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Misfire on lateral hires

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EDITOR'S NOTE



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WELCOME TO **ISSUE 22** OF **LEGAL IT TODAY!**

Have you been enjoying the football World Cup? I'm not sure it's been a great one for technology. The new tech being showcased—VAR—has worked well, but it is still not to everyone's liking. Many feel that far from simplifying the game and providing greater certainty about refereeing decisions, it actually makes things more complicated and creates new problems.

Sound familiar? Have people ever said that in your firm when new technology has been introduced? I'll bet they have. Along with 'Why can't we just carry on like we did before?' and 'I'll never get the hang of this!'

The speakers at Lexpo, our legal innovation event held in Amsterdam in April, made quite a few references to this kind of attitude. If you were there, I hope you enjoyed it, and if you weren't, where on earth were you??? you can read all about it in this issue.

Reluctance to engage with new tech is what a group of McKinsey consultants had in mind when they claimed that company culture eats digital transformation for breakfast—something that is particularly true of law firms, argues Andrea Miskolczi.

On other pages, Dean Sappey explains why DocsCorp gets compared to Switzerland (enjoying a good World Cup at the time of writing), Ari Kaplan reveals what lawyers currently think about e-discovery and Christy Burke introduces us to innovative thinkers with a social conscience who are using technology to provide more people with access to justice.

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

A handwritten signature in black ink, appearing to read 'Jonathan Watson'. The signature is stylized with a large initial 'J' and a long horizontal stroke.

Jonathan Watson
Editor

WHAT'S HAPPENING AT DOCSCORP?

BY JONATHAN WATSON



DocsCorp has announced new integrations with both iManage and NetDocuments in recent months. President and co-founder Dean Sappey explained to Jonathan Watson how this fits in with the company's overall strategy.

DocsCorp has been described as 'a bit like Switzerland'—neutral with regard to other vendors but keen to work with them all. Why is that?

It's mainly because of the nature of our products, which focus on enabling people to work with documents more effectively. We might be helping people to turn documents into PDFs, to compare them, or to make them searchable. Ultimately, all our users are working with documents. They've got to get them from the document management system, use our software to manipulate those documents, and then put the documents back. So, we need to integrate with all the systems on the market.

One of our key aims, when we started out 15 years ago, was to come up with productivity tools that the big vendors did not have the time or money to develop. Document comparison technology is a good example of that. It's something that every firm needs, but no document management vendor wants to build on their own because it would be very expensive.

As we and other partners are all moving to the cloud, it is easier for us now to 'componentize' our technology so it can be embedded in their software. This creates one complete platform that the client signs up to, and they get all the bells and whistles.

Document management systems are like our children. We love them all equally! We want to work as closely as we can with all of them. We want to know that when we go to talk to a law firm, no matter what system they're using, our technologies can help them.

Is the legaltech market moving towards greater specialisation?

People still want to be able to deal with as few vendors as possible, because that makes life easier for them. However, they also recognise they can't get every technology from a single vendor. LexisNexis or Thomson Reuters, for example, have lots of technologies, but they can't do everything, and neither can iManage or NetDocuments. Besides, most clients just want the best tool to do the best job for them—as long as it works with everything they've already got.

If we say we're going to partner very closely with the big vendors, the client knows that there won't be any blame games over one product working with another. They can be confident that everything is going to work correctly.

I assume compliance with the EU General Data Protection Regulation (GDPR) is currently a big focus for you?

A lot of the law firms we've been talking to haven't implemented all the systems they need yet, particularly concerning data access requests. [A data access request] is when a member of the public says 'OK, law firm, find all the documents you have that include my personal data and give me copies of them.'

Then, once the relevant documents have been found, they can be collected together in a PDF, redacted and sent out. Many law firms are still talking about implementing this process in the next 6-12 months when it should have been done already.

Swedish law firm Delphi recently decided to use our contentCrawler product after it found that 70 per cent of the documents in its document management system were not searchable. Most of these were image-based PDF files, such as scans of driving licences and passports. That's personal data that is invisible to search technology. For GDPR compliance it's absolutely essential that these documents be found, and contentCrawler does this very easily.

Document management systems are like our children. We love them all equally!



What's taking law firms so long?

There's this long laundry list of things law firms have to do for GDPR compliance, and they're prioritizing the most urgent things. They know they have to do it, but in their minds, it's only one of many risks to the business that has to be managed. Most have at least thought about it now—that's a step in the right direction—but I'd still say the vast majority haven't implemented all the things they need to be compliant. When members of the public start sending requests for all 'their' documents and the firm only has a couple of days to respond, that's when we'll start to see a little more urgency.

Fines for non-compliance are likely to hit the really big firms first because they have the biggest global revenues. Regulators will seek to make an example of them. When they do, other firms will definitely sit up and take notice.

What is DocsCorp looking to focus on in the future?

We will carry on developing the technologies we have. Most firms have more immediate concerns than blockchain or AI. They need to deal with issues like finding documents or making sure their fee earners are billing enough time each day.

Law firms are also only now in the process of moving to the cloud. That's starting to become more mainstream, to the point that firms are seriously accepting it and their clients are recognising that it's OK for information to be in the cloud. Up to now, law firms have wanted to do it, but clients like big banks or insurance firms have been saying they don't want their documents in the cloud. In the German market, for example, there's still a lot of resistance.

Probably less than 10 per cent of law firms are using the cloud for everything. More often, there are just bits and pieces in the cloud. Our focus is to make sure that when they are ready to make the move, we've got the technologies there for them. But that vast majority who are still desktop-based want to keep getting innovation as well. They don't want to be told that the only way you can get some new innovative thing is to move to the cloud. We must support both options.

For us, it's ultimately about a partnership with document management vendors, so that all of our technologies become the key component for any document management system. That's our mission in life.

E-DISCOVERY UNFILTERED 2018: UNDERSTANDING THE TRENDS THAT ARE RESHAPING HOW LAW FIRMS AND LAW DEPARTMENTS MANAGE DISCOVERY

BY ARI KAPLAN



This year's 'E-Discovery Unfiltered' report reflects a broad agreement that a tool or individual cannot manage a discovery portfolio in isolation.

For the fourth annual 'E-Discovery Unfiltered' report, released this spring, Ari Kaplan Advisors conducted telephone interviews between 10 January and 26 February 2018 with a cross section of in-house and law firm professionals from a wide range of industries. The aim was to gain a better understanding of where

they are investing in 2018, key trends that are driving change in the discovery community, what matters most when working with a vendor, the level of cloud acceptance and many other issues.

In total, eight in-house lawyers, 14 in-house legal professionals and nine law firm partners shared their candid

impressions of industry developments. 100% of them manage e-discovery software and service providers, 100% develop and implement e-discovery processes, 97% select e-discovery tools and vendors, 97% implement e-discovery tools and 87% manage their e-discovery budget. Of those in-house, eight participants are in financial services, eight in life sciences, three in manufacturing, two in telecommunications and one in entertainment. 65% work for companies with revenues that exceed \$10 billion and 68% work for companies with over 10,000 employees. Eight of the nine law firm partners work for AmLaw 200 organizations and all serve as primary e-discovery counsel.

Investments for 2018 focus on data management

Many of the in-house professionals who participated in the survey highlighted their intent to invest in initiatives that empower their information management. Those options included discovery-as-a-service, defensible data deletion, improved data governance, reduced data creation and audited employee transfers of data.

Some strategies have been motivated by regulatory shifts and technological advancements. 'We are making huge investments in the GDPR [General Data Protection Regulation] because we have a lot of business units and factories in Europe,' said one e-discovery attorney with a manufacturing company. 'We are focusing heavily on technology-assisted review because now that we have preferred pricing with vendors, our next big expense is attorney review,' added a senior counsel for e-discovery with a life sciences company.

As part of this effort, a number of respondents emphasized the increasing importance of cross-collaboration between various groups within companies to manage data as information governance becomes more established. In fact, many in-house leaders are trying to apply analytics and automation more broadly to their portfolios because e-discovery, regulatory compliance, M&A, business development and licensing teams often have the same needs. Ultimately, the goal for many is to leverage technology to manage risk more effectively.

'We are investing in legal operations, as well as infrastructure around e-discovery,' said the director of e-discovery for a life sciences company. 'We are evaluating blockchain solutions and addressing the challenges of blockchain data,' noted an e-discovery engineer for a financial services company.

Law firm leaders echoed the comments by their peers at corporations. 'Our investments will be in e-discovery software and personnel,' said one law firm partner. 'We are focusing on analytics, cybersecurity, the GDPR and migrating to the cloud,' added another.

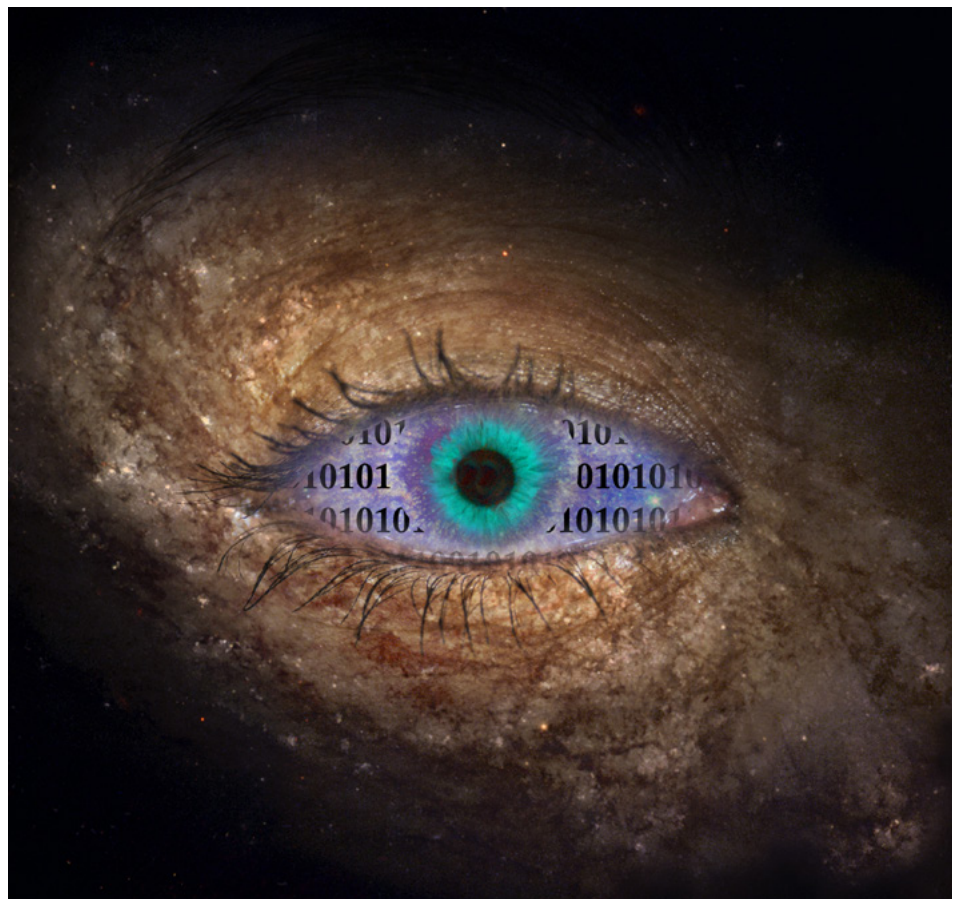
The rise of the cloud

There was substantial discussion of the cloud because it reflects a liberation of technology in that it broadens accessibility, giving companies the ability to manage more of their discovery internally. 79% of the corporate respondents, including in-house counsel and corporate legal professionals, are bringing work in-house. This is fairly consistent with 2017, when 82% reported doing so. 83% highlighted that there are tasks that they used to outsource that they now perform themselves.

