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Legal Operations: A New Technology Frontier

Technology, Privacy, and eCommerce

Though we've focused quite a bit on shifts in the legal profession, few have been quite as prominent as the meteoric rise of the legal operations function. Large legal departments have focused on the importance of technology to streamline performance for quite some time, have fulfilled these

important roles with multiple people, and have been instrumental in defining the industry as a whole.

However, general counsel at medium, small, or even solo legal departments are also perfectly positioned to focus on the legal operations side of their job. As with any other part of the company, technology is only going to become a bigger and more substantial part of an in-house counsel's job, and is instrumental in lowering expenses so that legal departments can focus their budgets on becoming and maintaining their roles as true strategic business partners. Below is a brief overview of what legal operations is, how it's useful, and the types of technologies we rely on all of the time.

Defining legal operations

Legal operations is a multi-disciplinary function that optimizes the delivery of legal services to the entire organization. The specific duties of a legal operations specialist will, obviously, vary based on the needs and size of the department and organization.

Most often, legal operations specialists will focus on budget, technology, vendors, data, professional talent, communications, organization alignment, major transactions, litigation, diversity, and other management.

For a more thorough perspective on this field, consider joining the Association of Corporate Counsel (ACC) Legal Operations community.

Legal operations and medium/ small legal departments

Small and medium sized departments must solve major problems — squarely in line with the kinds of issues faced by large legal departments — often on a budget and with limited resources. By using sophisticated legal operations tools and principles, even the smallest department can transform into a large army of effective professionals with a wide and deep reach throughout its respective organization. As legal generalists and business leaders within their companies, general counsel have the right tools to spearhead legal operations for small and medium sized departments.

As with any shift, it will take some educating to get both management and internal stakeholders on board. The benefits, however, are well worth the effort. The key is not to be afraid to do what works for your department, even if it's unconventional. There is always an adjustment period when new technologies and processes replace the familiarity of using an existing system — even if replacing it will, ultimately, benefit the company and the legal department in both the short and long term.

Implementing new technologies are excellent ways for small and medium sized departments to, for example, streamline contract review and execution, keep records, maintain options information, investigate employee related matters, consolidate immigration services, collaborate with outside counsel, manage knowledge, review legal vendor bills, and much more. To do this well, a legal department must inventory the needs of the organization, identify ways to leverage existing technologies, and implement new technologies in a thoughtful, thorough manner.

While we have seen a lot of legal tech innovations already, we will certainly see more with a direct impact on small and medium sized legal departments in the near future. Right now, major legal departments are using legal technology, such as GC dashboards, that may be cost-prohibitive for small and medium sized departments; however, this is bound to change as these technologies scale and legal departments of all sizes will be able to benefit.

A few examples

As both of us are part of small legal departments, we have first-hand experience with assessing various internal business and legal department needs, understanding what's working and what isn't, and looking for ways to implement technologies effectively. As data-driven professionals, one example of using technology to streamline and prioritize legal services is to use a ticketing system.

Ticketing can minimize transition and training disruptions caused by personnel changes, company growth, and management transitions. There are many vendors that provide various ticketing solutions. Using your company's existing technology, such as Salesforce or Zendesk, can be a relatively easy, quick, and cost-efficient way to implement a ticketing solution.

We also like leveraging DocuSign to quickly create NDAs and contracts, as its pre-configured templates and workflow speed execution. It's a great, cost-effective way to standardize and automate the execution of many contracts and agreements. With DocuSign, a department can separate important contracts from the noise and focus its energy and resources where it really matters.

For those working on cap table management, eShares, a cap table management platform, is a great solution for streamlining cap table management, corporate governance, 409A valuations, and compliance. The platform is also a reliable way to ensure that employees, law firms, investors, and other stakeholders access consistent, accurate information.

Another major decision every legal department faces is whether to do certain work in-house or outsource. If you decide to outsource, the second major decision is where. Although the conventional approach is to outsource to a traditional law firm, other options can work just as well. For example, general counsel could look at a company such as Envoy Global (formerly VISANOW.com). Their services help streamline workforce processes, improve services for employees, and efficiently provide immigration services. This is an efficient, cost-effective way to support the growth needs of a small legal department in the competitive Silicon Valley labor market.

By no means are the technologies above an extensive list; rather, just a sample of the kinds of tools legal departments can leverage to stay at the top of their game. If you're looking for more recommendations, few resources are as helpful as your network of other professionals and general counsel — especially those who operate within small and medium sized departments.

We are all exploring unfamiliar territory and there's a lot of collaboration, collective learning, sharing, and camaraderie. The proliferation of legal operations is a sign that legal departments are a more integrated part of the business, as opposed to the stand-alone silos of the past. Focusing on legal operations is a way for lawyers to become true business professionals who just happen to understand law well — we will no longer be limited to "just" legal work! Consequently, it's also a way for attorneys to have more rewarding legal careers, where they can spend more time on what matters and provide strategic, impactful advice.

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