecosystem coming into 2020, we can expect to see more third parties carving out a place for themselves and arguing they will help IT leaders to make sense of all the many offerings. ▲

The Covid-19 factor

As we publish, Covid-19 has forced many law firms to take big steps to protect employee health, while still delivering a high level of service – with agile working obviously in the spotlight. We checked in with our (extremely busy!) IT leaders to see what this could mean for future tech investment.

Many firms, such as Withers, have already invested heavily in moving to agile working. “The ability to work remotely – along with the security that enables that – has been implemented

globally,” says IT director Stewart Crane, so he doesn’t expect a material impact on the IT services required. “Any increase will be on furthering our collaboration capabilities – although we are also pushing agile working to more sectors of our workforce,” he says.

“Law is pure knowledge work – the majority of it can be done anywhere in the world,” notes Joe Borstein at EY. And that this new threat has forced firms to re-evaluate existing tech and how it can be used: “We have

had these capabilities all along, and now, hopefully, other parts of our legal system will leverage them where appropriate.”

There are learnings to be had. “I’m hoping that when we return to normal I’ll have loads of lessons around what technology we need to meet the needs of a more agile workforce,” says Mark Parr, global director of information technology at HFw. “We’ll have that mindset for future IT.”

And, as James Alexander, director of digital and disruption

at Fletchers points out, the crisis is an opportunity to demonstrate the value of flexible working: “This could help to stimulate more investment in collaborative tools, although the danger is that longer-term investment in new initiatives will be put on ice.”

One thing is clear – this international crisis has thrown the role of the IT function into very sharp relief. “Legal IT should be elevated to the C-Suite,” says Borstein. “That’s where it belongs.” ▲



▲ BRIEFING PEOPLE

First for change

Suzanne Liversidge, the first global managing partner to pick up the baton for Kennedys, talks to Richard Brent about modern leading, listening well, and leveraging firm values

What had changed that meant your firm needed the new role of global managing partner from 2019 onwards?

We've seen significant international growth, in the last five years in particular. We have a great long-term senior partner in Nick Thomas, but the scale and scope of our business are such that they exceed the capability of any one person. It was agreed we would therefore bring in the managing partner role. There wasn't an election process. I was invited, having been on the board for some time already in a wider global operations and business services role. So it made sense. I don't undertake legal work anymore, but I have kept my key client role as it helps me stay close to the market. Standing in other people's shoes is very much a motto of mine – it's the way you'll make better decisions.

What was your top priority area or two to tackle?

To stand in more shoes! Although I had touched parts of the global business, I had to do a lot of active listening. When you start any new role, I

think you need to listen carefully, both internally and externally. That helps you to identify opportunities and ways of doing things differently. And we're also very light on our feet – always very active in merger, acquisition and lateral talks – so a lot of time is spent on the strategy around that.

How would you describe your personal leadership style?

I'm not naturally a very hierarchical person. I'm passionate about modern leadership – connecting people, as opposed to 'command and control'. We all have a job to do, varied and different roles, and

“I'm not a very hierarchical person. I'm passionate about modern leadership – connecting people, as opposed to 'command and control'.”

Suzanne Liversidge, global managing partner, Kennedys

the way we execute and collaborate is a critical element of a successful business. I also give a number of talks around the place about being your authentic self at work. I'm such a bad liar myself – if I try fakery, I'll have forgotten what I've just told you! It's so much easier to be the real you – and it's easier to trust that. I've been talking about that for 20 years or so, as I hope it's been a key part of my management style – authentic with a good sense of humour. I was the first female president of the Chamber of Commerce in Sheffield. There hadn't been one for the first 242 years of its existence, so I had no choice but to be authentic.

And what about your role in the firm's R&D-focused work such as the innovation toolkit and, most recently, Kennedys IQ?

I'm not the most highly technical individual, but I sit on the R&D board in a role focused on identifying and resolving clients' problems. I have a marketing degree as well as a law degree, and I'm fascinated by brand and design, and so love the BD side of innovation work. It's unusual for a law firm to say it wants you to use lawyers less, but it's one of the most successful campaigns we've run. Yes, it's a good marketing strapline, but we can also prove the concept and show the tangible financial benefits. We're really proud of the output of our global innovation investment.

What personal tips do you have for introducing or driving change at a law firm?

You have to show people the benefits – and although some may find those easier to appreciate than others, that doesn't make anybody wrong. They may just need more time with you. The key to that is communication and trust, and always, always sticking to your core values, whatever you

“It's unusual for a law firm to say it wants you to use lawyers less, but it's one of the most successful campaigns we've run.”

do. Our values are the most important part of our business – to be approachable, straightforward, supportive and distinctive. When I was interviewed 10 years ago, Nick Thomas gave me a piece of paper with our values on it and said, 'see if that's you'. It resonated so much, and still does today. If you are approachable and supportive, you can help anyone to navigate through changes and challenges as your business grows.

You do a lot of presentations addressing the issues surrounding lack of diversity in business. How do you feel about your profession's progress on that point?

It's improving, but really nowhere near where it needs to be. I didn't know I was the first global managing partner who was a woman until a journalist told me. They said, 'how do you feel?', perhaps thinking I'd be delighted. But I'm like, 'no, I'm appalled'. How can that be the case in 2020? So I've accepted I may have to deliver some role modelling, but it's also important to say that diversity and inclusion isn't just gender. It's about giving everyone the opportunity to be successful, whoever they are. Our apprenticeship programme has been a great example of that – extended to business services in 2019, and in demand around the business. It's a roaring success. ▲

What is Kennedys IQ?

The “use lawyers less” strategy took “a huge leap forward” with the launch of Kennedys IQ in late February 2020, the firm said.

It is a separate technology-driven company, “Kennedys, without the lawyers” as the press release puts it, and run off a new platform that pulls in multiple data points from internal systems, the firm's clients

and other external sources.

Specifically, six tools the firm has developed – including ‘Defence Lawyer’ (based on the KLAiM system) can be switched on or off to automate aspects of the claims process, and machine-learning leads to insights such as predictions of damages and recommendations about when to settle.

Formerly IT director, Mike Gilpin becomes the business's commercial director, and head of R&D Karim Derrick the product and innovation director.

