Legal Operations & Technology

Why, how and what's in it for me?

Three buckets
of solutions

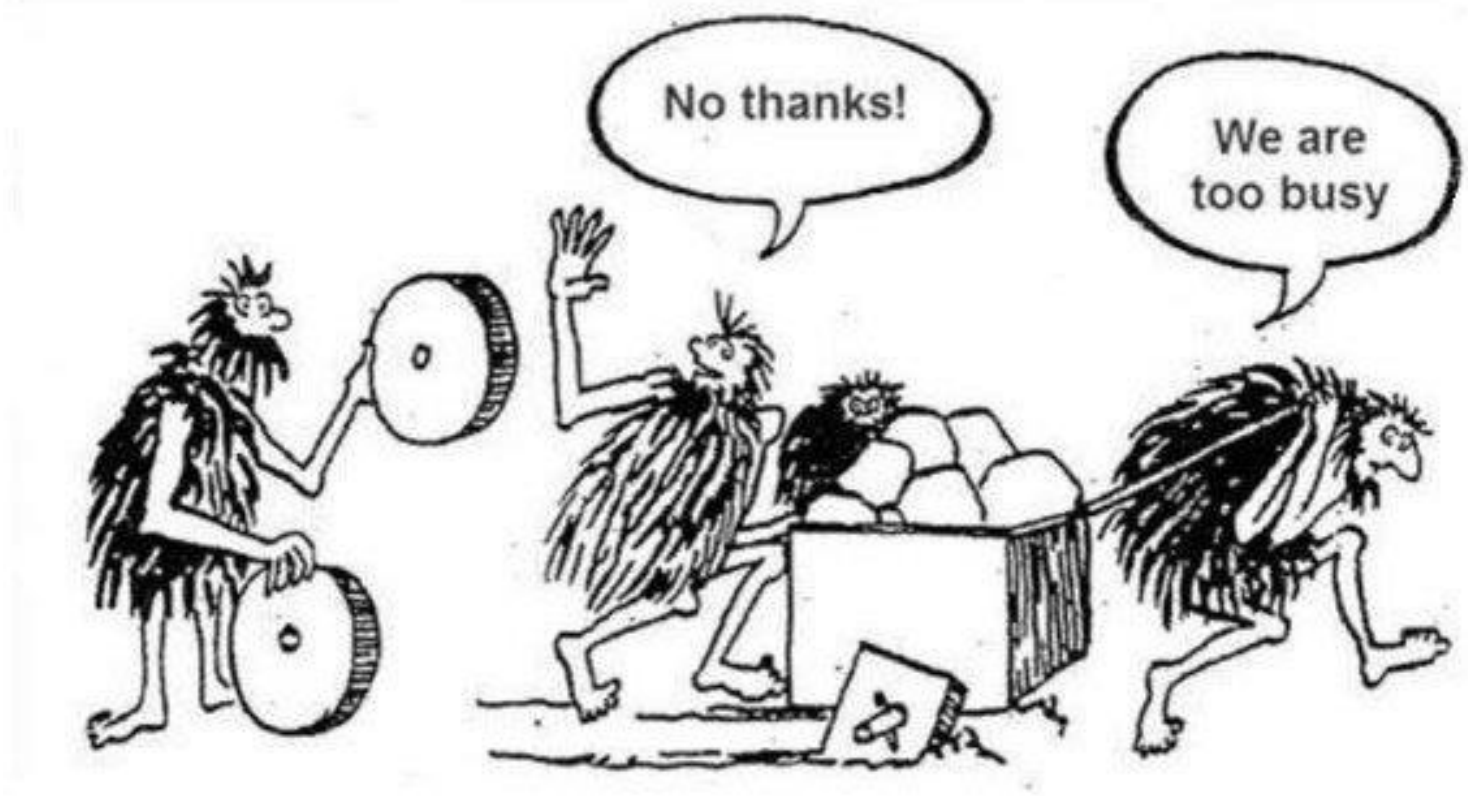
Personal efficiency habits

Continuous improvement at work / Legal Operations

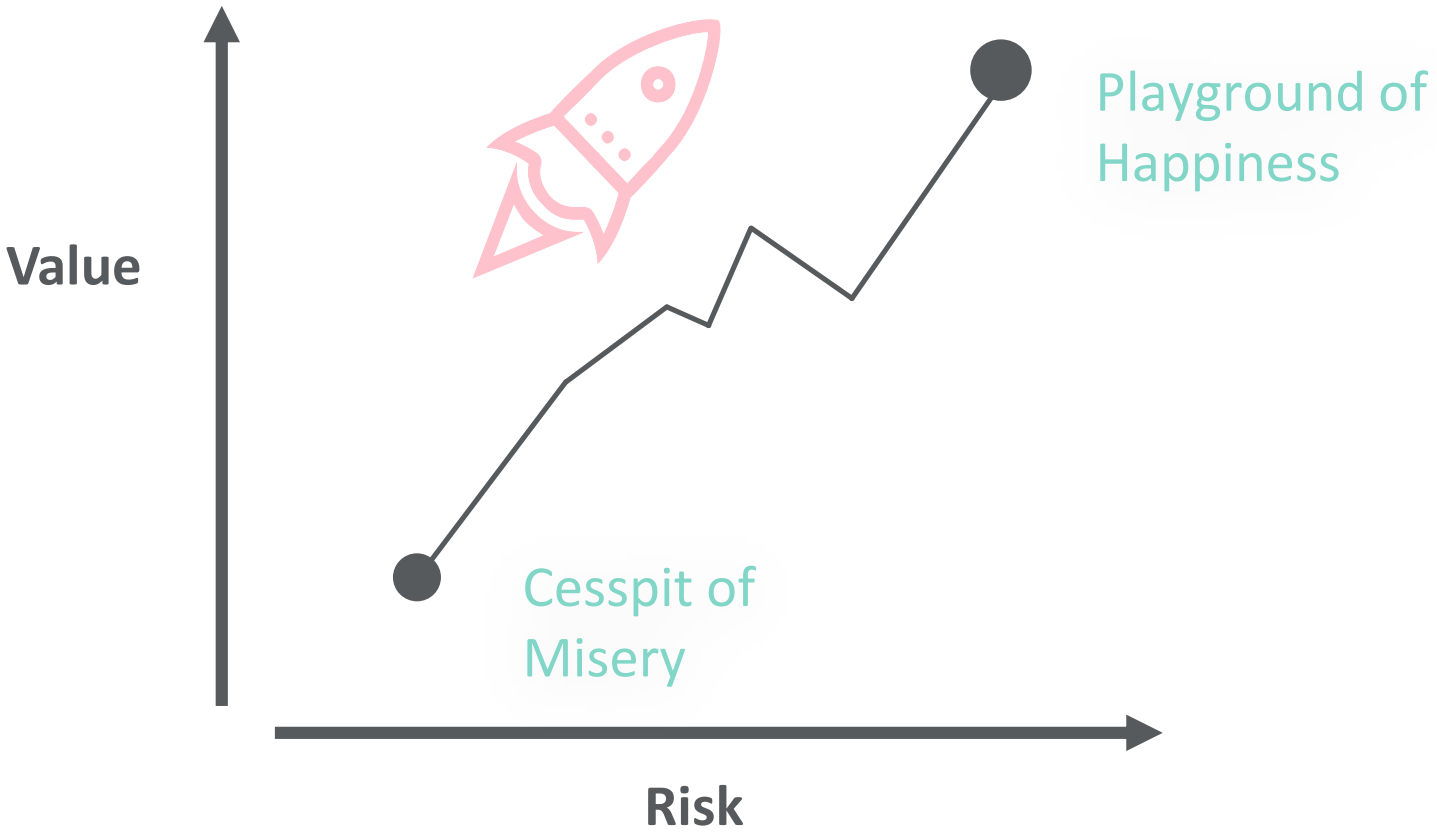
Technology: at work and everywhere

Why is this important?

Why should I care what others are doing?



The right kind of work



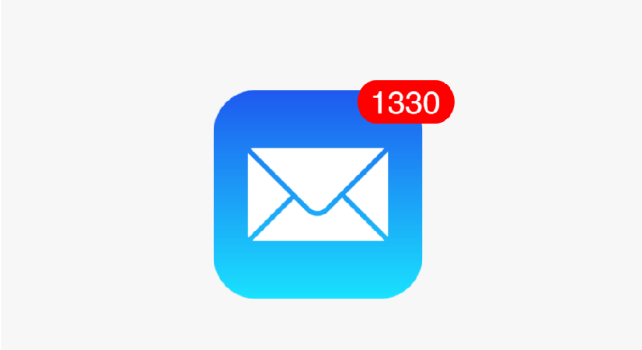
So, how do you get started?

