

# THE LEGAL TECHNOLOGIST

---

ISSUE NO. 10

MAY 2020

---

## FEATURES

### ARTICLE

## Coping with Covid

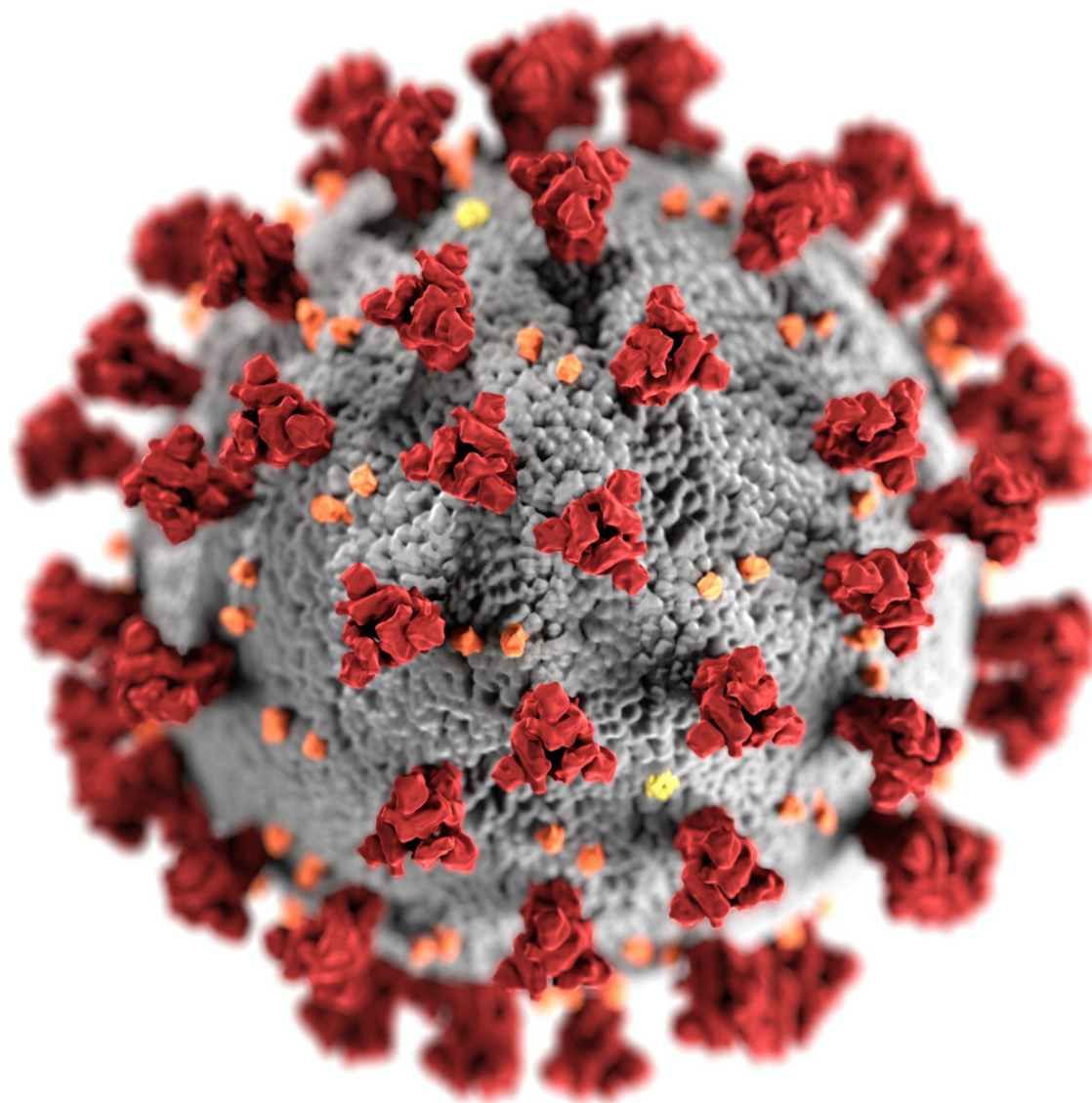
We have a series of articles from around the world that consider the impact of the covid-19 outbreak on the legal sector.

### TOP 10

## Innovative Junior Lawyers

We showcase the ten most innovative junior lawyers in the UK. Find out what got them into legal tech/innovation.

---



# Our Staff.

**Managing Editor**

Marc May

**Editor**

Rebecca Baker

**International Relations Manager**

Stephenie Ong

**Contributors**

Daniel Grant Smith

Lauren Moore

Lorna Baldry

Jakub Harasta

Roslyn Lai

Georgina Devane

Adedoyin Pearse

Egi Troka

Mary Bonsor

Silja Elunurm

Grahame Jones

Alice Gossop

**Front Cover**

Pexels.com

**Website**

<http://www.legaltechnologist.co.uk>

**Twitter**

<http://www.twitter.com/LTechnologist>

**Facebook**

'The Legal Technologist'

**Email**

[marc@legaltechnologist.co.uk](mailto:marc@legaltechnologist.co.uk)

Insight into the future of law

# The Legal Technologist

**1**

**Training lawyers  
using tech**  
Lorna Baldry

**9**

**Conquer the legal  
data mountain**  
Rob Crowley  
& Stu Craft

**F-LEX Startup  
Story**  
Mary Bonsor

**4**

**Use your people  
as a cybershield**  
Al Sweet

**11**

**16**

**Special article:  
Mind the  
adoption gap**  
Daniel G Smith

**26**

**Legal Tech Toolkit**

**Avvoka Academy**

**18**

**Top 10 Most  
Innovative Junior  
Lawyers**

**37**

**38**

**Keeping agile**  
Roslyn Lai

**45**

**Practising  
through covid-  
19: Nigerian  
perspective**  
Adedoyin Pearse

**Brand your legal  
innovation**  
Grahame Jones

**41**

**Canadian  
disruption**  
Egi Troka

**47**

**50**

**Beyond the  
pandemic**  
Jakub Harašta

**55**

**Facebook Libra:  
the Lowdown**  
Lauren Moore

**Good practice in  
e-Estonia**  
Silja Elunurm

**53**

**Pandemic  
Knowledge  
Management**  
David Wilson

**57**

# A note from the editor

At the moment every issue feels to us like the biggest and best yet.

This issue is almost certainly our biggest, jam-packed with some great content from authors located all around the globe. We also showcase those shortlisted for our Legal Innovation Top 10, who we'd like to think are well set for the future of law.

As well as editorial content, we're also promoting our joint event with Avvoka (page 16) and also our recently launched "Legal Tech Toolkit" (page 43).

I'd like to thank all our contributors who have made this issue what it is and I hope everyone enjoys the content. If you have any feedback on this issue, or our previous issues, then please do get in touch with me.

Enjoy the read!

**Marc May**



# **F-LEX**

## **Startup Story Part 1**

### **An interview with Mary Bonsor**

Mary Bonsor is CEO and co-founder of F-LEX, a legaltech startup using automation to create a seamless recruitment experience for applicants, law firms and legal departments. In Part 1 of our F-LEX series, Mary spoke to Becky Baker, our Editor, about her journey from lawyer to entrepreneur and what she learned about commercial awareness along the way. Training contract hunters, listen up!

**Becky: Tell us about how you founded F-LEX.**

Mary: The idea for F-LEX didn't come from a single 'light-bulb' moment; it had been brewing for a while before I decided to leave my law firm and develop the first proof of concept with James [Moore], one of my co-founders.

I remember walking around the City while I was doing the GDL and LPC, desperate for work; I eventually managed to find a role as a secretary for a shipping arbitrator, but it wasn't easy. Fast forward a few years and I had qualified into litigation, and I was staring in the face of an imminent court deadline with forty bundles to make. I looked out the window at a group of Kaplan law students leaving university. I wished I could enlist a few to help me.

From experience, I knew that all of those Kaplan students would have jumped at the opportunity to get legal work experience, even if it was just making bundles. I wondered why someone hadn't already forged that link between law students desperate for work and associates desperate for their help.

After I met James, who is an experienced software developer, we started working on a tech platform that could connect law students and firms as efficiently as possible. We analysed what was taking too long in the traditional recruitment relationship, and how we could use tech to make it easier.

It took a year to get to the point where I could leave my job and work on the concept full-time. After a lot of research, networking and flyer-ing outside my old law school, BPP, two law firms trialled our first proof of concept in 2016. The money went straight to the students they hired. Now, almost four years later, we have over 4,000 paralegals on our books and a roster of clients that includes magic circle law firms and large in-house legal teams.

**Becky: How did you find the transition from being a lawyer to an entrepreneur?**

Mary: My skills changed dramatically as I built F-LEX. I thought I was commercially aware when I was a newly qualified lawyer, but I really didn't develop true commercial awareness until I ran my own business.

Commercial awareness is just being able to understand how a business is run by looking at profitability, the structure of the business, and risk, particularly financial risk. Law schools and law firms rarely teach developing lawyers the skills to assess many other types of risk other than legal risk, which leaves a big gap in their skillset. I didn't develop the skills to manage financial and other business risks until I was running F-LEX, when I had to look at the numbers and understand how changes in the numbers would affect the business.

## **Becky: How can aspiring lawyers develop commercial awareness?**

Mary: You may already have developed commercial awareness if you have worked in a start-up or a shop. You'll have seen how the business is run, whether it is profitable, how it assesses its own risk and makes decisions on how to move forward, and how those decisions affect its financial position. All our paralegals are trained to think this way, and law schools should introduce a lot more training for aspiring lawyers on how to handle numbers – we should all be Excel whizzes.

If you want to stand out from the crowd as a lawyer, financial skills are essential. You'll be able to give more commercially astute advice to clients, and you'll also know your own value as a lawyer. When I was billing as an NQ, I didn't know how much I needed to bill to give the firm a good return on me as an investment! If you can work out your ROI, and meet or exceed it, you will certainly stand out at your firm.

*Becky Baker was talking to Mary Bonsor, CEO and co-founder of F-LEX. For more information, or if you have any comments or questions, please contact [becky@legaltechnologist.co.uk](mailto:becky@legaltechnologist.co.uk). Look out for Part 2 of our F-LEX series in July, where Mary tells us about her vision of the future for F-LEX and the whole legal market.*





# Technology in Legal Training and Development

By Lorna Baldry

## **The use of technology in legal training**

How incredible that you can learn anything, develop your skills and experience, progress your career and improve not only your knowledge but your lifestyle too, using technology. Using your mobile phone, a tablet or a laptop, wherever and whenever you choose, you can absorb, develop, train for a new career or earn a promotion and pay rise.

Many of us have learned something which involved making the most of apps and website learning management systems. We may have tried things like Zoom, Skype, Trello, Slack and any number of others.

Nothing these incredible resources can do can completely replace the benefits of being with people, though. Nurturing the social animals that we are by sharing learning experiences with somebody enhances our learning and its application; when people power is combined with technology, we can do this without losing any of the convenience technology brings to education.

Technology has increasingly played a part in legal education and professional development, Never more so than as a result of the COVID-19 pandemic. With everyone forced work at a distance there are varying degrees of adoption of and comfort with technology. Learning institutions and organisations with high quality online offerings have become more popular and are able to show others how it's done. Others are trying desperately to adapt and take something online that they previously provided face-to-face. The quality of an online learning offer cobbled together in 2 weeks from face-to-face training resources is never going to be a match for a learning community based on theories of learning, evidence of online learning success and decades of experience in learning based around technology which is bespoke to legal education.

## **Combining technology and people power for learning**

There are huge benefits to combining technological convenience and sophistication with human facilitation and contact. There are particular benefits for people who are unable to attend training physically or want to learn within their own environment and within their own control. For businesses there can be advantages to a human and technological integrative approach to learning as employers are able to retrain their staff in the workplace, rather than have them travel long distances to attend courses, or to take a blended approach so people can have the best of both worlds.

Technology in learning has crept ever more into the classroom and distance learning environments but it has often been polarising. Some will choose to learn with technology for convenience, some because of health needs, or some because of demands on their time such as work or caring responsibilities. Many will say they like the anonymity of wholly technological learning with no interference: the ability to 'get on with it.' Others will say they have no place in their personal learning experiences for technology: they like a good old-fashioned talk with, or lecture from, a tutor surrounded by peers in a classroom or lecture theatre.

The mark that's often missed is that you don't have to sacrifice one for the other. The really beneficial learning environment and experience is one which maximises the convenience and accessibility of technology, while prioritising human connection, community, and the innumerable benefits of human relationships.