The firm's ‘Ideas Lab’ innovation initiative also continues, now in its second year, and those whose ideas are taken forward will see them join the IQ offering. ▲

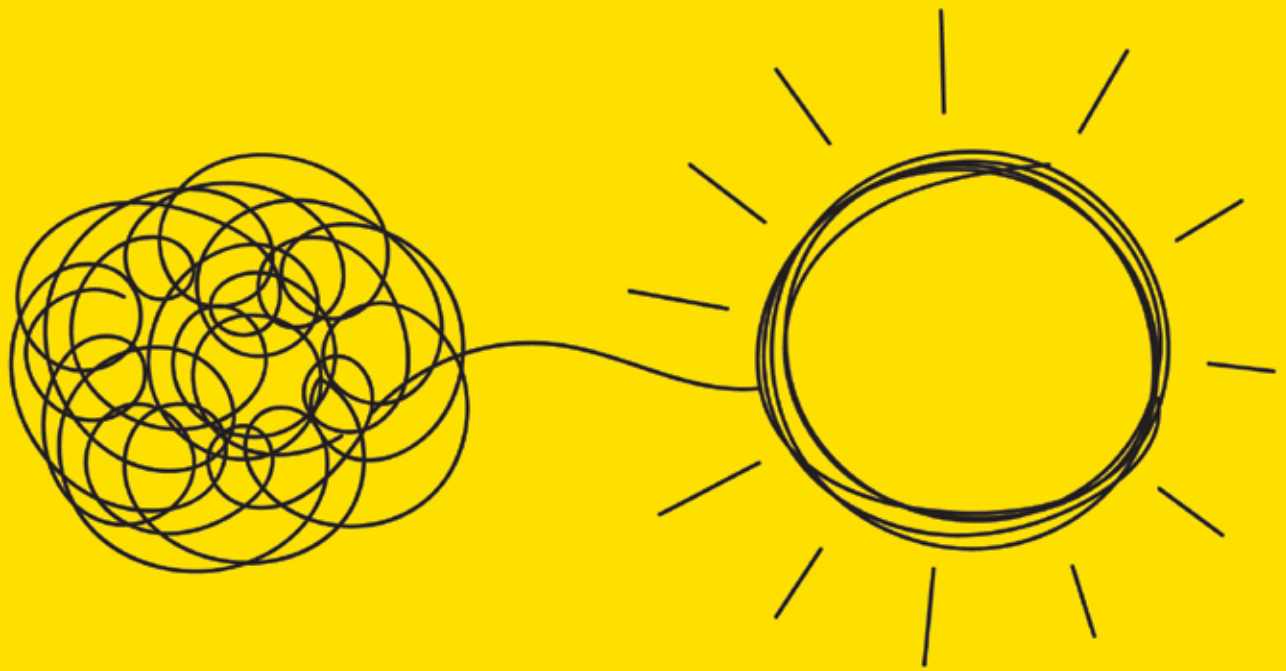


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Brain training

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Pressure pointers

Why **Eversheds Sutherland**

partnered up to help its people build their personal resilience



▶ HANDS ON

Pressure pointers

Keith Froud, international managing partner, Eversheds Sutherland, and Dr Rob Archer, director of Cognacity, explain why they're training lawyers to achieve a mindset commonly found among professional tennis players

A Most two years after launching a firm-wide wellbeing programme in May 2018, Eversheds Sutherland

has now rolled out an organisation called Cognacity's 'Sustaining peak performance' workshops in the UK.

Cognacity's Performing under pressure programme combines

preventative mental health expertise from its clinic and the performance focus from elite sport. The programme, built on principles taken from cognitive-behavioural therapy (CBT) and



acceptance and commitment therapy (ACT), empowers people with awareness and reflection tools. These therapeutic approaches are adapted to build resilience – essential techniques to enable a workforce to perform under pressure and sustain high levels of performance in a way that does not compromise its mental

Research shows recurring themes relating to poor lawyer wellbeing, including long hours, poor work-life balance, perfectionism and overachievement, as well as a cultural stigma

health.

Research shows recurring themes relating to poor lawyer wellbeing, including long hours, poor work-life balance, perfectionism and overachievement, as well as a cultural stigma around mental health difficulties in law firms. The aim of Cognacity’s workshops is to enable legal professionals to move beyond survival mode – to thrive.

There is a difference between ‘pressure’ and ‘stress’, and understanding this difference helps us to respond proportionately to the event we are experiencing and protect our emotional resources. An example of this might be focusing on the elements of a situation within our control, rather than wasting energy trying to control the uncontrollable.

Pressure is our response to an external event imposed upon us – whether a fast-approaching deadline or presenting in front of senior colleagues. The intensity of the physical, emotional, and psychological demands is largely subjective – two different individuals can tackle the same event with completely different levels of

pressure. One can even create more pressure by imagining consequences if things don’t go according to plan.

Stress on the other hand is a physiological response: a flood of hormones cause increased heart rate, sweating, and a nervous feeling. The level of stress generated by a specific situation depends on whether a person perceives the situation as a threat – rather than the threat being objective.

Eversheds Sutherland understands that its people work in an increasingly high-performance, and often pressured, environment – so the programme supports in achieving high performance levels in a way that is sustainable and doesn’t result in stress.

Joe’s story

Consider the example of Joe. As a lawyer, he understands that pressure is a normal part of his job. When he started his law career he thrived under pressure and found it a helpful tool to focus. He balanced his career with his personal life well and made time for the things he loved. Fast forward 10 years though, and Joe is no longer experiencing pressure as a performance tool. He can’t concentrate, feels overwhelmed by tasks, has trouble sleeping and is irritable with colleagues and clients. But he still sees pressure as a normal part of his job – so he powers through.

Joe isn’t experiencing pressure now; he is experiencing chronic stress. Pressure can often turn into health-damaging chronic stress. And the reason

this pressure turned into chronic stress is because Joe is not factoring in adequate recovery time. Recovery is a buffer between pressure and normal levels of stress or chronic stress. A healthy worker experiences helpful levels of stress because their use of recovery behaviours prevents this from turning into chronic stress.

Eversheds Sutherland's wellbeing strategy is not only there for people who are vulnerable, or already suffering, but to benefit everyone. It's a high-performance environment: so it's important to help people achieve these levels of performance in a way that's sustainable over the short, medium and longer term.

While mild stressors such as getting a promotion can be motivating, experiencing major stress can be debilitating – leading to both physical and mental health consequences. Cognacity's workshops make a distinction between 'good' and 'bad' stress. The good serves to motivate or energise us, helping to increase focus and improve performance. It doesn't extend over long periods of time, is within our coping abilities, and prepares us for challenging situations.

Bad stress on the other hand negatively impacts performance. The same response that was initially motivating and energising is drawn out over a longer period of time, resulting in a decline in performance. This chronic stress puts physical and mental health at risk. For example, it can lead to irritability, anxiety, depression, insomnia, high blood pressure, changes in appetite, digestive

problems, and fatigue. Pressure is a tool for performing at a high level, but when recovery behaviours drop, this pressure and associated healthy stress can turn into chronic stress.

