The Vue Post



JANDERS DEAN HORIZONS CONFERENCE SYD-NEY 2016

KNOWLEDGE by STEPHEN SANDER - 29 JULY 2016

innovation, and technology faithful have gathered at trendy Pier One, under the spectacular Sydney Harbour Bridge, for this year's Janders Dean Horizons Conference down under.

This year I attended as a guest of Janders Dean.





Stephen Sander @stephensander



Not a bad spot for a conference!

Nice pick #JDHorizons – #LegalTech & #LegalInnovation meets #Sydney #HarbourLife ...

6:23 PM - 26 Jul 2016



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It is a well-known fact that I admire Janders Dean's work, and if I had to give a single reason for my strong affinity, it would have to be what I see as their 'cynical realism'.

Janders Dean does not fall for trends and buzzwords. They march to the beat of their own drum. They are analytical and critical. Everything they do is founded on observable, factual information and logic. Logic paired with conviction and passion.



Justin North demonstrates Janders Dean's passionate but refreshingly factual and logical approach

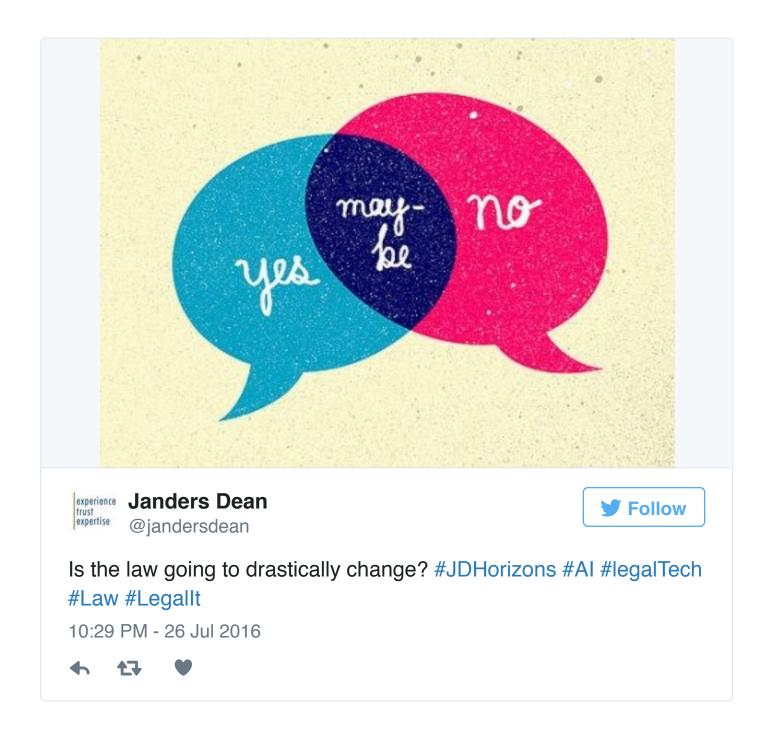
The 2016 Sydney Horizons Conference was a worthy follow-up to the London and Chicago events earlier this year.

As I predicted in my #HashtagAttendee reviews of the two previous conferences, there is a clear emergence of universal themes affecting

the legal industry across the globe, from *changing market* conditions, to the importance of *listening*, increasing client *service delivery* expectations, including the expectation on lawyers to deliver *solutions*, an ongoing, and accelerating, *technological revolution*, and the overall transformation of the entire industry which demands continuous *innovation* by law firms.

WERE YOU AT THE SYDNEY HORIZONS CON-FERENCE? DO YOU HAVE INSIGHTS WHICH YOU WOULD LIKE TO SHARE? PLEASE LEAVE

YOUR COMMENT BELOW!



Change – get used to it Science and technology – a given

Al - it's coming to get you!

Blockchain and smart contracts - they're also coming to get you!

Document automation

The rise of the legal engineer

Legal education – also ... changing Project management Client focus and service design

CHANGE - GET USED TO IT

If you don't like 'change', you might as well pack your bags and go home, because change is a part of life. And I really don't know why you are so surprised to hear this, since change has always been around.

And always will be.

Change and progress are as natural to humanity as breathing, "If you don't like change,
you're going to like irrelevance
even less."

General Eric Shinseki
former chief of staff for the US Army

yet so many seem constantly surprised, even annoyed, by it.

What made you think you would be that one special person, or would find that one magic profession or industry, immune to change?

I'VE ALWAYS ADMIRED YOUR TART HONESTY AND ABILITY TO BE PERSONALLY OFFENDED BY BROAD SOCIAL TRENDS.

PRINCIPAL SEYMOUR SKINNER TO EDNA KRABAPPEL,
THE SIMPSONS, GRADE SCHOOL CONFIDENTIAL,
EPISODE 19, SEASON 8

Talking of change, this year the format of the Janders Dean Horizons Conferences had ... changed. This year the conference offered a larger number of speakers, 33 speakers over two days to be exact, but briefer presentations, most running between 20 to 30 minutes.

It should also be noted that 21 of the 33 speakers were women – an arguably unprecedented, and much welcome, representation at a law and technology themed conference!





Given the format change, my review also needs to adapt due to the high number of speakers, and tweets, this year. Rather than a speaker-by-speaker breakdown of the event, I will focus on the major themes instead.

While on the subject of change, here is the single biggest takeaway message from the conference: 'Change - get used to it!'

Adjust, adapt, or be swept away ...



Grim? Perhaps.

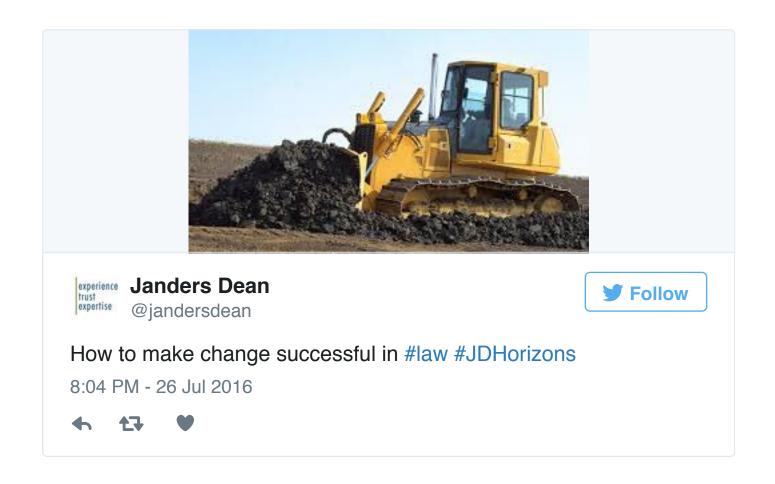
Realistic? Yes!

Is it hard? Bloody oath!