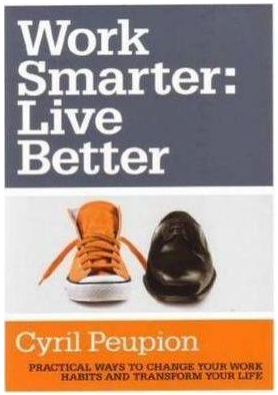
Personal habits of efficiency

Quick wins ...

what you can get started on now (and for free)

- Be ruthless about meetings
- Email
- Notifications
- To do list in calendar





Legal Operations

Can an in-house legal team be like a Formula 1 pit crew?

Pre-Game Meal

Lunch (Middle Ruddy)

Dinner

Snacks

Hatch in-house legal team was actually a Formula 1 pit crew - circa 2013!

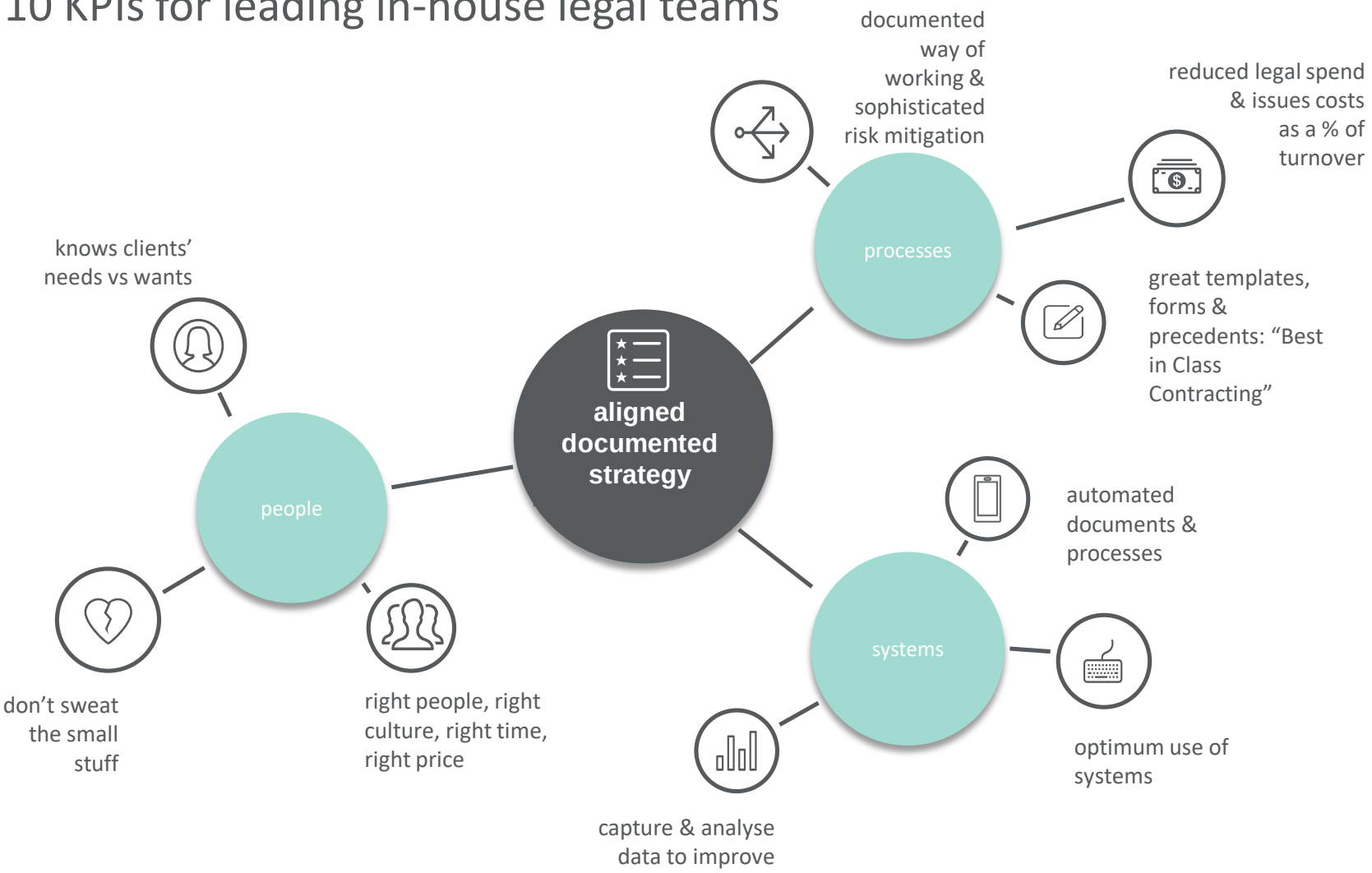
Use a framework to help you think
about CI and generate ideas

Lean

Design Thinking

Agile

Our 10 KPIs for leading in-house legal teams



“TIM WOOD” Identifying waste

Talent

Wrong person for the task

Inventory (WIP/info)

Incomplete, undelivered work

Motion

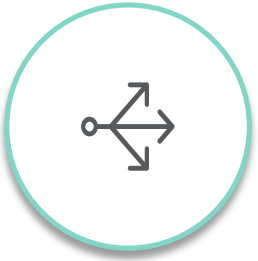
Wasted movement of stuff

Waiting

… on info, people etc

Over-production

Doing more than is needed at the required time



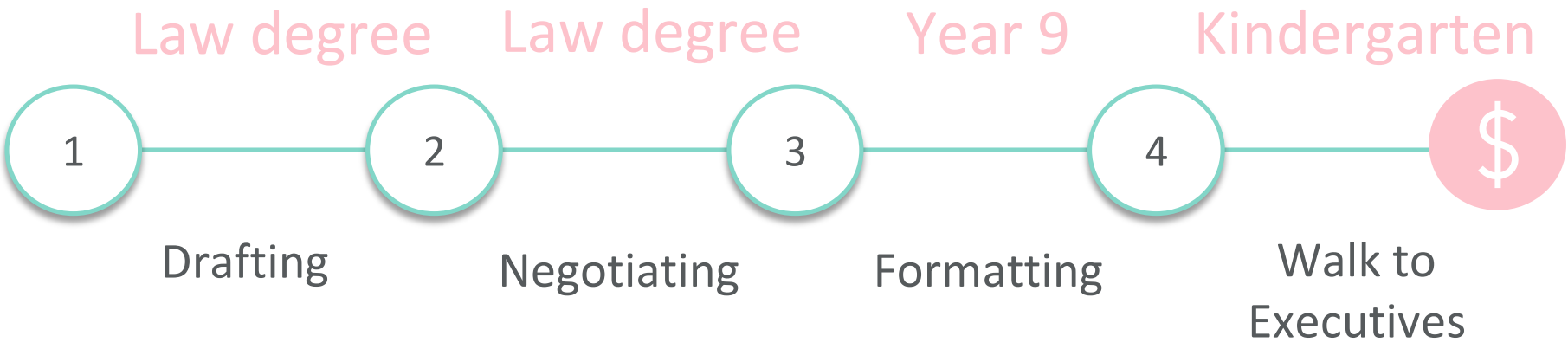
Over-processing

Effort that doesn’t add value

Defects

Errors, mistakes, re-work

Breaking apart processes



What should you focus on?

Prioritise “important” work

Directly align work to organisational strategy

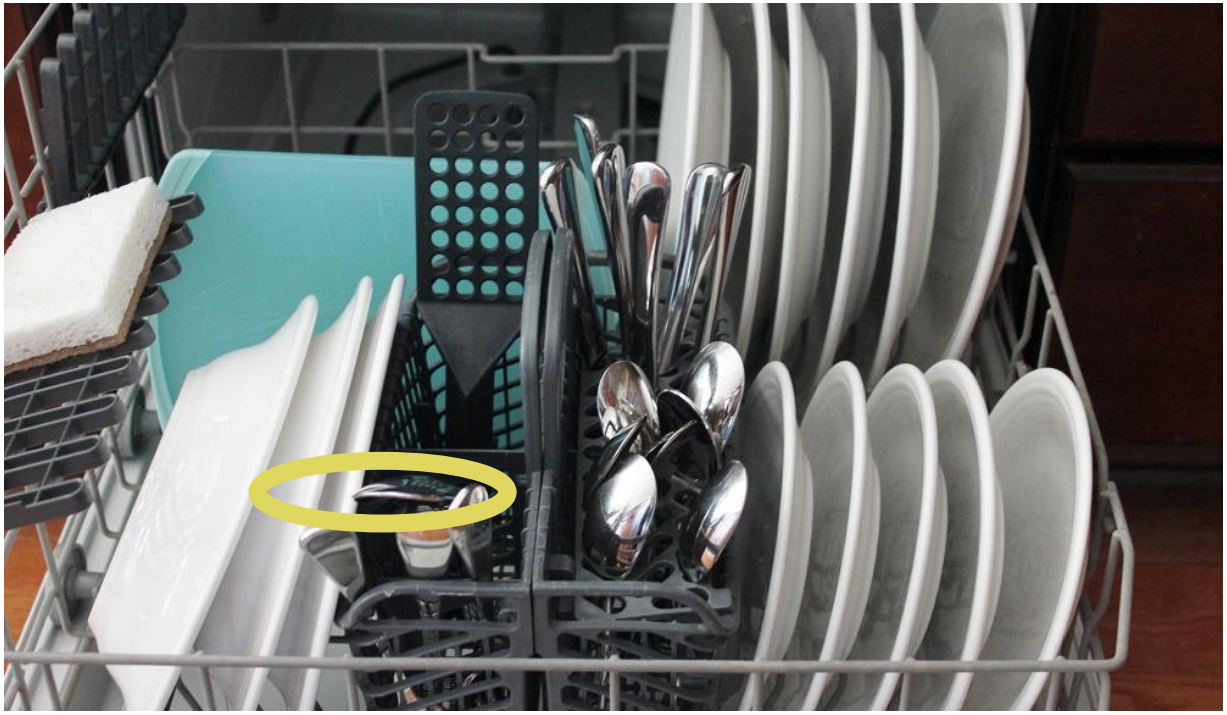
Spend more time creating value & less time protecting it

