

legal*i* insider

Top stories in this issue...

- ▶ Ian Storer leaves A&O for UBS, p2
- ▶ Dutch boutique in NetDocuments-iManage swapout, p2
- ▶ Enable wins Stibbe as first European client, p3
- ▶ GlenLegal: Using tech to create high performing teams, p6
- ▶ Phoenix - more on Crocker's appointment to CeO, p9
- ▶ Consilio and Advanced Discovery merger: the analysis, p14
- ▶ Detail + comment on KPMG UK/ Nuix alliance, p16

▶ “Please don’t think this won’t happen to you”: The lessons learned from DLA’s cyber attack

To a packed room in which you could literally have heard a pin drop, on 26 February at Legal Leaders IT Forum in Gleneagles Daniel Pollick, outgoing CIO at DLA Piper, described for the first time in an open forum the circumstances surrounding the global ‘not-Petya’ cyber incident that DLA was embroiled in on 27 June 2017 and the lessons that can be learned in its aftermath.

A confident and engaging speaker, Pollick, who described the global attack as “the worst professional experience of my life”, told the audience: “I learned a million things you can benefit from and I’m doing this because we want to share those with the industry: I hope it will be seen in the right light.”

Day Zero: Wednesday 27 June, 2017, Hong Kong

Pollick arrived in the office in Hong Kong at what would be 3am in the UK. He told the GlenLegal audience: “I am telling you the international story.” His wife and daughter were due to arrive three days later for a long holiday.

At 11am GMT he went to the gym. At 11.17am the service desk received the first call and by 11.30am Pollick knew that something “very bad” was underway.

He said: “By noon, every Windows device had gone with one exception: one Windows NT server, and if you’re laughing that probably means you’re old.”

By 1pm, DLA had taken down the entire network, meaning no email; no telephony; no Skype; no Lync, no means of communicating whatsoever. Pollick said: “I gave a

version of this talk to clients and one said: ‘Your service desk must have been inundated with calls!’ Well, no!”

He added: “Everything was gone. We sat there from 12pm to 1pm with none of the tools you’d expect.”

Calls ranged from what looked like encryption messages and ransomware (in fact it was neither, see below) and Pollick said: “At that time we didn’t know what had happened – we couldn’t just look online and find out ‘oh it’s a not-Petya global attack’ and we thought we were under attack. We knew nothing.

“PLEASE DON’T THINK THIS WON’T HAPPEN TO YOU” CONTINUES ON P.4

▶ Exclusive: CC signs up to Prosperoware Umbria

Clifford Chance has become the first English firm to sign up to Prosperoware’s client value management solution Umbria, which enables firms to create matter plans, budgets, and pricing, and provides partners with a platform to monitor delivery via interactive web-based dashboards and email alerts.

CC, which was looking for an end-to-end pricing and matter management system, selected Umbria after a competitive pitch that began around a couple of quarters ago led by global head of client service solutions, Oliver Campbell.

Speaking to Legal IT Insider, Prosperoware’s vice president of solutions, Ben Weinberger said: “This is a significant win for us because, while we already have numerous global law firm Umbria clients with significant presence in London, this is the first English firm.”

CC SIGNS UP TO PROSPEROWARE UMBRIA CONTINUES ON P.5

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► Ian Storer leaves A&O for UBS

Allen & Overy's chief technology officer Ian Storer is leaving the magic circle firm for Swiss global financial services giant UBS, we can reveal, as the in-house legal team undertakes a significant transformation exercise.

Storer will be working within UBS Group, which connects and provides support for its four divisions: global wealth management; personal & corporate banking; asset management; and investment bank. He takes over the role of domain CTO or architect for legal - reporting to group CTO Julian Hingorani, who has overall responsibility for areas including HR, legal, comms and branding - after the former CTO moved into the global wealth management business.

UBS has received shareholder and market recognition for its organisation-wide digital transformation programme, which in 2017 saw it announce that it is turning to Microsoft Azure to reduce its dependency on legacy technology and find new ways to leverage digital channels.

The legal department, which is headed by group general counsel Markus U. Diethelm, is undertaking its own digitisation programme and a spokesperson for UBS said: "Our Group General Counsel function is going through a significant transformation, for which technology is a key enabler. Ian has been brought in to help guide this transformation."

It is understood that the transformation programme will include a focus on using automation to provide better access to legal services and contracts across the business.

Storer has worked at A&O since October 2007, when he was a solutions architect. He became deputy CTO in 2012, and CTO in 2013, becoming the first appointed technology adviser to the main global IT board, responsible for defining the magic circle firm's technology strategy and roadmaps.

He will start at UBS on 7 May.

► Dutch competition boutique Maverick swaps out NetDocuments for iManage

Having used NetDocuments since its launch four years ago, Dutch competition boutique Maverick Advocaten NV is moving to iManage Cloud, with UX and mobility at the heart of the decision.

With iManage Cloud, Maverick (no Top Gun jokes please) will roll out iManage Work 10 —the newest version of iManage's document and email management solution.

iManage partner IRIS Professional Solutions is assisting with the firm's move to iManage Cloud.

Bas Braeken, a partner at Maverick, told Legal IT Insider:

"We see our move to iManage as a step towards further professionalisation. What appeals to us is the mobility: it's possible to use iManage on an iPhone and an iPad and that's an important reason. Also, it's more integrated with Outlook and therefore more convenient to use. Our hope is that having iManage will enable our fee-earners to file outgoing emails more easily. We found out that our files were not always up to date or complete and it's been hard to file emails on a regular basis."

He adds: "Our DMS to date has been a bit slow but the main reason we are moving is because iManage 10 is more user friendly."

While iManage only recently launched its cloud solution Braeken said: "We are confident that the iManage Cloud is sufficiently developed and presents no risks."

While this is undoubtedly not great news for NetDocuments they can console themselves with the fact that Maverick has around 10 fee-earners and NetDocuments has just won as a client Hogan Lovells, which has 7,370 staff.

NetDocuments' senior director, global marketing, Marriott Murdock, said: "We maintain a 98+% retention rate and have for many, many years. There are of course occasionally small firms that leave the service for a number of reasons, but that's certainly not the trend. We're now at 2,500 customers and continue to onboard about one+ per day (we had 380 last calendar year)."

► Top 100 IT head: Jonathan Smith joins Ward Hadaway from Watson Burton

Top 100 law firm Ward Hadaway has appointed Jonathan Smith from Watson Burton as its director of IT, with forthcoming projects to include a Windows 10/Office 2016 desktop roll-out.

At Watson Burton, Smith reported directly to the CEO and was responsible for the management and ongoing development of the IT team; IT strategy and budgeting; IT service delivery across the firm's three geographic locations and IT purchasing control. He was also responsible for the overall management of the firm's LawSoft PMS system.

Over the next 12 months, projects at Ward Hadaway - which has around 450 staff across offices in Newcastle, Leeds and Manchester - are set to include Windows 10/Office 2016 desktop roll-out (including hardware), improved mobility options and a number of projects to improve efficiency and leverage the investments Ward Hadaway has made to date. According to the Legal IT Insider top 200, Ward Hadaway uses Aderant Expert and iManage as its core PMS/DMS systems.

Smith said said: "I am thrilled to join Ward Hadaway as the firm celebrates 30 years since it was established in Newcastle, a time when mobile phones had shoulder straps and families actually spoke to each other at the dinner table!"

"Legal technology is constantly evolving and does pose



challenges, such as the constantly evolving security landscape, the ever-increasing need for fast, reliable data on the move and the challenge that comes with meeting the expectation of the next generation of tech-savvy lawyers.

"Having worked in this area for two decades now, I appreciate the firm's approach of providing practical solutions that have a meaningful impact for both its lawyers and clients.

"I look forward to adding to the firm's strategies for adopting innovative solutions and advancing technology initiatives that will promote Ward Hadaway's ongoing growth and success in the future."

Smith's appointment comes as Ward Hadaway was reaccredited its CyberEssentials Plus certification this month. The firm remains one of just a handful of law firms across the UK to achieve the accreditation.

► Enable wins Stibbe as first client in mainland Europe

Enable Business Solutions has won its first client in mainland Europe: Stibbe has signed up to both Word-based legal pitch solution PitchPerfect and ExperienceManager, as Enable expands its global presence, led by firms in the United States.

The London-headquartered company, founded five years ago, in 2013 by former Tikit founder and director Liam Flanagan, now has clients that include firms in the UK Top 100, Am Law 100, Australia and offshore.

ExperienceManager is Enable's latest product, allowing marketing professionals or lawyers to capture experience from across the firm by integrating with existing matter systems, importing from Excel, or directly inputting using online forms.

PitchPerfect works in harmony with Word to create complex image driven documents that are easy for users to edit. Clients to date include Gibson Dunn, Reed Smith and Baker Botts.

Speaking to Legal IT Insider, Flanagan said: "Stibbe started looking at PitchPerfect last year and said they were happy with their experience management. They were blown away when we showed them what we have built and now they are a client for both products."

Experience management is an area of growing focus, serviced by vendors including Foundation Software Group and more recently Intapp.

Flanagan said: "If I have a £100m real estate project, I want to find out all the appropriate matters in that price range that the firm has worked on and who are the significant

people. It can be a very traumatic and long-winded job in a law firm. Then when they do the proposal, firms want to push that information into it seamlessly and only have within a matter of weeks.

"ExperienceManager will be a seamless part of PitchPerfect, which will make it unique compared with other experience management products."

ExperienceManager was formally launched by Enable at an event in February in Australia, hosted by Gilbert + Tobin, where Flanagan says the product was "greatly received."

