LEGAL IT TODAY

COMMENTARY, STRATEGY AND MARKET INTELLIGENCE FOR THE GLOBAL LEGAL TECHNOLOGY COMMUNITY

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THE DEATH OF LEGAL INNOVATION?

Page 27 »

MAKE YOURSELF INDISPENSABLE IN 2020

Page 14 »

YOUR LEGALTECH QUESTIONS, ANSWERED!

Page 21 »

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CONTENTS

5 Editor's Note
6 What's happening at TIQ?
10 What does a Legal Operations Director do?
14 Make yourself indispensable in 2020
18 Legaltech Legend - Joy Heath Rush
21 Your legaltech questions, answered
24 Another year of law firm (in)security?
27 The Verdict

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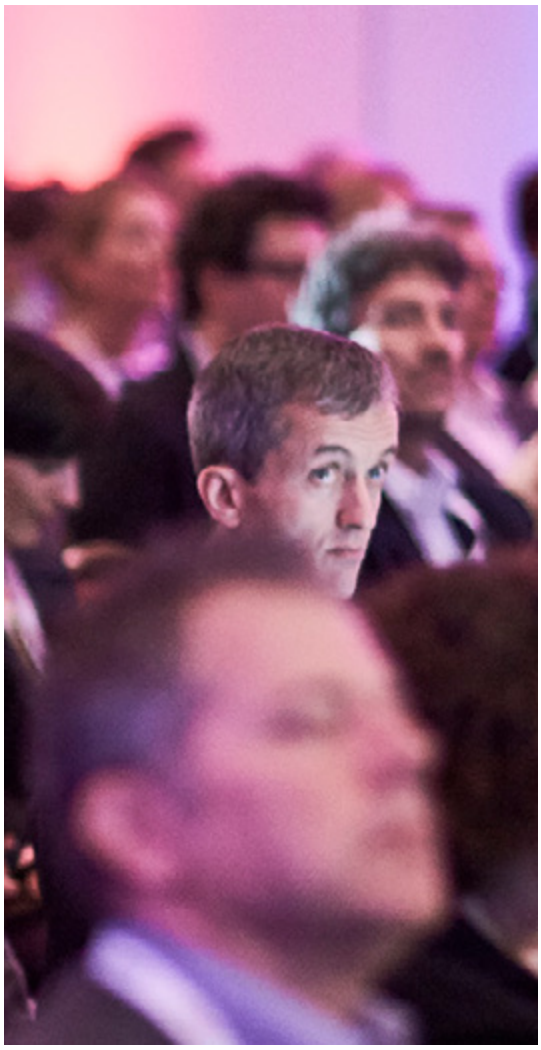
EDITOR'S NOTE



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WELCOME TO ISSUE 28 OF LEGAL IT TODAY!

How do you feel about time? Do you believe that 'time is an illusion, lunchtime doubly so,' like the character in Douglas Adams' novel The Hitch Hikers' Guide to the Galaxy? Do you feel that the 'tick-tick-tick of time shuts out eternity,' like the legendary mythologist Joseph Campbell? Or does the word 'time' just remind you of the classic song from The Dark Side of the Moon?

For lawyers, time is quite simply a very big deal. Although fixed fees and retainer services have become increasingly important in the legal market, most billing is still determined by lawyers' records of how they spend every minute of their working day.

The trouble is, compiling these records is a pretty tedious and arduous task. And according to Nick Schils of TIQ, this means lawyers end up putting it off as long as they can. This can lead to gaps and inconsistencies when the bill finally lands on the client's desk (screen, I mean—sorry).

TIQ's time tracking software, which enables lawyers' work to be recorded automatically, is yet another example of how legaltech can make their lives better—by taking away the boring bits of law. It reduces lawyers' mental load, improving their ability to focus on the more interesting and challenging parts of the job.

Talking to Nick reminded me of Noory Bechor, founder of LawGeex, who once told me that many lawyers leave the profession because so much of the work is daunting and repetitive. 'They get discouraged,' he said. 'They feel like they are wasting their time so they go and look for other things to do.'

With legaltech on their side, that becomes much less likely. I look forward to legaltech improving the lives of lawyers in 2020, just as it did in 2019! Happy New Year!

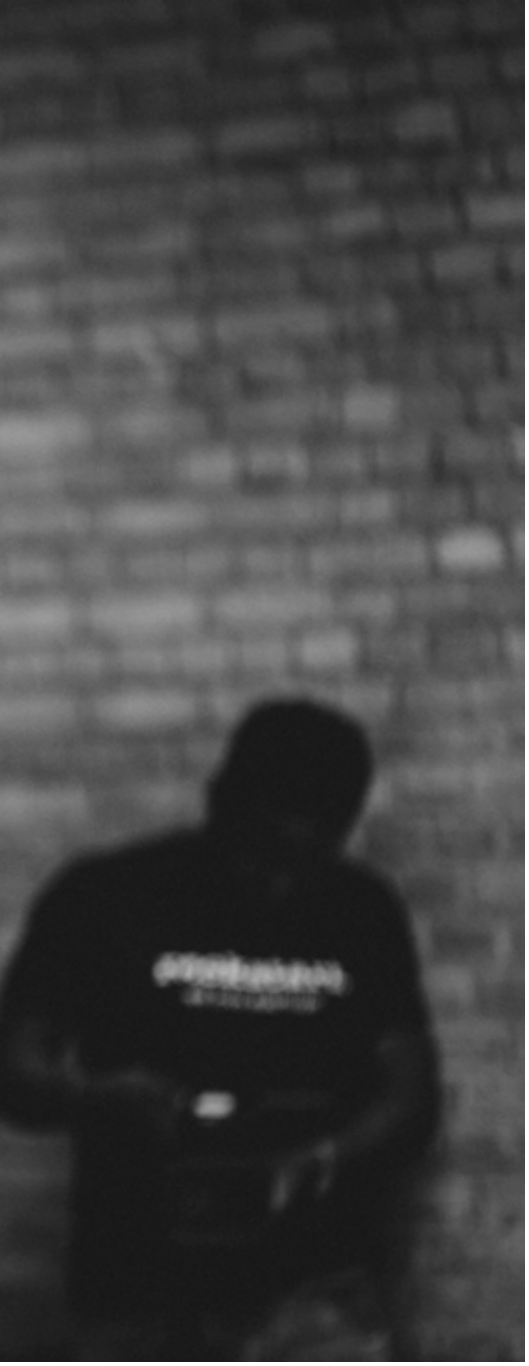
I hope you enjoy Legal IT Today. As ever, we aim to share ideas and opinions across the global legal IT community and inspire discussions. Please get in touch with feedback and suggestions for topics, features and images. It is always good to hear from you.

Jonathan Watson
Editor

WHAT'S HAPPENING AT TIQ?

BY JONATHAN WATSON

TIQ aims to provide the smartest and most progressive time tracking tool around. We asked the company's founder, Nick Schils, about the story so far.



What made you launch TIQ?
I founded the company about five years ago. At the time I was working for a software company that was selling project management software. This was a classic all-in-one system that had CRM, time tracking, billing and so on.

We found that time tracking was causing people a lot of problems. We also thought it would be a good idea to focus strongly on one specific function and create a point solution. We wanted to create software that would be a class apart, rather than just an adequate component within a broader offering.

