

Data-Driven Insights: Taking Collaboration to the Next Level

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By Scott Forman

The legal industry, like most of corporate America, has had to embrace new technologies and methods to keep their businesses running amid COVID-19. Now, as we begin to overcome the crisis, businesses and their in-house legal departments are looking for ways to bring successful pandemic techniques into a post-pandemic world.

The widespread use of technology tools—namely video conferencing software—to communicate and facilitate collaboration among dispersed teams represents a dramatic change in how we work. The technology will no doubt persist due to the pandemic-driven acceleration of the shift to remote work and the digital workplace. That's a good thing, but it would be a shame if the primary technology-related change to survive the pandemic was more virtual meetings.

As in-house counsel navigate a steady stream of novel and complex legal issues facing their businesses, along with continued pressure to increase operational efficiency, now is the time to look at collaboration more broadly. Specifically, in-house legal departments can address these evolving issues through the use of a broader set of technology and data solutions,



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including data-driven storytelling and benchmarking.

Properly Defining Collaboration

Let's start by defining collaboration, which is broader than how and how often we talk with each other or the co-creation of documents. It involves each of us sharing our own tools and insights with our colleagues, so that we become collectively smarter than the sum of our individual work product.

The legal industry understands the need for this kind of collaboration and the benefits of using technology and data to operate more efficiently and produce better strategies and outcomes. The

thinking predates COVID-19, but with greater comfort and willingness to use technology-based tools, now is the time for in-house legal departments to push forward with solutions that take this collaboration to the next level.

Overcoming Resistance

In-house counsel with new ideas for collaboration-enabling technology solutions may have had difficulty securing buy-in pre-pandemic. But now the change-management hurdles have been lowered, making resistance less likely. Lawyers who out of necessity pivoted to managing legal matters in a virtual world are more likely to understand the value of technology

tools, generally, and data, specifically, for the legal department at a higher level. Put another way, lawyers who were less comfortable using video conference software 15 months ago are likely more open to learning about technology platforms that systematically capture clean and structured data to provide reliable legal insights.

There is also now a greater understanding of how data analytics and other technologies enhance, rather than overtake, the work of lawyers. These tools are not replacements for lawyers' years of experience, but rather sources of data and insight to help lawyers do their jobs faster and better—including through more effective collaboration.

Data-Driven Storytelling

The technology we have used to collaborate and stay connected during the pandemic can also serve as a source of data-driven insights to guide legal departments' strategies and operations. For instance, in-house counsel receive a bevy of HR-related questions every day; after the onset of the pandemic they received exponentially more. If these questions were to be submitted to in-house counsel through a technology-based platform, the resulting data could be analyzed to spot trends and identify insights, such as where there were additional employee training needs.

Examining data also helps legal departments improve the way they operate, including managing workflow, resource allocation and outside vendor selection. In a broad sense, legal departments—which, like everyone, have limited resources—can use data-driven insights to identify the optimal

areas and issues where they should devote their time. This works best when in-house counsel share information about their priorities with their legal service providers, which helps ensure all tools can be leveraged to optimize opportunities for collaboration and, ultimately, drive better outcomes.

Benchmarking

Before COVID-19, in-house lawyers often attended conferences or events to gain insight about what their peers were doing. That, of course, has been difficult if not impossible since March 2020. Virtual events helped fill the gap, but this kind of information gathering is much harder than it used to be.

We know that in-person interactions will eventually return, but we are probably several months if not years from anything that feels like a pre-pandemic world. In-house lawyers must continue to look for new ways to obtain industry insights that benefit their organizations and that might have previously come through in-person meetings and informal fact-gathering.

In this environment, accessing benchmarking data will be more important than ever. The ability to review actionable and objective information helps lawyers understand where their challenges are and how they stack up against other companies. This in turn helps guide legal strategy and enables leadership to make more informed business decisions.

For instance, at the start of the pandemic, we used one of our existing technology solutions, Littler onDemand, to manage and track the high volume of work-

place-related questions we were receiving from clients. Capturing and analyzing this data had the added benefit of providing real-time insights on the evolution of employers' concerns. This in turn allowed us to spot developing issues, such as questions around vaccine mandates, to inform clients of emerging issues in their industries and help them see around corners.

Conclusion

Of course, seeing around those corners has become more increasingly challenging. Companies are already faced with legal questions that would have been unimaginable before the pandemic. The next challenge, whether it's related to the pandemic or something else, will likely be just as unexpected. After recent events, it would be naïve to think otherwise.

The only thing we know for sure is that effectively managing legal matters will increasingly require collaboration centered on and driven by technology, as well as drawing on a broad set of tools that truly and effectively extract insights from data.

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