Alison Laird, Legal Project Management Lead at DLA Piper Australia, noted that change management at law firms can be an arduous process that requires a combination of perseverance, patience, and knowing when to walk away and be a gracious 'loser'. To affect change, planning is essential, so is the preparation for a long journey and inevitable distractions along the way that will have to be over-

come.



The first keynote speaker was Tony Harrington, Chief Executive of Minter Ellison. Tony is one of a very rare breed. A law firm chief executive who is a ... non-lawyer! Gasp!

The very essence of his keynote was the inevitability of change, and the need for the legal industry to accept the existence of change, and embrace the opportunities that change inevitably brings.



Tony identified what he calls the '3 Ps of partnership inertia':

- **1.** 'product artisans,' whereby partners *love* the law, but clients want solutions the law put into context;
- 2. 'partner silos,' in that some partners often fiercely protect their

skills, insights, and clients, which slows the ability of the profession to adapt to change; and

3. 'process overload,' where firms suffer from over-engineered internal procedures, and have developed committees into an art form.







I love Tony Harrington's hate of 'Committee Land'!

Did Michelangelo 'committee' his David?#JDHorizons

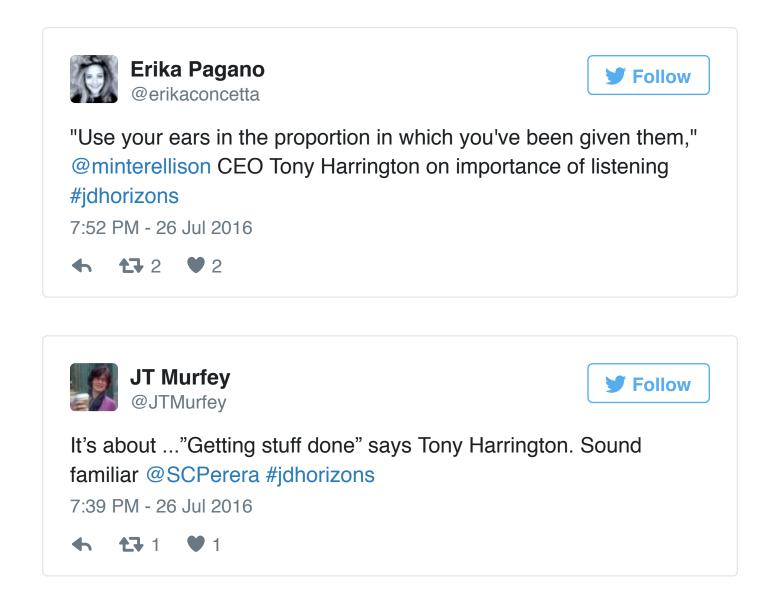
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1 3



Tony asserted that law firms need to learn to *listen* to their clients and *get things done ... not absolutely perfect each and every time*.



While exploring Tony's mind, you might also be interested in an article in Lawyers Weekly, titled "Minters head warns: 'You can't shrink to greatness'," where Tony serves up one of his usual truth-trains to the legal profession, arguing firms are mistaken if they believe in narrowing their focus to survive. Survival should not be the game – its growth or bust.

Later in the day, Stewart Rasmussen of HighQ also had a go at 'the existence of silos' at law firms, and the need to break those barriers down. Not just the 'partner silos' Tony Harrington referred to, but the silos lawyers build around themselves to the exclusion of so-called 'non-lawyers' ...







Speakers are really hating on silos at #JDHorizons today!

Down with silos! Get out, communicate, and collaborate! 10:37 PM - 26 Jul 2016

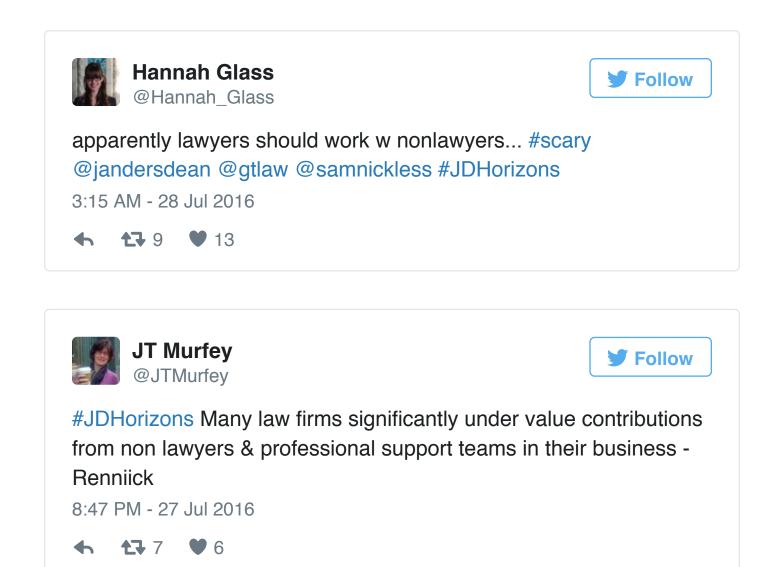




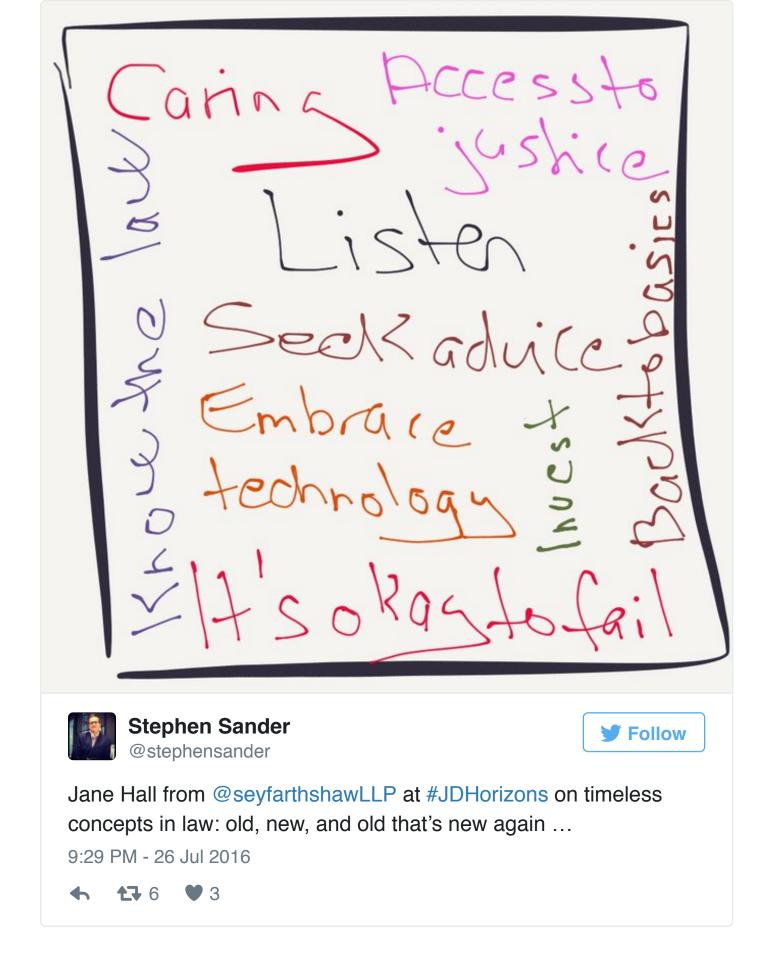


The need for lawyers to get over their resistance, and sometimes downright snobbery, to working with 'non-lawyers' was also drawn out by Sam Nickless, the Chief Operating Officer of Gilbert+Tobin in his closing address to the conference, and David Rennick, Partner and Head of Pinsent Masons Australia earlier on the second day of