Empower clients to take predictable, sophisticated risks

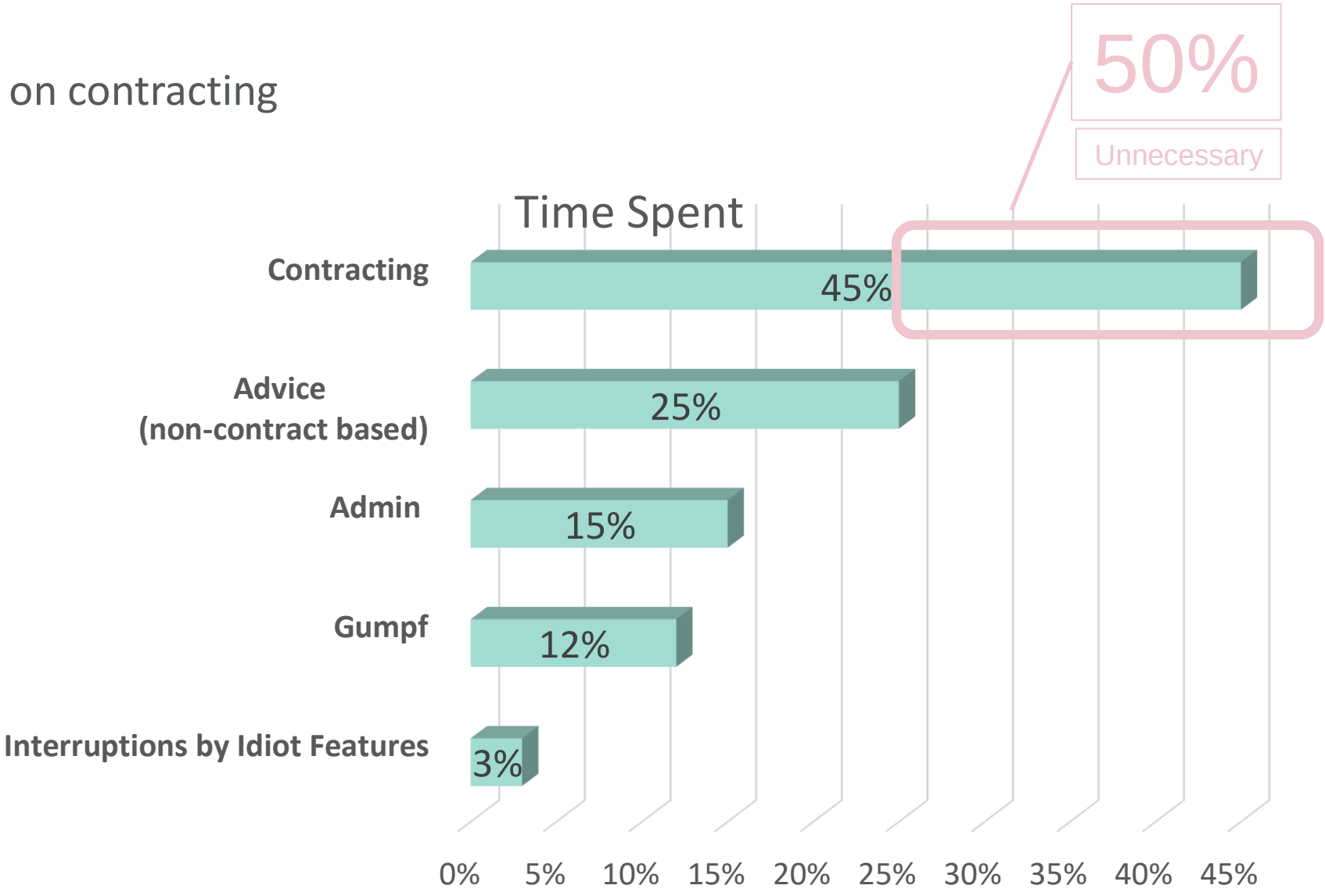
Perform it efficiently and effectively

Key elements to address

At home



War on contracting



How can legal tech help?

5 guiding principles for selecting legal tech

1. Your starting point should not be a tech vendor who may try to sell a solution to problems you may not have or that are not a priority.
2. Clarify the key problem(s) to solve e.g. info/doc management or automation. Be clear on the ‘use case’ in your organisation.
3. Consider whether there are any low-tech options using systems you already have that are being under-utilised.
4. Capture the data you need to be able to compare current vs future state and continuously improve.
5. Be prepared to run a pilot or develop a proof of concept – a short term pivot will save you in the long term.

A typical sequence

01 Fix your Documents

Template review

02 Fix your Processes

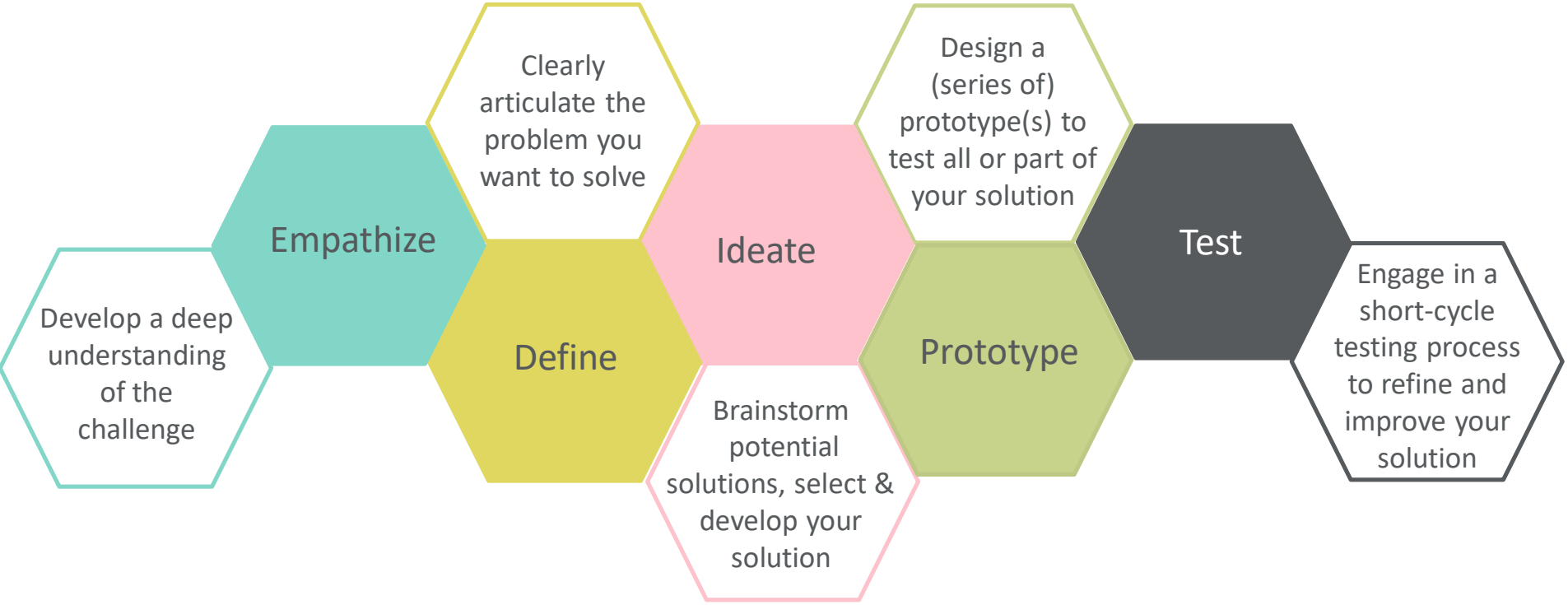
Process/workflow mapping

03 Fix your Systems

Technology Solutions

Legal Tech

Using Legal Design Thinking to implement legal tech



What does success look like?

