ACC Legal Operations
Maturity Model

ACC
Association of
Corporate Counsel

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MATURITY MODEL FUNCTIONS

What is Legal Operations?

Legal operations activities focus on optimizing legal services for corporations. Legal operations disciplines are rooted in business fundamentals, leveraging processes, data and technology. They are designed to build consistency and drive efficiency and value in the practice of law.

In many legal departments, this business management function is handled by dedicated legal operations staff that take responsibility for some or all of the areas in the *ACC Legal Operations Maturity Model*.

ACC Legal Operations Maturity Model *2.0*

The ACC Legal Operations Maturity Model is a popular reference tool that legal department leaders use to assess maturity in a wide range of functional areas that are relevant for optimization of legal services delivery. The Maturity Model attributes allow legal departments to place themselves in three stages of maturity in each function — early, intermediate, and advanced — bearing in mind that priorities and aspirational targets will vary based on department size, staffing, and budgets.

This "version 2.0" of the widely used ACC Legal Operations Maturity Model reflects advancement in maturity in legal departments across the globe – all stages are more advanced than when we published the original model in 2017. Like the original, this version was "crowd-sourced" - we gathered input from members of the ACC Legal Operations Interest Groups (www.acc.com/legalops) as well as from leading practitionersin specific operational functions. Well over a hundred company representatives participated in the project.

Many have told us that they used the original ACC Legal Operations Maturity Model for internal assessments, and to gain alignment within the GC's leadership team about priorities and the sequence of projects – the roadmap to operational improvement. It is helpful to have a clear picture of what "Advanced" looks like – what you're driving toward. ACC Legal Operations is proud to offer this 2.0 version, in which the Advanced category is even more so, and described in greater detail.

CHANGE MANAGEMENT & COMMUNICATION

A systematic process to enable an organization to embrace targeted changes in the way work is done.

EARLY STAGE

- Department communications are mostly ad hoc, via email or staff meetings ("town halls"), in person or virtually
- No systematic change management (CM) process or strategy in place
- Communication about new initiatives ad hoc and quickly diminishes; most information spread by word of mouth
- New initiatives viewed with cynicism because of past stumbles; addressing resistance to change reactive as opposed to proactive

INTERMEDIATE STAGE

- Departmental communications more consistent in cadence and format and less reliant on email
- Systematic approach to change management applied to most major initiatives
- CM recognized as an ingredient for success, but responsibility for CM is at the project level; leadership does not generally consider cumulative and collective impact of initiatives across the organization
- CM efforts include communications to the affected stakeholders but may not include all elements (e.g. sponsorship, stakeholder analysis management, two-way communications, readiness assessments, training, and reinforcement)

This is a living, evolving maturity model. || Tools: *acc.com/Maturity*

Change Management & Communication

ADVANCED STAGE

- Less reliance on leaders to cascade information to all levels and locations; departmental communications supported by a portal (e.g. website or intranet) that consolidates and reiterates all updates and serves as a central, searchable repository of all key information communicated to staff (may include or link to enterprise updates)
- Communications strategy includes an external, business-facing component, providing information about legal issues, frequently asked questions, how to access legal services, etc.
- Branded communications from or about the Legal function branded use consistent elements or statements (e.g. taglines) to present Legal as a positive force for the larger organization
- Structured approach to managing the cumulative and collective impact of change
- Project management for all major initiatives includes specific plans for managing change (tasks, assignees, dates, etc.); change management applied to most projects, not just the most significant
- CM resources and support supplied to project teams
- CM experience/competency evident throughout the organization; fundamental part of department culture
- Standard CM decision-making and implementation framework applied to each initiative: structure, roles (e.g. sponsors, change agents, and targets), and responsibilities at each level of organization and throughout each stage of change
- All stakeholders systematically informed about change initiatives; feedback is sought and addressed to increase engagement and likelihood of change success

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CONTRACT MANAGEMENT

The process of managing contract creation, execution, storage and compliance with contractual obligations.