'We are the ones who know our documents so either companies are bringing it in-house or they are narrowing the number of tech partners they are working with and seeing them as advisors,' said a senior lawyer with a telecommunications company. 'It makes a lot of sense and is cheaper,' added a lawyer in life sciences.

As refresh cycles approach and legal teams discuss further migration to the cloud with their IT and law department leaders, the drive towards greater efficiency will support this shift. The widespread implementation of Office 365 and urgent re-evaluation of data management protocols in light of GDPR are further fueling these updates, with the exception of continuing to maintain an organization's most highly-coveted information, such as research and development, as well as other valuable proprietary data, behind its firewall.

'This is a question that the company is struggling with,' said the assistant general counsel for a manufacturing company. 'We don't want to buy technology; we want to rent it. I don't want to spend



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hundreds of thousands or millions of dollars per year for something I will not use,' added the director of e-discovery for a life sciences company.

E-Discovery is changing

This renewed focus on data is expanding how companies use it. 71% of corporate respondents reported that they are engaging in data discovery beyond regulatory matters or litigation and 62% said that regulatory disclosures now qualify as electronic discovery.

Mobility and disparate records are also having an impact. 'Mobile discovery will be much more of a concern as larger amounts of data reside on mobile devices,' said an engineering leader for a financial services company. Interestingly, the manager of discovery for a telecommunications firm noted that from a pricing standpoint, it pays a flat fee for a certain amount of data similar to a mobile phone plan, which includes time for project management.

The expectations surrounding the use of technology-assisted review are similarly changing as practitioners develop a greater familiarity with the tools and they become more embedded into traditional applications. 'It is no longer unusual for us to incorporate analytics and computer-assisted technology into our workflow,' said the associate general counsel for a financial services company.

The vendor qualities that matter most

With respect to the qualities that matter most to in-house legal teams when selecting or working with an outside

vendor, project management, partnerships, communication, sincere guidance, accountability and trust topped the list.

Project managers typically dictate the trajectory of a project, so the emphasis on this type of leadership was not surprising. 'You cannot underestimate the value of project management [because] the project managers are the ones directing our cases and are absolutely crucial; we want dedicated project managers who work with us routinely so they can be an extension of our outside counsel,' said a senior lawyer for e-discovery at a life sciences company. Similarly, given the reliance that both in-house and law firm teams place on their closest providers, integrity is a critical factor. 'I'm not interested in anyone who is not honest, straightforward, and committed to a long-term relationship,' added the associate general counsel for a financial services company.

It is no longer enough to provide a product or a service. Legal teams expect insight and guidance. They want to collaborate with vendors who can apply their breadth of experience to help solve complex problems. 'There has been a shift towards handling more in-house on a leaner staff so the ability to balance getting support when you need it if the internal team cannot figure it out, including good communication with a vendor, is essential,' said an e-discovery specialist in financial services. 'I don't want a yes-man; I want someone who will make suggestions and appreciate people who are willing to push the envelope,' added another e-discovery leader in the same sector.

And, of course, they want a true partner. 'I want to know what is happening and if something goes wrong, I want it fixed,' said one law firm partner. 'You have to be competent, but I have to trust you,' remarked another.

Ultimately, the 2018 'E-Discovery Unfiltered' report reflects a broad agreement that a tool or individual cannot manage a discovery portfolio in isolation. Rather, multi-disciplinary teams must collaborate and apply leading technology to supplement their talent in order to fully address the myriad of challenges that modern discovery presents. At the heart of that alliance is creativity, integrity, and experience.

The full E-Discovery Unfiltered report is generally only available to participants and sponsors, but email ari@AriKaplanAdvisors.com for a mini report on the key trends for 2018 and an infographic on what vendor qualities matter most when making buying decisions.

Ari Kaplan, an attorney and legal industry analyst, is an inaugural Fastcase 50 honoree, a fellow of the College of Law Practice Management and a finalist for the International Legal Technology Association's Thought Leader of the Year award. He is the author of Reinventing Professional Services: Building Your Business in the Digital Marketplace (Wiley, 2011) and The Opportunity Maker: Strategies for Inspiring Your Legal Career Through Creative Networking and Business Development (West Academic, 2nd Ed. 2016).

‘HEY, THAT’S PRETTY COOL, WHERE DID YOU GET IT?—OH, IT’S SOMETHING I LEARNED AT LEXPO’

BY JONATHAN WATSON



Everyone who went to our annual innovation event got some cool (and useful) ‘souvenir ideas’ to take home with them.

Has anyone ever had a good idea?’ asked Ari Kaplan, the host of Lexpo 18, as the conference kicked off. ‘That’s a rather personal question!’ the Brit within me was tempted to reply.

Blockchain boogie

Leaving aside the (often controversial) issue of who has had them, there is one thing you can always guarantee at Lexpo—a plentiful supply of good ideas. One of the most important ones, which arguably dominated proceedings on both days, was—you’ve guessed it—blockchain. David Yermack, the Albert Fingerhut Professor of Finance and Business Transformation at New York University Stern School of Business, freaked everyone out during his presentation on this.

He did so by asking a simple question: what could disappear due to blockchain? His answer: accountants, auditors, banks, stock exchanges, some litigation, and government departments as databases are decentralised onto public blockchains. He showed the audience a chart illustrating what had happened to the number of stockbroker jobs in the last 10 years. You don’t even need to see it to know that there was a line pointing downwards. Sharply.

All this begged the question: could the same thing happen to lawyers? It’s clear now that blockchain is more than just a fad. German automaker Daimler has

issued a corporate bond worth €100 million as part of a blockchain pilot project; French insurer Axa has used blockchain for a new flight insurance product; and UBS is reportedly working on a virtual coin for mainstream banking. ‘This is not going to go away,’ Yermack said.

‘The banks know that digital bonds are coming,’ added Oliver Oram, founder of blockchain company Chainvine, during his presentation. ‘It will be the job of law firms to ensure they are issued properly.’

David Fisher, the founder and CEO of Integra Ledger, ‘the blockchain for law’, had already kicked off the keynote speeches in a joint session on AI and blockchain with Brian Kuhn, Global

Leader and Co-Founder of IBM Watson Legal. Fisher said we are going through ‘a crisis of trust in data,’ citing the recent revelations about Facebook as evidence of this. He believes this crisis can only be addressed by blockchain. ‘Blockchain creates digital trust without intermediaries like governments or banks,’ he said. (Or stockbrokers, David Yermack would probably have added.)

Fisher and Kuhn believed they had good news for the legal industry. They said a new age is dawning, one that promises a golden era of growth for legal services. ‘You’re about to have access to technology in the next couple of years that you have never seen before,’ said Kuhn. ‘I promise you.’ They believe this golden age could be based on the

You’re about to have access to technology in the next couple of years that you have never seen before, I promise you



Amsterdam Framework, a new concept they unveiled at Lexpo for how AI and blockchain can work together.

This framework is based on sovereignty (ownership of data and intelligence are self-sovereign to the individual), transparency (software that uses self-sovereign data and intelligence is auditable) and governance (governance of software that uses self-sovereign data and intelligence is transparent and algorithmic). 'Taken together, these three elements are the foundation of blockchain as we understand it in the Amsterdam Framework,' Fisher said.

This is good news for the legal industry because it is well positioned to lead the world in the ethical application of blockchain and AI, Kuhn added. It turns out that the industry's approach of being conservative about adopting new technology and very careful with data was the right one—this means it will now be trusted to handle a new age in the use of technology.

Champions of change

Another big theme at Lexpo was lawyers' inability to change. 'The tools have evolved, but the practice has not,' said

lawyer and leading legal journalist Bob Ambrogi. When clients were asked in a survey if their law firms had done anything 'significant and different' over the past three years to alleviate the problems they face, only three per cent said their firms had engaged in technology innovation. This is despite the fact that there is no shortage of legal innovation, Ambrogi said. 'There is tons of it out there. It's the profession itself which is an obstacle to innovation.'

Listening to Ambrogi, one was tempted to conclude that he is not a great fan of the legal profession. 'Law is a protectionist guild that sees innovation as a threat,' he said. The law firm profit model favours inefficiency, because the billable hour incentivises lawyers to draw their work out. At the same time, the courts system is overwhelmed and underfunded, so it can't innovate because it has to pour all its energy into scrambling to keep up.

He offered 10 pieces of advice for 'rebooting' the system. These included requiring lawyers to demonstrate competence in technology, as outlined since 2012 in the American Bar Association's model rules of conduct (rule 1.1, comment 8). In the US, 31 states

have adopted this so far. He also wants law firms to be pushed (shamed) into innovation, based on tools like the Legal Services Innovation Index, which uses a ranking system to identify the most (and least) innovative firms.

John Alber, who is the futurist for the Institute for the Future of Law Practice and was the first futurist for the International Legal Technology Association, believes that law firms in their current form will soon die if they don't change. Just because many law firms have a long and venerable history, that doesn't automatically mean they can look forward to long and successful futures, he said. Freshfields may have been founded in 1743, Norton Rose in 1794 and Gibson Dunn in 1890, but that doesn't mean they will live forever. He compared their apparent immortality to that of vampires, pausing briefly to remind the audience what vampires are famous for (bloodsucking, of course).

Research shows that our clients think we are terrible business partners, Alber said. 'But we keep raising our rates! I guess that's the one thing we are really good at.' He compared the legal industry to the Motorola Razr phone, a massively popular





device before the iPhone suddenly blew it out of the water. Apple sold more iPhones in the first three months after its launch than Motorola sold Razrs during the product's entire life span, he said.

