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Tech Toolbox: Improving Law Department Productivity

Technology, Privacy, and eCommerce

Law departments grow and mature much like the lawyers inside them.

In their most basic (and usually least effective) “infant” phase, law departments tend to be simply a number of individual lawyers working in silos. They counsel their own separate and distinct client groups, acting independently as a general counsel for that client group. They often try to figure out the best way to provide that service on their own.

Some of those lawyers may be far more effective than others because they have developed systems and sets of best practices that other lawyers in the department should emulate but usually don’t — because, well, silos.

Most lawyers haven’t been trained to routinely evaluate or share the ways they work. They may be too busy to ask many questions or offer much advice about the systems they use to get work done. Interestingly and thankfully, they do tend to share what they have learned about specific legal issues.

The department manager usually also counsels her or his own client group — which is often the most challenging client group in that department — and therefore is so busy that she or he may make actual department management and operations largely an afterthought.

But eventually, that manager may come to realize that focusing on how the department could become better as a whole is important.

This may be the result of budget constraints, increased workloads, a fresh pair of eyes in the form of a new hire, or interaction with peers outside the department, such as participating in ACC or other trade groups.

Whatever the case, someone with insight and some influence and enthusiasm steps up and actively

starts thinking about how to make their department function more effectively. And when they do, there are certain critical areas they all need to address.

Silos are bad

Any cultures, habits, or practices that make lawyers more insular will also prevent the sharing of knowledge, collaboration, process improvement, and the development of best practices.

A rising tide really does raise all boats. And everyone in every law department can learn how to better navigate the tricky waters of corporate law practice through sharing individual and collective insights.

Silos are always bad for the department. Deciding to do something about this initiates the next stage of departmental development.

The best place to start breaking down silos is through dialog. Not just at the senior level, although it probably needs to start there, but throughout the organization. Constructive dialog about the ways people work will inevitably identify some low hanging fruit — friction points whose elimination will visibly improve the productivity of the entire group.

Once participants realize that eliminating silos will result in specific improvements that will enable each person in the department to get their own work done more easily and effectively, they will become more enthusiastic about sharing their own practices and taking the time away from their other “real work” to have such discussions.

Change management is good

People almost always resist change. Some people are like stable horses that want to follow their accustomed trails because they have grown comfortable with them and will resist taking new trails no matter how much better those trails might be out of fear of the unknown.

Others are creatures of habit; they will flirt with new practices but will drift back into accustomed behaviors if circumstances permit. And some others are suspicious of all change and worry that those changes may be maliciously motivated or ill conceived.

Whatever the reason, once you propose making any material changes in the way people are accustomed to work, you will need to employ good change management practices to help pave the way forward. The ACC Resource Library has some great resources on change management practices that will help.

Developing a culture of continuous improvement is even better

Once you start down the path of finding ways to improve your department’s work, you will realize that the job is never finished, and that is actually a good thing.

Change is the one constant in our lives, and we have all seen how changes in technology, globalization, and business and environmental factors (like pandemics) have driven changes in our corporate law practice.

Anticipating those changes and developing a commitment to making sure that change is for the

better, and then embedding that attitude in your culture, will transform your department from being victims of change to becoming change agents for your entire company.

Again, the first step is making process improvement a collaborative effort. Tap into all of the brilliant minds you have in your department and get their buy-in to build enthusiasm around specific projects designed to reduce friction points and increase productivity while still honoring their right to a work/life balance. You will be amazed at what you can achieve if you make that your focus.

Again, the first step is making process improvement a collaborative effort.

A dedicated legal operations function is best

After you get far enough along in creating a culture of continuous improvement, you will reach an inflection point where you realize that your department could dramatically benefit from developing specific expertise in areas like knowledge management, change management, project management, process improvement, technology utilization, and others.

All of these are disciplines that fall under the rubric of legal operations, which has become a separate career track in its own right.

But don't worry if you don't have the budget or bandwidth to dedicate specific full-time resources to a separate legal operations function. Identify the elements within the legal operations tool kit that will have the biggest impact and find people in your department who have the interest and skills in working on those tools.

I can say from personal experience that some of the biggest advances I've seen in legal operations have been created by staff who decided to tackle certain facets as a side gig in order to "scratch their own itches." In fact, most of the dedicated legal operations professionals I know began their own legal operations careers that way.

The good news is that, once again, ACC has a huge number or resources dedicated to helping large and small departments begin their own legal operations journey.

The main takeaway here is that no matter where in the maturation spectrum your department currently lies, there are resources available to help guide you forward. And in today's fast paced world, improvement is not optional. The sooner you get started the better.

Visit the ACC Legal Operations page for more information about law department maturation.

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