

Briefing

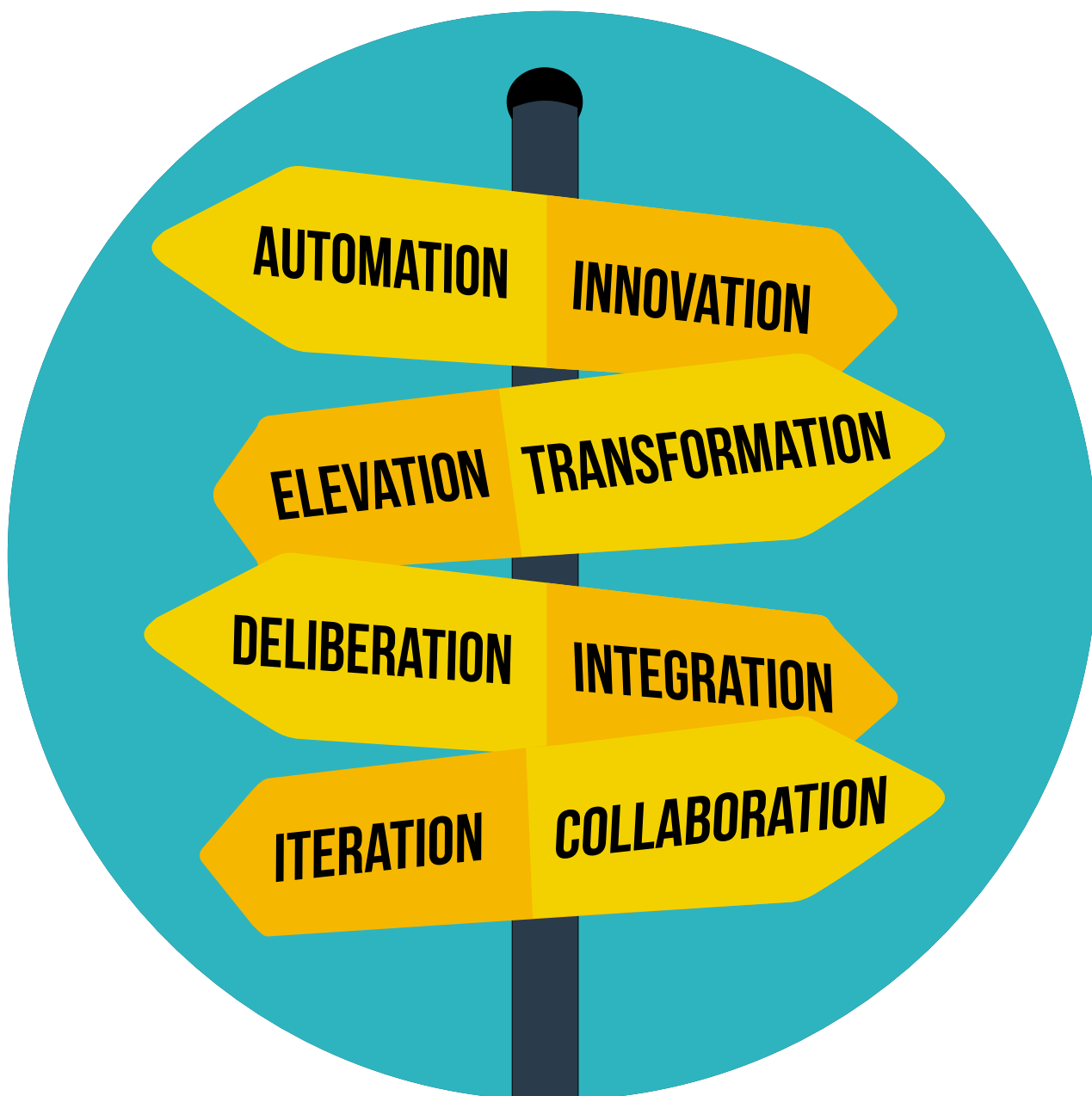
February 2019

SMARTER LEGAL BUSINESS MANAGEMENT

LEADING AT LARGE
Just a minute with Briefing Strategic Leaders
speaker EY's Dr Cornelius Grossmann

INTO TRANSACTION
New career paths are forged in the
Addleshaw Goddard Transaction Services Team

SHARING THE WEALTH
How CMS used theory and data to
drive more collaborative behaviours



Where next for knowledge?

The law firm knowledge management function has long left the confines of the library. Now it's looking for several other places to call home

16:47



3m ago

Boss, The

Are we going to make the deadline?

Earlier Today



28m ago

Leslie

Are we still on for later? xxx



57m ago

Boss, The

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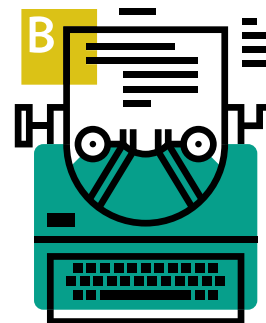
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Editor's letter



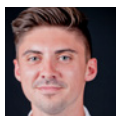
Who we are...



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A

t the first **Briefing** Frontiers event of 2019 in January, the big debate was whether law firms could yet really and truly consider themselves to be data-led businesses. If not, what do they need to change to get there? Is it technology in place that still can't quite join the dots? Is it how lawyers are measured – and therefore incentivised – driving the wrong behaviours? Both challenges were well raised. Neither is exactly news.

Less debatable, I hope, is that firms are still deep knowledge businesses – for all the slick 'self-service' out there, clients can't yet do absolutely all of it for themselves. However, the workload of the knowledge department could well be one of the fastest changing among all the functions – as firms try to turn that

knowledge into ready and reliable business information that can make them more profitable.

Back in December, **Briefing** held its inaugural Knowledge Leaders event, and in this issue we follow up by asking exactly what's on these leaders' plates today. Tellingly, one firm says just 40% of the work is now what one might have called 'classic' KM a decade ago. Today, the collation, issuing and movement of

The workload of knowledge could well be one of the fastest changing among all the functions – as firms try to turn that knowledge into ready and reliable business information

knowledge around the firm is much more closely tied to the unfolding business of efficient project management and strategic pricing, best practice in collaboration for optimising business development, and even the design and rollout of new revenue streams. It can hardly be a surprise that some KM leaders feel they really have some claim to the keys of everyone's favourite 'i word'.

The horizons of knowledge teams also surely need to expand as firms design alternative delivery processes and career paths – such as those pioneered by the Addleshaw Goddard Transaction Services Team (TST). Believe it or not, this group turns 10 in 2020, so **Briefing** took a trip to Manchester for a thorough catchup with several concerned.

However traditional, I hope this first issue of 2019 contains at least one nugget of useful knowledge for every one of you. Just remember to pass it on!

RICHARD BRENT EDITOR-IN-CHIEF

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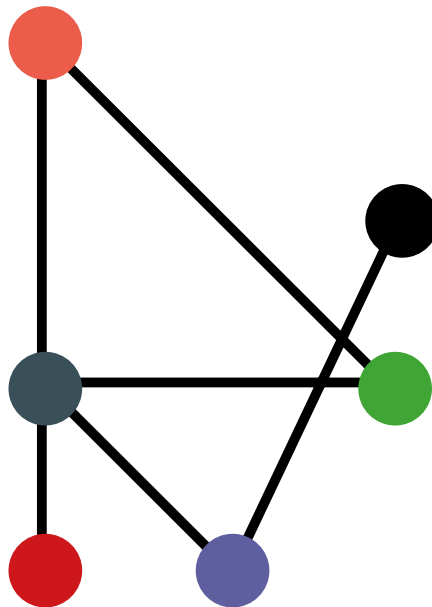
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Briefing strategic leaders

2019



what

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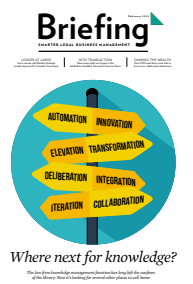
Inside this month

18

TST time

“The team could be involved in almost anything.”

Maxine Davies, business engagement manager, Transaction Services Team, Addleshaw Goddard



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.

UPFRONT

06 Roundup A new year, and legal already seems to offer a world of alternatives

07 65 seconds with ... Dr Cornelius Grossmann, global law leader, EY

08 Reading list Edward Whittington, **Moore Blatch**, reads *The Churning Inner Leadership Workbook*

OPINION

09 Opinion Louise Hadland, HR director at **Shoosmiths**, considers the case for employee ownership

10 Opinion James Wilson at **Tyler Wilson** on whether a firm USP is even an option

FEATURES

12 The big idea The times and tasks are changing for law firm knowledge management

18 Briefing people The Transaction Services Team at **Addleshaw Goddard**

BRAIN TRAINING

24 Hands on Lessons from an investigation of partner collaboration, by Jenni Emery at **Arup**

INDUSTRY VIEWS

28 Ruth Musgrave at **Freshfields Bruckhaus Deringer** on building the business case for **Contract Express**

32 Why **Norton Rose Fulbright** turned its attention toward **Invest Newcastle**

34 James Gilding at **Mitie Document Management** sets out some principles for effective collaboration

36 Chris Cartrett, executive vice president at **Aderant**, on taking firm knowledge to the next level

38 Fraser Mayfield at **Iridium Technology** on proactive pricing conversations

40 **Clarilis** CEO James Quinn on automating with some additional intelligence

42 Simon Pecovnik at **iManage RAVN** says get your KM on app

44 Melanie Farquharson at **3Kites Consulting** on Knowledge Leaders 2018

REAR VIEW

46 **Out and about A** day trip to the **Barclays Eagle Lab**

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 ROUNDUP

Alternative crowd



J

ust as the new year prompts dramatic resolutions in personal lives, so does the legal business world seem to be up for a change or two in early 2019.

For example, **CMS**, of tripartite-merger fame, is the latest to find itself a nice new spot in the north of England, opting for Liverpool's business district. Exchange Flags will be the new home from home of partner Abigail Dry, who will lead the firm's real estate group from the city, a

74%

Of corporations report using an alternative legal service provider for at least one legal service category, according to the Oxford Saïd Business School

decision prompted in part by the Northern Powerhouse Initiative. In late 2018, **Taylor Wessing** also opened a new office in Liverpool.

In a statement, CMS said its "small presence" in the city stemmed from "a significant uptake in real estate projects across the region", and sought to "provide the firm with access to the local talent base" to capitalise on it.

In more expansion news, the legal business **Elevate** has just extended its ever-growing reach to Hong Kong, through the acquisition of flexible lawyering and legal consulting business **Cognatio Law**, which provides services to both in-house legal and compliance teams and law firms across the Asia Pacific region.

"Cognatio is a key element of our strategic growth plan," said Elevate CEO Lokendra Tomar in a statement. "Our customers tell us they want consulting, technology and tech-enabled services from a single provider with a global footprint and deep experience in each regional market." Elevate has been on a very clear acquisition spree, snapping up **LexPredict**, contract lifecycle


management provider **Sumati Group**, **Yerra Solutions** and UK legal resourcing firm **Halebury** in just a few months.

Meanwhile, a rather well-timed report from the **Thomson Reuters Legal Executive Institute**, the Center on Ethics and the Legal Profession at **Georgetown Law School**, the **University of Oxford's Saïd Business School** and research company **Acritas** finds that alternative legal service providers (ALSPs) are a \$10.7bn market today, up from \$8.4bn just two years ago.

The report says the most common uses of such companies are e-discovery, litigation and investigation support, and legal research. And even more large law firms (87%) than corporates (74%) surveyed said they were using an ALSP for at least one of these areas.

"In a short period of time, ALSPs have evolved from a relatively unknown phenomenon into a fast-growing segment that is an integral part of the legal services industry," said Mari Sako, co-author and professor of management studies at the Saïd Business School at the University of Oxford. "ALSPs come in many shapes and sizes, from independent LPOs to well-backed parts of industry behemoths. They are expanding the available range of services by combining talent and technology to deliver legal services in modes that best suit their clients' needs."

Little wonder then that **Herbert Smith Freehills** has chosen to start the year by further expanding its very own in-house "alternative legal services" business, first launched in 2015. New e-discovery teams in New York and Hong Kong, set to be up and running by April 2019, will take the division – dubbed 'ALT' – to 11 locations worldwide. Welcoming 10 new people, it will then have 50 e-discovery experts around the world, enabling a "follow the sun" approach to such work, the firm said.

Libby Jackson, HSF's global head of practice for alternative legal services, said: "High-quality e-discovery expertise is always in great demand across our global network, and in New York there is an unrivalled depth of technology and data analytics talent." 



65 SECONDS WITH ... DR CORNELIUS GROSSMANN



Dr Cornelius Grossmann, global law leader at EY, talks leadership, innovation and Big Four bandwidth ahead of his appearance at **Briefing Strategic Leaders 2019**

Q What's the most significant change you're seeing in how clients wish to buy or access legal services?

A The single biggest change we're seeing is a rapid shift from discussions about the scope of our legal advisory services offering to also engaging EY to help the clients' legal function transform their internal service delivery and position themselves as strategic business partners across their organisations.