Stibbe signed up on 1 March.

► Former Autonomy CFO US fraud trial underway

The long running federal fraud trial of former Autonomy chief financial officer Sushovan Hussain is now well underway in San Francisco Northern California district court and scheduled to run into late April.

Hussain faces charges that he falsified Autonomy's accounts to inflate the company's worth in the run up to its \$11bn acquisition by HP. HP wrote down around \$5bn of the amount it paid and Meg Whitman, HP's former CEO, blamed Autonomy's management.

Hussain denies the charges and, as reported by the FT, John Keker, his lawyer, has said that the former executive acted "with the highest standards of honesty, integrity and competence", and that the case "does not belong in a US criminal court".

At the end of 2017 Hussain's lawyers attempted to have the US case dismissed, arguing that the US government has no jurisdiction to try the case because the alleged fraud took place in the UK.

Hussain was previously a director of cybersecurity company Darktrace, however his position as a came to an end in November 2016.

Darktrace is backed by Invoke Capital, the investment vehicle of former Autonomy boss Mike Lynch, who next year, alongside Hussain, will face a \$5bn civil suit by HP. Lynch, who denies all charges, is countersuing HP for reputational damage.

Christopher Egan, former CEO and head of sales for Autonomy in the US, is a cooperating witness in the current San Francisco proceedings.

► “Please don’t think this won’t happen to you”: The lessons learned from DLA’s cyber attack

PLEASE DON'T THINK THIS WON'T HAPPEN TO YOU CONTINUED FROM FRONT COVER

“It takes time to mobilise in such an extreme situation. We booted ourselves up with a basic toolset: WhatsApp; mobile phones; and alternative emails as well as LegalConnect conference calls.”

The attack did indeed turn out to be part of the not-Petya, extremely sophisticated global attack which resulted in users seeing messages such as: “Oops, your important files have been encrypted.”

It originated in Medoc, in Ukraine, in DLA’s case from local tax and accounting software. It is thought that Russian capability placed a backdoor into the software some time in April or May and on 27 June it was triggered.

As widely reported at the time, the attack wasn’t ransomware: there was no one to pay. The data was rendered unusable not encrypted, so even if it had been ransomware DLA would not have recovered Exchange by paying a ransom.

Pollick told the GlenLegal audience: “If on 26 June you had asked, ‘How is your cyber capability?’ I’d say, ‘We’re ISO27001 accredited; fully patched; and the auditors say we’re ahead of the game.’

“Please don’t think this won’t happen to you: this is a story about what might happen to any of us.”

Managing recovery Communication

DLA Piper communicated with its people via bulk SMS and WhatsApp. Pollick said: “That’s when you find out how good your people data is: my strong recommendation is to find out before something like this happens.”

DLA also held local town hall meetings led by managing partners and conference calls. Pollick said: “We treated it like a state of war. I was never angry: we were collateral damage of an attack in the Ukraine by Russia. Having realised that, we focussed on our recovery priorities. The amazing thing is how hierarchy and ‘not my job’ disappear in those circumstances: everyone worked together in a magnificent way.”

He adds: “We also organised executive air cover. In the early days it was difficult to make progress but we parachuted in a member of the executive into the IT team: he managed the executive while we managed the recovery.”

With all means of communication gone, the IT team had three meetings a day. Pollick says: “We made extensive use of third parties: Microsoft; Proact; Ricoh and others were great and the help they gave us was extraordinary. We also had help from other law firms. Clients were great. And the great thing about

legal work? There’s normally an other side with meeting rooms.”

Day 1, Thursday, 28 June

Pollick and the team set up off network local business centres.

They made sure that they could pay everyone and there were no payroll issues.

Pollick said: “If you’ve lost everything, the first thing you need to bring back is Active Directory: we had sixty copies. The big question is how quickly can you bring up Active Directory.”

Day 2, Friday, 29 June

“We determined that this wasn’t the worst thing possible - we hadn’t lost our core data: it was all intact, with no evidence of exfiltration. On day two we got back our AD. We still had no network email or phones but the guys in our data centre were bringing back AD. Alongside that we were rebuilding Exchange: we decided the next priority was to bring back email. We focussed on email; finance and only then phones.”

Pollick added: “Virtualisation is your friend – it was easier to bring back Asia, which had more virtualised services, than it was to bring back Europe.”

Day 3, Saturday, 30 June

DLA brought back email.

Pollick said: “Somewhere in the middle I thought ‘we must do a password reset, but how? We can’t call or email.’ We bought a bulk SMS service that randomly generated passwords and sent them out. The issue with text messages is that 1 and l and o and 0 look the same.”

By day six, DLA’s IT team was able to offer emergency document management services. Pollick said: “If the user could tell us enough about the document, we could find it.”

The family holiday that never happened

“It’s hard to believe but I didn’t realise I had to fly home until Thursday, you’re just not sure what’s going on,” said Pollick.

Pollick’s wife and his daughter boarded a plane to Hong Kong, arriving on Saturday. He says: “I met them, we talked, and we all flew back 24 hours later.”

By that time the IT team was, Pollick says, “starting to believe that maybe one or two of us can go to bed.”

The team had to reimaged 6,000 PCs manually. Pollick said: “It happened in the European day time, so the impact on PCs in Europe was much greater.”

In a shout out to Ricoh, Pollick said: “Ricoh picked up the phone and said, ‘what do you need?’”

Around this time DLA instructed PwC. Pollick said: “They not only know stuff but when they say it, people believe it.”

Day 13, Monday, 10 July

Desktop and laptop computers were reimaged and back on the network.

Email returned to the desktop.

Document management was restored.

PLEASE DON'T THINK THIS WON'T HAPPEN TO YOU CONTINUES ON P.5

PLEASE DON'T THINK THIS WON'T HAPPEN TO YOU
CONTINUED FROM P.4

Pollick said: "You find out how good your service catalogue is now: it's a good idea to make sure it's in order before an event rather than after."

He adds: "We brought back our services according to a very detailed 10-step recovery plan written with our advisers. Some services are still not back or are running in isolation."

Day 35, Wednesday, 1 August

Full telephony was restored.

Resilience. Continuity. Recovery

"Everyone is running resilient systems but at some point your resilience will break. We had all of that resilience, but when it's all gone, how are you going to operate without email or phones? We had to answer that pretty quickly," says Pollick.

"When you get to the end of resilience you get to the gap of false hope: your IT guys give as optimistic as possible estimates as to how long it will take to get everything back. Ask yourselves: have we got continuity? How will we make the gap of false hope short."

Lessons learned

"I believe third party software is going to be the next big wave of malware and we have become really strict.

"Our USP of 'one firm, one email, one integrated system' is both a strength and a weakness: it helps the bad guys as much as good guys. We are all going to be spending a lot of money on segmentation on a data level, an application level, and on a PC level.

"Optimism tends to trump realism: people want to be believe that everything is ok, which results in the gap of false hope. This is a good lesson: try not to fall foul of it. Bring in an advisor – it's a killer way to keep calm and allow realism to triumph.

"Bring in air cover – when you're asking, 'how are we going to cope and manage?' the presence of executive air cover was one of key things.

"A DR plan that you look at once a year is worthless in this kind of incident, which is rare and unplannable. I recommend equipping yourself with as many tools as possible."

Goose bump moments

Pollick highlighted a number of acts of individual heroism, including people who slept in data centres for a week and didn't see their families. He said: "It was the worst and the best of times. What mattered was that people really pulled together."

He adds: "On 26 June, one active directory engineer walked out on a session that required him to do a presentation. On 27th June he talked to his boss about it and said he wasn't confident in front of people. By 2pm that afternoon that same engineer was standing in front of a room of people talking about how to get active directory back.

The first thing that was printed in Asia was a single sentence: "Can we print? Yes we can!"

Questions from the Gleneagles audience:

Did you have cyber insurance?

"It's very topical to talk about cyber insurance – we had it in the US and internationally were about to sign. There aren't noticeably big difference in the recoverability of costs but we would be fools not to consider it going forward."

How much did the breach cost the firm?

"The cost of remedying it is in the small millions."

How did clients react?

"Clients responded in a 'there, but for the grace of God, go I' manner."

What is the one thing you would do differently?

"Think very differently about the software you're going to allow in your network. Does it need elevated privileges? Segmentation: that's what it's all about."

► **Exclusive: CC signs up to Prosperoware Umbria**

CC SIGNS UP TO PROSPEROWARE UMBRIA
CONTINUED FROM FRONT COVER

As first wins go, a magic circle giant with around 3,000 lawyers globally is not a bad place to start.

Driven by clients who are increasingly asking how firms will budget their matters and stay within budget, pricing as a sector is slowly taking off in the UK market, which is less mature than in the US. The CC win comes as Prosperoware builds its UK capability, including hiring new general manager EMEA Henry Piatek-Stewart from Thomson Reuters Elite.

This move by CC comes amid a growing realisation among law firms that they need to look at pricing within the context of process improvement.

Weinberger said: "There's lots of talk about 'innovation' and 'AI', but we're hearing more from firms that they're working on client value management initiatives. They're responding to client demands for predictability."

He adds: "This is a process improvement project – they were looking for a platform to drive both pricing and matter management. When combined with people and process, Umbria has a proven impact on client value and a firm's bottom line by reducing write-downs and improving client satisfaction. Firms are now looking beyond simple revenue and instead ensuring that the work they take on is profitable."

In the US, firms such as Barnes & Thornburg have mature programs for client value management and Weinberger says: "Firms have started to recognise that they can deliver better client service and improve profitability – those things are not mutually exclusive."