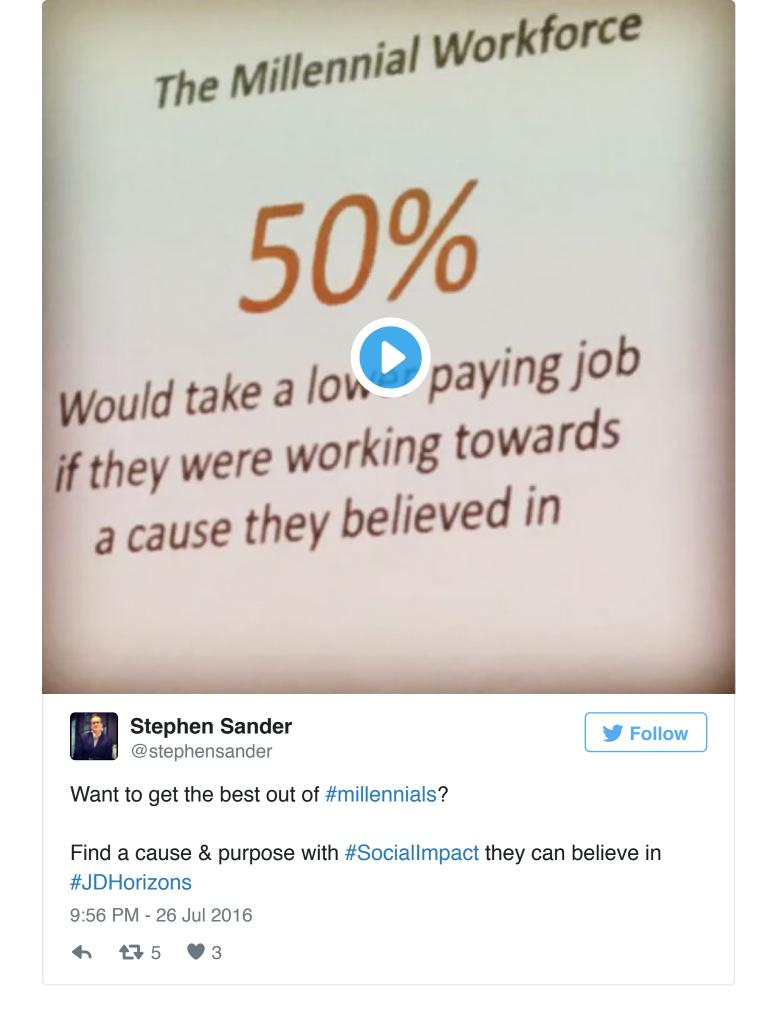
the conference.



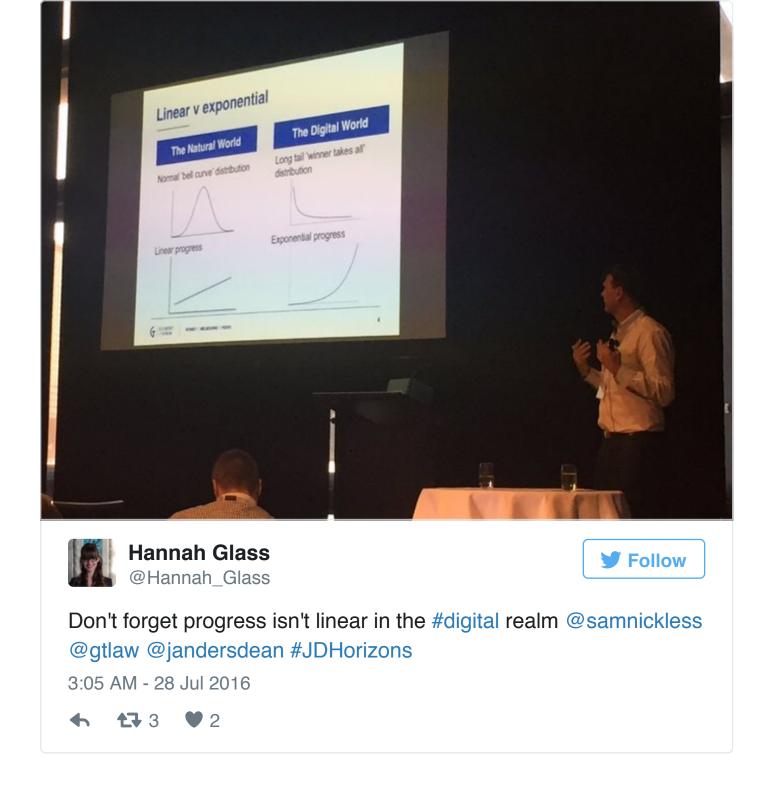
Jane Hall from Seyfarth Shaw argued that while sometimes change can feel overwhelming, we can stay grounded knowing the underlying fundamentals often remain the same: knowing the law, caring, and *listening*.