Legal project management

The difficulty of persuading lawyers to change also came up in discussions of legal project management (LPM). 'Lawyers are highly sceptical, results-driven, and they work with urgency—those three factors make them very resistant to change,' said David Rueff, legal project management officer at US law firm Baker Donelson. Nevertheless, he embraced LPM as a solution for his own practice, and then helped to create a program to make it easier for all the firm's lawyers to integrate it into their own practices. He compared this process to creating 'the perfect storm'.

Rueff urged law firms to take the initiative in applying LPM. 'If you wait for the client to apply LPM, it's already too late, as it means they've realised you need to improve and they are probably already looking elsewhere,' he said. 'LPM can take a good lawyer and create a great lawyer in the eyes of the client.'

Kim Craig, until very recently of Seyfarth Shaw, said that partners at her firm initially objected to her use of the word 'process' to describe what they did,

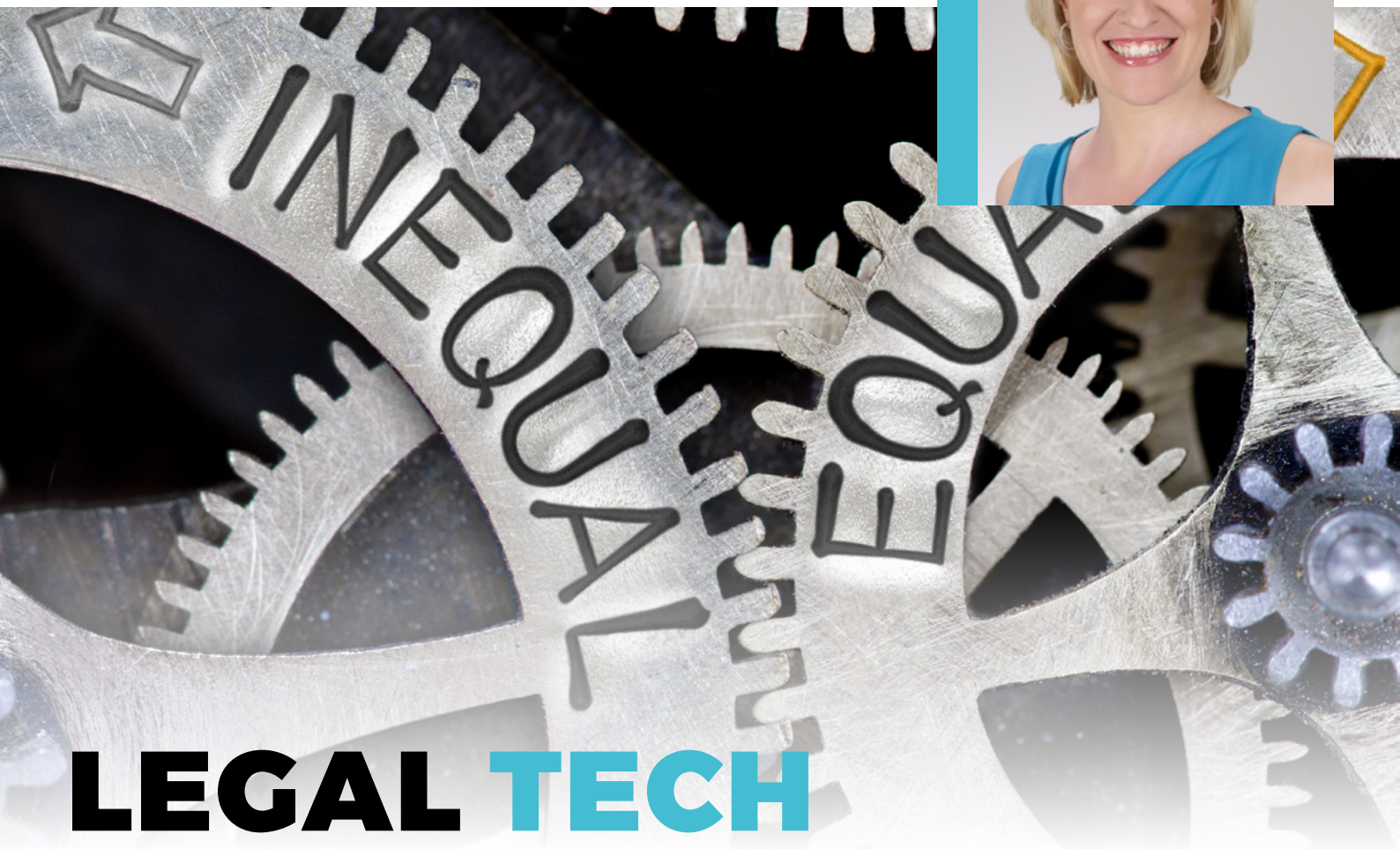


claiming that it demeaned and devalued their profession. She cited the firm's chairman, Steve Poor, who has said that the aim of its LPM project was 'to eat into the mind-set' of 'my work is different—what I do is magic'. Eventually, Craig said, 'we began to persuade the partners that they were not quite as unique as they thought, and that there was some predictability in what they did'.

Kaplan had asked all of Lexpo's speakers to bring a souvenir from the city they had travelled from, and these were given out during the conference to all those brave enough to ask questions. On the whole, these souvenirs were entertaining trinkets rather than useful items (apart from the New York subway map perhaps, which might come in handy during a

visit to the Big Apple), probably destined to be left on a shelf, or in a drawer, and eventually forgotten.

That won't be the case for the ideas everyone encountered during their visit to Lexpo. They will linger long in the memory, helping those who came to the event to transform and improve their working lives. 'Hey, that's pretty cool, where did you get it?—Oh, it's something I learned at Lexpo.'



LEGAL TECH INNOVATION IS PROVIDING ACCESS TO JUSTICE FOR BILLIONS WORLDWIDE

BY CHRISTY BURKE

Armed with intelligence, creativity, compassion and data, people who care can make a huge difference for those who need help.

Legal technology innovation has made great strides to save money and time for law firms and corporations. However, there are still many left unserved by legaltech, including individuals and small businesses, who have the least time and money to spare. Legal technology has the capacity to help billions more people get access to justice. An abundant faction of concerned groups is stepping forward to help, including legaltech software providers, lawyers, government agencies, non-profit organizations and law school faculties and students.

The lack of access to justice is huge in scale. The Legal Services Corporation (LSC) contracted with research firm NORC at the University of Chicago to produce the '2017 Justice Gap Report: Measuring the Unmet Civil Legal Needs of Low-income Americans' to help measure the justice gap among low-income Americans in 2017. According to the report, in the previous year, 86% of the civil legal problems reported by low-income Americans received inadequate or no legal help. The report also said that in 2017, low-income Americans would approach LSC-funded legal aid organizations for support with an estimated 1.7 million problems. It concluded that they were likely to receive only limited or no legal help for more than half of these problems due to a lack of resources.

Lack of access to justice and legal counsel is not limited to low-income people—the middle class is also significantly impacted. 'Pro bono legal assistance won't solve legal problems that affect the middle class,' says lawyer, professor and Traklight CEO Mary Juetten. 'Many Americans don't understand that lawyers or legal technology can help them solve their problems. With criminal matters, they know they need a lawyer, but with civil matters, they often don't know that lawyers can help them. Americans are in debt and millions of people are running small businesses

By applying technology to provide more people with access to justice, new opportunities are created both for the recipients and for the providers

without proper incorporation or risk mitigation measures. Middle class Americans and small business owners represent a massive unmet need for legal services and access to justice, which is an opportunity for the legal profession.'

On the bright side, there are many innovative programs and legal technology products being developed to address the access to justice gap.

Legal design thinking has become an increasingly productive route to solving difficult problems like access to justice. Cat Moon, Director of Innovation Design, Program in Law and Innovation at Vanderbilt University Law School, has become one of the foremost leaders in human-centered legal design thinking. 'Design thinking is collaborative, not adversarial, and it assembles not only lawyers but also tech and other professionals to create deep understanding of problems, which then informs how technology can provide solutions,' she says. 'Once there is understanding, a blueprint can be developed and technology tools can be leveraged appropriately—it's not magic or rocket science.'

Governments are also becoming smarter about using technology to assist their constituencies better and reducing the long lines at their various agencies.

Tim Campbell, Deputy Executive Director of Programs at Coalition for

the Homeless in New York City, notes that most applications for SNAP (food stamp) benefits are now submitted online. 'Accessing food stamp benefits in the past always required going into a welfare office and waiting for several hours to see someone,' he says. 'Now, SNAP applicants can use the internet to apply, as well as access benefit records and generate/print documents to show proof of income. While sometimes a visit to the welfare office is unavoidable, the online SNAP system provides options that are certainly a step forward for those with access to the required technology.'

Campbell also mentions Upsolve, a project funded through the Robin Hood Foundation. 'Upsolve offers free legal assistance with applying for bankruptcy,' he says. 'That's an excellent resource for individuals with lower income who may not otherwise have access to the legal assistance needed to file for bankruptcy and get out from under unmanageable debt.'

In California, Simon Boehme is also using technology to help the homeless. A mediator and legaltech entrepreneur focused on the resource-limited Tenderloin neighborhood of San Francisco, Boehme works with the Bar Association of San Francisco to foster the growth of Conflict Intervention Services (CIS) which, through grant funding from the City and County of San Francisco, tries to resolve landlord and tenant disputes before they escalate to eviction and

homelessness. CIS has a 90% success rate in keeping people housed.

CIS distributes iPads to single room occupancy (SRO) hotels in San Francisco so residents and landlords can report issues, contact a mediator and resolve disputes before evictions or 'quit notices' occur. In record time, mediators can connect with the disputing parties, eliminating costs for travel and parking and, more importantly, reducing the stress of waiting. Financed by a groundbreaking commitment from the San Francisco government, the program pays mediators with interdisciplinary backgrounds including mental health, social and addiction services, behavioral health, and restorative justice to solve problems in a non-adversarial way.

'We deliver rapid response to ensure intervention as quickly as possible via in person mediation, and now even faster through hardware and software to low and moderate income earners,' Boehme says. 'Our mediators and a staff social services advocate all look through the lens of compassion, since many situations involve addiction and mental illness. By leveraging the power of technology and mediation, we save taxpayers the more expensive cost of homelessness.'

Boehme is also co-founder and CEO of LegalWin, a legaltech startup that uses big data to help small businesses and consumers with civil litigation matters. Informed by publicly available government data, along with some private data, the software generates predictive outcomes to assess whether it would be fruitful for particular small claims cases to be pursued and provides useful tips for litigants. Users answer a few questions and the program affordably generates a demand letter and even lawsuit filings. LegalWin is a simple, effective technology that solves a widespread legal problem.

