

Technology Tools

Technology as an enabler to unlock your legal function's full potential and harness the power of data

Introduction

The challenge for in-house teams

With a plethora of new legal technology tools being developed in recent years, in-house teams are spoilt for choice. Despite this, 74% of legal operations professionals say that their current legal technology infrastructure fails to meet their needs (Consero Group 2020 Legal Operations Report).

There are a number of pitfalls which in-house teams face when selecting and implementing new technology, including:

- Difficulty cutting through the 'sales pitch' and technical jargon to select the right tool for the right process.
- Securing budget for tools which may be seen by the business as only used by or benefitting the legal department.
- Ensuring that the legal technology stack is future fit – particularly in an environment characterised by increasing complexity, rapid change, volatility and uncertainty.
- Trying to automate or improve processes that aren't fit for purpose or shouldn't exist.
- Jumping directly to the solution before fully understanding the problem.
- Underestimating the importance of stakeholder engagement and change management during the selection and implementation process.
- Failing to fully embed existing tools or to utilise available functionality which negatively impacts ROI, future technology approval requests and the perception of legal technology tools within the team and wider business.
- Resistance by lawyers to adopting new ways of working.
- Selecting point solutions which do not speak to other tools in the tech stack, creating data silos, duplication of processes and additional administration for users.
- Selecting tools on a piecemeal basis without a legal technology, roadmap or governance framework or in isolation, without reference to your legal department or organisation's strategy.

Did you Know?

More than half of Legal Departments* are working without tools to support the following:

- Matter management
- Document management
- Knowledge management
- Workflow automation & self help
- Litigation Management & eDiscovery
- Financial management including eBilling
- Contract Automation
- IP management

*Results from the Legal Operations Health Check benchmark (contact us for a copy)



Technology Tools

Developing a legal technology roadmap

A legal technology strategy or roadmap should be a living document which can help you identify the right tools for your teams and processes, generate reliable management information and enable data-driven decision making that supports your wider business objectives.

Automating and streamlining inefficient processes, administrative work or low value tasks enables your team to focus their time on higher value, high risk and/or strategically important legal services. Furthermore, centralising data and information within systems enables better knowledge sharing, greater standardisation of outputs, less duplication of work, improved risk management and more reliable data.

Guiding Principles

1

Don't optimise something that should not exist

- Ensure policies and processes are streamlined, updated and fit for purpose before introducing technology to support them.
- Review organisational structures and clarify roles and responsibilities.
- Sunset tools that are no longer fit for purpose.

2

Use what you have

- Optimise and embed suitable existing tools fully before considering new tools.
- Specialist legal technology isn't the only option; consider leveraging existing business tools to reduce approval time and additional licence fees whilst improving collaboration with internal customers.
- Rationalise existing technology spend and use cost savings to fund new investments.

3

Develop a scorecard

- Reduce subjectivity and bias by using a scorecard to support decision making.
- Rate scoring against criteria such as strategic priorities, user pain points, stakeholder values, maintenance requirements or ease of integration with your existing technology stack.

4

Prioritise

- To aid strategic prioritisation, categorise teams or geographic locations into tiers for technology roll out (based on size, maturity level, resource capacity, risk and/or existing tech capabilities).
- Apply appropriate levels of governance for each tier to streamline selection and implementation and cut through red tape.

5

Test & Iterate

- Run targeted pilots to reduce implementation risks and refine process before wider roll outs.
- Appoint a delivery team or product owner to oversee implementation and ensure the tool is properly embedded and utilised.

Technology roadmap

Legal Operations Process Taxonomy

Technology should be an enabler to your strategy and target operating model; however, to get the full benefit from any technology solution and realise a return on your investment, it is important to consider the following critical supporting activities:



Alignment to Department & Company Strategy

Ensure that your technology strategy is developed in the context of the broader strategic objectives of the legal department and the wider business. Legal should not be an island.



Change Management & Stakeholder Engagement

Facilitate the implementation of your technology roadmap with ongoing change management and stakeholder engagement activities to support adoption and embed the use of tools within daily routines.



Technology Governance Framework & Support

Appoint dedicated teams to provide technical support and maintain governance requirements, ensuring consistent and structured selection and onboarding processes and equipping users with clear communication channels to resolve issues.



Data Strategy

Initiate data-driven decision making by devising a strategy that outlines how to process, capture and store data. This will prevent data siloes and keep data in a clean, structured format.



Policy Reviews

Review and update company policies on a regular basis to ensure that they are fit for purpose, don't prescribe outdated or manual processes and enable rather than inhibit your legal tech strategy.



Process Mapping

Drive efficient use of technology by engineering business processes to embed tools within defined steps in the process map. Technology should be an enabler rather than the complete solution.

Technology roadmap

Legal Operations Taxonomy

The following is a taxonomy representing best practice for today's modern legal function. The taxonomy (together with its defined terms) has been designed to codify the framework, language and concepts used to categorise key legal operations processes and the technology that supports them.

The taxonomy is process driven, allowing for the mapping of suitable technology tools against each of the nine dimensions.

The emphasis is on using data to inform and design efficient **processes** and ensure the right **people** are in place, before considering whether **technology** can improve or support those processes or teams.



Legal Operations Taxonomy: The definitions

Knowledge management

The methodology, governance framework and processes for the collection, storage, management and sharing of legal knowledge and documentation (both within the legal function and externally within the business, subject to agreed access rights).

