



NAYSAYERS NO MORE

How In-House Legal Professionals are
Leveraging Collaborative Work to Say 'Yes' More

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INTRODUCTION

It's no secret the workload for legal departments is growing exponentially. In fact, 88% of companies anticipate an increase in legal demand, and are planning to address it by increasing the workload of existing legal resources or re-engineering processes.¹

Unfortunately, in an increasingly fast-paced and complex world, simply asking lawyers to add more to their already heaping plates or tweaking processes is not enough to ensure maximum efficiency in delivering legal services. Increased collaboration and communication within the legal department and across business units will be the key for in-house counsel to stay ahead of threats and maximise expertise while saying 'yes' more often.

In this whitepaper you'll discover what benefits increased collaboration has to offer your team, how to build relationships with business partners, strategies legal teams can adopt to effectively communicate with outside counsel and how legal-focused technology can support internal and external collaboration.

CHAPTER 1: THE BENEFITS OF COLLABORATION



Collaboration for your legal team is more complex than simply “working together.” For lawyers who are inherently risk-adverse, the notion of collaborative work can seem dangerous, creating opportunity for miscommunication and missed steps. Contrary to this belief, collaborative work has been shown to further protect businesses by **increasing the chance for colleagues to spot errors, discourage rogue behaviour via greater transparency and mitigate against key-person risk.**²

In addition to risk mitigation, in-house legal teams who have built a culture of collaboration across the business enjoy a litany of other benefits, such as: higher production of innovative outcomes, efficiency increases, better retainment of talent, greater success rates of new hires and more.²

These benefits are why General Counsels looking to increase the team's value to the company may be asking, *where do we start to*

foster a culture of collaboration? According to a report from [Harvard Law School](#), the answer is simple, but elusive: get your lawyers to trust other professional's and those professional's to trust your lawyers.²



As your lawyers are increasingly being asked to function as strategic business partners, it is crucial that your team lean into the concept that their work can only be improved when they simultaneously have insight into business operations.

For some lawyers, trusting non-legal experts with insights regarding legal projects may seem counterintuitive. However, as your lawyers are increasingly being asked to function as strategic business partners, it is crucial that your team lean into the concept that their work can only be improved when they simultaneously have insight into business operations.

CHAPTER 2: COLLABORATION ACROSS BUSINESS UNITS

Often times, legal departments are viewed as a main roadblock to the “perfect play” that will help other business units meet the next strategic goal.

While this assumption may be deep rooted, it is not impossible to overcome. However, change will take thoughtful strategy and focused work by both the General Counsel as well as each individual lawyer in the department.

3 Keys to Becoming a Trusted Business Partner

To change the minds of those who may only view Legal as a “naysayer” department, it is important to first establish deep trust between it and other business units. In practice, this means the General Counsel and the team should strive to learn more about the business and its operations. **Implementing these three key initiatives will support you in fostering a culture of collaboration with other departments:**

- 1. Focus on your clients:** While the company itself may formally be your client, fulfilling the legal needs for the company is ultimately dependent upon how the team serves individual internal business partners.³ When partners approach your team, take time to actively listen to their challenge. You may be able to offer more effective solutions, rather than simply fulfilling their request which may not address their core need. As each lawyer on the team consistently engages business partners with respect and empathy, deeper relationships and trust between the partner and your team will develop.
- 2. Get proactive:** The time to build trust is not in the middle of a crisis. Proactive legal teams understand this and work to interweave themselves in the fabric of the business. To get a feel for the day-to-day business, schedule time for new counsel to be given in-depth tours of the facilities and operations in order to better understand how the business works.³ Present counsel should be actively engaged with their colleagues and get involved when changes occur to stay apprised of day-to-day operations.
- 3. Tailor communications:** While it may be tempting to flex your legal expertise in every communication, this can position your team as unapproachable. Instead, Waltz Metz, an experienced General Counsel and contributor for [JDSupra](#), recommends keeping communications well organised, non-technical, clear and concise, polite and modest, yet confident; targeting your audience’s needs and focused on solving the problem at hand.³ Colleagues will take note of this communication style, recognising the legal team as an approachable but efficient source for knowledge and expertise.

These steps require legal teams to address collaboration with relationship building as the top priority. As these initiatives are implemented, legal departments will quickly be seen for what they are—protectors of the business—and become the trusted business advisors today’s corporations require.