Q Having worked in both environments, do you think large professional services firms like yours have an advantage over traditional law firms – specifically when it comes to using technology to implement business change?

A If an organisation has decided it requires technology for business change, the advantage of a large professional services firm is that it tends to have a longer investment horizon. My experience is that traditional firms' finances are focused on annual returns and partner drawings. Secondly, the larger the firm, the larger the investment budget. This probably means that the firm can consider larger-scale business changes than otherwise, and aim for potentially higher return on its investment. Finally, a large professional services firm can also utilise its expertise in technology implementation.

Q Where does last year's acquisition of Riverview Law fit into your strategy today?

A In addition to our legal advisory business, we have developed technology-enabled 'legal managed services' (LMS) over the last few years, which is driven primarily by client demand. The acquisition of Riverview will allow us to meet that market demand and rapidly accelerate our growth plans in what is a new market segment.

Q Does EY have a particular process or model for stimulating and managing business innovation?

A Innovation at EY is a continuous challenge for our teams, and we're reluctant to enforce a single process. We find client-serving teams are best at innovating and partnering with clients to improve process and service delivery. Management's role is to promote good examples and roll them out globally through our global innovation committee. Strategic decisions about new delivery models and services – which aren't limited to technological innovation, by the way – are driven by senior management.

Q Where are you investing most in new practical skills or training for your lawyers?

A In addition to constant training on technical skills in core competencies, our lawyers need to

be able to provide answers to the clients' business problems. We therefore promote a better understanding of the multi-disciplinary aspects of solutions on offer across the EY business. Training in technology and soft skills are further priorities for investment.

Q Would you say there are any ways you've adapted your personal or preferred leadership style over the years?

A Dealing with a fast-growing practice always brings challenges, and leadership is no exception. One of the key areas where I've had to adapt my approach is when it comes to allowing for different cultural approaches within an agreed global law strategy! ▶



Want to hear more?

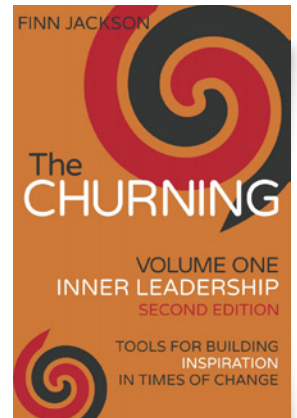
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READING LIST

Feel the churn

Edward Whittington, managing partner at Moore Blatch, says *The Churning Inner Leadership Workbook* (second edition) is full of learning to help you change your leadership style



The origin of the self-help movement dates back to 1859, with the publication of a book by Scottish government reformer Samuel Smiles, *Self-Help*. Encouraging readers to turn away from materialism and toward knowledge, the genre is of course still popular today.

Traditionally, these books often polarise opinion. When commenting on *How to Win Friends and Influence People*, Warren Buffet is quoted as saying “it changed my life”. Others treat them with cynicism, or even derision.

But from a business perspective, the power of self-help is widely recognised across industries. Activities or exercises that don’t directly relate to the business, but which support team bonding and improving an individual’s understanding of themselves and others, can not only boost performance, but also make for a more attractive place to work.

Or, look at the most popular TED talks of all time. The first is about the importance of creativity in education; the second, how our body language affects who we are. The third discusses a model for inspirational leadership, with a staggering 40 million views.

Leadership is the subject of Finn Jackson’s *The Churning*. In contrast to most self-help books, it is a true workbook, full of exercises for those wanting to “build inspiration in times of change”. And this really is the crux of the book, as Jackson argues that the skills required in times of change are different from those needed when a business is stable.

Since the first edition was published in 2016, Jackson himself points out that North Korea has emerged as a long-range nuclear power, the #MeToo movement has swept the world, and two of the world’s leading G7 countries have become significantly more unstable.

Change today is so rapid that ability to evolve and adapt is essential – as is inspiring employees to join you on that journey. An ability to adapt to change successfully is a necessary part of any successful business model.

Business leaders find themselves in an environment where legislation changes fast, and disruptive technologies are changing the way we work. We’re seeing a big shift in working practices. And with the future ever harder to predict, it may make more sense to focus on ability to embrace and manage change, rather than dealing with each new development as it occurs. Keeping up isn’t enough – you must be one step ahead of the rest.

For this, good leaders are required at every level of an organisation, as are ‘leaders in the making’. This book should appeal not only to those already in leadership roles, but also to anyone interested in building and developing their personal leadership qualities.

However, it requires considerable input from the reader. Jackson himself is also a successful coach. For those unable to engage him directly, it is probably the next best thing to get the benefit of his insights, experience and coaching abilities to help develop and polish your leadership style. ▶

Publisher: Hertford Street Press
Publication date: March 2018
Price: £19.99 (paperback)

This book should appeal not only to those already in leadership roles, but also to anyone interested in building and developing their personal leadership qualities

SPEAK UP



Owning the situation

It seems there's a 'day' for everything, from Black Friday to Blue Monday. There was even an Employee Ownership Day on 29 June 2018, to celebrate what employee ownership (EO) means to employee owners and their businesses, and the impact they have on their local economies. Who knew?

So, why all the fuss? You can be forgiven if this topic has not hit your radar in any meaningful way. What with Brexit, trying to recruit lawyers and getting our heads around machine learning and AI, employee ownership hasn't exactly been a 'thing' of late. But perhaps it should be.

In the understood model of law firm ownership, partners get a share in profits and a say in how the business is run. A partner buys into these rights and when they leave, they get their money back. With growing recognition that law firms' success depends on a wider pool than the traditional partner, and a distinct reluctance among new entrants into the qualified market to participate in the perceived freedom-crippling path to partnership, we have to ask whether we need another ownership model to hedge future success.

The best-known model is probably that of John Lewis, where every employee is an owner in the business and receives a salary and profit-related bonus – or not. Months of heated debate on Brexit have passed most of us by in a synapse-dulling haze of ambiguity, but when John Lewis announced it would be withholding its employee bonus in 2019, we really knew things were getting serious. But that is the point of employee ownership schemes. Employees take the bad with the good, but at least they have a sense of control and influence, the best antidote for

retaining motivation and engagement in tough times.

'But we are a law firm, not a retailer,' I hear you cry. Then forget John Lewis, and consider Arup, an independent firm of designers, planners, engineers, consultants and technical specialists, working to help their clients solve their most complex challenges. Sound more familiar? This huge, highly successful and profitable business, with an enviable employer reputation, is based on a full employee ownership model. What's your excuse now?

According to Robert Postlethwaite, there are "probably as many versions of employee ownership as there are craft beers in East London", so it isn't necessary to dive straight into the 'pure form' John Lewis/Arup model. Still, only a few law firms have so far opted for any of the flavours: Postlethwaite, Stephens Scown and now Hodge Jones & Allen, with each expounding the benefits of the model reflecting the findings of the Employee Ownership Association: that EO businesses outperform the market in terms of profitability, productivity and staff engagement.

Momentum is gathering around this subject, so perhaps take your own 'day' to think about it. It's not a panacea, but it might just give firms the competitive edge they need. ▴



Louise Hadland
HR director
Shoosmiths

With growing recognition that law firms' success depends on a wider pool than the traditional partner, and a distinct reluctance among new entrants into the qualified market to participate in the perceived freedom-crippling path to partnership, we have to ask whether we need another ownership model to hedge future success



SPEAK UP

Different strokes



James Wilson
 Tyler Wilson
 (Former managing partner, Ince & Co,
 2008-2015)

Leadership in law firms is a particular challenge, because they are environments in which those being led aren't required to follow

It's weird that law firm websites pretty much all say the same things. Weird, because if a successful 'strategy' requires a firm to differentiate itself from its competitors, why do so many firms simply mimic the competition?

As Professor Stephen Mayson explains in his book *Law Firm Strategy*, the essence of competitive advantage is that the firm offers something to the market that its competitors don't or cannot. This may be a single thing, or a combination of things – but the difference usually arises from being unique, better, or cheaper. Crucially, the difference must bring meaningful value to clients – if they don't see it as valuable, it brings no competitive advantage at all.

Being cheaper than the competition is the least attractive strategy because it tends to result in competitors lowering their prices to match yours and an ensuing 'rush to the bottom' of the market that can simply be self-destructive.

Being better than the competition is a long-haul project – entirely dependent on market perception and not simply what a firm says about itself. It requires a ruthless pursuit of consistent excellence in everything that the firm does, and by definition is a position only achieved by a very small number of firms.

Being unique (or at least easily distinguished from the herd) is the real

challenge. In a crowded market, it's difficult but not impossible to differentiate. I would suggest that the potentially unique combination for every firm is the one between its clients and people. What is it about the clients, what they do and what they ask the firm to do that might be different? What is it about the people in the firm and what they do, or how they deliver their service?

However, if 'culture eats strategy for breakfast', there are many firms where the culture is such that they shouldn't waste time and energy seeking a common strategy. The successful execution of strategy requires partners to be willing to be told what they can (and more importantly cannot) do with their investment time (drop the term 'non-chargeable' time). Strategy gets executed using that golden pot of time the firm has to invest in activities such as business development, training and knowledge management.

Leadership in law firms is a particular challenge, because they are environments in which those being led aren't required to follow. If your culture is not one akin to a rowing eight, with team members pulling in unison allowing someone to have a hand on the tiller, strategy will die a death in the bottom drawer. If the partners prefer to paddle their own individual kayaks in any direction they choose, embrace that culture and don't waste your time strategising. ▀

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Features

12

Knowledge expansion

One firm says ‘classic’ knowledge management work now accounts for just 40% of the KM pile. So, what else is it doing with its time?

18

Briefing people

The Transaction Services Team at **Addleshaw Goddard** on the special power of their alternative career paths

THE BIG IDEA

Knowledge expansion

Analytics, automation, innovation – even revenue generation. Among a select group of enterprising law firms, knowledge management is extending its reach, its skills base – and even contributing to the bottom line. Richard Parnham reports

Over the past few years, there has been a small – but noticeable – shift among knowledge management leaders at some of the UK’s leading law firms: their job titles have become longer. This trend is not just about knowledge management ‘heads’ becoming ‘directors’ – a sign that the role is becoming more senior and respected within firms. Rather, it reflects the fact that in some legal practices the number of roles that sit within the KM function has expanded beyond its traditional base of professional support lawyers (PSLs), library/information services, and education and training.

According to a KM leader at one top-10 firm, their team’s “classic” KM workload now accounts for just 40% of its activities. This firm took the step of requiring KM team members to record their time – a controversial proposition in KM circles. However, this data helps the firm establish “who does what, and for how long” – allowing levels of KM investment to be understood and ROI evaluated.

Kate Stanfield, from offshore law firm Collas Crill, is a good example of a KM leader who has an expansive view of what her team’s role should

encompass. For Stanfield, the KM function should not be “a dumping ground for lawyers who don’t have the technical expertise, or don’t want to work the hours.” Instead, the central goal of the KM function should be to improve business efficiency. To achieve that objective, KM professionals should be involved in “every stage of the flow of business, from business development pitching to planning.” Stanfield points out that a strategy-minded KM leader should also expect to sit on a firm’s management committee.

Stanfield then explains how her role at Collas Crill impacts on pricing and profitability, as well as knowledge management. Legal information and services are increasingly being constructed from KM collateral, and potentially delivered online. It makes sense for those responsible for generating and curating such valuable content to also be responsible for exploring how the firm benefits from it. “Clients expect law firms to be more innovative in their charging structure,” she notes. “For example, a client might pay to access a knowledge portal and then be charged a discounted rate when they need to instruct a lawyer. Or, they may have access to the portal for free so long as they instruct above a certain level of

AUTOMATION

INNOVATION

ELEVATION

TRANSFORMATION

DELIBERATION

INTEGRATION

ITERATION

COLLABORATION

chargeable work. There are various ways of thinking about the pricing and provision of legal services, beyond paying for lawyers by the hour or even offering a fixed price.”

KM and innovation

This type of expansive thinking about the role played by KM is driving another trend among KM leaders – taking overall responsibility for their firms’ innovation strategies. This should not be a surprising development. With KM playing a longstanding role in capturing, analysing and sharing information, often using a variety of software packages, such expansion is arguably a natural evolution.

One firm which has unified the role of KM and innovation leader is Pinsent Masons. David Halliwell, the firm’s knowledge management leader, took on responsibility for the firm’s innovation delivery in June 2016, after previously having a more traditional KM, learning and development focus.

Multiple factors drove the expansion of Halliwell’s role. Pinsent’s 2012 merger with McGrigors in Scotland required the firm to review its working practices and structures as part of the integration process: the firm was open to doing things differently. At the same time, facing pressure from clients to do things “faster, cheaper and better”, Pinsent increased its online delivery of services. “At that point, my role moved away from traditional knowledge management and towards investigating how we could automate the knowledge we have, in addition to automating and

“My role moved away from traditional knowledge management and towards investigating how we could automate the knowledge we have, in addition to automating and improving our internal processes.”

