

New Age Computing

We are entering a new age of what Bill Gates has called 'collaborative computing', one that has the power to transform the world of commerce. In the world of professional services this will mean working service providers on a much more intimate basis – 'shoulder to shoulder' rather than 'at arm's length' – making service relationships more efficient, more transparent and more rewarding. This transformation will be driven by a fundamental shift from a traditional 'transmission' model to a collaborative one.

From Transmission to Collaboration

When we communicate, other than by direct speech, we reduce the substance of our communication to some documented form. That document is then transmitted, either physically or, more often nowadays, electronically. When one sends to another, the sender keeps a record of what was sent and of its despatch; the receiver keeps what was received and a record of its receipt. The inevitable result is the maintenance of duplicate, or more often non-duplicate, records of correspondence.

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 they say, 'reading from the same page'.

The constant need to transmit, copy, and share information with participants in any matter is an immense drain on resources and all too often the cause of delay, confusion and error. Removing these unnecessary constraints on effective collaboration within and between organizations is what the new generation of collaborative tools are designed to achieve.

Removing or reducing routine administration and records maintenance associated with transmission means reduced overhead costs and better utilization of skilled resources. For service firms, these efficiencies offer greater profitability as well as faster and better service delivery; for clients they offer better internal resource allocation and better value for money from outside firms.

The essential technologies that make collaboration possible are the Internet; the ability to provide access to web based software applications hosted by specialist providers rather than on the users own systems (ASP); and collaborative working tools and practices. The management of knowledge, documents, processes, relationships and communications can now be rolled into one and accessed from anywhere and at any time.

Keeping The Record Straight – The Electronic File

Paper files are necessary but costly: they take up space, time, materials and human resources to produce, duplicate, store and transport. Further, the definitive 'master' file record for any matter can only be in one physical location at any one time. Though a worthy cause, the simple truth is that the vision of a paperless office will never be realized as long as paper is still relied on as a means of communication and record. The only way to overcome this is to offer an electronic alternative that achieves everything that a paper file does.

Our lives, and particularly our working lives, are necessarily conducted chronologically – time is the essential measure and discipline that allows us to order our activities and, most importantly, to collaborate with others. One crucial benefit that paper files provide, and that no IT system has until now been able to match, is the ability to view everything 'on the file' in chronological order. Only in this way is it possible to follow the course of events and relationships that make up the history of a matter.

Next generation applications will provide a ready view of the chronology of events and activities in any matter, while deploying all the power of electronic data search and retrieval, in a dedicated virtual matter 'room'. The filing, organizing and referencing of work product created and received, and all other information relevant to a matter, will be taken care of as you work – just think, nothing misplaced or misfiled, no longer the risk of being mistaken or misled as to the history or facts of a matter.

Common Needs – Common Solution

Industry leading businesses across a range of industries have recognized the competitive efficiencies and enhanced customer service that can be achieved through adoption of common communications and trading platforms. While high tech stocks plummet, so-called 'bricks and mortar' businesses are progressively introducing web based supply chain management technologies to maintain competitiveness and profitability.

There are also examples of collective initiatives, such as Transora and Covisint, in which otherwise competing businesses have come together to build a common solution to common needs. The fact that the market has lost confidence in the business models offered by independent Internet businesses does not mean that the Internet is no longer a relevant medium and driver for the efficient conduct of business.

What is surprising is that so far little attention has been given to the procurement of professional services. Whether a business employs in-house resources or external advisors, this is an area of business management generally resistant to cost control and performance measurement. This is particularly true of legal services, but also applies to other commercial and creative consulting services.

Given that the value provided by legal professional advisors is most often expressed in written form one would think that business would demand immediate access to the communications record and work product that it pays for, and that professionals would be actively seeking ways to make that possible. The reality is that it is only the major firms that have the resources to invest in even first generation collaborative solutions such as extranets.

In his new book, *Transforming the Law*, Professor Susskind identifies a problem that has already arisen among clients using a number of different firms each with their own extranets, 'deal rooms' and 'case rooms'. Each one of these extranets is differently structured and operated, so that clients have to learn how each one works. Susskind anticipates demand for standard 'second-generation' systems that can provide a single platform for the conduct of all their dealings with their selected firms.

As every law firm and lawyer is engaged in the same business, with particular though common needs in certain practice areas, it is not too great a leap of imagination to accept that it will be both possible and desirable to establish standard systems, maintained by dedicated providers, accessible to firms and their clients alike. What law firm could object to delivering their services in the operational context chosen by the clients they serve, provided that common concerns over security and access to records can be met?

Think of a service relationship in four components: functional, financial, intellectual and emotional. It is problems with the first two of these so often undermine the others. At long last technology has developed to the point where it can support that objective. Sharing a common workplace, albeit a virtual one, brings with it increased transparency and intimacy which, if embraced in the proper spirit, will serve to build trust and confidence which will forever be the foundations of long term and mutually rewarding service relationships.

Call To Action

The impact of e-government alone, including the initiatives underway in the Court Service and in Local Government, will have a fundamental effect on legal services. Legal Directors should be taking a close interest in what the legal profession is doing to prepare itself to deal with a 'joined-up' government and justice system, beginning with adoption of web based collaborative technologies in their daily practice.

Now is the time for you, the readership that this publication serves, Legal Directors responsible for procuring legal services, to provide clear direction and support for collaborative technologies and practices in the legal sector. This is a critical juncture at which you have the power significantly to influence how your legal budgets will be spent and how services will be delivered to you.

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