

WORKFLOW AUTOMATION EXPLAINED

**A primer for Workflow Automation in
Legal & Compliance**

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Preface

Workflow and automation have become part of the mainstream conversation in legal and compliance operations, partially spurred on by the abrupt changes required by COVID, but also due to longer term efforts on both supply and demand sides of the market to standardize the way work is carried out. However, knowledge of the wide array of types and capabilities of workflow and automation is still patchy across our industry. These words have come to mean everything and very little at once – these articles are an attempt to bite off, simplify and make more accessible some of the key concepts and challenges for anyone looking at this space.

--Edward Wilson, February 2022





“ Workflow and automation have come to mean everything and very little at once. ”





Making Sense of Automation in Legal: a buzzword free primer

Automation is everywhere.

Take grocery shopping, for example. Even just five years ago, you might have gone shopping in person with a handwritten list. Today, without leaving your couch, you can call out, “Alexa, order more laundry detergent.” Speech recognition parses your order, which is then placed electronically by a system that already knows your brand preferences and payment details, and your order is delivered to your door. This task has evolved from manual effort to an automated workflow.

Workflow automation has made similar advances in the legal world. For example, contract renewals can be managed by setting up a workflow to automatically send reminders to the right people at set

intervals ahead of renewal dates. These workflows can include automated escalations to provide all the checks necessary to avoid missing critical deadlines.

Workflows can also be triggered by dynamic factors. For example, a workflow can monitor interest rates and, if a rate crosses a predefined threshold, that can trigger an automatic redrafting of contract terms or the issuance of payment notices.

Of course, this isn't quite as simple as buying an Amazon Echo for your office, but it doesn't have to be an expensive and lengthy endeavour either. With the right tools, legal teams can implement and adopt workflow automation quickly and effectively.



Demystifying the Platform

The term **platform** has become so overused – and misused – as a buzzword that its meaning has become unclear to many.

A true platform is like a Lego set – all standard pieces that fit together in endless combinations. You can buy a Lego set with all the pieces needed to build a car or a spaceship, and those same pieces can later be rearranged to create many other things.

A platform works the same way. It provides a standard framework (like Lego pieces) that allows you to build and rebuild the workflows you need. That framework allows legal to build out and adapt workflows to tackle the full range of workflow challenges it faces day to day – from repetitive tasks to complex processes.

A platform is not a **point solution**. A point solution is a tool designed to solve a specific business challenge. Examples include contract management, matter management, and eDiscovery. These tools can be very useful within their respective scopes – but only within their respective scopes.

A point solution is more like a Matchbox car. It's great as a car, but that's all it can be. There's no way to take it apart and rebuild it into anything else.

The legal tech market offers over a thousand individual **point solutions**. By now, every legal department or law firm has at least one.

The problem is that while they create efficiencies in their specific areas, integrating them with other point solutions is often challenging and costly. And even with integration, you still don't have a comprehensive workflow. Separate point solutions also inherently create separate, disparate silos of information.

That's where the **platform** comes in. While it can knit together different point solutions, fundamentally it does much more than that; it provides a standard framework to support all workflows. It can incorporate critical point solutions where needed, as well as offer up comparable solutions without having to go to market for another tool. It allows you to build, adapt, and expand workflows to meet the ever-changing needs of legal.

Automation Options

The rise of **no code/low code platforms** means that process-oriented people no longer need a team of developers to build and redesign workflows. Members of your own legal team can use a visual interface and drag and drop functionality within the platform to assemble things themselves. This means workflows can be built, changed, expanded, and scaled quickly by the people who will use them the most, providing



continuous, real-time value to legal, without leveraging scarce or costly IT resources.

This no code/low code approach is a key differentiator from old-school **business process management (BPM) platforms**, which IT departments are familiar with, but legal teams likely haven't encountered. To understand BPM, imagine owning an entire Lego city that can only be built and changed by highly trained Lego experts. BPM implementations are lengthy and costly, and BPM generally lags behind the pace of change required in today's business environment.

There's another way to approach automation: "bots." **Robotic process automation (RPA)** tackles voluminous, routine tasks that don't require human thought to complete. Many legal teams have begun experimenting with bots.

RPA automates very straightforward, linear tasks. Think of it as a toy robot you can teach to execute a series of mouse clicks in an application for you, so you don't have to do the clicking. This is a huge time saver, especially with tasks your team repeats hundreds of times a day.

Automating a task, however, doesn't mean it's done better just that it's done faster. RPA on its own doesn't move the needle on overall

Adding to that, if anything changes – for example, if the user interface of the app used by the bot gets updated – the bots won't work until their routines have been updated. The more bots you have, the more time consuming that can become; updating a handful of bots is one thing, managing dozens would take a significant amount of ongoing time and effort. Thus, it's difficult to scale with RPA.

RPA serves a specific purpose as a quick and cost-effective way to take advantage of some automation, but it does not provide a comprehensive workflow for complex processes that require human interaction. A platform, however, can accomplish routine tasks as well as those complex processes; it's a full-service solution.

So What?

The most accurate answer is, "It depends" – on your existing tools, what processes you need to address, how quickly you need to move, and your budget. There's a sweet spot for each tool.

Having demystified the overall landscape of automation in legal, we'll next turn our attention to the future of workflow automation. Stay tuned.



Workflow Automation: Vision of the Future

A few weeks ago, I discussed workflow automation and the solutions available today. But where is workflow automation headed?

To the platform.



It might not come as a surprise that the CEO of a workflow automation platform is suggesting the future is the platform, but it's for good reason.