Good learning management systems combine forums, notice boards, access to written materials, live streaming, film, audio and downloadable resources for learning and assessment. They include opportunities to regularly see and hear others in an interactive setting, to discuss and ask questions, to check on their wellbeing, their career progress and allow them to share their developing thoughts and perspectives. When things are done well, this is all surrounded by a wrap-around of quick, responsive and anticipatory customer service from calendar integration and real-time booking to live chat, mobile telephone and email response and maybe even AI in some settings.

Brightlink Learning is a Chartered Institute of Legal Executives accredited centre; we have around 200 learners who work with us online as they train to become Chartered Legal Executive Lawyers and sometimes to cross-qualify as solicitors. When home-working began as a result of the COVID-19 crisis, we worked with partners at Heroes Training to launch a free support group: the Home Working Network. This group, along with the learners we work with, give us insight into the experiences of lawyers at various stages of their careers, working and learning from home.

Their experiences have been numerous and both positive and negative when it comes to technology in relation to their work and learning (as can be seen by the tables on the next page).

When working with lawyers and law students via technology, we as a team use a restorative approach to build and nurture wonderful relationships even when we are physically distanced from each other. The mind and the body still recognise the connection and benefit from it.

## Challenges in Week 1

Limited/ non-functional/ out of date hardware and software to work from home

Lack of tech knowledge to use software/ systems

Missing human contact

Managing interruptions

Finding time and peace to work

Fear of being forced to work outside of home

Teaching people to use apps like Zoom

Taking care of elderly relatives

Preparing teaching materials for homeschooling

Managing expectations of others, family, clients and employers

## Challenges Now

Not going outside

Keeping children interested and entertained

Anxiety

Concern for team members who are quiet and being overlooked

Working from home during the Easter break with children around

Fitting everything in

Imposter syndrome

Finding space

Risk management

Supporting clients and colleagues

Lack of contact from employers

Inappropriate contact from employers

Inadequate internet connection to use technology to its fullest extent

A restorative approach is relational, strengths-based, transparent and encouraging. It brings calm and trust and an openness of the mind to learning. A restorative approach also invites high support and high challenge, nurturing and choice with consequences and accountability. Technology provides us the opportunities to share information and experiences, but we have to make the time and communicate well and often.

There is some debate about 'Zoom fatigue', but the problems identified by those suggesting the phenomena are easily prevented or dealt with if the technology is used appropriately. There are ways we can reduce intermittent loss of connection, ways we can make sure we can be well heard and not disturbed, so we can spend small amounts of time, well connected and communicating efficiently and warmly. There's a need for an element of realism and circumspection about holding meetings. What are they for? How can people prepare in advance to limit the time they take? Can we hard-wire into our router to ensure a good internet connection? Can we use a microphone so everyone can hear us without the need to shout or strain?

### **The importance of embracing, not distancing with technology**

Having been involved previously in training that utilised technology at a distance with no engagement face to face and also totally immersive training experiences, I discovered the benefits and gaps for an approach where we make the most of the convenience of technology and the human connection which enables us to thrive.

True learning is an activity that is done with people, rather than to or for them. A training approach for lawyers which values and encourages good professional relationships at its heart, and puts to good use the potential and benefits of technology to complement and enhance it rather than to keep people at a distance, will produce a uniquely rounded and capable breed of lawyers. These legal professionals will be familiar with the technology that can make for successful business in the present, and open minded to the potential and application of new legal technologies in the future. They will have empathy for their clients which can guide both their attraction of new clients and their exemplary service to them. They can take good care of themselves and their colleagues so that together they can take great care of clients.

Lawyers who can truly adapt, and know when and how to use a blend of technology and personal connection, can lead us into the future of law and legal practice with solid foundations of knowledge and unmatched resilience.

**Lorna Baldry**

# The human factor: How your people can help protect your organisation from cybercrime

By Al Sweet

Covid-19 has brought about a seismic change in the way that our businesses operate. Remote working and increased activity on customer-facing networks and online services are now the norm. Yet these new ways of working have opened up a wealth of cybersecurity vulnerabilities that cybercriminals have been working hard to exploit.

In mid-March the National cybersecurity Centre (NCSC) warned of new cyber threats as a result of Covid-19. Less than two weeks later, the sheer scale of such activity was made clear in a Telegraph article, which reported that phishing “attacks have increased 667% since the end of February”. Yet it is not just an increase in phishing that is being widely reported. Cybersecurity weaknesses are also being exploited to launch a wide range of cyber attacks, including ransomware and other forms of malware.

## **What your people can do to help**

Often regarded as a security weakness, our experience tells us that employees can actually help to strengthen cybersecurity defences. With the right support and guidance, your people can work together to detect and mitigate cyber threats, protecting organisations from the financial, reputational and brand damage that they can inflict.

## **Developing human sensors**

With cyber threats constantly evolving and increasing, it's vital that we all become 'human sensors', that can detect and mitigate cyber attacks before they can be exploited. To help us achieve this, our organisations need to build a cybersecurity-aware culture that:

- Encourages and rewards reporting and sharing of attempted cyber attacks
- Offers interactive cyber awareness training that is tailored to the department and/or organisation
- Reminds us of the dangers of cybersecurity workarounds and the consequences of successful cyber attacks
- Confirms how, who and when important updates will be issued by the organisation (to ensure that phishing emails purporting to be from credible internal sources are discredited).

## **The human aspect of incident response**

An increase in cybercriminal activity, coupled with fundamental changes to the way that our organisations work, means that it's more important than ever that incident response plans are fit for purpose. A successful incident response relies on having the right people in place to coordinate and implement the plan, but with a distributed workforce and potentially key staff unavailable this can be a significant challenge. Organisations should therefore ask:

- How would we respond to a cyber attack with a distributed team, not all of whom may be available?
- Are we adequately testing and rehearsing our plans?
- Are we 'wargaming' different scenarios?
- Should new vulnerability assessments be run to identify new weaknesses?
- Does our response plan cover remote working and increased use of online services?

If you would like to learn more about how you can build resilience to cyber threats during these uncertain times, then please contact Al Sweet at Warner McCall Resilience on [al.sweet@wmr.co.uk](mailto:al.sweet@wmr.co.uk) or (0)7778 322230.





# Conquering the Legal Data Mountain with Anexsys – Part 1

*Law firms aren't naturally set up to deal with the challenges presented by our data-saturated world. Law firms have historically dealt with the problem of information management and document-review using labour-intensive solutions: armies of paralegals and junior lawyers.*

*Anexsys, an eDiscovery and digital forensics consultancy, gives law firms the tools to organise and analyse huge volumes of information quickly and efficiently.*

*Our Editor Becky Baker spoke to Rob Crowley, Managing Director, and Stu Craft, Director of Technical Services, to find out the secrets of their impressive success and how they are so effective at designing tools that lawyers want to use.*

*In Part 1 of this two-part article, Rob and Stu also discuss how junior lawyers can accelerate their career progression by mastering eDiscovery.*



## **Becky: What is driving law firms to come to Anexsys for help?**

**Stu:** We provide law firms with cost-efficient and effective solutions for managing and analysing large volumes of data. For example, law firms often have to deal with Data Subject Access Requests (DSARs) for their clients; in light of GDPR, almost all organisations will have to deal with them at some point and there's a big onus on them to get it right. It is also a huge business development opportunity for law firms. If a firm has handled a client's DSARs it will have a familiarity with its data and its issues, and that can be a real asset. That company is much more likely to come back to a firm with that deep knowledge if it is subsequently sued. It creates a natural stickiness with clients that a lot of law firms are hoping to capitalise on.

If a single person makes a DSAR against their employer, they would have the right to your appraisals, any personal information held by HR, plus any documents where their name is referenced, but in any documents or email string where somebody else was mentioned, their information would have to be redacted. This is a huge manual workload for even just a single DSAR.

When many people are making DSARs, it becomes a complex and inefficient exercise without the help of technology. Anexsys helps law firms solve the problem of DSARs by automating the redaction process; you can run a search term or expression in RTK Redact and it will redact it throughout a set of documents, instead of drawing in black boxes one by one! It can be a real problem if, say, you need to redact all email headers in a string of correspondence. We came up with an algorithm that detected email headers, so you can redact them all at once.

Redaction can be a weighty exercise in litigation too at the disclosure stage. Tools like RTK Redact can be used across a range of matters, and it can help law firms win work if they highlight the added value of these tools to their potential clients.

**Rob:** Companies constantly face the risk of cyber-security breaches, and it is essential they are able to respond quickly and effectively. eDiscovery tools can make the data breach response process much faster and help firms manage risk better.

When an organisation is hacked, specialists will quickly identify compromised servers and try to identify what information has been lost. However, even if they identify which documents have been lost, they won't be able to quickly assess the information they contain. Anexsys will process all the data, identify what type of information the documents contain (from people's names to political views!) and score the documents in terms of risk.

Insurance firms often handle a lot of data breach response work, so it can be particularly valuable for them and their clients. They can quickly find out whether highly sensitive information has been lost, and take action swiftly to let subjects know their data has been compromised.

DSARs and data breach response work are the main focus points which lawyers have brought to us.

**Becky: So, why Anexsys? What makes your software so impressively lawyer-friendly?**

**Rob:** A number of our solutions are built into existing software such as Relativity, the document review platform. Our main aim is to make the solution feel as streamlined as possible for the specific group of people using it; for a document reviewer using Relativity daily, we make it feel like just another part of Relativity. The solution is quick and easy for everyone to learn and get value out of, because it feels just like the software they already use every day.

**Stu:** I agree; as Rob says, our developers prioritise a user experience (UX) for customers that matches the software they already use. Although there are probably more efficient, more elegant ways of designing user interaction with our tools, it would actually make things much harder for our customers to use our tools.

We tried a new UX for one of our DSAR-related solutions, a tool to redact Excel documents, which we thought was intuitive and fit-for-purpose. The client couldn't use it! We redesigned the interface so it looked and felt like working in an Excel document, and the client took to it straight away. We learned that lawyers need something that works with their existing software, and looks and feels like it too.

**Rob:** Lawyers can really benefit from our specific, tailored enhancements to industry-standard software like Relativity. The reason Relativity is so dominant in the eDiscovery market is it is a complex product, so it can be adapted for very complex analysis and bespoke work. That's why we build our client-specific solutions on top of this industry-standard software.

For law firms, the disputes they handle vary widely and hinge on fine detail, so they need tools that are highly capable and flexible.

**Becky: So eDiscovery tools are powerful for law firms, allowing them to streamline their services and costs. But why do junior lawyers need to know about eDiscovery?**

**Rob:** I've always felt that if you'd really mastered eDiscovery a few years ago you could have carved out a fast-track to partnership. A handful of lawyers have really embraced eDiscovery, and it has been a real accelerator for their careers. They exemplify the difference between just using and really understanding the potential of the software – they're the lawyers who took the time to really get the full value out of the technology and pass that on to their clients.

Junior lawyers should start building their knowledge of eDiscovery now. Mastery of eDiscovery technology will be essential before too long, as that seems to be the way the legal industry is moving. There will probably be fewer lawyers once the tech is commonplace across the industry, but there will be a big need for people who have the understanding to be able to tell the tools what they need them to do and explain the results.

**Stu:** Absolutely, and junior lawyers who have the opportunity to use eDiscovery technology should seize it and learn how to get the most out of these tools. The two key things to focus on are how to instruct the tools properly, and how to use the results sensibly in practice.

As the courts shift towards a more tech-enabled way of operating, having an understanding of how technology and civil procedure interact will be crucial. It can also have consequences if you get it wrong. At the disclosure stage of a civil dispute, you will need to agree the keywords that the other party will use to search their computers, phones and databases for relevant documents. There's potential for big mistakes to be made here if you don't understand how a keyword-search works and the impact it can have on your client's case. For example, if you agree to your client's name being used as a search term, it would bring up a huge number of documents – for example, every email that your client was copied into, no matter whether it was relevant to your case or not. The result would be huge document-review costs, which your client would have to pay if they lost.

If you understand the technology and can apply it in practice, you will be able to add significant value as a junior lawyer. You can carve out a niche for yourself as a legal-technical specialist in dispute resolution just by having a solid understanding of the disclosure rules and the eDiscovery technology your firm uses.

**Rob:** One lawyer we worked with had carved out this legal-technical space for himself very successfully. He used his eDiscovery expertise to question search terms at the disclosure stage, refusing to accept terms that would just yield large volumes of irrelevant material, like in the example Stu gave of using the client's name as a search term. He could argue these points in front of a judge, and win, using legal knowledge together with technical and mathematical common sense. As a result, his clients went through a more efficient and cost-effective disclosure process, and would have had to spend a lot less on document-review, which can sometimes form up to 70% of the cost of a matter.