LegalShield has a free mobile app enabling anyone to download free legal forms from a smartphone, plus an 'Ask Erin' chatbot on its homepage which answers legal questions. While Ask Erin does not provide legal representation per se, it is available 24/7 to answer questions about common legal/justice issues such as wills, child custody and eviction. LegalShield also provides



affordable legal plans for individuals at \$20 per month and for businesses at \$40 per month, advocating that legal health is just as important as physical health as it is crucial to liberty and livelihood.

During his tenure as Chair of the American Bar Association's (ABA) Legal Technology Resource Center (LTRC), lawyer and legal technology thought leader Dennis Kennedy has prioritized diversity and access to justice initiatives. The LTRC has just started a 'Legal Innovation Calendar' where people can

post their own events and is starting to collaborate more with the ABA's Center for Innovation. Kennedy notes that a great deal of access to justice initiatives originate in legal academia and legaltech startups such as legal design events and hackathons; the calendar will help draw more people to those meet-ups.

Kennedy cites vTestify, a video deposition service that does not require a court reporter, as a good example of a legal technology product that is outstanding for enabling access to justice. 'vTestify

might bring us to the day when people don't have to show up at the courthouse,' he says. 'Providing depositions by video opens up justice to many more people, including those who may be intimidated or unable to appear in court due to fear, work/childcare commitments or distance. Ordinarily, showing up in court to contest a traffic ticket could cost a person a day's work, but vTestify makes this unnecessary. vTestify is becoming more widely accepted for its effectiveness and convenience, and hopefully it will win even greater adoption nationwide.'

Larry Bridgesmith is a legal technology entrepreneur whose product, DASH, the world's first interoperable, AI-powered legal project management platform, will be launching soon. He's also a lawyer and adjunct professor at Vanderbilt Law School. Bridgesmith points out that billions of people worldwide have no access to justice because they have no identity. 'Blockchain, AI and cryptocurrency at the level of the internet can be combined to dispense justice

from the bottom up, not the top down,' he says. 'These technical tools can be used to establish sovereign identity, independent of government-given documentation or records. People who once had identity can restore it and those who never had identity can create it by consensus. In other words, people vouching for who they are, and biometric means such as DNA and top-of-hand vein scans, can be used to digitally verify identity. Once a person has identity, they have much greater access to resources, rights, legal representation and justice.'

The potential of legal technology to solve access to justice problems is limitless. Armed with intelligence, creativity, compassion and data, people who care can make a huge difference for those who need help, both for people living nearby and for those very far away. Many of the technology products and services mentioned above are simple and straightforward. As Cat Moon says, they are not rocket science. The key is to acknowledge and understand more

problems, create more action plans and develop more tools to address the core issues. By applying technology to provide more people with access to justice, new opportunities are created both for the recipients and for the providers. And that, my friends, is when we ALL win.

Christy Burke is president and founder of Burke & Company (www.burke-company.com), a New York City-based PR and marketing consulting firm specializing in legal/tech. She is a prolific writer and a frequent contributor to Legal IT Today.

PLAN INTERNATIONAL LEVERAGES TECHNOLOGY FOR ACCESS TO JUSTICE AROUND THE WORLD

Plan International is a not-for-profit organization dedicated to advancing children's rights and equality for girls worldwide. It has established several innovative programs to provide access to justice, safety and resources for at-risk young people and adults in many countries. Here are some examples of how the organization has leveraged technology to solve access to justice problems. Many thanks to Plan USA's Brian Haupt, Program Manager, Resilience, for sharing this information.

Digital birth registration

About 230 million children around the world have not had their births registered.

When you can't prove who you are or when you were born, it becomes much more difficult to exercise your rights to services such as education, healthcare and protection from exploitation. If governments don't know you exist, it's harder for them to plan for you and to provide you with the services you need.

Millions of children are not registered because the birth registration process and the systems that support it are often complex, inefficient and do not answer the needs of the people they serve. Parents must often travel long distances in difficult conditions to register their children's births, and long paper

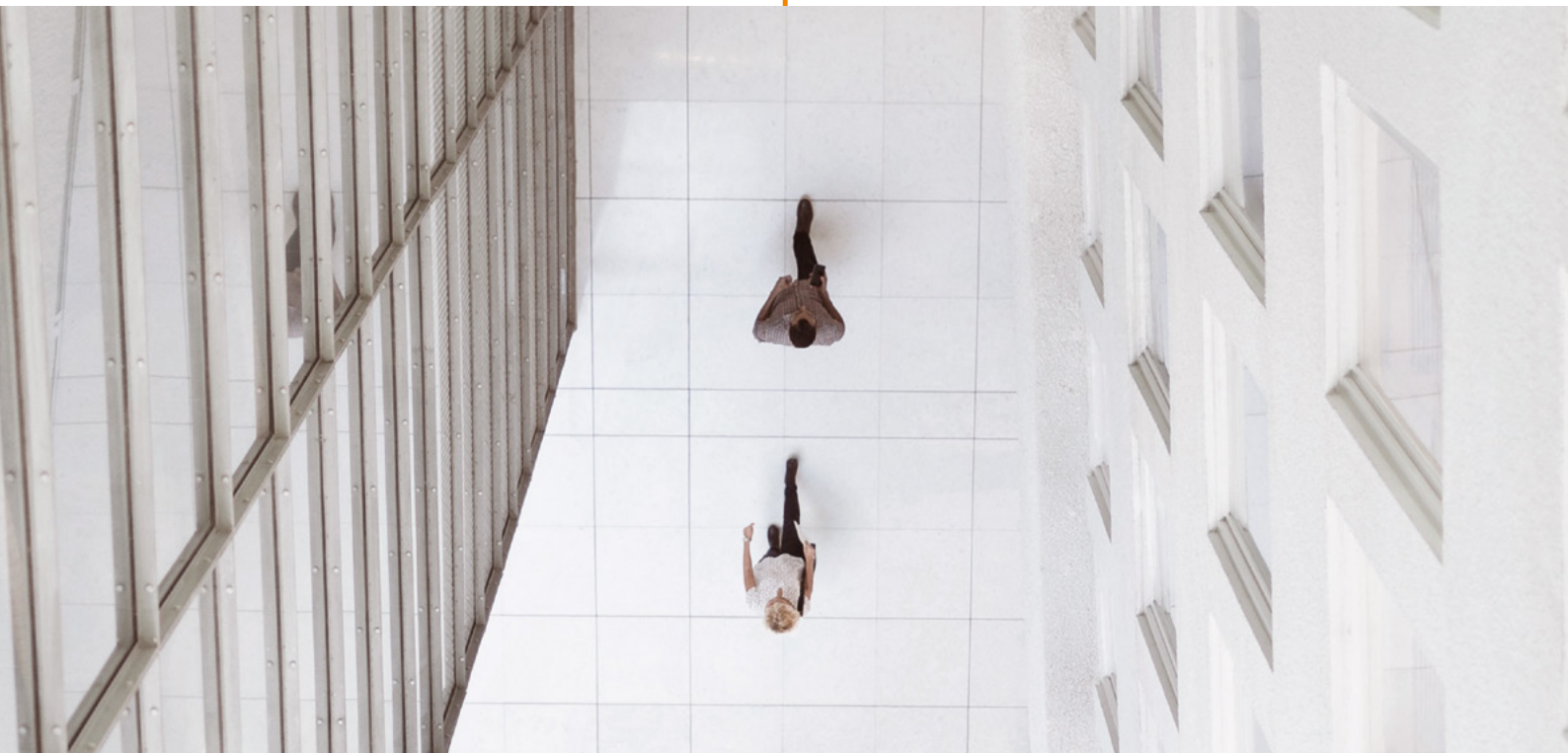
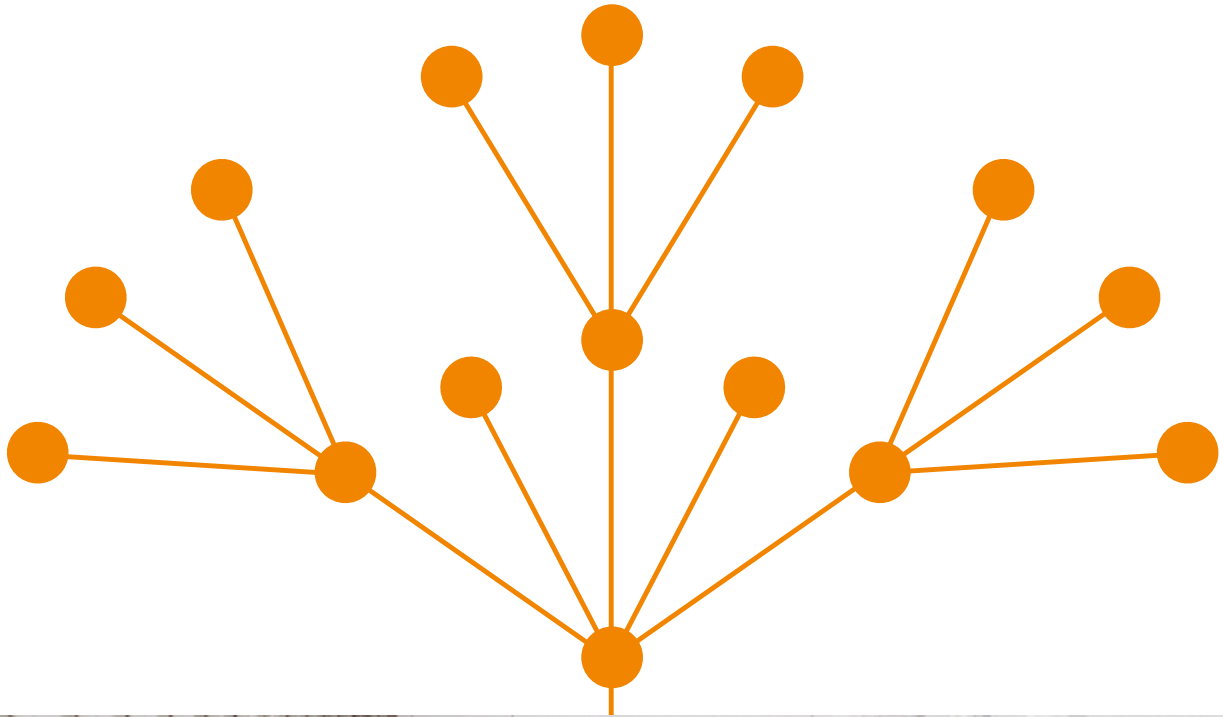
trails, jumbled archives and confusing record-keeping lead to systems falling short of expectations, particularly for communities in remote, rural areas. In addition to the registration barriers, paper records are easily damaged, are error prone and are often of poor quality, badly preserved or lost altogether.

