

Collaboration – the road to prosperity

It is time to re-invigorate and re-position the legal profession in this country. Work must begin now to design and build a collaborative technology platform that will secure pole position for the legal profession in services to business and private clients. The reward for initiative will be prosperity and influence; the consequences of inaction will be decline and relegation.

There are simply too few services left that are the sole preserve of lawyers and too many service opportunities to compete for with other professionals. The profession must make itself more accessible, more personable and more agile in its dealings with clients and do so by making intelligent use of information and communication technologies (ICT). This can only be achieved through collective initiative and individual commitment to collaboration and to 'collaborative computing'.

The motivation for change need not be the usual drivers of fear and greed. There is an overarching and altogether more worthy objective - that of personal and professional fulfilment. Achieving a balance between work and private life, and enhancing the overall quality of working life, are rightly becoming ever more important to us all. Using our time and energies well and to good purpose promotes 'well-being'. In professional service, it is the time devoted to human interaction that is of paramount importance and that is the true source of professional well-being; technologies that free up time, that encourage and facilitate such interaction are those that must now be given concerted attention.

Present Reality

Information and communication technologies now represent a major component of overhead in a modern solicitors practice. At least, they fulfil basic compliance obligations; at best, they bring efficiencies that enhance profitability. The selection and implementation of these technologies, individual applications and the systems on which they run, place a huge demand on precious time and resources that would otherwise be directed to business development, client service and learning. Instead of reducing costs, technology has brought with it an army of IT specialists devoted to upgrading, developing, customizing, migrating and integrating an ever more delicate collage of systems, networks and applications to meet the special needs and preferences of individual, and fiercely individualistic, organizations. IT systems are always unique to the businesses that spawned them, and so are uniquely expensive and difficult to maintain.

There are approximately 10,000 solicitor's firms in this country and consequently 10,000 different ICT systems. The quality and performance of these systems is primarily determined by what the individual firm is willing and able to invest. There is consequently no consistency of quality or performance in practice administration. Each firm must necessarily re-invent its own ICT wheel each time it implements a new application or system. The result is a gross waste of time and resources.

Given that the profession is engaged in essentially the same business, conducted in essentially the same way, it follows that ICT requirements are in essence the same. Take the example of a motorcar – the requirements are well established and universally met; performance and 'extras' are reflected in cost. In the case of a mobile phone service, a basic suite of services comes as standard, which may be supplemented by other special services at additional charge. What is

happening today is that every firm is building it's own vehicle from the ground up. Everyone espouses, and many claim, 'best practice'; few if any achieve it.

For the major firms, self-sufficiency is affordable and having something others don't have is still regarded as providing a competitive edge against their peers for whom every edge counts.

For the rest, for example the smaller firms of 5 partners or less that represent more than 80% of the profession, the best technologies are simply out of reach and so place everyone at a common disadvantage.

The Transmission Paradigm

The very fact that every firm and client has independent ICT systems means that the administration and maintenance of records of communications and work product remains unchanged from what it has always been. One creates a document and sends it to another. The sender keeps a record of what was sent and when; the recipient keeps the document and a record of when it was received. When one wishes to ask another to do something by a particular time, a transmission is required and each must make a diary note; and so on. The inevitable result is the maintenance of duplicate, or more often non-duplicate, records of correspondence.

The responsibility to 'maintain the file' defines the conduct of every legal practice. However, the constant need to transmit, copy, and share information to and between participants in any matter is an immense drain on resources and all too often the cause of delay, confusion and error. Removing these barriers to effective collaboration within and between organizations is what collaborative computing is designed to achieve.

The Collaborative Paradigm

In a collaborative paradigm, all involved operate within the same systems infrastructure. A collaborative system essentially comprises a self-contained software and data environment - providing a common 'enclosure' with entry security; a common workplace with private workspaces; a common data store with individual access control. In such a system the system itself manages publication by the sender and notification to the recipient, providing a record of those actions and access to the relevant document. Consequently, documents and the information they contain may be 'shared' instantaneously with others - everyone, as the Americans like to say, 'reading from the same page'.

One way to visualise a collaborative platform is to think of a superbly equipped office building accessible only to authorised users who may work in that building in complete privacy, while making use of all of the technical facilities available.

The experience is much the same as working within the same network, though others see only what you allow them to see. It is an electronic working environment that has embedded rules relating to communication and process and a full range of intrinsic functionality.

How does it work?

There are three key elements that make such a collaborative paradigm possible that have not existed until relatively recently.

The Internet - instead of wires running to your system servers, telephone networks (landlines

and mobile) become the means of connection to your ICT tools and data.

ASP – application service provision makes it possible for the same suite of ‘web-based’ software applications to be made available for use by an almost limitless number of users, via the Internet. Powerful servers are held in dedicated locations, maintained by highly skilled technicians.

Security – a collaborative system can apply a single security infrastructure of the highest standard to which all users must subscribe, securing not only entry to the ‘building’ but also internal security over every document held there.

All participants, including clients themselves, then have access to and use of the very best technology and the most secure data and communications environment.

Competitiveness is then based primarily on skills, intellect and personality.

Investment

The cost of establishing a collaborative system may be shared according to users and use.

Unlike the mobile phone companies who must invest billions in physical infrastructure, a collaborative system for the profession requires investment only in creation of the basic software platform and security system.

The ASP services can be contracted out to one or more of a number of high quality providers with existing infrastructure who also take responsibility for data storage, back up and disaster recovery. Clifford Chance are now using just such an ASP service (Exodus) for their CliffordChanceConnect service offering online ‘deal rooms’ and other services.

Extras

A common platform can always be augmented by so-called ‘web services’ – specific applications developed by independent software developers to meet individual needs. This means that additional tools and services, whether for specialist practice areas or to serve individual preferences, can be met by suppliers whose products are designed to fit and work within the common platform.

Strategy

The construction of a common platform is essentially what Microsoft have proposed in the recent launch of their ‘HailStorm’ initiative – a super ASP providing basic tools/services (including those that underpin the Government Gateway) to be supplemented by applications developed by so-called ‘Web ISVs’ (Web Independent Software Vendors).

In the US, the ‘CPA2BIZ’ initiative (see www.cpa2biz.com) sponsored by the National CPA Association representing a collective membership of over 450,000 is supported by over \$50 million of investment from Microsoft, publishers Thomson, and insurers Aon. This initiative aims to provide the very best tools to Accountants to allow them to better serve their clients and so become the first port of call for small business. Their web site states:
“ The opportunity to lead the e-business revolution among small and mid-sized businesses cannot be passed up. It's the only route to the survival of the profession.”

If you think that the e-business revolution is not happening because of the 'dot.com crash' then you are very much mistaken.

Legacy Systems

The common cry from everyone I speak to about collaborative computing is 'what about the systems we have now?' Well, if they are an obstacle then the chances are that you will only ever buy gadgets to add on to them rather than move up to the next level; chances are that you also love your old LPs, your Super8 cine camera, and your desk diary – after all they do the job perfectly well and have done so for years.

I am not suggesting that one should simply embrace collaborative computing because it is new. Proper work-study should be undertaken to discover more about the way in which we work using the technologies we have and how much of our limited time and resources we devote to doing so. Having conducted my own analysis, and worked through it with others, I believe that time savings in simple document administration may be as high as 40% - worth thinking about?

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