We often think that if pressure increases and our workload feels overwhelming, we should dig in and push through it. This frequently involves streamlining – cutting out personal activities, canceling arrangements with family and friends, and taking work home. It can be tough to find time for work-life balance – even if we understand how important it is for our mental health.

As part of Eversheds Sutherland's 'Time to Change' Employer Pledge – to end stigma and discrimination against mental health in the workplace – the firm established Time to Change champions across the UK offices to normalise conversations about mental health in the workplace. The firm is also a co-signatory to the Mindful Business Charter, a commitment to reducing avoidable stress in the workplace. Some examples of this include discussing preferred methods of communication with colleagues, clients and contacts upfront, holding 'smart' meetings that can be managed remotely, and avoiding overuse of email by not copying people into emails unnecessarily, or sending them out of hours and expecting a quick response.

Work on the wobbly line

One difficulty is that our subconscious tells us what we should and shouldn't do. When we create boundaries, or are recovering, we're reminded that tasks are still left to be done

A healthy worker experiences helpful levels of stress because their use of recovery behaviours prevents this from turning into chronic stress

against time pressures. This same voice makes us feel guilty for making time for ourselves. But research suggests that those tough times are exactly when we should rely on recovery activities the most. Recovery behaviours ensure that our motivating stress does not turn into exhausting stress. In order for us to sustain optimum levels of performance, we need to use recovery strategically after periods of high intensity. At Cognacity, it's called managing your 'wobbly line'.

All workshop attendees are asked to design a '21-day challenge' that maximises the transfer of learning from the workshop into the person's everyday life. Attendees are encouraged to take the theory and practical tips learned during the session and start applying them immediately. By experimenting with small improvements, we can build individual resilience, as those behaviours become positive habits. Cognacity always encourages individuals to choose another behaviour and keep developing marginal gains. The most sustainable way of achieving greater goals is by setting smaller objectives along the way.

And Eversheds Sutherland plans to continue its work as a responsible employer, ensuring the wellbeing of its people remains a key priority. ▴



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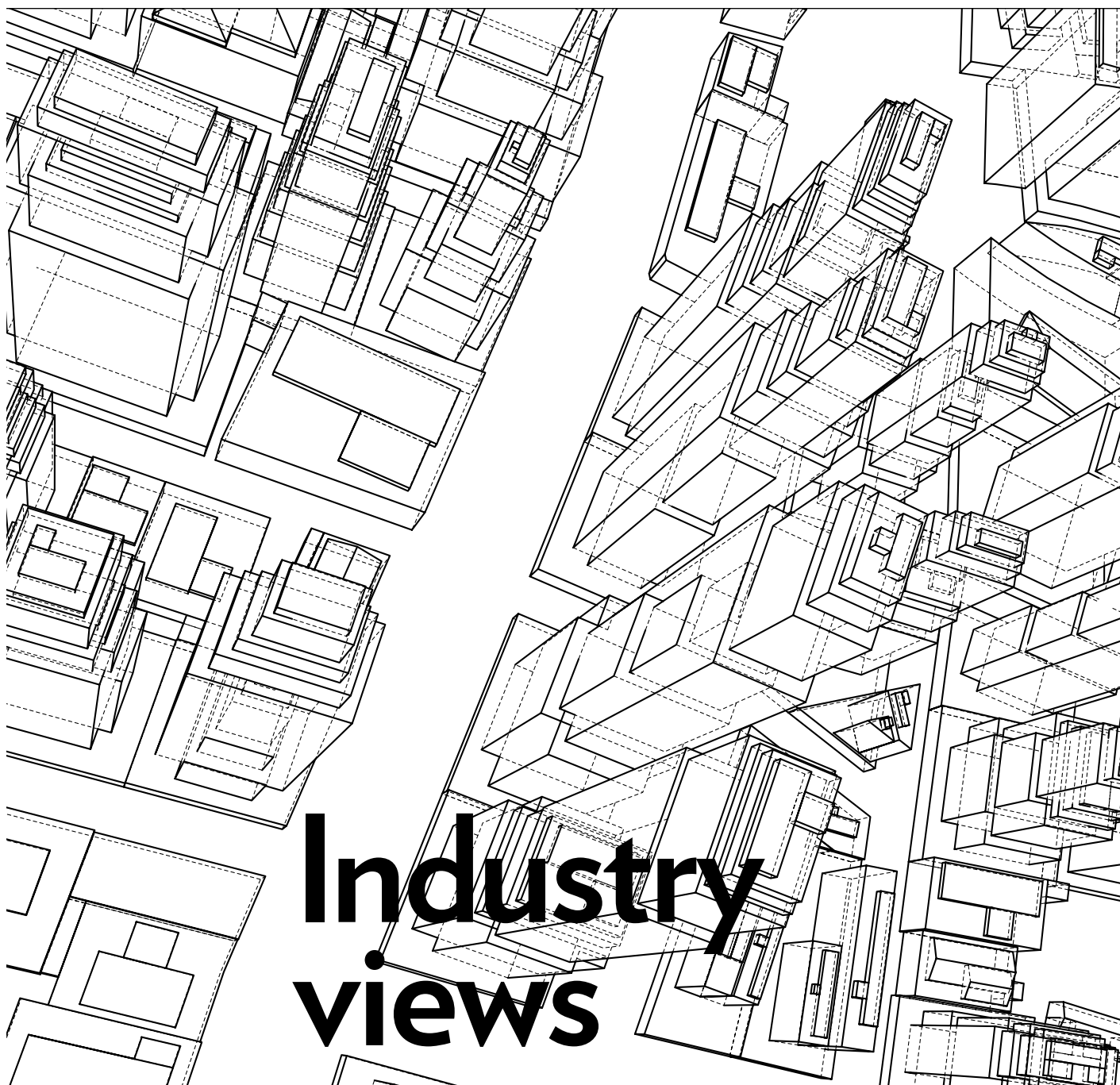
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Industry views

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ISSUE
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INDUSTRY ANALYSIS

Sharing profession

Increasing engagement and enhancing the overall client experience are key to getting ahead of the innovation curve – which in turn demands a sharing mindset – says Stuart Barr, chief product and strategy officer at HighQ, part of Thomson Reuters

We live in an age of information sharing – that’s increasingly a truism that can be applied to the legal world as much as to any other industry or area of society. As technologies such as messaging apps, social networks and shareable online folders continue to impact our personal lives and change the way we communicate, increasing the speed and ease with which we access information, they’re also shaping lawyer and client expectations of working together. Today, sophisticated digital tools are transforming the way firms and corporate legal departments collaborate – whether that’s always-open communication channels, real-time data visibility, or active updates and insights.