David Halliwell, director of knowledge and innovation delivery, Pinsent Masons



“At our firm our innovation initiatives are more likely to come from KM, working in close cooperation with IT. It’s not about a turf grab, or increasing your empire.”

Claire McNamara, director of knowledge management, HFW

improving our internal processes,” Halliwell says.

The outcome of Pinsent’s unification of KM and innovation was impressive: in addition to continuing to deliver automated documents, the firm’s combined team built AI-assisted workflow tools to manage a range of legal processes.

Although Pinsent Masons is one of several leading UK firms which have recently combined their KM and innovation functions, other firms have moved in the opposite direction. At Taylor Wessing, innovation briefly fell under the ambit of the UK head of knowledge management, Andrew Telling, before being reassigned to another department. “A few years ago, we didn’t have specialist people to scan the legal tech landscape – that function was very much down to me,” Telling says. “Since then, we’ve developed a fully fledged innovation team, which has now become a separate function within the IT area.” An operational rejig meant that the KM function returned to focusing on market scanning and content generation; however, KM team members continue to work closely with their innovation-focused colleagues, and Telling still sits on the firm’s innovation board.

A certain amount of shifting between KM and innovation is understandable, says HFW director of knowledge management, Claire McNamara. “Ultimately, in a large organisation, you can have different teams doing different things. But, when

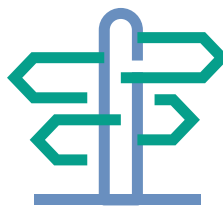


you're first starting out you've got to identify the best place for a new function to emanate from," she explains. "At our firm our innovation initiatives are more likely to come from KM, working in close cooperation with IT. It's not about a turf grab, or increasing your empire, but I don't think you can really continue to deliver KM if you don't grapple with legal tech and look at new ways of offering services to clients."

A more diverse function?

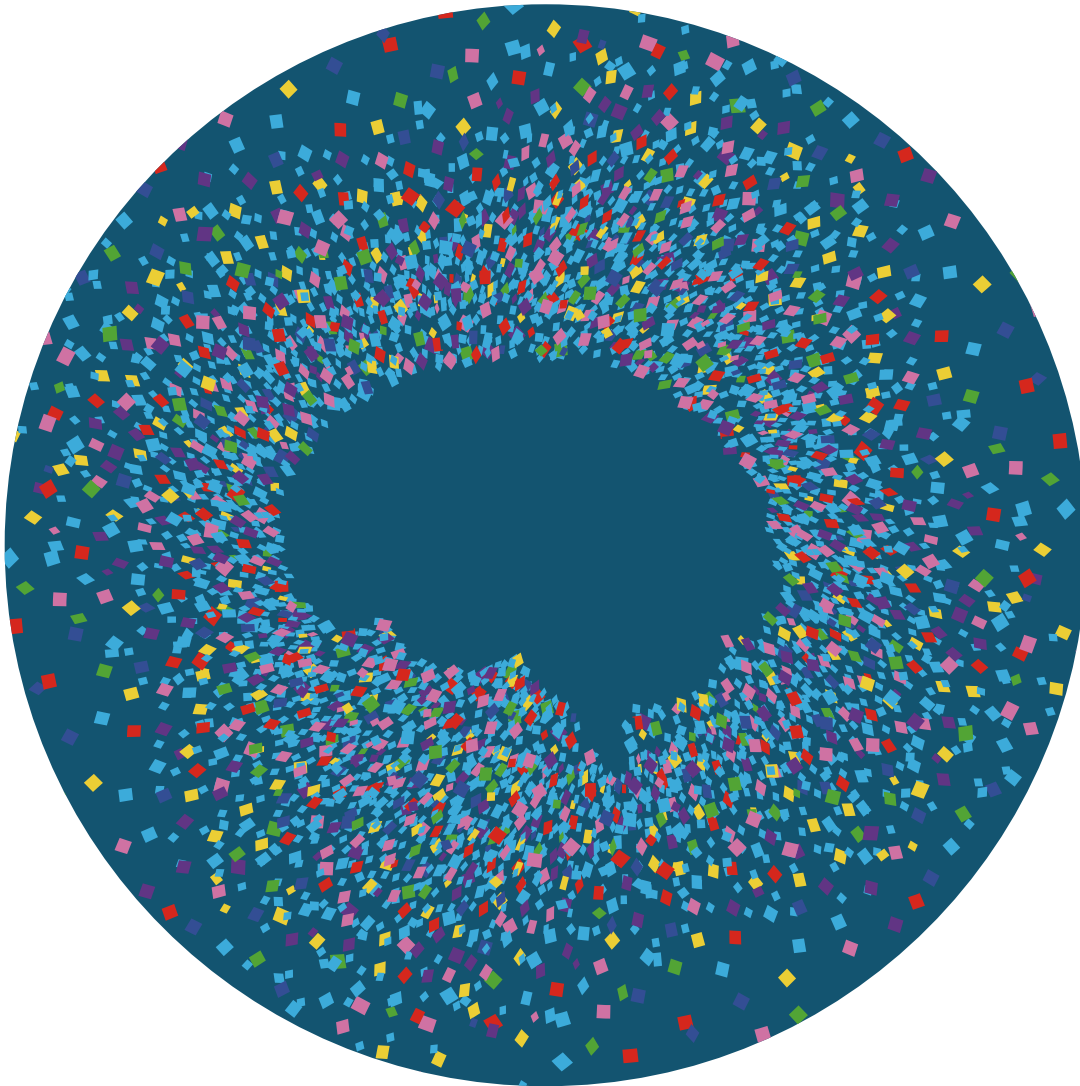
As the remit of many firms' KM functions have expanded, one would think that the backgrounds of KM leaders would also become more diverse. But, according to research done by **Briefing**, this has not been the case. In 2018, 71% of all KM leaders surveyed had a legal background – up from 61% in 2013. In terms of gender diversity among KM leaders, the research suggests that not much has changed in recent years – in fact, diversity has decreased. In 2013, **Briefing's** research indicated that around 60% of KM leaders were female. More recently, this female leadership figure has

increased to 66%. It is possible that the growing importance of IT and innovation (historically male-dominated) to the KM function will equalise the gender imbalance.



"KM leaders have to be able to cope well with change, be open to working with new systems and tools, and be able to understand the bigger practice and vision of clients."

Sarah Pullin, director of knowledge operations, Baker McKenzie



KM leaders as multi-specialists

As the remit of firms' KM capabilities has increased, so too has the range of roles. Previously, the majority of KM personnel would be PSLs. Now, a KM team might include legal engineers, document automation specialists, business improvement advisers and legal project managers. These roles are usually undertaken by individuals with a narrow area of focus. But KM leaders are also hiring individuals with hybrid abilities. For example, Slaughter and May, known for preferring its lawyers to be multi-specialists rather than niche practitioners, has extended this preference to its KM function: one recent hire is a former Slaughter and May associate turned data scientist. "He's also the guy who is automating our documents, engaged in predictive analytics and involved in our blockchain and smart contracts work streams," says the firm's head of knowledge management, Alexandra Woods.

Slaughter and May's decision to base this data scientist within the KM function was appropriate

for her firm, according to Woods. "But I don't think there's a right answer about where to put them, because they tend to have pervasive skills," she adds, noting that this area of expertise could easily be based in three or four other departments. As if to illustrate this point, Fiona Parkinson, head of KM at BLM, says that her practice's data analytics head sits within the firm's "go to market" team rather than its KM function, because their principal role is to help improve client service and client relationships.

From PSL to practice development lawyer

Although the scope of some KM functions has expanded to include additional roles and specialisms, the KM leaders interviewed emphasised that their PSL's core expertise would not be diluted: they would remain legal domain experts, responsible for maintaining knowhow in relation to discrete areas of law.

That said, at some firms – notably Pinsent Masons and Dentons – the PSL job title has been



scrapped in favour of a rebranding as ‘practice development lawyers’ (PDLs). At Dentons, PDLs are expected, not only to support the lawyers, but also to take part in internal and external client services delivery. They also have a specific innovation remit within their role. “The change in nomenclature is important,” says Dentons’ director of practice development and innovation for the UK and Middle East, Stuart Hopper. Indeed, at Dentons, the KM function no longer exists as a standalone entity, but has been subsumed into a wider practice development function, which also includes innovation.

Given that restructuring and rebranding the KM function is a fact of life at several of the UK’s leading law firms, it’s not surprising that some KM leaders expect personnel to be comfortable working in a ‘dynamic’ environment. “They have to be able to cope well with change, be open to working with new systems and tools, and be able to understand the bigger picture and vision of clients,” observes Baker McKenzie’s director of knowledge operations, Sarah Pullin, who oversees the firm’s global KM operations. “That’s quite a different skillset to what would have been expected of PSLs and librarians 20 years ago.”

Closer to clients

Another noticeable way that the KM function has changed in recent years is that in some firms it is no longer a purely internal support role. At these firms, KM team members meet clients on their own account, without the client’s relationship partners being present. For firms who have gone down this route, there is a clear justification: KM professionals will have a good ‘helicopter view’ of the firm’s knowledge and innovation initiatives, which clients might find it useful to learn more about. Putting KM personnel in front of clients means that “clients actually get what they want and need from KM,” says HFW’s McNamara.

McNamara reveals that her firm is considering transforming its externally facing KM function into a revenue-generating service line. “If you’ve already built up a KM function internally, set up a team, built databases and systems – then why not offer that expertise as a consultancy service to

“If you’ve already built up a KM function internally, set up a team, built databases and systems – then why not offer that expertise as a consultancy service to clients?”

Claire McNamara, director of knowledge management, HFW

clients?” she says. HFW already has a vehicle for facilitating this experiment – its recently launched HFW Consulting service, which offers services such as talent management, cybersecurity, and legal strategy advice. Extending HFW Consulting’s service line to include KM would not be a major change. If successful, this kind of initiative would allow KM to deliver on a long-desired objective – providing a tangible, quantifiable contribution to a firm’s bottom line.

McNamara attributes her firm’s proactive and inventive approach to KM to the existence of a multiyear, board-approved, KM-specific strategy aligned with the firm’s wider strategic direction. This focused approach means that HFW’s KM function “doesn’t just run around looking busy” while not achieving anything. Instead, the strategy provides a structure supported by a detailed implementation plan.

A key driver of the expansion of the KM function – at a select group of forward-thinking firms – has been its expansion into legal practice innovation. This evolution may not always be straightforward, or even permanent – as the example of Taylor Wessing shows. Also, KM leaders may find themselves responsible for personnel with skillsets very different from their own. But, after years of KM being seen as a necessary overhead rather than income source, the inventive approaches taken by the likes of Collas Crill, Pinsent Masons, and HFW show what is possible with a well-structured, commercially focused, KM team.

Other KM leaders now face a challenge: how to emulate these forward-thinking firms and tap into the exciting potential in their own KM teams. ▀

BRIEFING PEOPLE

Transaction adventures

The Addleshaw Goddard Transaction Services Team (TST) turns 10 in 2020. On a recent trip up to the firm's Manchester office, Richard Brent met several of the team to learn more about its growth and development, how it's harnessing technology, plus embracing new routes into the profession

In September 2018, Addleshaw Goddard began onboarding its fourth cohort of legal apprentices. Running since 2013, this Level 3 Paralegal Apprenticeship programme is delivered in conjunction with BPP Law School, and provides an alternative route to university. It combines in-house and external training, and enables apprentices to 'earn while they learn' and quickly apply that learning to real-world business situations.

One progression route then open to the apprentice paralegals is the firm's Solicitor Apprenticeship scheme, leading to becoming fully qualified solicitors, while working as part of the firm's evolving Transaction Services Team (TST).

TST head Mike Potter says: "We're now welcoming apprentices into our team every year. AG is passionate about providing a different approach to attraction, retention and people development. The quality of apprentice candidates keeps increasing and they are a real asset to the team. And as we continue to redesign the way legal work is delivered, we're giving people the opportunity to work in a traditional law firm environment but not in a traditional way. It's something that we'll continue to invest in."

And what will these newest recruits be doing? TST business engagement manager Maxine

Davies continues: "The team could be involved in almost anything, from a full end-to-end client project to one discrete aspect of one piece of work." Her role, therefore, is to liaise with fee earners and others across the firm to determine exactly how TST's talent can be maximised to deliver tangible results for client work.

Matthew Street, a senior manager in the TST, says it has developed significantly since he joined the firm six years ago, moving on from being an employment lawyer to do something quite different. For example, it's now designed to work alongside the same four core areas as the wider firm (he heads up litigation, for example – Davies does so for corporate and commercial). Indeed, the increase in headcount over the years (170 and counting) means the TST is now a highly flexible resource, able to focus on large projects as well as providing both clients and these core areas with "dedicated embedded support".