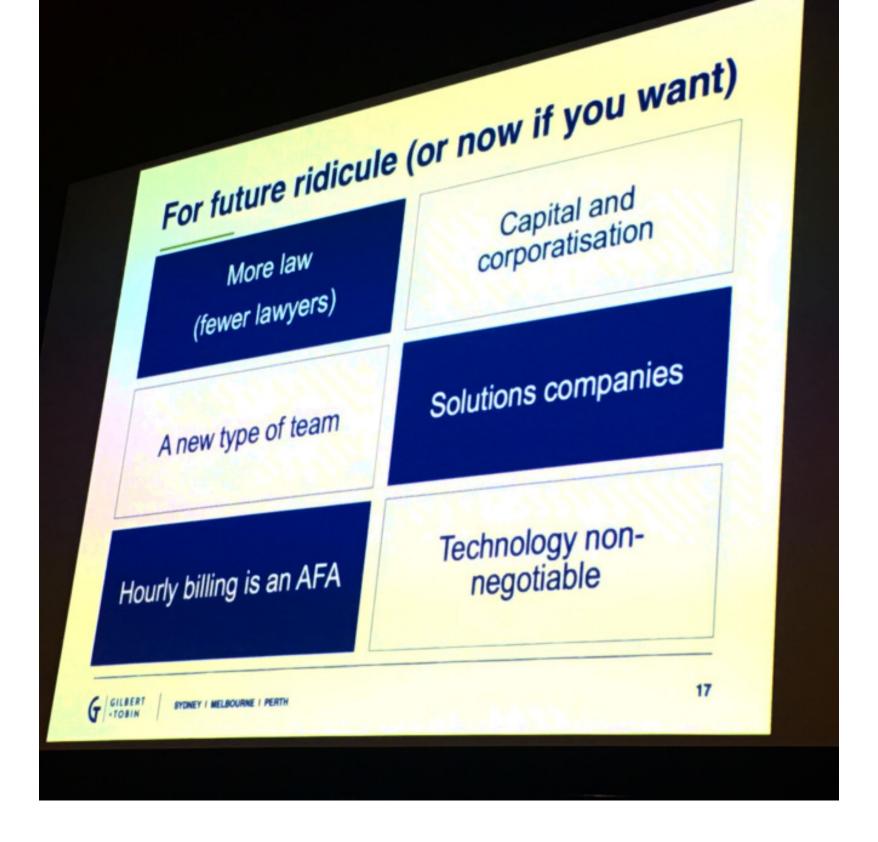
Another interesting take on change came from Chris Eigeland, a young social entrepreneur, who demonstrated the boundless possibilities of harnessing change, and the importance of offering cause and purpose if we wish to engage, and get the best out of, millennials,



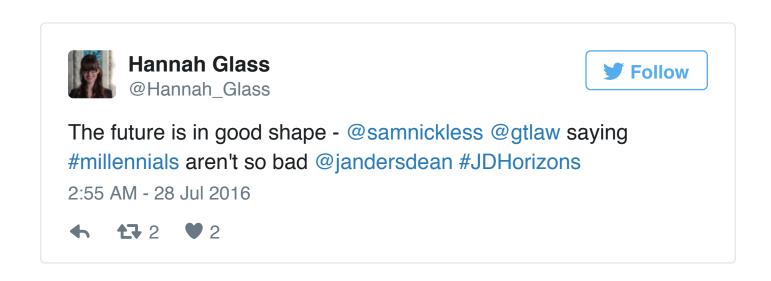
In his closing keynote address Sam Nickless reminded us that progress in the digital world is not linear, it's exponential – this should be food for thought when considering the pace of technological changes yet to come, and planning for the future of legal practice:



Sam also presented the conference with his predictions for the changes that are coming over the next few years, ranging from more law being done by fewer lawyers with the assistance of nonlawyers, in a more technology-based and *solution* oriented legal service industry, where capital flows that support technological investments may lead to an increased corporatisation of the sector ...

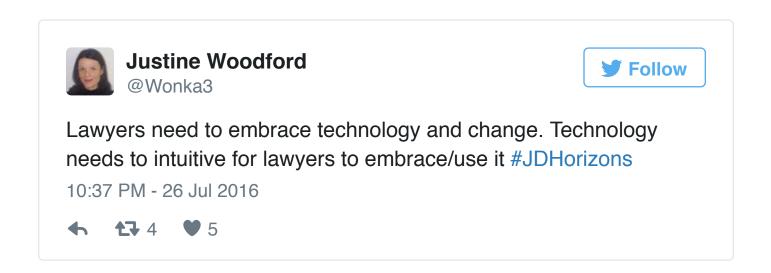


But, despite the challenges, Sam retains a healthy dose of optimism for the future of the legal profession and the legal services industry.



SCIENCE AND TECHNOLOGY - A GIVEN

Yes, technology is another thing you just have to get used to. Sorry!



AI - IT'S COMING TO GET YOU!

Admittedly an exaggeration, but it sums up the panic created by the proliferation of so-called 'Al' tools and 'experts.'

Dan Katz, Professor at the Chicago-Kent College of Law in the United States, a real expert, who I think has the perfect name to become the first academic rapper or DJ, laid down some serious science beats at the conference.

Professor Katz's presentation focused on what he called the victory of 'data-driven AI', over 'rules/knowledge/logic-based AI' and concluded that cheap and plentiful data handed the victory to data-driven AI (setting aside for a moment the arguably logical assertion that 'rules/knowledge/logic-based AI' is not AI at all).

In any event, when we are talking of 'Al' in the context of what's currently available to the market, we are using the concept completely wrong.

There is no AI available yet in the strict sense of what 'AI' means. Not even what we term 'data-driven AI' is artificial intelligence in the strictest sense of the concept, because our current AI technology is not capable of self-learning, or self-improvement. All current 'AI' is capable of is to analyse vast amounts of data, admittedly much faster and better than humans could, and present result based on the data processed, according to predetermined parameters.

Any 'decision' that must flow from those results still have to be made by a human - our 'Al' tools are not yet capable of making a 'decision.'

So, no, Al is not coming to get your job ... yet. But lawyers will need to up their game because there are, and will be, *many* things that Al, even at its current level of development, is simply better at performing than humans.

If you feel targeted by AI, I have news for you. Other industries, such as agriculture and health, are already far more affected by the technology. This is due to scale – the legal industry is a far smaller prize than the large agricultural and health industries, so capital is flowing into AI tools for such industries at a higher rate than the legal industry – for now.

But the technology is coming, and lawyers have to accept, embrace, and utilise the rise of legal analytics, and the evolving AI tools. These tools will improve efficiency, enable productivity, reduce costs, speed up service and improve service delivery – all the components you need to remain competitive and profitable.

As Dan Katz noted though, future legal leaders need not be experts, and fully understand *all* technology, but need to accept and appreci-

ate the relevance of technology to law, and surround themselves with the right advisers and experts on technology.

The Professor also made it clear that a data strategy is no longer optional. Every organisation needs to have one, and needs to leverage the data it has at its disposal to better understand its clients and its own processes, and to utilise the learning from data analysis to improve those processes, and the way it delivers services to clients.



The key to AI in the legal industry is the same as the key to any other technology or business tool: learn about it, understand it, use it to the best of its capabilities to get better at what you do, derive as much competitive advantage from it as you can, and free yourself up to focus on things machines are not capable of doing – *listening* to clients and building and improving relationships with them.





Crowdsource and benchmark your internal and external experts to get the best results when it comes to the prediction game ...