CHAPTER 3: EXTERNAL COLLABORATION

Traditionally, a corporation's relationship with outside counsel has suffered from a dramatic power imbalance. As the sole providers of legal expertise, firms **have** “called the shots” and dictated “all material aspects of client engagement because they were the only game in town”—meaning your corporation was given little say in pricing, quality or delivery speed.⁴

Since the economic recession in 2008 however, the power imbalance has shifted back to you, the client, who “now determine whether, when, from what model and at what price **lawyers are required.**”⁴ As a result, many modern firms are restructuring billing concepts to focus more on the **value of their deliverable** than simply hours logged⁵ by focusing on building collaborative environments—**and legal departments are benefiting.**



By leveraging value-focused firms who utilise multi-disciplinary teams, corporate legal departments can take full advantage of the expertise external firms offer. This expertise not only supports in-house counsel in their efforts to reduce risk for the company, but can also strengthen relationships with internal business partners as more expertise often results in increased creativity and flexibility for legal service delivery.⁶

Unfortunately, these new value-driven firm models—although growing in popularity—are not yet the norm. This is why it's important to vet each external firm for these 6 communication strategies to ensure you're receiving the best service possible.

6 Communication Strategies of Effective External Counsel

Firms that deliver the best value focus on communication and anticipate the needs of their clients.⁶ To get the best services from your outside counsel, overcommunication is key. These 6 communication strategies will help you stay in sync and utilise a firm's expertise to its fullest extent. When vetting new firms, look for organisations who:

- 1. Provide consistent updates:** Firms must provide feedback and share documents with you in a timely manner, but that's not always easy when there are multiple rounds of heavy editing. Firms focused on collaborating with you will provide a way to track document versions and changes in an organised, easy-to-digest manner so you know with certainty that you are seeing the latest version of a document.
- 2. Explain each service upfront:** Mergers and acquisitions, litigation and other legal services can be expensive and time-consuming. Work with firms who clearly define the amount of work and effort based on your objectives and goals to reduce the risk of frustration that can arise from lengthy and costly court proceedings.
- 3. Define a strategy:** You look to outside counsel as an extension of yourself, and they should operate accordingly. Outside counsel should clearly provide thought-out strategies by discussing discovery strategy, motion practice and trial tactics with you—not waiting for you to bring them up.
- 4. Create waypoints of communication:** Firms should provide frequent updates to you throughout a project, including when various planned and unforeseen ups and downs occur. Consider creating specific points for them to initiate contact without overwhelming you, such as setting weekly check-ins or milestones and timelines.
- 5. Discuss costs, transparently:** Law firms everywhere are rejecting the almighty “billable hour” and turning to project-based pricing models. This drives them to stay efficient and collaborate with you in order to avoid repeating work.⁹ Legal teams looking to get the most for their money would do well to highly consider firms with project-based pricing models.
- 6. Ensure security:** With so much personal – and often sensitive – information flowing between you and outside counsel, the measures they take to ensure your company's privacy and protection should be extensive. Ensure outside firms are leaning into secure file sharing tools, keeping information organised and guarding against malicious behaviours. Better yet, utilise tools within your own department that allow outside firms to securely share and collaborate on your files.

When you hire firms that exemplify these communication strategies you will receive services more complete in nature and can utilise these outside firms for multiple projects—reducing time spent project managing multiple entities. However, regardless of how you choose to manage your workload, it's important to note the role technology can play in supporting collaborative efforts both inside and outside the organisation.

CHAPTER 4: TECHNOLOGY'S ROLE IN COLLABORATIVE WORK

While collaboration in all organisations comes with inherent challenges, technology is removing many barriers. With the right toolkit, your team can communicate freely, save time and maintain confidence in their security efforts.

Lawyers handle hundreds of documents a day, which is why it's no surprise many collaboration solutions revolve around documents themselves—ensuring content is well organised, secured and easy-to-find. The better organised your content and documents are, the easier it is for your team to focus on communication and relationships both inside and outside of your organisation.

5 Strategies for Using Technology as a Collaborative Advantage

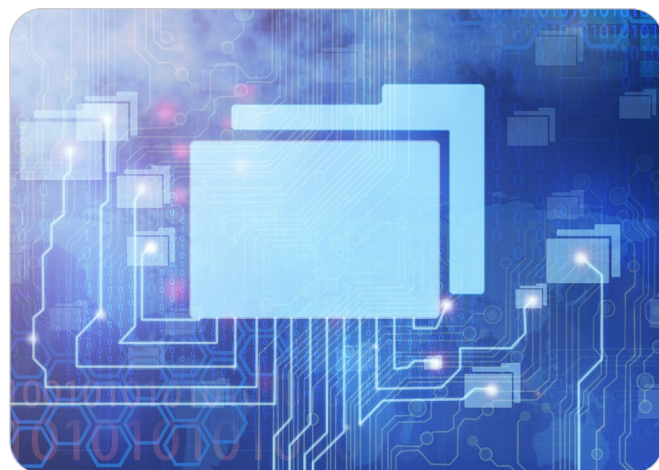
Ideal collaboration comes with identifying bottlenecks in communication and processes and then providing solutions that relieve those pressure points. Here are 5 ways in which you can use technology to make collaboration a breeze.