This is generally facilitated by the creation of single source of truth – a searchable database/repository to collate all legal knowledge, including reports, documents, executed contracts, policies, legal opinions, processes, roles and responsibilities, and information on how to share digital knowledge content.

Internal cost and budget management

The management of the Legal team's annual budget (people cost, location cost, training/development, etc.). Excludes ERM.

External resource management (incl. eBilling)

Once a decision is made via the intake and triage process that an external resource is required, ERM refers to the process of selecting potential vendors, obtaining estimates, negotiating and approving spend, tracking delivery of contracted services against approved spend, agreeing contracted services have been delivered, and authorising disbursement of agreed amounts.

This also includes panel or RFP process design, implementation, performance management and reviews.

Intake management

The process by which legal support is requested by business users.

A legal intake tool is a legal services portal which can streamline and facilitate legal intake and triage. It can provide a single place for a business user to request legal support and for such requests to be allocated appropriately.

Triage is the process of supporting the service delivery model by allocating work to a specific person or team and deciding whether a matter is directed to an automated solution, an in-house lawyer or an external resource.

Workflow management (incl. legal project management)

The manner in which tasks and decisions are escalated and collected to move work from one stage to the next (excluding intake and triage of new legal requests), often incorporating or relying on technology solutions to provide transparency into and accountability for the work being done at each stage or phase of the matter.

Risk management & research

The use of research and risk management tools designed for specific purposes e.g. data privacy, IP management, compliance, litigation & investigation management or legal and regulatory horizon scanning. These tools help to manage risk, keep up to date with legal developments, inform opinions and ensure the accuracy of content within the knowledge management database.

Analytics & MI

The generation of data insights and reports and collation of management information from various systems.

Matter management

The manner in which tasks and decisions are escalated and collected to move work from one stage to the next (excluding intake and triage of new legal requests), often incorporating or relying on technology solutions to provide transparency into and accountability for the work being done at each stage or phase of the matter.

Contract management

The process by which contracts are created, executed, managed, reviewed and terminated. May be automated where possible or include manual elements. Often one component within a broader workflow.

Contract automation involves the automated creation of a contract based on certain information supplied from user-input into a form or from a database of existing information. This process includes contract creation, drafting, negotiation and execution.

Once the contract is executed, contract lifecycle management refers to the process of capturing key provisions (i.e. the obligations owed by or to a counterparty) and events negotiated into a contract (e.g. expiry, termination, rebate), monitoring whether any triggers have occurred or when they will occur in a specified time period and communicating these events to enable users to avoid risks or take required actions.

The final element of lifecycle management involves the review of executed contracts, either during regular review cycles or on the occurrence of a specific event.

Next steps

How we can help you

Consulting projects may include:

Strategic Advisory Retainer	Providing strategic or operations advice to support you across a diverse range of matters when you need it most. This can be delivered via a hotline or through regular calls with you and your team, offering you a high degree of flexibility along with budget certainty.
Technology Roadmap	<p>Mapping your existing technology landscape and developing a technology catalogue.</p> <p>Stakeholder engagement, thematic review of user pain points and identification of inefficiencies.</p> <p>Alignment of technology strategy with broader legal department and company strategy.</p> <p>Designing your technology roadmap, including identification of gaps within your existing technology stack and opportunities for improvement.</p> <p>Developing a technology governance framework and identifying key work streams for success.</p>
Technology Tool Selection and Implementation	<p>Attending third-party tool demos and discussions to evaluate tool functionality and provide an external expert opinion as to whether such tools are fit for purpose within your department.</p> <p>Comparative analysis of third-party tools on the market and development of scorecard to support objective, data-led decision making.</p> <p>Implementation support, either through the allocation of project management resources or an implementation advisory retainer.</p>
Solution Development	Creating dashboards or report templates, using your existing systems or NRF Transform Data Analysts, factoring in your business requirements and stakeholder expectations.
Change Management	Facilitating or supporting the change management process to build consensus with your team and stakeholders and embed new processes, tools and technologies. Often overlooked, effective change management can increase the likelihood of a successful outcome. This may include designing a change management roadmap, conducting workshops with impacted employees, including your team in the design process, helping you communicate the benefits of the change to the wider business or creating feedback mechanisms.

Top Tip!

“Don’t optimise something that should not exist”

E. Musk



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Stéphanie, Head of Legal Operations Consulting, was previously at Barclays where she headed up what would become the Legal operations team for over three years. Under her leadership the department won "Legal operations team of the year" at the 2019 UK Legal 500 Awards. When transforming your in-house legal function, Stéphanie is ideally placed to advise on improving the management of your legal department.



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Tammy, a Legal Operations Consultant, was formerly the Group Company Secretary and Senior Legal Advisor for Zurich Insurance's Southern African operations. With 17 years experience within the professional services, corporate and start up environments, Tammy has extensive expertise in corporate governance, stakeholder management, strategy formulation, operational design and delivering business transformation projects.

NRF Transform

NRF Transform is our global change and innovation programme. It aims to make how we deliver traditional services more effective and efficient, and to provide entirely new solutions to our client's most pressing business problems. It has over 150 staff in offices around the world, as well as 3 dedicated Hubs, and includes teams focusing on Applied Technology, Innovation, Legal Design, Legal Project Management, Legal Operations Consulting, Resource Management, and Commercial Management.

The Legal Operations Consulting Practice helps General Counsels and in-house legal teams optimise the delivery of legal services to their organisations, enabling them to go beyond managing legal risk and become a strategic business partner, supporting the wider objectives of the business.

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