#JDHorizons

7:33 PM - 27 Jul 2016



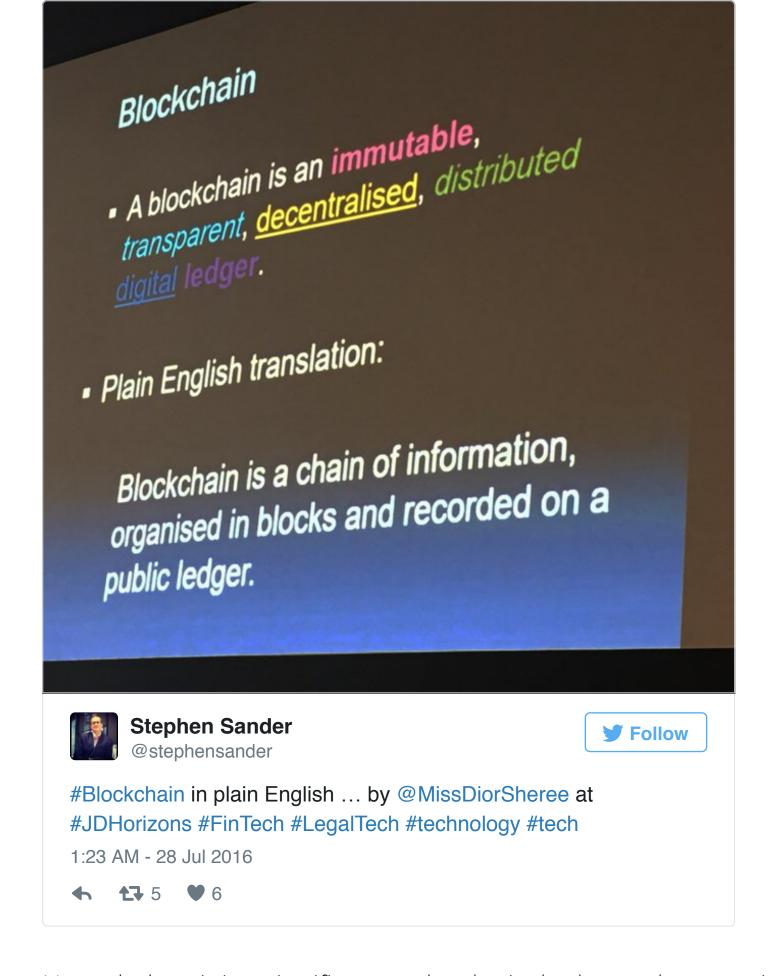




BLOCKCHAIN AND SMART CONTRACTS - THEY'RE ALSO COMING TO GET YOU!

Okay, I admit that header is a little bit 'click-bait-ish', because at the end of the day blockchain and 'smart contracts' are just extra technological tools that will become part of a lawyer's toolkit to be used in servicing clients where appropriate.

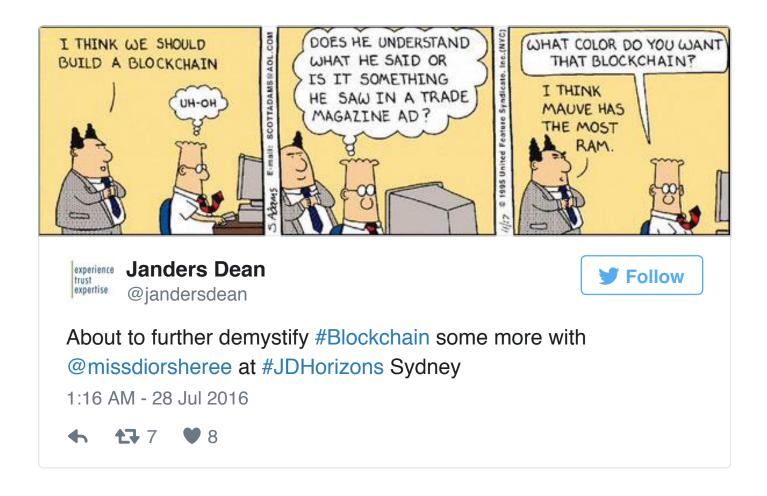
Blockchain is not a mysterious beast, it is nothing more or less than a decentralised, distributed electronic ledger.



Nevertheless, it is a significant technological advance because it enables parties to a transaction or series of transactions to maintain a cloud-based, realtime record of all transactions with high level of security, accessibility, and reliability.

Sheree Ip of Certus Consulting and Claire Wivell Plater of The Fold Le-

gal spoke to the conference about blockchain and smart contracts and demystified the concepts in the process.



We are at a point in the development and adoption of these technologies where *all* lawyers should make an effort to have a basic understanding of how these technologies work and can be applied to their area of the law.

DOCUMENT AUTOMATION

No, there is no end to your technology pain if you are a technophobe. There is also document automation, and Saran Kaur of Linklaters and Justine Woodford of Allens told us that in the past 18 months there has been a significant cultural shift in the acceptance of this technology.

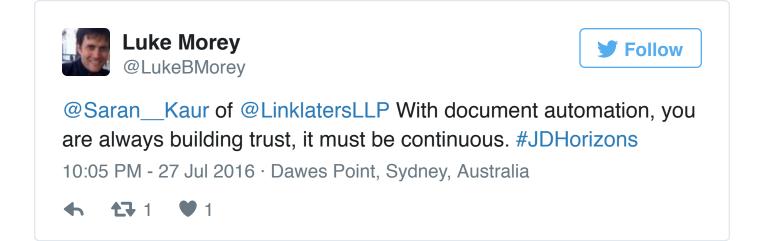


As Justine Woodford of Allens explained, automation is driven by external client pressures to be more efficient, predictable, and costs conscious, internal pressures to be more competitive and profitable, and market pressures with competitors adopting new technologies.

In return, automation offers undeniable opportunities by improving workflows, increasing consistency, quality, and reliability, assisting in entering, or re-entering, previously unprofitable segments of the market, and reducing risks by streamlining contract management.



However, as Saran Kaur of Linklaters pointed out, engagement, trust, and continuous training at all user levels are essential to a successful rollout and maintenance of automation.



THE RISE OF THE LEGAL ENGINEER

With the rise and increasing importance of technology in the legal services industry, comes the rise of what's being termed as the 'legal engineer,' the person who brings together the law and technology, such as automation, blockchain, smart contracts, and related Albased tools.





Rise of the #legal #engineer I #law #LegalTech #LegalInnovation #LegalIT #NewLaw #FutureLaw #FutureOfLaw I @HighQ: blog.highq.com/enterprise-col...

4:34 PM - 27 Jul 2016



The rise of the legal engineer

The legal industry has reached a tipping point. To stay competitive, firms need to optimise existing processes to make them much more efficient blog.highq.com







The term has given rise to much consternation in legal circles. It is often sensationally interpreted as the 'end of lawyers,' or that lawyers will be all put to the rack, Game of Thrones style, until they learn to code ...





Claire Wivell Plater, @TheFoldLegal: blockchain won't end lawyers, we won't become coders – it's a new way to deliver services ...