About a decade ago, we saw the emergence of client extranets – which were little more than glorified document repositories. Now, firms and their clients are opening dynamic, shared workspaces that deliver on-demand matter visibility and, crucially, enhance engagement. And

as technology has become increasingly sophisticated, the legal marketplace has evolved. There’s increasing pressure on firms to become competitive, not just on price and legal expertise, but also for overall service delivery. Now, more than ever, the customer experience matters, and it pays to make an impact.

Shared matters

The drive for progress in this area is being fuelled by both clients and law firms. Both are facing cost constraints, forcing them to do more with their existing resources. Increasing productivity (and underpinning profitability) is a potential solution, but there’s also an increasing impetus to deliver greater transparency to clients or stakeholders. That has spurred firms to find new ways of both controlling costs and delivering value. One way in which they have done so is opening up their workspace environment to outsiders – something that would have been unthinkable, as well as



unfeasible, not so long ago.

In practice, this tech-enabled collaboration can take many forms. All sorts of processes can now be digitised and shared, from contract review to due diligence. Document, project and transaction management information can be viewed in real time, including financial data such as WIP and billing. Finally, virtual data rooms and knowledge-sharing centres can be created.

Alongside matter-related collaboration, there's scope for more insightful, value-added services. Some firms are using online portals to deliver tailored content. Their knowledge and insight can be digitised and turned into an online product – which can either be given away to high-value clients or sold on subscription, providing additional revenue streams.

Extranet value

In this way, firms can create multi-layered online platforms, through which clients and other

“Some firms are using online portals to deliver tailored content. Their knowledge and insight can be digitised and turned into an online product.”

Stuart Barr, chief product and strategy officer, HighQ

visitors can access high-value content on specialist topics. At the same time, these platforms can allow clients to access a bespoke, interactive extranet where they can securely view matter progress and financial data – in addition to collaborating with their legal advisers. Such platforms, like those based on the HighQ intelligent work platform, can have broad appeal as an openly available

“The way that individuals and teams work is fundamentally changing, which presents a potentially more challenging prospect, especially when it comes to flexible, multi-dimensional toolkits.”

Stuart Barr, chief product and strategy officer, HighQ

marketing tool, and can provide specific use cases for targeted workgroups, enabling smarter client engagement and even self-service options. Crucially, these collaboration and communication ecosystems must offer a frictionless client journey if they are to meet, or even exceed, clients' expectations and deliver maximum value.

We're increasingly seeing such innovations help law firms win clients and awards, working as a competitive differentiator. Being at the cutting-edge of leveraging collaborative technologies can help bolster a firm's brand, enabling it to demonstrate its effectiveness and efficiency, and prove its forward-thinking, industry-leading approach – all wrapped up in a highly professional and appealing interface. By helping them deliver on their promises and satisfy clients' demands, it puts those firms in a better position to retain clients via both the successful execution of the work and the superior experience they have delivered in the process. Today, experience matters more than ever: it's one of the major factors determining which firm clients select.

In addition, these digital tools help firms to ensure they're carrying out work in a sustainable, profitable way, especially when it's being handled on a fixed-fee basis, whether by automating manual tasks or enhancing cost visibility. Although efficiency gains vary from firm to firm and application to application, even small improvements across a range of processes – from streamlining due diligence to reducing postage – can add up to significant amounts. The fact that firms can also track progress against budget in real time, at every stage, helps to keep them on their financial targets.

Change stations

End user needs vary, with corporate legal

departments juggling multiple demands and stakeholders – often with fewer resources than law firms. They therefore typically require more 'out of the box' products with easy self-serve capabilities and less need for coding – although the solutions must also be smarter as a result.

But whatever the level of internal technical capability and desire for customisation, in some ways choosing the tech is the easy part. There are also some critical 'people' elements that need to be right if firms are to incorporate collaboration technologies successfully. After all, the way that individuals and teams work is fundamentally changing, which presents a potentially more challenging prospect. This is especially the case when it comes to flexible, multi-dimensional toolkits like HighQ (covering document, project and knowledge management, social collaboration, extranets and secure file sharing, among other things), which address a range of issues rather than simple, single-point solutions.

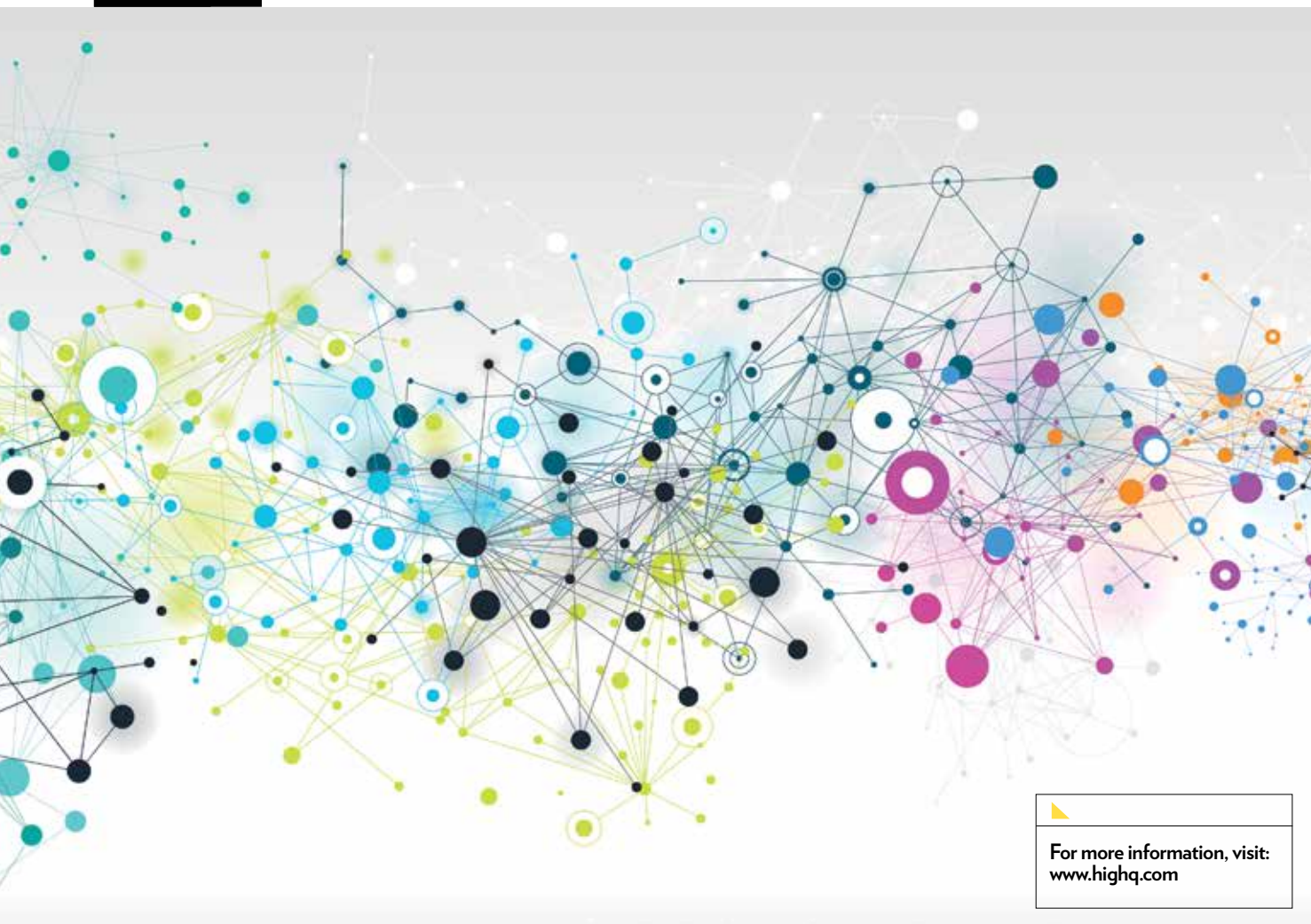
First and foremost, the organisation's culture may need to change. Adoption and engagement with innovation will need to be driven from the top down. Senior partners, executives and the board will need to lead the shift away from billable hours and non-standardised processes, while emphasising the importance of collaboration and sharing.