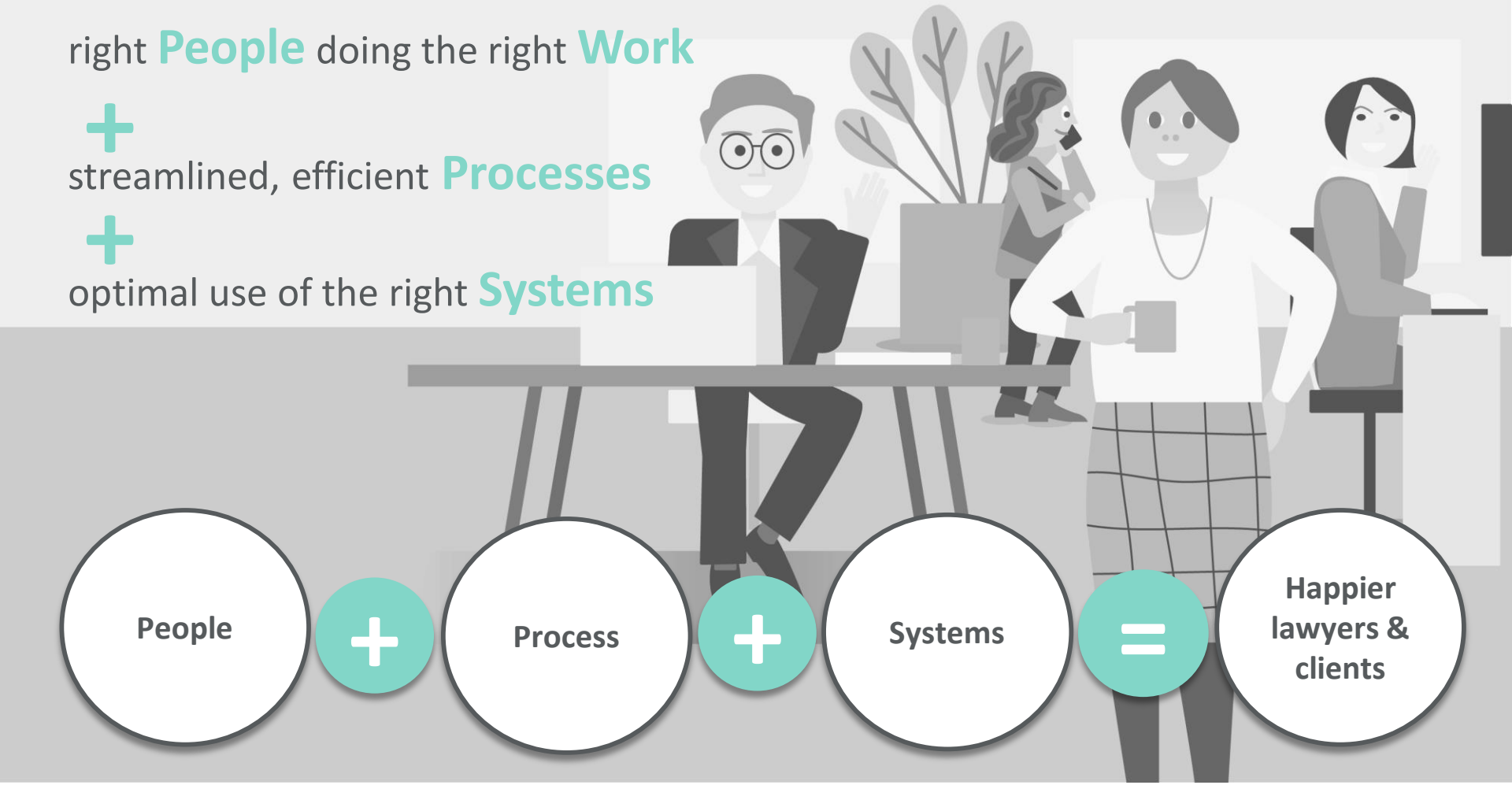
right **People** doing the right **Work**

\+

streamlined, efficient **Processes**

\+

optimal use of the right **Systems**



Design Thinking for In-House Legal Services

- About Hatch
- In-house legal context
- What is Design Thinking
- Design Thinking in Action

HATCH

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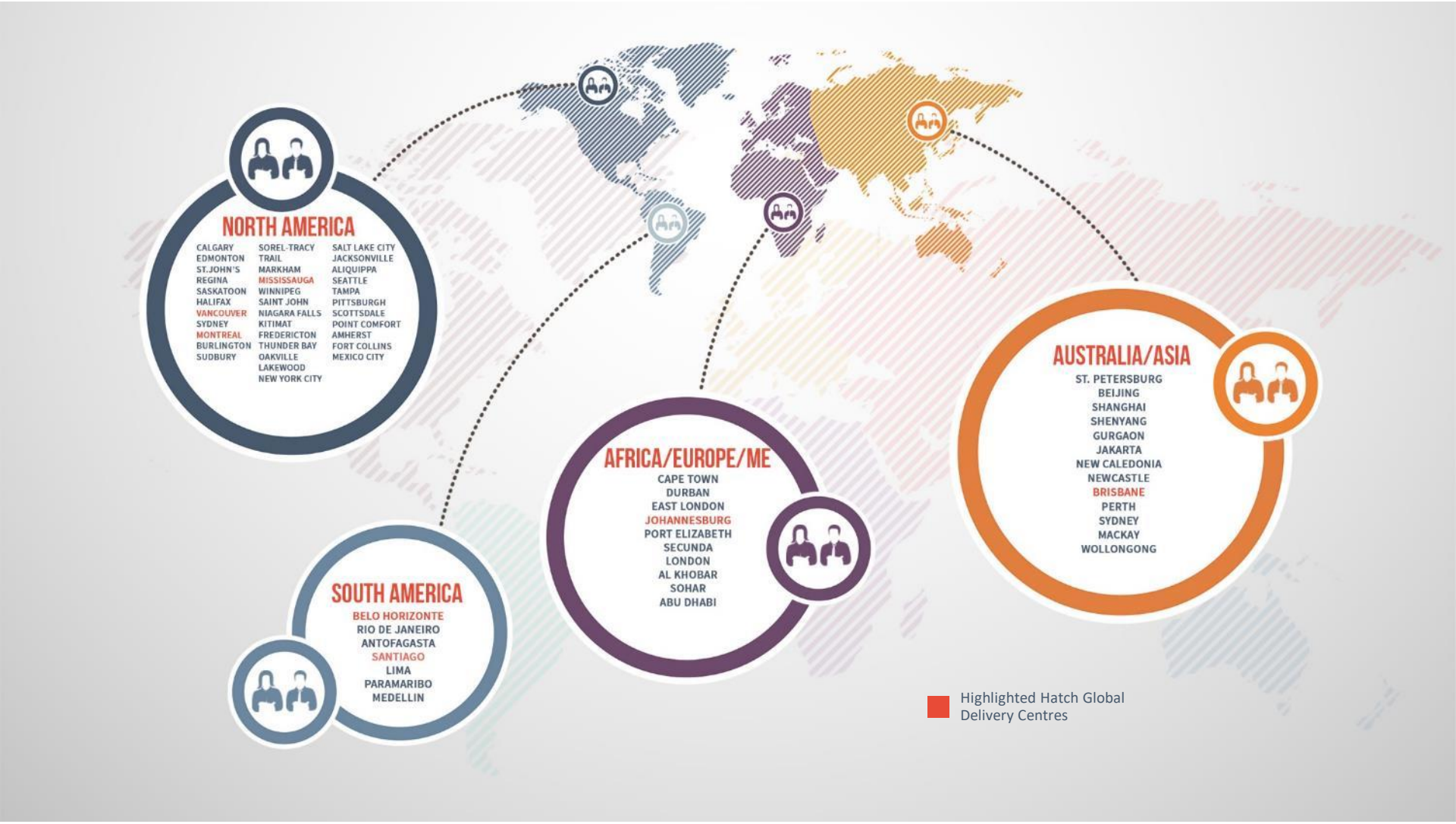
NORTH AMERICA
CALGARY
EDMONTON
ST.JOHN'S
REGINA
SASKATOON
HALIFAX
VANCOUVER
SYDNEY
MONTREAL
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SUDBURY
SOREL-TRACY
TRAIL
MARKHAM
MISSISSAUGA
WINNIPEG
SAINT JOHN
NIAGARA FALLS
KITIMAT
FREDERICTON
THUNDER BAY
OAKVILLE
LAKEWOOD
NEW YORK CITY
SALT LAKE CITY
JACKSONVILLE
ALIQUIPPA
SEATTLE
TAMPA
PITTSBURGH
SCOTTSDALE
POINT COMFORT
AMHERST
FORT COLLINS
MEXICO CITY
SOUTH AMERICA
BELO HORIZONTE
RIO DE JANEIRO
ANTOFAGASTA
SANTIAGO
LIMA
PARAMARIBO
MEDELLIN
AFRICA/EUROPE/ME
CAPE TOWN
DURBAN
EAST LONDON
JOHANNESBURG
PORT ELIZABETH
SECUNDA
LONDON
AL KHOBAR
SOHAR
ABU DHABI
AUSTRALIA/ASIA
ST. PETERSBURG
BEIJING
SHANGHAI
SHENYANG
GURGAON
JAKARTA
NEW CALEDONIA
NEWCASTLE
BRISBANE
PERTH
SYDNEY
MACKAY
WOLLONGONG
Highlighted Hatch Global Delivery Centres

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In-House Legal Context

Hatch is difficult to deal with….