#JDHorizons

12:10 AM - 27 Jul 2016







That's not quite the case. As Claire Wivell Plater pointed out, there is no reason to think that blockchain or smart contracts would 'replace' lawyers or that suddenly they would have to become 'coders'.

The technology will simply offer lawyers a new way of managing and delivering certain transactions to clients, and will require lawyers to work together with those dreaded 'non-lawyers' such as technical experts, who will bring their coding skills to the party.

Of course, some more technologically minded lawyers may choose to become legal engineers, by learning to code and becoming skilled in delivering on blockchain and smart contracts without third-party assistance, while others will prefer to deliver such services with the use of multidisciplinary teams, lawyers and technical experts, working together.

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LEGAL EDUCATION - ALSO ... CHANGING

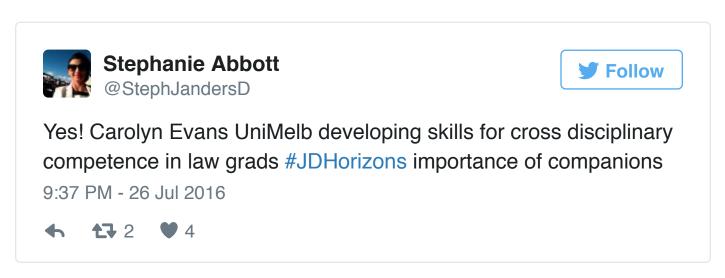
If you are thinking that you have read just about enough on change, here is some more ...

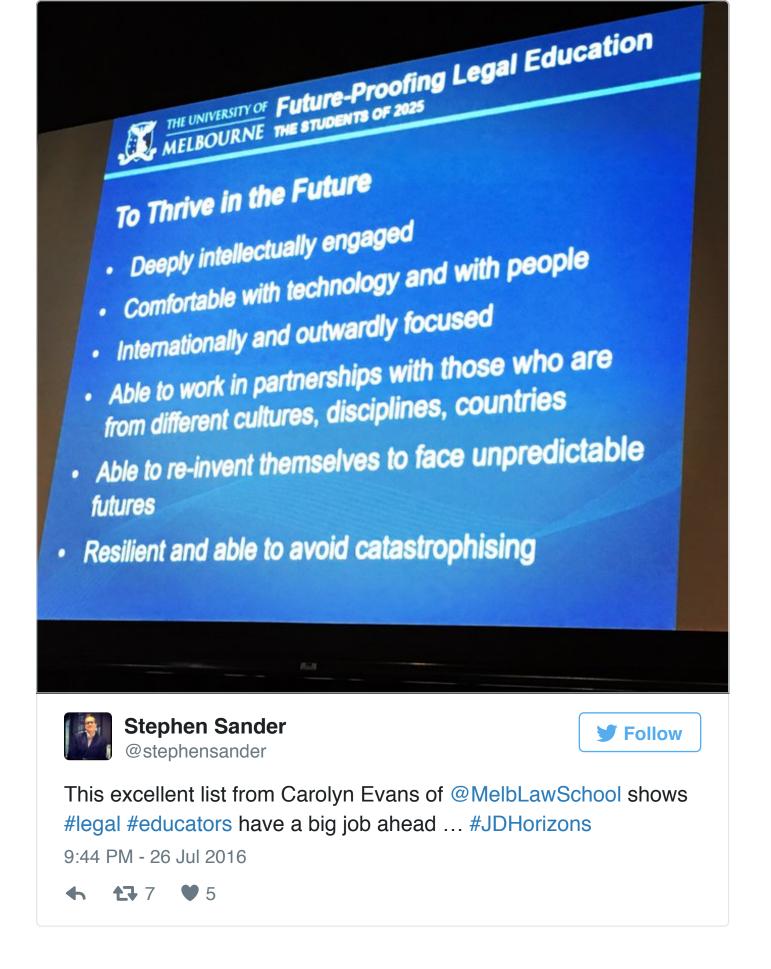
Legal education is also changing, because the skills required of

young lawyers in the evolving leal services industry is changing. Training in black-letter law is no longer sufficient. Law firms need well-rounded graduates with more than just knowledge of the law. Graduates now need cross-disciplinary, cultural, interpersonal, and technological competencies.

Carolyn Evans, Dean of the School of Law at Melbourne University, emphasised the importance of real-world experience by law students. Acknowledging that lawyers won't need to become coders, she did highlight the need for law schools to help law students understand technology, and give them the cross-disciplinary and technological skills they will require to survive in a complex and demanding legal environment, while embracing the human and social elements of practising law.







The theme of cross-cultural and disciplinary competency was also picked up by Erika Concetta Pagano, Law Lecturer at the University of Miami and Associate Director of LawWithoutWalls, a unique program created for law students recognising that 'successful lawyers and law schools of tomorrow must be creative problem solvers, leaders with a high risk tolerance and business mindset that can use

technology, social media, and teaming and communication skills to overcome the walls of law.'

OVER FOUR MONTHS, STUDENT/MENTOR
TEAMS MUST IDENTIFY A PROBLEM IN LEGAL
EDUCATION OR PRACTICE AND CREATE A
PROJECT OF WORTH—A PROTOTYPE AND
BUSINESS PLAN FOR A LEGAL START-UP
THAT SOLVES THE IDENTIFIED PROBLEM.
THIS PROJECT OF WORTH COULD INCLUDE A
BUSINESS PLAN FOR A NEW STARTUP OR
DESIGNS FOR NEW METHODS OF ARBITRATION ENFORCEMENT. HOWEVER, THE
PROJECT OF WORTH IS MUCH MORE THAN A
PAPER, PRESENTATION, OR IDEA—IT IS A
REAL SOLUTION TO A REAL PROBLEM FACING THE LEGAL MARKETPLACE.

Samantha Fernando, Director of Organisational Development at PricewaterhouseCoopers, who spoke briefly on identifying and developing new talent also made some interesting observations, in particular about the need for authenticity when searching for talent, agility and aspiration being the key, and the relationship between 'high performance' and 'high potential,' and the qualities of leadership.



Using a 'taking two frozen chickens out of the freezer and then putting them back in' metaphor, she also spoke of the mistake, and its potentially disastrous consequences, made by many organisations when they select a couple of people from a team to train and develop, who are then placed back into an environment where no one else had been trained, or has a desire for disrupting the status quo, and expecting the 'now thawed chickens' to affect change – sadly, change doesn't work that way.





Investing in #frozenchicken's development, sending to INSEAD then putting back in freezer = salmonella. @SamFernando01 gold @ #JDHorizons

10:21 PM - 26 Jul 2016 · Sydney, New South Wales, Australia













I want to be a free range chicken, not a frozen chicken!

Too cryptic?!

You had to be at #JDHorizons ...