As Stu has already pointed out, it will be really important for junior lawyers to understand how civil procedure and eDiscovery technology fit together. The new Disclosure Pilot Scheme has applied to cases in the Business and Property courts since 1 January 2019, and there's a mandate to make greater use of predictive coding, email threading and other conceptual analytical tools. Knowing what you can do under the new rules will be a big differentiator for junior lawyers.

If junior lawyers pay attention to the technology used on a case and worked well with it, they'll become the port of call for the partners who don't have the time to master it themselves. They'll be 'those switched-on associates' who can steer them in the right direction.

It can be difficult to know where to start with eDiscovery, especially if you didn't do a degree in Computer Science! Junior lawyers don't need to know everything, but they can start by identifying their knowledge gaps. Even knowing the difference between a server and a hard-drive can help. Take some basic technical courses online – we use Udemy at Anexsys – or audit courses for free.

[Editor's note: Harvard are currently giving free access to their '[Computer Science for Lawyers](#)' course]

*Becky Baker was talking to Rob Crowley, Managing Director, and Stu Craft, Director of Technical Services at Anexsys.*

*For more information, or if you have any comments or questions, please contact [becky@legaltechnologist.co.uk](mailto:becky@legaltechnologist.co.uk).*

*Look out for Part 2 of our Anexsys series in July, where Rob and Stu tell us about the importance of cloud computing to the future of the legal tech market.*

# Learn how to automate contracts from the comfort of your home



**Avvoka and the Legal Technologist are partnering up to teach you how to automate contracts, for free.**

Our workshops will cover fundamental concepts underpinning automation before helping you automate your own document.

Absolutely no prior experience or knowledge of automation is required. All you need is a computer with an internet connection.

**We will be hosting webinars over the course of May and June, though spaces are limited to allow for full participation and interaction.**

**To sign up, please visit [academy.avvoka.com/events](https://academy.avvoka.com/events)**

# The Awwoka Academy: Motivations and Goals

The initial idea for the academies stemmed from two perceived issues in the LegalTech space. One, that there is too much 'tell' rather than 'show' and, two, that there are many longstanding myths and enduring misconceptions about contract automation.

The first issue is more of an inherent one; it isn't feasible for LegalTech vendors to facilitate interactive user experiences at every event or conference. However, we also think that speaking about tools and platforms in the abstract without this accompanying hands-on, practical experience can make it far harder for people to properly conceptualise the value-add which might be had. The academies are hoping to bridge this gap by providing people with an opportunity to get under the skin of an automation system, to better understand the logic which drives it and how contract automation could benefit their own organisations.

The second issue is arguably more problematic. The key misconception we encounter is the belief that contract automation requires a 'coding' or a 'mark-up language'. This was the case with legacy tools, but not anymore. Automation now requires nothing more than an understanding of a system's functionality and user interface so as to achieve the automation logic required for your documents. We really hope that by giving people these hands-on and practical user experiences in the academies, we can demonstrate just how accessible automation has become.

Owing to this greater accessibility, there is also a prevailing myth that the new 'no-coding' tools on the market are unable to automate complex documents. It is almost as though there is a difficulty in reconciling a simple tool with complex documents, that a lack of the requirement to code must mean that a tool cannot service the entire spectrum of documents. Now, there is some truth in this myth but it has less to do with 'coding' and a lot to do with Microsoft: some new 'no-code' / 'low-code' tools really struggle with things like Word numbering masks, cross references and the dreaded tables. However, it is wrong to categorise this as unique to new platforms because they do not use a 'coding' language because the heart of this problem rests with the inherent difficulty with converting Word documents to HTML, as Microsoft is tight-lipped about sharing its docx secrets. Saying that, the new tools which are worth their salt will have been developed in cooperation with lawyers and with a good understanding of the mystical docx format, and should be able to handle these structural difficulties. During our academies, we are able to explain to people the foundational logic of the Awwoka system and how it's been designed to do battle with Word documents.

The low barrier to entry of new tools is also directly linked to the value-add which can be realised, which we also seek to demonstrate during the academies. Traditionally, automation would be reserved for specialists within an organisation or it would be outsourced to third parties because of the coding requirement (which is costly). This meant only the big-ticket, revenue-hitting documents were viable candidates for automation. However, 'no-coding' tools and their lower barrier to entry now mean that people are empowered to self-select their own documents, those which could have the greatest value-add and efficiency gains for them. This wider accessibility allows for organisations to automate a larger suite of documents without budgeting considerations.

Empowerment more broadly is also an important aim behind the academies, especially for more junior members of a team. Typically, the person with the most experience offers greater value to a deal or project. This can sometimes lead junior lawyers to feel like a small cog in a big machine whose contributions are diluted. By empowering junior lawyers to leverage legal technology and use it for the team's benefit, they are really able to make a clear and substantive contribution right from the get-go. Therefore, by teaching automation as a practical skill we are hoping to empower and boost the contributions of junior lawyers.

**Alice Gossop**

# **This space could have been yours**

## **Advertise with us.**

## Special Guest Article

# MIND THE ADOPTION GAP

**By Daniel Grant Smith**

In this issue, we are publishing some interesting research on law firms' adoption of legal tech, authored by Daniel while he studied his MBA at Cambridge Judge Business School last year. Daniel is currently Head of Engagement at Legatics.



There is currently a strong focus on innovation and technology in the legal industry, however it can be difficult to find evidence for the practical adoption of LegalTech solutions by associates and senior associates once purchased by firms. Often a disconnect exists between the perceived level of adoption within a firm and the actual level of adoption and practical usage.

This article is based on a series of research interviews<sup>1</sup> which asked stakeholders from 35+ law firms<sup>2</sup>, LegalTech vendors and law firm clients a number of questions, including their views on the LegalTech market, the challenges that arise when attempting to bring in and implement LegalTech products, the barriers they see to adoption and key characteristics of successful and unsuccessful product implementations.

Interviewees agreed with the idea that LegalTech adoption could be limited in practice. Innovation Lead 6 at a global law firm said that they “didn’t see anything being broadly adopted across the firm” and multiple law firm innovation leads mentioned the presence of “shelfware” – LegalTech products that had been purchased and then never used. Several recurring themes also emerged from these conversations: issues that consistently frustrated LegalTech implementation, strategies that dramatically increased LegalTech adoption and characteristics inherent to the legal industry that continuously blocked innovation. These themes are set out below and hopefully will act as a helpful steer for those looking to supply, deploy or use LegalTech in the future.

## 1. REMOVE THE HYPE

Hype is prevalent in the LegalTech industry. This is true with reference to vendors, who can, as Innovation Lead 10 highlights, overinflate the ability of their products and indiscriminately use buzz words like “deep learning”, “AI” and “machine learning”. But it can also be applied to law firms: numerous interviewees mentioned the “innovation via press release” or “innovation theatre” strategies of certain firms, where press releases are issued describing an advancement but practical innovation is limited. This hype, when combined with pervasive reports about the threat to lawyers from AI technology, means that over-expectation is common. As pointed out by multiple partners and heads of innovation, this has caused a disconnect in lawyers minds between what they think a LegalTech product should be able to do and what it actually does in practice. As a result, scepticism and cynicism can dominate a lot of the dialogue between vendors and law firms.

However, excessive hype and inflated expectations clearly does not mean that LegalTech solutions are useless. Rather both sides need to come together and recognise the real, practical advancements and improvements that can be achieved by implementing new processes and technology. The removal of unnecessary hype and the lowering of expectations (and the parallel increase of knowledge in areas like machine learning and natural language processing) would greatly help the implementation of tools past the pilot stage. As LegalTech Employee 4 explained, to advance we need to “cut through the bluster to the genuine problems and issues.” To do this, members of the ecosystem need to be honest and process-focused and expectations need to be set correctly from the beginning.

---

<sup>1</sup> Interviews conducted in Summer 2019, identities have been anonymized.

<sup>2</sup> To narrow its focus, the research only assessed the top 50 UK firms, as defined by The Lawyer’s 2018 top 100 law firms, as well as those US law firms that appear in the Lawyer’s City 50.

## **2. BRING BACK THE BASICS**

A key theme from the interviews was the importance of focusing on the basics. Firstly, for adoption to be widespread people need to be an integral part of implementation. As Innovation Lead 10 explains, there is currently a false correlation in the market between technology and innovation: “the investment is never just buying the tech, the investment has to be in the people and process too.” Part of this is the appointment of dedicated innovation teams with autonomy and purchasing independence, which are distinct in focus from the teams looking after the “keep the lights on” IT. LegalTech Executive 7 provided a case study of a rapid implementation that was successful largely because an innovation team with genuine decision-making ability ensured the roll-out had sufficient support from relevant lawyers. However, firms also need to ensure that every person impacted by the proposed tool has been consulted. As LegalTech Executive 1 argues, unilaterally placing technology on a lawyer’s desk and expecting them to use it doesn’t work – everyone needs to be taken along with you from the start. And it needs to be genuinely everyone: Innovation Lead 1 told a story of a cross referencing tool that failed because roll-out didn’t include secretaries, who were responsible for the majority of cross reference checks. As the secretaries had been neither informed of, nor trained on, the new tool, they continued with previous working methods and the implementation failed.

Simplicity can also relate directly to tools – vendors should be aware that often it is the most basic products that achieve the highest level of adoption. Innovation Lead 1 explained that simple plug-ins that suit existing work styles can get huge adoption and widespread approval. Innovation Lead 6 agreed, saying that he saw the most uptake around the basic things – currently widespread adoption isn’t driven by tools that massively reengineer or realign the way lawyers work, instead the products that have proved the easiest to roll-out are simple ones that mirror the way lawyers work.

Finally, multiple participants commented that bringing back the basics also refers to ensuring that lawyers do not just look to purchase new point solutions but are encouraged to use the full capabilities of their existing tools. Innovation Lead 10 commented that 70% of the effort in his job was dedicated to trying to ensure that people fully used the technology they already had, as many lawyer requests for new solutions were achievable with already purchased tools. Firms should ensure that existing solutions continue to be promoted and their full functionality explored before new products are purchased.

## **3. FOCUS ON THE USE CASE**

Numerous interviewees bemoaned the tendency of some firms to buy LegalTech solutions without a specific purpose in mind. Industry Commentator 1 spoke about multiple “horror stories” from firms which had committed significant funds to the purchase of LegalTech solutions without prior assessment of use cases for the product and were then faced with implementation difficulties and very low adoption. These top-down, technology-first purchases, cause a proliferation of products that have been purchased and subsequently not adopted. Innovation Lead 2 told the story of a product that was purchased purely because it was successfully being used by competitors and was therefore assumed to be valuable. However, following the purchase, and despite attempts to encourage junior lawyers to suggest use cases, the product proved unsuccessful.

Instead, LegalTech should be bought with a specific use case in mind. Firms should identify processes and recognise areas where efficiency and productivity could be improved to deliver a better or more cost-effective service to the client and then seek to identify technology and work with vendors to solve these issues. Innovation Lead 3 explained that the strategy should be to start with a customer and a problem to solve and then work backwards to the solution. Numerous law firms are pursuing this focus. Innovation Lead 3 described their firm strategy as putting design at the forefront and engaging with real users and customers in order to focus on a particular problem.

#### **4. INTEGRATE AND BE WARY OF OVER-SPECIFICITY**

The LegalTech market is fragmented and point-solution focused – lots of products exist in similar areas that solve a narrow problem very well. Innovation Lead 3 says this has led to law firms purchasing products that do one or two things very well, but not three or four, meaning innovation teams must go back out in the market to achieve a complete enterprise solution.

This creates difficulties for law firms.

- a) The market is reaching over-saturation and multiple firms have complained that it takes a large amount of time to trial every solution in order to identify the most promising companies. This can lead to commitment phobia – a reluctance within firms to pick an option until a clear market leader has been identified.
- b) A universe of different point solutions can cause significant problems from an infrastructure perspective. LegalTech Employee 4 highlighted that difficulties can emerge as a result of the existence of multiple different silos of data linked to the separate solutions, each of which are unable to communicate. Updating individual point solutions can also prove difficult and can disrupt pre-existing integrations between existing and legacy tools in unanticipated ways.