By Reuters Photographer / REUTERS - https://stock.adobe.com/ee/editorial/haitian-security-police-line-up-to-contain-mob/146542311

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It doesn’t have to be this way…

Design Thinking and the Law | IDEO ...

designthinking.ideo.com

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Legal Problems are Human Problems

Image: https://www.amazon.in/Westinghouse-0344300-Trans-Amber-Incandescent/dp/B000HJBDU0.

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IDEO Design Thinking Framework

FRAME A QUESTION

Identify a driving question that inspires others to search for creative solutions.

GATHER INSPIRATION

Inspire new thinking by discovering what people really need.

GENERATE IDEAS

Push past obvious solutions to get to breakthrough ideas.

MAKE IDEAS TANGIBLE

Build rough prototypes to learn how to make ideas better.

TEST TO LEARN

Refine ideas by gathering feedback and experimenting forward.

SHARE THE STORY

Craft a human story to inspire others toward action.

Source: IDEO: https://www.ideou.com/pages/design-thinking

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Design Thinking in Action…

Top 5 In-House Challenges

- *"You do you"* – inconsistent legal advice
- Tracking matters and workload
- Knowing what is being asked of legal
- Reinventing the wheel (not capturing, sharing or re-using project or expertise)
- Losing Knowledge when people leave

** Notes from March 2019 Summit (Sydney)*

1. What's one thing you observe?
   (Don't interpret, just describe)
2. Why might this be happening?
   (Interpret in terms of unmet needs and motivations)
3. What solutions come to mind?
   (Think new/changed services that could meet needs)

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Short-cuts – physical or otherwise….

▲ Desire paths are evident in the grounds surrounding the National Congress of Brazil, Brasília. Photograph: Alamy

Ted Talk - What can we learn from short-cuts?

https://www.ted.com/talks/tom_hulme_what_can_we_learn_from_shortcuts

- Q: What short-cuts (adaptations / workarounds) do people make at work (save money, save time….)
- What does the short-cut tell you about people's needs?

https://www.theguardian.com/cities/2018/oct/05/desire-paths-the-illicit-trails-that-defy-the-urban-planners

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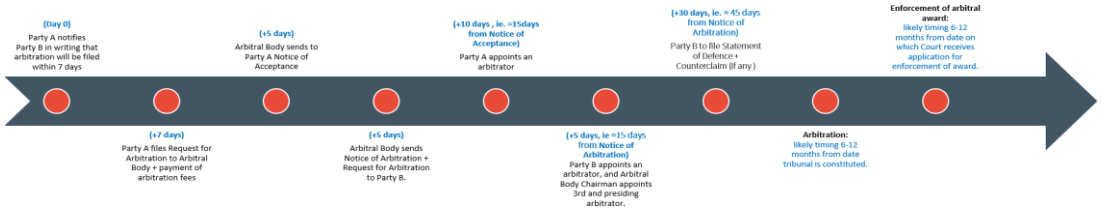
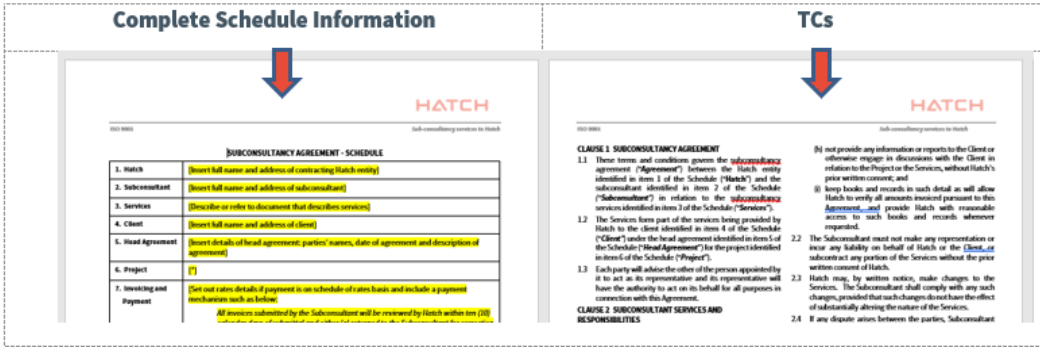
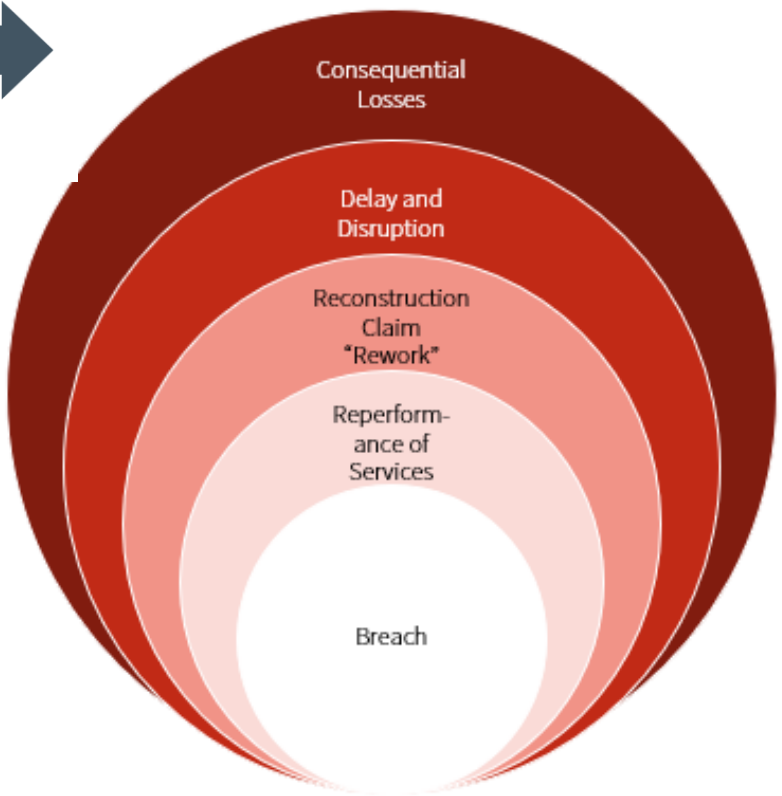
Aligning with corporate strategy

HATCH ⟶ HATCH +

Going Visual…







Rethinking contracts….

Thanks to compromise they were moving closer.

CartoonStock.com

"The way the law is largely practiced, invites lawyers to solve problems by first making them bigger and by then aggressively holding a position until a decision is imposed or a compromised based on brinkmanship is reached."

Anne-Marie Rice, 2018 WLAQ Lawyer of the Year "Why Tired Matters"
https://www.ricemediations.com.au/wp-content/uploads/2018/10/WLAQ-acceptance.pdf

Getting buy-in… (*empowering and enabling*)

ExperienceInnovation
in collaboration with IDEO

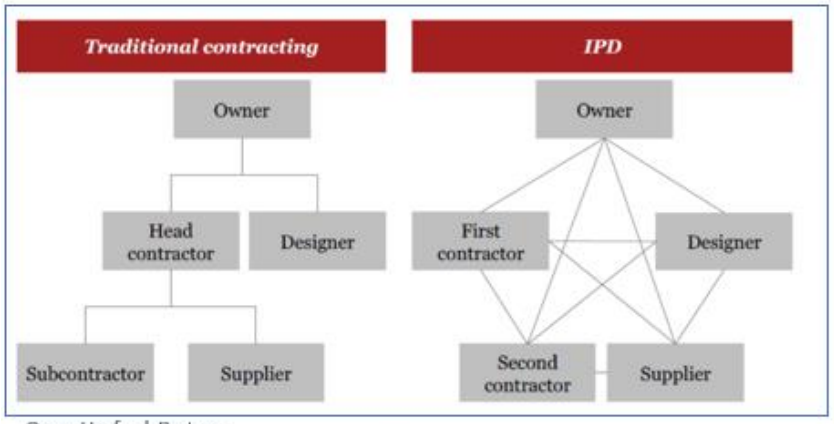
Hatch CAG and Legal Services
Design Thinking Workshop
May 6, 2019

Industry buy-in…

ACC Association of Corporate Counsel
VALUE CHAMPION
2019

WIMARQ Event Summary: 'Design Thinking' Panel Discussion

On Thursday 15 November, in collaboration with Women in Mining and Resources Queensland (WIMARQ), Hatch hosted a panel discussion on Design Thinking, welcoming over 100 guests to our Brisbane office.