What were the key problems caused by time tracking?
Inaccurate or incomplete time tracking is a very familiar pain point, as no one likes to fill out their timesheet. This means that bad habits develop. It gets put off until the end of the day or the end of the week. People then have to sort of recover or puzzle together what they've worked on by looking at their call logs, sent email items, calendar and so on. They can maybe puzzle together 60 or 70 percent of their work like that, but a lot gets missed. The final report can end up being quite inaccurate and lacking in detail. We created a solution that aims to deal with all that automatically.

In our first year, we were getting a lot of interest from law firms. We discovered that our software could work very well for legal time tracking, because lawyers track time in very small increments and with very detailed narratives. Even if it's only about six minutes, it still has to be tracked. Lawyers, of course, must provide very detailed narratives for all the work they've done.

In the end, we were able to deliver a solution that helps firms optimize their time tracking process with 'smart timesheets'. TIQ makes time tracking much easier and accurate for both the fee-earners and finance.

True, but aren't law firms gradually moving away from the billable hour? Will this reduce the need for time tracking?
There's been a lot of talk and development around alternative fee arrangements, like fixed fees or subscriptions. That does not mean lawyers will do less time tracking. In fact, time tracking will become even more important, because to offer these alternative fee arrangements, you need a good understanding of how you spend your time. You cannot offer a fixed fee based on a gut feeling. You need a good insight and accurate historical data to be able to work out a pricing model that works both for your firm and your clients.

How difficult is it competing with big vendors?
Our strategy is to truly offer software as a service. TIQ is a cloud-native solution with an API-centric approach. This makes it easy to integrate with practice management systems (or ERP) and document management systems and allows internal IT departments or implementation partners to set up integrations themselves. We want to avoid the consultancy trap, where you need hours and hours of consultancy just to get a solution up and running.

In addition, many vendors only offer solutions in English. Not only is our software available in multiple languages, it also constructs narratives in multiple languages in terms of how the time entries are described. If a client in Spain is working on an international matter, for example, it would suggest an English narrative. But if it's a local case for a local client who wants to be billed in the local language, then TIQ can suggest a narrative in any language.

Is this a very competitive area?
Yes. There are different kinds of competitors. When a firm has an all-in-one offering that includes a native time sheet, then we focus on how much better a best-of-breed solution can deal with their pain points. There are also other vendors of best-of-breed time capture solutions. When competing with them, we distinguish ourselves on how flexible our solution is, and how efficiently (both in terms of resources and cost) we can deliver our implementations.

How has the product evolved since you first got started?
Absolutely. When we decided to focus on legal, there were quite a few things we changed in the product to make it fit for law firms. We started by optimizing the input experience for lawyers to make it faster, for example, using smart suggestions from TIQ. Later we learned that in larger firms, assistants are heavily involved in compiling time sheets for lawyers. To allow for this, we added delegated functionality that helps both lawyers and assistants make sure that all time entries comply with the firm's billing guidelines.

We also learned that with larger firms, there are larger teams of lawyers working on each case, and that can cause issues with consistency. Different lawyers might use different descriptions of what they did or how long they did it for. To respond to that, we created a system that learns from the entries that your colleagues have made and maintains consistency. This means you have fewer corrections in the pre-billing process, fewer corrections in the billing process and fewer questions from your clients about the bill. It makes

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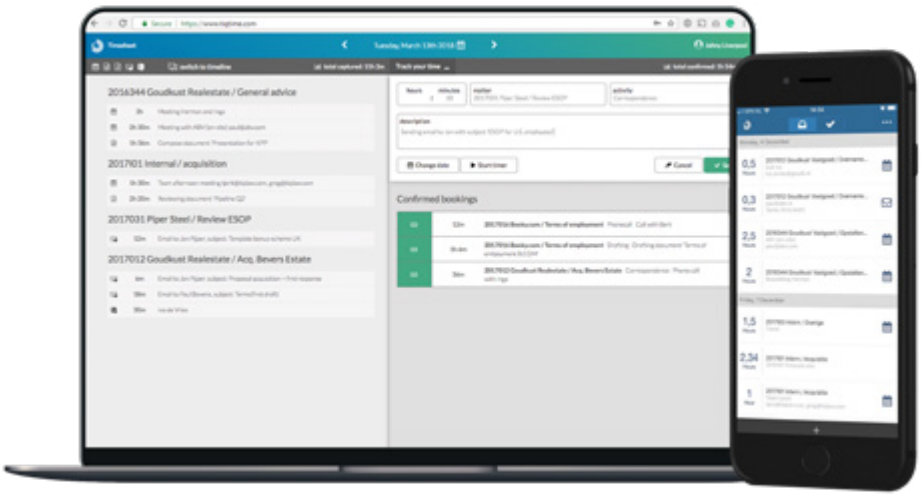

for better relationships with clients and for improved efficiency.

From the beginning, it's been a matter of working closely with our customers and having conversations about how we can serve them better and how we can help serve their clients better.

And how will it evolve in the future?
We see ourselves as a product company. We want to keep the focus on the product. But we also want to reach scale. In 2018, we started to work with local implementation partners. That helps us because they are already trusted vendors for the law firms. And the way we deliver the product makes it very easy for them to add it to their portfolio. If law firms are already working with certain practice management systems or document management systems, it's very easy to add TIQ to that.

Do you think you could expand beyond legal?
The long-term strategy is to keep focusing on legal. That's what got us here, and we think it's important to stay true to our customers. In the past, we found that when we were talking to multiple sectors, we had to make concessions on the product, which we don't want to do.

How has the legal IT market changed since TIQ got started?
The biggest buzz at the moment is AI, and although there are many great applications of AI in our field, we also see that a lot of people simply use the term 'AI' as a selling tool. We prefer to be more down-to-earth about how we put our software in the market. A part of our solution uses AI, but we don't sell TIQ as if it's AI time tracking. We sell it as a solution that helps firms serve their clients better and takes away a frustrating task for lawyers.

Time tracking is a very familiar pain point as no one likes doing it.

The second big change is of course the adoption of cloud systems or hybrid systems. We are cloud native. Right from the start, we deployed TIQ as a cloud solution that can also be deployed to private clouds. We've never offered it on-premise. This means we have generally worked more with modern law firms than with ones who have been slower to make the change. But over the last one and a half years or so, this has been less and less of an issue.

What does the future hold for TIQ?
In general, the feeling here at TIQ is that in the last two years, we've seen the growth that we were looking forward to from the start. We are a Dutch company, based in Amsterdam, and in the beginning, we worked a lot with local firms. In the last two years or so, we've achieved significant international growth, mainly in Central Europe and the Nordics.

We wanted to create a product and company that scales well, and we are now working with leading firms in eight different countries. So that strategy is paying off. Looking ahead, we now see some great momentum in countries such as Spain, Portugal and Italy, which also expands our focus over the next year to southern European countries.

WHAT DOES A LEGAL OPERATIONS DIRECTOR DO?

BY JOE DAVIS

Ben Weinberger is enjoying his new role at Nextlaw In-House Solutions, which he says is 'a heck of a great mashup of my experience, my background and my knowledge'.

Nextlaw In-House Solutions is a consulting group that helps in-house legal departments with a variety of legal operations challenges. 'That means we advise law departments on how to improve efficiency and on how to evolve and mature their operational models,' says Ben Weinberger, recently appointed as the firm's Legal Operations Director.

It's a division of Nextlaw Enterprise, which is a wholly owned subsidiary of Dentons. 'Dentons has more than 60 former General Counsels (GCs) who are part of this team that provides advice on all aspects of legal operations. I do not think any of our competitors can say the same,' he says.