There was a widespread desire by those interviewed for the emergence of an integrated toolkit, which allowed for easy usage of different tools. Vendors should recognise this requirement and be wary of over specificity without a plan for wider usage or easy integration. Participants largely suggested this could be achieved in three ways. Firstly, through consolidation and the growing prominence of platform plays. Secondly, through partnerships between LegalTech vendors, either formally or through increasing use of open APIs and integrations. Finally, through the rise of a “LegalTech Appstore” like Reynen Court, with industry-approved safety standards.

#### **5. LISTEN TO THE CLIENT AND COLLABORATE**

Everyone interviewed recognised that clients were increasingly demanding evidence of innovation from law firms. Interviews presented a broad spectrum of client awareness towards LegalTech: some clients were highly sophisticated and requested the use of specific LegalTech products but others were unsure about the use of technology and ask for significant guidance about its appropriateness.

This difference in attitude caused some law firms to describe frustration with clients seeking general evidence of “innovation” without specifying exactly what this meant for their business. As Innovation Lead 1 commented, what is innovative for a financial institution is not necessarily what is innovative for a global construction company. While direct attitudes may differ, the fundamental focus is on increasing efficiency and reducing costs, and technology and process innovation is clearly a way to do

that. In practice, firms should look to work with clients to collaborate and devise solutions to best deliver legal advice. As Innovation Lead 6 describes, the key focus is creating a dialogue between law firm and client to shape process and delivery. Client Executive 1 agrees, and their company now expects a collaborative process from its instructed law firms, where ways of providing smarter and faster advice and receiving transparency over costs can be openly discussed.

## **6. UNDERSTAND FIRM STRUCTURE**

The inherent structure of law firms can pose problems for vendors. Procurement cycles can be long, and the involved process and multiple approval stages before implementation and adoption can lead to what LegalTech Executive 6 dubbed “death by procurement,” where start-ups are unable to survive for the length of the process. Vendors should anticipate a lengthy timeline - Innovation Lead 9 specifically highlighted the expectation that contracts can be immediately signed as problematic and unrealistic – however law firms can help by trying to streamline overly bureaucratic approval processes where possible.

Stringent internal security requirements can also create difficulties. This can be amplified, as Client Executive 1 pointed out, by additional security requirements from clients – often full on-site testing is carried out and if a law firm fails any aspect of the particular test it will no longer be instructed. Cloud is a particularly contentious issue. While common amongst LegalTech tools, it frequently creates difficulties for law firms, who typically require on-premise deployment and storage. There is evidence that this attitude is changing however, and vendors can help by ensuring that they comply with the very highest industry security standards.

Finally, the diffuse nature of the partnership structure of law firms can create difficulties, as certain groups can be unwilling to see drawings reduced to pay for technology. Both senior partners close to retirement and partners in departments not relevant to a proposed technology will be disinclined to contribute for negligible benefit. Vendors need to position themselves carefully to ensure that any benefits can be articulated for the improvement of the firm as a whole.

## **7. COMMIT**

Another key principle to encourage adoption is commitment on behalf of the law firm. LegalTech products and process improvements can often fail if they are not given sufficient support from the whole firm, with alignment across levels of seniority and commitment to funding, infrastructure and sufficient communication. LegalTech Executive 1 stated that adoption of their solution succeeded when “people have a clear idea about what they want to achieve, they have thought about it carefully up front and they’re prepared to put the internal resource behind it to deliver”. If this approach is not followed, if firms expect the product to work without resource or dedicated lawyer hours, then adoption often fails. Industry Commentator 1 agreed with this, arguing that often law firms don’t plan or budget for resource: if you’re spending £100k on technology, then you should be planning to spend double on the resource to implement properly and often nothing additional is budgeted.

Numerous examples were given of low-scale adoption of solutions resulting from a failure to properly commit and adequately resource a roll-out. However, such early commitment can often be integral to widespread adoption. LegalTech Executive 1 gave the example of a successful implementation and adoption in which the firm had provided a dedicated associate to work with the tool. The firm made successful implementation and adoption a priority for that associate and the

process was a success as a result. Multiple commentators were aware of this need for commitment from firms, stating that the improvement that they would most like to see from law firms was the commitment of an independent, dedicated budget, separate from core IT infrastructure, to address change and improvement.

## **8. BE POSITIVE AND PATIENT**

Law is a famously traditional industry, in which legacy working methods have been used by lawyers effectively and profitably for years. Lawyers are comfortable with the present system and know implicitly how long most work streams will take using the tools currently at their disposal. In an industry where working hours are long and unpredictable, this certainty is valuable. However, it can also lead to an unwillingness to spend additional time away from fee earning to learn new processes, however intuitive. Innovation Lead 10 describes a pervasive “head down mentality – as soon as the partners get on with a piece of work, they revert into the muscle memory of the way they have always done it.”

This is symptomatic of what Innovation Lead 11 calls a business first approach, with lawyers focusing on billing today, rather than future improvements. Innovation Lead 4 gave the example of a review product which generated a lot of initial enthusiasm when purchased but struggled to become widely adopted because people had not realised training time was required before it could be effectively used and were not willing to dedicate the resource.

Part of the problem is the still prominent idea that most LegalTech should be usable “out of the box”. However, this is generally not the case and for most products to be a success, lawyers need to be willing to devote time to training. For adoption to take hold, lawyers need to be braver with new technology and commit to alter long-established working routines to increase efficiency and productivity.

## **9. CHAMPION**

A significant number of interviewees described the use of champions as crucial for widespread adoption of LegalTech products. Both vendors and law firms described the selection of supportive partners, associates and trainees to trial the software and then champion it to the rest of their department and across the firm, as a beneficial way to drive adoption. For Innovation Lead 1, the use of champions is the crucial starting point for adoption. For any new product “you work with the willing and you ignore the detractors”. The willing, once successfully deployed, can then help to win over the ambivalent middle, which will drive adoption throughout the firm.

Innovation Lead 2 agreed that a focused roll-out and evidence of success are fundamental to successful widespread adoption but suggested that the use of “war stories” was a better strategy. While champions can become stale, or irrelevant to different departments, war stories highlighting successful use cases become tales that run through the firm and lead to increased awareness and increased desire to trial a given tool. Innovation Lead 6 sees champions and use case war stories combining as a crucial method to drive adoption: a corporate champion may not convince a project finance associate to use a piece of technology but the narration of a successful use case by that champion may encourage a partner in the group to pilot a trial, which could in turn lead to adoption amongst junior lawyers.

## **10. BE CREATIVE**

Allowing lawyers freedom in their use of a product can often lead to both wider adoption and also unexpected and innovative use cases. Industry Commentator 1 explained that often they will educate junior lawyers on the use of logic products and document automation tools and then be surprised at the inventive ways the products are deployed. An example is Taylor Wessing's use of Kira, the automated document review software (<https://kirasystems.com/blog/taylor-wessing-venture-capital-deal-terms/>). Rather than using this as part of a due diligence process, Taylor Wessing venture capital lawyers trained the tool to determine whether a particular deal characteristic was typical by showing how often it had appeared in similar transactions.

## **11. BE SUPPORTIVE AND PROPERLY INCENTIVISE**

A key strategy in aiding adoption mentioned by multiple people interviewed is the availability of consultants and LegalTech professionals to answer questions and solve issues during the implementation and adoption process. LegalTech Executive 6 mentioned an instance of wide adoption of their product in large part because of the willingness of the customer success team to answer questions and provide quick feedback. LegalTech Employee 2 agreed, stating that the consultancy arm of their company, which remained in place and accessible by the client throughout the length of a customer's subscription, was fundamental to the product's success. Multiple innovation leads at law firms also highlighted the importance of training and fast support to a given product's adoption. This should extend to the development of internal teams: a product is more likely to succeed if support is available both internally and externally.

Firms should also ensure that any associates involved in innovation processes, either as champions for products or front-line testers, are adequately incentivised. Multiple interviewees highlighted the difficulties created if time spent exploring innovation or LegalTech is not recognised as contributing to yearly billing targets. Law firms should offer associates real, relevant incentives to think innovatively and trial new tools and working methods.

## **12. MEASURE**

One of the difficulties in securing widespread adoption is how challenging it can be to provide evidence of the success of a specific LegalTech product. As Innovation Lead 4 explained, it can be difficult to articulate the benefits of the technology because the ROI can take time to be revealed. Frequently products are talked about in terms of efficiency and, given that hourly billing still remains the dominant business model, this can often be interpreted as equating to a loss of revenue. Equally, Innovation Lead 4 argued that some of the softer benefits to tech, like associate job satisfaction, can be impossible to measure or prove.

However, LegalTech Employee 4 is certain that the most technologically successful law firms are those who are best able to articulate its benefits. Initial quantitative evidence of the success of a product will instantly prove any doubter wrong and justify continued usage. Crucial to this is benchmarking – setting up test cases alongside matters using new technology which you can use to show clear improvements in productivity. While this is successful for providing support for wider roll out, it can't evidence success at a firm-wide scale - once the technology is implemented

across the whole firm you lose your ability to compare. Innovation Lead 6 says you therefore must be creative and adaptive in order to measure return on investment. Clear achievement goals should be set at the beginning focused on key metrics (e.g. client satisfaction) and progress should be tracked. If evidence of increased ROI is provided then further adoption throughout the firm will be encouraged.

## **CONCLUSION**

Undoubtedly the law firms assessed for the purpose of this article are focusing more on innovation and technological change than ever before. While the progress made in certain areas has been large, a disconnect still exists between perception and the practical professional reality of how law is practiced, which largely continues to rely on legacy working methods. This article has recognised this adoption gap and has highlighted a number of ways that both suppliers and law firms can seek to close it.

- 1) Remove the hype
- 2) Bring back the basics
- 3) Solve needs and buy technology with clients in mind
- 4) Integrate and be wary of over-specificity
- 5) Listen to the client and collaborate
- 6) Appreciate law firm structure
- 7) Commit
- 8) Be brave and patient
- 9) Champion the use case
- 10) Be creative
- 11) Be supportive and properly incentivise
- 12) Measure

# TOP 10

## MOST INNOVATIVE JUNIOR LAWYERS IN THE UK

In this issue we showcase the top 10 most innovative junior lawyers in the UK, based on the nominations we have received over the last couple of months. We have a great selection of talented junior lawyers who have shown they are champions of tech internally and/or with clients.

We received a great turnout for nominations and picked out the ten we thought stood out from the crowd. Those junior lawyers that were really driving innovation and technological change within their organisations. They have also given their reasons for getting into legal tech/innovation.

Congratulations to all our shortlisted nominees.



# 1

# Tom Grogan



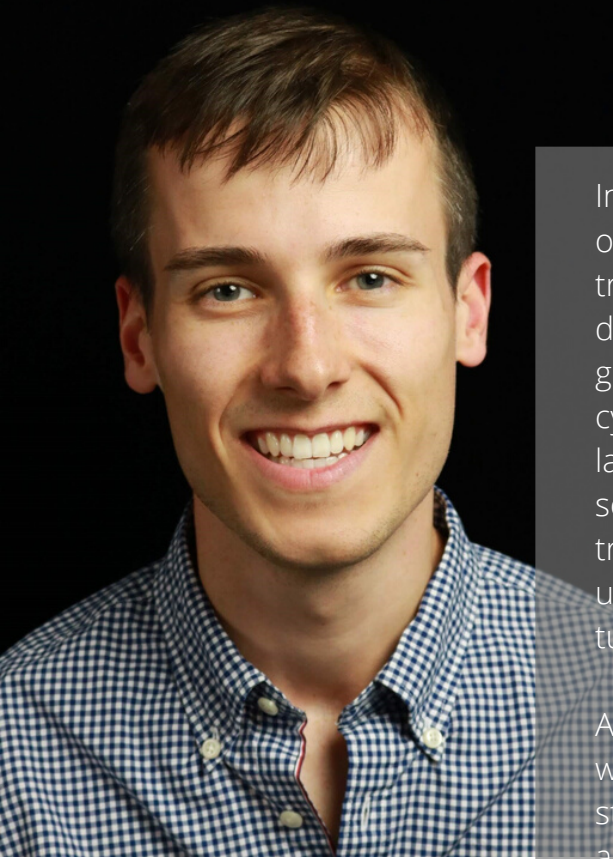
Tom is a corporate lawyer and leads a number of emerging technology initiatives within his firm, including co-leading the dedicated Blockchain Group. He has a deep understanding of emerging technologies such as distributed ledger technologies and artificial intelligence/machine learning, their possible use-cases and their legal and regulatory treatment.

Tom has experience advising high-profile government clients on their emerging technology regulation and policy across a variety of sectors, including education, trade, finance and healthcare. Notably, he is currently leading a team providing sophisticated regulatory advice to a number of national governments relating to their technology-based responses to the COVID-19 pandemic. The team is comprised of lawyers, computer scientists, cyber security experts and academics, and advise on legal, regulatory, technical and strategic matters for its clients.