Owen Hayford, Partner
https://www.pwc.com.au/legal/assets/collaborative-contracting-mar18.pdf

What success looks like…

From: Mike Green <mgreen@objectsharp.com>
Sent: Saturday, 1 June 2019 1:18 AM
To: Eardley, Frances <frances.eardley@hatch.com>

PS to Frances: I hate the way most lawyers use legalese to make the contracts more difficult to read for the layman. Your writing very clear and easy to understand. Are you SURE you are a lawyer?? (just kidding...thanks again!...Mike)

MIKE GREEN
President & CEO

Tel.: 416-649-3690 ext. 205 | Cell: 416-859-6479 | Fax: 416-640-1916
Twitter: @TeamObjectSharp | Blog: objectsharp.com/MikeG
Office: 40 University, # 1301, Toronto, ON M5J 1T1 | www.objectsharp.com

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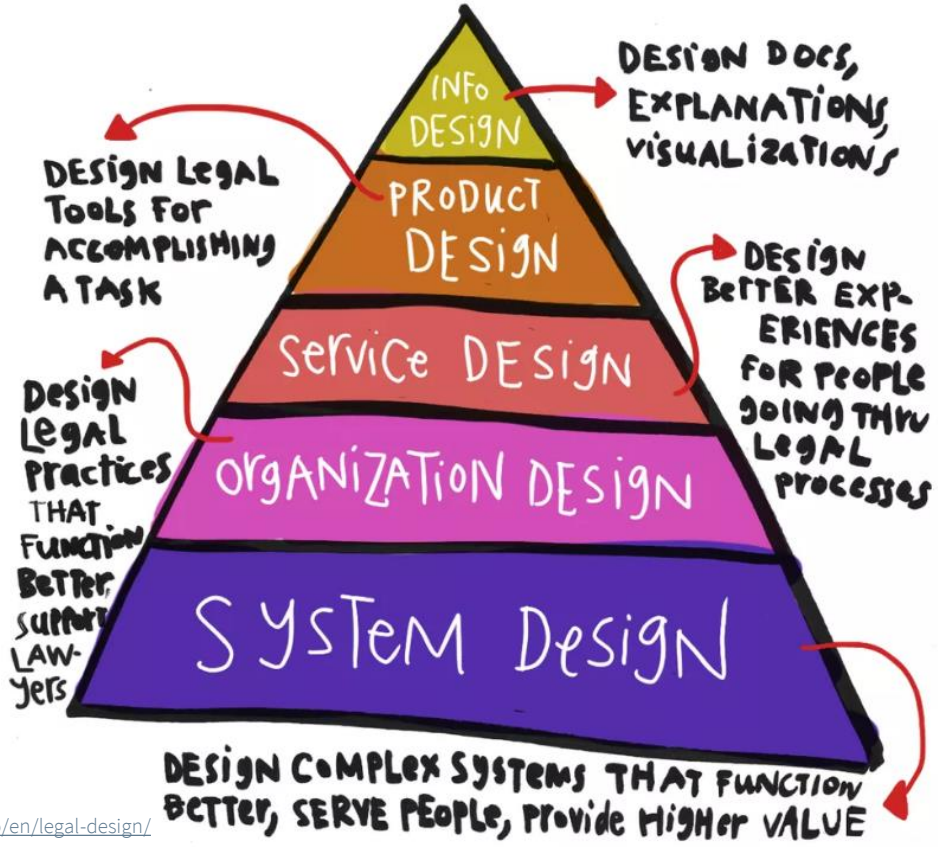
Ongoing journey – identifying opportunities



Margaret Hagan http://www.lawbydesign.co/en/legal-design/

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Hatch's Legal Operations Journey

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2019 ACC Value Champions Hatch & Lexvoco

"Knowledge management is not easy. This team put together a visually pleasing self-service solution and drove adoption. The project is replicable; similar user interface would be of interest to law departments of any size."

From the Judges of the 2019 ACC Value Champions
Source: https://www.acc.com/2019-value-champions-hatch-lexvoco

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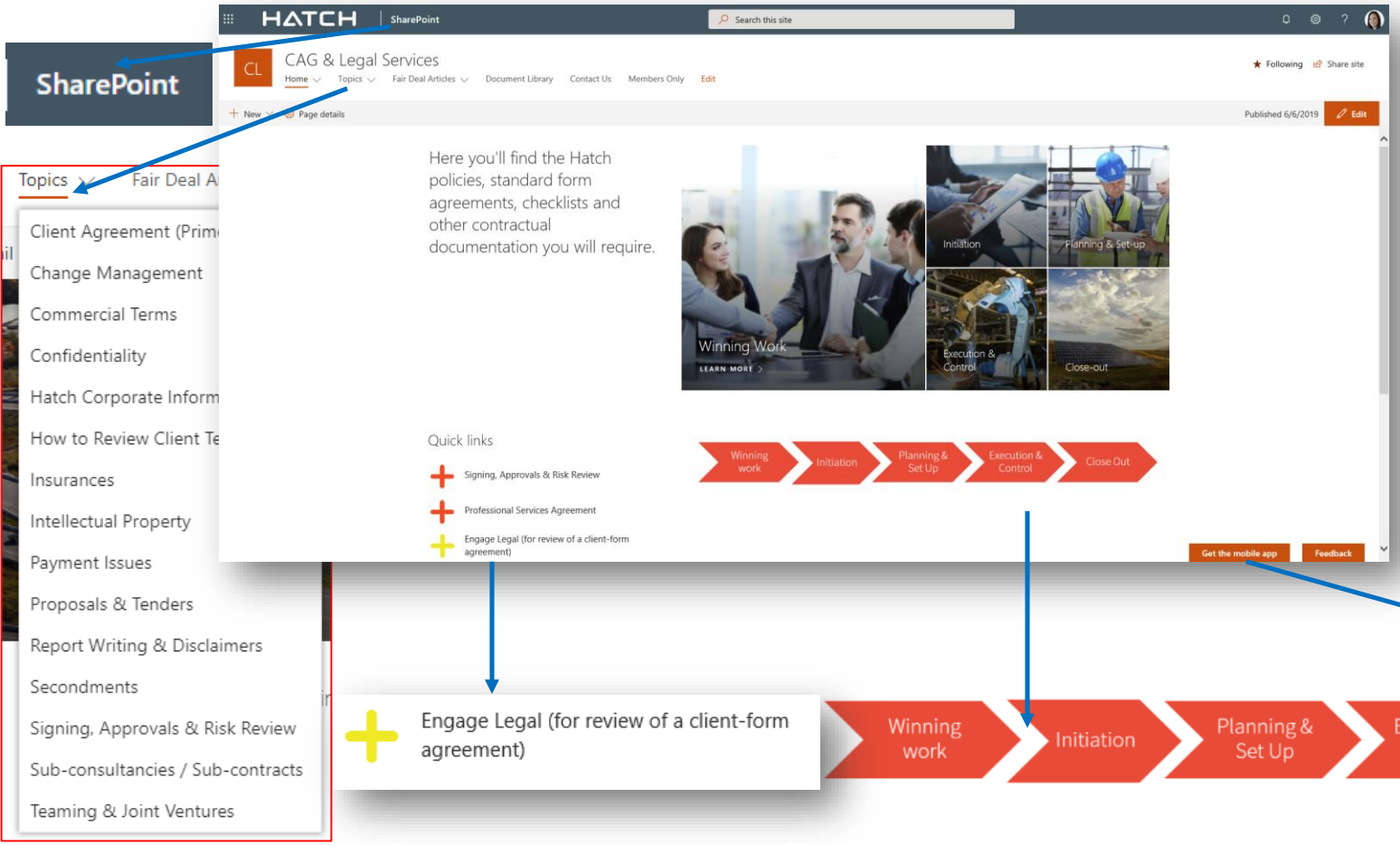
Hatch Global Legal Information Sharing Platform



- User-focused
- Multi-disciplinary collaboration
- Self-service in own time and remote access
- Visual tools

