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The Creation of Innovation: How to Build a Cohesive and Sustainable Innovation Team and Culture

By Caryn Sandler with contributions from Anu Briggs, and Andrian Duffy

Contributors: Mate Bende, Carlos de la Pedraja García-Cosío, Dr. Eran Taussig, Richard G. Stock, Patrick J. McKenna, David Cunningham, Ari Kaplan, Sebastian Goschorski, Elizabeth Ortega, Kamila Kurkowska, Jeff Kruse, Cash Butler, James Johnson, Julie Savarino, Ayana Edwards Jackson, Wolters Kluwer

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The Creation of Innovation: How to Build a Cohesive and Sustainable Innovation Team and Culture

By Caryn Sandler, Partner and Chief Knowledge and Innovation Officer, with contributions from Anu Briggs, Head of Capability, Development and Change, and Andrian Duffy, Marketing and Communications Manager at GILBERT + TOBIN

What's Driving the Need for an Innovation Evolution in Law?

Technological and competitive disruption in the business of law is difficult to overstate. In perhaps what is viewed as *the* most traditional, some might say - archaic - of professions, a major change is underway. These are far from

traditional times for law firms. With the advent of new technologies, processes and ways of professional thinking, we are witnessing unprecedented levels of disruption in the business landscape and legal industry.

Photo by Renee Nowytarger



Law firms that do not move with the times – perhaps even ahead of the times – will slowly be eroded by entrepreneurial specialist entrants, the muscle of global consultancy firms adding their weight to the sector and the hemorrhage of outstanding talent to other firms and corporates.

Increasing demands on corporate legal consumers to “do more with less” have significantly raised clients’ expectations of even the most elite law firms. Leading corporate in-house legal departments need much more than top-tier legal expertise; they also require a new class of providers with scale, capital, and an ability to integrate legal, business, and technological expertise backed by a seamless infrastructure to tackle sophisticated, high-value business challenges.

In recognising that we had to evolve, or risk being squeezed within the market, senior leadership at Gilbert + Tobin (G+T) focused on revising the business model. Our offering had to be market-leading. The legal operations area of the firm would need to quickly shift from being considered support (overhead) to an essential and ‘expected’ part of high value legal services, with the potential to generate its own revenue stream. Innovation would no longer be an ancillary function or ‘nice-to-have’ but something vital to the business and genuinely of equal importance to direct revenue-generating legal work.

In this article, I explore the journey that we have undertaken to cement and drive legal innovation within G+T. It is the journey of building and structuring a strong, multi-disciplinary team that embraces and nurtures diverse competencies and skills.

It is the journey of gaining the support of leadership, of ‘selling’ a concept to the firm’s partners and constructing business models to demonstrate innovation’s importance and how this could be commercialised. It is a journey of combining technology with training, of throwing the rulebook out around traditional legal careers. But most importantly, it is the journey of a cohesive drive to instill a culture of innovation, as opposed to a function of innovation. This would be our differentiator and key to success.

The Leadership Spark: A Catalyst for Change

G+T prides itself on being a forward-thinking organisation, something managing partner Danny Gilbert has instilled within the firm. With an openness to doing things differently, it embraces its legacy as a disruptor. Over the years, G+T has identified new and emerging industries and practices as opportunities for traditional legal work. Building on its history as a progressive firm, now, more than ever, it was critical for the sustainability of G+T to have a strong legal service delivery team.

In my role as Chief Knowledge and Innovation Officer at G+T, I established the Legal Service Innovation team, bringing together existing teams and unifying people who had for years been focusing on process improvement, knowledge and technology within G+T. The Legal Service Innovation team’s mandate is to identify opportunities to optimise and innovate the firm’s legal services - whether through re-inventing or re-imagining legal process, developing in-house technologies, adapting and customising third-party software to automate a legal process, or creating new partnerships

for legal services. This team has its eye firmly on embracing technological disruption – it’s this disruption that will have a significant and inevitable impact on traditional legal practice.

So why did I believe I could take on this challenge to create and lead this team? Many years in practice as both a corporate and a knowledge lawyer in top-tier law firms in Australia and abroad, afforded me an in-depth understanding of the law, legal processes, the intricacies of transactional work and insight into ways in which lawyers work. Coupled with this experience, I have a deep interest and innate understanding of the benefits that embracing innovation and technology can bring to an organisation.

In leading this team, I’ve been able to marry my focus on innovation with my practical legal expertise. This started the step-change process for G+T, that would ultimately change its client service model and achieve its strategic objective to position itself in the market as a leading innovative law firm, willing to embrace disruption.

Even with the support of Danny Gilbert and the new Chief Operating Officer Sam Nickless (who brought a fast-thinking McKinsey consultancy sharpness to the firm, and relentless drive for innovation), a hurdle lay ahead to gain the support of the entire partnership. This would be both a challenge and a catalyst for change.

As a leader, it is important that you take your people on the journey of transformation with you. Asking them to change and support you is not enough. They must appreciate the value of

the change, be immersed in an environment that enables change, and have an opportunity to develop new capabilities to support that change. I had to inspire partners and others towards the destination and model how to get there.

The entire firm needed to demonstrate innovative behaviours in the way that they would think, approach and deliver on work. Collaboration had to sit at heart of the culture, and everyone had to embrace innovation.

I, alongside our Chief Operating Officer, had to get the partners to believe in the vision for legal innovation and understand the potential impact of growing the team. Why should they invest in building a team? Why should they invest in me? We needed to sell our vision for innovation and a belief that we could drive the cultural change required and deliver on what was an evolution of our existing business model. The partnership rightly needed to be confident that the investment in the team and associated technology would result in a suitable ROI from both realising efficiencies and generating incremental revenue.

We argued that all partners have been and will continue to be impacted in some way by the adapting legal landscape and highlighted the questions they all continued to battle with: How do I differentiate G+T from competitors? How should I manage matters more efficiently to reduce margin pressure? How can technology make a matter more efficient and speed up the due diligence process? Clients had also started to request assistance from G+T to enhance the productivity of their internal legal functions.

We are truly fortunate at G+T to have a partnership that is so open-minded and embracing of change – this is one of our greatest strengths. Their unwavering support for our vision for a dedicated Legal Service Innovation team, and their willingness to embrace innovative practices in our legal service delivery has been nothing short of incredible and has made the journey so much easier.

A vision and mindset certainly helped garner support, but it was ultimately the establishment of a culture that has kept their support.

G+T has gifted me this leadership position and allowed me to run unhindered. The greatest endorsement of this was being promoted to equity partner. In an environment which has historically been characterised by ‘billable hours’ and ‘hierarchy’, I was a non-practicing lawyer and my promotion had disrupted the traditional legal model and challenged the assumption that value is only derived from direct legal revenue.

Legal Service Innovation: The Evolution of the Team

I am often challenged with the question of, ‘how do I take a pool of graduate lawyers, accomplished partners and a group of ‘non-lawyers’ with eclectic digital technology skills, and create a culture of collaboration, integration, and inclusion to deliver legal innovation?’ Surely this is an impossible task considering lawyer skills and attributes often oppose those found in innovative cultures and the starting point for each group of lawyers is considerably different?

We achieved this through starting with a clear

vision and purpose.

Our purpose was, and continues to be, for our lawyers to be ahead of the curve. We set our vision as an ambitious goal to develop lawyers who could adapt to future changes in the business of law. Capability development had to focus on embedding skills – not just for today’s needs – but to stay two steps ahead of the market.

To stay ahead of the curve, we would have to transform the mindset and the capabilities of our lawyers to use new processes and data that would further enhance the quality and efficiency of their decision-making and service delivery. We had to take a multi-faceted approach to innovation.

Future-proofing the firm would mean that we had to build capability development across the board. It would require investment in capability, improved process and technology. We would have to develop underlying lawyer competencies and tools that would enable G+T to pre-emptively pivot as the market evolves. One example of putting this strategy into action was to ensure that our senior lawyer cohort would be accredited in project management. We audaciously designed a first-to-market course that achieved accreditation. G+T was the first Australian law firm to provide senior lawyers with independent certification by the Australian Institute of Project Management (AIPM). We were also the first law firm to offer AIPM-endorsed training in Legal Project Management (LPM) for our clients.

Building upon most of the firm’s existing

values (challenge, collaboration, drive and ambition, excellence, integrity, commitment to innovation), many of our lawyers now offer diverse thinking and a creative problem-solving advisory mindset. They are increasingly well-rounded and understand the market, and have empathy for their clients’ challenges in the broader societal, regulatory and political context.

Developing LPM competencies, tools and behaviours to create structure around the planning, delivery and reporting of legal matters was critical, but the crucial and pivotal factor would be developing a transformational mindset. This mindset would need to apply to all, regardless of experience or discipline.

It is the Legal Service Innovation team that supports and cultivates the development of a transformational mindset within G+T.

Since 2016, our Legal Service Innovation team has grown to over 50 people to support the firm’s innovation journey. Specialty areas include Knowledge and Practice Innovation, LPM, Transformation and Legal Informatics. They are supported by data scientists, management consultants, lawyers, lean and design thinking specialists. What makes this approach work? What is the magic ingredient that drives the success of this team? Having a commonality of mindset and an integrated, non-siloed approach. This commonality of mindset across the team, from leaders to graduates, and the way that we think and work with common attributes around curiosity and continuous improvement, has been key to our success.

This team of course, does not work in isolation.

They approach projects and matters hand-in-hand with lawyers and collaborate with them to deliver legal work. For example, when leveraging Artificial Intelligence (AI) on matters, this team supports our lawyers in understanding the technology, its applications and helps them interpret results. The legal transformation specialist understands the AI, but also has a background in law and can speak the lawyer's language. These varied skillsets are what gives the Legal Service Innovation team the edge. It is this combination of skills sitting across the Legal Service Innovation team and the legal practice groups that is the catalyst for excellence. We see it as the left arm supporting the right.

Improving Legal Productivity Through an In-house Innovation Unit

G+T's business model is anchored in a spirit of innovation and a drive to embrace new technologies. The Legal Service Innovation team works alongside our internal innovation unit, 'g+t<i>' which was established to cut through the traditional hierarchies and organisational structures to harness the individual spirit of innovation at G+T. It is made up of lawyers, partners and operations staff who are passionate about innovation and doing things differently. Over 80 lawyers, operations and design team members leverage design thinking and other methodologies to re-engineer key legal processes, move law forward and create new opportunities to better serve our clients.

The collaboration of the 'g+t<i>' group and Legal Service Innovation team, results in the creation of new processes and in-house digital technology solutions that help differentiate our lawyers and legal service for clients.

Some of these proprietary solutions include:

- **dd<i>**: due diligence platform which captures and tracks due diligence reviews;
- **SmartSearch**: G+T-patented suite of tools automating all manual aspects of due diligence searches;
- **Verification<i>**: G+T-patented tool that digitally verifies prospectus statements, provides real-time data on status, and syncs verification changes into a master document;
- **Smart Counsel**: provides free legal information, expert tips, example clauses, usage guides, and answers FAQs for over 3,400 in-house counsel users;
- **Harper Ready**: interactive tool to assess the risk of contravening Australia's competition laws.

The Role of the 'New' Lawyer

Innovation culture thrives when we remove the artificial divide between the practice of law and the business of law. If lawyers wish to be successful in their careers, they need to understand both aspects. From the outset, our focus has been to educate and develop our lawyers as legal experts and impactful leaders who appreciate the importance of cultivating and overlaying an innovative mindset.

We now rotate Summer Clerks and Graduates into the Legal Service Innovation team. They may or may not settle in the team, however, if budding lawyers have a real interest in technology and innovation, the opportunity is there to learn.

As an example, over a ten-week period, our Summer Clerks worked in collaboration with

‘Josef’, an automation platform, to design legal bots to solve complex issues. It encourages clerks to think creatively and critically, and develop skills in problem-solving, design thinking and collaboration - skills and attributes expected of the future lawyer.

By introducing clerks to the firm’s strong innovation and capability strategy, we encourage them to think more broadly about the law than they would be accustomed to at university. We also encourage them to apply concepts they may not have been previously exposed to. This dynamic application of emerging capabilities with a bottom-up, top-down approach, has allowed us to rapidly bridge the gap between traditional lawyer attributes and those displayed by teams successfully embracing innovation.

G+T has also pioneered the practice of providing Graduate lawyers the option of undertaking a rotation in the Legal Service Innovation team. This aims to develop skills that go beyond traditional practice methods and prepare lawyers for an increasingly diverse and tech-driven marketplace. While we will still need lawyers with strong technical expertise (this in my view, is more important than ever), the successful lawyer of the future must combine this technical excellence with very strong legal problem-solving and analytical skills, and the ability to present solutions and make sound business decisions for their client – they must be ‘T-shaped’.

We also have unique hybrid roles at the firm, where experienced lawyers split their time between the Legal Service Innovation team and a practice group. The anecdotal feedback from

G+T lawyers who have reflected on their time in the Legal Service Innovation team, concluded that the work was of great benefit to them. One said, “Law is a business and law is a service. You can only get better at giving legal advice if you understand all the elements of a business, and this way of working gives you that insight.”

Enable the Innovation Culture to Permeate the Firm

One creative way to establish an innovation culture at G+T was the introduction of a program that allowed lawyers to work on innovation projects that would count as billable hours for the purposes of lawyers’ performance assessments. ‘Project Invigorate’ was an annual \$1million board-supported investment, launched to the firm’s lawyers in 2018 signalling a significant cultural shift in how we incentivise engagement with the business of law and innovation. This program has and will continue to have a significant impact on the firm’s culture, accelerating the breadth and pace of innovation.

A further initiative to motivate employees to think differently and creatively about innovation was to create an ‘Innovation Takeover’. The Legal Service Innovation team designed and coordinated three weeks of diverse events and a firm-wide marketing campaign to ‘takeover’ the firm’s offices, exposing lawyers to new technologies including AI and methodologies such as design thinking. We crowdsourced legal tasks ripe for re-design, culminating in a design thinking sprint. Shortlisted entries were fast-tracked through our design cycle, and teams pitched to the firm panel, with employees interactively voting for their favourites.

By stimulating the conversation and engaging employees, we encouraged and grew our innovation culture, by focussing on our greatest asset: our people.

More recently, the team hosted a series of talks, focusing on the use of legal apps as tools to deliver efficient and immediate legal advice to clients. We invited two leading legal app platform providers to give insights into their process for identifying legal app ideas, developing a business case and creating legal apps in their platform.

Culture Drives Outcomes: The Commercialisation of Innovation.

The commercial results of embedding an innovation culture and mindset are now coming to fruition. There is no question that we continue to grow our core business and win pitches on the strength of our market-leading legal partners and talent, alongside our undeniable focus on innovation. With an unprecedented and ambitious business strategy, we launched G+T Innovate in 2018, our technology and transformation advisory capability.

G+T Innovate was conceived as a compass for beleaguered in-house teams knowing that they needed to change the way in which they worked but were unclear on where to start and how to drive effective change.