EARLY STAGE

- No contract management tool
- Contracts saved in multiple locations (e.g. shared drives, hard drives, etc.) rather than in a central repository
- Ad hoc legal review
- Signature policy nonexistent or weak enforcement/compliance
- Incomplete execution
- Inconsistent terms; multiple versions
- No automated date, term, or timeline follow-up

INTERMEDIATE STAGE

- Contract lifecycle management tool (some automated contract creation, standard contract workflows, approval processes, e-signatures)
- Central contract repository
- Clearly defined corporate ownership of contracts
- Authoring supported by family templates, clause libraries, redlining, and version control
- Reporting and audit/history capabilities, operational metrics, obligation tracking, expiration alerts
- Standardized processes and templates; focus of lawyer review is on exceptions only
- Signature authorization policy; strong compliance
- Some automated date, term, and timeline follow-up

This is a living, evolving maturity model. ‖ Tools: *acc.com/Maturity*

Contract Management

ADVANCED STAGE

- Contract lifecycle management tool utilized enterprise-wide, leveraging systems integrations (e.g. with procurement and sales systems) and collaboration with supplier portals; completely or nearly paperless
- Single repository contains all contracts (buy and sell side); robust searchability supports compliance
- Operational and quality control reporting and metrics are robust, including business intelligence driving continuous improvement in contract terms
- Standardization, risk calibration, and playbooks allow extensive contract creation/execution with no legal department involvement
- Signature policy governed through automation; 100 percent compliance
- Focus on operational improvement, reducing cycle times and disputes; effort invested only in highest risk/complexity contracts
- Full automation of reminders and workflow of contract term dates, renewals, and milestones

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When I decided to lead an operational advancement effort, I printed out the ACC Maturity Model. After weeks of talking and planning, it was covered with notes, coffee stains, and remnants of old lunches. The ACC Legal Ops Maturity Model and webinars have been our sole guide and it has proven to be a great tool for us.

- JEN ROTH, MILLIMAN

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eDISCOVERY

The process of identifying, collecting and producing electronically stored information in response to a request for production in a lawsuit or investigation.

EARLY STAGE

- All eDiscovery coordinated and overseen by outside counsel
- Litigation support activities (including document review) completed by outside counsel
- Processes ad hoc and inconsistently employed
- Organization largely reactive and lacks systematic controls; process outcomes unpredictable
- No formal guidance to outside counsel or eDiscovery providers; responses to firms/vendors slow or nonexistent, requiring work to be re-done
- Uncontrolled costs; lack of metrics regarding discovery spend
- No legal hold application

INTERMEDIATE STAGE

- Defined roles and responsibilities for internal personnel, including dedicated internal resources to coordinate eDiscovery activities among law firm and service providers
- Established discovery templates and protocols
- Decreasing reliance on law firms
- Processes for vetting, sourcing, and managing external eDiscovery providers; testing and developing various eDiscovery relationships; working with one or two repeat vendors
- Efficient allocation of work among internal and external resources, including processes for vendor assignment decisions
- Standardized processes for data identification, collection, preservation, delivery, and review
- External validation of in-house processes as being defensible
- Financial management protocols; specific discovery expense codes by discovery vendors and task codes by firms; strong focus on cost control
- Legal hold system

This is a living, evolving maturity model. || **Tools:** *acc.com/Maturity*

▌eDiscovery

ADVANCED STAGE

- Dedicated resources who coordinate eDiscovery activities recognized as subject matter experts and manage standardized processes and workflows for matter initiation, set-up, onboarding, and oversight
- Organization-wide processes established, measured, controlled, documented, audited, and continuously improved
- Full end-to-end eDiscovery program including data collection and legal hold tools
- Mature electronically stored information protocol templates, routinely evaluated and updated
- Extensive use of technologies such as technology assisted review, predictive analytics, and artificial intelligence (AI); ongoing research and piloting of emerging technologies to improve eDiscovery activities
- Relationships with preferred service providers, including for proof-of-concept projects and development of regional or geographical presences to address data privacy issues
- Internal coordination with IT to identify potential eDiscovery issues with new technologies and proactively incorporate features to assist with regulatory and eDiscovery data retrieval
- Use of existing eDiscovery tools for alternative purposes such as contract review, asset sales, and mergers and acquisitions
- Promotion of discovery process and tools to other parts of the business that may benefit, such as Ethics and Compliance, Regulatory, and Human Resources
- Depth in internal and external resources to avoid overdependence; internal succession and cross-training implemented; more than one external service provider well-established
- Financial management includes ability to course-correct spending through direct oversight of vendors and law firm resources

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EXTERNAL RESOURCES MANAGEMENT

Oversight of vendors and law firms from selection through performance management and payments.

