Highlights from the Alternative In-House Technology Summit 2020

This is **Part 3** 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.

As I was writing Part 3, it became clear there is a lot of content here, so I've decided to break it into three articles:

Part 3A:

- **What problem are you trying to address?**
- **What data do you need and what will it tell you?**
- **Choosing your product/solution**
- **Resource planning**

Part 3B:

- Selling the product/solution internally
- Sponsorship from the top
- Dealing with stakeholders – internal and external

Part 3C:

- Change management
- Communication
- Training
- Measurement and ROI

Theme 3, Part 3A: How to embed change and innovation successfully

Although Chris Martin of Coldplay was most certainly *not* referring to embedding innovation, or any type of change, in legal teams when he sung these words in The Scientist, I can't help finding them most apt:

"… Nobody said it was easy. No one ever said it would be this hard …".

The next line is *"Oh take me back to the start"* – but we really don't want to do that. Let's just get it right in the first place – a far easier, infinitely less painful and less costly option.

Corporate legal teams are at a crossroads. They can't move forward without overcoming the challenges of user adoption. One of the overriding themes of the 2020 conference was how in-house legal teams can embed innovation effectively.

Without a doubt, this is *still* an area that many teams continue to struggle with. Common experiences and lessons came through in the various presentations and panel discussions, as they have for the past four years of the conference. I, and many others in this sector, have spoken about *how* you can implement legal technology successfully for a number of years now, but I think the lessons bear repeating. New audiences are emerging all the time as GCs continue to learn about legal operations and legal technology and the benefits such approaches and products can deliver.

Here is a summary of the key highlights from various speakers and panelists at the event. I have added my own thoughts and tips (marked SBV) where I think the points needed embellishing based on my own experience of implementing solutions successfully.

What problem are you trying to address?

- Where do you start? You start with the problem, not the solution. It may seem trite to say it, but it needs saying. What are you really trying to achieve?
- Ten years ago, it was all about giving legal advice. But now GCs need to embrace change and innovation. It's almost a question of 'how do we do *less* law?'
- There is so much you *could* do. What would be the biggest, best thing you could do for your business? Look for the biggest problem and the solution to that.

- Some teams may be coming from a position of low tech *and* low process – so a small change can make a big impact.
- Why do we all need to make changes? Common themes are: to get time back; to use technology to do repetitive tasks that do not need human intervention; to have a happier, more fulfilled workforce; to make your organisation more efficient; to save money.
- If you have too many law firms to manage, get that sorted out. You may need to establish or refresh your legal panel – that is part of sorting your people (external people) out. People, processes, technology – in that order. This message will be repeated.
- SBV: I often see problems that stem from:

    - (a) having too many firms on your panel
    - (b) a lack of process/discipline in how you manage you panel
    - (c) not having a formal legal panel and panel agreement in place.

    Fix that and you will solve a lot of your problems.

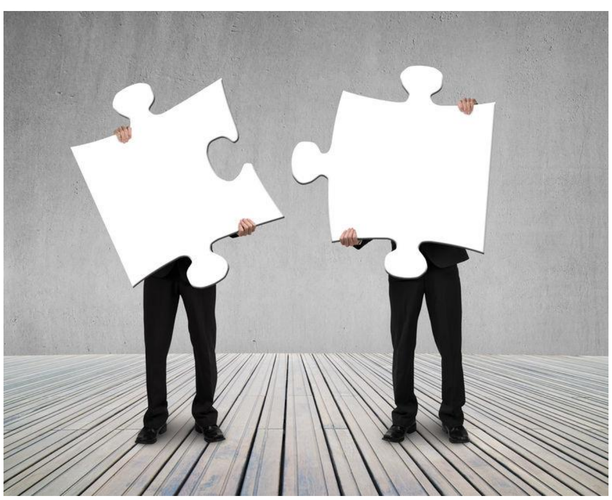
What data do you need and what will it tell you?

- SBV: Know what data you are after. Yes, you need it to make data-driven decisions, but make sure you know the answer to this question at the outset: *'What do you need it for?'* Address that question and work back from the answer to decide what solution you require.
- What data should be looking for? Practice management data is really useful - e.g. data on matters and their value, budget and total legal spend. Also data on the legal team's workload.
- Karl Chapman summarised your data capture requirements as: quantitative, qualitative and strategic.
- Data enables you to have sensible conversations with your business units.
- SBV: Start with basic data and move on from there. Once you have e.g. an ebilling system in place, you can dig deeper and see what is happening with the work after it's been outsourced to a firm. Who is doing what task within the firm and at what cost? What might need to change?

