

Issue 4

No 'I' in Team

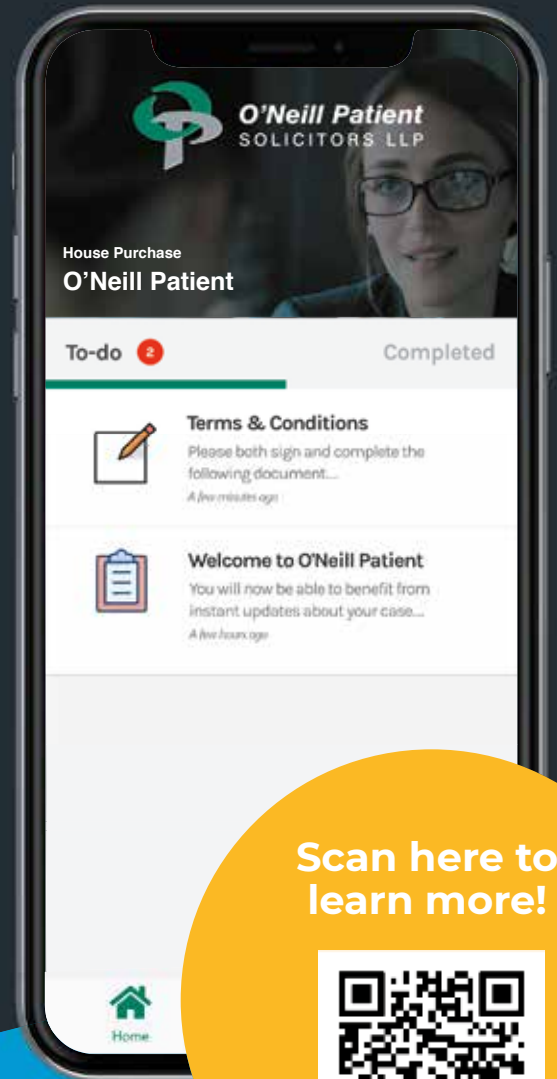
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ZOINKS!!!

We're in Q4 and the run up to Christmas already. Not long before we're celebrating and welcoming in the New Year either. Having experienced a tough year as the Covid crisis continued to rumble on in various guises throughout the world curtailing our physical movement and economic growth (personally and professionally speaking), some of us will, no doubt, be carrying a bursting sack of the increasingly precious (and expensive) black stuff over the threshold instead of a mere morsel of coal when making our wishes for 2022. Other folks, however, will be gutted to see the back of 2021 as it provided a bumper year in terms of EPEP (profit per equity partner) and turnover...

Surely you cannot have missed the plethora of striking headlines and reporting in the past few months about the elements invading, perplexing and agitating human resource in Law Land and beyond? Here's just a handful that caught my eye: -

- I've been compiling a list of firms awarding 'Covid bonuses' to their lawyers while forgetting their 'non-lawyers'¹
- All-or-Nothing Approach to Office Returns Risks Alienating Attorneys and Clients Alike²
- 'Rotten culture': London law society blasts SDT treatment of young solicitors³
- Leaking Talent a 'Growing Threat' to Law Firms⁴
- How multi-skilled AI could chart a path to human-like intelligence⁵
- Scientists Created Holograms You Can Touch - You Could Soon Shake a Virtual Colleague's Hand⁶
- Beware Artificial Intelligence and its desire to be human!⁷
- South Africa issues world's first patent listing AI as inventor⁸
- Women earn less because they choose the wrong degrees⁹ ...

OUCH! But here's the real kicker ladies... You may think choosing law (particularly with economics) would be a safe bet. But you'd be wrong. Turns out many lady lawyers are still not being paid a parity wage alongside their male colleagues for an honest day's work¹⁰. Harumph.

AND, did I really read that Baker & McKenzie (B&M) have punched through the \$3bn revenue benchmark, profits climbed by 36.7% and PEP jumped by 41.5%?¹¹

CRIKEY!

As if that wasn't gob-smacking enough what about this headline ...

- Macfarlanes PEP soars to £2m against 10% revenue increase¹²

GULP Now that's a whole load of dough. YOWZERS!!!

Mind you, nice of the Global chair of B&M, Milton Cheng, to recognise the part the entire team at all levels played in bolstering the bulging trouser pockets of the equity partners when he said: "Against such a challenging backdrop, to achieve record revenues is a huge vote of confidence from our clients, and testament to the hard work and resilience of our people around the world... However, while we are proud of what we have achieved together in this last, extraordinary year, we know that we can still do more."

Just a thought, and call me cynical, but I'm willing to wager that those salaries and/or bonuses for salaried partners, solicitors and non-lawyers at B&M didn't jump 41.5% to match the PEP. If anyone knows differently, The Naked Lawyer will be happy to jump on a horse like Lady Godiva and trot along East Parade in Leeds city centre!

Anyhow, as you can probably tell, fired up by the plethora of material I'd been reading it was a no brainer to gather the troops and get stuck into a topic that had been rattling around in the dark corners of my grey matter for some time, aka, the stuff around "TEAM", its meaning, significance, present and future 'make-up', what could / should / would it comprise? etc etc ...



****Whizz-bang* *Whoosh* ... Incoming ... The Naked Lawyer tossed her first muse bomb into the sparring ring to shake-up the tech ambassadors. Spurred on by her wake-up call, I immediately kicked-off the roundtable gathering as Chairwoman by diving straight in at the deep end with this question:***

