



3 Legal Ops Lessons to Take Into the New Year

Law Department Management



Greetings and happy New Year! As the new Legal Ops Brief columnist, taking over from my esteemed colleague Julie Richer, allow me a quick introduction. I have been in the legal operations space for nearly 15 years and have had an interesting career working within corporate legal departments and corporate IT department supporting the legal business function. My career includes working for Purdue, UPS, The Coca-Cola Company, and now Sanofi where I serve as assistant director for eDiscovery and legal operations for North America. Legal operations has been undergoing an ongoing evolution during my career. I hope to do it justice by tackling topics of interest and offering perspectives from the business client as well as the legal support function of legal ops professionals.

The year 2020 was one of disruption, improvement, distraction, and adaptation. The end result was one of **change**. The COVID-19 pandemic changed the way organizations operated and provided services. The disruption made organizations redefine how work experience, operations, and productivity were measured. In the legal space law departments, law firms, and legal service providers reacted swiftly or not so swiftly to this disruption by realizing virtual experiences were now a reality. Working from home was a necessity — not a privilege or a program being piloted by the organization. For many in the legal operations space, the experience showed where improvement can be made, what distractions can be avoided (or not), and most importantly, how operations can adapt to such disruption.

“Generally, legal operations is the continual focus on core departmental processes to identify improvements with the end goal of achieving higher efficiencies.”

- Julie Richer, Legal Operations & Discovery Manager, American Electric Power

The COVID-19 pandemic and its effect on legal organizations is no different. In fact, it elevated the profile of legal operations by showing how the business used legal technology, interacted with law firms and legal services providers (especially in keeping the work going), realizing where efficiencies

HAD to be found given the changes to the environment (namely remote work and no option to utilize on-site facilities). The legal operations team created action plans to maintain continuity for the future as remote environments suddenly became the “new normal” while the idea of returning to an office became more and more unlikely for the foreseeable future.

Key lessons learned by legal ops in 2020

1. Remote work environments through virtual means.

The use of Zoom, Slack, MS Teams, Skype, Facetime, etc. were immediate answers to keep communications going. However, for legal ops, usage meant ensuring legal communications were being managed respectfully and carefully with information governance and protection in mind.

Communications with law firms and legal services providers, and even internal discussions within the law department or with internal clients, had to be protected for confidentiality, privilege, and integrity. Legal operations professionals, myself included, reached out to internal IT and security colleagues, as well as with outside counsel and service provider counterparts, to assess best practice in security, analyze risks, and implement plans and policies to ensure all the new issues could be managed.

2. There are more opportunities to experiment and fail, as there is no failure.

Options like negotiating new fee arrangements with outside counsel, managing remote staff, zeroing out travel expenses, and even furloughs were on the table. Legal operations analysts saw opportunities to try new things where efficiency could be quickly realized in the face of a fast budget cut or pull back of work for legal matters. In most cases, all parties to negotiations were uncertain of how the future would unfold; therefore, to keep afloat and overcome immediate challenges, compromises were made across the board.

Another solution was to assess what was needed and decide who or what could fill the gap, giving special attention to under-utilized services that may have been overlooked in the past. For example, if an internal legal department resources shrunk due to job cuts, the workflow and resource absorption (such as contract review, patent filing, or even document storage management) could be replaced with a law firm or legal service provider.

3. Mature legal ops teams have an important place within legal departments, regardless of size.

[ACC's Legal Operations Maturity Model](#) is a creative blueprint in structuring planning for an environmental change, such as COVID-19 pandemic. The model provides excellent guideposts to help prepare operational groups for both sudden and gradual changes to a company's legal operations. For those not in the operations space, this equates to having a strategy to keep the lights on in the face of an emergency. Having the basics of a maturity model in mind allows you to set in motion plans or directly implement sustainable and “do-it-yourself” options for in-house lawyers, law firm associates, and client needs.

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Predictions for 2021

As 2021 kicks off, we now know that we need to stay vigilant, address challenges as experiments, and maintain the knowledge that anything is possible. For legal operations professionals, the focus will be on continuing to find and maintain secure means of communication internally and externally (notably with many new security threats and risks) as remote working persists. We must also find better ways to negotiate value without common formats, such as in-person meetings, being available. The lean and sustainable models developed during challenging times will continue to be tested as 2021 unfolds.

As we start another trip around the sun, it is always important to stay on top of topics and points of interest, and I am happy to do that as your new Legal Ops Brief columnist.

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