- SBV: I've always summarised it as follows:
    - Data + intelligent analysis = sensible conversations + decision-making
    - Clear data + meaningful success stories = credible demonstration of ROI for legal team

Choosing your product/solution

- If you want data on your internal team's workload, you might want to consider time recording as a way to capture internal workload. This can be as simple as you want it to be.
- A general rule: don't attempt to shoehorn a solution into a problem, no matter how tempting that might seem, or how good a vendor's sales pitch may be. Take your time.
- Your ideas must be aligned to your business strategy.
- Draw experience from the wider business.
- Try to align technology and process with what is already working in the business. For example, if everyone is using Office 365, look at exploiting that to the max.



- When looking at potential products/solutions, think about the future. What is coming down the road? Is your organisation looking to overhaul its IT estate fundamentally? If so, how might a technology product fit into that? Future proof your solution. If it needs to be flexible to cope with planned changes, check that out up front.

- Invest in technology with the business on your side, not by yourselves. You may find that IT holds the budget for any technology in any event, so acting alone isn't an option.
- SBV: Your product must have a pleasing UX (user experience). If people don't like it – if it isn't easy to use, easy on the eye and efficient – they simply won't use it. Or, if they do use it, they will probably complain about it, and you don't want that. You want happy users.
- SBV: Being user friendly includes looking attractive. A system needs to be as easy as selecting products and ordering them online on your favourite website. That's what people are used to in their personal lives. If any technology platform is more complicated than that, you will face an uphill battle from the moment of launch.

- SBV: Bear in mind many people have already been left 'damaged' by previous tech products that 'don't work' (even if that is just their perception), so you have that emotional baggage in place before you even launch your new, shiny product. Having something that looks, and is, a pleasure to use will overcome a big hurdle.
- Choose the right configuration for your team. Don't overdo it on the specification and the 'what could the product do' if all you need is for the product to do ABC, very well, immediately. You can look into future possibilities later.
- When thinking about problems and solutions, you really need to get your core base sorted out. For example, many in-house teams will have problems as a result of not having the basics in place, such as ebilling, a document management system and a workflow process. Start with the basics before you move on to more complicated things like AI. Look to your panel firms for that, at least in the beginning.
- What are most in-house teams implementing? The same as in the first year of this event, 2017. Legal spend management/ebilling, digital signature, NDA automation/off-shoring, contract drafting tools and legal intake/workflow tools.
- Don't overthink things too much. Your problem might actually be quite simple and there might be a simple solution. Do you need to build a full matter intake/front door system or would a simpler method of tracking incoming work suit you for now?

- When you *do* decide to move on to something more complex (e.g. AI), start small. Look at implementing further innovation in a minor area.

Resource planning

- Scope and plan the project realistically.
- Up front detailed project planning is crucial.
- Build capability to support the change and bring in specialists if necessary.

- SBV: You may need to hire an interim to assist you. Do not underestimate the time that investigating, buying and implementing a new system will take. If you don't resource it properly, and your project starts to run behind, you have problems from the start – think about HS2 or almost any government change project that has overrun in both time and cost. What message does a delayed programme send out to the team? Nothing positive that's for sure.
- SBV: Do you have the right resources in-house to manage any technology product or new process once you've installed it? Many systems require actual management by someone who 'owns' that product and its continued development. Who will, for example, be in charge of your ebilling solution, your contract management solution or your document management system? Make sure the person who gets that job wants that job!
- Appoint a project team or steering committee comprising stakeholder representatives backing the project (e.g. for ebilling, this would be legal, tax, finance, procurement).

- SBV: Without the right type and number of resources at your disposal during each phase – planning, consultation, procurement, kick off, configuration, implementation, launch, training, embedding - you are likely to fail to implement your changes successfully.
- Different skillsets are required to investigate and implement new technology or process solutions. There is a huge opportunity for technologists, COOs and operations experts here – as well as lawyers who have changed direction.
- SBV: This was addressed in my second article, Theme 2, and highlighted by Susan Hackett, but just to reiterate: we must stop referring to 'lawyers' and 'non-lawyers'. No other profession does this. We do not see 'accountants' and 'non-accountants' or 'engineers' and 'non-engineers'. People are skilled professionals with their own specialisms and job titles. They are not 'non-lawyers'.
- Look at your team. Really look at it. Have you got the right people in place? Do you have the right processes and technology in place? People (internal and external), processes, technology – in that order.

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