Weinberger himself has a wide variety of experience. 'I've been everywhere, man,' he says, invoking the spirit of Johnny Cash. He started his career as a practicing attorney but has also been a consultant and law firm CIO. He has also spent time in the legaltech vendor space, with stints at Phoenix and Prosperoware. He calls this new role 'a heck of a great mashup of my experience, my background and my knowledge'.

Dentons boasts over 170 locations in over 80 countries and over 10,000 lawyers, making it the world's largest law firm. Dentons is part of a growing trend whereby law firms are expanding their offerings outside the traditional practice of law. 'I think it is a fantastic move from the standpoint of being competitive with all that is going on in the crazy world that is legal,' Weinberger says.

> *In-house can be a very unfamiliar place where you have to learn very quickly how to convey what it is you do, or you get treated as a cost center*

The in-house landscape

On the surface, it would seem that the only significant difference between being a lawyer at a law firm and being an in-house lawyer is whether their time is billable.

Weinberger understands that many in-house lawyers are 'getting themselves up to speed on how to run their own business unit that looks like a law firm. They have not necessarily operated in the same manner as other business units. Lawyers were not necessarily trained as businesspeople when they went to law school. As a GC, you do not know how to market yourself internally and best express what it is you do to your peers, and get the attention of the C-suites, and brand yourself, and develop KPIs to share out to the business that explain the value that you're contributing. It can be very lonely for someone who has been at a law firm for a while as part of the machine generating the revenue. To suddenly go in-house somewhere—it is a very unfamiliar place where you have to learn very quickly how to convey what it is you do, or you get treated as a cost center'.

How sophisticated are Weinberger's clients when it comes to legal operations and technology? 'There is such a range,' he says. 'In my mind, coming into this, I thought I would be working primarily with medium- to small-size law departments, and that the big ones would have all the resources they need. And I am finding that in reality, that is not necessarily accurate.'

He adds: 'We have clients who will come to say, "I've been asked to look at outsourcing" or "I've been asked to see what I can do to take advantage of these ALSPs (Alternative Legal Service Providers)". Because everyone, unless you are hiding under a rock somewhere, is very familiar with the fact that you have got these ALSPs out there eating into some of the legal work. Law firms are competing with their clients, because the in-house legal departments are all growing. We have legal departments that come to us with some very clear ideas sometimes, but sometimes we have a client that one of the Dentons partners has introduced us to, telling them that if they are facing challenges, they might want to talk to some Nextlaw people.'

Ben Weinberger - Legal Operations Director, Nextlaw

Weinberger provides a recent example of the type of work he does. 'We have done what is called a diagnostic workshop—in essence a deep listening exercise. I sit down along with one of my GCs who has experience in that specific industry, and we have a chat. It starts out by talking to the GC, talking to some of the assistant GCs and talking to the rest of the team in some targeted conversations. We talk to their constituents, their customers around the business, the ones they interact with, and understand what exactly it is that goes on there. By virtue of doing that, we tend to uncover all sorts of information, all sorts of opportunities where we can help them improve.'

While some of the team's work is around strategy, sometimes it focuses on technology. 'Legaltech is super-popular,' Weinberger says. 'And if you are a GC and you are not a techno geek, you just do not know what exists. I went to one of our clients recently to do an hour-long educational workshop about AI. Everyone wants to talk about AI. Everyone is hearing about AI. So, I helped to demystify some of the jargon. I talked about it in very real terms—this is what the terminology is, these are the products that are out there, this is what they can do, and this is where they tend to lump into different categories. You are not buying AI for the sake of buying AI. You are understanding what your problem is, and you are looking at a tool that will fix that problem. If it has AI, all the better, because ideally that means it is going to be more efficient, and perhaps more effective than just the lawyer on his or her own.'

Typical engagements

One example of a problem Weinberger and the In-House Solutions group see regularly involves managing the matters

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the legal department is working on. 'Basic intake in a law department is very different to a law firm,' he says. 'At a law firm, a lawyer comes in and says, "Oh, I just had lunch with so-and-so, and this is the matter we are doing". Well, in the context of a law department, these matters or projects pop up because someone sent you an email or someone mentioned something in the hallway. You passed a guy at lunch, who said "Hey, this division over here is growing and they've got a problem with their legal aspects of HR stuff". There is not always a clear mechanism for handling intake, and how you create and track these projects. And then you need to be able to measure all the resources you are putting toward them, to project manage them, which is a key element of ensuring efficiency in any organization. Law firms are starting to recognize that, finally, but certainly law departments are no different. The only way you can track and measure this stuff is if you have a formal system to actually record it.'

Another area that legal departments struggle with is talent development. Weinberger says he hears from many of his clients that 'finding people, keeping people, developing people and retaining people is a huge problem'. Many lawyers claim that they are happy to take a pay cut to trade the hectic pace of law firm life for what they perceive to be a less demanding in-house job, but salary is a key component in the war for talent. 'Even though people will say, "Oh, it is not the money," a lot of times it is the money,' he says. 'The starting salaries of associates, shockingly, keep going up. And when that is your competition for in-house talent, it is going to be tough.'

> *We can really help our clients improve how they are operating and make them more successful as general counsel*

The salaries at legal start-up companies present another challenge to in-house staff, but Weinberger believes that in-house departments can do more to manage their image. 'If you have not been able to position your department as a value generator, it will just be seen as a cost center,' he says. 'Culturally, that will impact how people are perceived, how they are treated, and how they interact. It will absolutely impact how people perceive the value of being in an in-house role. It really depends on how you, as a GC, run your department. How are you able to position your team to the rest of the business? How are you able to remunerate your team? And how are you able to give them the flexibility that a lot of people come to the in-house function for?'

The 'light bulb' moment

'The thing that GCs do not always know they need, but every time we mention it, I swear I almost see a light bulb go off over their head, is around branding themselves,' says Weinberger. 'It's trying to demonstrate their value to the business. And that does not surprise me one bit, because again, as I mentioned previously, these are people who used to be the machine that generated the revenue. Now they are one of the cost areas of the business. They are really in the position where they are not truly appreciated for the value they are bringing, and they have to learn very quickly how to convey that value, lest they be seen as an expendable resource. And this is something that GCs are all feeling, especially as they are being asked to do more with less.'

Nextlaw In-House Solutions has '60 plus people who have "been there, done that" and run these departments in and amongst our ranks,' says Weinberger. 'And on top of that, again, the resources of the world's largest law firm behind it. We have some fairly deep pockets to dig into with regard to talent. And we can really help our clients improve how they are operating and make them more successful as general counsel.'

It's not just the advice he can give, Weinberger points out. 'It's not just the advice one of my GCs can give. It's our advice together where sometimes we offer a very different perspective on the same problem that can really be a benefit. Everything we do is a team sport.'

Weinberger is clearly happy to be part of this team. 'I think the gig itself fits me and I have been busy,' he says. 'And I expect to keep being busy. To end this on one of my favorite quotes, I am going to go back to Bull Durham and say I am just happy to be here and hope I can help out the ball club.'

Joe Davis has spent over 20 years in legal technology at large law firms, in the corporate legal space, and most recently at a technology vendor. He is a frequent speaker and author on a variety of legaltech topics, including artificial intelligence and enterprise content management. Joe also hosts ILTA's 'Bleeding Edge' podcast. Prior to his IT career, Joe was a teacher, an entrepreneur and a DJ in a flea market. Follow him on Twitter at @josephpdavis or email him at joe@josephpdavis.com.