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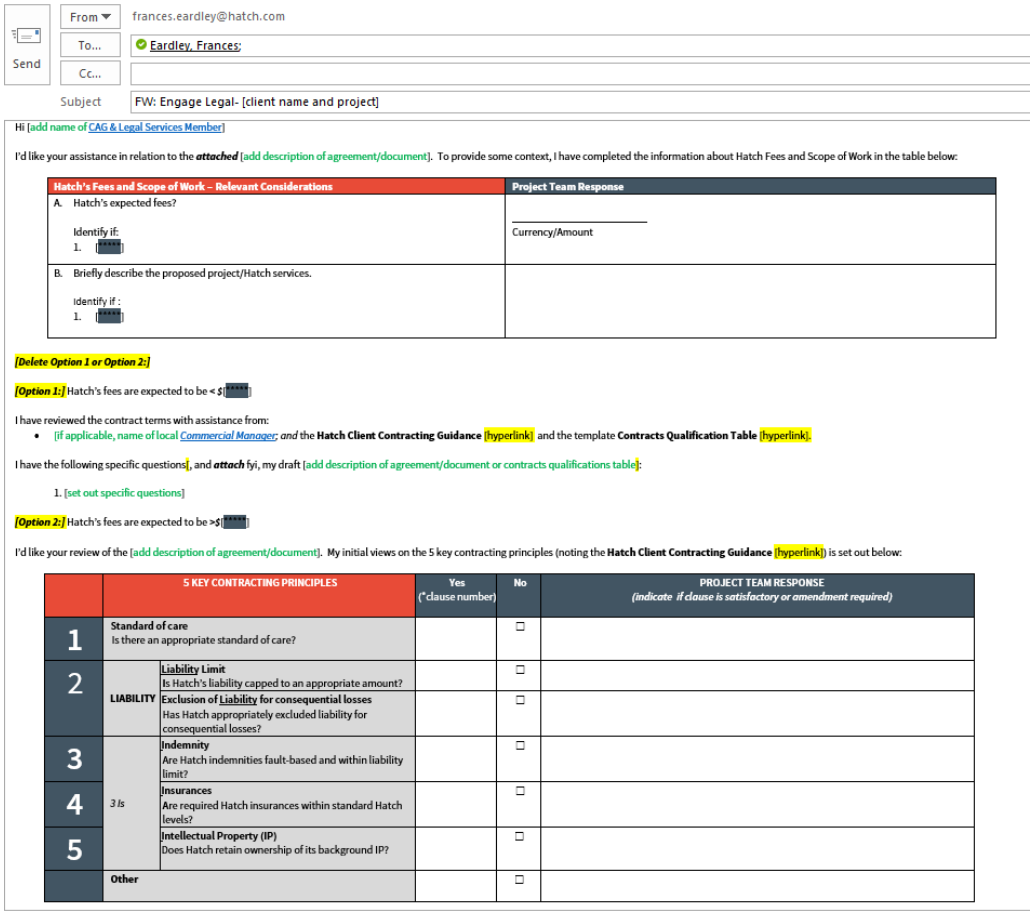
Engage Legal Email

- Receive better instructions
- Reduces no. of emails/phone calls
- Clients also own the issues



From: frances.eardley@hatch.com

To... Eardley, Frances;

Cc...

Send

Subject: FW: Engage Legal- [client name and project]

Hi [add name of CAG & Legal Services Member]

I'd like your assistance in relation to the ***attached*** [add description of agreement/document]. To provide some context, I have completed the information about Hatch Fees and Scope of Work in the table below:

Hatch's Fees and Scope of Work – Relevant Considerations	Project Team Response
A. Hatch's expected fees? Identify if: 1. [redacted]	_____ Currency/Amount
B. Briefly describe the proposed project/Hatch services. Identify if : 1. [redacted]	

[Delete Option 1 or Option 2:]

[Option 1:] Hatch's fees are expected to be < $[redacted]

I have reviewed the contract terms with assistance from:

- [if applicable, name of local *Commercial Manager*; *and* the **Hatch Client Contracting Guidance** [hyperlink] and the template **Contracts Qualification Table** [hyperlink].

I have the following specific questions, and ***attach*** fyi, my draft [add description of agreement/document or contracts qualifications table]:

1. [set out specific questions]

[Option 2:] Hatch's fees are expected to be >$[redacted]

I'd like your review of the [add description of agreement/document]. My initial views on the 5 key contracting principles (noting the **Hatch Client Contracting Guidance** [hyperlink]) is set out below:

	5 KEY CONTRACTING PRINCIPLES		Yes (*clause number)	No	PROJECT TEAM RESPONSE *(indicate if clause is satisfactory or amendment required)*
1	**Standard of care** Is there an appropriate standard of care?			☐	
2	LIABILITY	**Liability Limit** Is Hatch's liability capped to an appropriate amount?		☐	
		Exclusion of Liability for consequential losses Has Hatch appropriately excluded liability for consequential losses?		☐	
3	3 Is	**Indemnity** Are Hatch indemnities fault-based and within liability limit?		☐	
4		**Insurances** Are required Hatch insurances within standard Hatch levels?		☐	
5		**Intellectual Property (IP)** Does Hatch retain ownership of its background IP?		☐	
	Other			☐	

HATCH

HATCH | SharePoint

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WINNING WORK

Here you'll find the information you need when establishing client relationships and opportunities.

- Signing, Approvals & Risk Review
- Confidentiality
- Hatch Corporate Information
- Intellectual Property
- Insurances
- Teaming & Joint Ventures
- Proposals & Tenders

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Initiation

Here you'll find the templates, documents and information you need for proposals and contracts.

- Secondments
- Commercial Terms
- Sub-consultancies / Sub-contracts
- Client Agreement (Prime Contract)

Once signed, you will need to properly manage the storage of these important documents in accordance with Hatch's Document Storage Protocol.

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Resources

Standard Form Confidentiality Agreements

- Mutual disclosure
- Disclosure **by** Hatch
  - available also in Chinese
- Disclosure **by** Hatch (Technology)
- Disclosure **to** Hatch

Checklist

- 1-Page Confidentiality Checklist

What you should use...

Standard Forms

Hatch has **different confidentiality agreements** depending on whether Hatch is **disclosing** information, **receiving** information or both (i.e. '**mutual disclosure**'). All you need to do is download the appropriate template (to your left) and fill in the blanks.

Checklist

Where a client or third party insists on using their template, you can use the *Confidentiality Checklist* to review the confidentiality agreement you've been given.

Further Information

Want to know more about confidentiality agreements? Check out the Fair Deal articles:

- Confidentiality Agreements - What to do provides guidance on what CAs are for, who signs for Hatch, and how to use them.
- Protecting Confidential Information - for key reminders on how to use, access and store confidential information.

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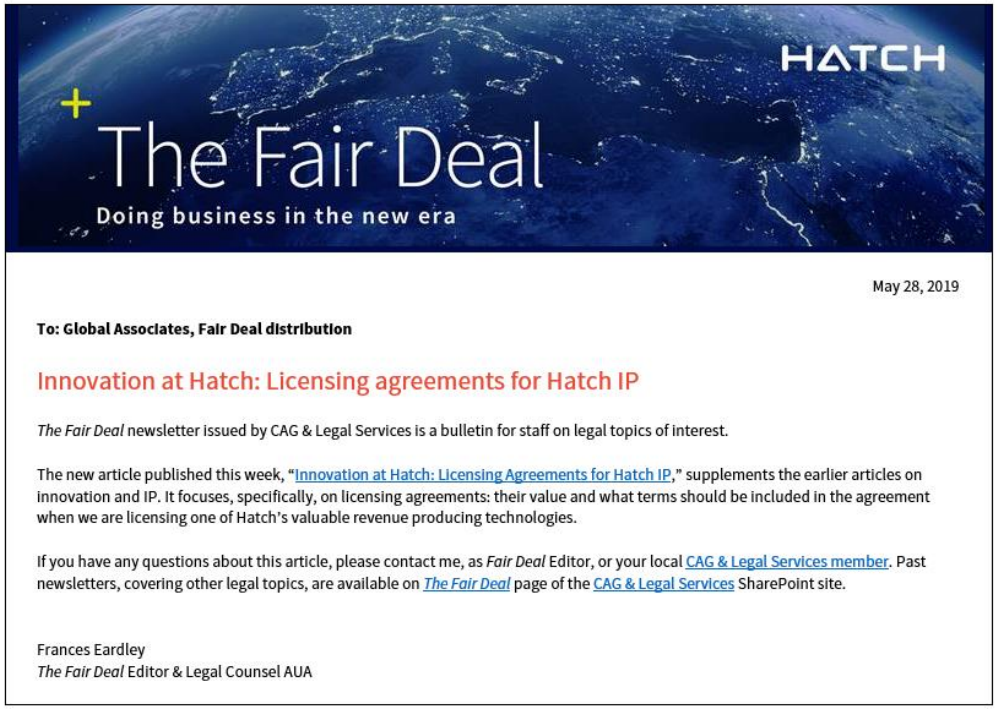
Internal Legal Newsletter

- Regular updates on legal topics of interest
- Also serves purpose of:
  - a "How to Guide"
  - reinforcing use of the SharePoint site