EARLY STAGE

- Majority of outsourced work directed to law firms
- Law firms at arm's length from in-house law department; relationships may be somewhat untrusting
- Law firms selected and managed by frontline counsel
- Ad hoc engagement and billing terms; billing generally on hourly rates; limited invoice review and analytics

INTERMEDIATE STAGE

- Some consideration or use of legal process outsourcing vendors or alternative legal service providers (LSPs)
- Concerted effort to improve collaboration with law firms and LSPs (e.g., through feedback, conferences, joint process improvement efforts)
- Vendor consolidation underway; some use of preferred providers to gain leverage and improve operational efficiency
- Resources dedicated to managing supplier relationships (often under Legal Operations)
- Billing guidelines incorporated into e-billing/matter management systems and enforced through invoice review
- Some/limited use of alternative fee arrangements (AFAs); learning what types of work and how to implement them successfully
- Defining key performance indicators and developing a dashboard to track metrics, including cost-effectiveness of external resources
- Some informal or ad hoc law firm/supplier evaluation
- Legal recognizes the business case for diversity and inclusion (D&I) and begins to measure and implement programs to improve law firm D&I

This is a living, evolving maturity model. || Tools: *acc.com/Maturity*

External Resources Management

ADVANCED STAGE

- Right-sourcing an ongoing consideration and LPOs/LSPs often integrated into legal services delivery model; well-established preferred counsel model
- Suppliers considered value-producing business partners; systematic use of value-adds (e.g. training, secondments) and value-enabling capabilities such as project management and technology
- Outside counsel and vendor management centralized, dedicated function(s) with involvement in RFPs, engagements, pricing, and performance reviews to drive continuous process improvement and innovation; governance includes disciplined policy, exceptions, conflicts, and data security management
- AFAs well-understood and utilized according to established principles; systems smoothly incorporate/support AFAs in billing and metrics/dashboards; procedures exist to assess value and reconcile pricing to cost/scope variances
- Data-based decision-making in counsel selection/evaluation/pricing (e.g. outcomes are considered in law firm selection)
- Legal, Procurement, and Finance fully aligned and well-integrated with respect to supplier selection/management and spend management processes
- Standardized supplier quality/performance metrics; regular, structured, and mutual feedback
- Diverse suppliers proactively identified and metrics used to encourage D&I in staffing matters

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FINANCIAL MANAGEMENT

The discipline to allocate financial resources, forecast revenues/expenses and create/maintain budgets to ensure compliance with accounting and cash flow requirements.

EARLY STAGE

- Devoid of standard processes, metrics and analytics
- Ad hoc timing
- Budget lacking or set by Accounting; tracked via spreadsheets and/or Word tables, if at all

INTERMEDIATE STAGE

- Standard processes exist but not documented or well-known
- Budget set and accruals managed through strong collaboration between Legal and Finance; Legal Operations oversight of spend and budget management
- Metrics and analytics reactive and decentralized
- Timing driven by external party (e.g. Finance)
- Budget tracked via spend management system
- Forecasts done as requested; accruals done on large matters
- Reserves and contingencies set on large matters and/or through informal conversations (undocumented)
    - High-level discussions between Legal Ops and internal counsel when setting financial targets
    - Budgets and forecasts completed at a business, practice area, or regional level

Financial Management

ADVANCED STAGE

- Standard processes defined, documented, and communicated through published policies and procedures
- Defined reports, metrics, and dashboards distributed according to a defined schedule with assignees and real-time data
- Timing driven by Legal (in support of corporate calendar) via published, communicated timeline and/or project plan
- Budget and forecasts tracked via standardized tools; systems utilized enterprise-wide at the matter level and easily directed to the appropriate cost center
- Standard forecasts and accruals, automated with technology and according to a defined timeline
- Reserves and contingencies set via standard, defined, and defensible process for tracking and reporting reserve recommendations and aggregated legal contingencies
- Regular budget reviews with the senior leadership team
- Key performance indicators (KPIs) managed, tracked, reported, and benchmarked
- Frequent, in-depth, and documented collaboration between Legal Ops, internal counsel, and external vendors when establishing financial targets
- Solid and longstanding partnerships with Corporate Finance established
- Legal engaged in companywide financial initiatives and processes

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INFORMATION GOVERNANCE (RECORDS MANAGEMENT)

The system to manage electronic and physical documents enterprisewide to support an organization's compliance and operational requirements