MAKE YOURSELF INDISPENSABLE IN 2020

BY CHRISTY BURKE

There are many things legal IT leaders can do to make themselves irreplaceable at their firm.

You're CIO, CTO or IT Director at a law firm or legaltech company—congratulations, you have arrived! However, you have now ascended to a level that has higher standards than ever for your performance and versatility as a legal technology professional.

Attaining a management position is definitely something to be proud of, but now the pressure is really on. Your mission is to make yourself indispensable at your current firm, and to make sure that the leadership of the firm knows how valuable you are. While self-promotion may not come easily to IT professionals, it's time to get very good at it—and fast—if you want to keep your seat at the table with an eye to more advancement in the future.

David Cowen, CEO of the Cowen Group and founder of the SOLID Summit

series, is one of the most powerful executive recruiters in the legaltech/legal innovation space. Cowen recommends reinventing yourself continually, even after reaching the upper echelons of legal IT management. There is no time to coast.

'To survive and thrive in this innovation economy, CIOs will need to become smarter, savvier, and more educated than ever on business as well as tech, even if that includes getting an MBA or data science degree,' Cowen says. 'There are many online courses that are affordable. To blast off, do your job now while also preparing for the job you want in the future. Figure out how you'll get there. Jump on networking and education opportunities. Be active on social media. Make a meaningful contribution to reimagining and reinventing the legal technology value or you'll be history.'

Becoming a legal IT leader involves pushing yourself out of your comfort zone and taking initiative. Andrea Markstrom, Chief Information Officer, Taft Stettinius & Hollister LLP and winner of the NYC CIO of the Year Orbie Award, has created a diverse network and founded her own professional women's networking group, i.WILL (Inspiring Women Igniting Leadership & Learning) in New York City.

i.WILL started out as about 50% women of legaltech and has now expanded to include women from many other industries. Now about 30% of i.WILL is legaltech and 70% is outside those bounds. The organization recently expanded to New Jersey with fabulous speakers including Roberta Gelb of Chelsea Office Systems, a legal technology consulting and development firm.

Coming from a background in retail operations at Target before entering legaltech, Markstrom has a much broader view of networking than some legal IT professionals. She has moved beyond the frontiers of legaltech to network and educate herself. In fact, her network has brought cross-pollination and strength, allowing her to perform more effectively in her legal IT roles. Markstrom completed a mini-MBA program through the University of St. Thomas, finding it incredibly important to sharpen her business skills. She also participates in the Gartner Evanta and Strategic Information Networking (SINC) CIO Forums, which bring together a wide range of industries.

Within legaltech, Markstrom recommends joining vendors' customer advisory boards which connect you to peers with CIO roles and other positions. She has also worked closely with law schools and legaltech start-up programs to help new companies with their development roadmaps. Markstrom also says that ILTA's CIO programs provide the opportunity to collaborate with peers working at law firms.

'I have learned a lot about innovation and leadership,' she says. 'Reaching outside the legaltech world has been eye-opening. Participating in groups outside of legal has been insightful and helpful. i.WILL is a great example of this, providing a great opportunity for women at all levels of career advancement to share stories, empower each other and learn from each other. The programs encourage women to ask: "is this the right career progression for me?" If the answer is no, they can leverage a wonderful network to find their next move.'

Courageous moves can lead to exciting new opportunities. Rebecca Sattin is CIO of World Software Corporation (WSC), the company behind the Worldox Document Management System (DMS). Before joining WSC, Sattin was IT director at Mitchell Silberberg & Knupp LLP, a mid-size law firm based in Los Angeles. Sattin says that the visibility gained from public speaking definitely helped her career thrive.

She recalls that her main motivation to do public speaking was to overcome a fear of public speaking. 'Whenever speaking opportunities presented themselves, I jumped in with both feet,' she says. 'I spoke at ILTA and Legaltech New York. Being part of panels gave me confidence in my value to the firm and it allowed me to meet peers to learn how they were approaching certain situations.'

Sattin suggests that understanding the law firm's business as well as the technology is essential to be a successful legal IT leader. 'Every person at a law firm

> *Legal IT leaders now have a bona fide seat at the management table, and what they say matters*

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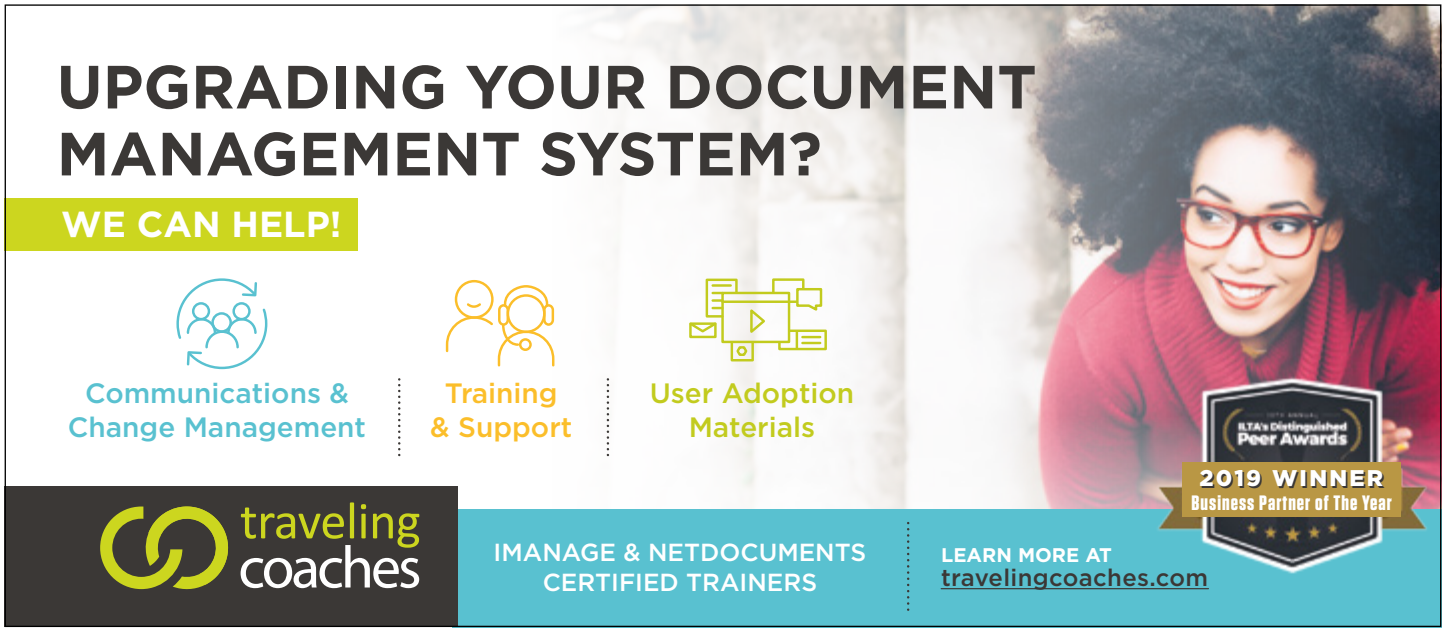


needs to understand the business well enough to take his or her contribution seriously and ensure the security of the firm's information,' she says. 'As CIO, you need to ensure back end systems are running but also understand your role as it pertains to risk management. Being a CIO is more of a collaborative process than ever before, necessitating interaction with every department in the firm. Take responsibility for yourself, your department and all the products and service providers you are using. Also find time to communicate with other stakeholders at the firm to grow your knowledge of the business.'