Tom regularly speaks on the topic of emerging technologies, law and regulation. For example, Tom has recently spoken at the EU Commission's Blockchain Observatory and Forum in Brussels, and has lectured on UCL's Executive Education Programme.

*"I've always had an interest in technology – from gaming as a child through playing with a Raspberry Pi and introducing myself to coding at university. I naturally gravitated towards technology-focussed transactions when I first joined Mishcon in 2017. Increasingly, I found myself working on matters which were more technical in nature, and I began to take a lead. I love working with forward-thinking, innovative clients to create new business models and reinvent their processes, all the while ensuring legal and regulatory compliance by design. "*

## 2. Adam Hunter



In 2019, Adam joined Clifford Chance as the first trainee solicitor on the firm's new legal tech Ignite programme. Alongside his training contract, Adam's current legal tech projects include designing and developing new solutions for a handful of the firm's global clients, particularly in the areas of data protection and cybersecurity. Most recently, Adam seconded to one of the firm's largest tech clients, where he was able to advise on new tech solutions to some of the client's most pressing challenges. As a trainee, he has been successful in engaging key stakeholders and utilising the firm's global network to assemble teams that can help turn his ideas into new opportunities for Clifford Chance.

Adam is also driving technological change through collaboration with the firm's best delivery innovation team and various legal tech start-ups such as Neota Logic. He challenges traditional processes and supports practice areas with the integration of new tools including machine learning contract analysis, contract automation and e-signing platforms. His work has helped to drive efficiency and improve operations on some of the firm's most complex transactions.

Outside of client matters, Adam actively works to change perceptions around legal tech at all levels whether this is by contributing to partner pitches, providing training sessions or mentoring aspiring legal tech lawyers. Despite being in the legal profession for less than two years, Adam has managed to establish himself as a junior champion of tech and innovation within the firm, with clients and also in the legal tech community.

*"I became interested in legal tech in my final year of university when I had an idea to modernise the traditional legal recruitment 'milk round' and help make it more accessible to students from under-represented backgrounds using technology. I built and launched an AI-based chatbot that provided students with free applications advice and connected them to graduate recruitment teams. It was great to speak to students who were using the chatbot and see the tangible impact that my legal tech product was across UK campuses. In its first year, the chatbot was used by over 2000 students across several universities and I had the opportunity to partner with eight international law firms."*

### 3. Alex Woolley



Alex is the co-founder of Formily and an Associate at Farrer & Co LLP, specialising in family law. Formily, an award winning online tool to help solicitors, their clients and litigants in person complete financial disclosure during divorce, was founded in 2019 by Alex and Sam Littlejohns (previously a specialist family law barrister at the top family finance chambers in the country).

*"I have had a particular interest in using technology throughout my time in practice to increase efficiency for both solicitors and their clients. Formily's approach flows directly from that. At present the Form E process often involves multiple hand written and pdf drafts and comments by email; a frustrating and time-consuming process for all involved. Formily simplifies and speeds up the completion of the Form E so that clients are able to complete a comprehensive first draft which their solicitor can then put the finishing touches to. We were fortunate enough to win a £50,000 grant from the SRA as part of the Legal Access Challenge and have used this prize to drive forward development of Formily."*





## 4. Olivia Hancock

Olivia Hancock has been part of Addleshaw Goddard's Innovation & Legal Technology team since near its beginning, and has helped to drive the adoption of legal technology throughout the firm. When offered a training contract at AG, she chose to stay in the ILT team and do one of the first ever training contracts with a focus on the application of legal technology. On its completion, she qualified into the ILT team as a Legal Technology Associate – a hybrid role combining legal knowledge with technical expertise.

Olivia's role is varied and includes scoping and managing legal technology projects for internal or client use, and developing new solutions, with a focus on creating client portals for matter management or large scale projects. She has worked closely with clients to implement solutions that combine data capture and analysis, reporting and MI, and document automation to optimise processes and procedures.

*"I like having the opportunity to work on a variety of projects across different practice areas, and I particularly enjoy the combination of logical problem solving and creative thinking, to produce effective solutions that make a difference."*



## 5. Victoria Noto

Victoria is a commercial, advertising and technology lawyer in RPC's tier 1 commercial team. Her practice spans the technology, retail and media sectors, where she assists some of the world's biggest brands with new product launches, multi-channel international advertising campaigns, sponsorship arrangements and resolving consumer and advertising regulatory complaints.

*"I first got involved in legal tech when one of my talented business support colleagues demonstrated contract automation software to my team. At the time, it was mainly being used internally by a couple of teams to create efficiencies / improve processes within the firm. Having spent a fair amount of time in-house (both as a paralegal and on secondment) I realised that this technology would be invaluable to busy in-house legal teams. We have now built in-house solutions for a number of clients using the software to automate contracts, terms and conditions and other legal documents. It's been fantastic seeing what a difference this has made for our clients, freeing up valuable time and resource for them to focus on other work. It's also a testament to RPC's commitment to use technology to continue to innovate for our clients."*



## 6. Michaela Hanzelova

Michaela works as Innovation Specialist in the London office of Reed Smith LLP. She has been driving the firm's innovation hours initiative for two years. Thanks to the initiative, the firm's attorneys are granted up to 50 billable hours per year to work on their own innovation projects. The initiative harnesses the ideas and creativity of the firm's community to provide exceptional client service. Michaela actively manages over 60 innovation projects across the UK, US, France, Germany and Asia. Michaela is currently completing her LPC at BPP Law School and will be joining Reed Smith as a trainee in 2021.

*"I became involved with legal technology in 2018, when I worked with Alex Smith (Reed Smith's previous innovation manager) on the automation of terms and conditions for prize-winning competitions for a client of the firm. This was one of the flagship innovation hours projects and has now evolved into TermJet - an automated solution currently capable of producing terms and conditions for five jurisdictions and in three different languages. Following that, Alex approached me with the offer to project manage all of the firm's innovation hours projects. This entails following the innovation projects through their life cycle, from approval of the innovation idea to completion of the project. The innovation hours initiative is focused on using people, process, and technology to find solutions for the firm's departments and meet the clients' needs. Thanks to my role, I have been able to speak on a number of panels on the future of law and prepare and present at workshops and open days at Reed Smith. I work closely with Lucy Dillon, the firm's Chief Knowledge Officer, and Adam Curphey, the firm's innovation engagement manager. Both are working tirelessly in driving progress through innovation in the whole firm and have helped me greatly with my professional development."*





## 7. Liam Croucher

Liam is a commercial litigation paralegal at Signature Litigation LLP with experience of financial & banking disputes. Liam has had extensive experience of client-facing roles including at Signature and Brachers LLP. Prior to joining Signature, Liam completed the accelerated LPC LLM achieving a commendation award.

*"When I joined Signature Litigation, I had an existing interest in innovative technologies such as Cryptoassets and the underlying Distributed Ledger Technology. Signature has given me the platform to further my interest in emerging technologies from a legal perspective such as co-authoring an article on Cryptoassets and Smart Contracts. In my daily duties I enjoy finding opportunities to utilise technology to improve efficiency and provide a greater value service for our clients. I also enjoy trying to utilise technology for the betterment of my colleagues and the environment where possible. I have recently implemented a scheme that aims to mimic the daily support group established in the office whilst we work remotely in aid of mental health. I aim to set an example and encourage the use of data rooms and electronic services to minimise the use of paper internally to provide an environmentally friendly (and cost-efficient) service."*

## 8. Aleksandra Wawrzyszczuk



Aleksandra is part of the University of East London's in-house legal team, where she handles a variety of contentious, regulatory and transactional legal matters as well as managing the team's internal operational support. Devoted to shaping a new generation of lawyers and driving change in the profession, Aleksandra was a researcher for the Inspirational Women of the Law project and worked extensively in legal publishing, including at The Legal 500. Her continuous pursuit of practical law and academic research has led her to speak at doctoral and post-doctoral events. She recently contributed to an edited collection on the theme of legal imagination, to be published by Routledge later this year.

*"What intrigues me about technology is its ability to create order from chaos, which mirrors my mode of thinking about legal problems. The sector gets understandably excited about new tools, but I believe in baby steps. Humans are inherently resistant to rapid and overarching change, making accessibility crucial to any tech project's success. Since my first involvement with legal tech in law school, I have been fascinated by how the smart use of human-friendly tech solutions transforms ways in which both the industry and individual legal teams operate."*

*In-house legal teams, especially in the public sector, are expected to deliver excellent value for their internal clients. Yet, without the resources of Big Law private practices, it is easy to get entangled in an exhausting cluster of paper files, long email chains and decentralised case recording. When I joined the team at the University of East London, it became my self-appointed duty to create a streamlined case management system solely using an existing (yet underutilised) IT suite. What started as a spreadsheet and a basic Microsoft Teams site has now evolved into a sophisticated system with new layers to come, fitting neatly within the University's tech-driven institutional strategy. Along the way, I have learned that the legal tech revolution is a marathon, not a sprint. Only by starting with familiar tools and demonstrating their immense benefits while simultaneously driving a cultural shift we can entice colleagues to embrace the exciting future of automation and machine learning."*





## 9. Lyubomira Midelieva

Lyubomira first got involved in legal innovation in the summer of 2018, whilst she was completing a business intelligence project at Reed Smith LLP prior to joining as a trainee in August 2018. Lyubomira's first innovation project explored how law firms can leverage data to enhance their real estate capabilities. Since then, Lyubomira has worked on various innovation projects in the fields of banking and finance and entertainment and media. Lyubomira has also helped develop a document automation tool that allows Reed Smith clients to automatically generate terms and conditions for prize promotions by answering a simple set of business-friendly questions online.

Lyubomira studied law as her undergraduate degree, and, like many lawyers with no tech background, was anxious to get involved in legal innovation at first. However, her experience has shown her that new skills such as coding can be very useful and not that hard to pick up. She has also learned that 'innovation' does not necessarily entail a monumental technological feat that lawyers are incapable of. Now, Lyubomira relishes the many opportunities to get involved in legal innovation at Reed Smith. She enjoys legal innovation projects, as they require her to consider the legal profession as a business, and explore how this business offering can be enhanced for the benefit of clients and employees alike through the use of new technology or concepts such a project design. Lyubomira also enjoys learning about new developments in the fields of technology and innovation, and being on the front line of the exciting, rapidly developing industry of legal tech.



## 10. Natasha Pritchard

After completing her degree, she acquired an 18-month role as a commercial officer for a renowned defence engineering company based in Bristol where she was fortunate to have the opportunity to be hands on and expand her legal knowledge and skills. She then successfully secured and started her legal training contract for the in-house legal team with Air Charter Service. Air Charter Service is a global company with 26 offices spanning all six major continents that offers private jet, commercial airliner, and cargo aircraft charters, as well as onboard courier solutions. Formed in 1990, it now employs over 500 staff worldwide, and Natasha works in its main headquarters in the UK.

*"I began working with technology in a legal setting during my summer placement with the in-house legal team at Pentland Brands where I assisted with the digital transition from hard copy files to their new digital record system. This system enabled the team to have access to live data as opposed to using the time consuming hard copy filing system they had in place. My next foray into technology in a legal setting came courtesy of my time in the Student Law Office in my 3rd and 4th years at Northumbria University, where we worked as a pro-bono clinic supporting clients in the Northeast. My current role also involves aspects of technology, where I have supported the implementation and use of a legal document management system and an online resource database that have enabled myself, and the wider legal workforce to access, navigate, record, manage, and organise, multiple versions of legal documents, contracts etc. with ease."*

*Introducing..*

# LEGAL TECH TOOLKIT

The Legal Technologist has now launched our 'Legal Tech Toolkit', which aims to provide small law firms, SME in-house counsel and legal aid charities with a list of (mostly) free legal tech offers. So they can make their operations more efficient and/or providing opportunities for new clients or revenue streams.

We are looking for offers from legal tech companies around the world so if you have an offer for any of the above organisations please do get in touch with us!

Visit the toolkit [here](#)

# Branding technology and innovation: **Be clear and distinct**

*Grahame Jones from Soukias Jones Design researches the performance of the top UK law firms and shares five top tips to brand and communicate legal tech and innovation.*

---

Legal innovation is hot. Hardly a week goes by without news of a new tech launch or collaboration. The legal tech market and ecosystem is burgeoning.