- 1. Tame the inbox:** Email is a jungle. Lengthy threads, CC'd, BCC'd and reply-alls must be filed correctly and quickly, but often leads to headaches and mistakes. Use technology to keep your inbox organised by:
 - Identifying who is responsible for necessary data expected via email
 - Filing emails in a central location, connected to a project, where they can be viewed at leisure
 - Using an [email management system](#) to reduce the time spent filing emails
 - Utilising a secure messaging service to eliminate the need for email back-and-forth

With inboxes freed up from clutter, lawyers will be able to focus on what counts and locate project information quickly and easily.

- 2. Create a single source of truth:** Collaborating in email chains can quickly become messy. [Modern document management platforms](#) provide an easy way to create a single project file where documents may be collaborated on, shared, discussed and stored so nothing will be lost in translation as a project document passes through various editors and reviewers.

3. Automate as much as possible: Lawyers are buried under administrative work, dictated by governing bodies and their organisations alike. Therefore, leveraging software that can accomplish tasks in a fraction of the time is crucial. In the context of a business, this could include any number of AI tools, [OCR technology](#) or legal project management solutions that streamline efforts and keep legal teams on track.



4. Fully exploit advanced technology: Advanced technology can be fully integrated to offer entity name extraction, workflow automation and closing binder technology. Legal departments will benefit by defining the opportunities where technology can enhance collaboration and free up more time to focus on client work.

5. Manage remote work situations with ease: Flexibility, work-life balance and a simple desire or necessity to work from home cause many businesses to increasingly embrace remote work. While collaboration may seem more difficult when lawyers are separated, it's not with the right support. Solutions such as video chat, cloud-based content management and instant communication tools make remote work a breeze and can improve communication both inside and outside the office.

SAY 'YES' MORE OFTEN



As the pace of business continues to accelerate, there is little doubt that legal teams will become key strategic players. If tradition rules however, legal departments may only look forward to an increase in complex requests they are unable to fulfill completely or must say 'no' to, opening the door for risk to slip in and business partners to work around them.

Luckily, there is hope. If legal teams stay focused on building departments that other business partners not only trust, but enjoy working with, they can step into the role of 'trusted business partners' they are meant to be in.

This will soon be accomplished as General Counsels and their teams openly communicate, increase focus on relationships, strategically utilise external resources and leveraging the right technology. These efforts will support them in delivering higher-quality services for the organisation and encourage other leaders to include Legal in projects early and often—giving them the opportunity to protect the business and say ‘yes’ like never before.

ABOUT NETDOCUMENTS

NetDocuments is the leading cloud-based document and email management solution to securely store and organise documents on one platform. With NetDocuments, users can work securely on documents and file emails anywhere in the world on any device while collaborating with internal and external stakeholders alike—which makes it an ideal solution for remote work.

Backed by 20 years of experience in cloud innovation, over 2,750 companies worldwide trust us to secure their data while increasing productivity and team collaboration.

Make the Move to the NetDocuments cloud to get the speed, mobility and industry-leading security companies worldwide are already taking advantage of today.

To learn more about maximising productivity, mitigating risk and building collaboration: Contact us at **+61 2 8310 4319** or visit **www.NetDocuments.com** to learn more today.

About **COLLABSPACES**

Share and collaborate intuitively, securely and in a way that brings you and your customers' worlds closer together.

CollabSpaces makes it easy to securely share the content in your NetDocuments system with external users—without transferring it to a third-party file sharing service or extranet.

Because CollabSpaces is so intuitive and easy to use, clients and colleagues can access and collaborate on content immediately—without extra time or training.

CollabSpaces also lets you invite an unlimited number of external clients and colleagues, so you never have to worry about licensing restrictions.

About **SMARTVIEW**

Save time by streamlining your document processes.

SmartView simplifies document reviews by making it easy to quickly preview, annotate and mark up documents without ever needing to download the files to your desktop.

With SmartView, you can use Margin Notes to annotate files with your colleagues in real-time—and take advantage of Entity Viewing to quickly navigate through people, places, companies and more.

About **SETBUILDER**

Quickly organise documents into sets or binders and securely distribute compiled content to everyone who needs it.

SetBuilder brings standardised processes, streamlined workflows and fast service delivery to document compiling and distribution. With SetBuilder, you'll never spend hours in a closing room physically labeling and compiling printed documents.

As a result, organisations that use SetBuilder experience dramatic reductions in the hard costs associated with closings, saving an average of nearly \$1,500 per transaction.

About **TASKS**

Manage complex projects and workflows more efficiently.

With Tasks, you can build customised workflows within workspaces to track team members' activities and progress from one convenient location.

The information you add to Tasks is fully secured, just like any other file in NetDocuments. You can also perform searches, link to other content and share Task information with colleagues.



SOURCES

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