However, users need to be encouraged along on the journey, rather than be forced to go. To get staff onboard, engagement is imperative – firms need to communicate which issues they're trying to fix and also need to understand the pain points staff face. Moreover, once the initial excitement and buy-in has died down, cultural inertia must not be allowed to set in.

It's also vital to have an internal champion who can 'own' the product and manage the transition within the firm, which can help to leverage the technology to its fullest potential. Ideally, this individual will have the capabilities to become a legal engineer, blending both legal and technical skills, and will be able to marry product and process so solutions fit the need and have as positive an impact as possible. Technology won't solve a problem on its own – it merely enables a firm to solve the problem.

When deciding where to start, look for 'quick wins' that will send a positive message right at the start and set the scene for success. And start small, focusing on targeted teams or practice groups





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before rolling out organically. Furthermore, optimising tech solutions is a continuous activity, in which processes should be mapped and data monitored, before refining the approach on a regular basis, always maintaining a keen, client-oriented focus.

Collaborate in future

It's clear we're on an exponential change curve, in which automation and intelligence are paramount, and the shift toward digital service delivery is gathering pace. The scale of the challenge – and the opportunity – is great. As more 'digital natives' enter law firms and corporate legal departments, and as globalisation increases competition, it's likely we will soon reach a cultural tipping point in terms of embedding technological innovation. As we look ahead across the next decade, the rate of evolution is likely to accelerate, and innovation will dig deeper, opening up even greater potential in new areas.

The trend toward collaboration shows no signs of slowing down, and technology is a critical enabler. It's about providing better service, more cost-effectively, streamlining processes, and creating a seamless, value-added client experience

“Optimising tech solutions is a continuous activity, in which processes should be mapped and data monitored, before refining the approach on a regular basis, always maintaining a keen, client-oriented focus.”

in which innovation isn't just something that's talked about in the abstract, but is seen as making a tangible difference to the way legal services are delivered. Collaboration creates engagement, which in turn strengthens client relationships, opens up new revenue streams, enhances reputation, builds brand collateral, and helps law firms to win and retain business. The question shouldn't be, 'Why would you work more closely with your clients?' Rather, it should be, 'Why wouldn't you?' ▴

INDUSTRY INTERVIEW

Toward integration

Matt Graywood, head of professional services for EMEA, Aderant, explains why law firms need to be aware of the legal technology ecosystem and how to harness it for efficiency and profitability

Matt Graywood has spent most of his professional life in fintech – with over 20 years’ experience in enterprise software. Six months ago, he brought this experience to Aderant, leading a team helping firms to implement Aderant solutions. For him, joining Aderant was a natural progression, he says. “I see the legal industry right on the heels of the financial industry in terms of technological advances that streamline processes to create massive efficiency gains.”

Throughout Graywood’s career, the idea of technology as a driver of change has been key. He sees that the biggest challenge for law firms is simply being aware that the legal technology ecosystem exists – that things might be centred around one core platform, but with agnostic solution add-ons that make the core platform even better. “A law firm can extend the capabilities of a core platform, whether on premise or via cloud, and use that to drive efficiencies that translate into profitability,” he says.

Ecosystem as solution

But why do law firms need to understand this ecosystem – as opposed to just the individual products and services? After all, from their perspective, isn’t it just like picking items from a shelf in a shop?

“What has traditionally been called a ‘technology stack’ isn’t quite accurate,” says Graywood. “Ecosystem is a better analogy because it’s about all software and systems working together collectively and providing that perfect balance.”

He outlines how the ecosystem, rather than being set in stone, is a phase in a cycle that starts out with standalone ‘point solutions’. “Then you

get a period of consolidation around a broad central platform – which offers greater integration at a lower cost. Having then gained the benefits of that core platform, we want to get ‘best of breed’ but keep the core platform, so you get periphery systems,” he says. He likens these systems to pilot fish swimming around a shark. “They are smaller and task-specific, but they add value.” So, instead of thinking of individual products and services as the ‘solution’, this ecosystem is the solution – a core product complemented by periphery applications.

He explains what this means for legal organisations. “The core platform would be the practice management system and the periphery applications would be specialised tools or those that extend the capabilities of the core – such as mobile time capture that integrates seamlessly with the PMS – or, which meet needs the core platform cannot, such as electronic billing compliance,” he says.

Cloud integration

However, the next phase of the cycle (the one we are in now) is particularly exciting for law firms, he says – where the core and its peripherals offer integrated value, particularly in terms of cloud products integrating with the core products.

He gives an example. “In the early 2000s, businesses began to explore cloud solutions. Today, it’s not about ‘do we move to the cloud or don’t we?’ – it’s both. The whole ecosystem sits across the two and a firm can transition between them without thinking about it. So, if you have a cloud-based solution that is PMS-agnostic, you can have an on-premise PMS with an independent cloud-based timekeeping solution, with all the benefits of integration but sitting across both your



PHOTO CREDIT: SIMON BRANDON

own premise and your cloud platforms,” he says.

Portals – which can radically extend the capabilities of a core platform – are also becoming more prevalent. “Aderant Drive is a knowledge management tool that leverages the data from the platform, but it’s cloud-based, so can also harness data from across the enterprise. It brings all of that together to create a lawyer-centric workspace for internal use – but you can then extend it to external use for client collaboration purposes and differentiate yourself from the competition,” says Graywood.

