How do law firms implement technology?

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In a world that is constantly confronting us with new technological possibilities, new software and new gadgets, how does any organisation decide which technology to implement? When to jump in and when to hold back?

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People don't agree about IT

In a law firm, reaching a sound decision is often a thorny process because people fundamentally, predictably disagree about what should happen.

On the one hand there are the partners, who are generally older and completely ignorant when it comes to new technology. Their eyes glaze over when anyone brings up IT in a meeting because they don't have a view about something that is beyond their level of competence. They just wait for the discussion to be over.

On the other hand there are the senior associates who tend to be much younger and who are all for the newest and best technology. For these people who might be in their twenties or thirties, technology defines their lives and their relationships. They want it and they expect it. Who can blame them?

So one group is made up of the people who don't understand the technology and who pay the bills, the other is the people who don't pay the bills and understand the technology. This is a pattern which forever repeats itself. When today's senior associates are partners one day in the future, they'll be the ones with the cheque book and the imperfect understanding of what it is the young folk want.

At the same time, there is a strong desire among partners to please the senior associates, to engage with them and to make sure that they feel it's their world.

It's even true to say that if a partner makes a suggestion about new technology, they're likely to be pilloried as a trendy and as someone who just wants to spend money.

However, if the same suggestion comes from a senior associate or a group of senior associates, all of a sudden it becomes the way of the future. Partners know they are supposed to listen to senior associates, so they put their serious listening face on and say: "Mmmm, we have to look into this."

Disagreements about technology go far beyond the generational divide. There is always a certain group of people in a firm who want all the latest and best technology and who say: "My old firm did it better."

On the other side are the ones saying: "If it ain't broke, don't fix it. I don't understand why we're doing it. It's all OK now, you're going to make it worse."

Working in the favour of the pioneers is the general awareness that today, embracing new technology is extremely important for any firm's attractiveness to potential clients and future staff. If today's law graduates love the latest technology, then it's an important inducement. We need to keep that firmly in mind if we want the best and brightest graduates to want to work for us.

How are decisions made about technology?

So against this background of dissonance, how do you decide whether to implement new technology or not? This is always a difficult question.

There's a fear that if you hold back, you'll be left behind. You'll be seen as a dinosaur. No-one will want to work for you. Before you know it, the cobwebs will grow over you and you'll be like Sleeping Beauty's castle, where no-one has moved from the spot for a hundred years.

The opposite fear is that we could jump in too early. It could be like the battle between VHS and beta video formats back in the seventies and eighties. We could adopt something early, spend loads of money and go with the wrong format. We could end up backing beta and feeling foolish.

As a result, in our firm we tend not to go for the first version of any new hardware or software. We wait for the second or even third version, because hopefully by then some of the bugs will have been ironed out.

Getting it right

The old story about rolling out new technology is that the CEO tells the IT people: "I'd like it to be delivered on time, I'd like it to be within budget and I want it to work. And any one of those three will do." Because notoriously, it's usually over budget, it's usually late and the thing doesn't even work anyway.

If you're only going to get one of those things, it's the last one that matters the most. You'll be forgiven for being over budget and for being late, but you really need to get it right.

This is because people have a short attention span and a low level of tolerance. If you don't have it near enough to perfect before you unleash the new thing on the wider audience, they'll stop listening and switch off. This will leave you with a difficult, frustrating uphill battle as you struggle to get buy-in.

Getting it right has several vital components to it. One is making sure you have good, smart and very obliging people in-house doing software development and tech support.

IT people used to have a bad name. They'd talk gobbledygook at you because they knew you didn't have the knowledge to challenge them. They could obstruct your projects through laziness or uncooperativeness, or through a deficit of technical skill that they preferred to conceal rather than correct.

Certainly I believe that this is changing now. In our firm, we encourage all software developers, IT people and managers in general to think of themselves as independent contractors and to think of the lawyers and other staff as clients from whom they are trying to win additional work. This mindset is crucial.

Focus groups and pilot groups

Another part of getting it right is not unleashing the technology across the firm until you've done a trial run. We have small pilot groups, fewer than ten people, made up of both lawyers and non-lawyers.

There is never any difficulty finding volunteers to trial new hardware or software, because there is always a certain kudos attached to being one of the select few who are trying out something new.

Running a pilot study and getting feedback from focus groups achieves two purposes. First, it helps us to iron out bugs in response to feedback from a small but diverse group of users. Secondly, it lets us do a kind of implementation by stealth.

With this, the tech nuts around the place get a new thing which is in the pipeline for a general rollout. The tech nuts are blissfully happy with their new toy and tell everyone about it. People around them look on with interest and then envy. Pretty soon they're asking: "What about me? When do I get one?"

So by the time the new thing is introduced across the firm, the bugs have been ironed out, many people are clamouring for it and the rollout encounters fewer obstacles than it would have otherwise.

Getting new technology over the line

Some resistance to change is inevitable. If people don't want to learn to use new technology, it means we have to try to make it more appealing, to persuade them that this new thing is actually going to make their lives easier.

We have a golden standard: if refusing to adopt new technology is hindering you and only you, that's fine. If it's hindering others, then you need to change. You need to learn how to use it.

Resistance to change

We've found that resistance to change can come from a number of different quarters and can spring from different causes.

People can resist change simply due to fear of the unknown. Partners can resist change because they know that they'll be the ones paying the bills. Secretaries can resist change because they're at the coal face, they're the ones who have to use the new thing every day.

Some people will readily try anything if you ask them to. Others need to make a real effort to get over that first hurdle, that initial reluctance to use something new. Because if you don't understand it, it can seem all too hard, unnecessary and not worth the trouble.

The reasons for resisting change are varied, so the approach to overcoming resistance has to be varied too. Is this person really quite uncomfortable with the change? That takes a specific approach. Are they being pigheaded just for the sake of it? That takes a different approach. Are they just too busy to learn something new right now? Then maybe they need to be taught little bits gradually over time.

Sometimes there is simply a lag. Some people will hesitate initially, but we'll get them over the line eventually. We had one partner who never used his mobile phone, except occasionally when he had to make a call, but even that was very rare. Now he travels quite a bit, uses his phone all the time and understands the benefit of it. It's quite a significant shift for someone who wouldn't even switch it on two years ago.

Scrap the jargon

Beyond using the senior associates to get the partners on side, beyond implementation by stealth and the use of pilot groups to iron out bugs and create desire, there is one crucial element for a successful rollout of new technology: not using jargon.

Blathering at people in technical speak is the quickest way to alienate them and make them run for cover. Using plain English, being as simple and clear as possible makes it much more likely that they will be open to what you are proposing.

IT isn't everything, but it's no longer optional

There's no point in overstating the role of technology in law firms because it's not the only thing that makes people happy at work. Happiness and satisfaction come from a whole range of factors, including mentoring, supervision, reward, work/life balance, quality of work, exposure to clients, opportunity for promotion and so on. Technology has to be seen in this broader context.

At the same time, there is no denying its increasing importance. Every tribe, every community has its own set of rules, its set of behaviours which are not negotiable. Within individual law firms and the profession as a whole, the willingness to adopt new technology is becoming one of those fundamental laws.

Everyone has to accept it because that's how people communicate, that's how they interact. Increasingly, the non-negotiable behaviour within law firms now includes the acceptance of the technology that the community as a whole has decided to adopt.

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