Highlights from the Alternative In-House Technology Summit 2020. Theme 2:

This is Part 2 of a series of three articles covering the key content, for me, from this year's event, held on 3-4 February 2020.

Part 1: How to develop a **culture** for change and innovation.
Part 2: **Lawyers and change**.
Part 3: How to **embed** change and innovation successfully.

Theme 2: Lawyers and change

Part 2 of this series of articles must be credited to Susan Hackett www.linkedin.com/in/susanhackett of Legal Executive Leadership, LLC **www.lawexecs.com**, who gave a riveting and highly entertaining presentation on why the phrase 'lawyers and change' is an oxymoron, and how companies can deploy seven tactics to help lawyers change. I should say that the image choices are mine, love them or loathe them.

Key highlights for me from Susan's keynote speech were as follows:

- It doesn't matter what we do technologically if the people don't get it or don't use it or don't use it as intended or to its full extent.
- Repeating a point that has been made for a fair few years now, Susan made a heartfelt plea to the legal profession to please, please, please stop referring to 'lawyers' and 'non-lawyers'. You do not hear this in any other profession – you do not have 'engineers' and 'non-engineers' or 'plumbers' and 'non-plumbers'!


- Those people (the 'nons') are fellow professionals/executives with great skill sets and disciplines.
- Following a poll in the room, almost everyone (98%) agreed that lawyers in general would benefit from opening up more of their work to digitisation.
- The technology vendors are making amazing systems but it all adds up to nothing if the lawyers won't use it.
- Legal services are changing and lawyers, to a large extent, are not.

From the quill to the app

- In-house teams are not, not, not cheaper than outsourced services. This may have been true at one point in time – but not any longer. Someone will do it cheaper, and we're not talking about cheaper hourly rates here. Someone will deliver the result cheaper. The in-house team needs to keep pace with change.
- The legal profession is failing miserably in many ways including access to justice and the administration of justice. We are not 'owning it'.
- The Lawyer Brain (see Dr Larry Richard, organisational psychologist www.lawyerbrain.com) may have to change to adapt to all of this.
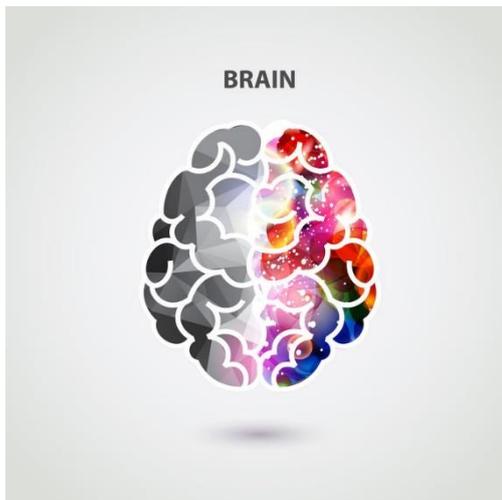
- How much is a lawyer's behaviour personality led and how much is down to culture?
- Legal culture encourages elitism: the belief that legal work is 'bespoke'.
- Highly educated professionals can be dismissive of the value of other disciplines (oh yes!).
- Legal culture is competitive, not collaborative, and tends to reward individual accomplishment.

- How will these Lawyer Brain issues affect future generation lawyers? Will they have the same Lawyer Brain?
- If you change the culture, can you change lawyer behaviours? If so, how? And what about legal education?
- Where are lawyers in your organisation?
- Quoting Jeff Carr, SVP General Counsel & Secretary, Univar Solutions:
  "There are only 3 roles in any organisation: Leader, Manager and Operator. … And just to be clear, a lawyer, when lawyering, is an operator." They need to stop being operators and become higher value contributors with distinguishing skills.
- Technology is not the solution. Technology is the tool. The strategic thinking must come first.
- You need to think about the right people doing the right work with the right results and the right measurements in place.
- The correct order to think about things is: people, process, technology.

- Do not buy tech if it's not the right tool for you. It could be detrimental to your long term strategy if you set it up before you are ready. If it fails, people will never let you forget!

So, what change tactics can you use when focusing on technology adoption?

- *Change Tactic #0* – Have a tech strategy – produced by your leadership team and your tech team. Your team needs a leader.
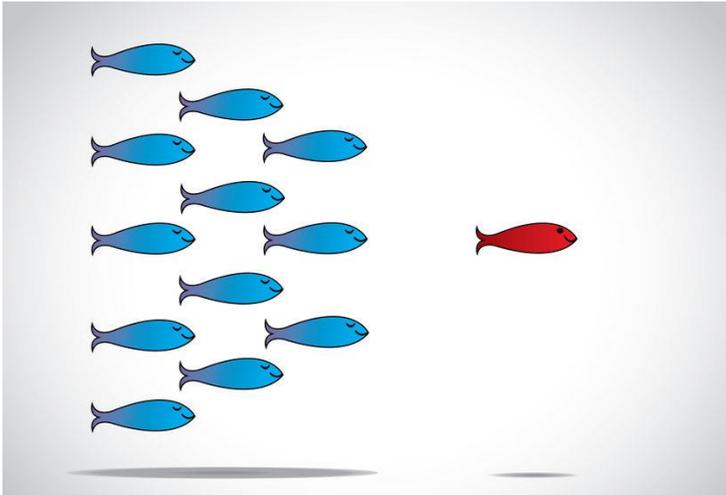
- *Change Tactic #1* – Help the team and individual members visualise and build a better job/role in the future – *before* you demonstrate how change will likely eliminate the job/role they perform currently. Try and sell them the opportunities that exist. How can we add more value to our internal client? How can we free up some of your time so you can move higher up the food chain? What might any changed role look like?

- *Change Tactic #2* – Listen to your stakeholders; survey them. Discuss what they want and need, and how they (not you) assess performance. Allow the legal team to appreciate the importance of listening to feedback.

- *Change Tactic #3* – Move some easy or obvious pieces first. Thinking about the Jenga game: don't start by attacking the foundations. Ensure some early, simple successes.

- *Change Tactic #4* – Shift the legal team's perspective from 'client service' to 'customer service'. It should make for a more collaborative experience. Thinking about 'customers' may help the legal team to visualise tech as a vital CX (customer experience) or UX (user experience) tool.

- *Change Tactic #5* – Ride the wave of corporate digitisation and the quest for data when promoting the need for technology adoption in the legal team. It's not just about how lawyers work. It's something everyone must do to stay aligned with how businesses and internal clients function.

- *Change Tactic #6* – Incentivisation and reward. People will do what they are paid to do – so connect outcomes to pay. Connect compensation and promotion to the successful adoption of technology and data solutions or to related technology strategies.

- *Change Tactic #7* – Competencies and training. Help teams assess their competencies and identify the talents/skills/tools they will need to bridge any gaps. Help satisfy their curiosity. Most lawyers will relish the opportunity to learn (they just don't like technology implementation training!).

Key lesson: lawyers/legal teams change most successfully when they are *included and engaged* in the change planning stage and when they share the decision-making – *not* when change is simply presented to them.

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- in-house legal operations
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- legal technology implementation and process improvements for in-house teams
- legal technology solutions development
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