He has seen first-hand, he explains, how laborious onboarding is. “Entire onboarding teams exist to onboard the client before you can start delivering services. If you can extend that process to the client – so they upload the documents and input information – it makes it not only easier for them, but also more efficient and cheaper for the business,” he says.

He says that not only can firms use portal

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technology to apply this sort of “self-service” aspect to streamline their file opening; they can also adapt it to provide a value-add service to clients. “Client portals can also provide real-time client access for matter and billing information. Clients often have lots of questions around fees, so turning it into a query base is both more efficient and an added-value service.”

A service provider ecosystem

“So, understanding the ecosystem is critical for the service providers as well,” says Graywood. “The legal IT network of organisations that drive the creation and delivery of IT products and services is extremely healthy – both in terms of service delivery and levels of competition and innovation.”

And in Graywood’s view, the wide range of service providers within the current ecosystem provide firms with much more choice about how to execute their strategy. He offers up another colourful analogy. “If you want to buy a BMW, you might go to the dealer for some things, but then visit the guy down the street for a minor repair. In the legal technology world the main dealers are vendors like Aderant, who provide the main product. But there’s an ecosystem around them – an Aderant services team, as well as specialists that work with Aderant, or generalists that can advise them on their strategy. Aderant has a partnership programme, which helps to drive that ecosystem.”

So, what will happen to this service provider network over the next five years? Graywood thinks that, like the legal tech ecosystem overall, it will be even more joined-up – and that’s a good thing. “We don’t see other Aderant service providers as competitors – they fit different needs. If we share best practice, or other information about what’s happening with our products with, for example, a consulting firm or a contractor who has Aderant skills, then it helps us because they will deliver a better service.”



INDUSTRY INTERVIEW

Process under pressure

Nick Morgan, global head of technology for Williams Lea, says the Covid-19 crisis has clearly put the spotlight on business-continuity preparations, while in all climates firms must invest in rigorous change management, as well as the right technology, to drive sustainable value from their business transformation plans

The number of large or medium-sized law firms that outsource at least one ‘support’ function increased 14% in 2019, to 70%, according to the latest Williams Lea-sponsored Sandpiper Partners’ survey of leaders on the topic. It says the areas of work being considered for such a transformative process are increasingly high-value – and well-managed workflow change will be critical to making them a success.

Williams Lea’s global head of technology, Nick Morgan, says that although firms continue to feel pressure from clients over fees – and therefore on cost of delivery – there’s a growing appreciation that “consistent service quality” can be protected by placing processes in new pairs of hands, supported by IT solutions. Now, as business-

continuity frameworks suddenly find themselves tested against the impact of coronavirus, this argument may well gain even more weight.

He explains: “We’ve seen law firm volumes onsite reduce significantly, as many have already asked both fee-earning and business services roles to work from home. And a significant proportion of that work has found its way to our offsite centres in the US, the UK and India. These can cover multiple locations, and move work around as necessary and appropriate, in compliance with client and information security restrictions.

“There is also anticipation of tougher economic times to come, driving more demand for flexibility – a presence in the different time zones, for example, which allows global job management 24/7. Firms may also want to change their mix of

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language capabilities, which are concentrated in different places. And then there's retaining key knowledge, if not talent, as employees move on. If somebody leaves after a long tenure, is there a risk of expertise and productivity leaving with them?"

Automatic interventions

One area where Williams Lea takes on this latter challenge is the move to a virtual admin (VA) model. "Alongside general shifts in working practices, people are already more comfortable working with others more remotely, if supported by a reliable workflow platform," says Morgan. Indeed, Williams Lea has developed its own, called ENGAGE (Enabling Global Automation, Governance and Efficiency), which allows 'requestors' to upload work that can be automatically resourced out to the best assistant, with appropriate access controls, audit trail and real-time KPI analytics. And of course, as Covid-19 has forced widespread remote working, the value of a robust workflow tool such as this to direct, monitor and protect work becomes ever-more clear. "Robotic process automation, coupled with natural language processing, picks up structured or unstructured text, and passes a task straight to an operative," he continues. Progress on an assignment is tracked through a portal, potentially making use of collaboration functionality along the way, and it avoids the efficiency "black hole" of emails forwarded but not actioned. And an added benefit is ensuring work's only seen by the right eyes. "It gets you away from email, where it's so easy to begin typing a name, which then auto-populates incorrectly. Data loss by 'sticky finger' is one of the hardest leaks to control," he says.

Automation tech also meets compliance needs in another key service line – document and records lifecycle management (today, of course, in line with the EU General Data Protection Regulation). It's helping some firms to "digitise at source", says Morgan. "Document management strategy then becomes more straightforward. You can auto-classify and auto-set retention policies, with reminders about when to review, so you're not keeping data for longer than necessary." The business is doing something similar for a firm in the matter-inception process – "identifying keywords from a new matter or addendum and classifying it into a workflow, straight to the fee earner." Also likely transferable to the content-

heavy legal world, investment banking clients are automatically scouring publicly available information about companies to create booklets that follow a common format.

Notably, in Williams Lea's survey, 59% of leaders cited process automation as an area for investment now to help see them through any economic downturn. "But rather than technology for technology's sake, you need to find the specific use cases to drive real value at scale," says Morgan.

Mind your change

But a change for a business on the scale of outsourcing an entire function is as much about the people as technology.