A combination of technical knowledge, business acumen and flexibility is a solid recipe for success. Justin Hectus, CIO of the law firm Keesal Young & Logan (KYL) is very familiar with the CIO role since he is CIO of two different entities simultaneously. In addition to his position at KYL, Hectus co-founded and is CIO for Keesal Propulsion Labs (KP Labs). This is a spin-out technology company that won a 2019 ILTA Distinguished Peer Award for Transformation Project of the Year for extraordinary achievements in global workflow and process automation projects for NetApp, a Fortune 500 company.

'CIOs have a new opportunity to be client-facing,' Hectus says. 'Every company is struggling with topics like digital transformation, automation and privacy/data security compliance. We can apply what we know about people, process and technology to client engagements and support the firm's business strategy. There is so much opportunity for exploration and experimentation if you find willing partners and experiment in new ways to deliver solutions that are lacking in the market. If you're at a firm that's holding you back—where all you're doing is blocking and tackling—then find a new firm where you have the opportunity to run. One of the reasons KYL is a great fit for me is that the firm's size and innovative spirit have given me the opportunity to have a big impact on our strategic business direction. Starting KP Labs is a perfect example of KYL's leadership creating an environment where IT professionals can bring value to the business of the firm and co-develop solutions with clients.'

This is an exciting time to be a legal IT professional. Law firms are transforming themselves with innovation initiatives. Legal technology companies are flourishing. Legal operations experts are driving efficiency from the corporate client side, setting the bar high for outside counsel to provide streamlined workflow, automation and smart use of human and technology resources.

Legal IT leaders now have a bona fide seat at the management table, and what they say matters. By seeking out additional education, increasing thought leadership and visibility, networking creatively, and giving yourself license to recreate your IT role, you can make yourself indispensable and irreplaceable in 2020.

Christy Burke is President and Founder of Burke & Company, a New York City-based PR and marketing consulting firm specializing in legal/tech. She is a prolific writer, having published columns in Legal IT Today, Legal IT Professionals and many other legal industry publications, journals and blogs. For more information, visit burke-company.com or follow Christy on Twitter @ChristyBurkePR.

BE HAPPY WITH WHO AND WHERE YOU ARE AND SEEK TO MAKE THE WORLD BETTER FOR OTHERS

Our Legaltech Legend for this issue is Joy Heath Rush, chief executive officer of the International Legal Technology Association (ILTA).

How and when did you get involved in the legaltech sector?
Believe it or not, I started in the legaltech sector in 1982 (yes, there was legaltech then). It was my first job out of university. I was an office worker in a shared space occupied mostly by lawyers. I was trained on a word processing system called CPT and began typing legal documents.

Fun fact: I was the most technology-phobic person on the planet when I started that job. My employer pressed me and pressed me to attend CPT training, and I procrastinated as long as I could. I was sure that I would fail in an epic fashion and lose my job. Instead, halfway through my first day of training, I was hooked!

Even though word processing was only part of my job, it was definitely my favorite. I loved working with the lawyers.

When I left that first job, I joined the global law firm Sidley & Austin as a Word Processing Supervisor. I have been in legaltech ever since. Sidley was a truly wonderful place to 'grow up' in legaltech!

What has surprised you most about our industry?
First, I knew that the lawyers were smart, but I didn't appreciate how hard they work until I began to work with them. This work ethic—and commitment to excellence—has always inspired me.

Second, I was amazed by the culture of sharing in the legal sector. Yes, law firms compete with each other. Corporations are adversarial at times. But the people working in legaltech are incredibly generous with their time and knowledge.

What advice would you give to a legaltech newbie?
Take every opportunity to learn more about the business of law. When you understand business problems, you can choose or build better solutions.

When have you been most satisfied in your life and why?
This probably sounds trite, but I have always been both satisfied and never satisfied. Each phase of my life has held incredible satisfaction. However, every phase has always left me asking how I could have done more, contributed more, helped more, not let anyone down.

Right now, I am incredibly satisfied. I am working in my dream job. My three children have all completed college and are living independent, productive lives. My husband and I are enjoying our empty nest.

That being said, I can see so much potential everywhere in my life. ILTA is great, but I know we can be even better. How can I contribute? How can ILTA add even more value to all of our participants? How can I help my husband have an amazing retirement? What can I do to support my children in achieving their dreams? How can I make the world better?

Be happy with who and where you are and seek to make the world better for others.

> *How can you beat 330 mph in a quarter hour and the smell of nitro methane?*

What do you consider to be your best achievement in your professional life, and why?
That is such a difficult question. Day to day, I see my best achievement as the achievement of my teams—past and present. When I see someone who used to work with me on the help desk become a Director, I am incredibly fulfilled. Because I have been around so long, I am fortunate to have seen a fair amount of that.

However, if I look across my whole career, I am proudest of the small part I played in Sidley's recovery from the 9/11 attacks on the World Trade Center. I headed up data recovery and delivery of a merged desktop. The dedication of everyone involved in that effort has me in awe to this day. I was honored to be part of the team.

Is there anything (non-legaltech) you would like to learn more about, and why?
I love learning. Documentaries and biopics are my favorite viewing! I am fascinated by history and even more fascinated by the individual stories of real people. I am also intensely interested in engineering achievements—aviation, space travel and exploration, and automotive technology.

The challenge would be to pick one area. But let me try.

If I could go back to school and study anything, it would probably be epidemiology. This incorporates science with detective work. Why? It's both interesting and important.

Tell us two facts and one lie about yourself, in random order.
- I once learned the accordion specifically to perform in the pit orchestra for a production of 'Fiddler on the Roof'.
- As a choir member, I sang twice for Pope Paul VI.
- Again, as a choir member, I performed the music of 'A Chorus Line' under the baton of composer Marvin Hamlisch.

How do you spend your time when you are not working?
I am a huge fan of board and card games and will take any opportunity to play. Monopoly, Risk, Settlers of Catan, Killer Bunnies and the Quest for the Magic Carrot, Apples to Apples—you name it, I love it.

You will often find me doing puzzles, whether jigsaw, crossword or logic. I like them all!

My third passion is movies. My husband and I see as many as we can.

Whenever my travel schedule permits, I love singing in a community ensemble.

Finally, and maybe most surprisingly, we love going to the drag races. How can you beat 330 mph in a quarter hour and the smell of nitro methane?

What is your favorite quote, and why?
'The praise of the praiseworthy is above all rewards.' – J.R.R. Tolkien.

It probably sounds weird, but this always makes me think of working in legaltech. When a lawyer praises you, you definitely earned it. When a brilliant legaltech colleague praises you, it is unutterably sweet. When a favorite teacher gives you an A, it means that much more. And when a promising young person tells you that you helped, nothing feels better.

What question should we ask to our next Legaltech Legend?
What is the greatest single technological achievement in world history?

Question from previous Legaltech Legend, Ajay Patel
If you are deemed to be a Legaltech Legend, you must have accomplished something special for the sector. How much of that was down to luck and how much of it was down to the things you did to make it happen?
What a great question! I think whatever I have achieved has come from a deep and consistent desire to be of service—to make other people's jobs and lives easier. Not luck and not just individual accomplishments. I always feel that my 'super power' is loving others and wanting them to achieve. That desire to help makes great things happen.

YOUR LEGALTECH QUESTIONS, ANSWERED

BY WENDY BUTLER CURTIS AND KATE ORR

Everything you ever wanted to know about legaltech but were too afraid to ask!