Other Umbria clients include Mayer Brown; K&L Gates; Akin Gump and Quinn Emanuel Urquhart & Sullivan.



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► GlenLegal: How can technology create high performing teams?

Law is fundamentally a people business, so how do you use technology to create high performing teams and meaningfully engage your staff?

This was a question addressed by one of our high-level panels at Legal Leaders IT Forum in Gleneagles at the end of February.

Panel:

- Haig Tyler, Chief Information Officer, Herbert Smith Freehills (Panel Chair)
- Oz Benamram, Chief Knowledge Officer, White & Case
- Richard Tomlinson, Head of Knowledge Architecture and Systems, Berwin Leighton Paisner

The panel addressed the key issues of:

Understanding how to improve fee-earner engagement;
Achieving a comprehensive approach to change management and service delivery;
and Building high performance teams.

The panel classified these project from three categories:

Where they have used low or light touch engagement;
High engagement approaches;
A balanced approach, which is a blend of both the above.

HSF Project 1: Putting in place a single global Active Directory incorporating email and WiFi to create an open network and give staff the ability to turn up and work anywhere.

Haig: This typifies low engagement. Query, why would we need to engage on better WiFi? We got away with it: it went really well and we now have the ability to go anywhere in the world and pitch up with seamless AnyConnect remote access. I do have that nagging doubt over how much better it would have been if we'd properly engaged with a small group of our fee-earners and business services colleagues and others within the firm. We talk about needing to engage but there are many areas where we can probably get away without doing it.

White & Case Project 1: New 'Connect' Intranet

Oz: We had to roll out a new intranet a couple of years ago and probably the best thing we've done is to establish a sounding community of about 10% of the firm: about 400 people joined, and we'd ask them weekly 'yes, no; right, left'

questions. So, it was really 'how do you navigate; where would you expect to find this feature' and we had heatmaps so we said, 'here is an image of how the page will look, where would you click.' So by the time we rolled out the intranet 10% were ambassadors, they liked it, they knew it and it was very helpful.

The other thing we did which was very successful was to introduce the social features: hashtag, mention, like, share, comment: by doing that we democratised the intranet. Anyone can post, like, share, comment on any page. And we are just starting to see the leadership using it: the Chairman is starting to issue things and people comment how great it is or why did we do that, which appeals to and engages the younger generation more.

BLP Project 1: New enterprise search tool

Richard Tomlinson: When I think about low engagement projects the one that stands out most was during my time in Shearman & Sterling, where we were rolling out an enterprise search tool and instead of engaging with the fee-earners directly, we were engaging with an extra layer in the business who sought to represent the fee-earners, so business managers or PSLs.

What we found is that the requirements and feedback we were getting was from this group and by the time we rolled out the tool it fell flat in its initial release because it wasn't at all what the fee-earners wanted. So, we really worked hard from that to bring in real representatives: associates from each of the departments to bring them into the requirements gathering for enterprise search and it ended up being successful in the end. It's something that we've carried forward to BLP: proactively getting fee-earners engaged and we've given them a mechanism to do that – a KM hours credit model where not only can associates participate in these projects, but they get credit towards their billable hours targets for doing so."

HSF Project 2: Using Yammer for polling activities

Haig: When you get a high level of engagement with something like Yammer or one of those social tools, the speed of feedback is phenomenally quick – you've got that real-time ability to go out and engage.

We've used Yammer for a number of polling activities. It's really easy to set up. We rolled it out as part of the global programme I mentioned, when we were looking at Surface Pros, versus laptops versus Surface Books. We just stuck out a couple of votes – put a little bit of humour in – and in the end we had nearly a hundred replies. And it's a really a fantastic example of using the tools we roll out to engage and get feedback – we were really blown away by the speed of that.

HOW CAN TECHNOLOGY CREATE HIGH
PERFORMING TEAMS? CONTINUES ON P.7



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HOW CAN TECHNOLOGY CREATE HIGH PERFORMING TEAMS? CONTINUED FROM P.6

What that challenges us to do is try to continually keep up with that feedback. And you also need to be prepared to say 'No, we're sticking with this,' and move on.

White & Case Project 2: KnowIT roadshow

Oz: We used to rank really low five years ago in terms of associate satisfaction in IT and we asked ourselves 'what is this about'. But we realised it was largely a matter of perception: they were too busy to come to training, so what we started doing was a knowledge and IT roadshow – KnowIT – and once a year we tell everyone what's new that they need to know about. We travel to about 10 offices and broadcast to the other 35 and just by telling people 'here's the newest thing we have' and 'here's how you use WebEx on your mobile device': all those little tips make people much happier with what they have and last year we got to the top 10.

We did improve our infrastructure but not that much faster than the industry – it was more about awareness and people being happier with what we have because they hear about it and see it.

BLP Project 2: Audit - What tech have we got?

Richard: At BLP we've done something similar but it's not just about telling people what's available. Within each practice group we have a number of associate groups and working together with our IT team we've done an audit of everything we have and what we found is that there are solutions being used by one area of the firm and not at all by another because they are not aware that this is a solution available to them. So we've been going round the various associate groups and giving them a presentation, not necessarily to say what's new, but this is everything we have and these are the things available to you.

The best examples are our usage of HighQ and RAVN, which are happening in discrete parts of the business. Our HighQ use is through the roof in one part of the firm but in one section they have never even used the site so it's trying to get the word out about what the firm already has as well as what's new.

Haig: That does bring about an important point: in our TMT department they hardly need any training. I guess it brings out a theme around advocacy: we have technical advocates in TMT who we increasingly look to engage early and they then talk to other lawyers. There's nothing quiet like a lawyer talking to another lawyer to get the message across.

White & Case monthly knowledge academy and corporate YouTube

Oz: For our own people we have a monthly knowledge academy open to anyone in the firm. We figured there's a

lot of sexy stuff out there that we know about but they don't necessarily know – so AI in law is one; we did a training session on the dark web; we talked about blockchain; we talked about fake news. All of those topics that are relevant to our lawyers and none is necessarily an expert in. So that raised our level of engagement: they come to us to hear about things that matter to the way they work, and that was a great success.

Our next frontier for which we don't expect high adoption very fast is we are introducing corporate YouTube: we're allowing everyone to upload their own videos. We anticipate that younger people will take to it sooner and the main reason is that more than a business tool, we feel it's an engagement tool. How do you, in an industry where we don't save people's lives, how do you engage people and how do you make the feel part of team? It's by seeing the community and feeling great about being heard and elevating the things they care about.

HSF Project 3: The Vision Lab

Haig: In an example of high engagement activity, at the end of 2016 we went out to everyone in the firm using the Vision Lab tool, which is a very good bit of software. You prime it with a number of different ideas, eg 'do we want free lunches or better remote working' and what happens is that people go to that URL. The software in the background asks do you like a) or b). It builds a really clever ordering system and the users can add new ideas or comments. We ran that for eight to ten days and then we acted on the output.

In the end we had 90 suggestions. Anybody could comment on anything. Anybody could add anything. We had to take down just one post and there were thousands of entries and interactions with the site. Which is a tremendous reflection of not just our law firm, but that most law firms have really smart people.

We took the top three: one was around improvement in performance management, so 'let's move away from the annual performance measure'. And that's what we did. We implemented Objective Manager and have gone away from the annual appraisal. And we effectively have real time weekly or monthly - whatever the team feel comfortable with - performance assessments.

The second thing was around a real desire for flexible working. So we've done some really good things on that.

And the third one – reflecting the smarts in our firm and probably your firms too – was around data analytics and doing more with our data: turning it into information and knowledge. And we've acted on that pretty quickly. But it's a good example of engaging and getting lots of good feedback and then taking action from it.

HOW CAN TECHNOLOGY CREATE HIGH PERFORMING TEAMS? CONTINUES ON P.8

HOW CAN TECHNOLOGY CREATE HIGH PERFORMING TEAMS? CONTINUED FROM P.7

BLP Project 3: KM targets and objectives for associates

Richard Tomlinson: The best example I can think of in terms of high engagement is the scheme I mentioned earlier where we give every associate at the beginning of the year KM objectives and we've given them up to 35 hours to work on KM activities, which count towards their billable target. This year we've made it mandatory for those who seek advancement, so there's a bit of carrot and a bit of stick in there. We are pushing associates to get more and more involved in KM activities, which has been great. It's had consequences – there are a bunch of associates who have taken the opportunity to do something innovative but we've also had quite a lot coming to us and asking for things to do so we have them involved in business services projects. But we have great engagement and KM is front of mind for associates.

White & Case project 3: Knowledge information desk and practice innovation team

Oz: The point to make too is that we are in a stressful profession and part of our job is to reduce anxiety and we can do that in several ways. One is to give people access to information and make it accessible, so it takes the unknown away. The other is to take away from them all the stuff they don't like to do. So between our Manila operation of 500 people and Tampa operation of 200 people, we can do a lot of things for them.

Just like you probably have an IT helpdesk, we've created the knowledge information desk and you could come with any 'stupid' question you have and we'll get you the answer within 20 minutes. Those are the same people behind the intranet, they know where it is and if it's not available, they know where to go.

White & Case is a big firm with many people coming and going and this white glove service is particularly helpful to new joiners – it takes away things you don't like to do and can probably be done by someone else, whether that be through software or a low cost centre.

We don't, for example, ask our people to create closing bundles – we do it from Manila. We wanted to know when deals close and if we do bundles for them they'll come to us when the deal closes, so it's a win-win situation. We took the anxiety away around something that's not critical and can be quantified in the way we do it whether by a human or software.