EARLY STAGE

- Information governance and records management unaddressed or ad hoc
- Employees keep their own records and information
- Documents generally paper-based with limited digitization

INTERMEDIATE STAGE

- Formal information governance and records management program in place with dedicated leadership and team
- Executive and stakeholder support for program
- Information governance and records management addressed by the business with assistance from program leader/team
- Enterprise information governance policy and records retention schedule in place but not enforced; compliance not audited/monitored
- Some employees trained on policy and schedule
- Essential or minimum requirements that meet the organization's legal, regulatory, and business requirements
- Initiatives to digitize paper records, integrate digital document management into information governance program underway
- Some records and information managed with metadata and chain of custody
- Employee training available but not tracked and recorded

This is a living, evolving maturity model. || **Tools:** *acc.com/Maturity*

Information Governance (Records Management)

ADVANCED STAGE

- General Counsel advocates for program
- Enterprise policy and retention schedule regularly updated, communicated, and enforced; compliance audited by information governance team
- Policy and retention schedule reflect regulatory requirements and supported by legal research
- End-to-end documented and audited document/record lifecycle management with oversight from an information governance steering committee
- Software tools
- Enterprise audit information reviewed and continuously improved
- Program integrated into overall corporate infrastructure and business processes
- Program plays a critical role in cost containment, competitive advantage, and client service
- Program provides avenue for business intelligence gathering
- Defined formal information and records disposition process
- Featured in all IT and product development projects
- Managed on global basis, with retention, document management, and data housing policies (reflecting multinational requirements) published and managed

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INNOVATION MANAGEMENT

The program and process to collect, analyze, select, pilot and implement innovative systems and processes within the legal department.

EARLY STAGE

- Innovation strategy reactive and short-term
- No defined or committed resources dedicated to innovation within legal operations
- Sporadic processes with limited workflow, integration, and governance
- Innovation projects siloed with limited engagement by colleagues
- Self-directed education on enabling technologies
- General disdain and skepticism of trying new solutions
- Limited technology and tools

INTERMEDIATE STAGE

- Innovation strategy aligned to corporate objectives
- Part-time resources with sponsorship
- Defined processes with limited adoption and some governance
- Collaborative environment with engagement by colleagues
- Limited education on enabling technologies and application
- Pockets of innovative behavior throughout culture
- Limited pipeline of innovations to act upon; organization intends to use crowdsourcing to collect new innovations but lacks follow-through
- Variety of technologies and methods
- Ad hoc measurement and metrics to measure innovation project performance

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Innovation Management

ADVANCED STAGE

- Innovation strategy drives competitive advantage and provides opportunity to monetize innovations
- Dedicated senior roles and teams for innovation management with executive leader sponsorship
- Dedicated innovation system, processes, team or task force
- Repeatable innovation processes used in all areas across law with governance model
- Widespread experimental culture valued by leaders
- Internal and external co-creation
- Formal education about innovation in the marketplace and change management program
- "Fail-fast" culture where feedback enables teams to adapt, respond, and improve quickly
- Robust innovation pipeline; crowdsourcing initiatives fully integrated into the innovation management model and subject to continuous improvement
- Multiple tools, technologies, methods, and approaches
- Strategic metrics program measuring performance and value; metrics shared across Legal function

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INTELLECTUAL PROPERTY MANAGEMENT

Operations to optimize the return on investment in the tangible assets of an organization, such as patents and trademarks.

EARLY STAGE

- Outside counsel responsible for majority of patent and trademark filings, annuities payments, trademark renewals, database maintenance, and docket management
- Manual patent annuity and trademark renewal process
- Hard-copy patent and trademark files (bi- and tri-folds); manual tracking and docketing via spreadsheet
- Manual data collection across multiple sources
- Manual IP processes; written confirmations
- Decentralized operations; filings with government offices primarily via postal mail and hard copy

> "
> The ACC Legal Operations Maturity Model provides a significant value-add across several facets of running a legal ops team. First, it provides a blueprint to aid strategy planning and roadmap development. Second, it creates a common baseline to benchmark current state with peer organizations. Finally, as a living document, the Maturity Model is constantly envolving as the state of the legal ecosystem advances
>
> **- MIKE RUSSELL, TRANE TECHNOLOGY**

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Intellectual Property Management