10:27 PM - 26 Jul 2016

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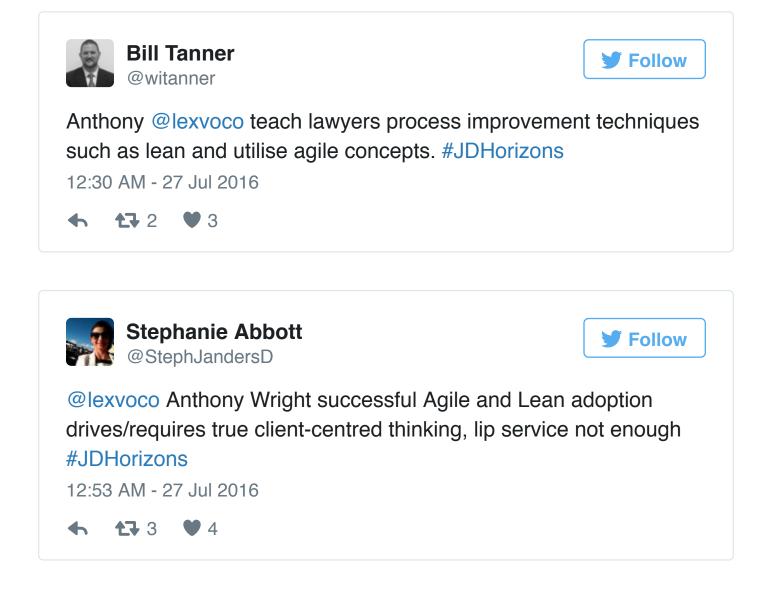
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PROJECT MANAGEMENT

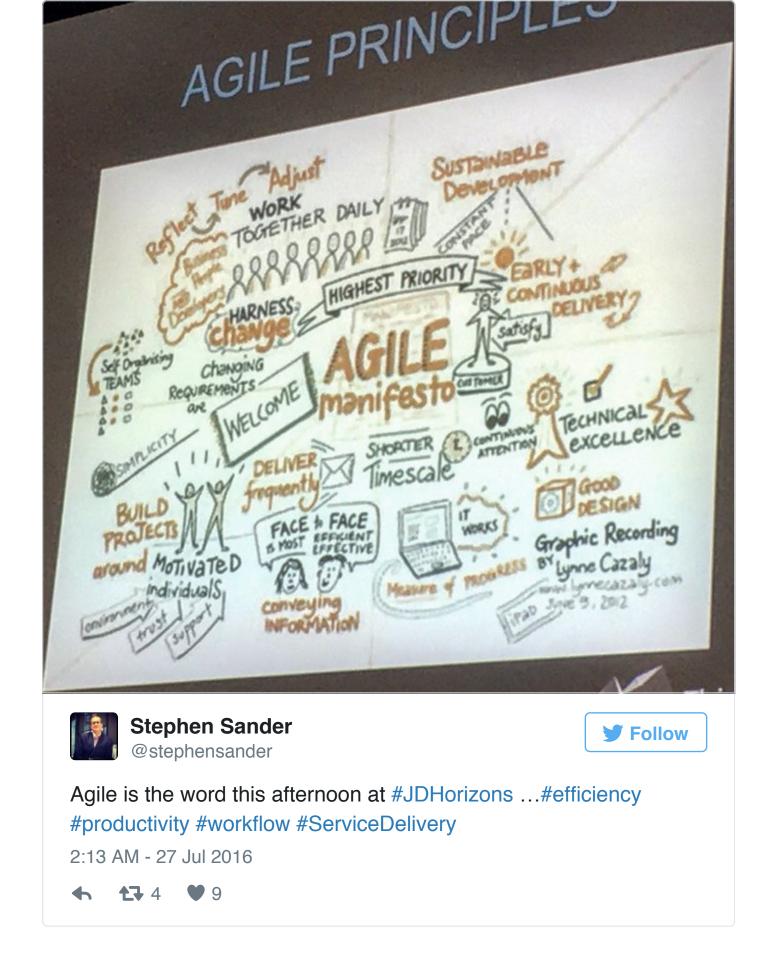
Project management, in particular agile and lean, were discussed in

some detail on the first day, which is a reflection of both a growing expectation by clients, and a trend at law firms, to introduce project management processes to legal matters to increase efficiency, reduce costs, and make clients happier in the process.

Anthony Wright, Principal of Lexvoco, started by advocating that lawyers be taught process improvement techniques such as agile and lean to be able to manage their matters better, and achieve improved client service outcomes.



Jaci Langford, Corporate Lawyer, devoted her presentation to the real-world application of agile practices at Lonely Planet.

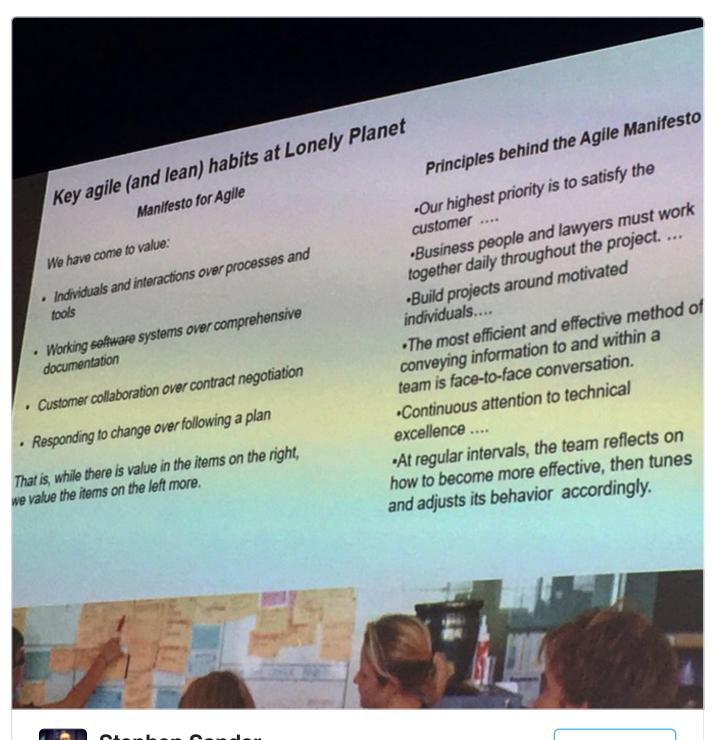


Agile helps the small and very busy legal team to manage its workload, and deliver legal services as efficiently and speedily as possible within the confines of their limited resources.

Given the Lonely Planet legal team consists of only four staff, agile provided them with the ability to successfully leverage those limited

resources.

The Lonely Planet legal team's practical experience with agile highlights the flexibility and scalability of the project management practice.