Even so, a recent survey of 100 in-house counsel revealed that around 70% were unsure what technology solutions their panel firms were using. What's more, there is growing evidence of a willingness by 'buyers' to acquire legal services from sources that either did not exist 20 years ago (such as Axiom, UnitedLex and Elevate) or did not market their services as legal (the Big Four).

Increased competition (certainly from bigger brands like the Big Four), changes in buying habits and confusion about provision make it more important than ever for firms to communicate their tech offerings in a clear and distinct way.

With our experience and background in branding for law firms, we decided to examine how firms are facing up to these new challenges for branding. In our report *Confusion to clarity: How law firms brand innovation and lawtech*, we examine the performance of the top 30 UK law firms (mainly via reviews of their websites) and look at how they are using branding and messaging to position themselves, externally and internally.

## **Using brand architecture to add clarity**

Unsurprisingly, nearly all firms (95%) adopt a monolithic approach that uses awareness and credibility of the main corporate brand (such as Clifford Chance) to bundle a group of tech and resourcing solutions. Within this majority, six firms draw on sub-branding to distinguish legal delivery from legal expertise (Ashurst Advance and NRT Transform are examples). Others go further, establishing stand-alone brands: Eversheds Sutherland (Konexo) and Fieldfisher (Condor), for instance.

This approach is consistent with how some firms are structuring their business models for tech. Fearing the traditional law firm model is neither sufficiently nimble nor sufficiently agile to compete with a growing band of fast-moving alternative service providers and legal tech start-ups, firms are creating new models.

For brands such as Konexo and Condor, however, there's a communication challenge: in order to win share of mind and market, they require a separate strategy, identity and associated marketing activities. This comes with costs.

Establishing a clear position is a task that's not restricted to the corporate brand. How

firms position and name their solutions is important, too. Here, we found the unstructured approach taken by most firms is only adding to the confusion.

Over a 10-year period, for example, Allen & Overy had developed a portfolio of solutions (Aosphere, Legal Services Centre, Peerpoint and Project Management Office, to name just a few), but, lacked the benefits of a brand architecture – through naming and grouping. This lack of structure made an already complex suite of products harder to understand, sell and buy. Even when firms do use brand architecture to bring a sense of order, the end list of names can often be confusing.

### **Telling your story with distinction**

When it comes to firms telling their own tech stories, it was a surprise to discover that more than 50% of firms we reviewed don't have an accessible narrative. Some have no narrative at all.

In the field of tech and innovation, firms are facing a new strategic imperative. You might assume that firms would use their websites to highlight their credentials, and make content easy to find. Yet our research found that large firms including DLA Piper, CMS, Clyde & Co and Hogan Lovells (all with strong tech credentials) are either hiding their credentials deep within the site, or simply don't include them.

For those that do have narratives, few are compelling. Moreover, many fail to explain why the approach and solutions are distinct, or how they are consistent with the firm's overall sense of purpose. A couple do manage to do this: Clifford Chance does well to pivot its approach on its overarching narrative to provide 'best' customer service,

while Linklaters talks about its approach being consistent with its purpose of 'delivering legal certainty in a complex world'.

There is also a distinct lack of quality content. Most firms default to using press releases that outline awards, new appointees and collaborations, for example. Few use their expertise and insights to produce useful thought leadership, and there is little storytelling in the form of case studies, testimonials, white papers and blogs.

### **Starting the right conversations**

Arguably, firms face their biggest communication challenges internally. Convincing and educating partners about (using) tech is not easy. Some partners have little bandwidth for it, while others simply don't 'get tech'.

Recognising this, Allen & Overy has developed a set of practical tools to support and upskill its partners. It uses case studies, placemats, tender content, Q&A sessions and tech champions to help partners feel comfortable talking to clients about the firm's Advanced Delivery platform.

### **Tips for success**

Tech and innovation will only continue to grow and develop. The current lockdown and working from home may speed developments, demonstrating to sceptics the power and possibilities that technological solutions can offer. Perhaps unexpectedly, this might give legal tech a push forward.

Yet as firms look to embrace challenges and opportunities – of which there are many –

their success will depend in no small measure on their approach to branding and communicating, and the way they are able to dovetail this with other activities.

Here are five takeaways from our research to help you along the way.

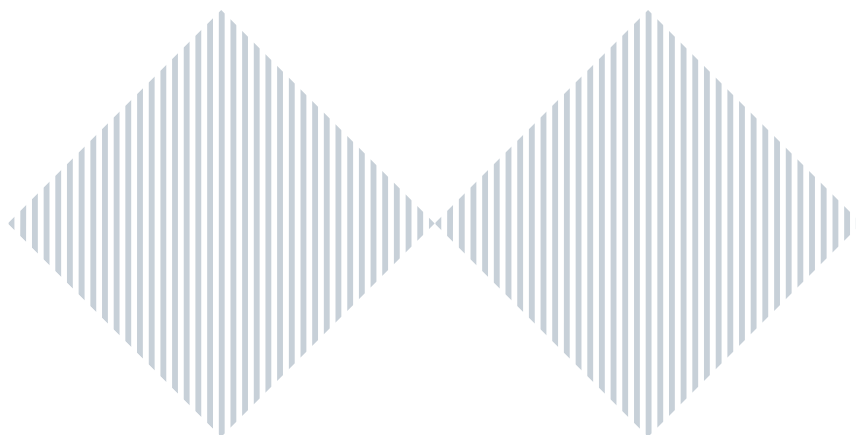
1. Develop or revisit your brand architecture
2. Dig deep to find a compelling narrative (and make it accessible)
3. Use content strategically
4. Deploy ongoing marketing expertise
5. Give partners the wherewithal to start the right conversations!

## More information

For your free copy of *Confusion to clarity: How law firms brand innovation and lawtech*, visit [here](#).

Review the latest edition of *Brandtech* (a quarterly review of branding in legal tech and innovation) [here](#).

For more information, contact: [Grahame@soukiasjones.co.uk](mailto:Grahame@soukiasjones.co.uk) / 07961 357 358.





# A Stress-Tested Legal Industry: An Update on the Evolution of Agile Working Practices

By Roslyn Lai

## **Introduction**

Flexible and agile working practices are emerging trends which have been adopted by law firms, to varying extents, as part of their working policies. This article will take a look at the key features in agile working and discuss the latest industry trend: the legal gig economy. Also, it will reflect how the current coronavirus crisis may compel a change in industry perceptions towards flexible work.

## **Agile Working Practices: Key Features**

Agile working is a mode of work that empowers lawyers to work with maximum flexibility and minimum constraints. For lawyers, agile working means increased freedom from timesheets and target billable hours. For businesses, it means a reduction of expensive overheads. This is a win-win because it pushes law firms to adopt innovative business practices and leading-edge technology that delivers better value for clients, whilst boosting productivity and overall happiness of their staff.

In essence, this shift towards flexible lawyering is largely a reflection of a new generation of lawyers with certain expectations regarding the way they'd like to work and live in the 21st century, which, according to George Bisnought (MD at platform law firm, Excello Law), have become "increasingly less compatible with traditional working patterns". A growing cohort of law firms has already taken steps toward agile working. Dentons staff, for instance, (ranging from UK partners, associates and legal executives) can work from home one day a week, on an informal basis. Clifford Chance goes further and encourages partners to work from home when possible.

A major contributing factor towards the popularity of agile working is due to shifting commercial expectations the delivery of legal advice/services should be process-driven, scalable and cost-transparent. For instance, Lawyers on Demand (“LOD”, a global legal resourcing provider) contracts out legal manpower on a project-by-project basis as in-house support to corporate clients, including UBS, Gucci and Vodafone. In response, law firms like Hogan Lovells and Allen & Overy have adopted similar cost-cutting strategies by keeping leaner teams (with agile working policies in place), whilst the rest is contracted out to legal resourcing services like Cognia Law or Elevate.

### **The Legal Gig Economy: The Latest Industry Trend**

It is important to stress that agile working as charted above is not limited to working flexibly for law firms, NewLaw or alternative legal providers. Agile working includes lawyers working on a freelance basis.

One popular means to do so is through “platform law firms”. Platform law firms are virtual law firms that allow lawyers to work remotely using shared services like IT, marketing and compliance provided by a central hub. Having lawyers work remotely means platform law firms often have fewer overhead costs, and therefore these lawyers can keep a higher percentage of the fees they charge. Though this comes with the uncertainty of being self-employed, Hazlewood’s (an accounting firm) figures show lawyers working on a freelance basis have risen 29% or 1,305 in 2018, up from 803 in 2017. On this, Jon Cartwright, partner at Hazlewoods, comments that *“the continued growth of platform law firms...is part of the broader trend amongst lawyers to be more entrepreneurial, to strike out on their own”*.

### **Industry Updates: How the Coronavirus Will Soon Compel Change in Legal Working Practices**

As the coronavirus pandemic continues to spread, many City firms have put in place sustained remote working practices to ensure its offices can handle a potential wide-scale shutdown. Amongst this cohort includes Kirkland & Ellis, Slaughter and May, Clifford Chance, Baker, Travers and Hogan Lovells. Others such as Reed Smith and Pillsbury remain open, to be manned by a skeleton staff. Weil alternatively proposes to divide its lawyers and staff to alternate-working from home (“WFH”) on a bi-weekly basis.

Regardless of which approach was taken, it is clear that the previous technological system reserved for occasional WFH practices have now been implemented in a manner and scale previously not seen before. This poses a major challenge for an



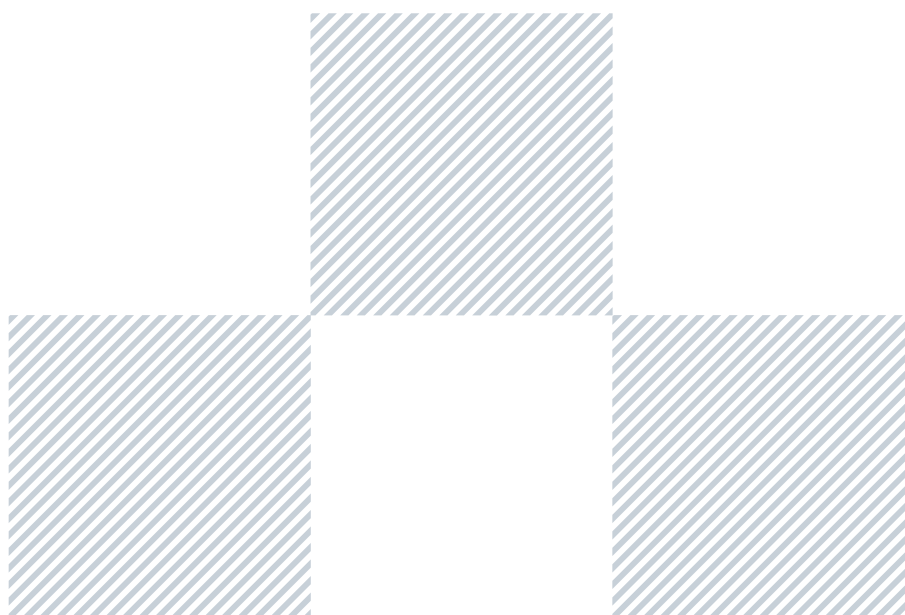
an industry built on trust and relationships. Other challenges include the slow-down in the pace of work, given the team-oriented nature of commercial work.

It is suggested that implementing WFH practices on such a scale should, at a minimum, lead to changes in perception and attitudes towards flexible work. This was made possible largely due to the advanced communication systems and legal technologies available in the market. As such, it is clear to see that the coronavirus crisis can and will create a lasting effect in how flexible legal services, supported by the aforementioned legal tools, can deliver a 'win-win' outcome for law firms and lawyers.

### **How will this affect my career as an Aspiring Lawyer?**

Aspiring lawyers should have these developments on their radar, particularly the notion of distance working and business relationships made remotely. Given these trying times, it is predicted that law firms (even outside the City) will be accepting the utilization of technology to implement flexible workplace policies. For this reason, it is envisioned that law students and aspiring lawyers will soon be entering into a workplace where working remotely or flexibly is an option and even an encouraged practice.

### **Roslyn Lai**



# **The Canadian legal industry must be willing to disrupt and be disrupted**

By Egi Troka, JD

The unprecedented circumstances triggered by COVID-19 have highlighted how technology can resolve our access to justice problem. In Canada, courts and lawyers are experiencing a large pilot test. If we want to rebuild our legal system, we need to gather data on business and technology issues, while systematically assessing the extent to which justice is being served.