The third one is around innovation – we've created a practice innovation team that will hold your hand when you have a new idea, or you saw software that looks great, or you came from GlenLegal with all these ideas and you want to implement them at your own firm, someone will help you. The team is a combination of ex-lawyers and technologists and process mappers; business analysts and project managers. And those groups enable our technology community to prioritise.

Methods of delivering change

HSF: Agile delivery

Haig: I make no apology for being a complete agile evangelist. I put it in place in Bupa nearly 10 years ago now and you risk becoming 'to a hammer every problem is a nail' type person and I'm completely affected by it, but it really is a tremendous way to work and the key thing is creating those cross-functional teams. So we've done it to a lesser extent with our fee-earners: it is the only way we're pushing forward some of the new technology we're delivering.

We've just come off the back of our global practice management system implementation: What we did was embed the senior finance and BI team into a pure agile approach. They're effectively the product owners: they defined what we're building and the backlog and prioritisation. We ran for a very strict two-week sprint cadence. They ultimately signed off that each sprint was ready to go; they ultimately signed off user acceptance testing. And when we faced inevitable wrinkles after go-live, it was a fantastic one team effort to work through them and resolve them. And I guess we've done a little of that with our fee-earners around Contract Express, around Kira Systems, around Neota Logic and around Clarilis: all of these new tech software services.

All this engagement is ongoing and they recognise that they are part of the team. The way I've sold it to a partner who is on the next phase of what we do with our practice management system is all I'll ask him is that at the beginning of two weeks I'll want him for half an hour and at the end of the two weeks for the sprint review I'll want him for half an hour. And that one hour over two weeks, when you multiply that by the ten or 15 year impact of the good feedback he can provide, it's just a no-brainer. It gets you easily sold and over the line in terms of investment.

BLP: Meaningful proof of concept

Richard: For projects where agile isn't appropriate and where it's been useful to have plenty of associates around, we tend to run proof of concepts or pilots. A lot of people run proof of concepts but where we're different is that we don't allow them to become implementation by stealth. The idea of a proof of concept is that you have a fully engaged team including fee-earners and people from different business services teams with the aim that in a few months you're delivering a report and recommendation on whether something has worked. If it has been successful and you have a business case, you go on and have another project rather than the never-ending project syndrome.

White & Case: Vendors – understand who you are working with

Oz: AI implementation involves us, the vendor and lawyer – we can't do it without them because of the expertise. So a word of caution to vendors in the room: There are two here [in the Gleneagles audience] who were put on the spam

HOW CAN TECHNOLOGY CREATE HIGH PERFORMING TEAMS? CONTINUES ON P.9

HOW CAN TECHNOLOGY CREATE HIGH PERFORMING TEAMS? CONTINUED FROM P.8

list because they reached out to our lawyers directly too often to create pressure. You need to understand that different firms operate differently. Some don't have a centralised way to decide which project to take on, in which case it's a fair game to try to create demand for your services. But in places where you have central command trying to rationalise, when you try to go around us it doesn't make us any friendlier, in fact we put two on the spam list because they wanted to talk to lawyers without going through us. They are both off the spam list because they heard the message, but we have our ways to ensure we're rationalising and it's important for you to understand who you're working with when you come to do direct engagement.

Takeaways

Haig: I'm a big fan of getting people together. It's a real luxury when you're in a UK-Australia organisation but you don't dial into weddings and funerals and there is a massive value to getting together.

Oz: Technology allows people to connect or to hide. You can send an email or text instead of walking into someone's office if you're inclined to avoid personal relationships or you can create a video through your phone if you want to connect, and in the younger generation we see both. The difference is that they have a wider variety of tools they are comfortable with.

Richard: It's not just about the technology – we have video phones on every desktop and you can see where the are older partners because they have post stick notes over the cameras. They'll join in a WebEx but won't share a video of themselves.

Haig: Among our two top groups on Yammer are HSF photography and HSF pets. You get two camps: 'This is fantastic, a great way to meet people' to 'why is everybody wasting their time posting their dog and cat pictures'. I'm in the former camp. I met a woman in the lift the other day and we talked about my cocker spaniel. You've got to get over this concept of 'it's all about legal work': there's a whole wider piece to getting engagement.

Oz: You build trust when you spend time with people not on work related issues. To decide if I can trust you, I need to see how you behave when you're not working. That's key for engagement and people wanting to come to work.

► Phoenix – more on Mathew Crocker's appointment to CEO

Shortly after the last Orange Rag was published the news broke that Phoenix Business Solutions global sales director Mathew Crocker has been appointed as CEO following the board's acceptance of Jason Petrucci's resignation.

Crocker co-founded Phoenix in 2003 and has been responsible for coordinating the sales strategy across the company's territories of EMEA, AsiaPac and the Americas where he has overseen a period of rapid expansion in all regions.

Petrucci, who is joining a cloud services provider outside of the legal sector, took over as CEO from Roger Pickett in February 2017, so his departure came as something of a shock to the market. We caught up with Crocker at the time of the announcement and he said: "Jason has been here seven years and it's not personal. I was as shocked as anyone when I heard he was leaving but he thinks it's the right thing to do and in the role he is going to, they need exactly the skills he has: he has contacts in regions such as Asia, where he spent a lot of time at White & Case. He told me it was the hardest decision he'd had to make, and he does it with our blessing for all the hard work he's put in over the years."

He added: "We're making the transition from a small to medium company and we couldn't have achieved that without Jason."

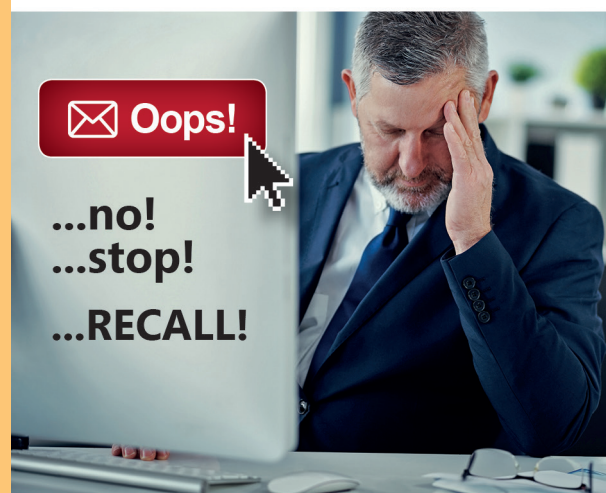
Crocker has for around six years been in a technical role, working with Phoenix' clients on implementations and support. His appointment came after conversations with Phoenix' five key shareholders and the board. Crocker said: "I really value their input and wanted to make sure they were involved."

He added: "I'll still be out there talking to our clients."

While Phoenix has seen the departure of members of staff including Ben Salisbury to Ascertus it's had 18 new joiners since December. Crocker says: "I've started new initiatives such as recording video messages to our staff. I'm done with long missive emails. I'm keen to put my own brand on the role."

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► What's hot & what's not: wins & deals

UK & EMEA

Freshfields Bruckhaus Deringer

is now using **Leverton's** AI-based lease abstraction services to help with their clients' real estate transactions.

HotDocs just announced Norwegian firm **Grette** as its latest legal client. The deal, brokered by HotDocs partner for Norway, **Contesto**, sees Grette opt for an on premise HotDocs solution using the company's newest template creation technology HotDocs Author coupled with 100 users accessing templates and generating documents via HotDocs Hub.

Recent **DocsCorp** wins include UK firms **Thomson Snell & Passmore** and **RadcliffesLeBrasseur**. Both firms use **iManage** as their DMS and purchased **contentCrawler** as part of their GDPR risk mitigation strategy to ensure all their image-based documents are fully searchable and available for indexing. This means that all documents relating to a search query are returned in the results.

Tikit has announced a raft of new deals including **Clifton Ingram** selecting **Tikit P4W** for practice and case management and **Tikit Connect for CRM**; **Carter Ruck**: Tikit P4W for practice management and **Tikit Carpe Diem** for time recording; **Gannons Commercial Law**: **NetDocuments** cloud-based DMS provided through Tikit; **Moore Scarrott**: Tikit and NetDocuments for replacement DMS; **Niederer Krafy & Frey** and **Lenz & Staehelin**: **Tikit eMarketing**. In addition **Higgs and Sons** has extended the value of its NetDocuments cloud platform by selecting the **Tikit Sync** (Tikit's HighQ and NetDocuments connector) following their recent selection of Tikit and NetDocuments for document and email management; **Withers, Bech Brunn, Wolf Theiss** and **Burges Salmon** have chosen to upgrade to the latest version of **Tikit eMarketing**; and **Hill Dickinson** have chosen to upgrade to the latest version of **Tikit TMS**.

Blackpool-based **MJV & Co** is implementing the new **Compact** solution from **Eclipse Legal Systems**. Due to an increased workload, MJV & Co recognised the need for a robust practice management system to efficiently manage all incoming cases and deliver an enhanced client service.

Weightmans is deploying **Lexis InterAction** CRM to over 1000 people across the firm's offices in Birmingham, Glasgow, Leeds, Leicester, Liverpool, London and Manchester. Commenting on the deal **Dan Cutts**, Director of Client Relationships at Weightmans, said. "We have reviewed our approach to business development and the analytics InterAction provides is exceptional. The analysis and insight from the solution will enable us to embrace a much more targeted and metric-led approach to business development. Alongside that, on a tactical level, the data management tools will help us prepare for the GDPR."

Stephens Scown a leading law firm in the South West has selected **Tiger Eye Consulting** to assist with their migration from Envision to iManage. Dean Mostert, IT director at Stephens Scown, commented, "This key project will ensure the firm meets its objectives for improved client

service as well as facilitating GDPR compliance."

