LEGAL TECH –
THE LEGAL DEPARTMENT'S FIRST-AIDER DURING A PANDEMIC[1]

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The COVID-19 pandemic has made it clear how important a functioning digital infrastructure is. Companies and Legal Departments that pioneer in terms of technical developments in their IT infrastructure were able to maintain their company's working apparatus with little or no loss of efficiency and cope with the complex situation more easily. Implementing the necessary tools and following the relevant steps allows in-house counsel to hit the ground running in such unusual circumstances.

Benefiting from the implemented legal tech tools in unusual situation requires initial effort of many parties within a company. Many time consuming and complex steps need to be taken in order to introduce a legal tech tool to the IT infrastructure of a legal department. Is it all worth it? Yes.

As the era of the eMail approaches its end and the tasks of the legal department have become much more complex, legal tech tools are necessary to ensure an effective use of the limited time of in-house counsel. In general and specifically in times of a global pandemic, the following three tools are essential to keep the legal business running and therefore should be in your first aid kit.

Tools for project management

Effective project management is inevitable for the success of projects. When using legal tech tools for a proper management of projects, the legal departments will be able to track the status of the project, view and edit relevant documents (e.g. framework agreements) and raise legal questions to the relevant project teams digitally. Especially when dealing with large-scale projects, it allows many project owners to move forward without being distracted by sending relevant documents and new developments to every involved colleague by eMail.

It is crucial that to include all involved parties in a coherent process to avoid the duplication of work and to ensure that the project team has a uniform standard of knowledge.

Tools for standard legal questions

Dealing with standard legal questions can be time consuming and compromises valuable time of in-house counsel at the expense of internal clients requiring legal advice for specific legal questions.

In this context, chatbots[2] can be extremely helpful as they provide 24/7 legal advice on specific questions that do not require an assessment on a case-by-case-basis.

They can be used for any legal standard question and are a quick and economical tool to free up capacities of in-house counsel. While implementing a chatbot may require a large onetime investment, it provides a great and swift flexibility regarding its use in different situations, expanding the spectrum of standard legal questions and their answers and changing main focuses of legal advice, at a minimal cost.

1 The views expressed in this article are those of the author and do not necessarily reflect those of the AUDI AG.

2 A chatbot is a software application used to conduct an on-line chat conversation via text or text-to-speech, in lieu of providing direct contact with a live human agent.

Therefore especially, during a pandemic or similar exceptional circumstances when there is a need to communicate accurate legal advice at large scale in a quick way, such tools can be utilized to answer a great amount of questions of internal clients. These can include questions regarding short-time work, timekeeping and permitted and prohibited business tools (e.g. such as specific video conferencing tools). Nonetheless in-house counsel must be available for specific questions and provide a case-by-case legal assessment, where needed.

Tools for file management
Proper file management is crucial to ensure a documented and transparent legal advice within the legal department. However, it can be very time consuming to sort documents, eMails, memorandums and other information into their specific file. Legal tech tools analyze the document, classify it and sort it into the correct file without needing in-house counsel's efforts.
In case of a situation where home office is obligatory for in-house counsel from one day to the next, easy access to these files is essential to maintain the daily business of the legal department. Therefore files need to be accessible from everywhere and, ideally, are automatically sorted and comprehensive. This saves valuable time and efforts and allows in-house counsel to keep up with the ongoing advice to internal clients.

Five essential steps need to be taken to ensure a successful introduction of a legal tech tool, regardless from the specific function.

1 Know your needs
The first step to encounter a successful digitalization in the legal department is to know what you need. The legal tech market provides many tools, from contract review, electronic files, search masks to chatbots, only to name a few. Analyzing your needs can be based on interviews, feedback from your colleagues, internal clients, reviewing workflows, and processes in your daily work. The tool should serve your goals and needs.

2 Talk to your IT-department
Before looking into different tools and vendors, check with your IT-department whether your company already has a tool that you can utilize or amend to your needs. This can lead to financial and time savings and accelerates the process. If such tools do not exist within your company, discuss the basic conditions with your IT-department to be able to communicate these towards a potential vendor.

3 Ask for the big picture
If you know your needs and the basic conditions of your IT-department and company, do ask your vendor for the extended background and functioning of the tool. Include IT-colleagues, where necessary, in order to understand the technical background and use this to assess possible legal challenges that might be linked to the tool.

4 Legal check
Check the tool regarding legal aspects such as trade secrets, data privacy and eDiscovery. Make sure that the tool not only addresses the intended goal of digitalization, but also your legal needs. Ask for modifications, where necessary, especially regarding data privacy and eDiscovery risks when operation in an international environment. Regarding data privacy this is of particular interest, since data privacy standards can differ significantly depending on their area of validity (e.g. US data privacy standards vs. EU data privacy standards). While eDiscovery can be of minor relevance in some markets, it can have an enormous relevance in other markets, such as the US, the UK and Australia and therefore requires increased attention.

5 Integrate and migrate – monitor and adapt
Make sure that the tool can be integrated into your IT infrastructure and that existing data can be easily migrated to the new tool. Monitor the tool closely and take measures if users need trainings, the tool needs further modifications and make use of the valuable user feedback. Schedule regular lessons learned sessions with your colleagues from the legal and IT department, analyze the demand and assess whether additional standardization of legal advice is beneficial.

Legal tech tools can be a first-aider during a pandemic, since they allow the legal department to keep up its work and provide legal advice to the internal clients in an efficient way. In-house counsel can concentrate on legal matters that require a case-by-case assessment and delegate standard tasks to legal tech tools without compromising the quality of legal advice. However, it is necessary that such tools are selected carefully, comprehensively verified from a legal point of view, and add value to the legal department and the company.

DO'S:

- Discuss your needs regarding a legal tech tool within your legal department.

- Take into account different expectations and necessities.

- Review the tool in advance and considering all relevant parties.

- Think about the integration and migration of the tool in your existing IT-infrastructure.

- Value user feedback, every tool is only as good as its acceptance.

DON'TS:
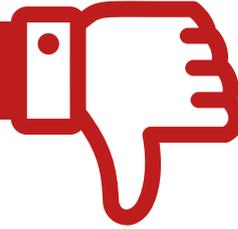
- Don't delay digitalizing your legal department. It is crucial for its success.

- Don't forget to schedule lessons learned-sessions with your legal and IT-department.

- Don't purchase a tool which does not meet your individual requirements.

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