1. https://www.globallegalpost.com/news/live-been-compiling-a-list-of-firms-awarding-covid-bonuses-to-their-lawyers-while-forgetting-their-non-lawyers-859976834?utm_campaign=dn_04_10_21&utm_medium=email&utm_source=daily_news
2. https://www.law.com/americanlawyer/2021/10/04/all-or-nothing-approach-to-office-returns-risks-alienating-attorneys-and-clients-alike/?kw=All-or-Nothing%20Approach%20to%20Office%20Returns%20Risks%20Alienating%20Attorneys%20and%20Clients%20Alike&utm_source=email&utm_medium=en&utm_campaign=afternoonupdate&utm_content=20211004&utm_term=tal
3. https://www.lawgazette.co.uk/news/rotten-culture-london-law-society-blasts-sdt-treatment-of-young-solicitors-/5110030.article?utm_source=gazette_newsletter&utm_medium=email&utm_campaign=%27Rotten+culture%27+for+young+solicitors+%7c+Insurers+%27flouting+portal+rules%27+%7c+Rights+firms+in+administration_10%2F04%2F2021
4. https://www.law.com/international-edition/2021/10/04/leaking-talent-a-growing-threat-to-law-firms-378-179298/?kw=Leaking%20Talent%20a%20Growing%20Threat%27%20to%20Law%20Firms&utm_source=email&utm_medium=en&utm_campaign=intnewsroomupdate&utm_content=20211004&utm_term=lawint
5. <https://thenextweb.com/news/can-multi-skilled-ai-make-machines-more-intelligent>
6. https://singularityhub.com/2021/10/01/scientists-created-holograms-you-can-touch-you-could-soon-shake-a-virtual-colleague's-hand/?utm_campaign=SU%20Hub%20Daily%20Newsletter&utm_medium=email&_hsmt=165859975&_hsenc=p2ANqtz-4IP23jk4g473v6U5cpl_3CNXyU_yAYDKVVPctk1OucNtGeWm2U5mmpoYakTleA2d7sa578wYgMHgqr_0U32CZ_M1zsQhslCS-NXovfWJmrfCyc&utm_content=165859975&utm_source=hs_email
7. <https://shoosmiths.paselle.net/post/102h580/beware-artificial-intelligence-and-its-desire-to-be-human>
8. <https://www.globallegalpost.com/news/south-africa-issues-worlds-first-patent-listing-ai-as-inventor-161068982>
9. https://www.telegraph.co.uk/news/2021/10/04/women-earn-less-choose-wrong-degrees-study-finds/?ac=news_personalised&WT.mc_id=e_DM1500736&WT.mc_source=email&etype=Edi_Nhl_New_B&utm_source=email&utm_medium=Edi_Nhl_New_B20211005&utm_campaign=DM1500736
10. <https://www.ft.com/content/239c95cc-d34f-43e9-a61e-faa7954277b6?sharetype=blocked>
11. <https://www.globallegalpost.com/news/baker-mckenzie-breaks-through-3bn-revenue-benchmark-1797608089>
12. https://www.globallegalpost.com/news/macfarlanes-pep-soars-to-ps2m-against-10-revenue-increase-727422665?utm_campaign=dn_28_07_21&utm_medium=email&utm_source=daily_news



team

What is your view on the meaning of 'Team' in the Artificial Intelligence (AI) Age? For example, should 'The Team' include the machines / robots that lawyers use / work alongside with now or in the future i.e. the team should no longer simply refer to humans / persons?

Sonia: For corporate legal departments, technology has already been a component of the teamwork for some decades with more or less integration and success. I would not go as far as saying that they are a member of the team per se nor that they should be qualified as such! But just like a sports team whose coach relies on video footage replays and analytics tools to track performance of their members or opponents, technology definitely plays a role in enabling and enhancing an in-house team performance! Especially since we - as lawyers - live in a world of performance and challenges.

In the enterprise, stakeholders' demands are skyrocketing in volume, complexity and timing. A leader must leverage each team member to its full talents and strengths and anticipate that the required technology is in place to support their work. The desired state is to facilitate each individual focus on high-risk, strategic important issues for the business whilst creating operational excellence.

Technology advancements can also play a part in tracking more effectively the impact a legal team has in terms of delivery towards the business objectives, risk mitigation and other measurable targets. *"How many goals have we scored this quarter? How many per player? What is our best time?"* are the types of activity that some technology can record and report on. That's the way to go for any legal team to thrive and have some fun!

I love your thought process, analogy and examples Sonia. However, I'm not sure I agree that the machines / robots working alongside the human lawyers now or in the future shouldn't be viewed as team members. Sam interrupts ...

Sam: The team should only ever be a description of the people involved in the claim process. Let's not forget that we've been using technology of some description for decades without considering it part of the 'team'. From fax machines to personal computers and digital dictation or automation in emails and SMS, none of this was considered part of the 'team'. Neither should any new technology.

Just because the past didn't recognise it, Sam, doesn't mean the present or future should not, particularly as we are on the verge of a seismic shift in robot / machine / tech evolution and skills that are making machines more human-like. Yesterday's machines are not tomorrow's robots or humanoids imho. James then pipes up ...

James: How many robots were on your last Teams call? Apologies for being a little flippant, but until AI outperforms free-thinking input and analysis, and stops being a delivery tool, then does it deserve a seat at the Team table? Currently machines/tech/robots are programmed to act on behalf of humans. If they're not switched on, they're not acting.... yet!!

Err *scratching head*, steady on James, I'm not sure Andrew (bicentennial man) would appreciate being called a 'delivery tool'. Hmmm ... Before James said "yet" I was feeling a little 'naked'.

However, Martyn then hammers another nail in the 'a robot is not a team member' coffin as I teeter on the back two legs of my chair about to tumble backwards after rocking gently back and forth as the debate unfolded ...



Martyn: We should not confuse resources with team, and we shouldn't be hung up on confusing lawyers with staff. There's a whole world of hierarchy involved with the latter, and robots as I keep saying are not humans.

Any successful team has a shared mission and a shared purpose, and mutual respect across the board. Remember President Kennedy asking the janitor at NASA what he did – "I'm helping put a man on the moon, Sir."

Bringing AI in as a team member is a rather ludicrous, if quite a sweet Hollywood-inspired concept, but the key issue when we talk about teams is in actually developing a team – a real team – and not just lip service.

Let's ask our own janitors at LAW FIRM LLP what they do? "I sweep the floors, keep my head down, and get out of there as quickly as I can!"

I do not expect to hear them say, "I help create multi-billion, cross-border, value-enhancing transactions" – or "I help bring harmony to broken relationships." – or "I help bring joy and justice to people who have suffered horrific accidents."

Continuing with our janitor theme – "You can't shine dirty shoes" – so if the fundamentals of a team culture are not present within the firm, then adding our robotic friends to the mix is just not going to work. There are far better lower hanging fruits if we're talking about teams.

So, before we even start to create the whimsical notion that ET can be part of our team, let's focus on actually creating a fully integrated team of our existing players. We should develop the belief that all contributions are vital, that all have a part to play, and that without that sentiment, any firm will only be as strong as that weakest link. Everyone within your team should feel that they are indeed helping to put a man on the moon (not literally of course – unless your client is actually NASA)

As candid, cathartic and humorous as ever, Martyn. I couldn't agree more in relation to your views that all contributions are vital but I'm of the opinion that the robot / machine makes a critical contribution in the overall machinations of business process, efficiencies, outcomes, service etc and in fact, in some cases, it has been proven that humans are unfortunately the weakest link; for example, human lawyers make more mistakes than their machine counterparts when reviewing documents ...