The service reflects increasing client demand for our innovation service and is a clear market differentiator. Tapping into non-conventional income streams and offering unique value to clients, G+T Innovate has already been utilised in market-leading transformation projects for prestigious ASX 20 compa-

nies. It has gone from being a 'nice to have' idea into a fully fledged legal services consulting offering.

The strength of G+T Innovate is its ability to draw upon a very broad and deep range of practical operational and battle-tested experience, methodologies and knowledge of technologies existing across our Legal Service Innovation team – it is a multi-disciplinary approach that is co-ordinated on a bespoke basis for each client.

The Future Potential for Innovation

Innovation is in our DNA. It starts at a Summer Clerk level where interns learn about AI and the creation of legal apps. It provides opportunities for lawyers to understand methodologies like 'design thinking' and 'lean'. It runs through the firm in the form of 'Innovation Takeovers'. It allows lawyers, through Project Invigorate, to spend billable hours working on innovation projects. It is nurtured by the G+T partnership.

We've proven to the G+T partnership that we can create an innovation culture that permeates through the entire firm and build a team that has the capacity and capability to be truly leading edge. Innovation now drives tangible results in the form of products, technologies, services and measurable efficiencies.

We have taken the traditional functions of a law firm and moved them into the 21st century.

We have created a truly cohesive, multi-disciplinary Legal Service Innovation team that is ready for the future.

We have started building the foundations for lawyers to be ‘T-shaped’ and agile.

We still have a way to go, but the foundations are very real.

True success lies in the realisation of an innovation culture at G+T. Testament to this fulfillment is my progression from selling the concept of legal innovation to partners, to the partners now selling the services of the Legal Service Innovation team and G+T Innovate (led by my expertise) – we have truly come full-circle.

About the Author and Contributors

[Caryn Sandler](#) is Partner + Chief Knowledge and Innovation Officer and leads the [Gilbert + Tobin](#) Legal Service Innovation Team. This team provides specialised services to support Gilbert + Tobin’s legal service delivery, and also delivers new tools and services benefiting the firm’s practice and clients. A former practising corporate M&A lawyer, Caryn brings 16 years of experience in legal, knowledge management, legal technology, change management, transformation and solution design to her role.

Caryn also conceived and launched G+T Innovate – a new technology and transformation advisory service that delivers unique value for clients and is being utilised in market-leading projects for prestigious ASX100 corporations. She is a recognised thought-leader in legal innovation. She frequently speaks at leading seminars in both Australia and globally, and actively contributes to many market-defining forums and mentorships.

Under Caryn’s leadership, Gilbert + Tobin was named Most Innovative Law Firm in Asia-Pa-

cific 2019 at the FT Innovative Lawyers Awards and Most Innovative Firm for the 3rd year in a row at the Australian Financial Review Client Choice 2020 Awards. Caryn won ‘Innovator of the Year’ at the Lawyer’s Weekly Women in Law Awards 2019.

[Anu Briggs](#) is the Head of Capability, Development and Change and resident high-performance coach at Gilbert + Tobin. Anu combines legal experience, leadership development expertise and an entrepreneurship mindset to get best outcomes for the leaders and teams that she works with. She also plays an advisory role in developing start up concepts and scaling businesses. Anu has cross-market experience having worked in the UK in both legal and commercial roles with high profile media and sports organisations. Accredited in behavioural profiling, coaching and training and as an experienced content developer, facilitator and coach, Anu regularly collaborates with leaders and business teams to build and drive high performance. She is passionate about helping individuals and organisations thrive, particularly in times of transition.

[Andrean Duffy](#) is Marketing and Communications Manager. A classically trained marketer, with broad experience across multiple categories in FMCG, consumer healthcare and professional services. She has market experience from both the UK and ANZ having worked with some of the world’s largest consumer goods multi-national firms. She specialises in conceiving, evaluating and implementing strategic business plans and has a strong commercial acumen. Her skills include developing partnerships, influencing key stakeholders and media relations.



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Hungarian Lawyers during the Corona Virus

The effects on their business

By Mate Bende, Founder Pro/LawyerConsulting

The coronavirus has had a deep effect on law services as well as having an impact on other industries. Now we can start to draw conclusions on how deeply this sector has been affected during the last two months.

More than 1000 Hungarian lawyers filled out

an anonymous online survey conducted by Pro/Lawyer Consulting, a Hungarian firm specialized in marketing for lawyers and the legal sector. The survey was based on self-declaration, and it examined the changes of the workload, the decrease of income, and the fields of law where the service providers had more or less work.



The demography

55% of the respondents work in Budapest, 28% of them work in a large city on the countryside, and 17% of them in a small city. Besides, 73% of the respondents operate as sole practitioners. On the other hand, 18% of the respondents work in an office of a few people, and the rest of them report working in a medium, large or an international law firm. Although the survey was not representative, this rate corresponds with the national partition of the 12,000 lawyers in Hungary.

Decreasing income

As you might have guessed, a significant part of the lawyer community has been hard-bitten during the last couple of months. Only 20% has reported that their income has not decreased in the last months because of the pandemic. Conversely, 20% of the survey participants have experienced a decrease between 10% and 30% in revenue; whilst 30% of respondents admitted suffering from a 30-60% decrease, and a further 22% had even bigger stated that they experienced more than 60% decrease on earnings.

In regards to trainee lawyers (who are lawyers but has to work 3 years under an attorney to be eligible for the Bar exam), 67% stated that their salary has not changed in the last months. 14% of them answered that their salary changed in a negative way, many of them are currently on unpaid leave, or work reduced hours.

A source notes, *„Everyone thinks that lawyers have sacks of money in this situation, but we have plenty of outlay in addition to liability insurance, bar association fees and the rental*

fee. A lot of young, entrants, and even lawyers who have been practicing for 1-2 years find themselves in a hopeless situation, even after having spent many years and lots of money to open a law firm.”

Changes in the type of the work – growth and reduction

As one would imagine, the greatest decrease of work was in the field of real estate, as one in four lawyers remarked. Litigation and corporate matters follow second with 15-20% noting that they experienced a reduction. 5% of the respondents noted that the decrease was significant with criminal cases, litigation cases and family law cases.

„The rate of M&A and finance matters were reduced by 5% as well, but the analysis revealed that these fields employed 38% of the workers of large firms – which is understandable, as these transactions are concentrated in large firms.” – says Máté Bende, owner of Pro/Lawyer Consulting.

It came as no surprise that the largest growth was in the field of labour law – as 32% of respondents admitted. It is not surprising either that claim management took the second place on increase of workload.

The survey asked trainee lawyers how their workload has changed in the last few months. Half of them stated that they have less work; 6% has almost no work; and 9% of them lost their jobs. On the other hand, 16% of respondents stated that they have more work than a few months ago.

„It might be that despite the setback, the work

has increased overall. This is because with the drop of the billable hours, more marketing-type work is expected from them.” „The workload increased, but this is due to being assigned the work of those colleagues that left the firm as a consequence of the lay-offs.”

Lay-offs and terminations

To the question of what percentage of lawyers is affected negatively by the situation, only 1% of the respondents answered that either no one is affected, or a maximum 10% of them are. 45% believes that everyone or almost everyone has been affected; and a third of them argues that half of the lawyers have been affected.

90% of the lawyers answered that there were no lay-offs in the last few months – this is because the majority of the lawyers who filled out the survey work as sole practitioners. In the firms where there were lay-offs, this mostly affected the administrative staff, but 4% stated that they had to dismiss lawyers as well.

It is interesting to compare the answers of lawyers with the answers of trainees. Trainee lawyers declared that 29% of the firm had lay-offs. As 23% of the trainees work in a one-person firm, it is clear that the lay-offs affected medium-sized or large firms, where typically trainees work.

A fifth of the lawyers are hopeful and think that every practice will survive the crisis. 42% of respondents thinks that 10% of the firms will cease; 23% believe that there will be a 20% of firms vanishing; and 12% forecasts a 30% cease-rate. But as a respondent summarized this shortly: „It is not the coronavirus

that causes the disappearance of a praxis – for those who are considering of giving up the praxis, this is just going to be another reason.” Another lawyer said that: „The lawyers that do not have any income mostly represent private individuals. Concerning litigation, uncertainty is normal. The real estate market obviously waits. Right now, people only inquire through the phone, they do not want to spend money on lawyers. This is it, but obviously we will be needed eventually, so I am optimistic.”

Trainee lawyers are not so optimistic, one in four thinks that many of them will lose their jobs in the next few months. Besides, one in four believes that their salary will be reduced; 10% believe that this reduction will be for the long term.

„This is likely to be the case. In the last few years, there was a lawyer shortage in the market, firms were competing for the trainees offering great salaries,” – explains Máté Bende. „It is worth checking out the jobs portal – a few months ago 20-30 law firms were looking for trainees, nowadays you cannot see more than 4-5 advertisements. There will be a lot of trainees in the market again, this is going to push down their salary – and it is going to be the firms who will select among the trainees. Some people will have to give up on a lawyer career.”

Is there a need for governmental help?

More than three quarters of the lawyers surveyed believe that there is a need for some kind of governmental measure in the sector. Primarily, they would be satisfied with a reduction of contributions, or the complete

release of these or perhaps seeing an extension to the sector of the measures helping the contractors who are in the „KATA” system. Plenty of people wrote that they expected more from their bar association, stronger enforcement of claims, and generally, easily available membership fee discount (or the remittal of the fee for a couple of months). If the lawyers are not working, they still have hundreds of thousands of expenses: rental fees, bar association fees, liability insurance and also maintaining the infrastructure of their practices.

It is mainly the sole practitioners who want governmental help, 4 out of 5 would like to see these measures implemented. As the size of the firm grows, the need for help decreases, but even half of the lawyers who work in an international firm remarked that help is needed. It is mostly the medium-size firms that do not see a need for help, as in 58% of respondents report.

The future – what are they foreseeing?

17% of the trainees believe that from now on, it will be a basic requirement to work in home-offices. As one of them says: „The expansion of home-office and electronic administration will enhance a career change among those who were not familiar with electronic services and remote working until now.” Another opinion is: „I have been working in a home-office since March, and it is great that I can manage almost everything from home. These are my trainee-period’s best weeks. This situation has proven that there is no need to rush into the office in the morning, and stay there even on a Friday night. As long as I am available all time, write every submission on time and provide legal advice, I can do it all from home.”

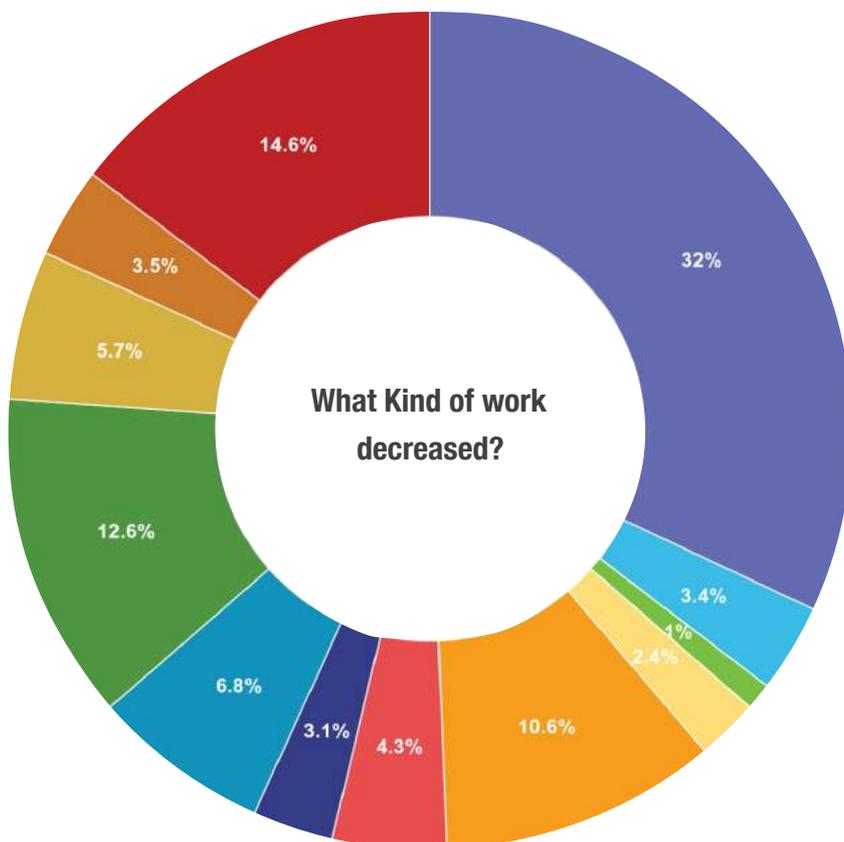
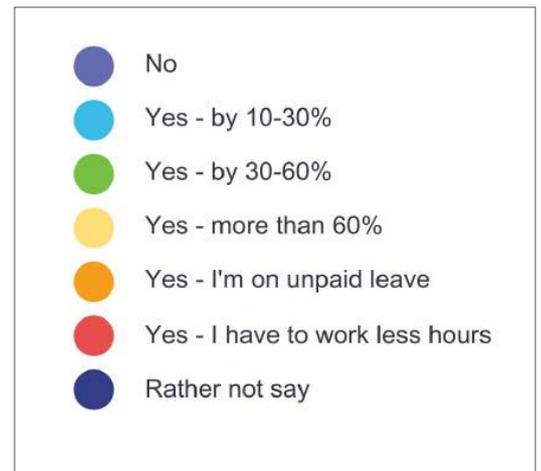
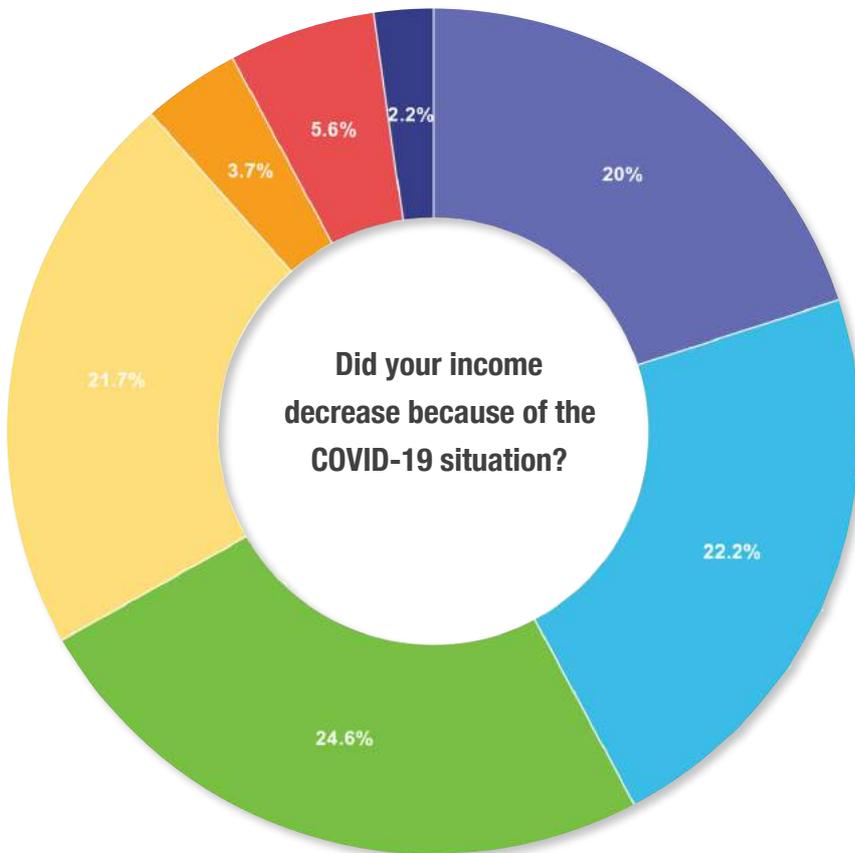
More people are hopeful about remote working, but there has been more criticism dedicated to the court system; mainly because of the deadlines, the difficulty of administration; though the widest criticism was for Skype-type trials. It not only put lawyers in a difficult situation, but the hearings of the witnesses and other parties concerned was problematic in the last weeks.