Through the 'Count Every Child' program and advocacy work, Plan has helped register over 40 million children around the world and influenced laws in 10 countries so that 153 million children can enjoy the right to a birth certificate. Between 2009 and 2012, Plan piloted a mobile solution for supporting

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community-based birth registration in two districts in Kenya. Working in partnership with Nokia, the Kenyan government, and local partners, the program successfully increased registration rates from 30% to 68%. Other digital birth registration (DBR) work is ongoing in Pakistan, Indonesia and Uganda.

The DBR program uses mobile phone technology to increase the reach of registration to remote and marginalized communities. DBR allows parents to register their children quickly, easily and within their own community.

Within each context, two categories of tools form the technological backbone for DBR. First are devices and hardware. These include mobile phones (smartphones, feature phones or 'dumb' phones), tablets, laptops, desktop computers and physical servers. Second are platforms and software components. These include data transfer technologies, such as short message service (SMS), unstructured supplementary service data (USSD) or the Internet, sent through mobile phone or web-based forms; software interfaces, such as application program interfaces (APIs); and other back-end components, such as application and database software and virtual storage.

While the technology component is the central feature of DBR, it functions within a host of programmatic, regulatory, outreach, and advocacy components that constitute an integrated DBR program.

Local networks of registration agents collect information about births using mobile phones and web-based tools. This birth data is sent to a central database where it is verified by a government registrar and a birth record is created. A digital identity of the child is then sent to the parents' mobile phone which can later be used to obtain a paper certificate if required. This process not only means that parents can more easily register their children and obtain a form of legal identity, but also means that the civil registration system can provide essential data to other systems (such as health, population registers and statistics).

Costs for this program include phones and any government fees for registration. In some cases, Plan covers the registration fees.

In addition to accessing birth registration, which in many cases is needed to access government-provided services, accurate population data can also be used by governments to support service planning with a focus on equity and inclusion. Plan provides technical assistance for this as well.

CrowdSpot 'Free to Be' maps for safer city streets

The Plan International 'Free to Be' city safety maps, created in collaboration with Australia's Monash University and the online mapping provider CrowdSpot, are now live in Delhi (India), Lima (Peru), Sydney (Australia), Madrid (Spain) and Kampala (Uganda). The global launch follows a successful pilot of the Free to Be map in Melbourne (Australia) in 2016, where more than 1,300 young women shared their experiences of city safety ranging from street harassment, such as cat-calling and menacing behavior, to sexual assault.

The CrowdSpot maps remained open for entries for six weeks, until 31 May 2018. The data will be collected and analyzed by researchers from Monash University to provide valuable insights into the best and worst areas of the cities and what makes each safe or dangerous for girls.

Girls and young women are encouraged to use the web-based map of their city by placing a purple 'good' pin on areas where they feel safe and an orange 'bad' pin on the locations where they feel unsafe or uncomfortable. They can then provide a description as to why they like or dislike that part of the city, including details of any incidents they experienced there. All responses are anonymous.

CrowdSpot is free to use and can be accessed from computers or mobile devices. Data gathered from the five maps will provide the evidence girls and women require to demand action to make their cities safer places to live.

Poimapper in emergency response

When disaster strikes, Plan International needs to collect as much information as possible within the first 72 hours. This data helps Plan managers make informed decisions about the scale, nature and focus of the response and allocation of resources. In the Philippines, Plan has been using Poimapper for this rapid

needs assessment and monitoring of emergency distributions since Typhoon Bopha in 2013, and in three subsequent typhoons and earthquakes. Plan staff and partners in the field collect demographic data and photographs to gauge the impact of the disaster, and map distribution points, shelters and other facilities, which they send back to the country office over the Internet.

Poimapper is then used to monitor distributions of emergency aid, vouchers or cash for work, and to collect feedback from beneficiaries. Staff members on the ground use their mobile phones to capture basic data on what is distributed where, when and to whom, and record any learning in the process. Interviews with community members at distribution points provide feedback on the content and process of distribution, priorities, inclusion and other issues. In the recent Nepal earthquake response, 220 feedback surveys were conducted via Poimapper, resulting in action to scale up the use of information points and SMS systems.

Poimapper, produced by Pajat Solutions, is an easy-to-use mobile app that can collect responses, record audio and video, track data points with GPS data and produce reports with the information gathered. Plan uses these reports to provide more inclusive services in response to emergencies. With Poimapper, Plan personnel are able to collect, analyze and share real-time information from the field, make informed decisions and allocate resources accordingly. GPS location, timestamp and images associated with the survey data can be viewed with a customized program portal.

Individuals access Poimapper with the assistance of Plan staff and a Plan-provided tablet. There is no cost to participants.

Information gathered from Poimapper can be used by Plan's emergency response teams to assess whether current programming is effective or make adjustments as needed. Over time, Plan Philippines has started to use Poimapper in pre-and post-disaster contexts, for vulnerability mapping and to collect data on the outputs and outcomes of their emergency interventions.



CULTURE EATS LAW FIRMS' DIGITAL TRANSFORMATION FOR BREAKFAST

BY ANDREA MISKOLCZI



For a law firm's digital transformation strategy to be successful, it is crucial to have a strategic vision and a profound understanding of one's own processes.

Culture eats strategy for breakfast (so said management guru Peter Drucker, a trained lawyer). While most companies and nowadays also law firms spend considerable time on strategy, only a few consider their culture. And a lack of cultural awareness often results in a rather weak execution of strategy. Making

a firm's strategy happen depends on its people and their daily decisions about prioritizing and executing tasks. Execution of strategy undoubtedly depends on healthy processes, but even more on healthy culture where people work together towards a shared goal. Powerful cultures that empower people to achieve a common goal are just as important as

the goal itself. **Strategy and culture are indispensable to each other.**

Culture eats digital transformation for breakfast (so said management guru-house McKinsey, founded by James Oscar McKinsey, a lawyer). In their study published approximately a year ago, 'Culture for a digital age', McKinsey reported that **'shortcomings in organizational culture are one of the main barriers to company success in the digital age'**. They have found in their research that alongside obstacles such as lack of understanding of digital trends, lack of IT infrastructure, lack of data and many other long-standing IT-related challenges, cultural issues play an enormous role in failing digitalization agendas.

In particular, the McKinsey study found three deficiencies that are particularly dangerous in the digital age: risk aversion, weak customer focus and a silo mentality. These deficiencies have also been limiting companies' performances in the past, of course, but according to McKinsey, they are fatal in the digital age. And this is particularly bad news for most law firms.

Culture eats law firms' digitalization agendas for breakfast. If McKinsey's analysis is correct (and it usually is!), most law firms have a difficult path ahead of them in their digital transformation. Let's face it: most law firms have cultures and behaviors that include the barriers mentioned above.

- **Risk aversion.** Law firms typically fear taking risks. Hierarchical structures and decision making, a focus on perfection and low failure tolerance prevent many law firms from being truly innovative and experimenting with digital solutions. The profession is risk-oriented; you are trained in law school to consider what can go wrong, how to manage such potential future risk today, if something goes wrong how to remedy it, and so on.
- **Weak client focus.** Most law firms state that they are client-centric, client-oriented or client-focused (pick your wording). However, many studies find that many law firms fail to provide great client experiences. A recent LexisNexis report, 'Amplifying the voice of the client', found that

there was a 'significant disconnect between law firms and their clients. Lack of business understanding, lack of considering the clients' (spoken and unspoken) needs prevent truly client-focused advising. Despite CRM programs, managers and tools, law firms have difficulty forming and acting on a single view of their clients'.

- **Silo mentality.** Heidi Gardner, Distinguished Fellow in the Center on the Legal Profession at Harvard Law School, has long researched law firms' functional and departmental silos. Her book, 'Smart Collaboration: How Professionals and Their Firms Succeed by Breaking Down Silos', provides a thorough analysis of the silo mentality and the lack of true collaboration in law firms and other professional service firms. She found that, among other things, deep specialization of lawyers paired with competitive structures, incentive systems that favor individual performance and weak trust in others' expertise have created a silo mentality across legal subjects in many firms. Additionally, if we look at most (continental European) law firms, lawyers and business professionals have strong cultural borders between them. We have a long way to go to achieve true business partnerships.

So if risk avoidance, limited client focus and a silo mentality, or any combination of these, can be found in your law firm, should you give up on becoming a technologically transformed firm?

Building a robust culture is a must for law firms that want to win in the digital age. For a digital transformation strategy to be successful it is crucial

People must feel comfortable sharing ideas and trying them out even if they might fail

to have a strategic vision, a profound understanding of one's own processes, a selection of the right tools and so on. However, it is equally important to have all this in an environment that aligns with such a strategy. So the recipe for law firm leaders is to start with your culture before you buy your first 'AI engine'. As McKinsey suggests, leaders must be 'proactive in shaping and measuring culture, approaching it with the same rigor and discipline with which they tackle operational transformations'.

Focus on these three key areas:

- First of all, you need a culture that supports taking risks (that means tolerating failure!). People must feel comfortable sharing ideas and trying them out even if they might fail. That starts with trust and empowerment, instead of hierarchical decision making. Agile management instead of thorough planning and a focus on innovation instead of perfection must be embraced by law firm leaders. However, as McKinsey points out, delegating innovation authority only works if 'employees have the skills, mindsets and information access to make good on it'. Launching special training programs that sometimes even include coding, working with start-ups, creating an internal innovation hub or establishing legaltech incubators are just some of the mindset-changing, skills-building tools of several innovative law firms.
- Secondly, you need to start with your clients. Their expectations and experience are also related to digitalization. Nowadays too many law firms start to digitalize by analyzing



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- Last, but not least, you should create truly collaborative cultures across practice areas and between lawyers and other members of the firm. ‘Bring out’ your highly specialized lawyers from their practice units and connect them with clients, client groups, business topics and service delivery practices. Bring the (often) separate worlds of lawyers and business professionals close to each other. Digital transformation in general and the related actions individually are interdisciplinary.

To build the necessary skills and form the mindsets (as mentioned above, this is necessary to make use of empowerment), we have launched an internal training series on digitalization and on tech-related topics. Cyber security, the Internet of Things, the Internet, the cloud and big data, machine learning, blockchain (DLT) and cryptocurrencies... our 'Digital Summer' lunchtime seminars helped (and are helping this summer) partners to legal trainees, lawyers to business development coordinators to become more familiar with the new age. Our Chief

Andrea Miskolczi is Chief Business Development & Marketing Officer Wolf Theiss, one of the leading European law firms in Central, Eastern and Southeastern Europe with a focus on international business law. She has a proven track record in planning and directing business development and marketing programmes to boost client growth and attract new mandates. She manages the firm's CRM and marketing activities as well as public relations efforts.