**Whizz-bang* *Whoosh* *Zing* ... Incoming ...
The Naked Lawyer ferociously hurled another
muse bomb into the ring to fuel the debate,
inspire another ambassador to ponder on
this issue and (hopefully) save me!!!*

Alex: For me, the perfect team would be the association of lawyers and software, which are kind of like robots! Why? Because software makes life easier for professionals. It helps them save time and brings more serenity on a daily basis. For instance, our solution Hyperlex, is based on an AI which, in concrete terms, will allow the software to analyse and manage all the contracts of a company. This AI will be able to identify the key elements of the contracts, such as dates, clauses or amounts, and help to follow up the projects' deadlines. We can say for sure that lawyers and the AI form a perfect team! Of course, behind any software professional vendor, there is a team of passionate and dedicated Humans.

Alex Grux
Hyperlex, CEO
and Co-Founder



human

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machines

Indeed, Alex. I couldn't agree more. I've always been a staunch advocate for 'humans and machines, better together!' Accordingly, I'm firmly of the view that 'The Team' should include the machines / robots that lawyers use / work alongside with now or in the future AND that 'The Team' should no longer simply refer to humans / persons. Why? Because of recent behaviours toward robots / machines / software and law regarding Robots / AI.

I recall a few years ago (2014/15 ish) when BLP (Berwin Leighton & Paisner) here in the UK, now BCLP (Bryan Cave Leighton Paisner), introduced RAVN (now an arm of iManage) to its lawyers to assist with property / conveyancing related legal work. Not surprisingly back then, the vast majority of human lawyers per se feared cognitive computing and/or AI encroaching on their turf and determinedly blocked early-stage adoption. I can personally vouch for said behaviour. But, surprisingly, the associates at BLP began to welcome and LOVE the technology. They actually named the tech system RONALD!

Nowa(Covid)days some (I won't go so far as to say 'most' as that would be a big fat porky lie) are actively welcoming lawyer ambassadors of the AI LegalTech and LawTech march and are actually falling over themselves to use software / machines / robots in their teamwork to quickly trawl through and sort vast quantities of data; an absolute time-saving and labour-intensive averting godsend in relation to case document work, case research, contract review and analysis etc.¹³

It's also fascinating to learn that multi-skilled AI could chart a path to human-like intelligence in the very near future.¹⁴ The CEO and publisher of MIT Technology Review, Elizabeth Bramson-Boudreau, remarked in TNW that multi-skilled AI *"goes beyond image or language recognition and allows multiple tasks to be done."*

In layman's terms multi-skilled AI is an approach to *"improving technologies by expanding their senses. In a similar way to how kids learn through perception and talking, multi-skilled AI systems combine senses and language to broaden their understanding of the world."* In short, *"multi-skilled AI aims to create a more flexible intelligence. AI systems would learn in multiple modalities, such as the textual and visual domains, to expand their capabilities. Robots, for example, could integrate visual, audio, and tactile data to execute a wider range of tasks."*

For example, recent advances in AI such as OpenAI's DALL-E, which uses a neural network trained on both textual and visual data to generate images, and Wu Dao, a multimodal AI system that can write, draw, and even sing, have demonstrated this potential.

It comes as no surprise therefore (or maybe it does?) that South Africa issued the world's first patent listing AI as an inventor in July this year after the UK, Europe and the US refused applications. Gary Assim, Head of International Relations and an IP partner at Shoosmiths LLP explains in his blog post:

13. <https://www.linkedin.com/pulse/lawyers-suffer-from-7-year-itch-stop-scratching-start-lightfoot/?published=t&trackingId=30vDkpwhTwCjW9FMwpqWA%3D%3D>

14. <https://thenextweb.com/news/can-multi-skilled-ai-make-machines-more-intelligent>

recognition

"Most patent laws around the world make it clear that in order to apply for a patent the inventor must be a human and not a machine. But technology has moved on from when these laws were made and artificial intelligence (AI) is now at a stage when it can create new and novel inventions which, but for the fact that it is classed as a machine, would be patentable.

Then comes along the AI tool DABUS (Device for the Autonomous Bootstrapping of Unified Sentience) which made multiple patent applications in the UK, US and Europe, naming itself as inventor, all of which have initially failed due to DABUS not being a human. However, its patent application in South Africa, with DABUS as the inventor, succeeded and was reported as being issued last month. Initially, this might be ground breaking news but for the fact that the South African IP Office does not examine applications and merely requires applicants to complete a filing for their invention. This means that the patent is open to attack on the basis of lack of novelty and/or inventiveness.

(But) Notwithstanding the above we are getting closer to the time when machines/AI are seen as humans, for the purposes of a patent application, as the traditional hurdles are removed one by one over time."¹⁵

Oh, and let's not ignore the revelation that scientists have created holograms that you can touch, meaning, you could soon shake a virtual colleague's hand.¹⁶

I reckon it may not be too long before the definition of 'team' in the dictionary, presently: "a number of **persons** associated in some joint action: a team of advisers"¹⁷ may well be amended.

In reality the boundaries of what is person/human and/or human-like in relation to human/robot adviser become increasingly blurred. It used to be that only humans/persons could file a patent, remember? It used to be that we humans, and lawyers, rejected robots. If the law has moved on, shouldn't the rest of the world catch up? Never in my lifetime did I think that the law would ever be ahead of the game! *wink*

Guffaws, smiles and nods flashed around the room ...

Continuing and pursuing this line of thinking and argument I ask the group:

As many lawyers use LegalTech to support them in their roles/tasks/jobs, arguably even in advising (but the machine Legaltech are not 'persons') should the LegalTech 'machine' be recognised in some way so that the client / customer is aware of this machine 'team members' input?

Alex: Yes! I think the work of the LegalTech machine should definitely be highlighted, in order to be recognised and valued! It would help users understand what technology can do for us, and ultimately show its greatness.

I believe that if all LegalTech companies do that, it would also help professionals understand legal technology and what it can bring to the business world. When you think about it, it's true that it can be difficult for lawyers (and non-lawyers) to understand how the technology works, and the true value it brings them. If we continue to hide the work of the LegalTech, it will never be fully adopted!