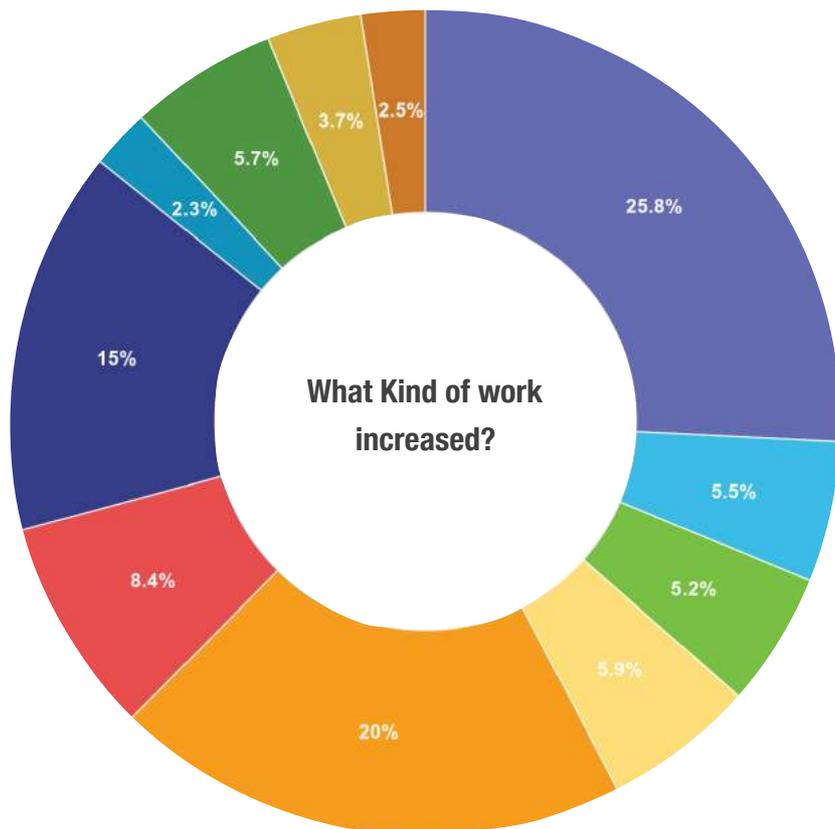
But to end up with a positive note: „*We have put in a lot of time and attention right now for everyone to think over what it is that they want to evolve and specialize in. I encourage everyone with self-education and objectives to use this time to think it thoroughly. I believe that now it is important time to have a good strategy, or to have a strategy ready for the next 2 years.*” – says a lawyer. Another adds: „*We need the website, the marketing, and with these, there will be no problem.*”

About the Author

With 10 years of legal communication experience, [Mate Bende](#) started his legal consultancy firm, [Pro/Lawyer Consulting](#) in 2015, with the intention of, helping lawyers and the legal industry reach their business goals. Until today he worked with more than 50 law firms and several legal networks in the CEE region.. His main focus is on PR based business development solutions which include branding, online presence for law firms, social media trainings and legal ranking consultancy as well. In 2016 and 2017 Pro/Lawyer won a Hungarian B2B communications award, both times with a campaign in the legal business sphere. From 2018, the firm is a member of the Nextlaw Global Public Affairs Network, powered by Dentons.

The Effects of the COVID-19 Situation in Numbers





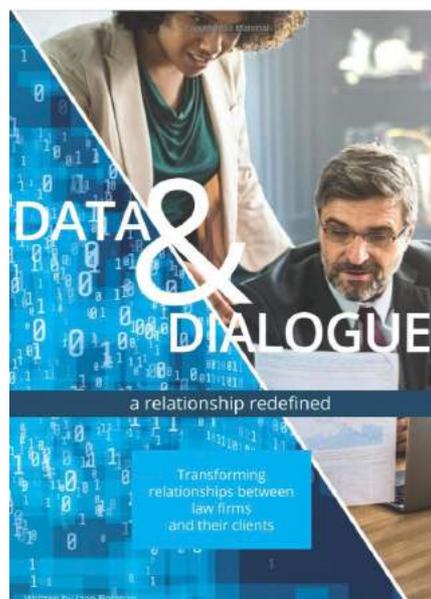
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The Liquid Lawyer

By Carlos de la Pedraja García-Cosío, Vice Dean and General Manager of IE Law School, Madrid, Spain

For several years now, the profile of corporate lawyers has changed radically for multiple and well-identified reasons, among them technology, globalization, the power of clients, new generations of lawyers and business models, the appearance of new competitors (even non-lawyers) and the crisis of the traditional law firm model. There are many reasons why corporate lawyers should not only be experts in their particular field, as legal

knowledge is not the sole element of legal delivery—business and technological competencies are equally important. But in addition to this set of technical skills, corporate lawyers need to update and fully develop the so-called soft-skills. With these I refer to competences such as cross-collaboration, creativity, design thinking, lateral thinking, the ability to solve complex problems, emotional intelligence and flexibility, among others.

In my recent travels, just before the hit of pandemic, I talked about hybrid talent and how lawyers should become mermaids or centaurs by developing and combining the skills described above. But what will happen after COVID-19? Is the trend we talked about before the global lockdown going to continue? Will this new reality have an impact on the skills needed to succeed in the business of law?

A few days ago, Mark A. Cohen, a consultant and international legal expert, wrote that this situation "will turbocharge legal industry transformation", and I could not agree more. The new situation is accelerating changes in the business model, where the virtual world prevails over the physical one, where remote meetings replace face-to-face contact, where technology and the discovery of new communication tools with clients, suppliers, agencies and lawyers are the "new normal". Even though many of us knew that law—like so many industries—was undergoing a tectonic shift, the pandemic has confirmed us that another way of working is possible, another way of advising, another way of collaborating; and that by integrating the best of the virtual and physical worlds we will be able to reinvent ourselves.

But let's not get our hopes up just yet. For the moment, how we work is changing, not the business model. A transformation in business models will undoubtedly be the next step in the evolution of the new legal world.

Who will become the winner in this new reality? The first thing we know is that in the world of corporate law there will still be a great deal of work, but we are also aware that the type of

work will be different, as previous crises have shown us. The industry needs flexible lawyers who are capable of dedicating themselves at all times to precise "surgery": M&A lawyers will now be dedicated to restructuring or reviewing contract clauses while applying different legal knowledge. Litigation lawyers will be committed to bankruptcy, labor legislation or arbitration and mediation... In short, the areas in which there will be more work will change and lawyers will have to quickly become experts in new disciplines. This is not new: lawyers have had to face these situations in the past.

Nonetheless the great challenge for corporate law is not found in these shifts in legal competencies, but in upskilling: the ability to learn entirely new competencies that reflect the new reality which is more liquid, more volatile, more uncertain, more complex and above all, more ambiguous and digital. It is the VUCAD environment elevated to the nth degree, where making decisions, getting it right and foreseeing what tomorrow will bring is becoming more challenging as we speak. It is the moment for leadership with a capital L, not for management—which is being applied today to save the business in the short term. It is the moment when technology, data analysis and metrics will become paramount. Leadership will have to be combined with a healthy dose of creativity and imagination, because the lawyers who will survive will be those capable of imagining what the profession will be like in the coming years.

Without a doubt, one of the differentials of this new era will be interpersonal skills and emotional intelligence, where collaboration with clients, suppliers, competitors, partners,

public bodies and multidisciplinary teams will be the keys to the profession. The client will be the absolute center of the corporate legal universe, and the realities with which we will work will be increasingly complex and multidisciplinary. For this reason, the development of critical thinking and so-called "problem solving" will be most demanded skills, along with decision-making. Getting it right will not be easy in the coming years.

In short, the new legal world requires a new profile, the "liquid lawyer": a flexible professional capable of adapting to different and changing realities and environments, one who can work in person and remotely, a lawyer that is comfortable working with various legal systems, that knows the immense technological possibilities at his disposal, that works with data and metrics and who can make decisions in a world in constant change and does so using large doses of creativity, leading its team on an unprecedented adventure.

About the Author

[Carlos de la Pedraja](#) is the current General Manager and Vice Dean of [IE Law School](#). With expert knowledge of the legal industry, Carlos has worked for over 20 years in transforming the sector, exploring new ways of offering legal services, and developing new professional skills.

Since 2015, Carlos has held the position of General Manager and Vice Dean. Throughout this time, he has played an important role in overseeing the financial structuring and inter-

nal management of IE Law School, as well as designing its ongoing strategy, exploring new markets, and securing international partnerships.

Furthermore, Carlos teaches Talent Management courses for several executive programs, as well as Human Resources courses at IE Business School.

Carlos holds a law degree from the University of Oviedo, and completed a Master in Human Resources and a Master in Legal Consultancy at IE Business School.



Class Actions in Israel during the Corona Age

By Dr. Eran Taussig, Adv.

Class actions are not a new phenomenon in Israel. They were recognized in subsidiary legislation decades ago. However, it is only since the late 1980s—with the enactment of subject-matter-specific laws (e.g. Securities Law (1988); Consumer Protection Law (1994); Banking Law (1996)), under which class actions could be instituted—that a significant increase in the number of petitions for class actions is evident. The current comprehensive Israeli Law concerning class actions was adopted in 2006. The Class Actions Law ("the Law"), which replaced all of the subject-matter-specific laws, allows the filing of class actions for causes of action enumerated in the second addition to the law, which—unlike prior legislation—provides a broad framework for most subject-matters in the law.

In general, class actions in Israel take after their American counterparts. Like in the United-States a class action in Israel is conducted in two phases: first, a motion to certify a class action is filed. Only if certification is granted, the second phase takes place, namely the hearing and the adjudication of the action on its merits.

There is one important difference between class actions in Israel and in the United-States: whereas according to Rule 23 of the Federal Rules of Civil Procedure, American courts are not entitled to examine a claim's likelihood of success when deciding whether or not to certify a lawsuit as a class action, the Israeli Supreme Court has ruled that the court is obligated to conduct a preliminary inquiry into the merits of the claim. The purpose of this requirement to look further into the merits in the class action context is to protect potential defendants from frivolous suits, which can impose high costs on them.

Indeed, since the enactment of the Law motions to certify class actions are being filed in increasing quantities each year. Thus, the number of lawyers filing class actions grows accordingly. As we can see from the chart below, whereas in 2007 only 28 motions to certify were filed in Israel, in 2010 we had 433 mo-

tions, and in 2018 1,250 motions to certify were filed in Israel.

Due to allegations that growing numbers of frivolous class actions are filed in Israel, in 2018 the then Minister of Justice decided to impose court fees on representative plaintiffs, in amounts ranging from 2,300 to 4,600 USD. As can be seen from the chart, the led to a reduction in the number of class actions filed in 2018 and more so in 2019. Another result of the introduction of the new court fees was a significant shift in the areas of law in which the actions are filed. E.g., there is a significant increase in the filing of claims related to rights for people with disabilities, because these claims are exempt from the said court fees.

Having said that, we can see from the chart that the flood of motions to certify class actions was even strengthened in the Corona age, where many motions to certify claims as class actions were filed against companies from various sectors of the Israeli economy, despite their difficult financial situation. As can be seen from the chart above, in only five months in 2020 similar numbers of motions to certify were filed to the courts as the number of motions to certify filed throughout 2019.

A review of motions to certify submitted during the Corona crisis indicates that the filing of the many motions during this period is not only due to the unique legal situations created in light of the crisis, but may also be connected to the fact that the courts were closed and lawyers were

Year	Motions to certify filed
2007	28
2010	433
2011	701
2012	1076
2013	1205
2014	1261
2015	1385
2016	1500
2017	1441
2018	1250
2019	875
January-May 2020	1237

available and had time to prepare the new claims.

This conclusion stems, inter alia, from the huge volume of motions submitted to the courts during this period in connection with access to websites that have no relation to the Corona crisis. Some of these Motions were filed against our clients, such as Ortal Human Resources Ltd., Alrov Group Ltd. and others.

Motions relating to the outbreak of the Corona Virus are filed against various defendants: One batch of motions was filed against banks, who retracted approvals for a mortgage and guaranteed interest rates, following a rise in interest rates with the outbreak of the Corona crisis.

An additional batch of motions to certify was filed against gyms, which continued to charge their customers for the subscription fee even though their customers were unable to use the subscription due to the coronavirus outbreak (the Israeli government has ordered gyms to close). In the same vein, motions to certify was filed against the Transport Cooperative Association and against Israel Railways, which did not operate its buses due to the Corona crisis but did not compensate passengers with periodical subscriptions for the period in which they could not use the subscription.

Many motions were filed against international airline corporations arguing that the airlines do not return the proceeds for canceled flights and do not inform customers about their right to a refund of airline tickets canceled due to the Corona crisis. No such motions have been filed at this time against the major airlines in

Israel, among which Arkia International Airlines, which I represent.

Motions to certify were filed against cable and satellite TV companies arguing that due to the outbreak of the Coronavirus sports channels were no longer broadcasting live sports events and therefore must not charge subscribers the full subscription fee.

Other motions to certify were filed by students against universities and colleges arguing that they paid full tuition and “ancillary payments” but did not attend the campus due to the Corona outbreak and therefore did not receive ancillary services (e.g., security Fees, Welfare, Cleaning, Electricity, Water, Maintenance, Parking Fees and Other Similar Payments). These students demanded restitution of funds paid for the period when they could not attend campus. Similar lawsuits were filed in the US where college students suddenly stuck in Zoom classes demanded some of their tuition fees back because, they say, this kind of academic experience isn’t what they bargained for.

Other typical recent motions to certify were lodged against insurance companies, which continue to charge full payments and/or do not return funds to insured persons for car insurance, despite the fact that due to the Corona crisis many insured persons are unable to use their vehicles.

Another wave of motions to certify class actions was filed recently due to the cancelation of student delegations to Poland during the Corona crisis. [1] The petitioners sued travel agencies that refused to refund the money paid by the students' parents.

As an anecdote, one might note that a couple of motions to certify were filed against the People's Republic of China arguing that the Chinese government developed the Corona virus as a biological weapon, in contrast to international law and as a result of an accident the virus escaped from the laboratory into the air and reached Israel. Alternatively, it was claimed that the source of the virus is in the meat market in Wuhan City and that the Chinese government has been negligent in over-seeing the market, thus spreading the virus worldwide.