IT DISASTER RECOVERY FOR LAW FIRMS: FIVE ESSENTIAL STEPS

BY JEFF NORRIS AND GREG INGE

If you develop and regularly test an IT disaster recovery plan, then your firm will be protected against losing revenue, clients or business opportunities when something goes wrong.

Law firms now rank in the top 10 of business sectors that are most vulnerable to IT threats, according to the Cisco 2018 Annual Cybersecurity Report. The report found that nearly three in 10 breached firms lose revenue, while 23 per cent lose business opportunities and 22 per cent lose clients.

Besides security breaches, IT threats could include natural disasters that take down a firm's data center; localized incidents that affect a firm's office operations; a ransomware or malware incident that forces a system shutdown; and network outages caused by an IT systems crash.

The American Bar Association has gone to great lengths to provide law firms with information resources and comprehensive management tools to help them recover from a breach, natural disaster or other network outage. But despite years of warnings—and some highly publicized IT incidents that have paralyzed operations at major law firms—many are still failing to prepare a plan for resuming business operations in the aftermath of a major IT incident.

In a 2017 survey of legal technology professionals conducted by ALM, three in five law firms (62 per cent) said they either had no plans in place to test their disaster recovery plans or they were not sure. Some firms said they had no plans at all.

On the surface, it seems odd that so many law firms are ignoring disaster recovery planning in spite of endless warnings over many years—and indeed, it is a serious mistake—but there are some understandable root causes that can paralyze them. These include:

- lack of management understanding or buy-in about the need for a plan;
- fear of new technology requirements to support a plan;
- limited budget allocations for developing a plan; and
- lack of resources and internal skill sets to maintain and test a plan.

Regardless of the reasons for delay, your firm's management team needs to accept that the greatest threat to a law firm's business continuity is an IT disaster. To help them get moving, here are five essential steps to IT disaster recovery.

1. Itemize your requirements

The key objective of implementing a plan is to provide the firm's management team with a level of assurance that their IT resources will remain available to the business, clients and partners to the maximum extent possible if there is a disruption.

Your strategy should provide all of the components necessary to perform a recovery. This should include hardware and operating systems, communications, applications, facilities and other critical functions to keep the IT infrastructure running. Quantify your processing requirements; assess what would be needed to replace the component in the event of a disaster; establish alternative methods of processing information; and check contact information for all relevant vendors.

2. Evaluate best practices

After the analysis of the recovery options and development of the strategy, the operational requirements should be assessed against best practices in the industry. What do your peers view as

critical and what plans might they have in place for recovery from an IT disaster? Adjust and improve your strategy based on this reality check.

You may want to reference ISO 27031, the global standard for information and communication technology readiness for business continuity. It will help you understand the key elements of a governance model and framework to manage, test and report, including a governance structure, architecture and recovery strategies, infrastructure services, plans, measures and procedures, application data needed and a testing schedule.

3. Develop a recovery plan

Once you've done that, you can define the resources, actions, tasks and data required to manage the disaster recovery process in the event of an incident unexpectedly hitting your firm. The plan should be designed to assist in restoring the IT infrastructure, systems and data networks within the clear strategic goals you established at the outset. This includes the specific procedures involved, the assignment of responsible employees, notification requirements (internal and external), timeline for recovery and operational processes while the firm works in contingency mode.

Following an IT disaster, it is the responsibility of the incident management team to assess the situation, decide upon the action to be taken and—if required—initiate the disaster recovery plan. Planning can be broken down into many areas, but to keep it simple, the recovery plan should incorporate these key tasks:

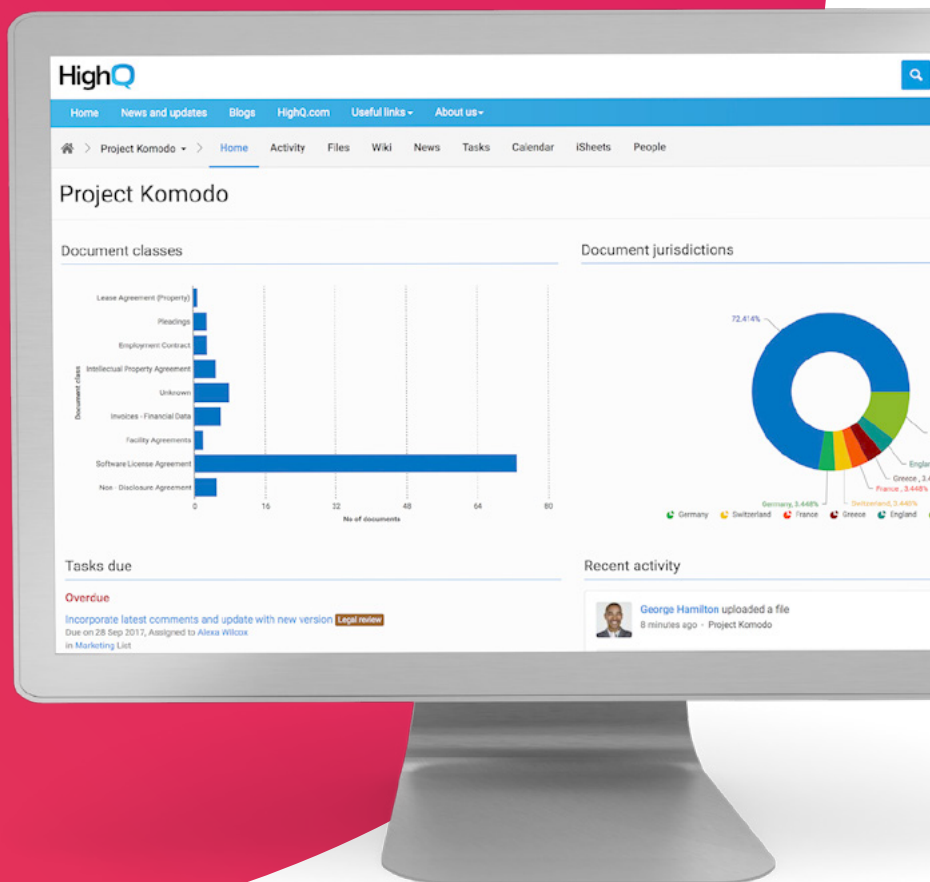
- document critical system components;
- document technical steps of how systems will be recovered;
- test both the technical steps and the recoverability of the systems;
- ensure documentation is reviewed and updated after testing; and
- provide training and employee awareness to create a knowledge baseline in the firm.

4. Simulate and test

It is important to see how the recovery plan and procedures work in practice before an actual IT disaster strikes. Testing the plan doesn't just allow you to identify possible weaknesses and get accustomed to disaster recovery scenarios—it also enables everyone to gain reasonable assurance that the plan will operate effectively in the event of an actual incident. Document testing data, evaluate the results and train your staff on how to improve based on those tests.

IT disaster recovery planning may be time-consuming and may not generate any revenue, but the whole point of it is that you actually want to find problems in order to solve them

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There are a number of testing exercises to consider. Tabletop tests involve a subset of users who read over the plan in detail and ensure the information is still accurate and current. Walkthrough tests are more thorough assessments of recovery procedures designed to increase confidence in the operation of the plan during an incident.

Isolated simulations involve the live activation of the teams and recovery procedures using a limited scenario. Integrated simulations take this to the next level with a scenario involving multiple applications and teams, while full simulations are the most robust full-scale testing of the firm's recovery plan across multiple teams and critical applications.

5. Update procedures at least annually

IT disaster recovery plans can have a shelf life of 6–12 months, depending on changes in company procedures, applications, systems and personnel. It is important to put in place an effective maintenance program that requires your firm to revisit the disaster recovery plan

on a regular basis, review changes in the firm and your IT infrastructure, and update your procedures based on these changes. Maintaining the plan will help ensure that everyone in your firm is ready if a disaster occurs.

When developing your IT disaster recovery plan, resist the temptation to expect 100 per cent success with every component. That's the wrong approach to testing, because all it does is drive bad behavior for the professionals on your team who are developing the plan and doing the testing. They start to skip steps or—far worse—are tempted to fake results to achieve success. Some just do 'tabletop exercises' and don't even attempt a recovery and simulate production in parallel.

IT disaster recovery planning may be time-consuming and may not generate any revenue, but the whole point of it is that you actually want to find problems in order to solve them. You do not want to be doing that on the fly when your firm's livelihood is hanging in the balance.

Jeff Norris is the security officer and head of information security at Managed Technology Services (MTS), where he manages the firm's security, compliance and assurance programs. Greg Inge is chief executive officer of information security consulting firm CQR, which provides cyber and resiliency advisory services to MTS and its clients. For more information about law firm data security or to request a disaster recovery audit, please visit www.hbrmts.com.

RAISING THE RELATIVITY DEVELOPER ECOSYSTEM

BY SEAN DOHERTY



The Relativity Developer Partner Program helps service providers, consultants and third party developers to create applications in Relativity and integrate external applications using APIs.

E-discovery service providers seek broad appeal in the legal technology market and aim to effectively satisfy user requirements across all stages of the Electronic Discovery Resource Model. When providers can enhance their appeal and more effectively help clients by partnering with other providers, they will. Such is the *raison d'être* for the Relativity Developer Partner Program (RDPP), led by Drew Deitch, senior manager of Strategic Partnerships at Relativity.

Since 2010, the RDPP has enabled service providers, consultants and third party developers to create applications in Relativity and integrate external applications using application programming interfaces (APIs), says Deitch. The e-discovery software is designed and built on an open platform for users to customize Relativity workspaces and instances and extend the software's reach and functionality to solve problems in e-discovery and

other areas involving unstructured data, such as compliance.

The RDPP needs no pied piper to gather an ecosystem of developers around Relativity. The e-discovery platform is de rigueur among attorneys, law firms and in-house counsel. The Chicago-based company has more than 170,000 users, many in 198 Am Law 200 firms and in 75 Fortune 100 companies. There are more than 180,000 active cases and 106 billion-plus files in Relativity workspaces.

Anyone with a desire to create a native application in Relativity or integrate an external application with the technology is welcome to apply to become a partner developer

Relativity is deployed on-premises, in the Microsoft cloud Azure with RelativityOne Software-as-a-Service, and in a hybrid model. The hybrid model uses RelativityOne to connect on-premises and cloud-based Relativity instances under one login, where users can transfer data to the cloud or continue working on-premises. The Relativity platform comprises applications for Legal Hold, Early Case Assessment, Processing, Review & Production, Analytics, and Case Dynamics & Transcripts. New features and capabilities appear in RelativityOne every month.