Most of us have already undergone some degree of digital transformation at home, where our mobile phones and devices like Amazon Echo, have become our personal assistants. Paper notes, live television and trips to the store are dwindling. Siri and Alexa deliver the news, track to do lists, and order groceries.

This transformation is also happening in the workplace and shares common themes with what has happened at home:

It's increasingly more connected. A simple example of this is the now-common Single Sign-On – log in just once to your computer network and access all applications without logging into each separately.

As connectivity increases, it promotes having a single source of truth – one central place to house, access, and take action on all information. By bringing data together within a standard framework, you can do far more than just seamlessly log in. The items that you're working on and the tasks that need to be done will be readily served up to you.

This also extends to include internal business functions and external stakeholders. You can collaborate on a contract renewal with your internal client, outside counsel, and counterparties as part of a seamless end-to-end process. You can also connect the power of machine learning with this human expertise (human-in-the-loop automation) to work more effectively.

It's increasingly real time. Connectivity and immediacy work hand-in-hand. Monitoring tools become more powerful when the data is comprehensive and up to date.

Take SLAs for example. You don't have to wait for a daily sync to find out an SLA was missed. Instead, real-time cues trigger an action to avoid missing deadlines. Perhaps the business day is done, but review hasn't started; the work is rerouted to a team in another time zone to get it done on time.

It's increasingly more convenient for its users. The technology of the future will display what you need, in the place that you need it, in the way that you prefer. This may take the form of a sidebar in your email inbox, a messaging application such as Teams or Slack, a work queue, or even eventually voice activation.



It's not without challenges. A few data structures in legal are standardized but many are not, making it difficult to actually use data. The same data point in different point solutions likely won't match up – even as simple as dates formatted differently in each system. It takes time and great effort to clean up and map data across applications to make it functional.

These are not new challenges. Finding ways to appropriately manage information in a useable way has driven technology this far and will continue to fuel innovation going forward.

What does this mean for you today?

A platform can provide the common data model underpinning all your applications, acting as your single source of truth by pushing and pulling relevant data between them. Real time, standard data becomes available not only within a specific application, but across applications. Putting it in place now will help mitigate data challenges down the road.

If you're a legal team with very little technology, moving forward with a

platform now will help to future-proof your technology. Start with one key process, then expand. You don't have to maximize use overnight. This 'small steps' approach also helps with change management if your team is resistant to technology at first.

If you're a legal team with several point solutions already in place, using a platform will help bring it all together. This doesn't mean you throw out the tools you have, but you can begin to serve up data in a better, more effective user experience by connecting it within a common data model.

Down the road, you can assess what to do with each point solution. There may be some you can replace with the platform, such as document automation tools. Other highly specialized point solutions, like eDiscovery or IP management, may be best left in place, with the platform enabling better centralised reporting.

If you're an advanced legal team, your multi-year technology roadmap may address replacing aging technology. Using a platform allows you to connect to other business functions. Once you have a common data model in place, the applications are just inputs and outputs; you can readily swap in better tools and retain



centralised reporting. It will also enable more advanced use cases, like incorporating machine learning into workflows and empowering human-in-the-loop automation.

Then select the right platform. Most generic business technology won't meet the needs of legal. There are complex legal specific use cases that take time to understand and develop – and need to be easy to use. Choosing a platform provider fluent in legal operations will save critical time and effort.

A true digital operations platform enables legal teams to automate, integrate and scale complex workflows, and provides the foundation for your connected business applications. It works in real time, managing non-linear, simultaneous processes that reflect the complexity of real-world interactions.

Then, the key question is how the platform manages data. The underlying data model is critical. What a platform does (or does not do) with data defines the extent of its performance. If the data model isn't flexible and scalable, it will not support the applications of the future.

So what if you wait?

The future is coming regardless of how prepared you are. There are areas today where your team is spending unnecessary time it doesn't have. If you put the right platform in place now – a standard framework to support all workflows – you can take advantage of the benefits today and be ready for rapid growth and new demands as they arise.





‘Citizen Developer’: Oversold and Misunderstood

As legal moves to expand adoption of technology, a critical component of success lies in the implementation and ongoing support of that technology. Technology continually becomes faster and easier to use. Implementation now takes weeks instead of years, and bespoke workflows don't require large teams of developers.

No-code/ low-code workflow

automation platforms have emerged as powerful tools enabling more efficient product development by reducing the amount of coding necessary to build the end product. There may be no need to write code – or to know any code at all – to create something useful; visual programming allows a user to depict the workflow and actions being automated with a drag and drop interface.



As a consequence, the concept of 'citizen developer' has grown as a nirvana for technology adoption. It offers real freedom – what if we don't need IT at all? What if our business analysts or end users can just 'do it themselves'? And while this dream can come true, the role tends to be oversold as something anyone can do.

The reality is there are practical limits to this vision [of the 'citizen developer'] which will evolve over time as the technology matures.”

The reality is there are practical limits to this vision which will evolve over time as the technology matures. For example, the freedom to build on an extensive no code/low code platform comes with fewer security “guardrails” than a traditional packaged point solution. A well-intentioned citizen developer could build a workflow that

inadvertently exposes sensitive information or distributes privileged and confidential data to the wrong hands.

The idea that anyone can be a citizen developer also tends to undersell the skillsets of those using these tools successfully. There are growing teams of professionals who have wide-ranging skills in product management

and information security, who often have pockets of expertise in code, integrations – and, importantly, in legal. They use these skills to craft a more usable product, while considering data security and other technical aspects.