Helsinki-based **Stora Enso** has selected **ThoughtRiver** contract analysis technology to run trials to pre-screen a wide range of sales agreements with the purpose of dramatically reducing the time it takes to review contracts. **Christian Swartling**, lead counsel, legal services at Stora Enso said: "We have been looking at AI for while but this is the first application we have seen that promises to do the initial reviews and pre-screening that hopefully fits our processes."

Linetime Liberate software has been chosen by leading Northern Ireland law firm **Carson McDowell** to further enhance the delivery of legal services to its clients.

Egypt-based **EMedia** is now partnering with World Software to offer the **Worldox** DMS in Egypt and the Middle East. Company head **Ahmad Awad** said "We recently implemented Worldox for **Matouk Bassiouny** in Cairo and have many other prospects considering purchase in Northern Africa and the Middle East."

NORTH AMERICA Am Law 100 firm Husch Blackwell

has selected **NetDocuments** as the firm's document and email platform across its network of 19 offices, spanning 1500 employees. **Bret Chapman**, chief administrative officer at Husch Blackwell, said "We are very excited to be joining the NetDocuments user community. Our team ran a very thorough process to evaluate DMS platforms in the market. We had to ensure the technology we chose would address our current needs and position us well for future technology innovations in the areas of enterprise content management, security, collaboration, and integration with related technologies."

800+ lawyer US law firm **Polsinelli** is the latest firm to select **Elite 3E** and will be transitioning from its existing Enterprise platform, which it has been using since 1993. Polsinelli, which has 20 offices in the US, selected 3E after a competitive review of current market offerings. Polsinelli also selected **Cosine Matter Planning**, which is fully integrated into 3E, to help maximize the capabilities of the 3E platform through more accurate resourcing, pricing and profitability of matters.

Duff & Phelps, a global valuation and corporate finance advisor, has selected **eBrevia** AI technology to deploy throughout the enterprise for faster contract review. Duff & Phelps has already been using the software for large-scale contract review projects to augment its professionals' expertise and bring increased value to clients more quickly.

New Mexico's premier law firm **Modrall Sperling** has chosen **Aderant Expert** as their practice management solution of the future. The preferred firm for complex matters involving natural resources, Native American law, family legacy, litigation and corporate growth, Modrall Sperling needed to update to its solution and decided to switch to Aderant Expert, citing Expert's flexibility and superior functionality.

WHAT'S HOT & WHAT'S NOT CONTINUES ON P.12

aka 'The Orange Rag'

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WHAT'S HOT & WHAT'S NOT CONTINUED FROM P.10

Tyson & Mendes has deployed **DocsCorp contentCrawler**, an automated end-to-end OCRing solution that ensures all documents are indexed for search. **Yukevich Cavanaugh** based in California has selected pdfDocs as its PDF creation and editing tool. **Mette Evans & Woodside** in Pennsylvania chose cleanDocs as its recipient checking and metadata cleaning tool to enforce data protection and privacy. And Alabama-based **Maynard Cooper & Gale** has selected compareDocs for document comparison.

Following Aderant's move into knowledge management with its acquisition of **Handshake Software** in August 2017, the company has just announced three more US firms have signed up to **Aderant Handshake** for their KM and intranet solutions. The firms are New Jersey-headquartered **Porzio Bromberg & Newman, Sullivan & Worcester**, which is headquartered in Boston and has offices in London, New York and Washington; and full service Boston practice **Burns & Levinson**, which has around 125 attorneys in Massachusetts and Rhode Island.

Two more wins for **Anaqua**, a provider of Intellectual Property (IP) management systems. They are with the **McDonald's Corporation** – along with the "Golden Arches" the company's IP portfolio includes more than 10,000 active trademark applications and registrations; and the **Waters Corporation**, a \$2 billion publicly traded specialty measurement technology company which will migrate its IP software from Lecorpio to Anaqua's new ANAQUA 9 software.

Texas law firm **Rosenthal Pauerstein Sandoloski Agather**, a long-term iManage customer, has rolled out **iManage Work 10** and deployed in the iManage cloud for document and email management.

LexCloud.ca, the exclusive Canadian host of Worldox Cloud Canada has recently handled **Worldox** cloud DMS implementations at leading Canadian law firms **SorbaraLaw** and **Warren Sinclair LLP**.

APAC Long-time Elite Enterprise using Filipino law firm **ACCRALAW** has selected **Elite 3E** after a competitive review. Officially known as Angara Abello Concepcion Regala & Cruz Law Offices, the firm has more than 160 lawyers and 44 partners in 3 offices throughout the Philippines and has been an Enterprise customer for more than 25 years.

Sydney-based firm **Pearson Emerson Meyer** has gone with cleanDocs from **DocsCorp** for recipient checking and metadata cleaning to prevent email data breaches.

Sparke Helmore has selected **HotDocs** as its document automation tool. The firm has opted for an on-premise HotDocs solution, using the new template creation tool HotDocs Author, and serving an initial 360 users for template management and document production. The firm has also chosen to integrate HotDocs with its existing BPM workflow.

Australia firm **Rees R & Sydney Jones** recently bought and implemented **Worldox**. Tony Vaughan, the firm's general manager, said "Worldox has enabled us to move completely into the Paperless Office."

► Movers & Shakers

UK & EMEA **DocsCorp** has expanded its senior management team with the hire of **Samantha Jefferies** as VP EMEA as **Ben Mitchell** is promoted to SVP global commercial operations, while **Paul Darby** is promoted to the newly-created role of global head of pre-sales. Mitchell, who was formerly VP EMEA, is now responsible for sales and marketing worldwide in what DocsCorp's president and founder Dean Sappey describes as "the next step in the company's growth strategy." Jefferies joins from NEC Display Solutions Europe, where she was corporate sales manager for the UK & Benelux.

Ascertus continues to grow and strengthen its support team with the appointment of former Phoenix Business Solutions support consultant **Ben Salisbury** as technical consultant.

Netmaster Solutions, the company behind digital court platform **CaseLines**, has hired **Jon McNerney**, former senior vice president of sales for Europe at Forrester Research, as its chief executive officer. McNerney has 30 years of sales, marketing and business development experience working in organisations such as Autonomy and Lotus Development Corporation.

Horwich Farrelly has appointed technology expert, **Chris Jekiel** as IT Director. Having held senior IT positions in a wide range of companies, including McDonald's, and Computacenter, Chris brings more than 20 years industry experience to his new position. In his most recent role at Freshfields Bruckhaus Derringer, he held the position of Global Head of IT, managing a team of over 200. In his new position Chris will be heading a department of 70 IT professionals, where his immediate tasks are supporting the launch of a new case management system – the firm's biggest ever change programme – and ensuring the firm's IT platforms are sufficiently robust and able to scale as the business diversifies and expands.

Phoenix Business Solutions announced that global sales director **Mathew Crocker** has been appointed as CEO following the board's acceptance of **Jason Petrucci's** resignation. Crocker co-founded Phoenix in 2003 and has been responsible for coordinating sales strategy across the company's territories of EMEA, AsiaPac and the Americas where he has overseen a period of strong growth and rapid expansion in all regions. Petrucci's departure follows over 20 years in the legal IT sector, seven of them at Phoenix. He will be taking up a role with a global cloud services company in an unrelated market.

Advanced Discovery, a global eDiscovery and risk management company, has launched its Irish practice with the opening of a Dublin-based office and data centre, as well as the appointment of **Greg Deane** as Advanced Discovery Ireland's regional director. Prior to joining Advanced Discovery (formerly known as **Millnet** in the UK and Ireland), Deane spent 15 years working in some of Ireland's leading law firms.

MOVERS AND SHAKERS CONTINUES ON P.13

MOVERS AND SHAKERS CONTINUED FROM P.12

Most recently, as head of eDiscovery and data management services at William Fry, Deane was responsible for building and overseeing the firm's data management unit.

Taylor Made Computer Solutions has appointed a specialist new business development manager **Rob Hillsdon** to develop its specialism in IT for the legal sector. Hillsdon joins the Fareham-based firm following seven years with a global IT company, providing corporate governance solutions at board level to FTSE 350, the public sector and charities. Prior to that Rob had lengthy stints totalling over 20 years at leading legal software vendors. Taylor Made customers include Trethowans, Paris Smith and Coffin Mew.

In response to growing demand for its services, **DictateNow** has appointed **Mark Gardner** to its Quality Assurance team. Gardner joins from rival Voicepath and brings with him more than 16 years' experience, primarily working with legal sector clients.

NORTH AMERICA DiscoverReady has appointed **Michael Jeffrey Glick** as senior VP of managed services. Glick brings over 25 years of experience to DiscoverReady. **Todd Tennell** has also joined DiscoverReady as Chief Financial Officer. Prior to joining DiscoverReady, Tennell served as CFO at Morae Global. He previously led and was responsible for finance operations and HR at Huron Legal and was a member of the management team through to the 2015 acquisition of Huron by Consilio.

Wilson Legal Solutions announced it had acquired **Francisco Consulting Group** and the company's LawDrill suite of inquiry and analytics applications. The addition of LawDrill expands the breadth of Wilson's business intelligence (BI) product portfolio and broadens the company's offerings to the Aderant marketplace. **Jose Hernandez**, president of Francisco Consulting Group, is joining the company as LawDrill product manager.

Alphaserve Technologies, a provider of managed IT, cloud and cybersecurity services, announced that industry veteran and former Blank Rome CIO **Larry Liss** has joined the company as its managing director and legal industry advisor. The hire is prompted by Alphaserve's recent expansion of support for the legal market with its IT-as-a-Service model.