Potter continues: "We've never been hugely prescriptive about how this team will develop. Rather it has been a fascinating journey, and one thing we've been doing recently is changing where some of the team are located; from the split between our cities – where we now have a presence in all the UK offices – to floors and areas within our buildings. We're doing this to get the right balance between proximity to lawyers and



FROM LEFT TO RIGHT: Maxine Davies, business engagement manager; West Middleton, assistant team leader; Sarah Morton, senior manager; Sue Bentham, team leader; Matthew Street, senior manager, Transaction Services Team, Addleshaw Goddard

the wider business, and ensuring a flexible, scalable team that can meet the changing needs of our business and clients.”

And alongside growth, Street adds, “there’s opportunity to take a step back and survey where process change might usefully be introduced. In a few cases, it’s now some time since we carefully process mapped certain things we do, and of course the world has moved on again, as have clients’ needs and expectations.”

In his own area of litigation, for example, the TST is seeing an increasing amount of direct interaction and relationships with those clients. “Previously, this would always have been channelled through a partner, whereas today we have lots of our own connections, including, for example, the full outsourcing of client claims management work.”

Career windows

Then, as well as continuous process improvement for clients, the TST has long had a focus on piloting alternative career paths for the firm’s people. In fact, the two priorities could be two sides of the same coin. At times, a non-traditional – even surprising – sideways move within an organisation might unlock a new level of client value.

Sarah Morton, another TST senior manager, leads on people and personal development – the apprenticeship schemes, recruitment and induction, performance review, promotions and ongoing career development. One recent project has been a new leadership development framework for the TST, she says (p21).

The TST has already offered many a chance at role change. Davies, for example, was previously an AG litigation partner for four years, first in London then in Manchester. “I was at a point where I wanted a different set of demands, but to remain in

“The TST is a great enabler for bringing project management principles to bear, as we’re involved in so much of the firm’s work in some capacity. We want to train our team and give them the opportunity to learn new skills that are in demand.”

Mike Potter, head of the Transaction Services Team, Addleshaw Goddard



a firm that I had long invested in, and which had invested in me. My role was new, but I had the experience of working as a senior fee earner, so knew how I could help to drive engagement levels. Having someone who had been around the block a little was probably a good thing!”

Sarah Morton has been with the TST from the outset – a paralegal for several years, including on secondment with clients and in the banking practice, she then decided against an initial plan to pursue the traditional training contract. “I enjoyed helping to supervise and develop others, so successfully applied to be a team leader at the time the TST was first establishing a structure of sub teams. Since then the role has evolved – in 2015 I had the opportunity to lead recruitment and set up a new centre for the TST in Leeds, and more recently I’ve been doing the same for our new presence in Edinburgh.”

Team leader Sue Bentham had an especially interesting route in. She’d worked as a lawyer for another Manchester firm, before leaving the profession to raise her children for 20 years. She says: “I’d not been practising for such a long time – a significantly longer career break than is usual – but I very much wanted to return.” Through the Law Society’s support programme for such ‘returners’, she came across AG’s own course – applied, but didn’t get the role. But the firm asked to retain her details, and several months later the phone rang with a different opportunity in the TST. That was then a fee-earning role, which she accepted (in spite of some initial reservations about her time out of the market), but today it’s a “purely management” focused role, she says. “Many of our paralegals were the same age as my own three children, and I suppose I started to take on a supporting role around them without being asked.” In summer 2018 she took on the team leader role, and today manages 22.

Into innovation

In addition, the TST works closely with AG’s innovation and legal technology (ILT) team (in fact this was spun out of TST). Sharing space in Manchester, Street says: “We often work together on projects, attend client pitches and share ideas about how we can both implement change.”

Bentham gives the example of creating an auction site for the sale of garden centres – used both to organise bids and to manage a large volume of client documents. “The TST corporate and real estate teams collaborated with the ILT, and it’s probably one of the biggest sites we now run.”

And Davies says another move for her team – especially since the birth of the firm’s AG Intelligent Delivery (AG ID) offering in 2017 (with its focus on legal service delivery and saving clients time) – is its closer connection with the firm’s project management specialists. The TST is working with the firm’s new head of legal project management, Simon Muller, becoming much more involved in this area. “There’s a lot of awareness and motivation to involve project management in any piece of that work that we do – communicating well to wrap each individual’s input and experience around the task as efficiently as possible,” she explains. “And we at TST are involved in cases earlier than we were. It’s more planned and proactive working than reacting to the urgent requests. AG ID is about involving all of the right elements at the right times.”

Potter concludes: “The TST is a great enabler for bringing project management principles to bear, as we’re involved in so much of the firm’s work in some capacity. We want to train our team and give them the opportunity to learn new skills that are increasingly in demand. I think the opportunity to learn legal project management skills, alongside experience of the latest legal technology, is a compelling proposition.” ▀

FACES OF THE FUTURE

Assistant team leader **West Middleton** arrived with the TST's second intake of apprentices, straight from school. He was one of the first to join the Leeds TST and gained experience working for different practice groups before becoming a paralegal in real estate.

He's also on Morton's leadership development programme, which initially involved line managing a current apprentice and a paralegal. He has now secured the role to lead and develop a new TST hub for Scotland based in the Edinburgh office.

He says: "I'm looking forward to putting the skills I learned on the leadership development programme to good use and developing my management skills. Being involved in setting up and running a new team is a fantastic opportunity for me at this stage of my career."

Having started in the central team, **Claire Dyer** is now a senior paralegal embedded in Manchester's banking team. "I now sit with the banking partners and fee earners and assist on their deals day to day," she says. "I get lots of client contact, work on a wide variety of projects and I'm involved in helping with business development. I also work closely with other members of the TST to produce training materials and deliver training sessions – breaking down the tasks integral to a banking transaction for others. I've also been working with lots of different lawyers to identify quite an extensive TST task list, helping ensure the right work is done at the right level for maximum efficiency."

At the same time, she's working toward qualification into the banking team through the Chartered Institute of Legal Executives. "I'm looking forward to qualifying into the team and, because I'll have been working in the department for a full two years prior to qualification, I know what to expect and can hit the ground running."



CLOCKWISE FROM BACK LEFT: Annie Armstrong, solicitor apprentice; Claire Dyer, senior paralegal; West Middleton, assistant team leader; Olivia Hancock, innovation and legal technology team trainee, Transaction Services Team, AG

Annie Armstrong is now a solicitor apprentice, having completed her first year of six of that qualification. She originally joined the firm as a paralegal apprentice and currently specialises in real estate work.

She says: "The academic workload of the solicitor apprenticeship is a lot heavier. Most is completed online, with a face-to-face session covering more practical skills about once a semester.

"I'm enjoying real estate, and I've just joined a new client team. The learning curve to pick that work up has been quite a challenge. There's a lot involved in keeping clients well informed, but it's rewarding to have greater responsibility and begin to build more trust."

Olivia Hancock is one of the very first to take advantage of the firm's new opportunity to be a trainee and qualify into the innovation and legal technology team.

She joined the TST as a paralegal, before focusing more on technology. "I had an opportunity to do some work with them when it was still very new and enjoyed engaging with the wider business on areas such as process efficiency," she says.

"Once I'd secured a training contract, I decided to take advantage of this new route. Instead of the traditional four six-month training seats, I'll do the vast majority in innovation and legal technology. But that means working with almost every other part of the firm. I'm also working directly with clients on areas such as document automation, involved in scoping, building, implementing and training – the full project.

"I like the chance to have input into projects and ask questions about how legal work ought to be done – whether it can be done better, faster or more consistently."

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24

Build on the buzz

Jenni Emery, global people leader at **Arup**, sets out the process of taking **CMS** partners on a path to more proactive collaboration



HANDS ON

Build on the buzz

Jenni Emery, former director of strategy at CMS, now global people leader at Arup, and author of *Organisational Change: building purpose, motivation and belonging*, says the easy buzzword 'collaboration' belies the massive effort required to make it meaningful

It's curious how pretty much every current buzzword seems to begin with a C. Courage, culture, creativity, change, champagne, cheese. Oh no, wait ...

One top one is collaboration. It's everywhere: cornerstone of culture, key to growth, and topic of choice for keynotes, pitches and soundbites.

But collaboration suffers from a malaise that affects many buzzwords – it's overused, bland. It is an abstract noun, and we use it lazily – we all think we know what it means. And, let's be honest, it's pretty unappealing. You don't 'collaborate' with friends, your children, or a lover. At times in history, being identified as a collaborator could

even get you shot.

But I'll try to make the case for collaboration as a guiding philosophy for law firms, arguing they should put it at the very heart of a strategy in order to drive excellent client service, market impact, profitable growth, people engagement and cultural cohesion.

At CMS, we have had perhaps more reason than most to dig beneath the abstractions and really grapple with what collaborating well looks like, and how it can drive value. From the outset, the firm understood collaboration to be the key to unlocking the value in the three-way merger of CMS, Nabarro and Olswang to create a new firm that was more than the sum of its parts. And working in collaboration with a number of

thought leaders in this area, the firm has followed a clear path for 18 months – increasing understanding, identifying opportunities for doing it, building skills and behaviours that support it, and incentivising and rewarding it. It has had a number of very positive impacts.

While the precise details of our journey are specific to CMS and its particular post-merger context, the key building blocks are clear, distinct and capable of application across different contexts. Let's begin, though, like any good lawyer, by defining our terms. Collaboration does not mean having cosy coffees together, turning up mob-handed to meetings, having committees for everything or just being a generally affable human being (although that helps). The word is Latin in origin: *com* and *laborare* – 'to work together with.' In this sense, it is a concept of a different order from coordination – 'to set in order, to arrange', and even from cooperation – 'to work to one common end'. It's two or more people actively engaged in working with one another in an integrated way to solve a problem, deliver an outcome or to create something new.

Make the case

At CMS we started by really explaining the business case for collaboration to partners. This is a case well supported by research. Dr Heidi Gardner, in her book *Smart Collaboration*, makes the case specifically in the context of law firms.

There is also a strong people-focused case for collaboration,

Collaboration does not mean having cosy coffees together, turning up mob-handed to meetings, having committees for everything or just being a generally affable human being (although that helps)

supported by much of the latest thinking in neuroscience around how we build connections and engage at work. It builds bonds between partners and teams in the firm, and between partners and clients, and thus increases productivity and loyalty. At CMS, we gave all partners a copy of Gardner's book. A compelling intellectual case, backed by data, presented as a good foundation to build upon. We also invited Gardner to deliver a keynote presentation at our first post-merger partner conference, and showcased three examples from across the new firm of how collaboration had already yielded good results for clients.

Start where you are

Having laid the groundwork with Gardner's research, our next step at CMS was to get an accurate picture of the current approach. We commissioned Gardner and team to conduct research with quantitative and qualitative elements. They crunched through thousands of time-recording entries and conducted in-depth interviews with a representative group of partners, also supported by an online survey.

The findings of the quantitative analysis were

absolutely in line with both the team's expectations and Gardner's theory, but were no less startling for that. The figures clearly showed an exponential correlation between the number of practice groups working for one client and the average fees generated from that client. This makes sense because the number of practice groups involved is a good proxy for both the complexity of any given matter, and the intimacy and breadth of a client relationship. The figures also showed plenty of theoretical scope to expand relationships across practices, exactly as we would have expected within a year of merger. The lawyers were, of course, quick to point out some real-life circumstances that could give the lie to some of the theoretical opportunity but, even if the calculations had been out by a significant order of magnitude, the potential upside of even a marginal shift was material enough to make partners pay attention.

The qualitative analysis generated some great examples of best practice that we were able to showcase, such as real generosity with time, resources and contacts. And to the extent that it identified some current obstacles, these were those we expected to see so soon after merger, such as not always being sure who to reach out to, or not yet knowing one another well. It was helpful to be able to name and discuss these.

The research also indicated a skills gap – our next focus.

Build skills and awareness

There's a tendency in law firms to assume that if someone is not

doing something it's because they don't want to – that they lack the will. Around the area of collaboration, however, we found that the will to collaborate was strong, but many partners were not as skilled as they could be at doing it themselves, nor at creating a context within which more collaboration could happen. If this sounds patronising, I don't mean it to be. The vast majority of partners are well aware of what good practice around collaboration looks like on the outside (for example, that they pitch together, share expertise, and make referrals). Partners are generally good citizens and will do these things (at least when they remember, and aren't too busy to organise it). It's the behaviours under the surface – the 'deeper stuff' – that were a mystery to many, until we began talking about it explicitly.

At CMS, we engaged two coaches who knew the firm well (and had also previously worked with Dr Gardner's material) to design a workshop to help our leaders develop some deeper collaboration behaviours. We began with our sector group leaders on a programme covering areas such as how much control they wanted to exert, how they build relationships, their appetite for risk, and communication style. This received perhaps the strongest feedback I've ever seen for a one-day programme and is already demonstrably moving the dial in terms of partner behaviour. It's now being cascaded across the business.

Make data-driven decisions

Let's now assume you have a

partnership full of people with a deep understanding, a clear sense of where their firm is at, and all the skills and behaviours they need to be 'collaboration ninjas'. Where to start?