So where do you find citizen developers with the right range of skills? At the moment, there's a shortage in legal. Within corporations, you might then turn to the broader enterprise. There are likely to be skilled cross-functional resources within IT departments or innovation teams who are familiar with corporate process and can take on projects like these.



For organisations that need but lack such resources in house, there is a growing number of service providers springing up to meet the market demand. Some are spinning out of law firms. Buyers can now engage resources from the likes of Gravity Stack (originating from Reed Smith) and Keesal Propulsion Labs (launched by Keesal, Young & Logan), to name a couple. These groups provide a solution for those leveraging no/low code platforms, who understand the challenge of finding the right skilled professionals, but that may not want or need full time fixed headcount.

“We saw a growing number of requests from clients to help solve complex technology challenges,” explains Adam Knight, Client Business & Advisory Solutions Manager at Gravity Stack. “So, we built a team with the technical and legal expertise required to implement solutions from the simple to the complex. Some clients turn to us for all their needs, whilst others use us to augment their internal resources or to tap specialists not readily available in house.”

“We knew there was an unmet need in the market,” says Justin Hectus, CIO and

Co-Founder of Keesal Propulsion Labs, “but once we launched a systematic approach to meet that need, the demand was remarkable. From our vantage point, automation and all of the expertise required to implement it will be areas of strong growth for years to come.”

As the technology continues to evolve, so too will the citizen developer.

And as the technology continues to evolve, so too will the citizen developer. While not just anyone inherently has the skills necessary to be successful in this role, the skills can be gained, and market demand will create incentive for more individuals to grow into these roles. The market is already demanding it, and savvy buyers will find ways to achieve better business results more quickly, including faster ROI on technology investments.





Why Your Firm Isn't Winning Business in 2021

Workflow automation is changing the way law firms deliver services and win business with their corporate clients.

For years, corporate clients have asked law firms, “What technology do you use?” Often, firms rattle off a list of software, some of which has very little to do with the matter at hand. In the past, this has sufficed; it has been more of a throw-away question on both sides.

In 2021, technology – specifically workflow automation – has advanced to a point where it can be readily tailored to a client’s specific needs on a matter. With that has come a shift in how business is won. It’s no longer enough for a firm to say, “Yes, we use technology.” If a firm still includes “email” or “Microsoft Office Suite” amidst its list of

technology, that is far off the mark of what today’s corporate client is after.

Clients expect to see that the firm has relevant technology already in place and is proficient with using it. And increasingly, this determines which firms win new business and which firms do not.

This isn’t the first shift law firms have encountered related to technology. Take document review, which is fundamentally a form of workflow automation, albeit a specialised one. Associates used to spend a



significant number of billable hours sifting through boxes of individual paper documents. Now, using technology that reduces the manual effort required is table stakes.

If a firm bid on a case today and the proposal was to use associates to review each individual document, that firm wouldn't stand a chance of winning the business. Using technology is faster and more accurate than those associates by themselves, and everyone knows it.

That's not to say that successful workflow automation is just about technology. It's the classic triad of people, process and technology that drives the best outcomes for clients. With document review, whilst the technology is better suited to do the heavy lifting, there's also an attorney training the software's algorithms in order for it to work properly.

The abundance of use cases for automation – both internal and external, customer facing ones – make the investment in workflow automation a smart one. Unlike a point solution that tackles one specific category of work, a workflow automation platform is flexible, covering a broad range of use cases that a client may need.

Beyond the raw efficiency gained through automation, a wealth of data also accrues. By analysing this data, firms can begin to see patterns and trends that enable them to be more proactive in delivering quality legal services. Firms can use that information to address other potential issues that are critical to a client's business, becoming a valuable strategic business partner with an active role in the daily life of the corporate client.

In order to win business in this changing market, firms must rethink their approach to buying technology. Most firms are structured and conditioned for tactical buying: bring in the client first, which in turn provides the business case for buying the technology. That may be a reasonable approach for specialised point solutions, but firms that wait for a specific client-driven need to implement workflow automation will be too late.

Firms must shift to strategic buying: master workflow automation today to win more clients tomorrow (and keep the ones they already have). Corporate clients often rely on firms to provide technology that is otherwise precluded by the corporation's long procurement and budgeting processes.



To get started, firms should consider implementing workflow automation with an existing client engagement. Propose a plan to incorporate workflow automation into the matter. Be up-front that this technology is new to the firm. The client will value the firm's efforts in improving service delivery and can provide critical feedback.

Most likely, the firm's own internal processes are also ripe for automation, which will deliver return on investment as

the firm builds proficiency among its own lawyers and staff. Pick one process to improve with automation – like the process for onboarding a new client – and then expand. It's safer to start this way before there's an urgent demand for workflow automation; it reduces stress and

increases timeline flexibility to get it right.

That's not to say a firm can't pilot new technology with a new client, but the real advantage comes from having the technology already built and in place. When a firm can approach a potential client with a

tangible solution that they can click on and demonstrate, it leaves little doubt in the client's mind that the firm is the right one to take on the legal work.

Firms must shift to strategic buying: master workflow automation today to win more clients tomorrow

With a growing client demand for technology, the firms that go all in on workflow automation will win more business, and firms that don't will be left behind. At that point, the business case will become even simpler: subtract the upfront costs of the technology from the total value of corporate clients lost.



**Aesop Was Wrong:
Sometimes Slow and Steady
Loses the Race**



In a recent article, we examined how law firms stand to win a lot more business if they shift to a proactive, strategic approach to using technology. Some technologies, like eDiscovery and virtual data rooms, are already table stakes. Clients continue to demand greater efficiency that is tailored to their needs, and increasingly, they expect law firms to bring new tools to the table. In this market, law firms that use workflow automation tools to meet these demands will outperform firms that don't.