## **How bad is our access to justice problem?**

Within a three-year period, almost half of the adult Canadian population will experience at least one everyday legal problem that they consider to be serious and difficult to resolve. The cost of resolving legal problems is prohibitive for individuals and the state. Only 19% of Canadians obtain legal advice from lawyers, while 61% obtain advice from friends and relatives.

Canadians reported spending at least \$6,100 to resolve their legal problems, in addition to other costs such as increased health care costs, social services and housing subsidies. The private sector also experiences lost productivity. These issues represent major annual costs to the state, amounting to a combined total of approximately \$800 million.

## **How have the courts adjusted to COVID-19?**

In Canada, courts have been triaging by only hearing urgent matters, and modifying limitation periods and filing deadlines. Chief Justice Geoffrey Morawetz has implemented electronic filings and virtual hearings. He has stressed that the paper-based system is not going to exist anymore. Lawyers have already conducted hearings over Zoom. Mediators are using video conferencing to settle actions. There is no excuse to delay matters when the technology is already in place and increasingly being used by clients and opposing counsel.

## **How have lawyers dealt with the chaos?**

There has been a shift in the way we do business. Given that the average lawyer worked just 2.5 hours of billable work each day in 2018, it is important to have the right tech infrastructure to increase our productivity. Lawyers have started implementing cloud-based technology and delivering legal services to clients online.

Streamlining communications between team members is key so platforms like Microsoft Teams and Slack are gaining popularity. Clients also demand quick turn around times: 79% of clients expect a response within 24 hours. Triage systems such as Jira and Zendesk are useful for managing client expectations. If a client has a query, they submit it to Jira, which then integrates with the lawyer's internal system. The lawyer can choose what they work on and bill on that matter.

Now that lawyers have stopped commuting, they are also re-considering the need to have expensive office spaces downtown. A lively debate is whether lawyers should use shared office spaces on rotation.

## How can tech help us?

Our current legal system is built by lawyers, for lawyers. To increase access to justice, we should focus on redesigning our legal system and streamlining communications. This means taking a user-centric approach, listening, getting feedback, and constantly iterating.

By incorporating these elements into our legal systems and services, we can create a new legal system that caters to its users. It may be useful to borrow techniques from other industries, such as tech. For instance, a large part of the success of Apple products is their design. They are elegant and easy to navigate, unlike our legal systems. We need to simplify this onerous process in order to increase access to justice.

As Richard Susskind has advocated, courts are not a place, but a service. Cases should be conducted online unless there are compelling reasons to be present in a courtroom. Online dispute resolution platforms will provide a route to resolution that is faster and less costly. A prime example is the Civil Resolution Tribunal in British Columbia, which has continued to operate smoothly during this crisis.

Should judges decide more cases based on evidence and arguments, without hearings? Can online courts deliver the outcomes that court users want in entirely different ways? Let us rethink the future of our industry and build a more accessible system.

## Egi Troka



Over the past few weeks the world has witnessed an unprecedented disruption, which has triggered the digitalization of many industries and hastened the fourth industrial revolution.

To cope with the restrictions imposed by the government authorities, many businesses in Nigeria have turned to technology to sail through the current crisis.

Being a “non-essential service”, legal practice has also been significantly impacted by the clampdown on business activities to contain the spread of the virus. In the sudden switch from brick-and-mortar offices to online law practice, many law firms and corporate legal departments have had to rapidly adapt to new ways of delivering legal services while leveraging technology to ensure business continuity during the pandemic. Microsoft teams, Zoom meetings, Skype for business and a host of other applications have become indispensable tools for collaboration and communication with clients and other stakeholders.

Remote work or telecommuting, which was alien to the legal service industry, has become the norm as most law firms and companies have now fully implemented work from home policies. Pre-COVID, working long hours in the office was more often considered an achievement and indicative of a lawyer’s productivity.

Legal technology has been a hot topic in legal conferences, conventions and gatherings in the past few years. Interestingly, despite growing awareness and much advocacy on the role of technology in enhancing the delivery of twenty-first century legal services and access to justice, adoption by law firms and corporate legal departments remains quite low. Some stakeholders see the calls for the adoption of technology in legal practice

# Law Practice During The Covid-19 Pandemic - The Nigeria Experience

By Adedoyin Pearse

as “unnecessary hype”, ‘after all, if it ain’t broke, don’t fix it’. Others regard it as a subject confined to a distant future.

The reactions of various law firms and corporate legal departments during the pandemic to this ‘new normal’ is mainly reflective of their innovation strategy, or lack thereof, before the pandemic. I’ve classified them into three categories:

## **The Unprepared**

For legal teams and practices that steadfastly retained the old style of law practice and did nothing to update their operations in line with 21st-century realities, the current crisis has been a massive shock as they were not ready for the technological revolution we are currently witnessing. With lack of digital tools, case/client files, books, law reports, and other resources stored in physical form, their ability to work from home effectively and efficiently during this lockdown is severely hampered. For this group, it has indeed been a struggle to keep their lawyers fully engaged while providing the much-required legal support to their clients and business partners.

## **The Partially Prepared**

For legal teams that had deployed the essential digital tools for their front and back-end practices (albeit lacking an overall innovation strategy), it has been a win-win situation. They have been able to keep their employees engaged, support their clients in navigating through the current crisis, while also quickly putting in place their innovation strategy and 'learning the ropes' on change management in their transformation journey.

## **The Prepared**

For the legal teams and practices that had long realized how technology would drive the future of legal services and had fully embraced technology and a change culture as part of their overall innovation strategy, it has been a seamless experience adapting to the new reality and providing the necessary support to their clients and business partners in these difficult times. These were the few legal teams prepared for this crisis in terms of their operations, technology and culture.

Thankfully, my experience falls into the last category as my employer had long adopted digitalisation as part of our overall business strategy. We had realised years ago that the business world of tomorrow is about digitalisation and companies that tackle digital transformation will be the leaders of tomorrow. To support the company's vision, my team and I realised that we had to step up our game, improve our processes while also getting more efficient and strategic in the way we handle our day to day tasks. The 'more for less' challenge from the business has further helped to fast track our digital transformation journey. Within my department we have automated legal tasks that used to be performed manually and adopted customised tools, harnessing the latest technologies for our day-to-day legal work. However, it is still a work in progress as there are various projects currently in the pipeline. I must add that because technology is continually changing, being prepared by today's standards does not mean you may not be caught napping tomorrow. One must continuously seek improvement even after one's digital transformation.

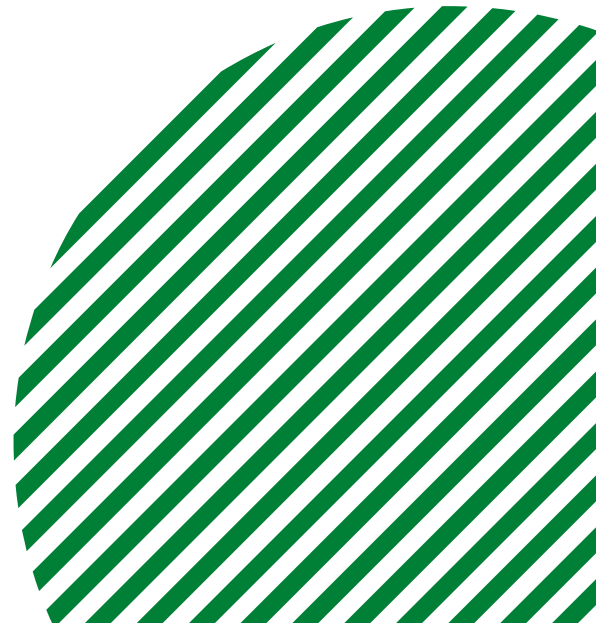
Further, my company has now had a working from home policy in place for six years. With all these measures in place, my team has been able to show resilience during the pandemic and live up to our role as trusted advisors supporting our business partners and other stakeholders during this crisis.

On the flip side, we are faced with a new set of challenges because of the seamless transition to virtual law practice and the extended hours of working from home. With the entire family at home, juggling a busier work schedule along with family life and online schooling has been tricky to say the least. I have found this period far more demanding than I ever imagined remote working would be.

Without a doubt, there will not be a reversion to conventional legal practice post-COVID-19. Technology has disrupted the old models of legal practice, and our regulatory authorities are also reacting by issuing guidelines and directions where the existing laws did not foresee the changes brought by technology. For instance, to ensure the continued administration of justice during this pandemic, states in-country are now issuing guidelines to allow for the remote hearing/virtual courts for urgent and time-bound matters during the pandemic.

The technologies and techniques adopted during this period will coexist with, and eventually supplant, traditional methods. The impending digitalization of the legal industry in Nigeria has been accelerated and will arrive sooner than expected!

**Adedoyin Pearse**



# **e-Estonia and remote provision of the legal services:**

A real-life case study how the Estonian law firm NJORD was prepared for the new reality

By Silja Elunurm, technology law expert and CEO of NJORD law firm



Before approaching the real-life case study of NJORD law firm, located in Estonia, I need to start from the beginning of Estonia's digital history.

Since gaining independence in the early 1990s, Estonia has transformed itself into a digital society, which has resulted in a high level of public trust in technology solutions. In 1994 the first draft of "Principles of Estonian Information Policy" was created, establishing IT as essential in solving the challenges facing society. It was ratified in the Estonian Parliament four years later. It was decided that the public sector needs to act as the front-runner of digital innovation to gain trust. So, the first seed was planted. The beginning of the new millennium was like one long-lasting governmental hackathon: in 2000 e-cabinet meetings, e-tax declarations service and m-parking solutions were implemented; in 2001 distributed data exchange layer for registers and information systems (X-tee) was launched, a year later digital identification based on the mandatory ID-card was introduced.

The X-tee system and digital identification are the pillars of Estonian digital success. X-tee, the data exchange layer for information systems, is a technological and organizational environment enabling secure Internet-based data exchange between different information systems. To exchange data in X-tee, one member of X-tee describes the shared data and other members can use this data based on an agreement. Data moves directly from one member to another during the data exchange and it is not centralized. The X-tee centre only gathers information about the event of the provision and use of the service. Private companies may also become members of the X-tee society and start building their own IT services based on the X-tee platform, provided that they fulfil all the technical, operational, cybersecurity requirements and

have an agreement with the relevant information system owner whose data they wish to use.

There are currently 2661 information systems (public and private) linked to the X-tee data exchange layer. As of 2015, together with Finland, Estonia is developing a joint data exchange platform, which allows databases in both countries to interface, assist with cross-border services, and make e-services accessible to Estonian and Finnish citizens.

X-tee would not be complete without the second pillar of the Estonian digital ecosystem. This is e-identity issued to every citizen, resident and also e-resident with the national ID-card or Digi-ID. With e-identity, people can be identified in an electronic environment, given a digital signature and their data is encrypted. Their e-identity is a secure access key. For Estonian citizens and residents, the ID-card, which has an automatic link to e-identity, has been mandatory since 2002.

When further e-services were introduced, Estonian legislators understood that it was necessary to create a client-base. When it made legislative decisions, Estonia was like a start-up searching for early adopters. People were not obliged to use the e-tax declaration service (or any other e-solution), but as they were already set up with e-identity and it was so simple and fast, it gained immediate popularity. Declaring taxes now takes about 3 minutes online, and 98% of people declare their income electronically – beat that!

So, these are the e-Estonia fundamentals. To outline the real-life case study of our firm and how we are coping with the COVID-19 pandemic, I need to be honest. We were prepared to work remotely. There were two important components that existed before the COVID-19 pandemic began that have helped us respond and adapt to it:

1

Firstly, there were public services available via X-tee that allow us to provide legal services even in situations where we cannot meet the parties involved, or the judge.

We have a central legal information system – e-File – that enables the simultaneous exchange of information between the different parties’ information systems: between the police, prosecution offices, courts, prisons, probation supervision, bailiffs, legal aid system, tax and customs board, state share service centre, lawyers and citizens. For the members of the Bar Association, it has been mandatory to file all documents to court via e-File since 2015.

In addition to that, the courts have the legal framework and technical capacity to hold video hearings. So, there is no need to postpone the hearings.

At the beginning of 2020, the Estonian Chamber of Notaries launched an online platform that included remote notarial authentication as an e-service. Rather handily, it is possible to remotely authenticate real estate transactions without leaving your home or office.

2


The second component is the digital capability of our law firm. NJORD started its digital transformation many years ago. All our employees have an e-identity which allows access to the e-services I’ve already mentioned. We have implemented a remotely accessible client management software. We use a cloud storage service with secure VPN access. We have started a contract and document automation process to generate a remotely accessible knowledge hub that, ultimately, will also be available to clients. For the team and client meetings, we mostly use Microsoft Teams.