INTERMEDIATE STAGE

- Standard operating procedures (SOPs) for filing, docketing, and maintenance of IP assets; forms and templates to facilitate IP procurement
- Encumbrance information attached to IP; contract performance requirements difficult to report on or track
- Internal resources dedicated to management of patent and trademark prosecution and budget management
- "Build vs. buy" assessments made across various aspects of IP management, taking into account budget, staffing, and portfolio size
- Basic understanding of applicable jurisdictional requirements for inventor remuneration; export control procedures defined (review is manual)
- Integrated patent annuity and trademark renewal decisions/payments either directly through the established IP Asset Management system (IAM) or through an annuities payments management provider and extracts from IAM
- IAM used for file creation, docketing, and maintenance; reliance on paper backup (shadow) files; electronic filing ad hoc and inconsistent; data integrity improved but remains an issue
- IP information available via reporting function, but reporting ad hoc; broad portfolio analysis/insight difficult
- SOPs in place for collecting invention submissions, filing, tracking decisions, docketing, and maintenance of IP assets; communicated to all resources
- Internal subject matter experts identified; roles and responsibilities more clearly defined; training provided on processes and systems
- Formal and effective patent, trademark, and trade secret planning processes; filing decisions made through an innovation team (e.g. IP, Legal, R&D, Clinical, Medical Affairs, Engineering) for review of inventions
- Dedicated IAM for file maintenance and docketing; basic patent and trademark workflows exist (some automated)

Intellectual Property Management

ADVANCED STAGE *(continued...)*

- SOP manuals shared with all relevant parties for every workstream from idea collection to expiration of IP rights; SOPs reviewed/updated at least annually
- Encumbrance information attached to IP; tracked and reportable via database or dashboards
- Alerts on contract performance/requirements automated, scheduled, and pushed out
- Outsourced services for below-the-line work (e.g. database maintenance and docketing)
- Sourcing strategy in place and periodically reviewed, assessing best resources for all aspects of IP management
- Integrated IAM system incorporates rules that ensure proper payment of annuities, renewals, and fees for all jurisdictions
- IP files fully electronic (no backup/shadow paper files); data exchanged electronically among all parties and PTOs to procure patent assets; system connected to world patent entities for regular automated data integrity cross-check
- Patent portfolio rationalization strategy (aligned with company strategy) for annuity payment, portfolio rationalization, IP licensing, and sales-of-asset decisions
- Reporting fully developed, standardized, and automated; portfolio dashboards; high data integrity; automated audit reports identify risks and compliance issues
- IP processes and policies clearly defined, integrated, and effectively enforced; standardized forms and templates facilitate IP procurement
- Filing strategy (tied to corporate strategy) communicated to innovation team (including external counsel and vendors) and used to guide filing of IP globally
- Robust IAM system includes lifecycle management, analytics, and brand management, with full integrations into other key Legal and IP systems; automated workflows integrated for invention disclosures, due diligence, freedom to operate, inventorship remuneration, product clearance requests, IP review for information to be shared outside the company and trademark clearance requests
- Extensive use of artificial intelligence and machine learning across the lifecycle of patents and trademarks to drive efficiency, monitor health of operations, and inform decisions
- Capability to capture inventions in meetings and process filing decisions in real time

This is a living, evolving maturity model. || **Tools:** *acc.com/Maturity*

INTERNAL RESOURCES MANAGEMENT

The activities to advance the human resources in the legal department, including recruiting, onboarding, training, work allocation, performance management, talent development and employee communications.

EARLY STAGE

- Training limited to continuing legal education for attorneys and day-to-day responsibilities for other legal professionals in the department
- Performance management and employee recognition limited to execution of corporate program
- Succession planning as required by corporate program
- Employee engagement surveys limited to corporate program
- Preliminary stages of outlining processes and procedures
- Legal requests received by lawyers who delegate as needed

INTERMEDIATE STAGE

- Talent development, performance management, and succession plans drive individual career development plans and programs (e.g. special projects and rotations), as well as training for all department employees
- Cross-training at all levels ensures continuity through staffing shortages, leaves, and departures
- Evolving catalogue of positions, responsibilities, and skills/expertise inventories in place or in development
- Legal-specific or tailored employee engagement surveys and recognition programs
- Legal-specific onboarding and offboarding checklists (e.g. litigation, legal holds, e-discovery management, hardware/software, etc.)
- Documented, Legal-specific employee policies (e.g. bar dues reimbursement, dress code, telecommuting, etc.)
- Legal service request intake and triage function directing work to the appropriate resource in the Legal department
- Concerted efforts to get the right work to the right levels, fully leveraging legal professionals who are not lawyers

Internal Resources Management

ADVANCED STAGE

- Goal-focused talent development, retention, and engagement program, reflecting corporate and Legal strategic priorities and progress measurements (e.g. diversity and inclusion, pro bono, community service initiatives, rotations, flexible work options, etc.)