► Hall & Wilcox signs up with thedocyard

Leading Australian firm Hall & Wilcox in March signed up with one-stop-shop deal management platform thedocyard, in a major win for the 2015-founded company.

According to thedocyard founder and CEO Stuart Clout, Hall & Wilcox looked at the platform in the early days. "They have seen us mature as a piece of technology and gone on a journey with us, so it's pleasing to engage with them," Clout told us. "They're doing some cool stuff and really growing: it's a big win for us."

Hall & Wilcox has a big finance and M&A practice and will be using thedocyard across its transactional teams. Clout says: "That's the way we work: we sit down with the firms that are strategically looking at transaction management as something they want to focus on – client experience and profitability are two key reasons – and we offer an end-to-end, cross firm solution."

thedocyard, which is headquartered in Sydney and looking to move into the UK market, offers trainees the opportunity to work with one piece of software across different transactional practice areas and gives a homogenous experience to the client. "If every time clients touch a practice it feels and looks the same that is sophisticated," says Clout. "We're about the digitisation of service delivery, which clients are screaming out for."

In a recent survey by thedocyard, 87% of clients said they want their advisory firms to adopt more technology to help their deals run smoothly, while 17% of advisory firms said their clients would be open to using more technology to achieve that.

The adoption of thedocyard is spearheaded at Hall & Wilcox by Chris Brown & Peter Campbell. Brown, a partner in Sydney, said on LinkedIn: "We're excited about using the platform. It's an intuitive, easy to use and effective deal management tool. Like!"

In July 2017, the Australian government granted a \$500,000 innovation award to thedocyard as part of a wider push to transition the economy from one based on mining and resources to ideas and technology.

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► Consilio and Advanced Discovery to merge: the analysis

We caught up with Consilio's CEO Andy Macdonald and managing director Drew Macaulay to get the low down on its combination with Advanced Discovery, as lead ED commentator Andrew Haslam says this is a merger with much to recommend it and little obvious overlap.

In a dramatic shake up of the eDiscovery (ED) market, on 21 March, San Francisco private equity investor GI Partners announced that it will acquire leading ED players Consilio and Advanced Discovery (formerly Millnet in the UK) and combine the two businesses, creating the #2 global market leader after Epic. Macdonald will continue as CEO, with Jim Burke, formerly CEO at Advanced Discovery, expected to take a board level position.

While the ED market is no stranger to recent consolidation (including four acquisitions apiece by Consilio and Advanced Discovery themselves), this latest combination dwarfs previous mergers and acquisitions, resulting in a combined company that will consist of over 2,500 employees and operate more than 60 offices, review centres, and data centres spanning 11 countries. While the combined revenue ultimately will be public it has yet to be disclosed.

The full solutions suite will include information governance, risk management, eDiscovery, and document and contract review.

Mechanics of the deal

Consilio and Advanced Discovery were both previously backed by private equity investors: Consilio by Shamrock Capital and Advanced Discovery by Trivest Partners. Shamrock partnered with Consilio in August 2015 and conducted four acquisitions – including Huron Legal – in short succession. Trivest invested in Advanced Discovery in 2014 and has also made four acquisitions including Millnet in the UK.

Macdonald says: "The point of partnering with Shamrock was market consolidation: the biggest reason is client expectation around capital investment to meet data privacy and financial audit needs."

While Consilio looked at acquiring Advanced Discovery with Shamrock as its backer, it would have put the fund over its investment cap for one asset. Macdonald said: "GI was looking and we talked it through and said we'd do it together. Shamrock was excited to make that happen."

He adds: "Private equity investors really want to make sure they are aligned with management: we felt good about each other and aligned with how we can drive growth."

Time frame

In the fourth quarter of 2017 Consilio started the ball rolling with the heavy lifting taking place in past three months.

Macdonald says: "I had several conversations with Jim Burke: we met for lunch in September in New York and felt

the two businesses were culturally aligned and had same philosophy on growth.

"Sometimes merging companies creates so much ill will among clients and employees it's not worth doing but here there was a cultural similarity and minimal client overlap: less than 5% of our clients are shared. There is a real upside in that the Advanced Discovery client base is largely UK and US while we offer a significant footprint in Asia."

We have reported regularly over the past two years on the rapid consolidation in the ED market, which is often driven by clients' demands for a seamless global service. Macaulay said: "My remit is to look after continental Europe, the UK and Asia and what we've seen over the last few years is a dramatic increase in sophisticated buying by organisations from banks to technology and pharma companies: they are looking to buy from the companies they trust the most not just in the US but Europe and Asia."

"The more we invest in our capability to serve those customers the more chance we have of securing a large percentage of that market. If you look at General Counsel, you'll see more advisers taking control of how eDiscovery is brought and bringing all the decisions in-house rather than leaving them to law firms."

While there are bound to be overlaps across some sales teams, and not all the big personalities at Advanced Discovery/Millnet may welcome the acquisition, the combination will enable the combined organisation to streamline its operations and invest in innovation – that's the plan.

What's in a name?

Deciding on a name is going to be an immediate challenge, although the powers that be at Consilio the combined organisation have hired a consulting firm and are hard at work doing some brand analysis. They are fairly confident that they will have a decision by the second quarter of 2018: but the year it took for Epic to decide on a name following its merger with DTI hasn't exactly set the bench high.

Macaulay said: "The thing I'm most excited about is that Advanced Discovery's largest office by headcount is in London so when you put the two companies together we're going to end up being the largest pure play eDiscovery provider in London with a bench to handle much larger matters."

"I've worked with a number of very talented people in Advanced Discovery and we're looking forward to seeing what we can do to take eDiscovery forward, including the use of artificial discovery."

Deal close

Advanced Discovery is expected to close in late March 2018. Consilio and the subsequent merger are expected to close in the second quarter of 2018, subject to usual and customary closing conditions. Financial terms of the transaction were not disclosed.

CONSILIO AND ADVANCED DISCOVERY TO MERGE: THE ANALYSIS CONTINUES ON P.15

CONSILIO AND ADVANCED DISCOVERY TO MERGE: THE ANALYSIS CONTINUED FROM P.14

Market comment

Andrew Haslam, eDisclosure project manager at Squire Patton Boggs:

In the UK, Millnet and Consilio complement each other. Consilio did really well out of the Libor investigations and developed its own software that let you get at all the Bloomberg emails. Consilio also gained consulting capability from their Huron Legal acquisition. The key thing is that processing margins are dropping down the toilet - that's how small firms made their money. The future is in consultancy. All eDiscovery technology is going to end up in the cloud with lots of functionality whether its Relativity or not Relativity. But the real differentiator will be if you have got people worldwide who consult.

Consilio has a presence in the Far East and Asia Pacific, which is good because it means that Advanced Discovery are now part of a big worldwide organisation.

It's interesting that GI bought out the other two private equity owners and got the controlling interest: they must have seen that there's a hell of an opportunity.

There might be some redundancies, but I don't expect a lot.

► Legaltech people news: Mark Craddock goes solo

Mark Craddock, former sales manager EMEA and APAC at Prosperoware has set up as an independent business development consultant and is currently working with Phoenix-headquartered Paper2Digital solutions provider DocSolid.

He will be providing consulting for software vendors who want to increase their engagement and opportunity generation in the UK and wider EMEA market. (Ok you got us, that's a quote direct from his LinkedIn page.)

Craddock told Legal IT Insider: "For corporates who doesn't have a senior sales director or business development role in the UK, we can take care of revenue generating opportunities or other business development needs."

He added: "I want to start getting more of us together: people with enough grey hair from selling legal software for some time."

Craddock was a director at FWBS, a front office legal solution provider, where he delivered against a 7x revenue growth plan and built a global sales team, before in 2011 leading the company into an acquisition with Thomson Reuters, where Craddock was responsible for new business revenue worldwide for MatterSphere.

Since then he held the role of director of sales EMEA for NetDocuments between 2015 and 2016 and was at Prosperoware between April 2016 and October 2017.

► Legal tech hire: Systemsup

Systemsup, the digital transformation company that is working with Farrer & Co on its move to Microsoft Azure, has hired Justin Edwards from Axians UK as head of solution architecture.

Axians specialises in helping organisations develop secure, carrier grade network connectivity that successfully delivers a better end user experience.

Announcing the hire, Systemsup managing director Nick Martin said: "I'm delighted to welcome Justin Edwards to the Systemsup team as Head of Solution Architecture. I've been lucky enough to have worked alongside him for nearly 12 years and hold him in the highest regard as an accomplished technologist, a great industry professional and a friend. He sets very high standards for himself and his colleagues so we will have to be on our toes from Monday!!"



Milan InfoGov Beyond Walls

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► More detail + comment on the KPMG /Nuix alliance

Legal IT Insider speaks to Darren Pauling, managing director of forensic technology at KPMG to find out more about the Big Four's formalised alliance with Nuix. Plus, we spoke to leading eDisclosure commentators Jonathan Maas and Chris Dale about the alliance and the increasing blurring of the lines between what has traditionally been regarded as transactional and eDisclosure software.

As we reported on 21 March, Big Four giant KPMG has extended its alliance with cybersecurity, risk and compliance provider Nuix, with the UK business now leveraging Nuix's forensic technology within its M&A offering to drive cost savings and act as an "accelerator" in the M&A market.

The new agreement will see KPMG UK's forensic technology practice deploy Nuix software, which indexes, searches and analyses large volumes of unstructured data. KPMG supports clients in responding to data needs in disputes, investigations, M&A divestments and regulatory and internal reviews.