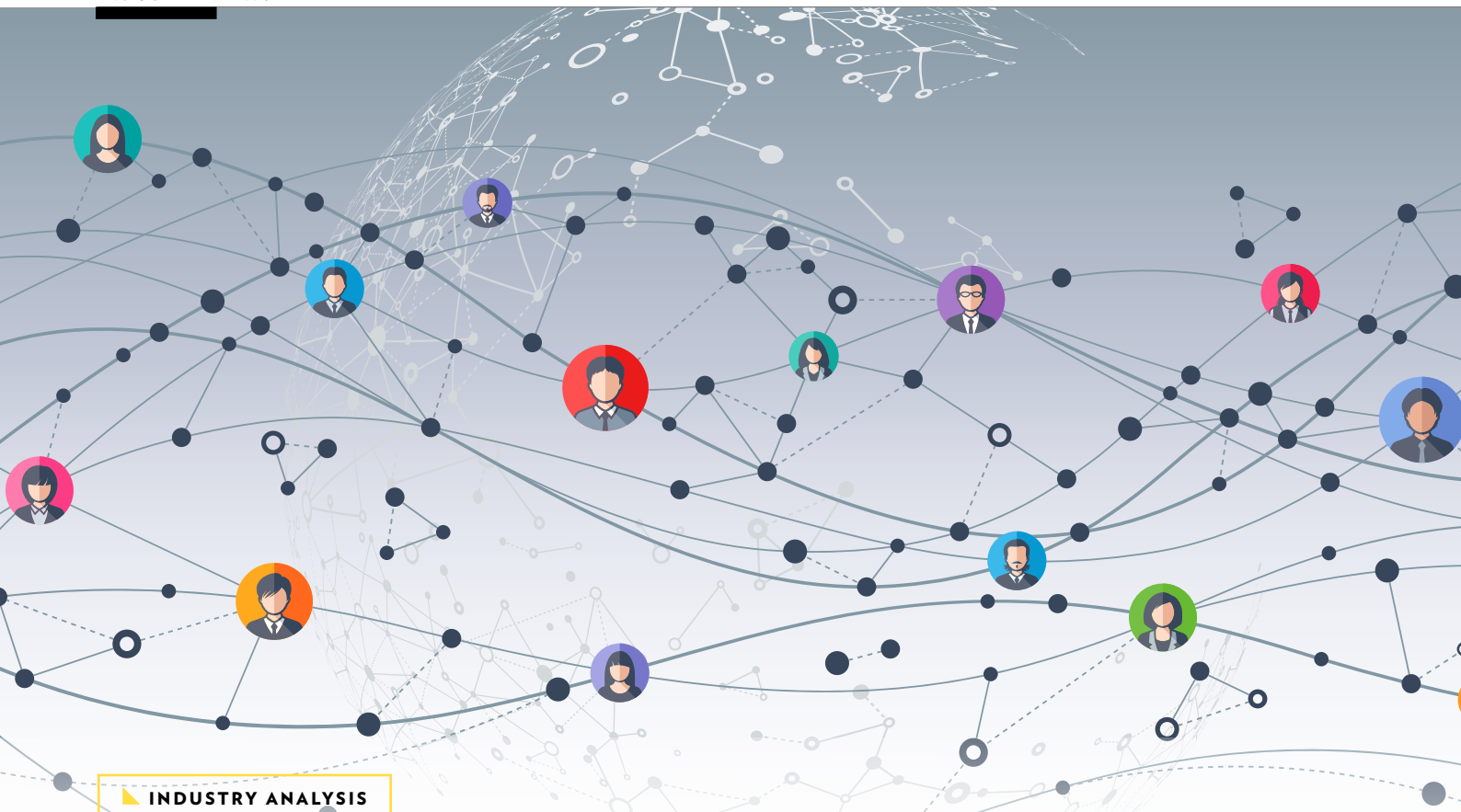
"Fear of change – of business disruption, more than anything – is real, so we've developed a methodology, as well as technology," he says. A discovery phase to deeply understand the specific business is critical, as is continuous training of the teams both implementing and delivering.

"The solution may also be phased. Centralising something somewhere new at a single push might halve your costs, but you don't want it to break your business in the process." Multiple phases may be necessary, and key success factors in implementation are communication, training, and hypercare, he explains. The ENGAGE platform, for example, lets the requestors regularly score their satisfaction with work completed, which can be used to monitor trends and address any weak points in performance, resourcing or process.

Cloud covered

Finally, after process management (73%) and resistance to change (54%), 46% of leaders cited 'security and confidentiality' as a top challenge when managing support or administrative functions. "Maintaining complex and ageing infrastructure as cyberattacks grow increasingly sophisticated is becoming more and more difficult," says Morgan. "You need a coherent security strategy, and my advice would be do not discount the cloud.

"There can be some reluctance, stigma, and the sense firms have invested a lot in infrastructure already – but many security services, in particular, are cost-effectively available at the flick of a switch." And as with other well-managed changes to business process like outsourcing, the full benefit ought to scale over time. ▴



INDUSTRY ANALYSIS

Remotely possible

It's a moment of truth. Legal professionals may be working from home for many months. In order to operate effectively and stay connected, the right conferencing technology will be essential, says Rob Jardine, chief marketing officer at LoopUp

Around the world, law firms are planning for the very real possibility of staff working from home for a period of weeks or months. Meetings that previously occurred in-person with clients or colleagues must now take place remotely.

Conferencing technology has evolved significantly, and there are many alternatives to basic dial-in. But as law firms move to large-scale remote working, many are finding shortcomings with web conferencing tools. We've identified four top factors to consider when evaluating a solution.

Simplicity

Conference calls have been an important part of day-to-day life for years, but some legal professionals will be using meeting technology for the first time. Partners must be able to schedule and join calls from home, rather than relying on colleagues to set them up for them. Clients must

be able to join meetings without having to download software, which is often blocked by security settings. Integration with everyday tools like Outlook and mobile apps can also improve usability. For international use, choose a solution with a multilingual interface. The bottom line – to avoid time wasted getting meetings started and dealing with distractions, the user experience must be streamlined and intuitive.

Features that enhance productivity

For a conference call to be an effective substitute for an in-person meeting, it must deliver comparable results. Look for features that improve remote meetings. Screensharing allows participants to view content together, rather than emailing documents and hoping everyone is on the same page. Adding video can increase engagement, but isn't always appropriate. For example, on a long call with many guests, video can be distracting and discourages multi-tasking

To sign up for a free trial of LoopUp, visit:
www.loopup.com/en/meet-loopup/?utm_source=Briefing

Clients must be able to join meetings without having to download software, which is often blocked by security settings. Integration with everyday tools like Outlook and mobile apps can also improve usability

like checking email. Choose a remote-meeting solution that makes it easy for hosts to start calls as audio-only and initiate video at their discretion.

Information security

Remote meetings can be the forgotten hole in a firm's information security. Basic dial-in conference calls are prone to unexpected guests listening in – often inadvertently (for example, a meeting overruns and guests dial in for the next call), but occasionally for malicious reasons. Web and videoconferencing software overcomes this by letting the host see exactly who's on the call, exposing unexpected guests. But in the last 12 months, security flaws have been identified with some of the most commonly used web and videoconferencing solutions. Users have been left vulnerable to spying, denial of service attacks and malware. Clients trust law firms with some of their most confidential and commercially sensitive data. They expect the highest standards of information security at all times – including on conference calls.

Absolute audio reliability

If there's one feature that's unnegotiable, it's audio reliability. Just one inaudible guest is enough to turn a conference call into a disaster. Most web

conferencing platforms use VoIP to carry audio, sending packets of data over the internet. Any loss of packets leads to 'jitter' – where words are jumbled or missing altogether. This is a particular problem when users join conference calls using home broadband over the public internet, creating choke points as they enter a corporate network. By contrast, remote-meeting solutions that route all calls over regular phone lines – only using the internet for screensharing and video – always deliver 100% audio reliability.