Alex Grux
Hyperlex, CEO
and Co-Founder



15. <https://shoosmiths.passle.net/post/102h580/beware-artificial-intelligence-and-its-desire-to-be-human>

16. https://singularityhub.com/2021/10/01/scientists-created-holograms-you-can-touch-you-could-soon-shake-a-virtual-colleague-hand/?utm_campaign=SU%20Hub%20Daily%20Newsletter&utm_medium=email&_hsmi=165859975&_hsenc=p2ANqtz-4lPZ3jK4g473v6U5cpl_3CNXIYu_yAYDKVVPctk1OucNtGeWmzU9mmpoYakTleAzd7sa578wiYgMHgqr_OU32CZM1zsQhslCs-NXovfWJMrfCyc&utm_content=165859975&utm_source=hs_email

17. <https://www.dictionary.com/browse/team>

If we look at the French market and the way we deal with innovation in France, French people usually don't see the true value of innovation. "Good doctors", for instance, are the ones that work without any technological tool, the ones that do things "the old-fashioned way". This is the opposite of the US market, where good doctors will often be the ones who fully adopt the new tools, to justify their fees.

We need to change that perception, and promote legal tools as a new standard of quality and performance.

Dror: Of course they should! The customer needs to be informed that the lawyer plans to use machines and they need to be given the choice whether they want to proceed or not; similar to personal data processing notices and opt-in/opt-out.

If a customer has apprehensions about the lawyer using machines it is an opportunity for the lawyer to collect insight into what the customer cares about. It's also an opportunity for the lawyer to explain or educate on the benefits of using machines. However, if the customer does not want a machine working on their case for whatever reason, so be it.

Martyn: Let's take a step back and ask "What does our client want?" Do they want legaltech? Do they want robotic advisers? Do they care? Guess what – no!

Just a wild guess – but they probably want great legal advice at a fair price in a timely fashion from someone they can trust – and maybe build a longer term relationship, so that great cycle of providing advice continues.

So with that in mind, it's up to the law firm to give them that – and if that involves the creation of some automated processes, all good as that should help with cost and timeliness – but they aren't bothered how you do it – and they certainly don't want to be involved in any disruption which it surely has the potential to give. Make their lives easier with the process and you'll have a happier client – but never lose the human interaction.



Dror Levy
LegalDrop, CEO
and Co-Founder

Nice to see how passionate you guys are on this issue. Let's explore further then...

Does/should 'The Team' extend to include the client/customer and/or GC as part of the law firm or business team?

Alex: Yes, the team should include both clients, business teams and law firms! An example that comes to mind is for instance a law firm which subscribes to a SaaS Solution, to improve its customer experience and contract due date tracking and search, and will open access to its clients. At the end, they are all working as a team through the machine.

We can see the same on the other side: some of our Hyperlex's clients open their software access to the counterparties' lawyers during the due diligence process to accelerate the discussion.

It also reminds me of a law firm that chose Hyperlex to gain productivity in the management of its clients' contracts, thanks to the automation of low value-added tasks and the fluidity of internal collaborative processes. The firm also wanted to allow its clients to freely consult their contracts, without having access to the other tools used internally, such as the clause or the contractual template generation, and therefore needed a fine-tuned management of user rights.

client

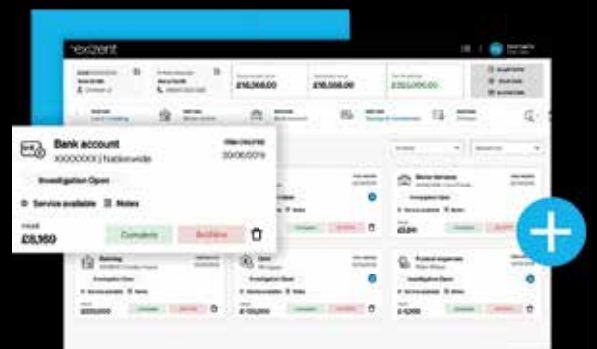
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Vinnie: The relationship between CG's/In House counsel is typically not what would be considered as 'Team' work. The main reason being that CG's/In House counsel is reluctant to fully open up to law firms is, that they feel the risk of doing so could expose a weakness in certain areas, that law firms take advantage of for more business from the organisation. It's a real double-edged sword/conundrum mind you, as CG's will often say that the firm doesn't know them well and doesn't offer any real insights or greater value, but of course much of this can be down to the GC/In house team trying to keep them at arm's length, so as not to expose the organisation to any additional work from the firm.

**Vincent Perrin
(aka Vinnie)**

Salesforce UK,
Regional Vice President -
Professional Services



Martyn: Of course relationship building is vital – and energising the client/lawyer dynamic by evoking the notion of a team does no harm – but most transactions are functional, and most relationships are project-driven – so let's have high fives at the end of each project marker; let's have group hugs at the end of a deal; let's celebrate our victories – but at the end of the day, a client wants the job done well by their advisers – simple as that.

Ladies, you seem awfully quiet. What's your take on this? And also ...

How do you see technology being used by teams now and in the future to help the lawyer and/or the client save time and/or money?

Becki: A good, predictable and thriving client base is key to the success of every law firm and creating a client-first culture is a common theme that seems to run through the profession.

When innovating, one of the key drivers is to differentiate yourself from the rest of the market and to attract new customers - to make people sit up and pay attention. Retaining customers and keeping them for the long-term however, goes way beyond asking for feedback on performance, creating service standards, mapping client touch points or tracking data on KPI's.

If a law firm does believe that the client is important, then they should be given an equal level of importance to the rest of the team.

The highest level of service is to anticipate the needs of the customer before the customer themselves thinks of them. However, this cannot be achieved by magic. It is achieved through keen observation and by ensuring that clients feel that they are being taken care of, so that they keep coming back for more whenever they need legal services.

Value Innovation is a well known methodology in project management where practitioners develop a deep understanding of their customers. It is a continual and rigorous approach to improving customer experience with the goal being to know the customer better than they know themselves.

As a company we are extremely passionate about this concept. As non-lawyers, we actually operate in reverse to a law firm. At every meeting or workshop, we always leave an empty chair at the head of the table. To us, our client (the legal professional) is the most important person and every decision considers their perspective.

So far, the greatest emphasis on the adoption of technology within the legal profession, has been to support legal teams in the day to day work that they do. In more recent times however, this emphasis has shifted and we are now beginning to see the benefits of adopting technology to assist with more front office tasks such as document analysis or drafting.

Becki Cassia –
Transparently, CEO
and Co-Founder



inclusion

delegate

Next generation legal technologists will take this a step further and they will develop systems that use technology to solve clients' problems. The innovators who are building these systems will disrupt the status quo and will explore new ways of solving legal problems with the support of this new technology.

It is well understood that the profession is currently going through an incredible period of digitisation, that many other industries have already experienced. Because the legal sector is document and therefore data intensive, it is one that could benefit immensely from the wide range of additional opportunities that technology can offer.