You can – and should – start exactly where you are. As and when opportunities arise, you can bring your shiny new collaborative approach to bear. But at CMS we also wanted to be more proactive and point our people toward the 'best' opportunities (reinforcing the case for doing it). Forgive the crude maths, but looking at all our clients across all practice groups, potential opportunities in areas where they weren't currently served ran well into five figures. In order to sift these, to distinguish the bogus from the real and potentially value-generative, we needed some help. That role was for WhiteSpace, the new product being developed by the team behind Objective Manager. We worked with the team there as they developed a tool that identifies and prioritises opportunities using an algorithm, and then suggests who in the firm, based on their skills, relationships and prior experience, might be well placed to pursue that opportunity.

We used this tool in its current state with our leadership team to inform planning and objective-setting discussions. The future is to share the finished product more widely so partners can pursue opportunities for themselves. We saw huge potential for identifying opportunities, developing skills, and building more inclusive teams.

C THE BENEFITS



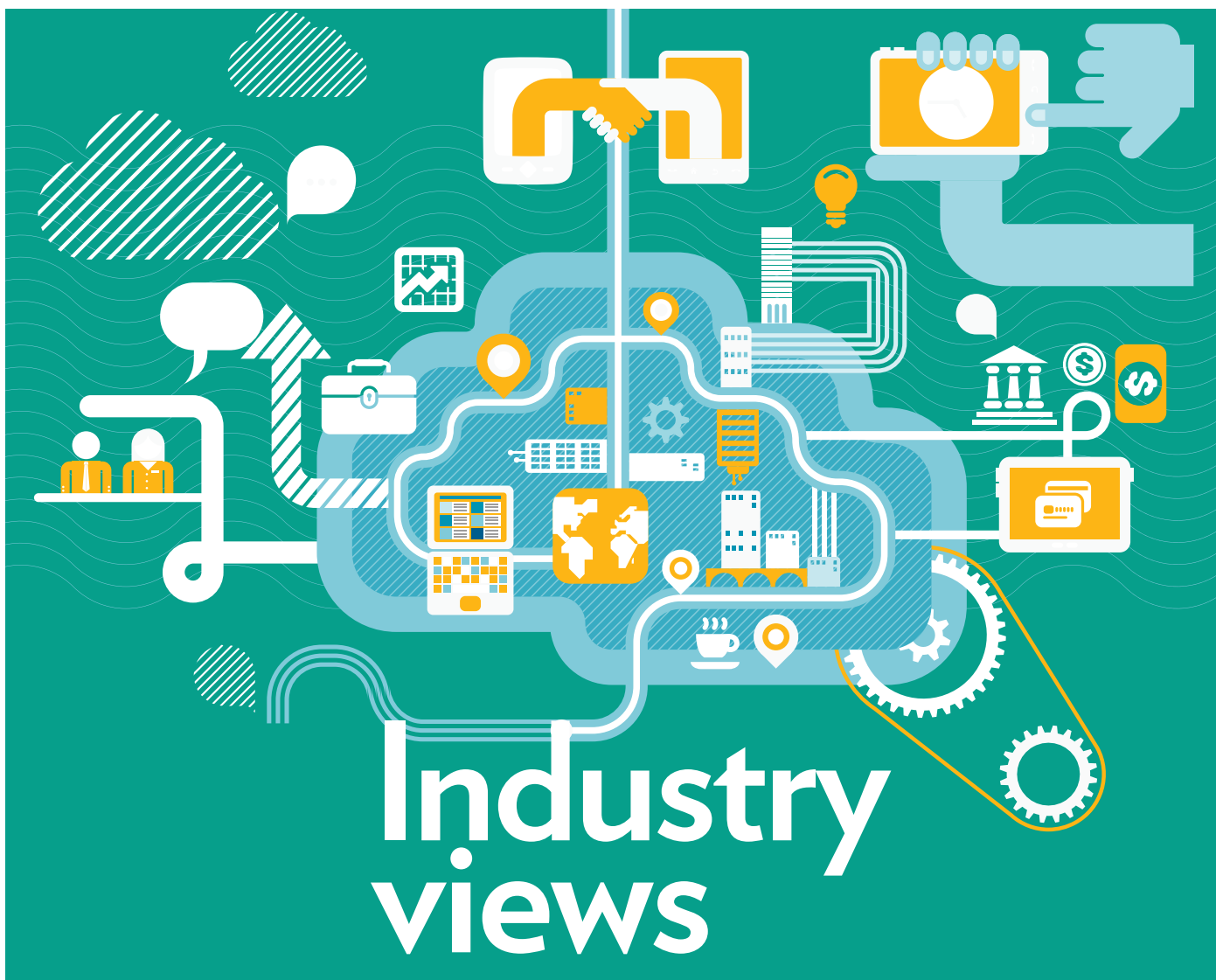
Benefits of collaboration, as highlighted by Dr Heidi Gardner of Harvard Law School:

- Growth in revenue and profits, both for the firm as a whole and in terms of the performance and earnings of individual partners who adopt collaborative behaviour.
- Client loyalty and retention. This is partly because the more touchpoints a client has within the firm, the harder it is to leave, but mostly because a collaborative approach makes sense for clients too – for example, increasing client access to expertise, and improving efficiency/responsiveness.
- Innovation – the 'Heffeman argument', that greater diversity of views produces better solutions.
- Transparency and risk management – pooling expertise reduces the risk of potentially problematic 'lone wolves'.

Get aligned

Last, but by no means least, is the old adage that 'what gets measured gets done'. All the education and data in the world counts for nothing if people are ultimately measured and rewarded on the basis of individualistic and anti-collaborative metrics.

At CMS, the merger gave us the perfect opportunity to look afresh at this – for example, to build collaboration into our people proposition and promotion and bonus structure, and at partner level to focus most strongly on the metrics that best illustrate collaborative behaviour and team endeavour. We also consciously choose to publicly celebrate examples of strong collaboration in the stories that we tell, both internally and externally. ▀



Industry views

Issue sponsor:



- | | | | |
|-----------|---|-----------|--|
| <p>28</p> | <p><i>Documenting decisions</i>
Ruth Musgrave at Freshfields Bruckhaus Deringer on the creativity of Contract Express</p> | <p>38</p> | <p><i>Value of collaboration</i>
Fraser Mayfield at Iridium Technology recommends collaborative pricing to improve client relationships</p> |
| <p>32</p> | <p><i>Power of Newcastle ideas</i>
Why Newcastle was the city of choice for process improvement at Norton Rose Fulbright</p> | <p>40</p> | <p><i>Automate with intelligence</i>
James Quinn at Clarilis on the benefit of outsourcing document automation</p> |
| <p>34</p> | <p><i>Trust in collaboration</i>
James Gilding at Mitie provides his personal pointers for promoting collaboration</p> | <p>42</p> | <p><i>Knowledge on app</i>
Simon Pecovnik at iManage RAVN on knowledge management fit for the age of the app</p> |
| <p>36</p> | <p><i>Shake up the knowledge</i>
Chris Cartrett at Aderant on a new world of knowledge management</p> | <p>44</p> | <p><i>What do you know?</i>
Melanie Farquharson at 3Kites Consulting reviews Briefing Knowledge Leaders 2018</p> |

INDUSTRY CASE STUDY

Documenting decisions

Ruth Musgrave, global head of knowledge management, global transactions, at Freshfields Bruckhaus Deringer, discusses creating better, faster and more accurate documents with Contract Express

The legal market is certainly very competitive – and in recent years the focus has been directed at legal services delivery, value-added services and value for money, so anything a law firm can do to improve on that has to be a good thing. After all, the drive comes from the client.

Innovation has a huge role to play in generating efficiency and, with Contract Express, Freshfields Bruckhaus Deringer has been able to create better efficiencies for its lawyers and, more importantly, improve client service.

“By driving users towards our own automated standard form documentation and templates through Contract Express, we’re able to create higher quality, more accurate and consistent documents, much more efficiently,” says Ruth Musgrave, global head of knowledge for the global transactions practice at the firm.

Express benefits

Before Musgrave worked at Freshfields, she was a senior associate at another firm – a long-time user of Contract Express. During her time using Contract Express as an associate, she experienced these efficiencies first-hand.

“I found it extremely useful and could see the benefits it had for the way I worked and how I spent my time. As a result, I was able to provide better client service. And that’s what Contract Express now does for Freshfields.”

Its flexibility also caught her eye. When you create the questionnaire, which the Contract Express platform uses to generate an automated draft, she says, the coding for any individual

document is completely customisable.

“You can tailor it to the decision-making process that a lawyer will go through when they’re drafting. You can really pinpoint the things that are important for that document in that particular type of work. The customisation possibilities are extensive.”

There are also real risk benefits, she says, as you can add guidance notes, flag up particular comments and make recommendations throughout the questionnaire.

For example, Musgrave says, you could point out to a user that if they’re saying ‘no’ to a question where the recommended answer is usually ‘yes’, then they should either think about that more carefully or perhaps then talk to a partner.

“This type of customisation provides us with a huge advantage in risk management.”

Innovation pockets

Innovation is a big part of the firm’s business strategy – Freshfields’ aim, Musgrave says, is to be the global leader in delivering more creative solutions to the challenges that its clients face.

“And there are a number of ways that we’re doing this, notably the development of our innovation strategy and dedicated innovation team.

“They’re always scanning the horizon to see how legal services are changing and looking for opportunities to bring benefits to our clients.”

Contract Express fits very well into our innovation strategy, she says. Freshfields seeks to combine what’s available through technology with its own lawyers’ skills and knowledge.

“By pulling these two elements together we can



really provide something for clients that is high quality and adds value. Document automation is a great example of all of that.”

She says there are many types of documents that can really benefit from being automated. It might be something used in high volume, like a non-disclosure agreement, or it could be something complex, with many possible permutations, which lends itself really well to identifying questions that would trigger a specific clause to be included or not, Musgrave explains.

“And if you’re not using Contract Express to do that, then someone has to take some time with the document to go through a decision process and make the changes manually.”

In the course of the automation process, the firm has also paid attention to areas of drafting that aren’t particularly taxing on the brain but are still time-consuming and absolutely necessary – such as changing singulars to plurals or, using an example from Musgrave’s own experience in practice, entering the company name in a loan

“Generating a document that already has key information incorporated means that our lawyers can spend more time drafting the more bespoke and complex parts of an agreement, and then reviewing the whole thing.”

Ruth Musgrave, global head of knowledge management, global transactions, Freshfields Bruckhaus Deringer

agreement some 25 times.

She says: “It’s great to have that time used more productively by our lawyers, rather than doing these relatively menial changes that can easily be done better, more quickly and accurately with automation.”

Hit the roadmap

The firm wanted to be ambitious but also realistic – and after some good advice from Thomson Reuters early on, it successfully launched in May with nearly 60 automated standard forms and templates from three global practice groups. This included documents not only from Freshfields’ London practices but also from different parts of mainland Europe and Hong Kong.

“Thomson Reuters told us not try to make the coding super complex in the beginning as we can always build on it later. This was really helpful advice for our knowledge team who led the project. We were also focused on the user experience – a very long and complicated questionnaire could well be off-putting.”

In terms of promoting the product internally, the benefits to the individual were so clear that it wasn’t difficult getting people onboard, she says.

“The user experience is so intuitive, you really don’t need to give extensive training – working through the questionnaire is very user-friendly.”

Musgrave and her knowledge colleagues held a mini roadshow internally to do demonstrations for certain teams in London and other offices, including a videoconference with the firm’s Middle East offices. “We have English law qualified lawyers practising across our global network. For example, our English law non-disclosure agreement, which is our most popular Contract Express document to date, is used extensively by lawyers all over the firm.

“We have a very collaborative environment and Contract Express allows us to reach all our regions in a similar fashion.”

Sweet seamlessness

It was very important to create a seamless experience and really embed Contract Express into Freshfields’ working practices, she says.

Lawyers are used to accessing knowledge products, standard forms and templates in a certain way through the firm’s intranet or knowhow database, Musgrave says. “And we have been able to maintain all of that – only now, when

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they identify the document they want, they're directed to the Contract Express platform to begin the questionnaire. So the process for access hasn't changed, and this has been great for adoption."

As the integration is so seamless, the only thing lawyers are doing differently is drafting documents more quickly and efficiently.

"It saves us a lot of time. Generating a document that already has key information and things like singulars and plurals included, and important structural elements incorporated, means that our lawyers can spend more time drafting the more bespoke and complex parts of an agreement, and then reviewing the whole thing," Musgrave says.

And, she says, automation through Contract Express can be used to do something clever for the client.

"For example, if you know that a particular company will need four or five documents, you can have a single questionnaire for those documents as a 'suite'. The questionnaire will ask questions that populate every document, and then additional questions that are specific to one or another as appropriate. In this way you can use one questionnaire to generate a few documents as a package, which is often required in transactional work.

"It's been a very popular feature of Contract Express, all the while making our documents more accurate and consistent – and it reduces costs overall."

Of course, she says, everything is still reviewed and carefully checked before going to the client, but the starting point is more advanced – you've a package of documents for a client and transaction-specific details are right across the suite.