The Legal Hold application preserves Microsoft Office 365 data, including Exchange mailboxes, OneDrive files and conversations in Skype for Business. Processing includes full metadata and container extraction, domain parsing and native application imaging. Relativity supports continuous, active learning in its Assisted Review workflow to track coding decisions to determine what's responsive in real time. The newest capabilities in RelativityOne include Preview and Sandbox.

Preview is a cloud-based environment where users can use Relativity's data to try out the latest software capabilities. Sandbox comprises dedicated instances for customers to test custom code and workflows against the current release and future enhancements. New features and capabilities appear in RelativityOne every month. To monitor product updates, bookmark RelativityOne release notes.

Developer tracks

Anyone with a desire to create a native application in Relativity or integrate an external application with the technology is welcome to apply to become a partner

developer, says Deitch. The application process is lightweight. Once approved, users get a developer's licence for Relativity for a small fee—not the full licence fee—and all the tools to get started, including a virtual machine with the current version of Relativity, documentation, support, and access to an online developers' group. The Relativity Developer Group, with more than 460 users, is the most active group among 25 Relativity user groups, which include Community Help and Chicago, London, New York, and Washington, D.C. user groups.

Deitch manages a team of 14 people dedicated to supporting developers grouped into three categories: service providers, law firms and third party developers. Service providers comprise the largest developer group that customize instances, build applications, automate and customize workflows, and differentiate their offerings. Law firms focus on building applications and customizing workflows for clients. And there are two types of third party developers: those who build their applications or custom integrations and custom development partners, who create applications for Relativity customers.

After developers complete a Relativity application or integration, Deitch's team reviews a demonstration to make sure the code works as advertised. If so, the Relativity App Hub markets the developer's work. The Hub includes integrations and custom applications built by Relativity and the developer community that solve sticky problems in e-discovery and reduce friction in workflows. There are apps to analyze text and sentiment (NexLP), automate tasks (Hashtag Legal), find personally

identifiable information (Litexn), manage privilege logs (KLDISCOVERY) and production (DiscoverySmith), redact content (Milyli), review contracts (Heretik), and review, analyze, and produce mobile device data. This last one is QDiscovery's QMobile, winner of a 2017 Relativity Innovation Award.

Kirk Chocholek, a senior project manager and Relativity Master at QDiscovery, says the RDPP 'offers valuable technical guidance and resources and a dedicated development environment'. The company is enhancing its Mobile Insight product to offer custom processing fields and plans to expand its Relativity development efforts with the Relativity SDK, he adds.

Integrations showcase Relativity's openness and include competitors and legal technology brand names, such as Brainspace (machine learning, visual analytics), eDepoze (export Relativity exhibits for deposition), Nexidia (search, review and categorize audio/video content), OpenText (EnCase forensic analysis), and Opus 2 (cloud-based collaboration for litigation support). Some new integrations include a browser-based content capture tool for dynamic web pages (Hanzo) and a cloud-based artificial intelligence platform to search and discover media files (Veritone).

Besides the software listed in the Hub, developers can use Relativity APIs to develop their custom apps or contract with custom development partners, who include Anexsys, Clarity Consulting, NexLP, NSERIO, TSD and Milyli (pronounced Mä-lil-ē), which stands for 'make it like you like it'. Milyli is one of Relativity's oldest partner developers and, like many developer partners, is based in Chicago.

Furthering its commitment to an open platform, Relativity has a robust open source (OS) initiative on GitHub. There are projects with small useful tools on GitHub that may not have a team behind them, says Deitch. A Relativity employee or a sole partner developer may steer the project. Relativity puts up code samples and frameworks on the Git platform to facilitate the development of objects and agents to work on them. The OS framework shows developers how to relate objects and agents, pre-populate code and write good test scripts.



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Deitch points out two substantial projects to review. First, *relativity-dev-vm* details how Relativity builds its virtual machine for developers using Chef Scripts and Cookbooks. Second, Gravity lays out an object-relational mapping framework for custom development in Relativity. Approximately five different Relativity development partners collaborate on Gravity, says Deitch, including Milyli, TSD, Anexsys, NSERIO and Heretik. This kind of collaboration is useful to the entire community, says Deitch, harking back to what Andrew Sieja, founder and CEO of Relativity, said of the Relativity ecosystem: ‘a rising tide that lifts all boats’.

Beyond development

The RDPP goes beyond development. Deitch’s team, along with Relativity’s marketing and sales groups, provide developers with support for marketing, such as co-creating content and go-to-market strategies for the legal industry. It’s an industry that is not easy to crack without clients and credibility. Working with Relativity provides instant access to clients and cred in the legal sector.

Charlie Conner, co-founder and CEO of Heretik, a Relativity application that uses text analysis and machine learning with document review to engage tasks like contract review, confirmed that Heretik is 100% in Relativity. The app is built on the e-discovery platform and uses Relativity Integration Points (RIP) to ingest content from the likes of Microsoft OneDrive and Intralinks virtual data rooms. Conner says Relativity gives the Chicago-based company access to clients with ‘technical aptitude to co-create cool solutions’. And if you follow the Relativity developer guidelines, he adds, you can use Relativity’s security levels to take short cuts through security reviews that would frequently derail B2B enterprise software.

Esquify makes the Review Command Center that integrates with Relativity to provide users with data and insight into reviewer and team productivity. The company’s co-founder and CEO, Drew Stern, says the developer program gives Esquify ‘access to tools, analytics and APIs that make for a better user experience for our shared Relativity customers’. Stern estimates that 80-90% of Esquify’s customers are using Relativity. Like Conner, Stern confirms



that being a Relativity partner provides external validation and exposure to the Relativity user base is an important selling point.

Michael McDonald, senior vice president and general manager of Legal, Compliance and Surveillance at Veritone, agrees with Conner and Stern. Veritone is cloud-based artificial intelligence (AI) technology that enables legal teams to search and discover media files. McDonald, who owned and ran De Novo Legal, a New York-based managed review business that was sold to Epiq in 2012, was one of the first Relativity customers 11 years ago. McDonald says that Veritone benefited from the program in terms of instant visibility to resellers and customers. Rather than build out an e-discovery platform that already exists, says McDonald, Veritone can concentrate on inserting its niche application into an extensive workflow. McDonald also emphasizes the importance of the London and Chicago Relativity Fests for developers.

Relativity Fests

Relativity Fests have an eight-year tradition and give developers an ongoing opportunity to display their wares to Relativity customers. At Fests, Relativity rolls out new capabilities, even new products, to the community. At the Chicago Fest 2017, there were more than 2,000 attendees. At the London Fest 2018, there were over 500.

The TSD team says Fests are ‘the big deal that brings the whole community

into one place, which broadens our networking and clients’ exposure. You can also keep track of how the industry is evolving and be aware of the community needs’. TSD led a development session on Gravity at the Chicago Fest 2018 and got instant feedback and suggestions for further improvements.

On 1 May at London Fest 2018, Relativity unveiled the Insight Project, a risk-based monitoring and analytics application that is now under development. Insight targets compliance requirements for banking and financial trading houses. Customers can pump compliance data, such as email, audio files and chat, into Relativity where it is indexed for search. Post-ingestion, Relativity scripts and lexicon-based rules automatically run against the data to identify and flag relevant compliance data for review. Look for Insight again at the Relativity Fest Chicago 2018 from 30 September to 3 October.

Fests also feature innovation awards open to the community. Deitch confirms that applications for the 2018 Relativity Innovation Awards are now coming in. This year the awards will honor technology innovations in e-discovery and individuals who move the industry forward. Deitch says the company is planning a new evolution in how they judge applicants. Look for more to come from Relativity.

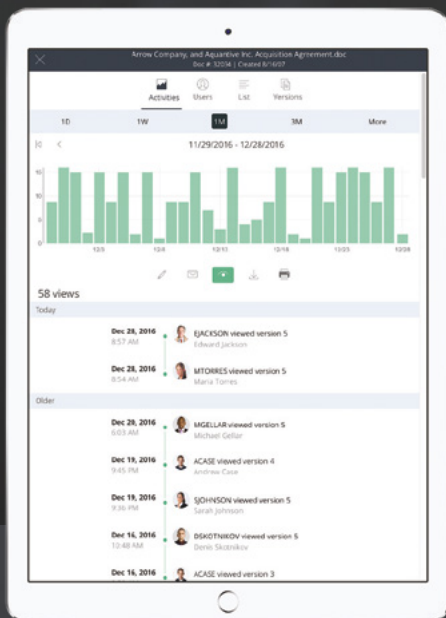
Sean Doherty is a sole practitioner and freelance writer based in Brooklyn, New York.

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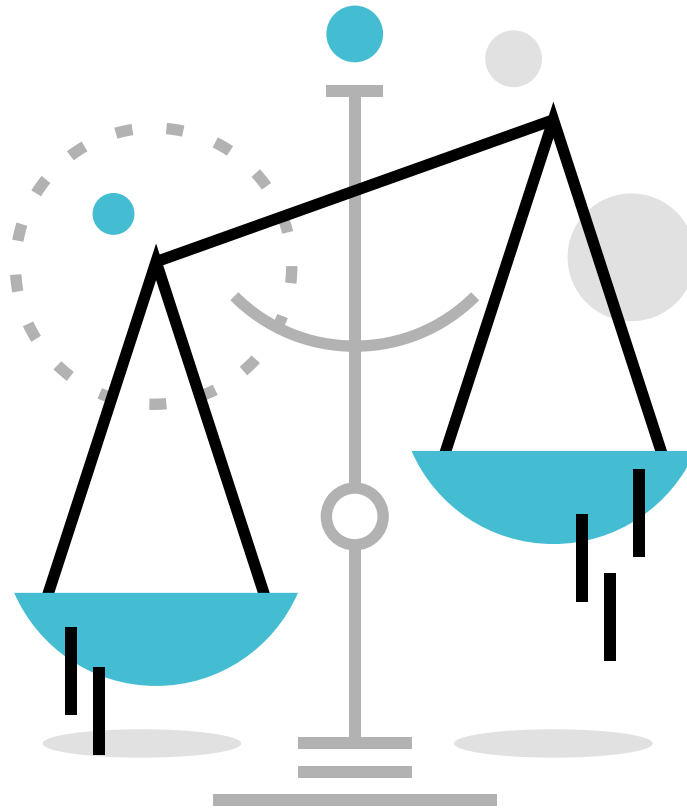


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(TECHNOLOGY)

THE VERDICT



WHAT IS OR WHAT IS NOT A THOUGHT LEADER AND WHO WOULD YOU PROCLAIM A THOUGHT LEADER IN THE LEGAL SPACE?