I believe that after the end of the worldwide crisis, the number of motions to certify class actions filed to courts in Israel will be similar to what we saw in 2019. Given that many of the recent flood of motions relate to issues of accessibility for the disabled, which are sometimes filed without cause in order to evade the

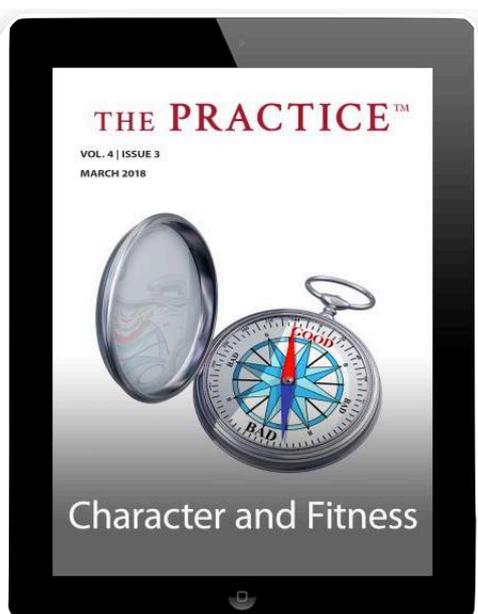
court fees levied in Israel on class plaintiffs, it would seem inevitable to consider eliminating the exemption from these court fees or at least change the current rule in a way that may alleviate the heavy burden placed on the courts in Israel.

Notes

[1] These delegations of high school students visit the concentration camps, where Jews were starved, tortured, and killed during the Holocaust.

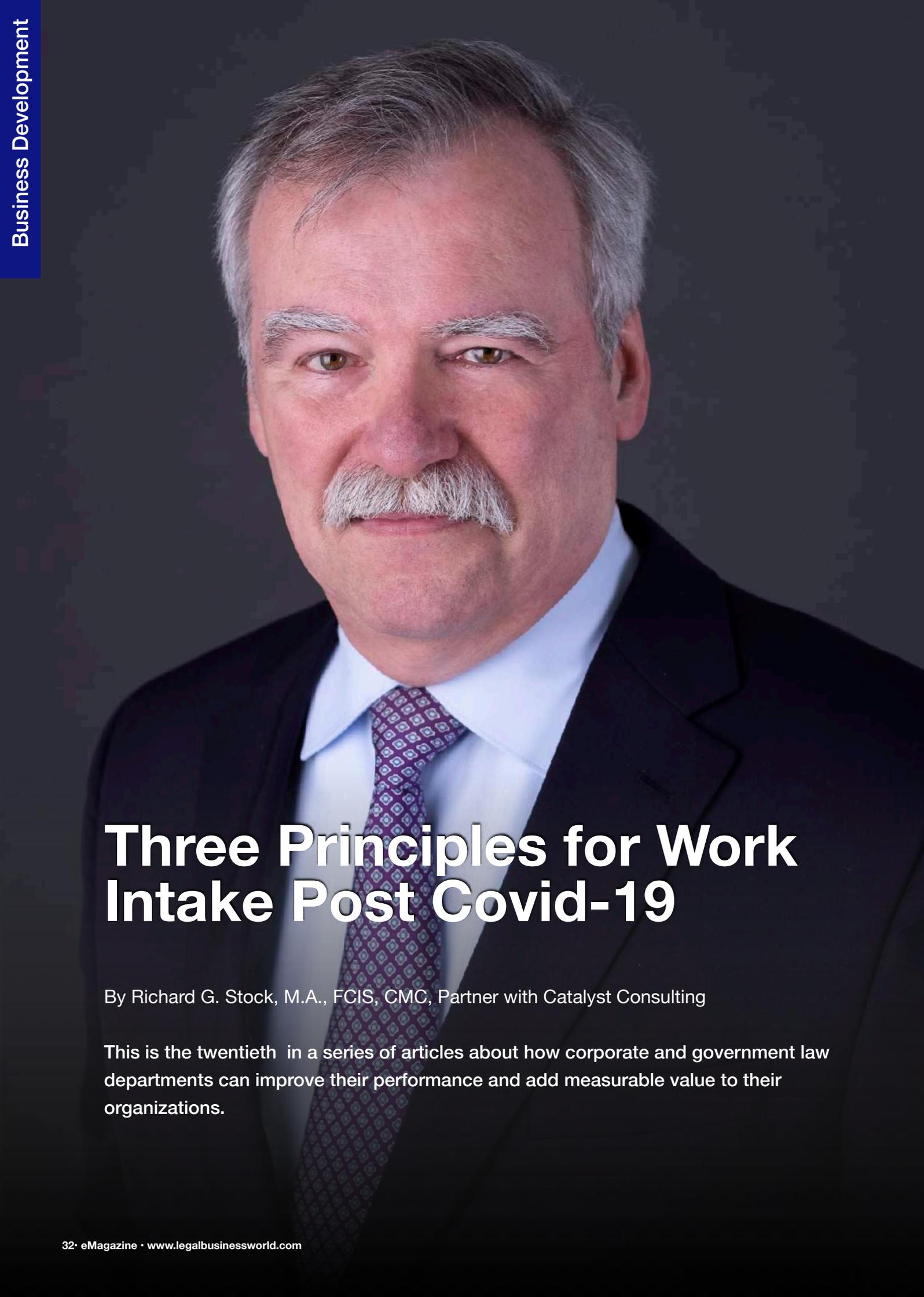
About the Author

Dr. Eran Taussig, Adv. S.J.D, the University of Pennsylvania Law School. Leading the Class Actions Department at Balter, Guth, Aloni & Co. (Israel); senior lecturer at the University of Haifa Law School.



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A professional headshot of a middle-aged man with grey hair and a mustache, wearing a dark suit, light blue shirt, and patterned tie. He is looking directly at the camera with a neutral expression.

Three Principles for Work Intake Post Covid-19

By Richard G. Stock, M.A., FCIS, CMC, Partner with Catalyst Consulting

This is the twentieth in a series of articles about how corporate and government law departments can improve their performance and add measurable value to their organizations.

Some years ago, I attended a series of conferences to meet individually with US chief legal officers. As a legal management consultant, my goal was to identify the primary management challenges faced by each CLO. My last set of meetings in Tucson covered a broad range of industry sectors: renewable energy, insurance, auto manufacturing, cement producers, pet food, national restaurant chains, cloud hosting and camping equipment. All of the companies, however, drew annual revenue in excess of \$1 billion.

Of my 15 meetings, six were with foreign-owned companies. At least eight had business plans for significant expansion in Asia-Pacific. Before Covid-19, many economies were doing well overall, but this was not the case for every region and industry sector. It is time to conduct another assessment and perhaps revise my observations 5 years on.

Our conversations at the time focused on four sets of challenges: business plans and metrics; workflows and workloads; the organization and resources of the law department; and the costs of and relationships with external counsel. Three-quarters of the CLOs faced “internal” challenges. Aside from the demand for legal services, there was increasing pressure to measure and demonstrate the value of the law department. Typically, either the law department was overwhelmed, or it was on the defensive failing to meet expectations. Only four of the 15 companies saw a priority to reduce the cost of external counsel in the next year. My revised forecast for 2020-2021 is that law departments will experience less pressure to demonstrate their value but much more pressure to reduce internal and external legal

spend over the next 18 months.

I also observed that the law departments which seemed stressed about workloads and inadequate resources had little hard evidence – aside from a 55- to 60-hour work week – to support this contention. They had no data about the number of matters, the level of complexity of the work, cycle times and backlogs, and the practice-management habits of individual lawyers. Typically, most law departments were staffed with 80 per cent of the lawyers with at least 10 years of experience. Lawyers personally worked 95 per cent of the hours on matters with no opportunity for delegation. There were very few entry-level lawyers and only the occasional paralegal. Otherwise put, departments were poorly leveraged.

The demographics in 2020 show that the average experience levels in law departments have increased compared to 2015. This translates to at least 50 per cent of the work requiring significantly less than the experience level applied to it. This continues to be a common affliction in law departments everywhere.

In such cases, CLOs too quickly look for more resources. But most are unable to present a credible business case for additional resources. They do not have the data or the experience to prepare and argue the case. Added to this is the pressure for coverage in new jurisdictions – mostly in China, Mexico and South America.

Too often, the default solution – a very expensive one – is to retain external counsel to cover the outfield for the company. The post-covid

business environment will require compelling arguments for additional legal resources. This will prove doubly difficult for litigation and other forms of dispute.

None of the companies I met had introduced a program to reduce the amount of routine legal work that they did as well as the dependency of internal clients on the law department. Over time, the layers of work piled on and interruptions multiplied. For some CLOs, it is a real stretch to capture and communicate the value of the legal team in non-financial terms. While CLOs are appreciated by the company's leadership, they fall short of making a compelling argument to change workflows, workloads, and resources. My sense is that law departments will tighten their work intake criteria significantly over the next 18 months.

There are three principles to keep in mind when designing intake criteria. The first is to demonstrate that productivity improvements have been made in the law department. These should take the form of radically reducing the demand for routine work, introducing protocols to qualify who can call the law department, and making sure that individual lawyers have strong time-management skills.

The second principle is to consider coverage — to achieve increased specialization, for new jurisdictions, or for special and strategic projects. And the third intake design principle, also a good argument for in-sourcing work from external counsel, is to calculate the savings to be derived from additional resources compared to referring work to external counsel. Law departments typically aim for a fully loaded hourly rate that is no more than 45 per

cent of the rate that would be paid to a law firm for the same work.

Pleas for resources to deal with backlogs and tapped-out law departments will fall on deaf ears if they are not supported by a three-point business plan. CLOs must ensure that their law departments introduce and enforce more explicit work intake criteria to be properly leveraged in the next 18 months.

Richard G. Stock, M.A., FCIS, CMC is a partner with **Catalyst Consulting**. The firm has been providing legal management advice to corporate and government law departments around the world for 25 years. Richard can be contacted at rstock@catalystlegal.com.

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Embrace Thought Leadership As Your Industry Group's Strategy for Growth

By Patrick J. McKenna, Thought Leader and renowned Author and Speaker

Successful thought leadership does not arrive by virtue of having a published idea linked to a hope that someone will recognize brilliance and sweep your industry team from obscurity into prominence. Thought leadership only matters if you address a specific audience and can present new ideas that improve their life or work. The best thought leadership, therefore, helps people in an industry do something better or gain insight that helps them better understand their market or their problems. There is little generic thought leadership that is useful. In a globalized online world, clients can quickly find an alternative to you. To establish your group as having an expert reputation – including those who don't just participate in the industry discussion but drive it, requires consistent, diligent effort.

Thought leadership should intrigue, challenge, and inspire even those already familiar with your firm. For your strategic purposes it should help start a new client relationship where none exists, and it should give existing clients comfort that they have made the best choice in selecting your team as their trusted industry advisors. And because achieving recognized thought leadership is often the result of undertaking a number of different initiatives, every member of your group should be able to identify some element that they feel comfortable in working upon. Make sure that your group members all take part in the creation process and that they understand and support the goals you are trying to achieve by building thought leadership.

To that end, here are 12 recommended actions for how you and your group might de-

velop a position of being recognized industry thought leaders:

1. Determine precisely who your group's thought leadership is targeting

First and foremost, burn this into your brains – if everything you and your group does in an effort to build real thought leadership, applies to “everyone” in a general industry (e.g. Manufacturing Industry) you will only serve to dilute your impact and your value. Instead, define your niche. Focus on your best prospects (e.g. the Augmented Manufacturing and 3D Printing micro-niche and those companies that occupy that space); learn everything you can about their needs, challenges and pain points; and then demonstrate your knowledge about those topics of greatest interest to them.

Part of offering insightful expertise is determining with your group, where an industry's greatest or newest pain points are and what you are most expert in addressing. Great thought leaders and especially industry thought leaders, need to first understand their specific niche. Start with your high-level industry and then drill down until you're left with a specific niche in which you have the aptitude, skills, experience and above all, the passion, needed to become a subject matter expert.

2. Continue to invest time gaining an in-depth understanding of the industry dynamics

Becoming genuine thought leaders requires that your group members understand recent

industry challenges, marketplace demands, and can easily talk about industry idiosyncrasies without getting blindsided because someone didn't think through all of the issues. Make sure that you are all looking for where the new technologies are being introduced and the strategic investments are being made within the industry that might serve to impact clients.

Industry thought leaders are not afraid to challenge the status quo, champion ideas and fuel new thinking. You might even have a group member who has subject matter expertise in some area (e.g. advanced material sciences) that could reinvent your Manufacturing client's thinking

3. Position yourselves as highly insightful resources

Now, understand this – clients resent being pitched. Genuine thought leaders use their presence, be it on the podium or in their written communications to establish themselves as experts by addressing critical industry pain points, answering questions and providing meaningful guidance. Clients want helpful, prescriptive information and if your ideas are valuable and meaningful, clients will come to you and they will ask you how you managed to deal with the situation or problems you identified. When that happens your thought leadership begins to deliver a relationship.

Demonstrate that you are a curator of trends, insights, hard data and that you have your finger on the pulse of the industry. This tells prospects that your group is the one-stop resource for everything they need to know.

4. Be generous with sharing your expertise

You and your group's thought leadership should be a resource that you share with an eye toward building brand value and meaningful differentiation, not immediate revenue. I have always believed and behaved in accordance with a principle I learned from my good friend, David Maister – "reputation before revenue." The ROI may seem slow to accrue but when industry representatives start seeking out your opinion and conference organizers are inviting you to present, you will know that you are beginning to achieve true thought leadership.

Industry clients want lawyers who have invested the time to know the mechanics involved in their business, recent challenges, competitive pressures and where the growth opportunities exist. Their legal advisors are more proactive about informing them of what is on the horizon and can drive their thinking and help them prepare themselves for what's next. To be great at thought leadership requires a deep understanding of what a client company is proficient at doing and identifying those pitfalls and developmental areas that will allow it to flourish. They can hire lawyers to address their legal problems, but your clients value your insights and ability to apply new ways of thinking into understanding their aspirations, their opportunities and providing business solutions.

5. Offer a unique perspective

Don't expect to be seen as the experts if all you do is rehash the same content that others have

already covered. There is a lot of wishful thought leadership content being offered that does nothing more than regurgitate what some regulatory agency announced with a two-sentence analysis. Don't embarrass yourselves! You need to stretch and provide something fresh, something prescriptive, and it never hurts to occasionally even be a touch controversial. There are a number of ways to get noticed:

- Take a position on something meaningful (like I'm doing here on the strategic importance of having an industry focus) and interpret it for others.
- Be seen as the source of information and guidance that clients are talking about amongst themselves. You have to be introducing new ideas on a near-constant basis.
- Show your group's "brand personality" – your passion about solving problems and eagerness to take on challenges with an enthusiastic approach.
- While your opinions are important, be sure to prove your expertise wherever possible and show the data that supports what you are saying.