A step further

Freshfields has over 500 Contract Express users and lawyers have created over 1,400 documents, since it launched in May 2018.

"We're absolutely delighted with how well it has been taken up internally in only eight months.

"As is often the case with something new, our people see how it works and are prompted to think of other ways they could use it."

Freshfields has several associate-led projects where lawyers are working out how automation

could assist further on client-specific matters. Examples are clients with whom the firm works regularly that have an internal template they like external counsel to use, Musgrave explains.

"One thing we can do is automate that client template so the next time a Freshfields lawyer prepares that particular document with that client, the process to do that will be extremely streamlined and efficient.

"Contract Express, and our ability to tailor it for clients, has become an important part of our presentation of our legal tech capabilities to clients generally."

And Freshfields continues to expand Contract Express to other practice groups and documents – there's just so much opportunity to be had, Musgrave says.

"There's been great collaboration between knowledge lawyers across our global offices. Where a document is being automated in one location, a knowledge colleague in another jurisdiction can draw from the way that document has been automated. It saves people from doing the same work in different areas."

Opportunity abounds

Musgrave says working with Thomson Reuters really is like a partnership. "Thomson Reuters has been extremely helpful in providing us with information, guidance, training, technical support and so on, right across the team."

And as it has such a broad platform, Freshfields' lawyers are recipients of the knowledge services that it supplies through, among others, Practical Law as well.

In addition to the automated standard forms, there's the suite of automated Practical Law templates available, which is an added bonus, she says. "Thomson Reuters is an organisation that is looking to innovate, and that was very important to us in selecting them as our document automation partner."

It's been a big project for Freshfields to undertake, and for the knowledge team in particular, she says, but a real achievement – to have it launched with such quick success and with a strong pipeline of new documents in development. ▀



INDUSTRY CASE STUDY

For more information, visit:
www.investnewcastle.com/legal

Power of Newcastle ideas

Kiran Radhakrishnan and Dan Newcombe of global law firm Norton Rose Fulbright explain why Newcastle was the city of choice for its process innovation presence en route to 2020

Norton Rose Fulbright's 'Project 2020' is a far-reaching and ambitious plan to modernise this global business, creating a more efficient and agile operation for clients and employees alike.

It is, of course, now under a year until the first day of that symbolic new decade dawns. And Kiran Radhakrishnan, who heads up the firm's legal process hub in Newcastle – launched in 2016 – says it has been a core piece in the transformation agenda.

Why the city of Newcastle? In short, he says, it had measurable strength in the three pillars the firm has focused on adapting to transform itself – “people, process and technology”.

“We spent some time considering different locations, and the biggest single factor was delivering maximum value,” explains Radhakrishnan. That's value for clients and the firm's own people, not just value for money. “We could have opened in cheaper places to establish a

presence, but not with the same balance of benefits that would help us to grow and innovate in line with the firm's strategy.”

Top for talent

Beginning with people, first is the strength of the local talent market. Starting out as a pilot in 2016 with four paralegals, today the hub has around 75 employees, and the firm expects it to almost double its capacity over the next few years.

The education presence that feeds that market is significant. Radhakrishnan says: “A key factor is the strength of the region's universities, with excellent courses not only in law, but also aspects of computing and other areas of business. Plus, Newcastle as a city has an especially good reputation among graduates and those relatively early in their careers. London isn't the centre of the universe for everyone, and the firm has found talented individuals who want to remain in the region. The hub allows them to do so, but still enjoy



the opportunity to take part in delivering some of the biggest deals in the world,” he explains.

The region’s talent pool also flows into the ‘process’ element of the transformation. “As a city with a history of engineering excellence, there’s a certain culture and mindset of problem-solving that pervades,” he says – which all-comers appear to embrace. So, if nothing else it’s appropriate that the firm is using its new premises to trial some alternative ways of working for employees, as well as different options for clients – effectively ‘re-engineering’ its practices. “There’s always a certain risk of a successful business resting on what are clearly strong laurels. Fortunately, this firm has always been forward-thinking.” The hub has proved a particularly good base for trialling transformation through technology and “new and innovative” ways of working, he says. “A fundamental part of innovation is having space to get some of the things you try wrong as well as right, but to do that without excessive risk – to learn, drop it and then to move on quite quickly.”

With the help of Invest Newcastle, the firm found such a space in Quayside House – where it has also successfully introduced open-plan agile working practices, including a certain amount of hotdesking. People with different business skillsets are better enabled to assemble in project groups that make most business sense at the time.

Tech on trial

Finally, a more flexible approach to work raises the matter of investment in technology – the third pillar of project NRF Transform in time for 2020.

But Radhakrishnan says: “We never begin with the introduction of technology for its own sake. We start from the perspective of the process, move to the people who will operate that process, and only then consider the technology options for enabling,

augmenting or adding efficiency.”

Nevertheless, the local tech ecosystem is certainly a further factor in favour of having Newcastle for its hub. “The city has a booming innovation and technology sector, with many interesting startups emerging. We’re regularly approached by local developers,” says senior manager Dan Newcombe. “Invest Newcastle has offered practical help to get to know exactly what’s out there and help connect us with the opportunities.” For example, there are facilities such as the £30m National Innovation Centre for Data (NICD) – at a time when many firms are investing in data science and forms of predictive analytics to drive more consistent, profitable or otherwise high-value outcomes.

While there’s still some distinguishing between a certain amount of “smoke and mirrors” and measurable results to be done in this area, he says it makes sense to be trialling new technology where it’s in abundance. Online collaboration spaces, document and process automation, data visualisation and artificial intelligence (AI) solutions are all under investigation.

Newcombe also provides examples of growing areas of tech-supported client work, such as moving into higher-volume claims management for insurers, and portals for clients to offer ‘self-service’ style document automation to employees.

“Invest Newcastle has been a great help in forming close links with the local authorities and business community, and with finding technology as well as legal talent,” he adds. And of course, with locating the legal process hub itself. From a serviced office during the pilot phase to one fully kitted out for all manner of process improvement, it’s both a “fantastic place for business and an environment in which to work and socialise,” he says. ▀



▶ INDUSTRY ANALYSIS

Trust in collaboration

A focused approach to collaboration can not only help you run your business projects more efficiently, but also inspire your teams, says James Gilding at Mitie Document Management

This month, I would like to consider how collaboration can impact organisational working relationships and where it could and should lead.

How do leaders of organisations embrace a collaborative working mentality?

The word collaboration derives from the Latin *com* and *laborare* (to work together). In simple terms, it means working with someone to produce something. It is also defined to as “traitorous cooperation with an enemy”, but in this article I am going to assume we will not need to investigate collaborating with our enemies!

Collaboration: the top four rules

Before starting on any business engagement or project, you establish a system of working, and the reasons for the agreed approach. There are many great articles and blogs offering sets of rules for collaboration. Based on my experience in legal and professional services, here are my own top four.

1. Have clear aims and objectives

A shared vision will provide the team with a sense

of purpose and belonging. This is especially important as collaborative teams are increasingly based in different locations, so they will need a common motivational goal.

2. Impose accountability and responsibility, including deadline management

Each member of the team should be there based on a specific skillset or benefit that they or their organisation/department can offer, and which is relevant to the project. Define clear lines for who is responsible for which area, and a level of accountability for each team member.

How the team manages the project’s wider vision can be addressed through a set of team roles. Use Belbin’s nine team roles as an aide-memoire to make sure you have the right people in the right roles (p35). This might be too structured for projects requiring a quick turnaround, so at a minimum I recommend looking at the following:

- **Project lead/facilitator** – to keep drive and direction
- **Moderator** – for time management and maintaining efficiency

For more information, visit: www.mitie.com/services/document-management

Belbin's team roles

Action-oriented roles	Shaper	Challenges the team to improve
	Implementer	Puts ideas into action
	Completer finisher	Ensures thorough, timely completion
People-oriented roles	Coordinator	Acts as a chairperson
	Team worker	Encourages cooperation
	Resource investigator	Explores outside opportunities
Thought-oriented roles	Plant	Presents new ideas and approaches
	Monitor evaluator	Analyses the options
	Specialist	Provides specialised skills

- **Administrator** – to record actions and deadlines
- **Disruptor** – to hold the team accountable to the question.

3. Be open and share resources

This is at the core of the benefits of collaborating. Without an open approach built on trust and integrity, we cannot deliver on its potential.

4. Retain flexibility

Adjusting for learnings and any change in circumstances is critical. If you are too rigid, lessons learned from this project or elsewhere might not be tabled for discussion and application.

Teams within teams

Working with team members from other departments to solve simple problems or kick off new projects is often just business as usual. However, could treating these interactions more formally and applying the collaboration rules above lead to better outcomes?

Sometimes, internal projects get bogged down in politics, or people coming in with opposing agendas. As leaders, we can do away with most of these issues by applying simple collaboration principles and forging a team with a shared goal.

For my teams, the principles are: a clear goal and timeline; everybody actively gets involved; all views are considered (if relevant to the goal); and, finally, we all respect the process and leave any baggage (virtual or real) at the door. In my business, we talk a lot about pace – the speed of taking action, how quickly we report back to the business and what we all do to make sure that we deliver on the agreed outcome.

Working with a third party

When engaging suppliers or consultants, we set

A shared vision is especially important as collaborative teams are increasingly based in different locations, so they will need a common motivational goal

expectations and deliverables. This is normally driven by ROI needs as we are likely to pay for the support and services of third-party organisations.

However, I think collaboration and a shared goal and business opportunity can mean that cost issues can be set aside. Benefit to third parties from collaborating can lie in other outcomes of a successful collaboration (for example, new business, additional services, and so on).

We have also on occasion collaborated with key competitors (what did I say about collaboration with the enemy?). However, this worked brilliantly and without commercial risk to supply partners because we followed the rules. Our goal was a better service model for the customer and their building users – a model that allowed us to reduce cost but enhance outputs through an optimised solution. We each took responsibility for key parts of the solution development. We left competitor baggage at the door and focused on delivering at pace and wowing the customer. The outcome was a win-win for all involved.

Technologies to collaborate

Will collaborative technology mean that we will work more collaboratively just by installing the technology in the business? No.

Technology should be applied to enhance and enable collaboration across departments and third parties. The ways of working and the cultural approach to collaboration must be in place and working before you invest in, or develop, systems.

There are numerous technologies you can now use. I'm not going to recommend specific applications because their relevance will depend on your business culture and IT infrastructure.

As you would expect, Mitie has established partnerships with a number of global players and we use tried and tested tools. The benefits we've gained from using technology for collaborative projects include being able to update documents in real time from multiple locations, a great audit trail, instant communication, the ability to easily share multiple types of documents, and a reduction in email traffic. ▾



INDUSTRY INTERVIEW

Shake up the knowledge

The automation of knowledge management is emerging as a huge competitive differentiator, says Aderant executive vice president Chris Cartrett

As legal businesses have grown, merged, dispersed and outsourced, one challenge for lawyers remains – finding exactly the information they need in time for it to make the optimum difference.

Whether that's serving an existing client in a new way, or winning a profitable new one, approach to knowledge management (KM) is key. However, KM may well need some radical transformation all of its own, says Aderant executive vice president Chris Cartrett.

“Traditionally, a group of knowledge managers would organise their data quite tactically – moving pieces of information into the correct place, educating people about it, physically helping them to find it, and tapping into the knowledge that

stayed in people's heads. All those actions are still important – but today KM also needs to inform and prompt the best decisions and predict their outcomes.”

In short, it's the difference between a “tactical” and a “strategic” approach. Software has the potential to help transform from one to the other.

But that's only if that tech meets certain criteria. “Firms have excellent content everywhere they turn today – from multiple suppliers, as well as from applications developed in-house for specific types of work or practice. The big challenge is how it's managed, presented and ultimately consumed.” Multiple user interfaces, for example, don't help busy lawyers to benefit from this wealth, says Cartrett. “If you don't stick to the same system,

PHOTO CREDIT: SIMON BRANDON

For more information, visit:
www.aderant.com

“The most impressive law firms are now bringing their knowledge together around collective purpose rather than collections of links.”

Chris Cartrett, executive vice president, Aderant

you’re likely to forget your log-in details, never mind the best way to mine useful information.”

KM technology is a necessity, not a luxury, he continues. “One firm I know realised its true potential by placing a measurable goal on the table, which would translate into real profit. When pitching her idea to the executive committee, the director of KM asked the somewhat rhetorical question, ‘What would a 5% increase in lawyer efficiency mean to our bottom line?’ At any firm in the world, a 5% increase in billable across the board would mean a huge revenue increase.

“Given the green light, the firm’s customised solution meant lawyers started and ended each day with a system designed around their specific workflows. The firm created an environment where lawyers could focus on the practice of law. Sure enough, the firm has realised the 5% increase in billable hours – in some cases as much as 30%.”

Helping hands

In 2017, Aderant acquired Handshake Software to make a significant difference in this space – not only filtering firm-wide knowledge of work, news and connections into a digestible, actionable display, but also integrating that with other Aderant datasets, such as billing and matter management. Many more integrations, including with other providers, are set to follow.