As children we are told that slow and steady wins the race; indeed, we see many firms that appear to be succeeding by continuing to work in large part as they always have. Our view is that firms are still in the early stages of the technology adoption lifecycle for workflow automation, and there are well established pros and cons of being a 'First Mover' for any technology. How does this apply here?

Early adopters are shifting to strategic buying, understanding how a platform generates value across a portfolio of internal and external

facing use cases. They have a head start on capturing low-hanging fruit and gaining the critical experience required to position themselves as best-in-class, with the tools, case studies and teams to prove it. These firms are already winning new clients and deepening existing relationships by embedding long-term, workflow-driven

services in their client operations. This matches other industries such as insurance who have been through the same evolution,

resulting in 5-10 year services contracts fully integrated into customers with process and technology.

This isn't just about embedding efficiency gains. Workflow automation also unlocks a way to gather structured data across entire processes to better serve clients. Much of that today goes uncaptured or at best sits in a binder on a partner's bookshelf. If firms shift, however, and use underpinning technology to deliver and capture relevant data, they can leverage this information to become more proactive, strategic advisors: across all our clients, what business problems arise? How does our advisory work impact and drive value in these businesses?

Early adopters are already winning new clients and deepening existing relationships by embedding long-term, workflow-driven services in their client operations.



This also capitalises on the value of centralised knowledge and processes over individual efforts: firms need to provide continuity and management of service regardless of which lawyers are instructed over time. Learning how to capture and use this knowledge is in itself an evolving core business capability in Legal – think of how a company like Netflix generates usage data to choose what services to push or drop and manage its’ offering over time.

So where are the early adopters starting? Some focus on time-consuming internal processes, removing low value (often non-billable) tasks and activities from their teams’ plates. Others start with a cornerstone client, improving service delivery while keeping the cost to the client low. Such firms have reduced client response times by 50 to 60 percent, allowing them to offer fixed or capped fee arrangements with the certainty that they can deliver to the right margins. While some will see this as

a risk to billable hours, others recognise the long-term win: clients will be more willing to tap the innovative firm for additional work because they trust that the delivery will always use the best available mix of people, process and technology – once that trust is established the price is almost secondary.

For those with the appetite, there is still time to become an early adopter, setting the firm apart from the competition and reaping significant financial savings. For firms that aren’t culturally ready, steps such as optimising existing technology or documenting current processes can still be taken to future-proof the business. A great deal of competitive advantage awaits; Aesop’s fable only contemplated a hare that was cheeky, overly confident, and not willing to put in the work. Firms that move quickly on workflow automation and actually use it will rewrite the moral of the story.



For firms that aren’t culturally ready, steps such as optimising existing technology or documenting current processes can still be taken to future-proof the business.



Legal currently forces clients to do all the hard work

Focusing on Your Priorities: 'The legal market currently forces clients to do all the hard work to select and implement solutions'



Many general counsel find the pace of change of legal tech overwhelming. What is your advice on how they can stay on top of this?

I would recommend focussing on your own priorities, not the legaltech market as a whole! Set out well-defined priorities for improvement in your legal department and focus on that. While the market may feel like it is moving at pace around you, a lot of this is noise – the core functionality on offer really isn't moving as fast – and investigating everything at once doesn't help you deliver what you need, today.

Nurture a small change management skillset to manage your own priorities and reduce operational risk, and plan to understand and implement your

priorities in depth, which won't be everything at once.

For example, if your immediate focus is on putting in place a developing legal self-service capability, contract review workflow, or e-Signatures, these alone are relatively sizeable projects which could keep you busy for a year or more. For everything not on your immediate list, perhaps keep an eye out for themes in conferences or legal media to understand the big trends, but I wouldn't worry about missing out - the technology will still be there when your priorities match.

What is driving the move from single purpose point solutions to platforms, and what can we expect next in this space?

See this from the customer side: the legal market currently forces the customers to do all the hard work to select and implement solutions (e.g. a system of record, plus machine learning term extraction, plus e-Signature), and string them together to achieve their desired outcomes (contract review!). Demand for platforms has therefore

been driven by two themes: frustration at the limitations of disconnected point solutions to achieve the sort of connected, efficient end to end processes customers want, and the advances in available platforms which wrap together features previously only available as point solutions (i.e. offering a 1-stop shop).



The 'what next' is interesting. This is a commoditisation/innovation story reinforced by the evolution of the wider market. As platforms solidify around a common set of 'market-fit' functionality, customers currently bespoking point solutions to their environment should be able to rely more on commonly understood, packaged processes, which will drive further innovation and demand for new products and services –

which in turn will support the continued evolution of the service provider market. Perhaps a genuine application store for legal work will emerge, tied into a more mature, productised legal services market; or the ability to connect live data from across the enterprise, reportable via platforms, will drive innovative risk management tools with embedded automation and prediction capabilities.

We've had the Cloud, we've had AI solutions; in your opinion, what is the next big thing when it comes to legal tech?

These have a way to go yet, as the overall adoption of both cloud and 'AI' based solutions is still depressingly low in Legal due to a mix of understandable factors such as client data handling concerns, or lack of sufficient investment vis-à-vis the rest of the enterprise.