Put your users first

If a firm does find its conferencing platform is not able to support large-scale working from home effectively, it's not too late to move to a new solution or deploy a backup. Software-as-a-service solutions can be rolled out across a firm in less than 24 hours on a pay-as-you-go basis, or be downloaded by individual users.

Firms that can maintain client service delivery at this challenging time will emerge in a position of strength. This will require strong leadership, disciplined operations and a committed team. But having the right tools for effective communication will also play an essential role. ▴

Is remote working working?

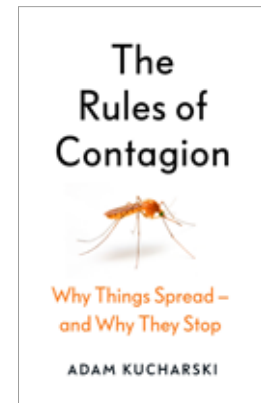
Briefing is running a survey of law firms' changing remote meeting needs with the good people at LoopUp. How well are your firm's needs being met by its solutions? How do you see remote meeting trends playing out over the next five years?

We'll publish the results in June – so go to www.surveymonkey.co.uk/r/rem-con to help. ▴

READING LIST

Group thinking

Stephen Allen, leading on digital and innovation at Hogan Lovells, finds that a book which goes right to the heart of a terrible global health and economic crisis also contains food for thought for the organisations of our future



I tend to buy books in batches of five or 10 and become twitchy when I get down to less than two in the stack. Accordingly, I had bought Adam Kucharski's *The Rules of Contagion* before the full implications of Covid-19 were understood. It has, as you'd expect, proved a timely read.

Kucharski, a mathematician by training, eschewed an anticipated career as a 'quant' at an investment bank to become an epidemiologist. Now he is an associate professor at the London School of Hygiene & Tropical Medicine, and uses mathematical models to predict the potential spread of disease.

An epidemic has four main stages: spark, growth, peak and decline. However, badly managed epidemics can see these stages repeat. It is therefore necessary to look at how disease is transmitted. Epidemiologists group populations into three categories: the 'susceptible', the 'infectious' and the 'recovered' (known as the SIR model). Commonly, once someone is recovered, they're deemed to be immune – and the recovered can be those who have been infected and are now disease-free, or who have been immunised. To slow the spread of an epidemic, a reasonable proportion of the population need to be recovered and those who are infected need to be quarantined. This is the premise of the 'herd immunity' we have heard so much about – however, this only works if those who have recovered are immune from reinfection.

But apart from being an unashamed

geek, and having an insatiable love of books, why on earth did I want to read this one? Because, like so many scientific models, these can be applied to so many other areas. Kucharski applies the models of 'contagion' to a host of everyday challenges, such as financial market contagion (yes, that includes post-Lehman in 2008, but also the South Sea Bubble); computer viruses; the spread and proliferation of fake news; sparking and growing innovation; and the proliferation of new ideas and cultural change. Applying spark, growth, peak and decline to each of these phenomena can help us better understand how to start or stop things spreading, to whom they are more or less likely to spread, and how quickly. For example, when it comes to organisational health and the process of trying to innovate to something better, the trio of susceptible, infectious and recovered could be replaced by groupings titled the 'uninitiated', the 'informed' and the 'transformed'.

We live in an ever-more connected network – none of us 'survive' the impact or influence of our interactions with those we come into contact with or, by connection, anyone they are connected to either. Traditional ideas of 'team' or 'group' or 'community' don't always apply – we are no longer discrete or disconnected from the wider world. And how we learn – for better or for worse – comes from a spark we may never know about. We are rarely immune. Better to understand, anticipate and work with it than unknowingly be susceptible. ▸

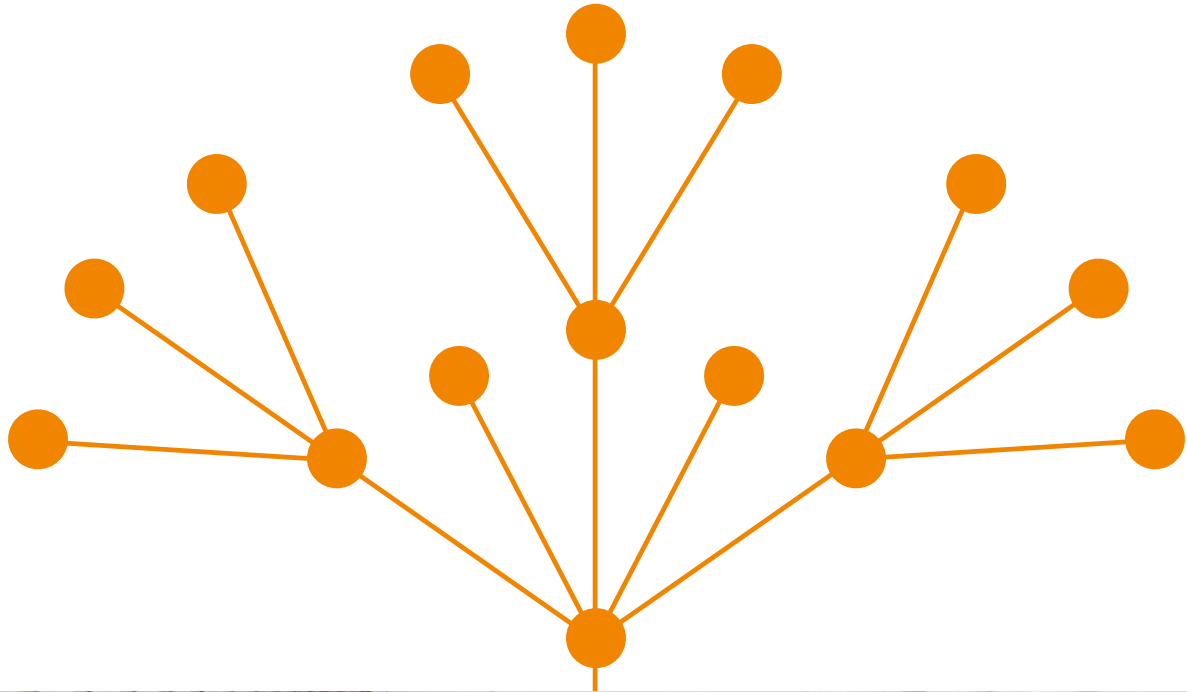
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Price (Hardback): £13.59

Applying spark, growth, peak and decline to each of these phenomena can help us better understand how to start or stop things spreading, to whom they are more or less likely to spread, and how quickly

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