It is also important to remember that whilst technology can have huge benefits for a legal team (and therefore their clients) in terms of time and cost saving (or both!), no matter how exciting it is, or how shiny its bells and whistles are, it is not worth implementing unless the cost of the investment is balanced with efficiency or productivity outputs to the law firm and their clients.

And Jo, you usually have something profound and 'way out there' from left field to add. What's ticking away in that creative box of yours? ...

Jo: I'm thinking, does teamwork make the dream work? To achieve the dream, it is important to have everyone working in unison towards the same goal. Sounds simple in principle. During the pandemic, teamwork was more important than ever, but working as a team became much harder. Teams were disparate, individuals were working in isolation and situations were dynamic. For many teams, the only way they could come together was virtually, using technology. Many were used to working from home and were proficient at using collaborative applications and access-ing systems to see status of projects for example.

However many did not work this way all the time. Most of us had to adapt quickly and learn fast. Whilst systems can be great, we are all missing out on those chance conversations when you bump into a colleague in the kitchen or you overhear a discussion between peers. To keep employees and clients updated and informed with all the information they needed when they needed it, regular communication, employee and client engagement and access to accurate information became even more important. If the team are unclear on their goals and objectives nor can access the information they need when they need it, the only result you'll get is chaos. Stuff of nightmares!

Why does teamwork make the dream work? The Sum is Greater Than the Parts...

In a supportive, collaborative, and communicative team environment, everyone contributes based on their unique skills – leaders should delegate appropriately. The team should be stronger as there are more skills available, so weaknesses can be counterbalanced, resulting in the team accomplishing more than any individual could achieve on their own. When the team succeeds – everyone in the team shares the glory and helps make the dream come true!

As individuals, we each have a long list of limitations. Each person is good at some things and not great at others. However, when you are part of a team, it becomes easier to recognise people's full potential because one person's weakness is someone else's strength. It's the combination of these strengths that sees teams flourish to realise their goals.

Being part of a supportive team gives everyone the encouragement to manage their weaknesses by learning from each other to mutual benefit. One team member may be an excellent



Jo Liston
Wipro, Senior Commercial
Manager

administrator but a lousy sales representative. Another may be great conversing with clients but struggles with balancing financial records. Admire each other's strengths. By supporting each other, seeing the value in sharing information verbally or in a company system with one another, the team gets much stronger as a result of this commitment to share knowledge, skills, and information with one another.

A team can support each other through the failures and disappointments, as well as the successes. Failures are only reasons why things didn't work. An individual may find it hard to try again but with encouraging and supportive team morale, anyone who stumbles and struggles to carry on will be motivated and determined to try again.

Admit mistakes and move past them is my advice. Enhance learning and stay motivated. As your team celebrates accomplishments, pride will swell and the team grows stronger. Celebrate, rest easy in your bed and avoid sleepless nights!

A successful team not only uses all the brains they have but also all the brains that you can borrow - and that can include colleagues but also system applications and computers too - especially those systems that capture client information and keep customers and colleagues updated on the status of their case for example. It means that everyone can see the same things and therefore all share the single version of the truth. When applications are implemented correctly and users know how to access, and use them effectively, they soon realise that these systems can do the hard, complicated, and mundane work for us!

The Tech is part of the team too. T is for Tech in TEAM, imho.

As many organisations return to the office and we contemplate hybrid working and what it means for us, we should all ask ourselves how do we make the team perform better? By seeing our Tech as an integral part of the people Team we can surely have the best of both worlds. Dare to DREAM!

Hear hear, Jo...



**Whizz-bang* *Whoosh* *Ping-Pong* ...
Incoming spray of muse bombs pepper the room as The Naked Lawyer zips in and out between the tech ambassadors, Segwaying the debate and conversation into a new subject to discuss. I pose the following:*

A recent study revealed that nine out of ten lawyers shun full-time office return¹⁹ yet the big corporates appear desperate to get their people back into the ivory towers. Why do you think this is (re the employee lawyer's preference in contrast to the company's)? What's the reason or reasons?

Alex: I think old habits die hard; the legal environment is still adjusting to new habits.

Office work will never be the same after what we've been through. McKinsey estimates that 20 to 25 percent of the workforce could work from home three to five days per week without any loss to productivity.

I think we should just trust this figure and trust lawyers to work responsibly from home! Today, legal professionals are offered LegalTech software that can totally fit into this new lifestyle - they can work from anywhere else in the world and access documents and information they need to work.

19. https://www.lawgazette.co.uk/news/nine-out-of-10-lawyers-shun-full-time-office-return/5109600.article?utm_source=gazette_newsletter&utm_medium=email&utm_campaign=Lawyers+shun+office+return+%7c+Prominent+solicitor%27s+firm+shut+down+%7c+Living+and+working+with+cancer_08%2f25%2f2021



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input vs output

Why not enjoy it as much as we can? And delete this cultural barrier? American companies are notably adopting a full remote work policy, like Dropbox for example. And like most of the time, American companies are ahead of the curve. They provide employees with a “studio” where they can come if they want to and for big company events. Isn't it the perfect way to balance private and professional life?

Dror: Nothing but a global pandemic could act as a tectonic shift to shake up a centuries-old industry! Lockdown has shown us that lawyers too have the ability to work from home and the weekly 10-hour commute with its associated costs and internal office rituals are being questioned.

Until the senior management in law firms are able to empathise and recognise the fact that intrinsic motivation trumps the carrots-and-sticks approach when it comes to managing staff, they will still force lawyers to work from the office at the expense of the end-user.

Sam: My view on the difference of opinion on returning to work is that many companies are still measuring people on inputs (the amount of time they're sat in front of their computer) rather than outputs (what is actually achieved).

It's an archaic approach to managing people and also rather lazy. If managers take time to set better goals and communicate better the expectations of team members, the staff can then have more agency in the way they approach work to better suit their personal requirements. This ultimately benefits everyone.

For example, if my team complete everything they needed to complete in a week by Friday lunchtime, then I'd prefer they go home and relax or do whatever they've worked hard to make time for.

Allowing staff to leave early because they've completed everything they needed to, at the required standard, in a shorter amount of time than expected, actually creates opportunities for innovation and initiative.

In the work we do for clients – it's the same principle. If I know how to double your website conversion rates (and therefore double the revenue from your website) then it's not about whether it takes me one day or many days, it's the value it brings to your business that sets the fee.