We can guess at many of the trends which are in their infancy now; for example, technology meeting users where they are by providing multiple ways to interact with applications – as an industry we've just about engaged with 'mobile' (phones, tablets); perhaps further down the road this will expand along consumer lines to voice-activated user interfaces (e.g. 'give

me an update on X contract'). Connected, structured live data plugged in to more sophisticated prediction algorithms has potential to provide personalised recommendations for tasks, 'things you might need to know', etc – for example MS Outlook already does this to a degree.

There are huge challenges we'll need to overcome, such as data privacy: much of this functionality presumes you will allow your data to be 'connected'. Structuring of the data itself is another major issue: the legal market from a data consistency perspective is something of a dog's dinner, but all technology to some degree relies on data being structured and well understood.





The future is an accelerating target

Twenty years ago, engineer, inventor, and visionary Ray Kurzweil published an essay called 'The law of accelerating returns', articulating and substantiating the notion that most forms of progress are exponential, not linear. This expands upon the more

widely-known Moore's Law, which observes that computing power increases exponentially over time. Bill Gates has put it more simply – that business is going to change more in the next 10 years than it has in the last 50.



Paradigm shifts occur more and more frequently. Consider mobile devices. When Kurzweil's essay was first published 20 years ago in 2001, the default mobile device for business was the BlackBerry. But ten years ago the iPhone and iPad had both recently entered the market, swiftly rendering BlackBerrys outdated in both user interface and raw computing power.

To navigate these challenges, we can start by considering big, well-established trends that are shaping the foreseeable future, such as:

- A significant amount of remote work is here to stay, driving demand for tools that enable virtual collaboration and support mobile devices.
- Beyond the impact of any individual technology, a great deal of progress is now driven by integration between technologies.
- As technology is more powerful than it's ever been, it offers bigger competitive advantages than ever – big enough to impact the success or failure of entire businesses, especially where they're highly amenable to data capture, structuring, reuse and analysis.

- Everything evolves in its own right and along its own timeline: your business structure, people and processes, that of your competitors, the market context around you, and the technology we use.

When it comes to the details of purchasing technology, it's therefore important to find experts you trust for advice. A complete picture often requires opinions from several experts to ensure a balanced perspective. Depending on who you ask, one person's ELM may be another person's Lotus Notes.

Take stock of your own priorities, pain points, desired outcomes, stakeholders, budget, resources, and operational scale. Then assess how well your options fit your profile. This is the time to be hyper-realistic about your context, particularly where it involves a lot of heavy lifting by process owners and stakeholders or busy IT functions



It's tempting to equate buying technology with 'future proofing', but not all tech is created equal. Some tech integrates well with other systems by design, while some tech can lead to lock-in. Ensure you understand the advantages and disadvantages of open vs closed platforms, on-prem vs cloud solutions, building vs buying vs configuring, and platforms vs point solutions. Note that the term 'platform' has become generic over time, and can be used to market tools that are point solutions, or collections of solutions sold as something more joined up.

One-size-fits-all solutions are rare, so beware of over-simplistic narratives like 'MS365 can handle all your cross-function needs'. It may be capable of that, but only on the proviso you also hire developers for it. What's best for a global bank is different for a telecom company, or a retail chain, or a startup. The same logic applies to law firms with different practice areas serving different sectors. With that in mind, take stock of your own priorities, pain points, desired outcomes, stakeholders, budget, resources, and operational scale. Then assess how well your options fit your profile. This is the time to be hyper-realistic about your context, particularly where it involves a lot of heavy lifting by process owners and stakeholders or busy IT functions.

As technology proliferates, the ability to integrate different tools creates new dimensions of value, enabling more unified, cross-functional solutions. Tools without integration capabilities impede this kind of progress, perpetuating duplicative data entry and competing sources of truth. Go deep on integration where use cases have integration at their core, and be aware that some tools support robust interoperability, while others offer a bare minimum.

Lastly, consider whether your people will actually use the new technology and how you're going to support adoption. This is more important than ever because technological acceleration also increases user sophistication and expectations.

We can be very adaptable – as seen during the pandemic – but in general, we need incentives to change. The more drudgery and pain a new technology will alleviate, the more receptive we are.

The future is not just a moving target – it's an accelerating target. Those who understand how to navigate this dynamic can benefit from it, and businesses that deploy technology effectively will win ever-larger competitive advantages over those that don't.





What to automate

As workflow and automation becomes more commonplace, it's appropriate for all of us to assess where we might use it. Let's examine basic, intermediate, and advanced versions of possibility.

Basic. As a starting point, email chains and attachments are still overwhelmingly the workhorse of legal delivery, and workflow automation often means moving beyond the limitations of our inbox. Our inboxes don't care whether

we've done the task before; or whether I have data or files I need to write the next email; or who needs to be involved beyond those in the 'to' and 'cc' fields. The starting goals of workflow automation can be straightforward – providing rigor around allocating tasks, eliminating repeated manual tasks such as data entry, and providing some visibility into the work being done across the team. Note this can supplement email driven workflows, not just replace them.



Start with the things which hurt the most yet are repetitive processes with predictable outcomes, where significant impact can be made quickly. Typical candidates might be sets of standard contracts such as NDAs or employment agreements, or centralizing guidance on FAQs from other business units for information commonly held by legal, such as corporate entity information.

For those already tracking legal requests, common work types and FAQs are easier to identify. In fact, tracking legal requests is a great starting point as it builds a foundation of data you can use to decide where to automate in the future.

This data foundation can provide great insights into your current state of play: where things are held up in delivery or quality metrics showing how often deliverables require multiple 'turns'. Often the data itself enables the next step in automation. For example, if you track basic contract terms in your legal request processes, you can drive further automated actions such as renewal notifications and tasks, or approval chains.