- Standard operating procedures, generally assisted by workflow and collaboration technology, automating as many repetitive processes as possible

- Robust position management systems including assessments and documentation of spans, layers, skills, and experience to maximize leverage of internal resources

- Staffing optimization program with metrics to assess and continuously improve utilization of skill sets at each level; may include personnel cost management tactics such as centers of excellence and low-cost location strategies

- Coordinated employee communication protocols and vehicles (e.g. department website, community pages, newsletters)

- Knowledge management system integrated with legal employee onboarding/offboarding, training, and mentoring

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KNOWLEDGE MANAGEMENT

The process of capturing, distributing, and effectively using both structured and tacit knowledge assets, from work products (such as legal memos) to understanding of an issue due to prior experience.

EARLY STAGE

- Ad hoc or nonexistent communication about Knowledge Management (KM)
- Knowledge Assets (KAs) broadly dispersed
- Employees guard, disperse, leverage only their own knowledge but not one another's
- Tacit knowledge shared through one-off or repurposed answers to questions
- Seek law firm advice on answers to questions; may be getting advice on same topic repeatedly; no effort to consolidate legal work product so it can be repurposed

INTERMEDIATE STAGE

- Some KM practices in place (e.g. centralized repository, intranet, or other knowledge-sharing mechanism for some categories of knowledge)
- Culture recognizes and rewards at least some organizational knowledge sharing
- Rudimentary documented communication available concerning who knows what or where KAs can be found
- Strategic KM plan developed, but not fully implemented/followed
- GC and management support implementation of KM
- Collaboration between document/process owners and curators to create and manage templates and toolkits
- Limited metrics in place to measure KM success
- Limited dedicated budget for KM
- KM training included as part of onboarding and career development
- At least one staff member partially responsible for KM initiatives

Knowledge Management

ADVANCED STAGE

- KM well-established, deeply integrated, and continuously improved
- Mechanisms and tools for curation; easy finding and sharing of KAs leveraged and valued throughout the organization
- KM a standard component in organizational processes, supported by automated workflows
- Periodic reviews in place for internal and external stakeholders
- Systematic knowledge sharing accepted as fundamental; directories maintained and accessible by staff and clients; specific client-focused KAs developed
- Three-to five-year strategic KM plan
- KM training embedded in employee onboarding
- Regular and ongoing KM training on system updates and best practices
- KM plan anticipates upcoming and evolving KM needs
- Dedicated central repository to share knowledge
- Formalized metrics in place to measure KM success
- Significant KM dedicated budget relative to the organization
- At least one full-time dedicated KM professional

> **"**
>
> At the start of your legal operations journey, it can be difficult to benchmark your organization's current state, measure success, and set goals accordingly. The ACC Legal Operations Maturity Model provides a blueprint. It helps you understand where you are and where it is possible to go.
>
> **- SAMANTHA R. GABRIELE, TIAA**

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METRICS & ANALYTICS

The system to collect, organize and use data to inform decision making and performance management.

EARLY STAGE

- Manual tracking of data, if at all
- Spend tracked only within high-cost practice area(s)
- Focus on external spending, mostly for budgeting purposes
- Uneven integrity/cleanliness of data; working to improve data integrity through naming conventions, standard groupings
- Little to no reporting of metrics internally or externally
- Unsure of the types of metrics to implement that would drive value and business decisions
- No benchmarking against industry or other companies
- Dealing with legal issues as they come along without collecting statistics

INTERMEDIATE STAGE

- Some basic/foundational metrics established to inform and for alignment with GC and/or senior leadership (e.g. top firm spend, average hourly rates by firm/timekeeper, percentage of legal spend to company revenue, internal task management)
- Most metrics generated through manual synthesis of data from disparate systems
- May start collecting law firm performance metrics as part of a firm scorecard; data may drive firm selection
- Metrics reported out manually/via email; some formal review with GC and senior leadership
- Participate in external surveys for departmental benchmarks
- Considering or beginning to implement other types of operational metrics: contracts, diversity, internal staff task time