Consider sales people – while fee earners are chained to their desks, sales and business development staff could be off galivanting around the country or sat at home with their feet up, but as long as they keep bringing in the new clients, the board will keep paying their bonuses.

At Legmark I have insisted on a fully flexible approach to working hours with our team. As an autistic person I know I need flexibility and so I'd never expect team members to have anything less.

If you want to stay up until midnight working on something because you feel productive at that time, then that's fine with me. As long as we meet our obligations and targets, it's not a problem what specific hours you're sat in front of the computer.

Also, as many of our team are remote (this is a growing trend in the creative sector) then it's not possible or feasible to make people sit in front of their computers from 9-5 every weekday. We have people working in different time zones, or balancing studies, or childminding commitments, so we make sure it works for everyone.

And for clients – I'm available pretty much 24/7 because it's my business and I have that responsibility.



Sam Borrett
Legmark, CEO
and founder

Martyn: It will soon be “business as usual” – probably slightly modified, as we have now all seen how easy it is to use our great tech anywhere, anytime etc. However – and never mind how much we love a quiet zone, if that’s what home is, and how much more efficient we can be in short bursts – people need people!

I’d actually question the validity of that survey, as I can’t believe that 9 out of 10 shun full-time return – although what does “shun” mean, and what does “full-time” mean?

Certainly some working practices are going to change, dare I say, improve – and there will indeed be some good things emerge from our reactions to the pandemic – those who grasp this will be major beneficiaries.

Do you agree with Martyn, Such?

Such: Hmmm ... It’s not surprising that 9 out of 10 lawyers don’t want to return to full time office work. My law firm has created a hybrid working system which gives all of our people (not just the lawyers) the opportunity to work at home and at the office. This has been well received and adds to the culture of the firm which is evolving as we find a new normal. When you can be as productive as you are in the office (maybe even more so) and create a more fulfilling work-life balance, it’s hard to argue against it.

However, I sympathise with any firm wanting to get their people back in the office, even if just 2-3 days a week. There is so much to gain from the office environment. The biggest impact is learning and development. You can only get limited resources from being at home. In the office, you can easily seek guidance and knowledge from others around you. You also pick up on certain skills in the office such as negotiation and research, both critical for trainees and junior lawyers. Accountability is far easier to manage in person which can be particularly important if there is a particular structure to the hierarchy.

As soon as you add in the topic of mental health, there is much to be gained from someone working at home AND at the office. As much as working long hours 5 days a week in the office is detrimental to mental health/wellbeing, the same can be said for spending all that time working at home...arguably worse given that you can’t physically get away from the home working space.

Throwing my two pennies in here with you ladies and gents, I received a fabulous newsletter recently from Elizabeth Ward, founder and Managing Partner at Virtuoso Legal, which I will share with you:

“After a year and a half of Slacks, Zooms, and digital collaboration -the “A” team will be back together!

I am so proud of our team for doubling down and remaining so productive during this time. Being isolated from each other and our place of work can feel dislocating. Simply put, you can start to feel a bit lost.

Whilst we braced for change and disruption - the return to the office also has some great benefits. There is something about having everyone together that you can’t recreate on a video call. There’s collaborative energy you cannot recreate unless everyone’s physically together.

It sounds a bit “woo-woo”, but there is a method to the madness. Companies like Facebook and Google engineer their workspace to allow for this. Their “campuses” maximise time team members spend together, to encourage these “a-ha” moments. And the benefit of those “a-ha” moments is then passed on to their customers and clients.

With a team like ours, the benefit of lightbulb moments from watercooler chat is not moot! As we move forward we’ll now be operating a flexible working system. Our team will be based in the office but also enjoy the freedom to work from home if it suits the day’s tasks. (Sometimes when drafting undertakings or a letter it is good to go to your “mind palace”, like Dr. Who!)

More than anything I’m looking forward to seeing our team go from strength to strength. And what’s more, pass on the benefit of this to our clients as, moving forward, we find an even better way of working.

I am very excited about this.” Liz

Martyn Best
Document Direct,
Managing Director



equality

With this in mind, hybrid working / flexible systems (i.e. a mix of working in the office and from home) tends to be the way forward for some / most law firms and other companies at the moment and for the foreseeable future. This being the case, what part does, and should, technology play in ensuring that teams can work more efficiently for the benefit of themselves personally and also for their clients / customers?

Alex: Technology needs to be combined with full remote-friendly processes to have the power to ensure the continuity of services without increasing risks or reducing the speed of exchanges between law firms and their clients/businesses. Two concrete examples come to my mind when I think about this: workflow of approval for all kinds of documents and the electronic signature - once adopted, it's impossible to turn back and do it "the old way" (namely, with paper and pen).

Such: In any hybrid/flexible working system, technology plays an integral part to its success. Without the right tech in place, the balance that needs to be struck between employee/employer relationship can tip one way or the other. For example, if a firm has no effective way to monitor productivity levels it becomes difficult to support any employee working from home. Likewise, if an employee isn't given the right hardware (laptop capability; multiple screens; client communication tools) their ability to deliver their best from home becomes hindered.

**Sucheet Amin
(aka Such)**
inCase, CEO
and founder



When firms were forced to close their offices and immediately go to home working, those firms that had the right technology were able to pivot very quickly with little 'downtime'. Those that didn't found themselves having to dust off their disaster recovery plans and realise they didn't have the right resources to cope. All of a sudden, those firms had to embrace tech faster than they would have liked although that isn't necessarily a bad thing given how reserved the legal sector was in tech adoption beforehand.

Technology is designed to enable and empower us to complete a task in another way. Most likely this will be more efficient than beforehand reducing resource demand and cost. Without placing technology at the centre of a hybrid/flexible working system to enable its success, my view is that the employee/employer balance will fail causing lasting and potentially damaging results. Once that system is live, it will be challenging to reverse it or make any significant changes. However, get it right and the results can be very powerful and unlock previously untapped potential.

Vinnie: Work from anywhere is here to stay and as such it's our responsibility as employers to empower our people to get the job done, whilst providing flexible options to help make them even more productive. Sure part of this will be technology, the likes of Slack, as technology will be needed for our always-on, always-connected world, but it's not the only driving force.

For example, here at Salesforce, the work-from-anywhere model will unlock new growth opportunities that will help us drive greater equality. We will no longer be bound by barriers like location, so we can broaden our search beyond traditional city centres and welcome untapped talent from new communities and geographies.²⁰

Sam: Presenteeism is a major issue in productivity problems. Making staff turn up to work when they're not fully engaged, or not fully 100% fit, is totally counter-productive. If you can't face going in to the office one day, but you're still able to work, then stay at home in your PJs and get your work done.