Intermediate. Building on the foundations, or for those whose situation warrants more dramatic change, intermediate level automation could include linking workflows and systems together through integrations,

connecting related processes, and expanding automation across teams to increase efficiency in the overall process lifecycle. It is likely at this stage that you're starting to touch more 'business' processes and systems and make everyone else's lives easier. These kinds of 'help me to help you' workflows can be a fantastic way for legal to demonstrate value.

Integrating systems and workflows is rightly becoming a key focus across business functions. We can vastly reduce transactional friction (often exacerbated by email communications and organisational silos) by replacing the distinction between 'legal', 'operations', 'sales', or 'HR' processes with the concept of a single, integrated 'business' process using a common platform where tasks are managed and performed.

Moving beyond intake and triage of legal requests to automating tasks involved in the performance of the work can reap huge productivity benefits. For example, document automation is becoming more commonplace (once you have the templates and data). But there are many other types of repetitive tasks like simply checking that something is or is not true (is this document signed?) or ensuring data or documents are stored correctly (is this in a searchable place where my team can find it?).



Advanced. Workflow automation at an advanced level tackles complex workflows that are less linear, less predictable, and perhaps more 'enterprise' in size, with a robust platform handling many thousands of matters or tasks. These workflows span business units and reach out to third-party organisations, combining data from different systems and may include 'human-in-the-loop' steps for decisions that aren't readily codified. If you're assuming 'AI/machine learning' is compulsory at this point, think again: these technologies are fantastic for complex predictive search or data extraction, but swathes of advanced use cases don't require this functionality.

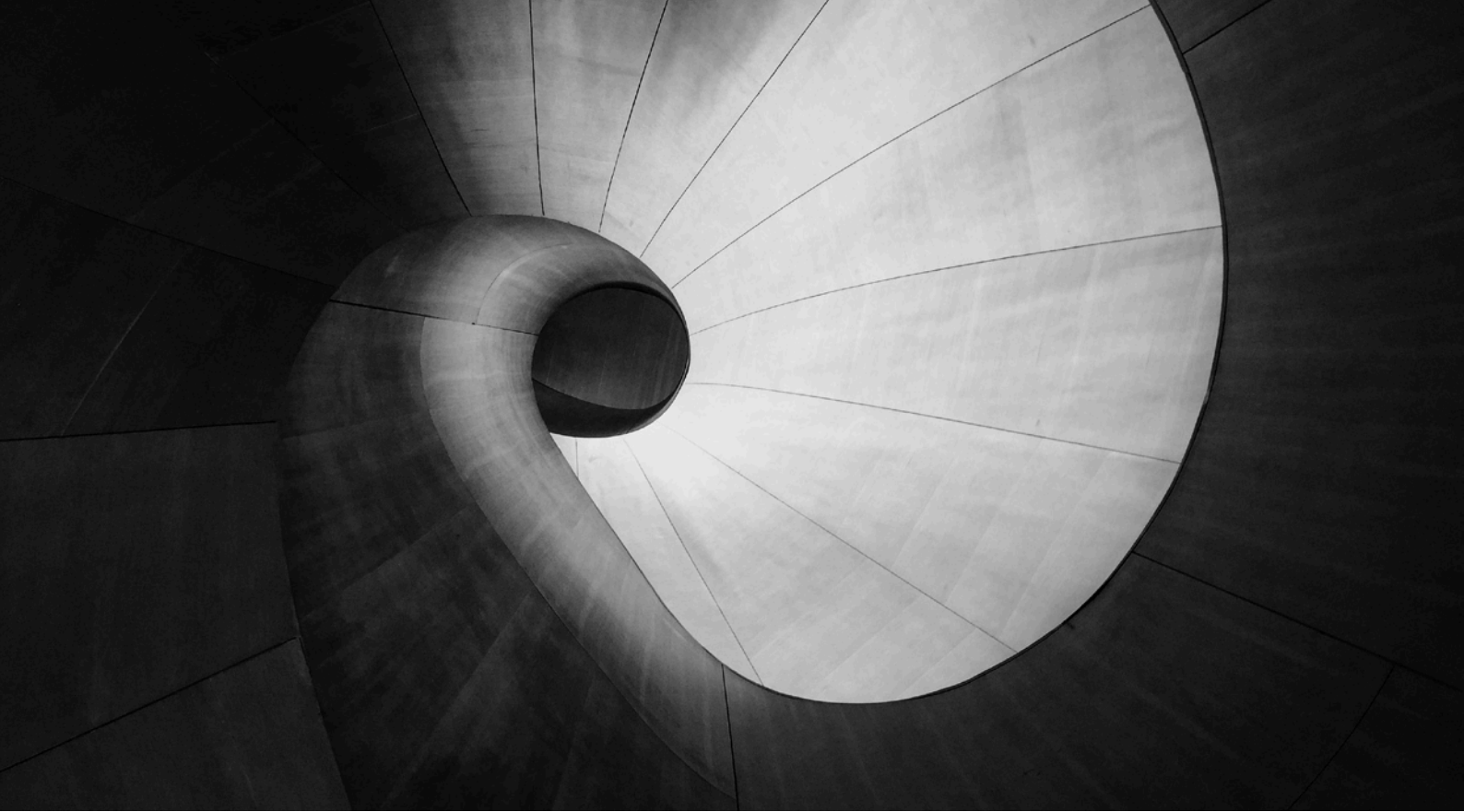
Think within and beyond the business to clients, strategic partners, or suppliers embedded into your business processes. How might workflow and automation improve client satisfaction on service delivery? How might partners and suppliers engage more frequently and easily? For example, some use cases require checking a regulatory or third-party database (check a company incorporation or find an employee's registration at a licencing body). Or perhaps a third party needs to do something with your information and

feed back in – for example, information about an accident needs to be provided to insurers, who need a 'human in the loop' process at their end to validate a claim.