6. Get actively involved throughout the industry

Being a thought leader also involves networking with industry players, attending industry conferences and expositions, and getting active (not just taking out a membership and attending the odd event) within the industry organization (if there is one). In some instances, you may be serving an industry micro-niche (e.g. e-sports) that is still evolving such that there is no formal industry organization.

So... do I need to tell you that maybe your group should work on starting one? And getting involved may also mean running workshops, hosting events, conducting pro-bono assignments, sponsoring an academic program, or perhaps starting a not-for-profit that redefines an idea or provides a forum from which others can actively invest to achieve a particular industry advancement result.

7. Become prolific writers

Start by finding out what publications your industry audience is reading and what industry websites are most popular. Getting published in recognized industry publications, being recommended to guest author blogs or book chapters, or even authoring an e-book or educational client guide serves to establish you and your group as having significant influence. Consider getting creative with some of your writing by doing something interactive like posting a quiz or offering your readers a survey to help them explore different options for handling a particular industry issue.

If you are writing a blog, you want people to find it. To ensure that Google "sees" your site, you have to have lots of searchable content available. Start with relevant blog posts – at least one a week – then add downloadable eBooks, white papers, videos, tip sheets – many forms of content that go deeper into a topic than just a blog post. These are the best ways to showcase your knowledge and expertise, and to establish industry credibility.

Write enough articles and podcasts and soon you have a book. One of my books, "Serving At The Pleasure of My Partners" is simply a

compilation of 18 articles, authored with the insightful contributions of 10 firm leaders addressing challenging questions that were put forth by brand new managing partners. There is no more definitive proof of thought leadership than authoring a book on your chosen industry subject.

8. Instigate industry research

Thought leadership is also about actively pursuing possibilities and sharing that enthusiasm for exploration with industry players. Identify an important topic worthy of researching industry participants about and initiate a formal research study. One of the greatest thought leadership influencing ingredients is primary industry research – being the ones with the one-the-ground statistics to demonstrate your knowledge. Thought leadership should excite and nothing excites more than going on a journey into the unknown be it to figure out how the industry might evolve over the next decade or what technological innovations might seriously disrupt how things are unfolding today.

9. Posture yourselves as a great source for media commentary

Having your group members being quoted as knowledgeable sources in reputable news articles is an excellent way to establish credibility. Industry participants need to see you as having an insider's view and knowledgeable with respect to their latest industry news. Spare no effort to make contact with and get to know the right industry reporters, journalists and commentators (in print, radio and television) – make yourselves available for

being interviewed and make that a top priority when they do call.

10. Launch your own podcast

Initiating a regularly scheduled audio or video podcast to discuss important industry-related topics, interview one of the industry leaders, or having a panel discussion with other industry participants can serve to have your group perceived as providing worthwhile industry content. 73% of marketing professionals say that webinars are the most effective tactic for generating high-quality leads. And don't be the least bit shy about calling upon your well-known connections, flaunting high-level affiliations and leveraging industry celebs. Remember that old adage: "you will be known by the company you keep."

11. Create a robust online presence

Social media platforms are populated with people trying to learn more about, find answers to, and/or solve problems they are having to confront. Having your team members monitor social media sites for industry specific questions can help you identify opportunities to share your expertise. Get involved on as many industry-related social media platforms as possible and reach out to new people regularly. For example, search LinkedIn for every possible industry-type group and join those groups to identify issues that members are discussing and to provide informative, non-promotional assistance. Start reaching out to potential influencers in the industry and talk to them about what's on their minds.

12. Be market-focused

Offering predictions about the future of the industry based on your research, your experiences, your in-depth observations, your corroboration with third-party sources or industry leaders can serve to differentiate your group from any other competitor. Don't be afraid to make bold claims and big predictions about the future of your chosen industry. And your thought leadership also needs to be turned into a campaign – tweeted, Facebooked, webinared, even advertised. If your team thinks that the unique content they are generating and the ideas themselves will go viral and make everyone instantly famous, they are likely to be disappointed. Your thought leadership efforts needed to be treated like a product of your industry group and marketed both within your firm and externally. And don't be shy about seeking out any "awards that matter" to your chosen industry and make an effort to be considered.

Keep in mind that showcasing your group's expertise and knowledge helps with talent acquisition as people want to work with those who are outstanding in their chosen niche. Being a thought leader also means being a patient leader. Thought leadership requires perseverance and dedication as you cannot expect that it will immediately produce a stream of clients. Over time, thought leadership builds a following, but how long that takes depends on your group's collective time investment, and most importantly, the value of the ideas. In the process your group needs to be willing to examine whether things are really working, reposition content that is not, or abandon it for a new, better position.

About the Author

Patrick is an internationally recognized author, lecturer, strategist and seasoned advisor to the leaders of premier law firms; having had the honor of working with at least one of the largest firms in over a dozen different countries.

He is the author/co-author of 11 books most notably his international business best seller, *First Among Equals* (co-authored with David Maister), currently in its sixth printing and translated into nine languages. His two newest e-books, *The Art of Leadership Succession* and *Strategy Innovation: Getting to The Future First* (Legal Business World Publishing) were released in 2019.

He proudly serves as a non-executive director (NED) or advisory board member with a variety of professional service firms and incorporated companies. His aim is to instigate innovation, provide independent strategic insight drawn from his years of experience, and support effective governance.

His three decades of experience led to his being the subject of a Harvard Law School Case Study entitled: "Innovations in Legal Consulting" and he is the recipient of an honorary fellowship from Leaders Excellence of Harvard Square.

Read more [articles](#) from Patrick McKenna, or read [online/download](#) his latest eBooks

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ROSS FISHMAN, J.D.

Edited by Susan Freeman, M.A.



David Cunningham



Making the Most of Legal Metrics

By Ari Kaplan, Principal, Ari Kaplan Advisors

In an interview published on the Reinventing Professionals podcast on April 27, 2020, Ari Kaplan spoke with David Cunningham, the chief information officer at Winston & Strawn in Houston, Texas, who is leading the Legal Metrics initiative, which is an industry-wide group designing a solution to understand and visualize legal operations data.

Ari Kaplan

Tell us about your role and the genesis of the Legal Metrics initiative.

David Cunningham

I am the chief information officer at Winston & Strawn and was fortunate to be invited to be part of the Corporate Legal Operations Consortium (CLOC) when it was being created. Even though I work for a law firm, I learned to understand the perspective of the in-house legal operations community on how its members evaluate law firms, assess value, and determine the quality of the outside counsel relationship. I also noticed that everything they wanted to change quickly in the legal department was often changing more slowly in the law firm, and that the two groups often were not measuring themselves in the same ways. At the same time, the legal departments were capturing a broad range of metrics and creating balanced scorecards with objective and subjective data, including from survey feedback. Since law firms did not understand all of those metrics, we decided to solve the problem by creating a solution to address that gap.

Ari Kaplan

Why is the legal community so focused on metrics in the current climate?

David Cunningham

The concept of “legal operations” started in the corporate legal department and is associated with running the department as a business since managing legal spend requires measuring performance against predetermined goals and gauging progress at key intervals. The legal departments are the driver and many are quite advanced. Law firms have not really been measuring as much as their clients since they have historically focused on financial data. They have, however, done a good job of hiring legal operations professionals tasked with identifying what their clients want and how to leverage that information to provide better service.

Ari Kaplan

Can metrics really change behavior?

David Cunningham

I often hear that legal operations is a fad or that defining metrics doesn't change hiring decisions. While there has been some truth to that, it is now changing the buying behavior within the legal department pretty aggressively. When you have companies like Novartis and Intel, among others, saying, "If you don't meet our metrics, we either won't hire you or we're not going to pay all of your bill," it makes a difference. Directly on their dashboards, legal departments highlight their spending, rates, diversity criteria, survey feedback, and other metrics. A company may have a panel of firms that provides representation, but a law firm in that group may not realize that there is

a big red mark across its profile because its rates and lawyers may be great, but its diversity isn't up to par, or an after-matter survey showed that some of its professionals were not good listeners. Ultimately, metrics do affect buying behavior and we are seeing a snowball effect that is really starting to pick up and change the general counsel's view of who they hire.

Ari Kaplan

What are the broad objectives of the Legal Metrics Initiative?

David Cunningham

Our primary objective is to help law firms see themselves as their clients see them. We also want to empower law departments to measure diversity more effectively. Finally, we want to give individual leaders within law firms a better understanding of how they and their teams are impacting the overall performance of their organization.

Ari Kaplan

Prior to the launch of this initiative, how has the legal community addressed this need?

David Cunningham

Legal departments have been moving quickly and law firms have increased their hiring of professionals focused on legal operations and client services, but neither has aligned their metrics, which has created an imbalance. Law firms, for instance, are often manually compiling diversity statistics, which can take hundreds of hours for some. They are not using that data to make decisions the way that legal departments do. In fact, in-house teams

are rapidly becoming sophisticated data analysts, calculating whether the results match what they paid and if their satisfaction level is consistent with those results.

Ari Kaplan

How will you encourage a diverse array of organizations, including those who are competitors, to collaborate?

David Cunningham

You would think that would be a problem, but it is the opposite of where we stand. The Legal Metrics initiative has grown very quickly, especially because in-house legal teams have been reaching out to the law firms with which they work and encouraging them to participate. They are also interested in helping their panel firms work together more seamlessly. Law firms are similarly interested in becoming more sophisticated and familiar with their operations. As a result, competition or secrecy has not affected the response. Many participants are actually contributing metrics they have developed assuming that they will receive more in return than they give so it has been a great effort. In fact, we offer Metrics Mondays every other week to introduce new functionality, offer a list of new metrics, and respond to questions about roadmaps. Then, we give the groups two weeks to share feedback. It has been quite cooperative.

Ari Kaplan

What do you expect the end product to look like?

David Cunningham

We have just created our first real working dashboard and want law firms to more easily

calculate, visualize, and share their data with clients. The initial use case is for law firms to provide select legal departments, which have declared their criteria publicly, with diversity metrics that they can measure against aggregate benchmarks.

Ari Kaplan

How do you see Legal Metrics helping law firms, law departments, and other legal organizations over the long-term?

David Cunningham

Our list of metrics is long and the more I promote this effort, the longer it gets. There is currently a list of 30 different areas to study. Simply making it easier to calculate metrics has increased awareness of the data points that matter. There has been limited visibility into any non-financial information to date and suddenly we are enhancing sharing. We envision greater real-time data availability and increased transparency.

Ari Kaplan (<http://www.AriKaplanAdvisors.com>) regularly interviews leaders in the legal industry and in the broader professional services community to share perspective, highlight transformative change, and introduce new technology at <http://www.ReinventingProfessionals.com>. Listen to his conversation with David Cunningham, the chief information officer at Winston & Strawn here: <https://www.reinventingprofessionals.com/making-the-most-of-legal-metrics>





How to take care of cybersecurity while working remotely in the new reality

By Sebastian Goschorski, Business Development Partner, Head of China Desk, RSM Poland

The situation with which we are currently dealing calls for an entirely new approach to the management of business organisations and their assets. Whether these changes will be successful, and thus the business organisation will survive, strongly depends on our ability to agilely organ-

ise business processes and help employees switch to the new way of working. Due to constant changes and companies' inability to plan the entire process in detail, organisations have become exposed to cyber risk to much higher degree than it was possible in the past.

New reality – learning to work differently

Faced with the need, or even forced by the COVID-19 pandemic, to work from home, we have changed many of our habits and existing schemes. Plenty of business processes have been transferred from offices to our homes.

Video conferences, working on company software (e.g. accounting software) have immediately become part of our daily routine. Working from home has many benefits, such as availability, flexibility, no need to commute to work, being able to better focus on work, working on own devices, especially appreciated by the users of Apple products, the truth is, however, that it also increases cyber risk. The reason is quite simple – the number of potential and easy targets detected by hackers has soared, and many users are still unaware of the threat and ways to avoid it.

Reorganisation of digital routine – essential rules

At the time of the crisis, when most of us work from home and participate in online meetings, it is crucial to review and reorganise our new digital reality. Below you will find some rules that will help you increase your company's cybersecurity while working remotely.

1. Company systems should be accessible only via VPN, upon 2-step authentication (e.g. app password and verification code).
2. The choice of VPN software provider should be deliberate. The cheapest or the most popular solution is not necessarily the best.
3. Remote access for a limited time. It is recommended to set up a remote connection for a limited time (minutes / hours).
4. Update the operating system and software version – it is recommended to update organisational operating systems and software to the latest versions, since many times newer versions are offered to businesses due to security breaches detected in older versions.
5. Antivirus software should be updated to the latest version and have full security package, i.e. possibility to test emails for malicious programmes or protection in the form of a simple firewall.
6. Backup - backup must be carried out for all relevant devices and information, and should be performed periodically to verify backup integrity.
7. Any incidents that occurred on computers used at home must be immediately reported and verified by authorised persons or IT support servicing the company.
8. Any suspicious emails must be checked and, if it is likely that they are a cyber-attack, reported to right persons or companies, especially if these are payment orders.
9. Employers must be aware of the obligation to protect information, this concerns especially sensitive data.
10. It is important to hold a cyber risk policy that will be helpful in the event of losing important personal data and will cover the cost of reaction and emergency management.
11. Follow closely all GDPR procedures.
12. Buy adequate insurance that will cover the loss in the event of hacking and provide PR support.

We have to remember that working from home using VPN usually entails slower access to our company resources stored on,

e.g., shared drives. As a result, some employees may want to have these drives on their own, less protected computers. In such case, apart from the risk of losing data (e.g. due to some drive damage) we are much more exposed to the risk of having it stolen. It would be safer to allow for automatic synchronisation of data on the personal computer at home with the company network drive.

To sum up – what is new for us and often neglected when it comes to cybersecurity may be a golden opportunity for potential thieves. Lack of proper preparations, planning and audit of the ways in which we (and our employees) work remotely may expose us to huge losses. Thus, the currently binding working rules and systems should be verified and tested for potential risks. We should protect ourselves in advance or change our strategy for working remotely as well as the rules of functioning in the new reality.

About the Author

[Sebastian Goschorski](#) is an experienced financial officer, certified accountant and a Partner at [RSM Poland](#) responsible for business development, in particular in relations between Poland and China. He has 15 years of experience in heading and managing accounting, finance, tax and HR & payroll departments, as well as designing and implementing company development strategies. He specialises in the optimisation of business processes and operational costs of both Polish and foreign companies.

CYBERSECURITY → BUSINESS

THE DYNAMICS of CHANGES and LACK of POSSIBILITY to THOROUGHLY PLAN PROCESSES CREATE HIGHER CYBER RISK!