Cartrett explains: “Handshake offers a single place to collect and view as much relevant information as possible: from legal research, document management, diaries, or anywhere else in the firm’s systems – even clients’ billing activity or guidelines.” Increasing KM efficiency has a direct impact on revenue and profitability, he says. It can assist with practice cross-selling, as well as pitching for new clients and retaining long-valued

ones. “In a growing firm, people need a way to understand what all sorts of other people, in other places, can bring to the table. An improved understanding of who has previously drafted which types of business documents – connected to which specific courts, for example – helps lawyers make better decisions for their clients.

“Handshake’s Expertise Locator module allows a lawyer to find the firm’s internal experts. But beyond ‘the who’, it also shows why they are experts, and provides an ability to rank them according to firm preferences.” The system’s reporting feature, KM Analytics, also takes data points such as profitability, realisation, search time and usage patterns to quantify this return.

The power of purpose

Cartrett continues: “The most impressive firms are now bringing their knowledge together around collective purpose rather than collections of links.” Handshake’s role is to ensure the data that feeds into that is both relevant and manageable. In an age of smartphones, social media and ‘fake news’, we can all appreciate the risk of ‘information overload’ hampering best decisions. “But a lot of the time there’s excellent information in systems people simply don’t realise is available,” he says.

It should fall to automation, therefore, to recommend, discard and prioritise content that’s a match for a practice, client, role, task, or some other variable. “In the past, lawyers would need to assemble and browse newsfeeds.” In the future, by contrast, it will be served in the same way as businesses like Amazon or Netflix do for retail and entertainment, he says. Inevitably, this raises the question of perhaps harnessing machine learning to make predictions based on past successes – and indeed, Cartrett says this is one area of firm strategy where AI can be expected to have an “immense impact” in time.

For now, firms can either build up views in Aderant’s Handshake for themselves, based on their structures and strategies, or opt for Handshake Connect – an ‘out-of-the-box’ version where key decisions about content views are already taken. This should be especially attractive to smaller firms, with fewer resources to throw at their KM strategy, enabling them to see a faster initial return but still adapt in future. ▀



INDUSTRY ANALYSIS

Value of collaboration

Fraser Mayfield, head of EMEA at Iridium Technology, says learning to price your work more collaboratively can reap some real rewards

When law firms get collaboration between lawyers and their clients right, using open and clear communication, the rewards for both sides are truly impressive. The firms that recognise this understand that effective collaboration is vital right from the very outset of the client relationship, and must occur at every stage of it. This is not just a nice bonus – it’s becoming a necessity of business. In order to adapt to the formal procedures that organisations are increasingly using when procuring their legal services, firms need to build a clear pricing strategy, and that strategy requires access to clear, accurate and real-time information.

Understand delivery costs

Insight and awareness into the cost of delivering services, as opposed to top-line revenue, is pivotal to collaborative client relationships, and this starts with analysing past work performed by the firm. Firms must be able to evaluate every billable hour at client, matter or individual lawyer level to understand the effects of utilisation, realisation and leverage, and finally, of course, profit.

However, information like that can only be leveraged when it’s available in a timely manner. There’s little point in modelling information if it remains locked away, unavailable at the critical point when client demand arises. And relying on spreadsheet-based methods to model this

For more information, visit:
www.iridium-technology.com

information is slow, inefficient and siloed, so it's critical that firms find ways to make the information available in an accessible format for key decision-makers.

Appreciation of value

Meanwhile, with the ongoing commoditisation of the legal sector and the unbundling of services, law firms need to offer choices to price-savvy clients. In order to create collaborative partnerships, firms must ask themselves: "What is this legal advice really worth to our clients?" Only after answering this can firms align their pricing strategy to suit.

Traditional, hourly pricing structures don't lend themselves to this sort of collaboration, although they do require firms to think about how their services are priced and structured. For example, in more complex transactions firms may be required to break down their matters into key deliverables or phases, each of which may include a combination of fixed and discounted fees for the different service elements. Firms should be able to align these deliverables with key stages of value in the minds of clients and seek to bill accordingly.

The art of conversation

While firms have long argued that the value of each hour is the same, clients often see this differently, ascribing a higher value to complex legal work than to simple administrative tasks. Firms can recognise this by ensuring the appropriate resource is assigned to each activity in line with client expectations.

Once a firm has agreed on an initial price with a client, the firm can establish a baseline budget for delivery of their services. Progressive firms understand that this baseline supports an ongoing line of communication, and if managed effectively can lead to increased billing realisation owing to a common understanding between firm and client.

Additionally, firms that engage in proactive conversations with their clients around budgets, alongside an effective client service strategy, can differentiate themselves from their competitors. There are many ways to achieve this: it often involves a technical solution, such as sharing key

Many of our clients roll out detailed, profit-based dashboards to partners throughout the firm to help them effectively price and manage their client engagements

information via client-friendly extranets, combined with client expectation management processes. Doing this effectively can even provide a financial incentive to collaborate further, as closer relationships can help to both manage unexpected scope changes and identify further opportunities to work together.

Engines of pricing improvement

We firmly believe that technology offers firms the chance to define their distinct character, while building strong and sustainable client relationships. This starts with the premise that no two firms are identical. When implementing solutions, such as a profitability engine, it's vital to consider the things that make you what you are as a firm. Our clients understand that an out-of-the-box approach to profitability is unlikely to meet their business needs: to reap the full benefits of profitability analysis, they need a tailored solution that reflects the various nuances of the firm's data, services and culture.

For example, we encourage our clients to consider who within the firm will get the most benefit from the information. Many of our clients roll out detailed, profit-based dashboards to partners throughout the firm to help them effectively price and manage their client engagements.

In order to encourage collaborative pricing discussions, we also help our clients deploy pricing solutions that leverage their historical information, whether on an hourly basis or in alignment with client value expectations. Just as importantly, our technology supports the ongoing client relationship by providing internal contacts and external clients with the information they need – and can rely on – to support their decisions. ▴

Automate with intelligence



A legal automation project presents risks as well as opportunities. Firms need an intelligent technology and it may not make sense to take on the entire project in-house, says Clarilis CEO James Quinn.

S

electing and investing in an automation technology is only the first step on the road to receiving a return on your investment.

But James Quinn, CEO and co-founder of automation specialist Clarilis, says that far too often firms never see a return.

“Legal automation technology, in one form or another, has been around for more than 20 years. It seems reasonable therefore to assume that law firms would have automated all relevant content by now and would be receiving significant ROI from an investment proportionate to the benefit derived. On that basis, there should be successful implementations everywhere you look, with little scope for further optimisation.”

But that’s not how it is. “Instead, although all substantial firms have a licence for at least one automation technology – often more than one – the level of success in terms of return over the period

of ownership is incredibly poor.”

Quinn’s initial plan was to license an automation technology himself (he was previously managing partner of a boutique corporate law firm, after leaving Slaughter and May). However, he couldn’t find a technology that fitted the brief. Instead, he created Clarilis.

Question of context

One difference he set out to make lies with the technology itself – a more holistic approach to the gathering of relevant data, he explains.

“Automation technology tends to be conceived in terms of simple question-answer pairs. You start with the document. There’s a piece of information, or section that you want to include or exclude, and the technology answers a question that’s tied to that piece of information.

“However, a system like that has no intelligence. In contrast, we gather as much information as we



For more information, visit:
www.clarilis.info

can about a matter, which can later be used to any end. The purpose would still typically be to generate documents, but the structured information stored covers the entire matter.

“Traditionally, an automation system isn’t aware of any wider context at all. The result is that we can extract significantly more from the automation at the first pass.”

Quinn isn’t making a claim that this intelligence is of the ‘artificial’ variety – but it does have some of the same selling points. “By applying a very large number of drafting rules, you save a substantial amount of the overall project time. Our project timelines tend to be a number of weeks, whereas firms will often spend months,” he says.

Resourcing review

But it’s not just a question of using a smarter piece of technology. There’s also the matter of how intelligently document automation projects are managed in their entirety. Legal businesses have invested substantially in project management discipline for many tasks, but of course automation technology throws up distinct challenges as well as the general pitfalls, such as scope creep.

“If a firm purchases an automation licence, that becomes a sunk cost. They can then find they need to ‘create’ or in-source the skills to implement the technology,” says Quinn. “That could involve external consultancy – usually costly – while the firm’s professional support lawyers will be very smart people, but don’t necessarily have sufficient automation experience or an inclination to learn the necessary skills.”

Of course, he adds, the PSLs also have day jobs, so they are likely to be fully utilised already – making it even harder to invest in getting them up to speed on something new. “Alternatively, the firm may decide to build a new team to run the project – and then costs spiral.”

As an automation partner, he points out, Clarilis takes on the implementation challenges on behalf of firms. “We always work with the firm’s existing precedents rather than imposing our own. This is a requirement of our clients and increases user

adoption. However, unlike a law firm, our team works solely on automation all day, every day. We believe different skillsets sit with different people, so have lawyers, PSLs, technologists and document analysts at work in our implementation team. One person doesn’t try to deliver everything – but the client communication is always lawyer to lawyer, so we also sidestep technical translation issues.”

All aspects of project management are covered, and the firm only needs to review and approve the end result, he says.

The right fix

More than a fifth of the 100 largest UK law firms by revenue use Clarilis as an automation partner. Then, in June 2018 Clarilis secured £3.1m backing from the private equity firm NVM, shifting it to “scale-up mode” – it’s recruiting more talent and investing in the automation platform.


“Entering 2019, the team is already 50-strong. Even the very largest firms won’t have anywhere close to that number in their automation team, and one of the really big management challenges for these projects in-house is staff turnover.

“When you recruit somebody new into an automation team, they’ll usually try to automate ‘their way’. It can then be hard for another hire to pick up the same project in a seamless way.”

In addition, Quinn is of course focused on growing the Clarilis client base – including among corporate in-house counsel, who are investing directly in efficiency savings.

And the Clarilis platform itself will also receive sustained investment, as firms look to bring Clarilis automation to new areas of their practices.

But, he says, the bottom line for **Briefing** readers ought to be a deeper consideration of the total cost of technology ownership of automation projects on an ongoing basis – time, resource and training, as well as upfront licence fees.

Clarity on all of this is the essence of the Clarilis proposition. “We will always fix a project timeline and cost with our clients in advance, so at the most basic level they can calculate upfront whether or not the project will provide an ROI for the firm.” 

INDUSTRY ANALYSIS

Knowledge on app



Delivering knowledge management productively to fee earners today requires a consumer app-style approach, says Simon Pecovnik, VP of product management, iManage RAVN

The concept of knowledge management (KM) isn't new to the legal industry. However, in larger law firms it has traditionally been a separate function from IT. KM teams have been tasked with collecting and collating information to share with the broader organisation. In other firms, KM has historically remained an informal activity.

It's no surprise analyst firm IDC finds (albeit in corporates) that 50% of company data is unsearchable, with 30% of employees' productive time wasted recreating existing knowledge assets. The analyst believes that Fortune 500 companies lose nearly \$2m each month because of ineffective knowledge management tools. These findings are reflective of the situation in law firms.

Why is KM challenging?

First and foremost, data is located in numerous

disparate locations – from paper files, individuals' laptops and internal drives, to SharePoint and document management systems. The complexity grows in firms with multiple national and international offices. Owing to a lack of organisation or curation of enterprise data – which is continuously growing at an enormous pace – searching for and assimilating knowledge assets for sharing and collaboration becomes well-nigh impossible. The result? A wealth of intelligence, insight, experience, expertise and knowledge exists in the firm – but it can't be leveraged for meaningful business advantage and client benefit.

History shows, in spite of best efforts, that firms have been unsuccessful at building custom knowledge management solutions. This is not least because the IT infrastructure is already disparate, and often the knowledge management and IT departments are at odds with each other.

For more information, visit:
www.imanage.com

Consumer app-style KM

Law firms need to move from a siloed to a holistic mindset for genuine knowledge management. A smart, consumer app-style approach to the function must replace the ‘one-size-fits-all’ view. This will ensure that the individual needs of different types of users are met, whether fee earners, the C-suite, marketing and business development professionals, or any other group. Because of the variety of apps available to them in their personal lives, employees today are accustomed to having information at their fingertips, and they therefore demand a similar kind of access to enterprise information.

This requires bringing together all sources of data – internal and external – so it can be seamlessly integrated to facilitate smart searching and curation of knowledge assets. Say, for example, a partner is embarking on an acquisition project for a global corporation and needs to put together an international team of lawyers. With an app-style approach to knowledge management, underpinned by a single data source, the partner should be able to see in one view which fee earners are the top billers in this space, which individuals have significant expertise in M&A, where they are located, which projects they have worked on, who they have relationships with – at what seniority level – and so on. This kind of knowledge capture will be powerful for decision making, as well as demonstrating to the client that the firm does indeed have the right expertise and experience for the project.