One of our colleagues recently came back from a trip to Israel that included a tour of an ancient tunnel dug by hand through bedrock with primitive picks and axes. That got us thinking about the changes we have seen in the world of legaltech.

While we are still using shovels to dig some tunnels, for many projects we now have automated excavators and hydraulic drills at our disposal. But how do you know when to bring in the machines? Who should be driving? And what else should you have at your disposal?

While one tool does not fit all, here are the answers to some of the most frequent questions we are asked by legal departments about legaltech.

How is legaltech changing the face of the legal department?
Legaltech is expanding the skill sets needed in the legal department. The largest growing roles within legal departments are professional positions, not lawyer positions. Regardless of whether they are lawyers or other professionals, the most successful have a bit of data scientist, project manager, technologist, analyst and strategist mixed in to complement their legal skills.

This change in skill sets is starting in our law schools through the emergence of law, operations and tech programs, like the Institute for the Future Practice of Law, and in law firms with dedicated innovation teams and technologists.

Although we, as legal professionals, often think that what we do is wholly unique, a willingness to unbundle legal work into discrete tasks and think critically about using technology to improve efficiencies is key.

How do you keep track of the latest in legaltech?
Since 2016, investment in the legaltech industry has increased to over $1.5 billion. There are tools available for seemingly every function, though when it comes to what some of these tools can really do, it can be difficult to separate hype from reality. Monitoring legaltech can quickly become a full-time job.

Industry organizations like the Corporate Legal Operations Consortium and industry reports from the Financial Times, LawGeex and Gartner are good resources for tracking the categories of legaltech and cutting through the hype to understand real-world use cases. Reynen Court—a new legaltech 'app store'—will also make it easier for legal departments to shop for and adopt legaltech by offering a menu of curated tools, easy deployment and administration through a single source.

Of course, legal departments should also rely on their outside counsel to serve as a resource and bring tech to bear in their matters. At Orrick, we have created a portal—the Observatory—where we track over 600 legal tools at the firm or available in the market. We use the Observatory to provide real-time advice to our clients on their legaltech needs.

Do I need a fancy new legaltech tool to do this?
The short answer is often no because there is likely existing technology within your organization that can serve the function you need. Before considering the purchase of a new tool, work with your IT department to understand what you already have at your disposal and how it might be used for your purposes.

For instance, within the Microsoft Office 365 suite, you can streamline workflows, build apps, create chat bots, visualize data, collaborate with your teams, automate documents and create matter management dashboards. Service

> *At Orrick, we have created a portal where we track over 600 legal tools at the firm or available in the market*

Now, a workflow system often used by administrative support centers and IT service desks, can be used for project and contract lifecycle management. Tableau, which is common business intelligence software, can help you collect and visualize your data. The list goes on.

Speaking of data, we want to use technology for data-driven decisions. Where do we start?

For businesses, data is critical for predictability, estimating costs, forecasting duration and assessing risk. Another emerging trend is the value of data for measuring and acting on a business's core values, including diversity, institutional relationships and sustainability.

Before undertaking any data project, you must determine whether you are going to look backwards or only forwards for your data. For many, historic data is not reliable—either due to lax data practices, regulatory changes or changes in focus—and the costs of undertaking a project to clean and use that data is not worth the return. For future data, don't just start. Invest time and energy into defining who will use the data and how they will use it—only after this are you ready to identify the data points you need to capture, locate the sources of data, map how you will use the data and design a data collection process. The last thing you want to do is look back in five years and have noisy or dirty data.

How can we use artificial intelligence?
Tools using artificial intelligence (AI) are a good example of the kind of tech your outside counsel should use to reduce costs and improve quality in your matters. At the kick-off of any transaction or litigation, you should ask your outside counsel if they are using AI for due diligence or eDiscovery. In some instances, there are reasons why AI tools cannot be used (such as poor image quality), but each matter should start with an analysis of their applicability.

AI tools are also becoming more mature in precedent management, pre-execution contract review and contract lifecycle management. For some legal departments, like those who tend to keep transactional work in-house, there may be value in investing in such tools. Operationally, legal departments are also using AI to review bills for outside counsel guideline compliance.

How can we use bots and automation?
We frequently hear from our clients that their businesses want and need

Right - Wendy Butler Curtis, Left - Kate Orr

faster access to legal advice, and that their legal departments are not scaled to provide 24/7 support. Bots and automation allow you to create a self-service portal for your business, removing legal as a roadblock and freeing up legal professionals to focus on their most substantive work. And the tools are not as complicated as you might think.

Using a tool like Microsoft's QnA Maker, legal departments can design basic chatbots to answer routine questions from the business, such as 'who can sign an NDA?' or 'where can I find a template vendor contract?' The beauty of a chatbot is that legal does not have to answer all possible questions before launch. In fact, you are better served by launching a chatbot with a limited set of frequent questions and then growing content over time based on the new questions submitted.

For automation, options range from creating playbooks and templates in existing tools (like Microsoft Word) to using inexpensive, low- or no-code technology (like Bryter, Woodpecker or Fliplet) to auto-generate routine, large-volume documents. Legal departments should also consider automating processes themselves. With a tool like Microsoft Flow, you can seamlessly guide your business teams to forms or through an entire transaction, capturing valuable data on the way.

How do you drive the adoption of new tech?

There can be fear when a new tool is introduced, especially if it fundamentally changes the way that someone is working. It is critical to be sensitive to the angst new technology can cause and include intended users from the beginning. Clearly define the specific problem that the new tool will solve and describe how it will make the person's life easier. Remember, robots are not taking our jobs. Rather, advances in legaltech and streamlined workflows allow us all to work at the 'top of our licenses,' improving the quality of our work experience.

When users understand the value of the tool, they can also help drive adoption, customization and training. A common mistake when training on a new tool is to assume that one size fits all. You can increase acceptance and adoption by providing user-informed customized training to show how the tool fits into a person's workflow and exactly how it will make life easier.

It is also helpful to put the tool in the context of the strategic goals of the legal department and the business, which allows users to feel like part of the solution. You should also be sure to track data on the usage of new tools after rollout. Adoption does not happen overnight, and usage reports allow you to target specific groups for follow-up and additional training.

What is the best way to engage with law firms on legaltech?

Although the world of legaltech can be overwhelming, we tell our clients that the best news is that they don't have to tackle it alone. Legal departments should look to their law firms to use legaltech where appropriate on their matters, advise and educate them on tools and to think creatively about how the legal departments may be able to better use legaltech in their own operations.

We have seen this collaboration take many forms: matter kick-off meetings focused on how and if tech can be used; partnering on specific tech and data projects (automated due diligence, contract lifecycle management, contract automation, dashboards etc.); end-of-matter reports quantifying the impact of legaltech; connecting clients working on similar projects for knowledge sharing; and law firm participation in legal department retreats on innovation.

Wendy Butler Curtis is Chief Innovation Officer at Orrick. Named the 'Most Innovative Lawyer of the Year' by the Financial Times in 2018, Wendy leads Orrick's efforts to operationalize innovation through novel products, streamlined processes, technology and client consulting on tailored solutions. Orrick was named the Most Innovative Law Firm in North America by the Financial Times for three years in a row. In 2018, The American Lawyer also honored Orrick with its first-ever Legal Services Innovation Award.

Kate Orr is Senior Innovation Counsel at Orrick. As a key member of Orrick's innovation team, she works closely with clients and attorneys to implement novel products, streamlined processes and technology solutions, all with an eye for higher quality and more efficient service. Kate also leads CaseStream, Orrick's homegrown case management system, which streamlines the day-to-day management of litigation and transactions.