WORK REMOTELY
HAS MANY AVAILABILITY
NO NEED to COMMUTE

- 1 LIMITED PHYSICAL ACCESS TO IT DEVICES (e.g. PARENTAL CONTROLS)
- 2 ACCESS TO COMPANY SYSTEM VPN ONLY
- 3 REMOTE ACCESS FOR LIMITED TIME ONLY
- 4 UPDATES OF OPERATING SYSTEMS and SOFTWARE
- 5 ANY INCIDENTS ON PRIVATE COMPUTERS MUST BE REPORTED TO IT SERVICES PROVIDERS
- 6 SUSPICIOUS emails MUST BE SCANNED
- 7 COMPLIANCE WITH GDPR

ATTENTION CREATE AUTOMATIC ON YOUR PRIVATE COMP. COMPANY SHARE

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SEBASTIAN GOSCHORSKI

WORKING REMOTELY ADVANTAGES



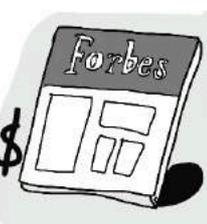
FLEXIBILITY

as well as DISADVANTAGES



100.000 CYBER ATTACKS DAILY
 MORE THAN 50% OF THE ATTACKS ARE TARGETED AT SMALL BUSINESSES
 LOSS EXCEEDING 6 BN \$ ANNUALLY

BEWARE of RANSOMWARE ATTACKS



3 TRUSTED VPN PROVIDER

4 TAKE CARE TO PROTECT LOGINS & PASSWORDS

DIGITAL HABITS

A COUPLE of Rules

ON HOW to MITIGATE RULES

1 UPDATES OF OPERATING SYSTEMS and SOFTWARE

2 BACKUP OF DEVICES AND INFORMATION

11 AVOID SENDING ATTACHMENTS ALSO TO TRANSFER DATA

USE a cloud

12 TOOLS SHOULD BE ABLE to ENCRYPT DATA

0001
1101
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13 CYBER RISK INSURANCE POLICY WILL COME IN HANDY

DATA SYNCHRONISATION COMPUTER WITH THE HARD DRIVE



THE PANDEMIC CREATES NEW OPPORTUNITIES FOR HACKERS



GIVING EMPLOYEES REMOTE ACCESS TO COMPANY RESOURCES IS A GOLDEN OPPORTUNITY FOR HACKERS

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sketchnote by AMIA STASKIEWICZ



How Lawyers Can Network Despite Social Distances

By Elizabeth Ortega, Principal of ECO Strategic Communications

The last few months have relocated the practice of law from an arena for highly physical contact sports to a virtual playing field. Almost overnight, travel, in-person meetings and invaluable tete-a-tetes are no more.

Given that we don't know where the pandemic is going next or when it's going to end, doing nothing or attempting to carry on business as usual is not an option. Rather than regret the temporary inability to meet in person, lawyers can leverage technology and set a new standard with reliable tactics. The new, adaptive techniques that lawyers cultivate now will serve them well in a future that does not include health-crisis management.

For years, I've recommended that my lawyer clients "be in the room." Lawyers can still get there by bringing their resources and charisma to safe online settings.



An alternate approach to developing and maintaining an influential network can be pursued and accomplished using technology from anywhere by employing the tried tactics outlined below.

Ask, listen and learn

As rainmakers consider how to best attract referral sources, the inability to meet in person is creating tension. Many would agree there's no replacing an in-person exchange for bonding.

However, relationships are about finding commonalities and in this period of uncertainty, most people are open and ready to connect. Business development and the attorney-client relationship hinge on trust, which has nothing to do with proximity. Clients hire "trusted advisors" based on experience, cogent analysis of the matter at hand, and rapport.

Thus, the most appropriate approach and medium for communication should be carefully selected. If the wish is to connect with contacts (clients, colleagues, friendly competitors, etc.) to touch base and ask how they're doing, it's wise to stick to a telephone conversation.

A traditional phone call allows you to gauge the receiver's tone, inflection and pauses. Yes, a phone is technology. Tried and true. After all, the point is to hear what they have to say. When one is listening attentively, there's no need to "pitch" services. From this simple exchange, key insights, ideas, patterns and creative solutions emerge. When you generously offer useful information, you create a comfortable atmosphere of reciprocity that drives the conversation.

The phone call is not only a conduit for the client to share perceptions, but also for the lawyer to contribute timely information. Essentially, in this informal fact-finding approach, lawyers can connect with client interests, find a fresh perspective and consider new alternatives. The secret lies in understanding the "why" and "how" behind the outreach.

In this scenario, it's better to be heard than seen.

Provide news and analysis of hot-button issues, cases and trends

Most lawyers are accustomed to providing thought leadership to establish brand recognition among target audiences that have the power to refer and engage. Certainly, the time is ripe to maximize digital exposure by disseminating original content. While it's long been part of the marketing mix, this tactic has become a crucial factor in diminishing social isolation.

In your outreach, you have probably learned that people often look to experts, including lawyers, to frame their thinking. Savvy lawyers understand how providing and sharing original content creates cross-marketing opportunities. Traditional and social media have the power to exponentially augment the message and its reach.

In this context, since you are looking to educate and shape public perception based on client and peer feedback, the preferred communication tool is written commentaries published in industry-related digital and print media outlets.

Since everyone engages in some form of social networking, we all spread information through the most potent form of marketing: word of mouth. A robust online and social media presence maintained through consistent postings and outreach is vital to creating and preserving brands.

A good read is hard to miss.

How to deepen our social ties virtually

Many lawyers have succeeded at staying visible by engaging with existing and future connections in a virtual landscape. These lawyers participate in online events where a topical problem is addressed and solutions are vetted.

The very same concept behind popular go-to conferences applies. Traditionally a lawyer presents at an event, followed by a coffee meet-and-greet with a target. Then there's lunch with a group of practitioners from a local firm, rounded off by a client-hosted cocktail reception. The setting is familiar, off-sides anecdotes are generated - remember that party at that club? -- and the magic begins to unfold.

The biggest risk you're taking by engaging in a virtual platform is that an adorable child or pet pops up in the background. The professor explaining South Korean politics live on the BBC when his child makes an impromptu appearance springs to mind. The professor's popularity soared as a result of the heart-warming gaffe. Nowadays we can all relate.

Much like in social outings, lawyers can impart, debate and develop relationships by safe-

ly engaging in virtual setups. Generating business still and always requires flexibility and the opportunity to lead a discussion. The fundamental advantage of the online mode is that you can start a private chat during a well-attended online event without having to face friendly interruptions.

You can't fully replace in-person meetings for building relationships. We remain keen to see each other and, to quote the queen of England, "we will meet again." For now, video calls are providing continuity and efficiency. And while the novelty of social video chats may be wearing off, understanding and appreciating this tool in a business setting is increasing.

Lawyers using technology to strategically hit the pavement.

About the Author

Elizabeth Ortega is principal of [ECO Strategic Communications](#) and co-founded [The International Academy of Financial Crime Litigators](#).



LawDesk360



“Time to Change”



Stepping up the game with LegalTech

By Kamila Kurkowska, CEO of Firemind, President and Founder of Women in Law Foundation, Ambassador of European Legaltech Association in Poland

In many law firms, the growing availability of LegalTech solutions was taken into consideration with a grain of salt, or treated as a gadget with lesser meaning in everyday business.

Traditional forms of client contact, managing law firms and its processes were deeply rooted in not only firm structure, but also the lawyer mindset. COVID-19 has reshaped many well-

worn rules thought to be unchangeable, demolished traditional foundations and made traditional rules of running business impossible.

For LegalTech start-ups and companies, this is a moment where they can step out of the shadows into the mainstream.

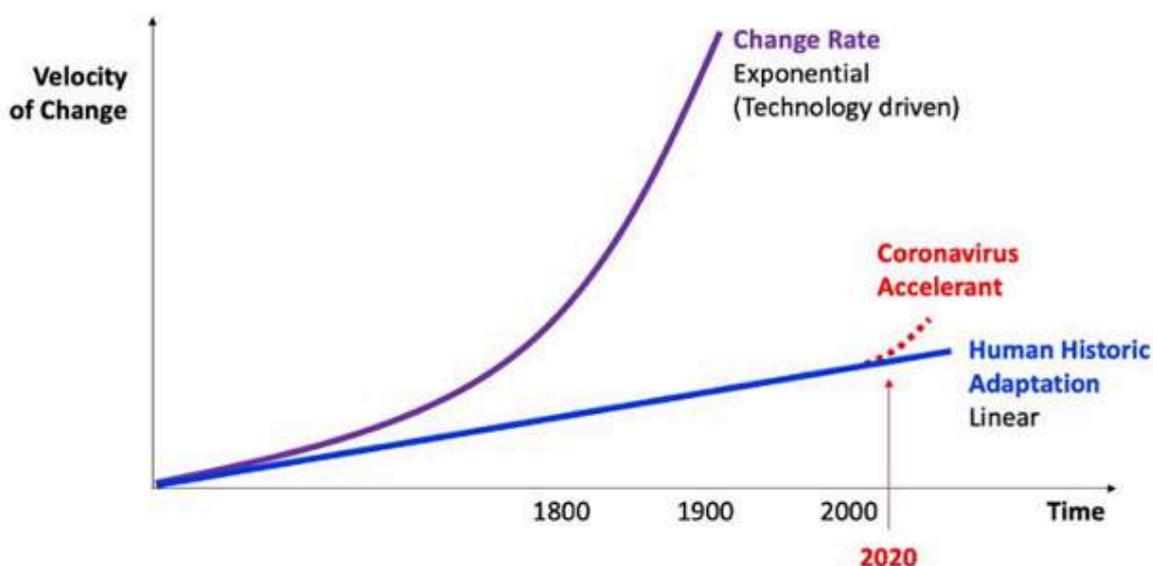
This does not mean that traditional legal firms will shut down. Rather, the digital transformation will accelerate. Solutions that were considered „nice to have” are advancing to „must-have”. Companies providing legal services can use the moment to gain competitive advantage in at least some aspects.

Newly defined organisational culture.

Over the last few years, conversations about the market referred to a term used in defining conditions on a mission- **VUCA**. The world of VUCA is **Volatile, Uncertain, Complex** and **Ambiguous**. In such a world, it is impossible to have the comfort of sticking to predictable rules and strategies. Despite this, in recent years we have become accustomed to stable growth and predictable client behaviours. This is why recent events come as such a shock, shaking our value system. This mainly concerns the organisational culture of firms.

Those who are the strongest will survive (or not only those) but first and foremost- those who flexibly adapt to the new surroundings. Both money and clients are not gone from the market, but the ways of getting to them have changed. Innovation, not only technological ones, but also those resulting from a critical and analytical mindset and open-minded managers will give a significant advantage in the race. Companies providing legal services should quickly assess current needs in terms of innovations and effectively implement them. The most obvious of them are adapting communication tools to the digital reality, widening the scope of provided services (i.a. those which can be provided remotely), or recalibrating the risk management system. At this time, it is possible to fix many issues that have long been criticised, such as inequalities on the way to top-level posts, such as pay gaps or gender inequality.

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Box solutions, meaning those bought in a bulk and at a fixed price, are definitely on the plate. But the question remains, how to adapt this to the needs of the client, and for how much? Permanent subscriptions, which are not dependent on the amount of the legal firms' work, are advantageous for the firm, but not for the client. Clients want to know what they are paying for and get a fixed price more frequently. This forces law firms to precisely calculate their services and price them appropriately, and also to compete with other entities, which are not necessarily law firms. Some services, especially basic ones, such as sales contracts or preparing documents for board meetings are already available on the market and do not require to be provided by well-known law firms. It is also a possibility that in the future, these services will be executed through a smartphone app or similar solutions. Soon, a blockchain-based solution for holding regular and supervisory board meetings online will enter the Polish market. Will this revolutionize the corporate law market in Poland?

Certainly, it is worth beginning with a few changes to help the client understand the pricing of our services- for example, a simplified pricing of hourly rates. Even more radical is offering services through a „reversed auction”. Law firms that decide to participate in the process and are verified by the platform provider compete, lowering the price in response to the clients' offer. On the platform, they can see only the drop in price, but not who they are competing with. On average, this can lower the final price by 10-15%. For now, those who use such platforms are usually the

largest corporations, but with time, this sales method may become more popular. Such solutions are not available on the Polish market yet, but in the future- who knows? The first step could be creating a comparison-shopping agent for standardized services, similar to those that function in the insurance sector.

Action methodology.

How to prepare yourself for a world more sensitive to change than VUCA? We are entering an era of drastic legal and business model changes that will be difficult to assess. Robert Ambrogi, a lawyer, journalist and LawNext expert stated before the crisis: If you want to be ready for what the future holds, do not wait for it to happen”. In other words, we must take risks and act not according to what we know today, but according to what might happen tomorrow. Traditional solutions, from delimitation of competences, work methodology and tema management skills won't work anymore. It is time for „newbies” such as systems based on scrum, agile and goal determinant systems such as OKR, or tools measuring client satisfaction. If these terms are not understandable and sound exotic, we probably have many lessons to learn. For encouragement, it is worth adding that in many businesses, such as production or IT, these tools are very effective, leading to quality cost management and better management of time and resources.

Of course, in the beginning, change in methodology will result in some resistance (as any change does), but it is important to keep in mind that being more effective, organised and having better data and risk management will give benefits not only to our law firm, but also to clients as well.

Digital transformation.

A term previously reserved for IT companies has now become a „holy Grail” for those who run their businesses in a traditional model. After the pandemic broke out, it became clearly visible that it is impossible to work without technology, and the core of the matter is not about faster computers or better wi-fi (although those may also come in handy). According to Gartner’s report, 81% surveyed law firms are simply not ready for a technology revolution. The answers to the resistant approach can be found in a Wolters Kluwer report, according to which the main factors are: lack of technology knowledge, understanding of the need for change and ability to function in a digital environment, and 36% of law firms admit this. I have already previously outlined the „deadly sins” of these firms, such as remote document management systems, data digitization or data security. Over the last years, the main factors slowing down digital transformation are distrust towards cloud solutions or digital document signatures. However, it turns out that in an era of electronic and scanned documents, market available solutions, for example those blockchain-based, may be a more secure solution than paper documents. After document digitalization, a possibility of attaching AI-based solutions, which can precisely categorize, search, analyse and detect potential mistakes more precisely than a human being, This of course does not mean that the legal profession will be replaced by machines, but that humans will gain new tools and support from “Silicon Valley intelligence”. Already in 2017, in a McKinsey report it was predicted that 23% of lawyers’ tasks can be done by a computer. Today, it may turn out that the number will be much higher, although

the so-called “protein element” will still be needed to confirm results achieved by artificial intelligence.

The change in paradigms mark the market from time to time, and are usually met with resistance at the beginning, which later develops into creating innovative solutions. Can we return to the world we knew before the pandemic? Most experts agree that this is not a possibility. Law firms will have to adapt to the new rules, and those who do it first will get a leg up in the race. Similarly to the previous revolution- communicating through e-mails and negotiating deals by phone, in a decade we may be amused at stories of documents kept in binders, legal opinions written on the basis of paper files and archives, as well as AI associated with science-fiction gadgets. The notion of which solutions will stay or be discarded is not yet determined. It is, however, determined that the necessary change in our mindsets and actions is inevitable.