Metrics & Analytics

ADVANCED STAGE

- Data-driven decision making; metrics clearly linked to organizational objectives that drive business/operational decisions
- Leading and lagging indicators of performance measured relative to baselines, benchmarks, and targets
- Central data source (e.g. electronic billing/matter management tool) collects comprehensive, well-categorized spend data
- Integrating and dashboarding well-balanced financial, operational, and outcomes metrics automated; diversity is core metric
- Regular and formal review of standard metrics with GC and/or senior leadership throughout the year
- Department leaders directly access dashboards to filter data and answer questions to derive insights and make better and faster operational, financial, and legal strategy decisions
- Decision making enhanced through use of predictive analytics (statistical techniques that include machine learning, AI, algorithms for data mining)
- Methodology to assess success on legal matters (outcomes relative to expectations) takes into account holistic case cost, including internal and external spend across multiple vendors, settlements, other case outcomes, avoided costs, etc.
- Annual review to update metrics/reports based on new business objectives; metrics are pressure-tested to ascertain that they are still driving value to the owner/department and those that are not supporting decisions are discarded
- Metrics support business intelligence, driving continuous improvement in firm performance and selection, internal and external staffing, case assessment, and legal strategy

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PROJECT & PROCESS MANAGEMENT

The disciplines utilized to plan, coordinate and oversee multifaceted initiatives and matters, as well as to continuously improve process efficiency.

EARLY STAGE

- Ad hoc project oversight
- Minimal awareness of Project and/or Process Management principles (PPM)
- Staff responsible for PPM in addition to other duties
- Piecemeal or ad hoc project participation and change communications

INTERMEDIATE STAGE

- Formal Project Management (PM) applied for some key initiatives, especially on technology implementations and legal matters; staff broadly familiar with PPM processes
- Legal Project Management (LPM) handled by law firms
- At least one staff member partially responsible for PPM initiatives
- Leadership drives process reviews; improvement initiatives conducted as needed; some work processes supported by mapping and documentation
- Legal department adopts process improvement methodology used in the enterprise (e.g. Lean, Agile, Design Thinking), especially on multifunctional initiatives or activities (e.g. contracting, information governance)
- Shared platform in place, but not universally adopted
- Legal operations staff fosters best practices and encourages evaluation and improvement in individual and department practices; department-wide staff understands PPM processes and department has had some positive outcomes with both project management and process improvement
- Skilled resources identified; some dedicated time allocated for PPM
- Some documentation or knowledge-sharing of PPM processes
- Limited dedicated budget for PPM
- Limited department-wide training to promote PPM usage/acceptance

Project & Process Management

ADVANCED STAGE

- Formal PPM applied in all appropriate cases; staff very familiar with PPM principles and practices
- Executive sponsorship visible, but staff owns the outcomes
- Process improvement methodically and continuously conducted in all appropriate situations and driven from within affected groups; most work processes formalized and documented
- Shared platform in place and universally adopted; provides transparency into project processes, metrics, and status
- Continuous process improvement review; PPM an integral part of the culture; staff highly motivated to evaluate and improve individual and department practices
- Extensive documentation and knowledge sharing of PPM processes; department-wide training to promote PPM usage; onboarding includes department-specific PPM training
- Significant dedicated budget for PPM function
- If warranted, experienced PMP and/or process improvement specialist part of the staff

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STRATEGIC PLANNING & LEGAL OPERATIONS LEADERSHIP

The process to set legal department goals that align with enterprise objectives, prioritize initiatives, allocate resources and define metrics to assess progress.

EARLY STAGE

- Informal processes to identify current state, strategies, goals, and desired outcomes
- Legal department plan not aligned to larger business plan
- Strategic planning and budgeting are combined
- No alignment among legal department financial, staffing, technology, and outside counsel decisions
- Informal and reactive approach to operational decisions
- Legal's goals are tactical, rather than strategic

INTERMEDIATE STAGE

- Published legal operations strategic plan, identifying specific activities aligned with department and company goals; actively monitored
- Annual planning process, designed to produce plan before submission of annual budget
- Alignment of all Legal financial, staffing, technology, and outside counsel decisions to strategic plan
- Formal process regarding operational decisions, utilizing established decision-making authority
- Identifying, capturing, and reporting on key data and other measures to assess progress against goals and plans
- Beginning to align needed resources with agreed-upon strategic plan
- Teams and staff assessed based on performance against strategic goals