ANOTHER YEAR OF LAW FIRM (IN)SECURITY?

BY JOBST ELSTER

The cloud is steadily changing the security equation for law firms and their clients, including small firms.

Seeking security in the cloud

Oh, the irony. The cloud, once perceived as a risky, unproven and unreliable technology infrastructure by legal professionals, is now the answer for law firms struggling to keep up with security, privacy and information governance requirements.

'It's not why cloud, but increasingly, why not,' NetDocuments CTO and co-founder Alvin Tedjamulia told me recently. ILTA's most recent Technology Survey provides evidence of this trend with respondents moving core applications such as DMS, email, accounting, email security and payroll to the cloud at accelerated rates.

Yet there are still plenty of firms who are wary of handing their confidential content, and that of their clients, off to the heavens. Cost, security, performance and reliability concerns are still major barriers to increased cloud adoption. While top 10 global firms like Hogan Lovells and most recently Clifford Chance have gone 'all in' on modern cloud DMS platforms, moves by BigLaw clients, especially companies in the highly regulated and security conscious financial services market, have been few and far between.

Deutsche Bank is the latest leading global financial organization to adopt a 'cloud first' position in support of its worldwide legal digital transformation initiative. It's clear that priorities are changing as global banking institutions such as Deutsche Bank now see being cloud-first as a business imperative—something once prohibited for many legal departments and outside counsel in that sector.

Change is being driven by the need for global banks to operate as a single, efficient entity while maintaining strict localized governance, compliance and security standards across multiple international borders and office locations. As a growing number of multinational organizations embrace the cloud and commit to cloud first, the law firms who represent them have an obligation to clear their own path to cloud adoption.

ILTA data on security

ILTA recently surveyed its membership about a number of law firm security issues as part of the ILTA 2019 Technology Survey. The three biggest law firm security challenges across all survey participants were user behavior, social engineering/phishing and client security requirements.

Upon closer review, small firms (under 50 attorneys) view user behavior, phishing, malware and the cost of security solutions (tied for 3rd) as the biggest problems. The biggest firms (700 or more attorneys) cited social engineering as their biggest challenge, followed by user behavior and client security requirements. It's safe to say that ignoring what law firm clients require on the security and governance front is a zero-sum game, especially for law firms looking to compete globally.

It's not all doom and gloom. Law firms have made positive strides in terms of user security education and awareness and the threat of malware over the past four years. Data loss/leak prevention (DLP) was cited as the 9th biggest challenge (out of a total of 34 listed) but is only up by one percentage point compared with 2018 data.

When dissecting this type of survey data, we took particular interest in the data points/categories that had been added compared to previous years, since these provide an up-to-date snapshot of what is really keeping law firm security decision makers up at night. The most notable 'challenges' added to the 2019 ILTA survey include user behavior (the top concern), client audits, the cost of security solutions, the limits of internal security expertise and security monitoring services, insider threats, vendor management, mobile devices and brute force attacks. Interestingly, vendor management, a topic cited by other security surveys as a major concern and data breach source, was only cited by 2% of those surveyed.

Recent M&As might provide more clarity

On Christmas Eve, OpenText closed its previously announced acquisition of Carbonite, a provider of cloud-based subscription data protection, backup, disaster recovery and endpoint security to small and medium-sized businesses. This is a platform play focused on addressing data protection and information security concerns while providing usability and UI/UX reminiscent of consumer tech.

What other security M&As and strategic partnerships lie ahead as legal technology vendors look to bolster their security offerings? And to what degree will law firms get more savvy as they respond to client demand for more transparent and ironclad information governance policies?

Starting at the bottom: addressing small firm cybersecurity challenges

Every year, the American Bar Association's Legal Technology Resource Center compiles the Legal Technology Survey Report. This is an extensive survey of attorneys in private practice on the use of technology in the profession, including cybersecurity. Of the responding practitioners, 73% represent the smaller firm segment, including solos (31%), firms of 2-9 attorneys (27%) and firms of 10-49 attorneys.

As one might expect, the 2019 survey results show that a significant number of lawyers have experienced a security

> *Cloud providers are best positioned to take a leading role as their clients' security and compliance partner*

breach. Overall, 26% of respondents reported that their firms had experienced some sort of security breach.

Another eye-catching figure is the 19% of respondents who said they did not even know if their firm had ever experienced a security breach. What is the small law firm segment, which represents the vast majority of all 1.3 million lawyers according to the ABA, doing about its security challenges?

It starts with incident response. In 2018, just 25% of overall respondents reported having an incident response plan, with responses varying according to firm size—from solos (9%) to firms with 2-9 attorneys (16%), firms with 10-49 (27%) and firms with 100+ (70%). This year, the overall proportion reporting an incident response plan improved to 31%.

Essential elements of a typical incident response plan include procedures for the initial reporting of an incident, confirmation of the incident, escalation as appropriate, and finally, investigation. Best practices include a designated incident response project manager working with a cross-disciplinary team familiar with breach reporting obligations, mitigation requirements and steps needed for recovery. Finally, plans typically provide for a post-incident review period to allow any lessons learned to be built into a revised plan.

As for the source of security breaches in the smaller firm ecosystem, lack of comprehensive file and data encryption is still a major issue. The 2019 survey results indicate that less than half of respondents use file encryption (44%), slightly more than a third use email encryption (38%) and even fewer use whole/full disk encryption (22%). Modern cloud providers can help law firms with their encryption challenge by leveraging cloud data encryption solutions to control sensitive data in the cloud and address the firm's specific security and compliance requirements.

Cloud options for the small firms

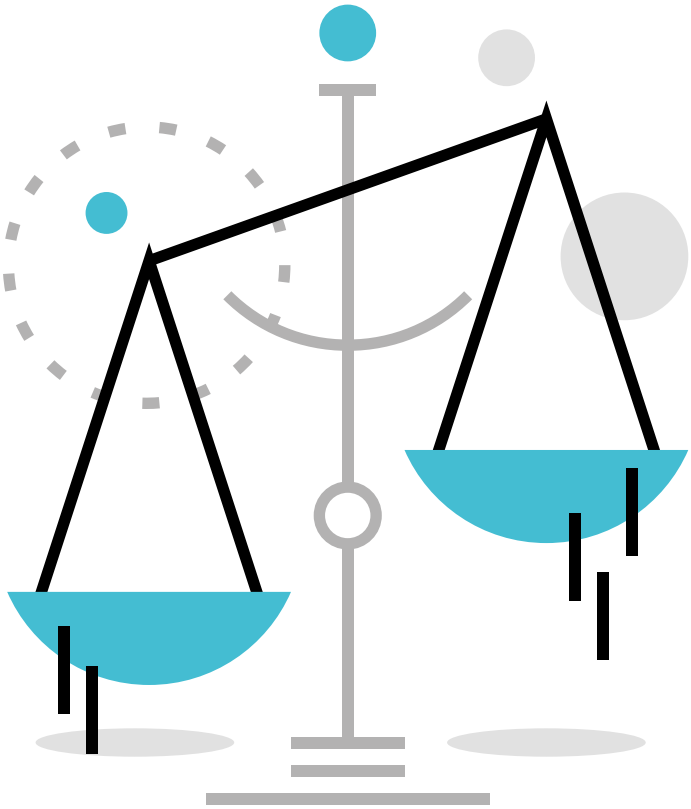
By embracing true native cloud applications, firms of all sizes can reap the benefits of the 'one-to-many' cloud infrastructure as it evolves and improves through periodic updates. In essence, once in the cloud, the firm can virtually hitchhike, almost for free, on the rate of cloud innovation. This is especially true for security and compliance. Cloud providers are best positioned to take a leading role as their clients' security and compliance partner. They are well equipped to maintain annual ISO 27001 certifications and Type 2 SOC 2 audits and have a keen understanding of the appropriate controls to meet expanding data privacy regulations, including HIPAA, DFS, GDPR and FedRAMP. Law firms and law departments can leverage this expertise when required to provide technology and security audits for their clients.