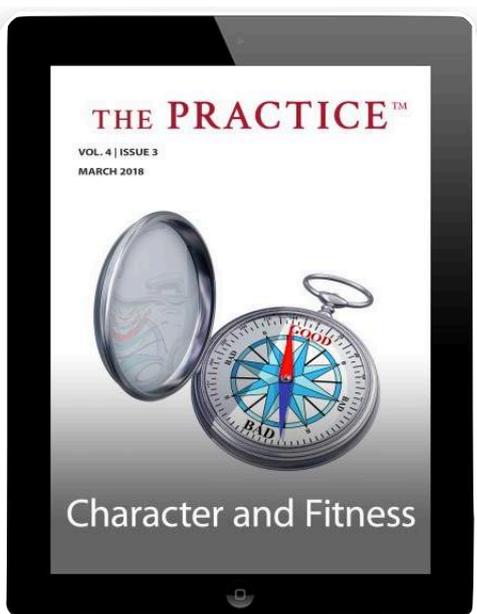
About the Author

[Kamila Kurkowska](#), CEO of Firemind, President and Founder of Women in Law Foundation, Ambassador of European Legaltech Association in Poland.

Kamila is experienced and innovative business manager, focused on legal marketing, Legaltech and corporate innovation. She has gained her knowledge and experience leading marketing and business development teams at Deloitte Tax and Legal Advisory and Harvard Business Review.

Since 2015 she has been successfully running Firemind - consulting company, specialized in strategic and marketing advisory to profes-

sional services and technology companies. She advises Clients on digital and offline marketing, business development strategy and ongoing projects, serving as Head of Marketing on a number of occasions. Thanks to years of effective management of large and complex teams, combined with effective building of relationships with different groups of stakeholders, business partners and clients, she has been able to build a broad and strong business network.



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The Value Series

A ClariLegal interview with Jeff Kruse, Founder and President of Kruse Consulting and Dispute Resolution, LLC (KCADR)

By Cash Butler, founder of ClariLegal and James Johnson, principal attorney of First Venture Legal.



We recently had the privilege of speaking with Jeffery Kruse, founder and President of Kruse Consulting and Dispute Resolution, LLC (KCADR). An attorney by training, Jeff graduated from Washington & Lee Law School in Virginia and went into private practice with the law firm Shook, Hardy & Bacon. Jeff represented pharmaceutical and medical device clients in the firm's product liability and tort practice. After eleven years at the firm, Jeff became Senior Corporate Counsel at Guidant Corporation shortly prior to its acquisition by Boston Sci-

entific Corporation (BSC). While at BSC, Jeff helped build an in-house team responsible for the eDiscovery process at the company. After ten years, Jeff left Boston Scientific to join the pharmaceutical defense practice at the Kansas City firm of Baker, Sterchi, Cowden & Rice. Eventually, Jeff started KCADR (www.kcadr.com), where he provides dispute resolution services and serves as an efficiency consultant for law firms and legal departments.

Through KCADR, Jeff help firms and legal departments improve their client services with the ultimate focus on the value received by clients. Jeff particularly helps firms run RFP processes to secure technology products and services to help those firms deliver greater value to their clients.

We started as always by asking Jeff what value means to him. To Jeff, value is “receiving the best results for the best possible price.” Jeff notes that because clients are paying for results, everything that law firms and legal service providers do should be viewed through the “client’s lens and focused on the client’s interests.” Jeff also says that value can be viewed as “finding the most efficient and cost-effective solutions to reach the ultimate project goal,” or as getting “the ideal results in the quickest time.” However, Jeff also points out that “cost-effective” does not always mean selecting the cheapest option.

We also asked Jeff about how the concept of value has been defined by the firms and companies for which he has worked. Jeff notes that law firms and legal service providers often define value differently from corporate clients. For corporations, value has meant “being able to get the best results possible in the least time and most cost-effective manner.” Jeff’s team often conducted RFPs to ensure their vendors and law firms continued to represent the best value for the company. In his career, Jeff notes that his team rarely chose the lowest-priced provider when selecting an outside service vendor. Instead, they would focus on selecting the vendor that promised to deliver the best outcome in the shortest period of time. For

their efforts, Jeff’s team at Boston Scientific team won back-to-back corporate-wide Platinum Value Improvement Project Awards for RFP projects, unprecedented for in-house legal at the time. The Platinum Value Improvement Project Awards were the highest honors for continuous improvement projects at BSC at the time.

On the other side, Jeff notes that law firms will often define value by the billable hour. However, Jeff believes the billable hour creates “disincentives for increasing efficiency and continuous improvement” at law firms. This disincentive for firms to improve efficiency runs counter to continuous improvement culture at most corporations, especially in the pharma, biotech, and medical device industries. Jeff also notes that, for law firms, much of the focus in providing value to clients is centered on litigation mitigation. But Jeff points out that companies don’t see themselves as having “legal problems.” Rather, for companies, they have “business problems that have legal aspects.”

We next asked Jeff for his thoughts on how the COVID-19 pandemic might shift perceptions of value in the legal industry. Jeff recalled the difficulties that followed the 2008 recession. In particular, Jeff says that law firms and in-house legal departments had to “learn to do more with less” as a result of layoffs and headcount freezes.

The same thing is happening again for corporations, who now must do the same work as before with fewer people, or in the case of some companies, more work with the same

number of people as before. Jeff believes the business world will see an uptick in legal matters and litigation, especially with respect to renegotiation of supply chain agreements and commercial real estate contracts.

As for how legal departments prepare for an increase in legal activity, Jeff has been helping his legal department clients to develop “processes and procedures for an influx of litigation, renegotiation of contracts, etc.” For his clients, Jeff is guiding them to create strategies for what to do if customers and suppliers refuse to renegotiate contracts. On the law firm side, Jeff has been assisting his clients about what to do if clients insist on rate freezes, and how to handle issues created when the law firm’s service vendors can no longer provide the same level of service due to layoffs. Jeff’s advice to law firms and legal services vendors is to consider adopting appropriate alternative fee structures during the economic downturn. Jeff notes that AFAs are not just about saving money, but can also provide clients and the firms with financial predictability. Jeff believes that companies may start using more RFPs to make sure they are getting the best value for their money during these tough economic times. He notes that RFP platforms such as www.ClariLegal.com make the RFP process substantially faster and allow clients to define what the costs of services should be.

We next asked Jeff how, during his career, he has measured the delivery of value. Jeff says that, when he was in-house, he would look at metrics such as time from inception to conclusion of a matter, and the “total cost of delivery.” Jeff says that although the goal was

to use data to determine how services were being delivered, in his experience it was easier to measure legal service vendors using metrics than it was to compare law firms. Jeff notes that historically vendors have set benchmarks for their performance, and law firms are just now beginning to do this as well. Jeff believes that the difficulty in measuring the delivery of value from law firms stems from the fact that litigation matters are considered hard to quantify. However, Jeff says that once you have data from multiple law firms’ performances, clients can start to determine “what those services should cost.”

To conclude, we asked Jeff whether he thought RFPs and vendor management tools contributed (and contributed well) to legal stakeholders’ understanding of value and conversations about value. Jeff begins by noting that historically this is a tough question to answer because of the old way of conducting RFPs through Word documents or spreadsheets. That traditional RFP process was time consuming, resource intensive, and often frustrating because there was no automated way of comparing the different pricing models proposed by the prospective vendors or firms. Specifically, Jeff notes that “the traditional way of doing RFPs posed difficulties in getting apples-to-apples comparisons and being able to evaluate whether you are getting the best value.”

Because “service providers have been creative in using different pricing models there was no easy way to compare [prices or bids].” As a result, Jeff often found it difficult to get a straight answer on what a service offering would cost. Jeff says that the industry is

beginning to move toward universal pricing metrics but isn't there yet. Jeff believes that some vendors still try to hide the final price. Ultimately, Jeff says that emerging RFP tools like the ClariLegal platform will help clients and customers reduce the gamesmanship in the RFP process and will help them get the best value for their legal service dollars. These new products and services provide great ROI with a minimal time commitment. Because helping clients conduct RFPs has been a big part of his consulting work through KCADR, Jeff is excited to use these cloud-based automated RFP tools to streamline clients' RFP procedures to help them save time, save money, and reduce frustration in the RFP process.

About the Authors

[James Johnson](#) is principal attorney of [First Venture Legal](#), a Cambridge, Massachusetts-based law practice focused on corporate and transactional law for very-early-stage startups. James assists entrepreneurs and small business owners with corporate formation and structuring, contracts, commercial law, employment matters, and early-stage fundraising. His practice utilizes alternative fee struc-



tures to deliver value-based service to early-stage ventures.

In addition to practicing law, James works with ClariLegal, focusing on building out its innovative platform and spreading the word of ClariLegal's mission to reduce cost and complexity in legal vendor selection and management for law firms and corporations.

[Cash Butler](#) is the founder of ClariLegal. A seasoned legal technology innovator, Cash has over 18 years of experience in the legal vertical market, primarily working in eDiscovery, litigation & compliance. Cash is an expert in legal vendor, pricing and project management.



[ClariLegal](#) is a preferred vendor management platform for legal services that improves business outcomes. Made for legal by legal experts. We match corporations and law firms with preferred vendors to manage the work through a fast and complete RFP and bidding process. ClariLegal's platform allows all internal client segments to improve business outcomes across the board – predictability, time and money. [Learn more](#)

SURVIVE & THRIVE POST-PANDEMIC

*A Guidebook for Legal &
Professional Services Providers*

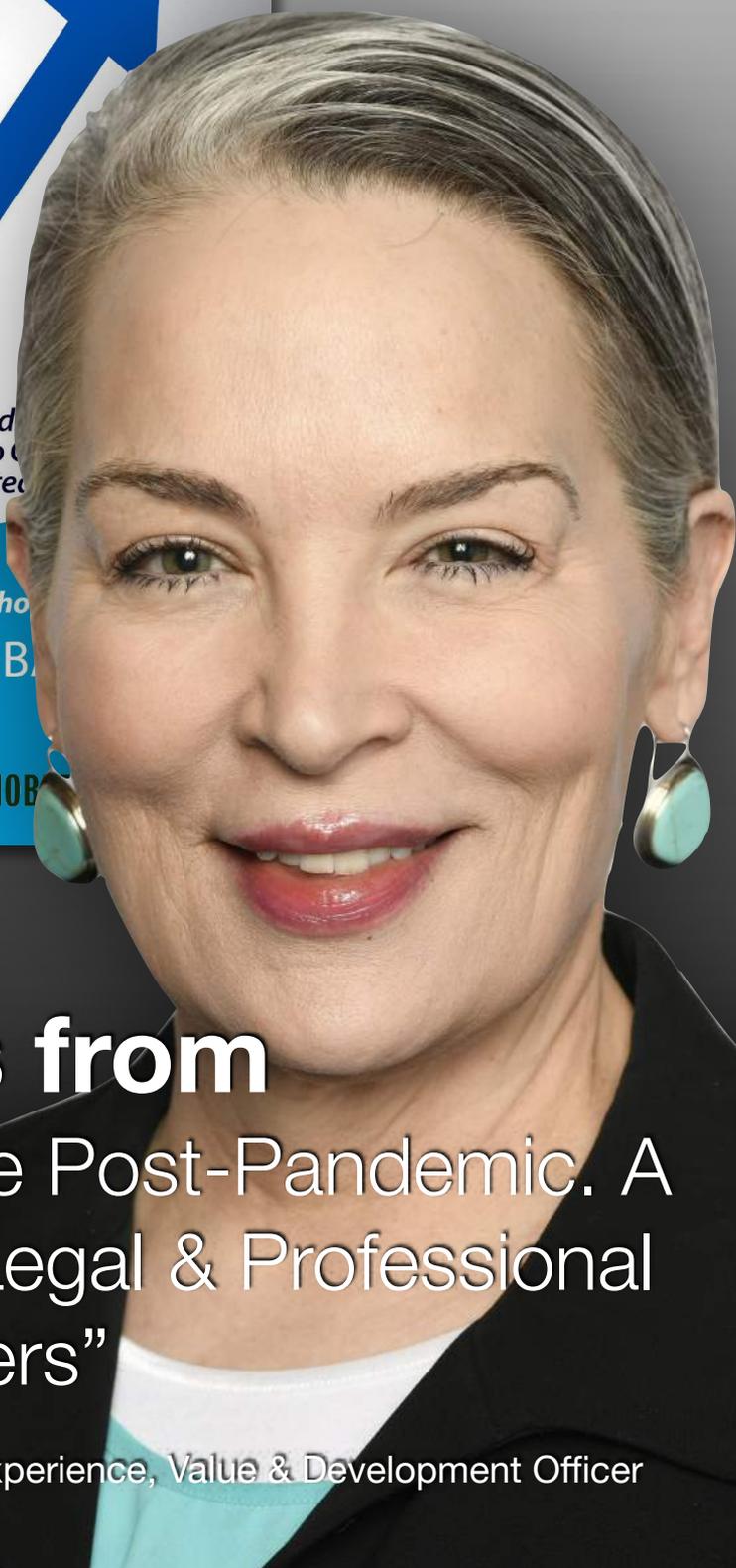
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Takeaways from

“Survive & Thrive Post-Pandemic. A
Guidebook for Legal & Professional
Services Providers”

By Julie Savarino, Chief Client Experience, Value & Development Officer

1. Crises are opportunities to make or break your reputation, make sure to add to your reputation!
2. Embrace the fact that all professional services firms and providers are in the *people business*, and it is people who hire, retain, use, and pay for all legal and other professional services.
3. Embrace the fact that **you** are your brand. *Everyone* who works at your firm is a brand ambassador who adds to or detracts from your firm's reputation and image with every action, every deliverable, and every communication.
4. Strive to be different and better—create and offer new, innovative, corporate-citizenship-centric, or added-value solutions, offers, services, and resources.
5. Consider the client's perspective in everything you communicate. Be more client focused.
6. Embrace a new, social distance relationship reality and master ways to interact without being in physical, face-to-face contact.
7. Personalize and tailor most of your communications.
8. Deliver information that clients want and need, in the format they want and prefer (and do this all the time, not just during a crisis).
9. Carefully review email subject lines before sending.
10. Leverage spoken remarks and other content delivered verbally during webinars and podcasts, and re-purpose for alerts, articles, or posts.
11. Optimize your own and your firm's use of LinkedIn.
12. Know clients' problems, pain points, wants, and needs, and strive to create cost-effective solutions to meet them.
13. Business development is the most important function for any professional services practice to even exist, not to mention to survive and thrive.
14. Consistently developing new business for a professional services firm or practice is part art, part science.
15. Avoid the natural instinct to cut costs to the bone.
16. Strategically realign your marketing and business development costs and efforts.
17. Business development is a business discipline and an overall process, touching every aspect of the practice, and is further defined by 1) marketing, 2) client development/sales, 3) client service, and 4) cross-service (MBDCS).
18. To optimize results from MBDCS investments and activities, they must be carefully selected, thoroughly implemented, and followed up upon. MBDCS is a bona fide business discipline that takes investments and efforts over time to generate consistent results.
19. Know and embrace the science (body of knowledge) about what MBDCS works and what does not for professional services firms.
20. During or after the pandemic, make the time to review, analyze and rank all your business development investments and efforts, including all MBDCS activities for ROI, client value, necessity, and efficacy.
21. Embrace, institutionalize and schedule a formal strategic assessment of your practice, group, department, or firm, ideally once a year.
22. Create a defined assessment process, including roles, responsibilities, due dates, reporting, reviews, and communications.