Flexible working won't go away – it's one of the few plus points to come out of the Covid situation – that people have finally woken up to work-life balances and the companies that offer flexible working will be able to attract a better-quality recruit.

Sounds like you're on to a winner there then Vinnie.

20. <https://www.salesforce.com/news/stories/creating-a-best-workplace-from-anywhere/>

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behaviour



Dror: Assuming that customer-centricity is at the heart of the firm and of the lawyer, then the question shouldn't be what part should tech play in ensuring teams work more efficiently, rather it should be how tech can help the lawyer serve the customer as best as possible. If for example, tech allows a working mother to give a customer her full attention 30 minutes after the school run, then she shouldn't be expected to jump through hoops in order to speak to the same customer from an ivory tower an hour and a half commute later. The flexible working and working from home tech support will give customers a more motivated and connected (to her team) lawyer. Tech shouldn't be a way to get more out of a lawyer, but enable a lawyer to get more out of their job.

As the legal industry moves towards more fluid arrangements combined with regulatory progress being made, we can see more sole practitioners, freelance lawyers and virtual law firms join marketplaces that aggregate legal service providers (such as legaldrop.com) and offering more choice to customers.

Excellent point, Dror. LOVE LOVE LOVE it! On the subject of 'team lawyer and client' then, recently I came across this on a twitter feed: "How is it possible that after years of hype and buzz in LegalTech there is still no client portal I can log into to track status of my docs and collaborate with my lawyer?"²¹ Of course, there were responses to say that there is tech available that does this. However, with regard to 'Client Portals':

Do you think there is a 'Last Mile Problem' in relation to the technology available or is it a lawyer and/or client behaviour problem i.e. lawyers or clients do not use the client portal area effectively?

James: I don't think this is a last mile problem. It's a first mile problem. Any tech installation or 'client portal' needs fully planning and testing well before implementation. And not just planning from a 'what will it do' perspective, but from a 'how will it work' view.

In my experience there is usually not enough consideration to how the client will use 'the portal' or platform, and the communications needed to ensure effective use. Customer journey planning and thorough user testing at the beginning of any implementation are critical. Effective use of technology is rarely an out-of-the-box solution that is implemented in quickly 'because the boss needs it live'.

Tech can be configured to optimise lawyer and client needs, but it needs planning properly and testing thoroughly, or it becomes potentially brand-damaging and expensive to lawyer-client relationships. I can speak from experience having built many tech platforms over the years and configured our CRM system to be as easy-to-use as possible. Plan, test, refine, test again, then implement.

Alex: I think that lawyers are not pushing to use a client portal because they are not used to investing in the long term vs. companies which invest in software. What I mean by that is that, usually, all costs incurred are billed to the client. All investments made are direct investments for the lawyers and not their clients. And a client portal would be a comfort for the client, but would it be the same for lawyers?

With that said, we can all see that a change is starting to happen with what we encountered during the crisis. It is our job, as a LegalTech company, to provide a solution that is user friendly, and to help them understand it will increase their productivity and will bring them true added value.

21. Twitter @karinavazirova Aug 8th 2021

portal

Vinnie: In my view there is already 'client portal' technology available. That said, most are underused and underutilised by both clients and lawyers alike! The main reason seems to be usability and that it's not part of the lawyers/clients everyday workflow, so is an afterthought rather than something they utilise daily.

Okay then, let's explore this further...

What do you think are the key benefits for lawyers and/or clients/customers in using the client portal?

Vinnie: The correct use and adoption of client portals is huge. From possibly answering a very simple question in real time, without getting bogged down with email exchanges or alike. There is then the relationship aspect; just think about how the law firm would look (positively) if they replied to a simple question in a matter of minutes, over traditional email which can take hours or days to get a response to!

Sure, there is an option to just pick up the phone, but what about if you want to keep an audit trail or there is no reply! Then there is transparency to the client around which lawyers/team are working on the case/matter, what was the last action, where are they billing against budget etc.

Alex: A portal redesigns completely the relationship between the clients/customers and lawyers. It just makes it better. Today, we're all used to having direct access to information without even asking for it. You can see your Deliveroo order arriving on your phone; it's the same for an Uber, a train, or a shipment. So we're all used to having this information in advance. Benefits of a portal, I think, are going to become vital. But what are these benefits?

For customers, a portal means an increase in productivity. It saves them time, because they can log into the portal when they want, find the information they need, and go back right after if they forgot something.

It also means more security and easier access to important information. All the documents are centralised and secured; they can upload documents and store the original versions, which supports conformity and reduces the risk in losing information too.

Today, everybody works on computers. We all agree that centralisation of information is better and more efficient. Also, exchanges on portals are easier than on the phone. Sometimes it's easier not to talk.

For a client it can save them time and money: lawyers are paid by the hour so if you exchange with a portal it takes less time and money than planning/attending a meeting or a 2 hour phone call.

For lawyers, a portal is a way to save time, to be more accessible to customers, have less unread and unresponsive emails, and they can use the additional time to address more customers/clients.

Martyn: It's better delivery of the service, better communication to clients, improved cost and profitability, happier and more satisfied clients!



**Whizz-bang* *Whoosh* *Splat* ... The Naked Lawyer (noting Nick hadn't said a dicky-bird all session) lobbed her final muse bomb directly at Nick in an attempt to entice him into the discussion. Shaken, but not stirred, by the unprovoked onslaught I then prompted Nick...*

Head-tilt Hey, you've kept your cards close to your chest so far. I just know you've got a LOT to contribute on this topic, so now's your chance. Fire away ... ***wink*** ...

Nick: "It's like an information black hole" is one of the more vivid depictions we have heard from people describing their experiences of engaging with the legal world on a bereavement case. It encapsulates the most cited frustration of many people – poor communication, a lack of transparency about progress, asking for information more than once, not understanding why things cost so much. All these gripes annoy us at the best of times but are exacerbated under emotionally strained and stressful circumstances (which, let's face it, is normally when you need a lawyer involved).

The lure of the self-service or collaborative "client portal" is obvious. Whether in app or web format a digital channel that allows lawyers or experts to communicate with their clients, and for clients to interact with the firm they have engaged on their matter, should offer huge benefits to both sides.

Delivering that mutual benefit can be a challenge but is by no means impossible. There are a few key things to consider if you want to avoid your client portal project being an all-round let down.