You would normally associate Nuix with eDiscovery, cybersecurity or information governance but Darren Pauling, managing director of forensic technology at KPMG, an expert in forensic technology and eDiscovery told us: "We're using eDiscovery forensic tools in a different field using the skills I've developed working with these technologies."

KPMG has had a longstanding relationship with Nuix and over time has developed its own workflows around Nuix software to target unstructured data that needs to be remediated within the M&A process. Pauling told us: "A company might have an ocean of data that needs to be extracted because it contains IP or commercially sensitive information – there are a host of reasons that it has to be removed prior to deal completion. We've worked with Nuix over the past three years to develop the methodology and worked with their engine to streamline the process.

"For example, there are a number of large matters where we need to find what business classes as IP or sensitive information; or the regulator has said that part of the business needs to be removed and has to be retained outside. There's value to a business to keep what it has but if you've been told to remove it and you can sell it separately, there's a value there too. I come in on unstructured data: email; archive; back up servers; PCs; all those different places and we use the power of the Nuix engine to extract the information."

It represents a further blurring of the lines of between transactional and contentious use cases, with those two sectors traditionally served by different vendors and technologies.

Pauling says: "It's the thought process and workflow – how you put it together that matters. All these disparate sets of software look to find needle in the haystack but it's how you pull together the workflow that counts. Nuix is tried and tested which we're comfortable with it and have a long

working relationship which goes back over six years and has the flexibility to deal with the data set size. We've been using the software in different ways and for different reasons: one deal last year had 450 terabytes of data and we're comfortable Nuix can deal with that."

Commenting on the alliance Jonathan Maas, founder of eDiscovery consultancy The Maas Consulting Group, said: "eDisclosure software is increasingly being used in a non-eDisclosure world and the use of Nuix's software in M&A is a good example of that. It makes sense because in civil litigation you are often using technology to get through volume quickly and reduce cost and have no need to work through strands and terabytes of data to find uncommon connections. eDisclosure software is perfectly suited to investigative journalism, due diligence and fraud: anywhere where you need to dig and hunt for information.

"KPMG's alliance with Nuix is a good example of how people who understand how technology built for one specific purpose can apply it imaginatively in what might be called "non-traditional" ways."

Maas adds: "Recommind is a good example of a tool that crossed from know-how into litigation. We look at these tools too narrowly, maybe because that's what we have to do to understand how to really use them well in the role for which they have been created. But why not use Recommind

KPMG /NUIX ALLIANCE CONTINUES ON P.18



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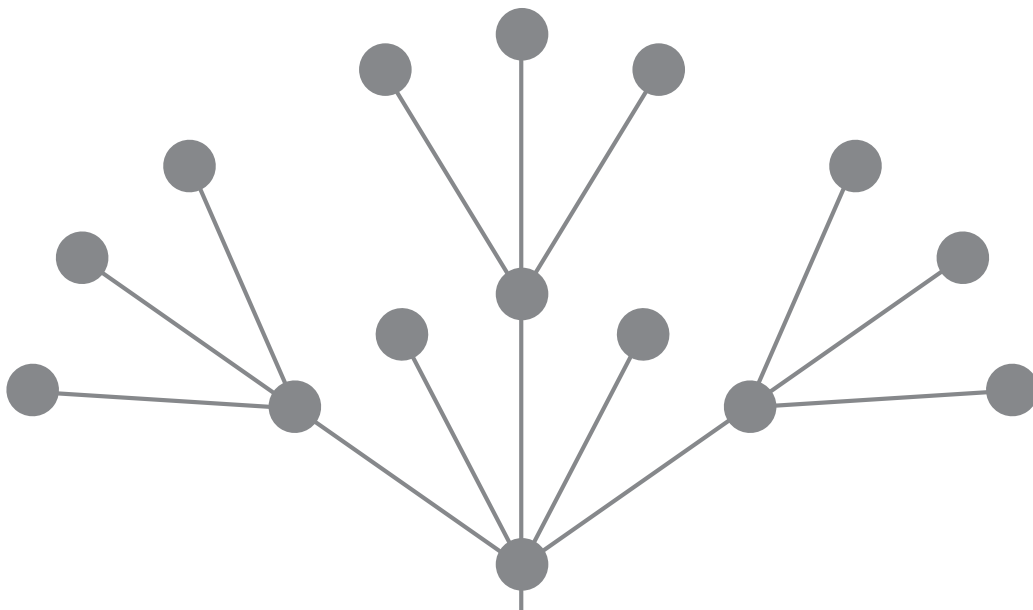
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KPMG /NUIX ALLIANCE CONTINUED FROM P.16

for corporate due diligence? It's just down to the imagination of the users and the desire of the vendor. The beauty of the current disruption taking place in the market is that people are becoming aware of the flexibility inherent in this technology."

Chris Dale, a leading eDisclosure consultant and founder of the eDisclosure Information Project, said: "It's odd how slow people have been to see that all this technology has purposes way beyond eDiscovery. GDPR is beginning to flush this out."

Dale, who recently interviewed Stephen Stewart, chief technology officer at Nuix, adds: "It's part of our silo mentality and is easier now problems are being seen as common problems. Previously HR, for example, would experience a problem but didn't talk to other departments about it and would go and buy a separate solution and not get round to pooling the budget to buy technology that is appropriate for all. Stephen said that these issues are all moving up under the heading of 'risk', so there is greater motivation for a more pooled approach and budget."

He adds: "Matt Geaghan at Nuix is very strong on the non-discovery use for discovery tools. KPMG is a formalisation of that." You can see a very recent interview between Dale and Geaghan on that topic here: <https://chrisdale.wordpress.com/2018/03/13/interview-matthew-geaghan-of-nuix-on-using-ediscovery-tools-and-skills-for-security-privacy-and-ig/>

Dale also interviewed Karyn Harty, a partner in Dublin law firm McCann FitzGerald, about the Dublin firm's Data Investigations Group, which is not just for eDiscovery in the conventional sense – Harty gives as an example a large M&A matter to which data analytics brought a valuable element not present in the usual data rooms. You can catch that interview here: <http://www.ediscoveryinformation.co.uk/videos/karyn-harty-talks-mccann-fitzgeralds-data-investigations-group/>

Aside from GDPR and a maturing of the technologies, one thing driving the blurring of the lines is a growing recognition of the value of data, meaning that it has become an asset class in M&A transactions. Questions over who, how and where data is being used requires detailed attention to ensure that it is protected, managed or potentially carved-out. KPMG's deployment of Nuix software will facilitate this process and mitigate potential risks, such as litigation, non-compliance and increased cost and disruption to business as usual.

Pauling said: "Businesses are generating an increasingly large amount of data each day. While they are realising the hidden value that can be extracted from data, they are often becoming overwhelmed by its volume and complexity. Market consolidation through M&A activity, combined with the pressures of regulatory mandates, such as GDPR, mean that more and more clients need to find ways to better understand and efficiently manage that data."

While this is a major win for Nuix, it is not the first KPMG-Nuix alliance: the US member firm of KPMG – KPMG LLP – in 2014 announced a strategic alliance


combining KPMG LLP's holistic forensic technology capabilities with the Nuix engine: KPMG is a Swiss co-operative, meaning the US is run as a separate business.

Inevitably the move by KPMG (and its perhaps deliberately provocative headline "KPMG targets M&A market with Nuix's powerful data analysis capabilities") will (rightly) spark fear among law firms, striking as it does at the heart of their much prized and protected transactional work.

KPMG – along with the remaining Big Four, Deloitte; EY and PwC – has for the past few years pushed to grow its M&A work as audit and tax work opportunities reach a plateau.

Within KPMG's legal services division there is a strong corporate bent. The first of the Big Four to be granted an alternative business structure licence, in 2014, KPMG late last year made two senior corporate hires: M&A partner Richard Lewis joined from Eversheds to head KPMG's London corporate legal team; while Shoosmiths partner Emma Gibson, who headed the firms corporate group in its Thames Valley office, joined KPMG to establish a legal services hub in Reading.

KPMG's legal services business – which has around 1500 lawyers worldwide – in the UK is headed by Nick Roome, who previously spent 15 years as a corporate lawyer at Addleshaw Goddard and DLA Piper.



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► Macfarlanes takes Kira relationship to next level

Macfarlanes has taken its relationship with Kira Systems to the next stage, agreeing a longer-term commitment for the use of its contract analysis software, which the City firm has been using for around 18 months across its real estate, commercial, corporate and finance practices, in particular developing its capability within banking and derivatives.

Kira – which refuses on principle to announce relationships with law firms that have only used its software once or on an ad hoc basis – will announce the existence and formalisation of its relationship today (26 March).

We caught up with Christopher Tart-Roberts, head of knowledge, innovation and legal technology at Macfarlanes, who told us: “Quite a lot of the work we’ve done has been developing what Kira can do within our finance capability. Kira comes out of the box, pre-taught, but quite a lot of that knowledge is corporate and commercial.

We needed to expand that out so Kira can also extract the same information from our finance documents: loan agreements and ISDA agreements etc., so we have spent quite a lot of time building our own bespoke models.

“The recent change is that we have agreed a longer term commitment to working with Kira and working with them more closely in terms of how they are developing out the product. I’ve been having a lot of conversations with their people who are building the pre-taught models, in order for us to have more influence and involvement in what Kira teaches Kira to do. They are doing a lot of work to build out the arsenal that Kira can understand. We’ve done a lot of work ourselves to build our finance capability and while Kira is doing the same thing, there is a bit of duplication. It’s also good for me to know what’s on their roadmap so I won’t direct so much resource in one area if I know something is coming out in the near future.”