At the same time as these changes, we have modified our internal processes and upgraded the IT competencies of our team.

The COVID-19 pandemic did not change too much in the functioning of our law firm; it only confirmed the fact that digital transformation is the only way to move forward.

**Silja Elunurm**





**Help us reach a  
worldwide audience**

**Help us provide the best  
possible legal tech  
content**

**Help us inform  
tomorrow's lawyers**

**Advertise with us.**

# Beyond the Pandemic

By Jakub Harašta, Assistant Professor at Masaryk University, Brno, Czechia

Great irregularities in life always bring forth droves of people wondering 'what next'. I will join their ranks and outline my views on what is going to happen next in legal technology and how the ongoing crisis will reshape the legal industry.

I will start with the obvious. We consider the legal professions to be recession-resistant, at least to a certain extent. Instead of large M&A deals, the industry will turn to litigation, insolvency, bankruptcy and debt management. That being said, during the financial crisis in 2008, we saw a simultaneous downturn in both transactional work and litigation, and for a period, there was not much available in terms of compensation for lost billable hours. The way the ongoing crisis is going to unfold in the coming months will show us whether it will be a sharp but short shock in terms of postponed demand, or whether it will more resemble the 2008 financial crisis. It is essential to understand that lawyers serve as a support industry – and if the primary activities dwindle from a stream to a trickle due to lockdown and furloughs, the same will follow in support industries.

It is important to note that there is nothing monolithic about the legal profession, and different firms will be affected differently. The first distinction I would like to make is between 'long-term' and 'short-term' lawyering. Long-term work relies on

litigation spanning several years or M&A deals where due diligence takes months to complete. Short-term work relies on immediate problem solving, decision-making support and compliance. Big law firms may be able to withstand the short-shock better compared to small law firms that depend heavily on SMEs hard-hit by the lockdown. Long-term work is not going to stop, and the life cycle of some legal work is long enough to span beyond the immediate crisis.

Long-term work is also important in terms of deployment of legal tech – the life cycle of legal tech product development or the selection of the next step on the innovation ladder are lengthy processes, and may span for well over a year. Decision-makers during a crisis will be inclined to cut everything deemed non-essential, which may inhibit innovation. This would be a mistake because there is a discrepancy between the lockdowns measured in weeks and the deployment/development life cycle measured in years. Innovation projects should survive, but only if they serve the greater good of maintaining cash flow.

The immediate crisis associated with lockdown may be relatively short, but will lead to a prolonged period of 'new normal'. Therefore, there is a second distinction between 'flexible' and 'conservative' lawyering.



The key point here is how we can get ready for the 'new normal' that contains periods of required social distancing. This will affect the way lawyers meet with clients and work together in offices. High street offices may quickly become a burden if clients are unwilling or unable to attend meetings in person. Heightened hygienic standards will drive building-maintenance costs upwards. As a result, overheads are likely to rise while the benefits of office-space decrease.

Driving down overheads is going to be crucial. Cutting costs of office-working may well relate to cutting costs in personnel and restructuring the way certain tasks are performed. On-demand contractors instead of on-site employees may conduct some tasks, such as legal research or discrete projects. Issues associated with remote working, such as a functional procedure for authentication of documents and creation of a paper trail, ensuring the security of communication, and adapting to the challenges of virtual meetings, are going to be part of the 'new normal'. Flexible lawyers may be able to respond to these developments easily, while more conservative lawyers may struggle to adapt.

The third distinction I would like to make is between the 'lawyer-based' and 'law-based' lawyering. Technological innovation often meets resistance, as lawyers are a rather conservative bunch (and I am well aware this is a gross generalisation).

One of the main arguments against automation is that legal work requires a finesse that any automation is unable to achieve. I believe this conviction is misplaced, and it will be stress tested during the 'new normal'. Clients expect

legal advice, which does not necessarily mean that it has to be provided by law firms or that every single step needs to be conducted by a lawyer. We will see a surge in alternative legal providers and the automation of repetitive tasks. Breaking down processes in law firms, eliminating lawyers where their presence is not essential, and supporting them with automation when appropriate (including in document review, document analysis, document production, legal research, and eDiscovery) is going to help to drive costs down. There will be no place for protecting the sanctity of legal 'guild' as there will be remarkable pressure to just 'get things done'.

Richard Susskind noted in *Online Courts and the Future of Justice* that it is difficult to change a tyre on a moving car. The car has slowed down significantly, and this presents us with an opportunity to change the tyre a bit more easily. Lawyers and law firms focusing on 'long-term' lawyering may be willing to sit this one out and bet their future on the fact that this will be a short-term shock. This may be correct, but I believe that this period of 'shock' will be followed by 'new normal'. In that period 'flexible' and 'law-based' lawyers will benefit from intellectual openness and tech-savviness. Make no mistake – legaltech will not be the driving force in our journey through this challenging year to 2021. Maintaining cash flow in a cutthroat world of economic struggle will instead be sitting behind the wheel. Nevertheless, legaltech will be in the back seat, and we will see years or decades of incremental development compressed into mere months.

**Jakub Harašta**

# Managing Knowledge in a Pandemic

David Wilson, MD and  
Founder of Tiger Eye  
Consulting



I wrote recently about the monumental change to work and life that we've all experienced over the past few weeks. Of course, it's true – and unignorable - that the digital era is upon us, and that truly every element of the way we live has been altered. But, when I think of Knowledge Management (KM), it's hard to feel that the function has experienced the same revolutionary shift that has occurred elsewhere.

KM is still about managing vital knowledge assets, it's still about crafting effective workflows and it's still focused on learning, sharing and collaborating. It is still an essential part of business, and while the way we do business might have changed, the cruciality of KM has not wavered. These same activities continue because in an epidemic, know-how is needed more than ever. While the workplace around them may have been brought into the home, and priorities may have shifted, Knowledge Managers and their teams continue to do what

they've always done; support others, maintain momentum and build confidence within their firm.

## **Communication**

The situation we have all found ourselves in underscores the importance of having collective knowledge already captured and findable, when asking around the office for help simply isn't an option.

Knowledge sharing is key to building a firm's unique market edge and future proofing the business. A law firm is a knowledge business, and in the legal industry, knowledge is a commodity to be used in business development. Now, consumers do not just demand affordable pricing and efficient delivery, they also demand predictability, reliability and transparency in their legal services, which requires effective communication both inside and outside the firm.

Collaborating with communications teams, the KM function has returned to the publication of newsletters, bulletins and internal comms with renewed vigor. Tying together business plans, areas of interest and industry developments, KM teams are assisting in creating content that is both up-to-date in an ever-changing landscape, and marketable both to potential clients and employees within the business.

### **Maintaining momentum**

With the pandemic, there will be an increase in activity in many areas of the legal sector, as businesses and individuals seek guidance. It is essential that this demand for specific legal services is balanced by increased support for lawyers and their way of working.

The movement to working from home has not just been about changing locations, but also about changing mindsets. Some individuals in the Knowledge arena have experience with working from home, and they have been supporting those who aren't used to working within walking distance of their sofas, as well as assisting with onboarding new staff, bringing training online and more.

With the virtual office now the centre of an employee's work life, user experience is being reconsidered and streamlined. Not only are they helping to maintain what they already have, many KM teams are also 'joining the dots', helping to integrate solutions, systems and structures to increase efficiency.

Furthermore, KM teams have been working on maintaining the momentum of social activity they've worked so hard to create in previous years. With site visits cancelled for the foreseeable future, many KM teams have been working towards connecting different offices together and maintaining social activity, in

order to maintain the same level of collaboration and knowledge sharing that the firm previously benefited from. Bringing Communities of Practice online, many knowledge workers are also navigating the logistics of collecting knowledge from online conversations.

### **Confidence**

Across all these functions, Knowledge workers have a new role and it is to raise confidence. Knowledge Managers are champions of their cause, and ambassadors of the firm, the people within it and the future of the business. They have always taken on this role, but in a climate where confidence is just about everything has been shaken, you could argue that the proud, unmovable voice of KM is heard more clearly, more loudly than it was before, with increased awareness of the many benefits of being able to share knowledge easily. In the peace after the chaos that the end of March brought to us, the KM message is delivered in every element of its widespread involvement across the firm.

Proactively bringing together those from the wider parts of the firm, as well as tools, strategies and solutions for moving forward, Knowledge Managers are boosting morale by providing confidence in the belief that whilst times may be uncertain at present, what the firm already has will take them forward into a prosperous future.

### **About the Author:**

Dave Wilson is the Managing Director and Founder of Tiger Eye Consulting, specialists in Work Product Management, providing solutions for Document Management, IT Consultancy, Technical Support and more.

# Facebook Libra

## The Lowdown

By Lauren Moore

In the summer of last year, Facebook announced its new cryptocurrency project, much to the scepticism of critics. The idea behind the project was simple: to help those in developing countries access some form of banking without the typical facilities, thus enabling the world to use the same banking system. The Libra association includes many different well-known companies such as PayPal, Mastercard and Uber to name a few. Membership to this association will cost you a cool \$10 million, with 75% of members being based in the US.

However, even from the start, the project received harsh criticism. In October 2019, the largest economies in the world suggested that Libra itself is a risk to the financial stability of the world. This concern is not unwarranted. Facebook has had a tumultuous two years. The exposé of the Facebook-Cambridge Analytica data scandal in early 2018 caused many to doubt the company's intentions. Of particular importance are the political barriers which remain in place in the US with any Facebook venture. This is due to the company's dire reputation when it comes to data protection, with the stakes even higher in this venture since money is involved. This has created a rather insurmountable road block for the company, as the US has the biggest economy in the world. Therefore, their backing is needed for the project to take off. US federal reserve chairman, Jerome Powell, insisted that Libra needs to address the issue of anti-money laundering first, as this would be a deal breaker as to whether it would be approved by the senate.

Libra was originally working on a blockchain network, which essentially would mean a network of records of every transaction in that particular cryptocurrency. Importantly, this kind of network cannot be tampered with or changed, supposedly ensuring full transparency.



But this system has been met with a lot of raised eyebrows - how could we trust a new cryptocurrency controlled solely by the largest grossing companies in the world? Facebook have unequivocally denied any wrong-doing with this business model, insisting that a 'streamlined system' will provide a better service. This enthusiasm was not reciprocated from several partners from the original Libra association line up however, as they have dropped out of the deal. These drop-outs include big players like Visa, leading to an even more uncertain future for the project.

The Calibra idea runs through the core of the business plan, which is a digital wallet in which to store the transactional data. This separate application will connect to both Messenger and Whatsapp in order to make sending your Libra frictionless. And with 2.5 billion collective users on Facebook's largest assets; Messenger, Instagram and Whatsapp, there is a large potential consumer base for the Libra scheme.

The system has been dubbed as 'stablecoin' by many due to its relatively simple system and ability to exchange Libra with local currency immediately, although this idea seems like more of a pipe dream from Mark Zuckerberg himself than a viable business venture. According to the FT in April, the new and improved Libra 2.0 is barely different from Facebook itself. One of the biggest new points from their new pitch include the addition of various different digital currencies, not just one as originally stated. Dante Disparte, the vice chairman of the project, spoke to the FT with the key takeaway being that using a blockchain payment system is actually somewhat safer than any other alternative because fraudulent activity can actually be tracked on the system in real time. The FT also explored Facebook's troubling cross-fire with politics in America and how this could potentially be its downfall.

But what does all of this mean for the legal side of things? Firstly, it is unclear as to whether Libra is an EMD (electronic E-money directive), as the original investors will be able to make certain deals with resellers. Moving stateside, there is a new bill that has just been introduced by senators called the 'Managed Stablecoins and Securities Act of 2019', and according to one of its authors, Sylvia Garcia, it will be 'bringing clarity' to the situation, allowing consumers to be more informed on these digital currencies before making any decisions with their money. To add to the mounting issues, Norton Rose Fulbright found that in Canada the majority of banks have already banned credit cards for cryptocurrency, making it near-on impossible for a cryptocurrency project of this scale to take off there. Only time will tell whether Libra successfully launches and potentially changes the way in which financial outlets operate forever.

**Lauren Moore**

# Past editions



If you would like to have a read of our previous editions please click on the links below:

[- May 2018 Issue](#)

[- December 2019 Issue](#)

[- October 2018 Issue](#)

[- February 2020 Issue](#)

[- January 2019 Issue](#)

[- March 2019 Issue](#)

[- Careers Supplement](#)

[- August 2019 Issue](#)

[- October 2019 Issue](#)

# Next edition



Next edition will be out in July 2020.