Strategic Planning & Legal Operations Leadership

ADVANCED STAGE

- Legal plan aligned to corporate strategy and with other key stakeholders in the organization (horizontal as well as vertical alignment)
- Annual planning process, designed to produce plan before submission of annual budget; planning horizon extends well beyond one year
- Strategic management of all staffing, technology, and service delivery, with clear direction and long-term roadmaps
- Mature metrics to track progress against plan; quarterly reports and monthly dashboards shared with leadership showing progress against goals and plans, allowing for appropriate updates
- Decisions made and work prioritized in accordance with strategic plan
- Legal operations goals, strategies, and activities embedded in legal team talent development and assessment activities

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The ACC Legal Operations Maturity Model has been the cornerstone in helping mature the Legal Operations organization at Boston Scientific. It is a tool that allowed me to access and benchmark our maturity in each of the functional areas, prioritize with our General Counsel and Senior Leadership to build our roadmap. The Maturity Model helps drive progress for Legal Operations and Departments.

- DAN YOUNG, BOSTON SCIENTIFIC

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This is a living, evolving maturity model. || Tools: *acc.com/Maturity*

TECHNOLOGY MANAGEMENT

The set of activities to optimize utilization of technology, including planning, selection, procurement and/or development, training and promotion of adoption.

EARLY STAGE

- Reliance on corporate IT or third-party providers to identify and implement technology
- Limited technology deployment and user adoption
- Reliance on spreadsheets for core Legal activities such as legal hold, matter, contract, document, IP and project management, reporting, etc.
- Assessment of existing technology underway to create an initial technology roadmap

INTERMEDIATE STAGE

- Legal coordinates with corporate IT to identify and implement technology, often with a designated liaison, project manager, and helpdesk support
- Actively leverages current technology within Legal, driving adoption and establishing some integrations across systems
- Technology roadmap focused on identifying, prioritizing, and sequencing implementations to support core legal activities
- Training ad hoc, using limited platforms
- Typical systems in place include legal hold, e-billing, basic matter management, contract, document, and IP management
- Effort underway to digitize and automate processes (e.g. legal intake and triage, workflows, NDAs)
- Regular attention to maintenance of existing systems, ensuring they are up to date and continue to be relevant and compliant with regulations
- Enhancements are reactive, in response to ad hoc requests or systems failures

Technology Management

ADVANCED STAGE

- Legal focused on aligning business processes across the enterprise using technology
- Longer-term (five-year) technology roadmap; benchmarked and adapted as environment changes
- Process in place for research, scenario planning, and piloting emerging technologies, such as artificial intelligence, machine learning, robotic process automation, and natural language processing
- Technologists or legal ops leaders evaluate changes in technology and develop implementation strategies; drive continuous improvement in user adoption
- Technologists integrated into legal operations function or provided as dedicated IT resource
- Training and user support protocols well-established and presented using various platforms
- Strong integration among systems in Legal, and as appropriate across the enterprise
- Processes automated where feasible, and roadmap includes continuing focus on automation and digital transformation
- Systems typically include legal service intake/triage, legal hold, financial (e-billing/metrics/ billing guidelines), eDiscovery, knowledge/ collaboration, full contract lifecycle, matter, document, IP management, workflow automation; and applications designed to anticipate/mitigate risk (e.g. tracking new regulations, trends in consumer complaints, deficiencies identified in audits)
- Process in place to proactively consider systems enhancements, often including an ongoing user group or other mechanism to share best practices, collect feedback, and request and evaluate enhancements

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This is a living, evolving maturity model. || Tools: *acc.com/Maturity*

ABOUT ACC

The Association of Corporate Counsel (ACC) is a global legal association that promotes the common professional and business interests of in-house counsel who work for corporations, associations and other organizations through information, education, networking opportunities, and advocacy initiatives. With more than 45,000 members employed by over 10,000 organizations in 85 countries, ACC connects its members to the people and resources necessary for both personal and professional growth.

ABOUT ACC LEGAL OPERATIONS

ACC Legal Operations is a member-driven section of the Association of Corporate Counsel that supports corporate legal operations professionals by delivering benchmarking, resources, education, opportunities to collaborate, and advocates for advancement of this critical business function.

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