Those looking at advanced automation often target more fundamental business value besides efficiency. A nice example of this is consumer banks' use of data from digital banking to alert for fraud – a hugely positive and helpful addition to the services a bank provides, made possible by automation: if we still banked by paper trail and cheque books this would not be possible at scale. There are many ripe areas for this sort of virtuous cycle of workflow automation and data, particularly around contracting processes. Many organisations still struggle with understanding the contents of contracts and performance against risks and obligations, which are the lifeblood of business.

Workflow automation is already becoming an integral part of how we deliver our work. Understanding some of the opportunities in front of us will help us to get started. Moving from basic to advanced automation is a multi-year journey (think 5 years plus), but the good news is that even at the basic level, we can provide great, tangible value to our teams and those around us.





Planning for Workflow Automation

After looking at workflow automation from basic to advanced levels, we might also consider how to approach implementation and rollout using the same framework. What follows are some hints, tips and considerations based on our experience implementing workflow automation across many different markets.

Basic. A comprehensive strategy is not always necessary if you're just getting started. You might spend a few hours configuring a simple workflow with a tool

you already have; or after watching some YouTube tutorials figure out how to do something small but meaningful to help you or your team in MS365.

At this level templated solutions are your friend – they'll get most of the job done and allow you to get started quickly. Once your requirements evolve with experience (you won't always understand them fully upfront), you can replace these early efforts with more bespoke or complex solutions if necessary.



There shouldn't be too much 'change management' required if the user group is small, but if it is a broader initiative, find a willing test group of a few key users with a regular cadence to provide feedback, fine-hone requirements and later help foster adoption within the broader user group.

Measuring success can be challenging when starting out: there is little data available to quantify a baseline, and estimates form the backbone of your RoI until you build the data up over time. To some degree, users impacted by workflow and automation, however basic, should feel a significant improvement – so at this level calculable RoI is great, but a close second would be vocal support from those whose bugbear process has just been dramatically shortcut.

Intermediate. The resources will start to extend to include business analysts, process specialists, and technical experts. Within all but the biggest corporates, such resources would need to be made available to the legal department. Fortunately, law firms are now also hiring more of these skillsets, and service providers focused on the delivery and technical aspects of workflow automation are springing up to meet such needs.

Such projects are often the next iteration of what's already in place, rebuilt with a better understanding of requirements. They take more time and planning (months, not years), and require project management: scope,

budget, resources, communications and stakeholder management. Prospect of failure becomes real: misunderstanding the requirements; underestimating cost of delivery or RoI; or sometimes the business moves and requirements became redundant. Perhaps above all else, a key predictor of success is dedicated management or guidance by someone who has prior relevant expertise.

Integrations are typically required at this level. As a general rule, the more business-critical the system (finance systems, practice management etc.), the more complexity involved; such integrations can add months to your plan if the project is not a top priority for the business.

'In-life' requirements also become more important. Think about ongoing support and key documentation: if all the ownership, knowledge and support for your scaled automated processes can walk out of the door, this can represent significant operational risk!

The threshold rises on demonstrating a business case and RoI, and the emphasis on data becomes stronger: both what you have available today, and what will be produced once delivered. As workflows serve more internal business clients and other functions in the organisation, it is



worth calculating the value of direct benefits to these groups too.

Advanced. A holistic strategy is essential. At this level, projects can range from many months to multi-year as you move into a continuous improvement cycle of workflow automation and expansion, and as such often have the attention of the C-suite. Such workflow and automation initiatives will often correlate to overall business objectives beyond cost savings: examples might be 'improving the way we work in a remote-first environment'; or 'building a new platform to change how we engage customers with new products'.

As part of your strategy, you will need a flexible, extensible workflow automation solution trusted to meet not just the requirements of today, but those in 3-5 years' time. A team will be responsible for scoping and initiating projects, ongoing change management and communications, and in-life support. Scale of ambition and potential business value can (and should) justify ongoing investments in technical expertise to support these efforts; we are even starting to see hiring of data scientists who understand how to maximise value from combinations of legal and other data within and across your business functions. Data security can also become more important to the extent automated processes reach outside the organisation.