Wikipedia defines a ‘thought leader’ as follows: ‘An individual or firm that is recognized as an authority in a specialized field and whose expertise is sought and often rewarded. The Oxford English Dictionary gives as its first citation for the phrase an 1887 description of Henry Ward Beecher as “one of the great thought-leaders in America”. The term had earlier (1876) been applied to Ralph Waldo Emerson, who was said to manifest “the wizard power of a thought-leader”.’

But has the term ‘thought leader’ now become overused and overrated?



Felicity Badcock

Chief Information Officer
King & Wood Mallesons

A thought leader is someone:

- who has a strong track record of delivering exceptional outcomes for their clients
- who provides unique and credible insights, ideas and vision
- whose advice and guidance is in demand
- who is constantly listening, observing and learning
- whose enthusiasm for their subject is contagious and inspiring
- who has purpose and integrity
- who regularly makes the complex seem ridiculously simple.

If you can bring all this together—through the application of expertise and the sharing of knowledge—you then have a genuine thought leader.

There are many thought leaders in the legal industry, but I am calling out two that have stood out for me. Close to home—Michelle Mahoney, as the Australian legal market (and Michelle in particular) punches well above its weight. Half a world away—Jeff Rovner, because Jeff consistently surprises with his insights, achievements, generosity, integrity and modesty.



Arup Das

Chief Executive Officer &
Chief Technology Officer
Alphaserve Technologies

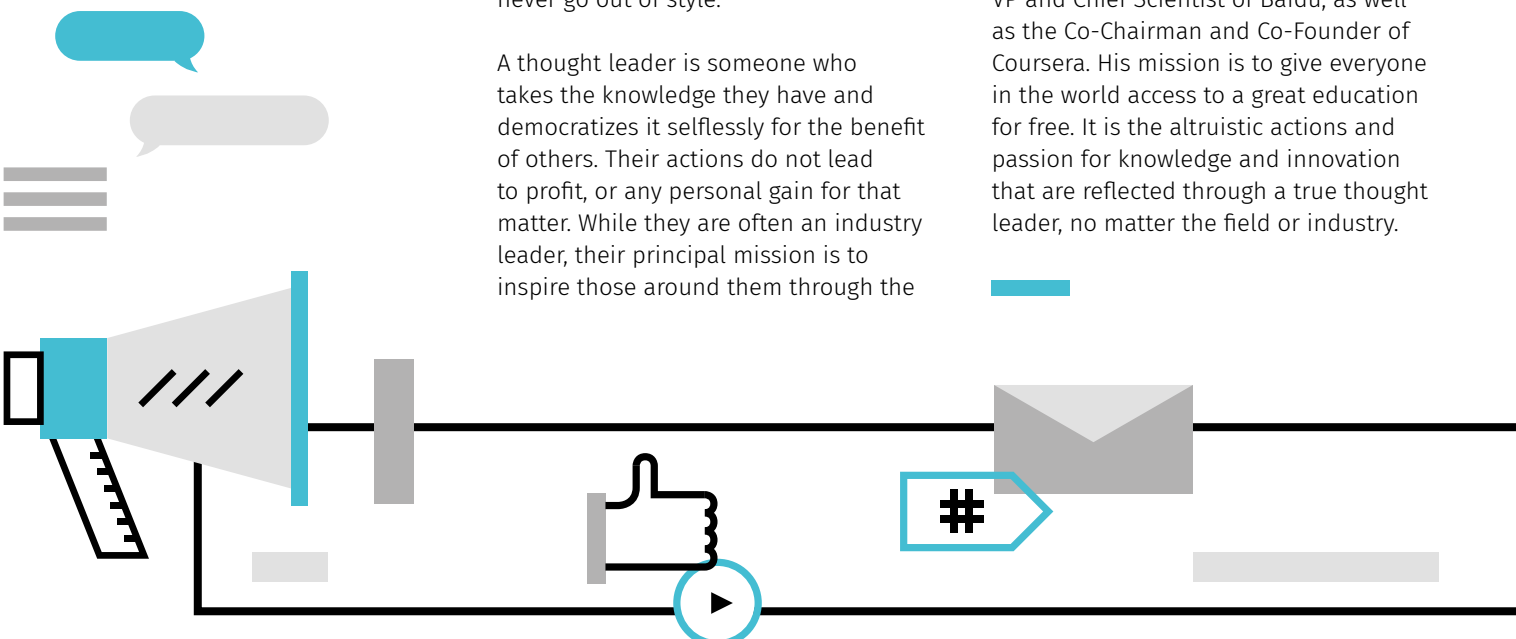
The term 'thought leader' has been defined in many different ways throughout the years, and in the legal industry today, it is used far too frequently. Many people assume that calling themselves a thought leader will grant them a sort of credibility within their field. These individuals' sole interest is themselves and the product or service they wish to sell. The assumption is that the audience they aim to reach will see the words 'thought' and 'leader' next to each other and conclude that they are an expert. Perhaps they are, but that does not necessarily mean they portray the true characteristics of an authentic thought leader. In that sense of the term, it is both overrated and overused. However, it is the actions, rather than the title, of a true thought leader that will never go out of style.

passion and conviction they instil in their actions and ideals.

A genuine thought leader understands how imperative it is to educate yourself and those around you in order to drive innovation and success. For this reason, professors and those who earn their PhD are some of the most prominent thought leaders in the legal space. Their vocation as educators embodies the core values of a thought leader, as they disperse the knowledge they have so that others may prosper. Their words and expert advice inspire those they teach and drive ingenuity.

One thought leader we can see today—while he might not be specific to the legal community—is Andrew Ng. Mr Ng is VP and Chief Scientist of Baidu, as well as the Co-Chairman and Co-Founder of Coursera. His mission is to give everyone in the world access to a great education for free. It is the altruistic actions and passion for knowledge and innovation that are reflected through a true thought leader, no matter the field or industry.

A thought leader is someone who takes the knowledge they have and democratizes it selflessly for the benefit of others. Their actions do not lead to profit, or any personal gain for that matter. While they are often an industry leader, their principal mission is to inspire those around them through the



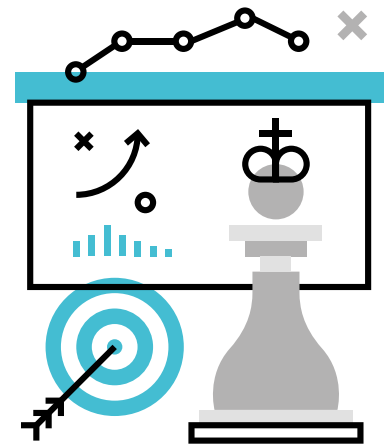


Monica Bay

Fellow

CodeX: The Stanford Center for Legal Informatics

The faster we can dump ‘thought leader’ the better. It’s one of the most self-serving titles in the history of the legal community. It has absolutely no calories. It’s hard enough for the 20% of American people who can find and afford legal help. Don’t make them have to figure out the words we use. We need to talk to our clients in plain English (or other plain languages). And while you are at it, kill ‘solution’ and ‘revolutionary’. Speak like humans. You will make more money and you will get more clients and they just might come back to you.



Keith Lipman

President

Prosperoware

For an industry in disruption, thought leadership is essential. Personally, I think there are prognosticators and thought leaders. The prognosticators like to predict the future while thought leaders actually blaze a trail. Let me illustrate through the example of fixed fees.

The idea that the legal industry is going to switch to fixed fees has been prognosticated in the 1990s, 2000s and even today. The prognosticators like to make this statement, and everyone gets excited. Nothing changes, and we live with the despair.

Thought leadership is understanding the fundamental hurdles that prevent the industry from switching to fixed fees and then offering a solution. Some of the hurdles of switching to fixed fees include: (1) lack of ability of partners to scope and manage to that scope and (2) the fact that partners are still typically compensated on revenue, and associates and partners on billable hours.

The solution to managing scope is partners understanding the units of work (such as witness statements, document review, document drafting and revisions) in their different processes and then having data on what they actually cost. This is both a process and a technology problem. Lawyers need to figure out the components of their work. The time entry

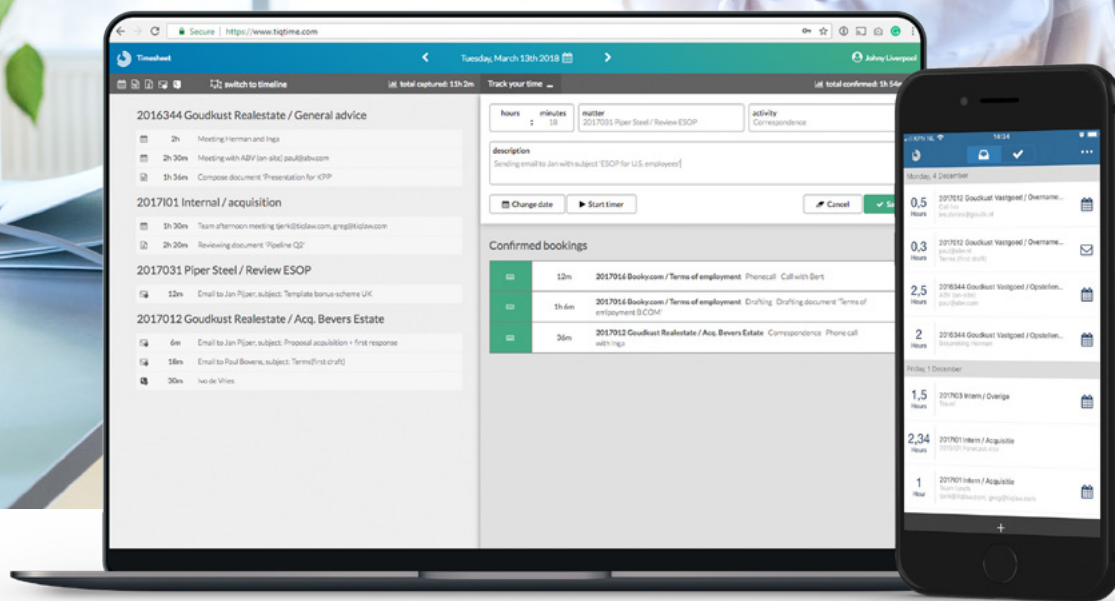
systems linked with practice management do not allow lawyers to capture the data effectively. Most lawyers find it hard enough getting the right task code with the systems as they exist today.

The second part of the problem is changing compensation from being revenue-driven to being profit-driven. This requires firms to introduce a profit metric and then measure that at a matter level. For many firms, this represents a big change. To correctly build a compensation program, partner performance needs to be measured against the planned profitability for their matters. In essence, this type of measurement allows the firm to reward those who deliver to plan and to punish unplanned outcomes.

I hope this illustrates the difference between prognosticators and thought leaders. When you read blog posts and articles that predict an outcome but no path to address it, you should probably stop reading.

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