The effort to support law firms with their security obligations, especially in the cloud, is something the Legal Cloud Computing Association (LCCA) set out to do when it formed almost 10 years ago. In 2016, the association published the first set of cloud security standards that were essentially designed to give legal professionals more peace of mind when selecting (and using) true cloud technologies. The LCCA issued 21 standards, based on feedback from attorneys, bar associations, law societies, law firms and leading technology companies to assist law firms and attorneys in addressing these needs.

While security and compliance are major challenges for law firms of all sizes and complexities, the maturity of native cloud applications and platforms as well as the major push of Microsoft Office 365 in legal provide firms with access to certified and fully vetted security measures and governance standards they could not attain on their own. This market reality will only continue to pick up steam as law firm clients adopt cloud first strategies, dictating, at least in part, cloud usage by their outside counsel.

Jobst Elster is InsideLegal's Head of Content and Legal Market Strategy. He has served as a legal market strategist for the last 20 years, advising companies entering the legal market, involved in mergers and acquisitions, and expanding strategic operations overseas. Jobst regularly writes and speaks on legal technology, cloud computing, industry research and leveraging market data, technology innovations and futures, and analytics.

THE VERDICT



THE DEATH OF LEGAL INNOVATION?

Merriam-Webster's online dictionary defines innovation as '1: the introduction of something new; 2: a new idea, method, or device: NOVELTY.' Of late, the legal industry has been obsessed by the word. We have innovation partners, innovation directors and specialists, innovation conferences and innovation awards. Has the novelty of innovation run its course? Has the innovation craze reached its peak? Have we seen the death of innovation in legal? Or has the press hype simply moved on to the next big buzz?

Ron Friedmann
Chief Knowledge & Information Officer
LAC Group

Innovation lives on but the hype will diminish. A few years ago, some firms started announcing innovation initiatives and incubators. They saw an opportunity to differentiate and add value for clients. Suddenly, innovation went viral. I'd say that's because no firm wanted to be left behind and 'innovation by press release' costs little. Less cynically, larger firms could invest a bit in innovation to buy a relatively low-cost option to please clients if they became serious about the topic.

With so many firms 'innovating', it no longer differentiates. Yet client pressure to deliver more value remains potent. I expect many firms will continue to invest in innovation but with less hoopla. Some will actually take the difficult steps to change how lawyers practice and firms operate, which is necessary to deliver more value. Doing that, however, isn't as sexy as big announcements. We'll hear less, even though more may actually change.

Where does the hype focus next? Maybe alternative legal service providers, though that seems almost as overhyped. Maybe design thinking, but too few in the legal market understand it to have a constant stream of articles. Blockchain has, I hope, run its course. My hope—but not my bet—is #DoLessLaw: scoping to give only as much advice as clients need and want (rather than leaving no stone unturned), project management, efficiency, and simplifying deliverables to clients (especially with visual presentations). That's where real value lies.

> *Let's stop focusing on 'innovation' as if it were a skillset and identify ways that legal services can be more accessibly, efficiently, cost-effectively and customer-centrically delivered*

Jordan Furlong
Principal
Law21

Conferences and media reports are the wrong places to look for an accurate sense of legal innovation. Look instead to what's actually happening on the ground, day by day, in law firms and legal departments. That's where you'll find people (lawyers and others), without fanfare or publicity, simply getting on with it, generating more efficient and effective legal systems and solutions. That's all innovation really means: changing some aspect of what you're doing to create a better process or a better outcome than you had before.

Both the public legal system and our private legal structures and methodologies are about 40 years behind other sectors, industries and institutions. To visualize the scale of this challenge, imagine you've just bought a house from elderly owners who hadn't updated or renovated in decades. Imagine all the fixtures and wiring, the plumbing and air conditioning, that need to be replaced or installed or upgraded. That's where the legal system stands today—in desperate need of modernization, seemingly everywhere at once.

That's why we seem to be hearing about innovation everywhere in the law: because lawyers and law firms are finally taking it seriously. And there is a lot of catching up to do. Pretty soon, we'll stop hearing about innovation in the law, because everyone will be doing it and it will be part of the normal course of business. 'Innovation fatigue'? We're just getting started.

Dawn Hudgins
Vice President, Brand and Events
International Legal Technology Association

Has the novelty of innovation run its course? Interesting question, isn't it? As we look to the industry—not just the legal industry but all industries—innovation has been a buzzword for quite some time. There is a danger in the word itself as it becomes a conversation starter and strategic objective. Many are left still defining what it really means in the legal industry and asking if it can really be achieved.

My observation over the last few years has led me to a conclusion. Innovation is alive more than ever, but has matured from being a buzzword to being a definable change element for growth and improvement in the industry, with some firms taking bold steps forward. Exploration and ideation have become part of the process, and cautious experimentation has become a slowly growing trend, taking note from other industries that sometimes the greatest growth comes from measured failure. This of course leads to course correction and optimization.

Innovation has moved from being a noun to a verb, from a 'thing' to an 'action'. We have moved from not knowing how to define it to realizing that in many situations, we've been doing it all along, and need to continue down the path with methodologies and measurable improvement until we reach the desired outcome, with less fear of failure.

Having said all of this, I believe my most inspiring observation has been through the ILTA community, as collaboration has escalated between legal technologists for the good of the industry. That is growth that makes the industry stronger, the world smaller, and the possibilities endless.

Mark A. Cohen
CEO & Founder
Legal Mosaic

The staid legal industry is smitten with 'innovation', even as it lacks a common definition for how the term applies to legal delivery, education/training and the buy-sell dynamic. There's a proliferation of awards, job titles and conferences devoted to legal innovation. With all the ballyhoo, one would infer that law's wicked problems—lack of access to affordable legal services and low consumer satisfaction, among other challenges—would be under control.

That's not the case. Why? The short answer is that innovation is an overused, exaggerated term when applied to law. The legal industry generally applies it to internal changes designed to enhance profitability, not to improvements that positively impact legal buyers.

The legal sector has two parts: profession and industry. The profession is comprised exclusively of lawyers. The industry is a trinity of legal, technological and business management expertise. There is a cultural divide between the two. The profession is precedent-bound and inward-facing. It is rooted in 'how things have always been done' and is generally resistant to change. The industry is driven by a market void for reimagined legal delivery and customer demand for delivery models with the capability and scale to provide bundled professional skillsets proactively, competently, efficiently, predictably and cost-effectively.

The profession is tenaciously clinging to legacy regulatory, structural, economic and hierarchical models. Lawyers have relied on self-regulation to eliminate competition and to blunt the impact of megatrends that have disrupted multiple industries. This parochialism explains why most in the legal establishment—law schools, partnership model law firms, in-house legal departments and the press—resist material change and pay lip service to it by operating at its margins.

Let's stop focusing on 'innovation' as if it were a skillset and identify ways that legal services can be more accessibly, efficiently, cost-effectively and customer-centrically delivered. Now that would be innovative.

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