23. Identify and gather all needed and desired information and data from both internal and external sources.
24. Involve a variety of perspectives in the analysis and discussion of the resulting information and your strategic options.
25. To deliver measurable results, all strategic choices and decisions for professional services involve or need:

- Clients and key stakeholders' input and feedback in a valid, usable format.
- Careful planning, including risk assessment, impact, and prioritization considerations.
- An optimal combination of people/ staff, processes/ procedures, and technology.
- Embrace the fact that taking measured risk(s) is needed, the level of which varies considerably depending on many factors.

26. Failing to plan is planning to fail.
27. Plans do not need to be lengthy or complex, but they must be actionable.
28. To make the best use of your limited non-billable time, ask for, obtain, or hire support and assistance as needed.
29. Pandemics will reoccur, and other crises will happen, so always be prepared to pivot and fast.

The above are a few of the hundreds of key takeaways from the new book, *Survive & Thrive Post-Pandemic: A Guidebook for Legal & Professional Services Providers*, written by [Julie Savarino](#). 20% of the net proceeds from this book will be donated to Global Giving, a highly rated international charity which is the largest global crowdfunding community connecting nonprofits, donors, and companies in nearly every country. The eBook and paperback are available worldwide on [Amazon](#), and the paperback is also available on [Barnes & Noble](#).

20% of net proceeds from
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12 Elements of Emotional Intelligence for Project Managers

By Ayana Edwards Jackson, Legal Project Manager at Facebook and writer.

(Original source; [see website publication](#))



The line between good and great project managers may be drawn firmly in the sand of Emotional Intelligence (EI). The primary elements of EI as outlined by Daniel Goleman and Richard E. Boyatzis in *Emotional Intelligence Has 12 Elements. Which Do You Need to Work On?* (2017, Harvard Business Review) are Self-Awareness, Self-Management, Social Awareness and Relationship Management. How can EI, and mastery of these four broader elements, help create stronger Legal Project Management (LPM) teams?

Generally, high levels of EI help project managers run more effective meetings, maintain strong team engagement while executing project work, produce higher quality deliverables and navigate Legal nu-

ances in a manner that feels fluid and competent. While honing in on EI-sparked signals, Legal Project Managers (LPMs) should be able to accumulate realistic perspectives of the current organizational climate - and develop tailored action plans or approaches that are well-suited for that particular project environment. Further, leveraging EI can help LPMs better assign project tasks and design workable process flows that are considerate to the evolving needs of the project team.

Self-Awareness

Captured under the domain of Self-Awareness is the competency of Emotional Self-Awareness. From a LPM perspective, this entails individual project managers adequately assessing their own needs and objectives and how those conclusions may impact the

project work. For example, is the LPM currently overburdened with a competing project and unable to provide the project teams proper attention? Or, are there Legal concepts associated with the project work not being grasped, creating lapses during project planning and execution? Honest assessments about the internal work required on behalf of an LPM to lead a project is vital.

Emotional Intelligence Domains and Competencies

SELF-AWARENESS	SELF-MANAGEMENT	SOCIAL AWARENESS	RELATIONSHIP MANAGEMENT
Emotional self-awareness	Emotional self-control	Empathy	Influence
	Adaptability		Coach and mentor
	Achievement orientation	Organizational awareness	Conflict management
	Positive outlook		Teamwork
			Inspirational leadership

SOURCE MORE THAN SOUND, LLC, 2017

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Self-Management

Self-Management differs from Self-Awareness in that it encompasses Emotional Self-Control, Adaptability, Achievement Orientation, and Positive Outlook. Adaptability is an especially important trait for Legal Project Managers, as project needs can and do often shift - many times impacting the project’s priorities and timing as well. Changes throughout a project’s lifecycle and project manager’s role are often unavoidable across industries, making adaptability valuable within LPM work due to the nuances involved in interpreting the law and providing Legal guidance.

It can be argued that Emotional Self-Control is most useful for LPMs during meetings and ongoing Legal discussions, as disagreements can arise while arriving at appropriate Legal determinations that may either impact or stall the project work. It is an important part of the Legal Project Manager’s role to navigate any challenging areas where the project team and/or Attorneys are not aligned and guide the group back towards an actionable decision. In short, an LPM who is able to connect Emotional Self-Control to

Achievement Orientation can help create a smooth project experience for the entire team.

Additionally, maintaining a Positive Outlook can be valuable in LPM work when used as a vehicle to drive engagement and motivate the project team. Genuine and well-informed belief in the best possible outcomes for the project and project team can become contagious and create ripple effects of positivity and great work.

Social Awareness

The Social Awareness domain consists of Empathy and Organizational Awareness. Social Awareness asks are we present and connected to what is going on around us? Empathy asks if we are able to understand and care about the instances we are observing? A solid LPM will combine this information to assess potential impacts to the project work. When targeting aspects of Organizational Awareness, more specific questions such as, has there been a recent organizational restructuring - or Legal matter or regulatory concern recently that may impact the project team? Taking these variables into account when developing project plans and executing on project work helps boost the probability of project success.

Relationship Management

Influence, Coach and Mentor, Conflict Management, Teamwork and Inspirational Leadership represent the competencies of Relationship Management within the context of EI. Influence - and in particular, Influencing without Authority - are huge focus areas for Legal Project Managers to focus on while running projects. Influence can be best established through strong project execution and interpersonal interactions amongst the project team and stakeholders.

In real-time, LPMs are often not Lawyers and are not required or empowered to make Legal decisions for the project. However, there is frequently an expectation that Legal Project Managers surface any process or logistical risks for Legal review. The sum of these interactions equates to Teamwork within LPM, which another core factor of Relationship Management that is essential for LPMs and project teams to function well. Teamwork is best facilitated through having clear roles and responsibilities, centralized communication spaces, enforceable deadlines and appropriate forms of Leadership oversight.

In all, strong Legal Project Managers leverage Emotional Intelligence to better lead and empathize with project team, better navigate collaborative group dynamics and inform LPM judgment calls within Legal project work.

Sources:

Goelman, D. and Boyatzis, A. (2017). Emotional Intelligence Has 12 Elements. Which Do

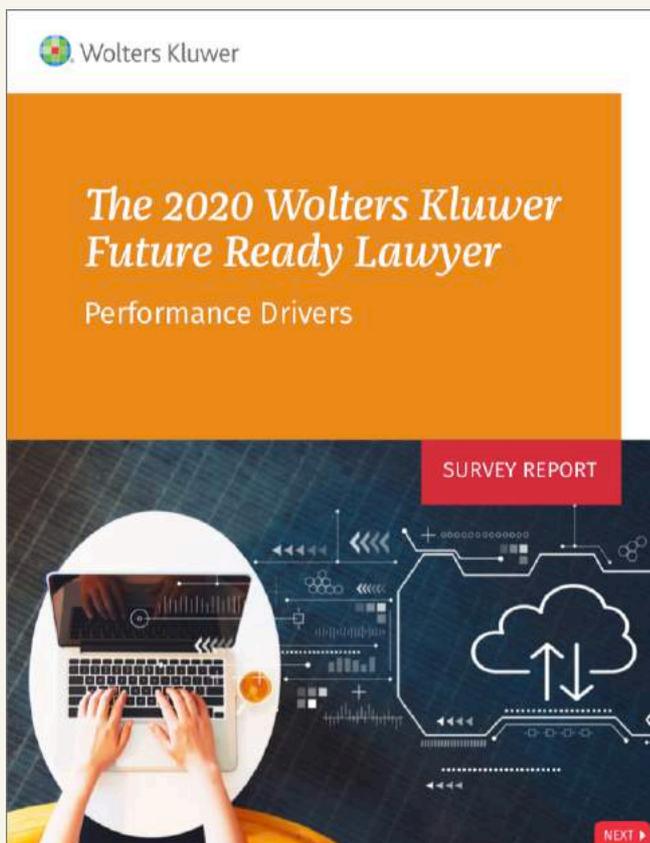
You Need to Work On? Harvard Business Review. Retrieved from URL: <https://hbr.org/2017/02/emotional-intelligence-has-12-elements-which-do-you-need-to-work-on>

About the Author

Ayana Edwards Jackson is an experienced legal professional and writer currently working and living in Silicon Valley. She has worked as a corporate governance specialist and project manager directly supporting the Board of Directors. She obtained her B.A. in Anthropology from George Mason University. Ayana is also a writer and mixed media artist.



2020 Wolters Kluwer Future Ready Lawyer: Performance Drivers and Change in the Legal Sector



The disruption caused by the 2020 global pandemic will have far-reaching impact across the legal industry, accelerating the sector’s ongoing transformation. Before the crisis, the legal sector was already undergoing transformation driven by economic, demographic, regulatory, technology and competitive demands. Those forces will continue to drive change in the industry, with their impact now amplified by the COVID-19 crisis.

The crisis has shown that legal technology solutions, which enable work at anytime from anywhere, are essential to business continuity today. As the legal industry moves forward, however, the focus will also be on the key capabilities that will ensure that organizations not only survive

through change, but also thrive in the new legal landscape.

Wolters Kluwer conducted an independent survey – the 2020 Wolters Kluwer Future Ready Lawyer Survey: Performance Drivers – to assess future readiness and resilience in the legal sector. The survey includes insights from 700 legal professionals across the U.S. and nine European countries and examines ongoing trends in the legal sector and how well-prepared organizations are to drive higher performance.

“Given the pressures created by the crisis, there will be a spotlight on legal professionals’ performance moving ahead, with the need to increase productivity while delivering the highest value and ROI to their customers,” said Martin O’Malley, Wolters Kluwer Legal & Regulatory Executive Vice President and Managing Director.

Findings of the 2020 Wolters Kluwer Future Ready Lawyer Survey: Performance Drivers are available in this report, which also includes insights from legal industry leaders on COVID-19 and legal sector impact.

Key Survey Findings

With a focus on the attributes that drive performance in legal organizations, the survey found that legal professionals see technology as the top performance driver and critical to improved relationships, performance and productivity. In fact, the Increasing Importance of Legal Technology is the top trend for 76% of respondents across Europe and the U.S., and across law firms, corporate legal departments and business services firms. The survey also found performance blockers, however, and revealed a number of gaps in understanding, expectations, experience and capabilities – within, as well as between, law firms and corporate legal departments – that inhibit top performance.

Top Trends and Readiness

Lawyers predicted pressure from a series of trends expected to impact their organizations over the next three years and technology topped the list. The top trends expected to have the most impact are:

- Increasing Importance of Legal Technology – 76%
- Meeting Changing Client / Leadership Expectations – 74%
- Emphasis on Improved Efficiency / Productivity – 73%
- Ability to Acquire and Retain Talent – 73%
- Coping with Increased Volume and Complexity of Information – 72%

Looking across all trends, however, there is a significant gap between trends and readiness to address them. Fewer than one-third of respondents reported they were very prepared to address any of them. In fact, while the Increasing Importance of Legal Technology was the top trend at 76%, only 28% of respondents said they were very prepared for it. Why do legal organizations seem so unprepared? Respondents said that the Difficulty of Change Management & Leadership Resistance to Change is the biggest barrier to implementing change for both corporate legal departments (65%) and law firms (53%).

Client-Firm Relationships

The Future Ready Lawyer Survey surfaced significant gaps between corporate legal departments' expectations and law firms' ability to deliver on them. For example, 79% of corporate lawyers said it is important that the law firms they work with Demonstrate Efficiency and Productivity, while only 28% said it describes their current firm very well. The disconnects that surfaced across several categories may be impacting client satisfaction

levels, with only 26% of corporate lawyers very satisfied with their current law firm.

The findings make clear that increasingly, the use of technology is critical to how well firms meet client expectations. Corporate legal departments, faced with the need to improve productivity and efficiency, have turned to technology more aggressively and they are pressuring law firms to do the same. Within the next three years, 81% of corporate legal departments said they will require law firms to describe how they are using technology to be more productive and efficient – nearly double the rate of 41% asking this today.

The Changing Corporate Legal Department

Looking at trends specific to corporate legal departments, respondents said that their top priorities over the next three years will be to: Reduce / Control Outside Legal Costs; Improve Legal Operations and Legal Project Management; and Provide Strategic Value to Their Company. When asked to identify the biggest changes ahead for them, 82% said they expect the Greater Use of Technology to Improve Productivity. With a focus on technology, the gap in knowledge and preparedness is most acute when it comes to transformational technologies. Big Data and Predictive Analytics are the transformational technologies that 67% of legal departments expect will have impact over the next three years, yet just 25% understand these technologies very well.

The Changing Law Firm

Transformation is underway across the law firm landscape, as firms increasingly face competition from alternative legal service providers and even clients themselves. To ensure they meet client expectations, 67% of law firms said they are Investing in New Technology to Support Firm Operations and Client Work.

Given the increasing importance of legal technology, it's no surprise that law firms plan to invest more: 60% plan to increase their technology investment over the next three years. However, only 29% believe they are very prepared when it comes to Understanding Technology Solutions Available; 27% are very prepared to Use Technology to Be More Productive; 26% are very prepared to Use Technology to Improve Client Services; and 24% say their staff is Capable of Leveraging Technology effectively. In terms of technology with the biggest impact in the next three years, 59% cite Artificial Intelligence, yet just 22% understand it very well.

The Technology Leader Edge Continues for the Future Ready Lawyer

The crisis has pressured legal professionals to fast-track their use of technology solutions. It is also true, however, that many professionals were already on this path of transformation, with different players moving at different paces. The previous Future Ready Lawyer

Survey conducted in 2019, found that Technology Leaders – those that fully leveraged technology – outperformed, across the board, those organizations that were not fully leveraging technology. In 2020, those findings were confirmed.

Among firms, 62% of Technology Leaders reported that their profitability increased over the prior year, compared to 39% of Transitioning firms. Additionally, across all areas of preparedness related to technology, staffing, organizational and client focus, Technology Leaders also outperformed organizations with lower technology use.

[Findings of the 2020 Wolters Kluwer Future Ready Lawyer Survey: Performance Drivers are available in this report.](#)

About the 2020 Wolters Kluwer Future Ready Lawyer Survey

The 2020 Future Ready Lawyer Survey: Performance Drivers from Wolters Kluwer Legal & Regulatory included quantitative interviews with 700 lawyers in law firms, legal departments and business services firms across the U.S. and nine European countries – the United Kingdom, Germany, The Netherlands, Italy, France, Spain, Poland, Belgium and Hungary – to examine how client expectations, technology and other factors are affecting the future of law across core areas and how legal organizations are prepared to address these. The survey was conducted online for Wolters Kluwer by a leading international research organization from January 10 to 30, 2020

As the legal industry moves forward,
the focus will be on the capabilities
that can help an organization thrive
in the new legal landscape.

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A portrait of Ari Kaplan, a man with dark hair and a slight smile, wearing a dark blue suit jacket, a light-colored shirt, and a patterned tie. He is looking directly at the camera against a plain white background.

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