Similarly, KM is valuable when a fee earner is able to identify a colleague with specific expertise at the click of a mouse. For instance, who at the firm has the most recent experience in medical negligence in Australia, or who has most recently worked on a bankruptcy matter in Spain?

One of fee earners’ biggest bugbears is that they are constantly reinventing the wheel when it comes to document creation. Unsure of the most recent document in a relevant category, it is often safer to develop it from scratch to avoid risk of inaccuracy. It is, of course, a complete waste of

One of fee earners’ biggest bugbears is that they are constantly reinventing the wheel when it comes to content creation

time, however, and – especially with alternative fee arrangements – potentially a waste of budget and resource as well. The capability to identify the best, or most recently used, employment contract quickly is an example of tacit knowledge that can be available to lawyers with app-style knowledge management.

Over time, using lawyers’ locations, areas of interest and historic searches, these app-style solutions should even be able to automatically push information to fee earners. By way of an example, the solution could deliver the most relevant and frequently used clauses straight into the draft of an employment contract a lawyer located in Germany may be developing. Or, when looking for matter information on the corporate intranet, the knowledge management solution could suggest viewing the most recent documents related to the case without the lawyer proactively asking for the information. It’s worth pointing out that providing an environment conducive to efficiency and productivity is also essential for retaining talent, especially millennial lawyers.

The business structure and employee makeup of law firms have both significantly transformed in the last five years – as has the broader business environment. A modern, app-style approach to KM encompasses everything from personalisation, security and digital tools to smarter business practices and processes. Such tools are also supported by artificial intelligence and machine learning capabilities, and can thereby enable users in firms to scour the enterprise data to capture and extract knowledge and intelligence for informed decision-making, revenue growth, employee retention and client satisfaction. Knowledge management is intrinsically about deriving value from business data. ▴



INDUSTRY ANALYSIS

What do you know?

Melanie Farquharson, consultant at 3Kites Consulting, provides her personal highlights of a day well spent at Briefing Knowledge Leaders 2018

It was good to be able to take part in the inaugural **Briefing Knowledge Leaders** event in November 2018. It had a relaxed atmosphere, which I think encouraged the audience to participate, and indeed some of the conversations were very animated. One feature was that most, if not all, delegates were heads or directors of KM – so had much in common – although their organisations greatly varied in scale and complexity. The day had a balance of short TED-style talks, longer presentations, panels and breakout discussions.

My colleague Duncan Ogilvy and I had the opportunity to facilitate the hour-long break out discussions, which covered topics selected by the delegates. They chose technology, lawyer engagement, innovation and the positioning of KM in a law firm. It's always nerve-racking to be responsible for a session with a limit to what can be prepared in advance, but all the topics produced lively debate. Several participants commented that it was good to have the opportunity for an extended discussion among peers.

Perseverance and persistence

One of the standout sessions of the day came from Lynne Jones, the head of library and information services at HFW – entitled 'More information for the money'. She talked about how she had tackled managing the information budget of an international firm, starting from a position where each office had managed its own resources. Many

of the delegates will have recognised the situation, where it can be very hard to rationalise resources when individuals in far-flung parts of the firm have been used to having whatever they want. Lynne showed what can be achieved with dogged determination and careful management of funds. To me, this was also an illustration of a wider point: that even with the more glamorous aspects of the knowledge management role, real benefits are only achieved with a lot of hard work, organisation and persistence in dealing with people and developing relationships. Lynne also advocated transparency, publishing her reports on information spending on the intranet.

The client perspective

There was an interesting panel session with representatives of in-house teams from Barclays and Juul. These are very different organisations, and the views expressed were also different in some areas. In particular, the challenge of finding lawyers with expertise in a new and developing industry with complex regulatory issues made the approach of Juul rather different. However, both organisations had high expectations of what firms should be able to deliver to them in terms of knowledge. It was expressed that firms with international reach were not following through in terms of KM and training offerings to their clients around the world. This is a challenge for a lot of firms, where there may be a number of international offices, but where the KM team may



still be very small and focused in one jurisdiction. Other offices may lack the professional and administrative resources to deliver as much in terms of added value or knowledge to clients. The firms that can really crack this will no doubt find favour with clients. Offering training on soft skills, such as coaching, was suggested as one value-add service that would be appreciated. In our experience, firms are often disappointed by the response they receive to these kinds of offerings and may be put off developing them – so perhaps these comments indicate that, with the right market research, there is still benefit (in terms of client relationships and appreciation) to be gained. And, as we have heard many times before, the lawyer who picks up the phone or sends a personal email saying ‘I thought this particular legal development was of relevance to you, for the following reasons,’ gains far more in terms of relationship development than the author of a mass mailing. It was striking how personal relationships between individual lawyers and their clients remain very important, despite the formal approach to procurement of legal services being adopted by larger organisations. For example, one person cited a lawyer who was instructed following a favour for the client (some useful off-the-cuff information/advice) given in a previous role. It never does any harm to help people out where you can.

Innovation

Unsurprisingly, innovation was a frequently used word. Although many firms now have teams specifically charged with innovation, delegates felt KM had an important role to play, as it has a greater understanding of the way lawyers work

(and the demands on them) than other support teams. Alex Woods, head of knowledge management at Slaughter and May, spoke of the formal structure the firm had introduced to encourage,

Organisation and perseverance are so important – almost more so than having good, innovative ideas, which can easily fall by the wayside without these qualities

pursue and roll out innovative ideas. Once again, it struck me that organisation and perseverance are so important – almost more than having good innovative ideas, which can easily fall by the wayside without these qualities.

In the breakout session on innovation, it was recognised that the temperament and training of lawyers, coupled with relentless emphasis of management on billable-hour performance management, can make it hard for innovation to thrive in a law firm. Some firms have dedicated hackathon time, while others allow budgeted time for innovation, which may address this challenge. The value of drawing KM professionals into innovation activity was widely appreciated, but seen to need active management of KM resource.

A broader perspective

Finally, it was interesting to hear the perspective from another industry from Simon Atkinson, chief knowledge officer of Ipsos Group. His issues are very similar to those faced by KM teams in law firms. He advised identifying your ‘emblematic products’: that is, the things the KM team has to offer to its internal clients. Time spent articulating what these are and thinking about how to showcase them will not be wasted.

Communicating over and over again about these is important, and Simon cited Alastair Campbell as saying that it’s only when you yourself are heartily bored of the message that you are making any progress. Atkinson also stressed how delicate KM is – everything his team had built up over several years could very easily fade away if not continually nurtured. In short, the knowledge manager’s work is never done. ▽

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OUT AND ABOUT

Fresh startups

Richard Brent returns to the Barclays Eagle Lab innovation and incubation space for the legal sector to hear from both law firms and startups working on doing things differently



In January, **Briefing** enjoyed its second trip to the Barclays Eagle Lab in Notting Hill, London. Opening in 2018, it is one of a network of such spaces (they are former bank branches) around the country designed to support startups in their early growth, but one of very few to focus on a single sector.

With the support of the Law Society, 14 law firms, UCL and the University of Liverpool, startups have access to expertise within those organisations, as well as from both the corporate and retail divisions of Barclays.

‘Tech in Legal: The Future of Law’ was one of the Eagle Lab’s ‘business model disruption series’, following on from similar focuses on innovation in the retail and automotive sectors, said Thomas Easterby, head of venture capital coverage at the bank.

The first presentation came from Jonathan Patterson, managing director and head of development at DWF Ventures, who is himself responsible for managing R&D and supporting early growth services. DWF Ventures is a new ideas incubator – one of several strands of the firm’s standalone specialist business division Connected Services, which launched in 2017.

While accepting the DWF business is no longer just a law firm, Patterson said a significant part of his role was

also to continually sift the market, separating value potential from “the hype” surrounding legal technology.

Offering a handy schematic of different tiers of tech development from “business architecture” to “digital processes”, he said he was personally most excited about the rise of “digital services” – areas where tools such as apps, subscription models and self-service could replace aspects of in-person interaction. These are spaces where clients can “go online and generate what they need”.

Connected Services is the result of recognition that a business needs “two engines” for innovation – one to help make existing processes “better” (however defined) and another to work on new and different services. “Engine one isn’t rocking the boat, whereas two is harder, especially for a law firm with vested interests. But law firms do need to find a way to do both.”

Give your R&D process sufficient time – sometimes the acceleration can happen too early. It’s also a mistake not to prototype properly

Among Patterson’s lessons was to give your R&D process sufficient time – sometimes the acceleration can happen too early. It’s also a mistake not to prototype properly, and multi-disciplined teams are needed – for example, process analysts and data scientists.

We also heard from Jeroen Plink, recently appointed CEO of Clifford Chance Applied Solutions, one of three units underpinning the firm’s new best delivery and innovation strategy. Again, Applied Solutions is a separate entity to the law firm – and work includes support for compliance with regulations and increasing efficiency of the document lifecycle, as well as pulling together business information that is more immediately useful to clients, such as through multi-jurisdictional surveys. A huge client challenge for the meeting is that policies can’t keep pace with the far more rapid change in global regulations, said Plink.

Finally, presentations from this event’s startup line up were genuinely insightful, from the challenge of assembling and monitoring signature packs when so much legal signing still isn’t of the electronic variety, to end-to-end document automation that specifically sets out to lower the complexity threshold to put that automation work in the hands of lawyers themselves. ▀

Briefing strategic leaders

Tuesday, 5 March 2019
One America Square, London

View the full agenda:
www.briefing.co.uk/strategicleaders19

08:00 Breakfast and registration

08:45 Chair's opening remarks

James Wilson, founder, Tyler Wilson

09:00 Meet and greet in preparation of peer-led learning

Facilitated by James Allen, founder, Creative Huddle

09:30 Debating the future: Will all top-tier UK law firms be forced to list to compete financially over the next decade?

William Wastie, head of professional practices group, Addleshaw Goddard

10:00 The clients: Do you still know who your client is? Are the key decision makers still in-house legal teams?

Claire Chapman, chief general counsel, Capita

Chris Grant, director - head of relationship management (legal), Barclays

Maria Passemard, partner and head of legal operations, John Lewis Partnership

Russell Smith, global head of HR, legal and compliance IT, AstraZeneca

Liz Walker, general counsel, BT Global Services

10:40 Networking and refreshments break

11:10 Presenting your new rainmaker: The digital worker

Peter Walker, VP EMEA, Blue Prism

11:30 Battle briefs: Listen as industry peers share their war stories

Ironing out the kinks:

Lessons learned from outsourcing

Natasha Benbow, head of facilities services, Hogan Lovells

Pat Fox, national operations director, Mitie

Mergers and the aftermath

David Keers, COO, litigation and corporate risk, Bryan Cave Leighton Paisner

11:50 Strategy: Thinking outside the box: Five-minute talks

Use your in-house procurement as a strategic weapon

David Ford, head of procurement, Freshfield Bruckhaus Deringer

How alternative fee arrangements mean a healthier happier workforce

Justin Ergler, alternative fee intelligence and analytics director, GSK Legal

Why are we using 3% more paper than three years ago?

James Gilding, business services managing director, Mitie

12:30 Networking lunch

13:30 Making intelligent investments: Will the UK become the global hub for legal innovation, and how can UK-based firms capitalise on their investments in tech startups?

Karen Kerrigan, chief operating officer, Seeds

13:50 Stream sessions

Fiduciary fun:

Understanding the key aspects of core financial data in law firms

Laurence Milsted, CFO

EMEA+, Baker McKenzie

Steve Rowan, CFO, RPC

Technology and change: Getting IT to deliver the last mile

David Aird, IT director, DAC Beachcroft

14:05 Briefing learning: Solution rooms

Closed sessions headed up by industry experts where delegates can discuss the following issues and challenges

Room 1

How we carried out real change at our firm

Jana Blount, legal innovation manager, DLA Piper

Nicoline Evers, head of ops - international employment group, DLA Piper

Becca Johansson, head of ops, real estate, DLA Piper

Room 2

How firms are collaborating to enable career-break lawyers to reignite their careers?

Lisa Unwin, co-founder, Reignite academy, co-author, She's Back: Your Guide to Returning to Work

Room 3

Regulations: Can you put in a one-size-fits-all set of safeguards?

Iain Miller, partner - regulatory, Kingsley Napley

Room 4

Optimising performance through technology

Speaker TBA, Wilson Legal Solutions

Room 5

Delivering the change you promised

Dougie Main, finance transformation, Freshfields Bruckhaus Deringer

Tony Pullman, team lead organisational change and development, Pinnacle

Christopher Young, principal consultant and business development director, Pinnacle

Room 6

A facilitated Q&A - how to ensure that you get the most value from your third-party partner

Andrew Edginton, chief operating officer, Gowling WLG
Sam Nicholls, head of business development, Intelligent Office

14:55 Training

Become a more effective senior leader

Nick Marson, CEO, Parallel Mind

Institutionalising a culture of better client management

Stuart Lotherington, senior partner, SBR Consulting

15:35 The PM Keynote: EY Law - applying automation and technology for process-led business

Dr Cornelius Grossmann, global law leader, EY Law

16:30 Networking drinks



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