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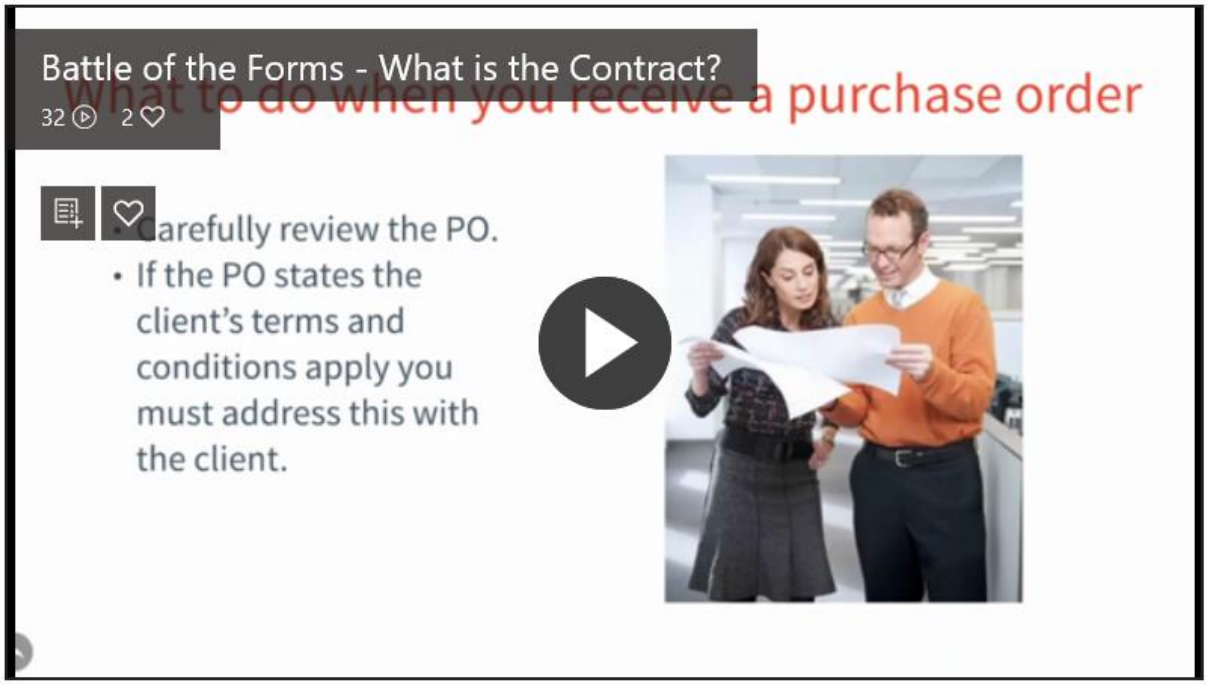
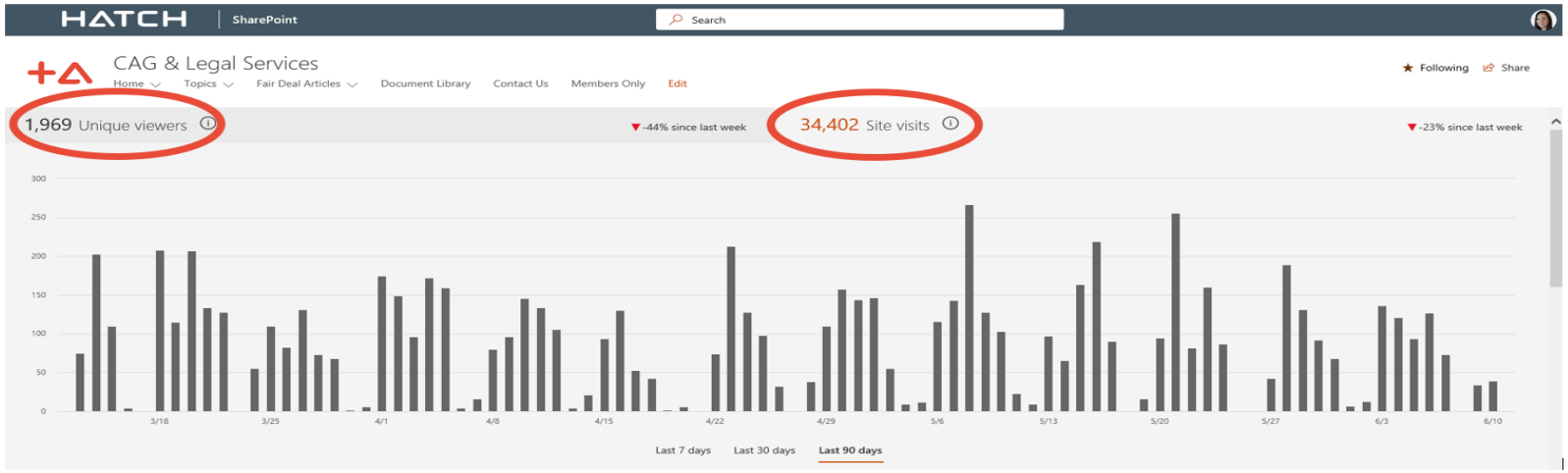
Next steps for our SharePoint site

- Use as a training platform



Impact of Self-service Tools

- Reduction in routine requests
- Positive feedback & imitation
- Site Usage Data



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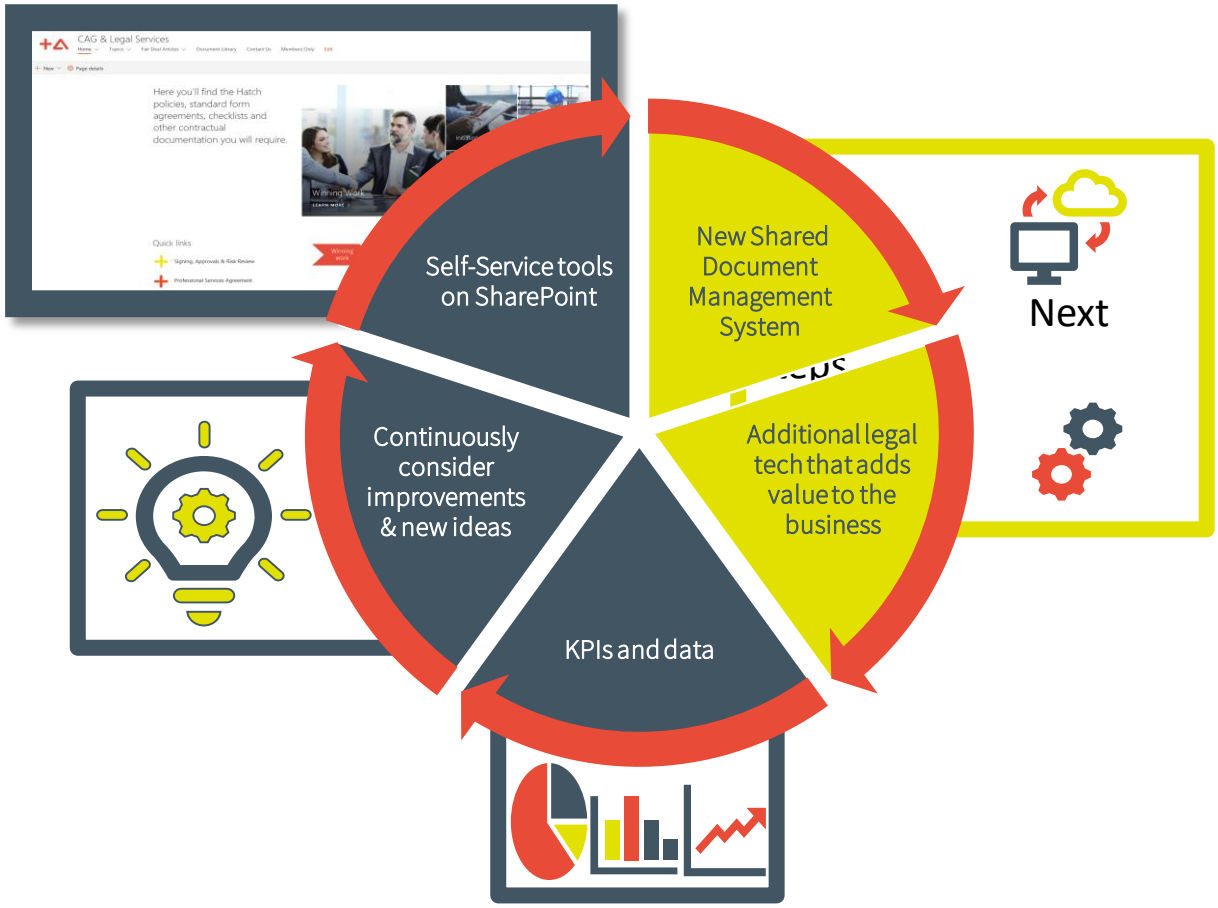
Next steps - Hatch's Legal Operations Journey



Thank you.

For more information,
please visit hatch.com

HATCH

Contact us

Contact Name
Contact Number
Contact Email