While Tart-Roberts wouldn’t use the word ‘exclusive’ for the firm’s relationship with Kira he says that Macfarlanes isn’t actively using any other contract analysis tool at the moment, partly thanks to the constraints of time. He says: “I suspect that over time we will be using a patchwork of AI providers to service different projects of different types.”

The advantage of using one system is that staff at the firm can become skilled at using it and Tart-Roberts says: “We have spent quite a lot of time training the AI ourselves and from that perspective I wanted one system so my guys can skill up and make the most of a system: Kira’s ability to allow you to build on the out of the box capability with your own teaching was for us quite a significant factor.” Macfarlanes is using Kira’s Quick Study feature to teach Kira client-specific language: a key factor in its selection.

Kira enables Macfarlanes’ lawyers to automatically extract key data from contracts, with the commercial team now using the tool to conduct faster, more comprehensive and accurate commercial document reviews.

On one such matter, Macfarlanes was able to complete a review project with Kira on 1500+ commercial documents in just two days and provide their client with a detailed risk assessment. Tart-Roberts told us: “Without the AI no one would have been able to process that number of documents and review the diligence points they were interested in in that very tight time frame. It allowed us to do some work that would otherwise have needed to be done on a smaller sample basis. AI got us 70-80% there, and our lawyers got us the rest of the way.”







The move comes as clients are increasingly asking for proof that law firms are using the likes of contract analysis software as part of their panel assessments.

Tart-Roberts says: “It is increasingly expected by clients. It’s almost invariably a part of panel pitches: when we’re asked to tender for a significant relationship and pieces of work, almost invariably we’re being asked to demonstrate that we can put forward what you’d call a ‘good CV’ in terms of our legal technology innovation story. Clients want to know that we are taking it seriously and exploring what’s out there, that we are on top of technology and utilising it for our clients’ benefit, and that we’re pushing the envelope where we can and actively seeking opportunity where we can to use the technology to improve client service.

MACFARLANES TAKES KIRA RELATIONSHIP TO NEXT LEVEL
CONTINUES ON P.21

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MACFARLANES TAKES KIRA RELATIONSHIP TO NEXT LEVEL
CONTINUED FROM P.20

"For us that's the big thing: it's not about ticking the box that we're using AI, but more about thinking 'what's going to make the difference? What is going to improve the client experience? What's going to help to make clients place their business with us rather than somewhere else?'"

► Converge TS continues growth trend

With cloud infrastructure companies currently engaged in behind the scenes landgrabs, Converge TS, cloud infrastructure provider to the legal sector, continues their trend of strong growth. The company has been shortlisted in the Fast Growth category at the North West Business Masters and was listed in the Northern Tech Top 100 at the GP Bullhound Northern Tech Awards.

► Managed services + integrated tech: What Thomson Reuters commercial contracts collaboration with eBrevia means

At the start of March Thomson Reuters announced that it has teamed up with leading machine-learning contract analytics platform eBrevia to help commercial enterprises tackle large and complex contract remediation projects, as complex global events such as GDPR and Brexit come to the fore. We caught up with Rebecca Thorkildsen (pictured), global director for legal solutions within the TR legal managed service (LMS) division – which you'll recall has evolved from Pangea3 legal outsourcing services – to find more about the appointment and the cradle to grave repapering service TR is offering commercial clients in tandem with Contract Express, in a noteworthy managed services + integrated tech offering.

The eBrevia appointment comes after an extensive market review (and we do mean extensive), which sees eBrevia become the LMS commercial contracts team's go-to machine learning contract analytics platform – a decision based largely on its accuracy rate.

eBrevia's AI engine powers Thomson Reuters contract remediation services by identifying three critical data

points based on the client's remediation plan: clauses needing revision, the absence of clauses required by the regulation, and the components required to generate a contract amendment. Thomson Reuters then leverages this intelligence to generate amendments in Thomson Reuters Contract Express, offering clients a "seamless workflow" for securing approval and digital signature.

Thorkildsen says: "Partnering with eBrevia helps us with the due diligence of contracts but what makes the whole deal unique is bringing Contract Express into the offering.

"It's been around a long time and the industry understands it as contract generation and workflow tool but within the first stage of a project eBrevia decides what needs to be remediated and we'll use Contract Express to generate an amendment contract.

"You can then dig in and say 'if you require an e-signature we have digital signature capability in Contract Express. Our experts have really fine-tuned both products so that we can get through these remediation projects very quickly. We're really excited about being able to bring both of those technologies together."

This solution is said by Thomson Reuters to speed up the remediation process by a whopping 30%.

MANAGED SERVICES + INTEGRATED TECH
CONTINUES ON P.22



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MANAGED SERVICES + INTEGRATED TECH CONTINUED FROM P.21

The TR commercial contracts team - which perform services of remediation driven traditionally by M&A but more recently regulatory change and the likes of Brexit have come to the fore - has used a number of extraction tools for many years and was one of the pioneers in the area, which makes the selection of eBrevia more, not less significant.

Thorkildsen says: "We decided to do a refresh and look at how the various AI and machine learning tools have come on. We spent a substantial amount of time testing a wide variety of tools in this space and, given we've worked with these tools for a long time, we had a good idea of their strengths and weaknesses.

"We put together a comprehensive test plan across a range of tools and eBrevia met our needs in terms of accuracy going through large volumes of contract and things like how it dealt with finding data in tables - a lot of the old technology struggles in finding that data."

While the LMS commercial contracts division will work with a client's own technology as required, it will otherwise use eBrevia.

Thorkildsen says: "The most important factor for our clients is the accuracy and consistency and that was our top related criteria. Precision and recall - we tested along those lines to make sure it was hitting those angles. We tested sample sets that had known problems, duplicates etc.

"The second factor was really the way the tool could support us as a dispersed team of professionals who need to work with clients and outside counsel, who need a tool that supports really good project management to show status across a large number of projects. eBrevia really supports the way we handle projects including the transparency and metrics our clients need.

"The third factor is that for all of these tools to perform at their maximum capability you need the human expertise to teach the system what it's looking for. Most of the systems have out of the box capability but we need to provide the client with specific context and were really looking for a tool where the machine learning capability was spot on and eBrevia picked up the context quickly and turned out those accuracy results we were looking for."

Thomson Reuters inevitably also looked closely at data security and privacy.

The commercial contracts team predominantly work with in-house legal teams and this sort of tech collaboration is becoming even more interesting in the run up to GDPR and Brexit, as organisations face repapering exercises that are unprecedented in scale.

Remediation has historically been labour-intensive, requiring large teams and manual effort - all of which equal extraordinary cost for clients. As we reported last week, Axiom has launched a new managed service + tech offering called BrexitBridge to help financial services organisations address the Brexit repapering exercise. It builds on Axiom's tech-led derivatives offering to help banks with changes to OTC margin variation rules, where Axiom is working with leading financial services companies - including the top 12

global banks - on major, large scale contracting changes ahead of regulations like Margin Reform for Uncleared Derivatives, GDPR and MiFID II.

What do these developments mean for law firms? Thorkildsen says: "We don't like to think of ourselves as competition to law firms: we partner and have helped them to close business and be successful in closing that work and being responsive to clients. The whole concept of disaggregating work is still alive and well.

"Law firms could try to start their own thing and many have and been successful but many find it easier to turn to us and, particularly with boutique law firms, we've had success in providing the technology and efficiency."

As GDPR and Brexit near and clients demand solutions, innovative partnerships can be expected to grow. At the end of 2016 Clifford Chance and Thomson Reuters was unveiled a partnership to help their financial institution clients adapt to the new OTC derivatives regulation. Thomson Reuters leveraged Contract Express and abstraction technology built specifically for OTC documentation, working in tandem with Clifford Chance, which is a world leader in the derivatives sector. In the same year Allen & Overy launched MarginMatrix, a digital derivatives compliance system delivered in conjunction with Deloitte's managed services team. Unless there is an unexpected Brexit political u-turn, watch this space.



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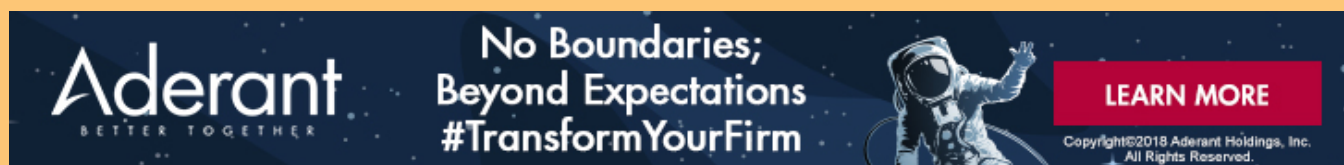
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► LTI to launch a diversity group

On International Women's Day on 8 March we launched a legal IT diversity group that will aim to highlight and address the serious lack of diversity in this sector of the profession – a situation that we say is getting worse, not better.

At a high-level inaugural meeting that DLA Piper has generously offered to host, we will hear from DLA's head of diversity and inclusion, Mitra Janes, and look to formulate our objectives and agenda for the coming year.

If you are a very senior member of the legal technology profession – male or female – and want to help us, please get in touch. That includes members of other diversity/women in legal technology groups.

► Quote/unquote

"UK watchdog finally gets search warrant for Cambridge Analytica's totally not empty offices: After weeks of stalling and delays, ICO wastes no time kicking down the doors."

The Register announced on 23 March that Cambridge Analytica's London offices would finally be searched by the UK's Information Commissioner's Office, following a marathon week of arguing inside and outside court.

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