First, make sure you are introducing one for the right reasons, namely that you want to create a better experience for your client. If (deep down) you are doing it to just make the firms' life easier e.g. "I just want to stop clients phoning me all the time" (we have heard this phrase a few times more than we'd like), then chances are you are going to get it wrong.

Second, remember that a portal is part of an overall experience for your client. If you don't back up your portal with great service across other channels you will leave your client disappointed. The discipline of Service Design is something we take very seriously at Exizent. It means looking holistically at how each touchpoint connects to create a great experience through the full lifecycle of an interaction. Don't just build or buy a portal solution and launch it in a vacuum without consideration for the rest of your service. A sure-fire way to land a damp squib!

Also, avoid the trap of only thinking about the "happy path" journey when everything works as it should. I'm sure I am not alone in being hugely frustrated when something goes awry and you end up on the "unhappy path" where all hope is lost, and no-one is there to help. Make it easy for clients to contact you and have helpful, knowledgeable people on hand to support with alternative routes. But please, please don't make the only fallback option to a portal "print and post"!

Third, by its nature a portal is multi-sided. That means there is a user on both sides. The colleague experience is as critical as the client experience. The service design and user experience ethos must extend to them as well. I've seen countless examples of well(ish) designed client portals that fail because the colleague experience has been ignored. They hate the user experience, or worse you make their life harder, not easier. Users will quickly revert to the "old way of doing things" if you've not hit the mark.

Rarely is the lack of use - or impact - of a solution like a portal attributable to client/colleague behaviour or mentality. It's almost always an issue with design and a lack of focus on the outcomes you are looking to achieve. So, get your potential users involved in the project from the outset. Have experienced service design and user experience talent as a part of your team (you can contract them in). Consider the wider service picture and make sure that you are solving problems for clients and colleagues alike.

Do these things and we might see more great examples of client portals changing the way that we do business.



Nick Cousins –
Exizent, CEO and Founder



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involvement

And therein lies the rub! Well said, Nick. Hear hear. Your input was worth the wait, as always.

Picking up on Nick's thinking, and in particular on the subject of LawTech i.e. technology which is developed so that the customer/client can self-serve/DIY legal service/products:

Who do you think should be involved in 'the team' to create and maintain such technology? AND be on hand if something should go wrong or the customer needs support?

Dror: There are two people who should be involved in the team that creates and maintains the technology. Firstly, the community lead who acts as the point of contact to help both customers and lawyers (there is nothing more important than being responsive and helpful). The community lead will record and extract data from customers which they can then feed into the pot of insight that is used to improve the product and service. Secondly, the product lead, who is in charge of converting data into insights, creating user journeys, wireframes, product enhancement etc. The data needs to be utilised in enhancing future user journeys.

Sam: Please don't let IT teams design client-facing systems. Let them do the back-end but engage a specialist in UX to handle the front-end. This also doesn't mean let your web developers design the customer portal and user interface. Developers and coders are the people who lay the bricks, they are not architects or interior designers. Would you let a builder build your house without blueprints and designs? I've seen houses 'designed' by builders and they're awful. Same goes for websites 'designed' by developers (in the majority of cases).

Law firms are really slow to appreciate the breadth of knowledge needed to build a suitable client interface – whether that's a website with forms, or a client portal, or a compensation calculator. I've made a lot of money for clients just by adjusting certain aspects of how the forms or portals work, to reduce the drop-off rate.

How many firms are monitoring how their interfaces are working with tools such as Hotjar or implementing Google Tag Manager to track events for specific form fields?

Using that data to improve performance can create significant returns – how much more money would you make from a 10% increase on your existing website conversion rates for example?

James: When we implement our CRM and marketing platform for any new client, we insist on the client 'development team' being a representative from every part of the business initially. Including office management, as they are inevitably on the receiving end of clients who experience 'tech problems' in the widest sense. Too many cooks? No. You have to be consultative in the first instance, to ensure the tech is whole-of-business-ready AND include clients of all technical abilities in this mix. There is no-one better to 'break it' and show you just how fallible tech can be without proper planning. Once the planning and testing are robust enough you can pare back to key users and owners of process.

Customer support needs to be a part of the planning process and NOT an after-thought. Use AI for live chat, then escalate into human tech support if there is no resolution. So, this process and the 'Team' needs to include, Lawyer, Marketing, IT, Admin/Customer support. So, everyone has a role to play to make the Tech tick!

James Moore -
Kulahub, Director



Hmmm, food for thought guys. Particularly as you include AI in the mix here too James.

conclusion

Way back in 2010 when my first book (*The Naked Lawyer: RIP to XXX - How to Market, Brand and Sell You!*²²) was published I wrote in one of the chapters that there is no 'I' in team, but there is a ME, TA (i.e. TEAM is an anagram of ME TA – we should recognise the ME, thank you – 'TA' being northern slang for 'thankyou' here 'oop north' in England).

I was making the point that all teams comprise many individual MEs and that the sum of these unique 'Brand MEs' is greater than the individual parts and we should welcome those individual brands into the 'Brand Company' aka 'team company brand'. This results in a much more powerful team dynamic that delivers far better results.

Furthermore, to complete the Brand Trio, I wrote at length about the importance of 'Brand Product'. When you combine "Brand, Me", "Brand, Company" and "Brand, Product", that's when the MAGIC happens. Brand Product could be anything you create. For example, it could be a book, or a whitepaper, a series of templates, or a more complex LegalTech / LawTech product comprising AI.

It's been 12 years since *The Naked Lawyer* book rocked the ivory tower shelves. Its key messages are alive and kicking today more than ever as *The Naked Lawyer* continues to cause mischief prancing and dancing in Law Law Land, and now amongst those seated at the Technology In Law Law Land roundtable. Suffice to say, her observations, opinions, insights and teachings have evolved throughout the years...

I guess at the close of this gathering we can confidently propose that there may not be an 'I' in TEAM, but there is an AI. Agree?

And on that note *The Naked Lawyer* promptly hopped off her Segway, twirled toward the entire group, flashed a cheeky smile and dived in for a 'full-on' team huddle.

Until next time; keep dancing, keep smiling, and keep living the dream, team! Xxx

By Chrissie Lightfoot Chief Tech Advisor and Writer to Modern Law (Chair of the 'Technology in Law Law Land' roundtable).

Chrissie is an Independent Non-Executive Director and Advisor, a global multi-award winning Legal Futurist, Consultant, Entrepreneur, Lawyer, AI LawTech Pioneer, Strategist, Marketeer, Brand builder, best-selling Author and Keynote Speaker. Founder and CEO of EntrepreneurLawyer Ltd.

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