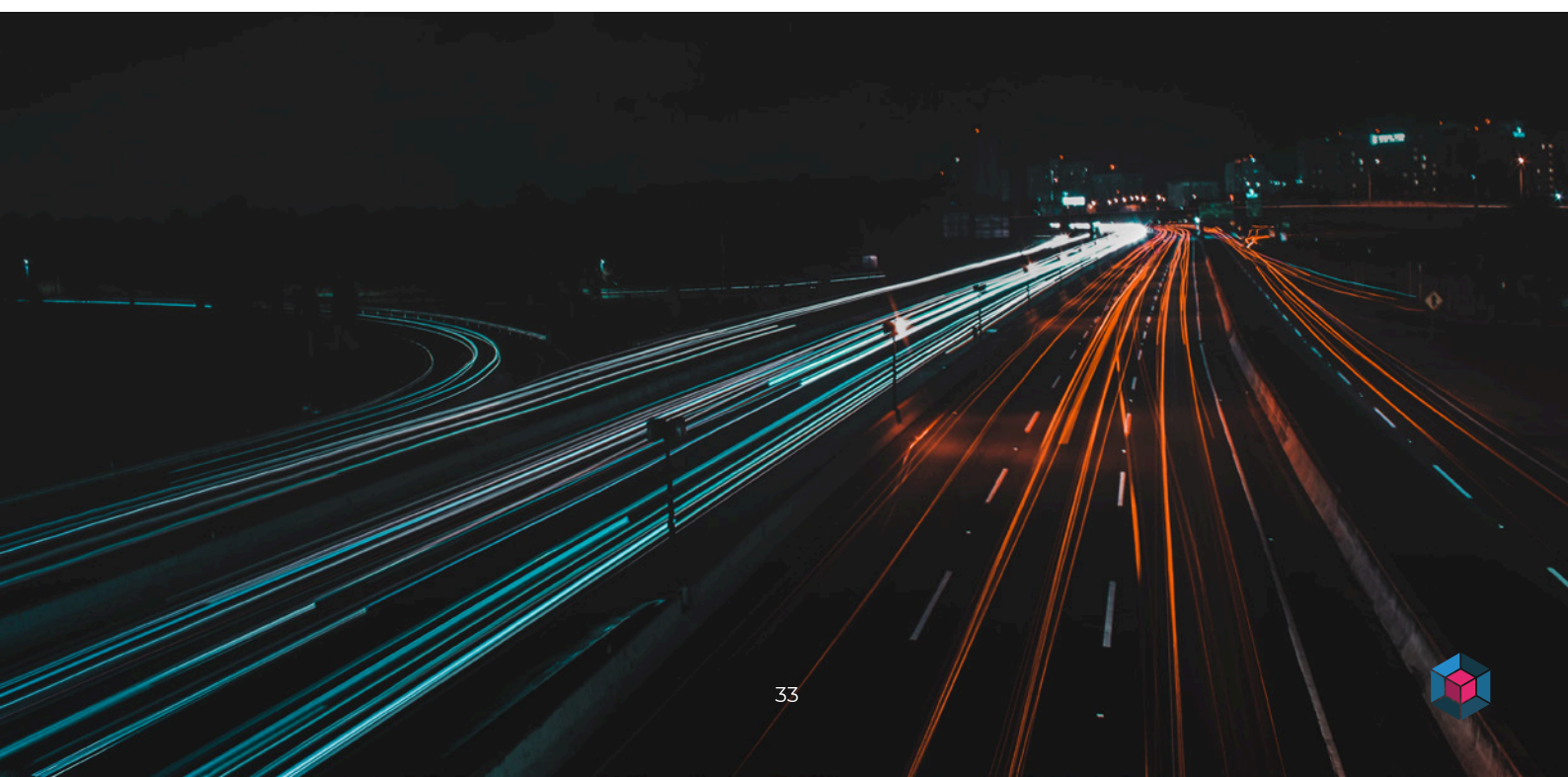
Ultimately, resources (people and tools), time scales, stakeholders, support and measurable value, as well as inherent risks, shift at each step of automation. A plan that accounts for each element will make the difference between having good ideas and delivering good ideas.



Think Bigger with Integrated Workflows

The topic of integration has become commonplace within organisations and their functions. Most of us have interacted with systems that are pushing or pulling data or tasks to and from one another,

which significantly reduces the human exchange and friction in our business processes: imagine for example if MS Outlook could not book a meeting with external parties.



Extend this thought: consider the interactions you have throughout a given day outside of your department – with firms, business clients, outside parties, vendors – which involve the trading of tasks and data. Email is still the go-to port of call for this type of interaction, but it does not need to be. Integration can and should reach beyond your department to these interactions to further increase efficiency and quality of data and outputs. Some steps have been taken in this direction with the likes of portals and data rooms, but these are often ‘static’: online bookshelves which rely on users coming to the technology to complete tasks. There is incredible opportunity to create complete end-to-end integrated workflow solutions.

For example, imagine there was an incident that triggered reporting obligations to an insurance carrier. Instead of gathering information from internal systems to email over to the insurance broker, the internal system would automatically push relevant data to the claims reporting system on the broker side and set off the appropriate chain of events, perhaps present the initial incident information to someone to assess and assign a task to follow up.

A more complex workflow may involve multiple stakeholders, perhaps an outside law firm, several internal business units, and another organization. It may also include pulling information from a public or central database, such as the Solicitors Regulation

Authority or the United States Patent and Trademark Office. The technology to build such end-to-end workflow and automation exists today and is starting to be incorporated into services by multi-skilled legal, technology and consulting teams such as Eversheds Konexo.

With integration across all these pieces, these disparate parts can be knitted together to vastly reduce transactional friction in our processes, removing the distinction between ‘legal’, ‘operations’, ‘sales’ or ‘HR’: once everything is integrated, it is simply a ‘business’ process. Data and reporting on the transactions between companies, functions, people and systems can be tracked and stored in a centralised location. This lays the groundwork for better machine intelligence and analytics across the entire workflow, which will allow us to ‘manage’ and improve it over time.

So how do you start to think bigger? Consider your daily interactions with those around you. Map out the environment. As information and tasks pass between one person to the next in a manual way – an email, a call, or a PDF form, consider whether you are communicating something which can be written up in bullet points. If the answer is yes that is usually an opportunity for integration and automation.





Author

Edward Wilson is the CEO of Autologyx. A qualified corporate lawyer with over a decade of experience consulting to the C-suite, Ed's career began in Aerospace & Defence market analysis, followed by roles in group strategy teams in Insurance working in M&A and restructuring where he developed expertise in corporate strategy, operating model design and change management.

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