Stephen Sander @stephensander



Loving the presentation on #agile and #lean work practices at @LonelyPlanet from Jaci Langford ...#JDHorizons

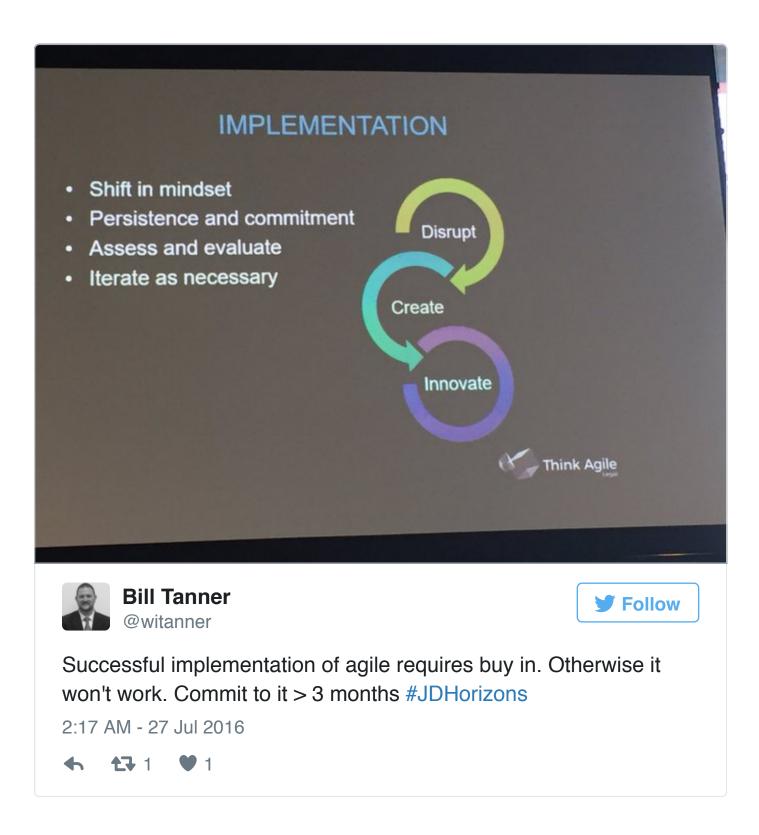
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Jasna Bratic, Director and Principal Solicitor at Think Agile Pty Ltd, also highlighted the benefits that can flow from agile: improved organisational efficiencies and the creation of value propositions to clients through better planning, visibility, transparency, accountability, and communications.



Horia Slusanschi of Westpac rounded off the agile contingency of the conference by positioning agile as a 'team sport' that can help you find joy in your work and delight your clients at the same time, because if you won't delight your clients, someone else will ...





Agile is a team sport - not about finding a hero, but creating the right team - @KiwiHoria #JDHorizons Sydney

2:27 AM - 27 Jul 2016











Stephen Sander @stephensander



'Agile, a state of mind it is.'

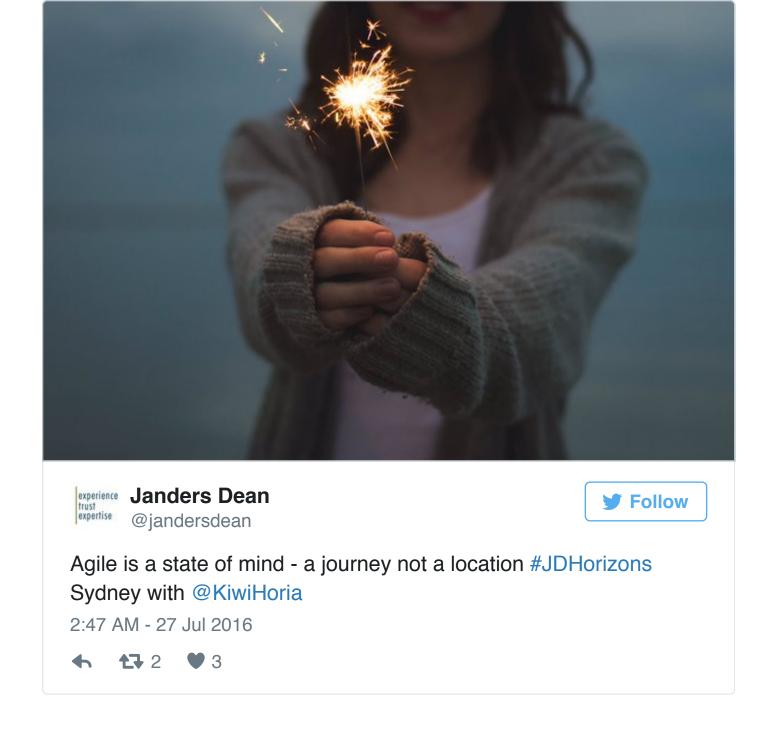
[in the voice of Yoda]#JDHorizons

2:49 AM - 27 Jul 2016



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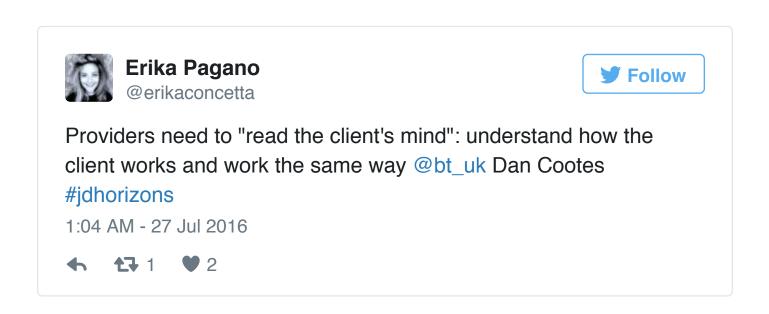
CLIENT FOCUS AND SERVICE DESIGN

Dan Cootes, Head of Legal in Australasia for BT, noted the increasing demand by users of legal services for strong client focus, in particular service delivery tailored to their needs.

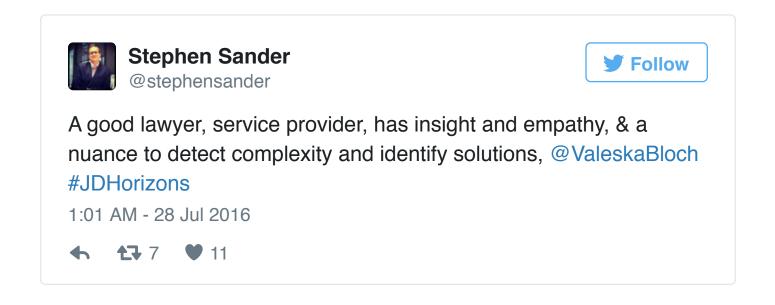
Dan encouraged lawyers to 'get to know their clients' and based on that knowledge develop innovative and creative service bundles. Dan acknowledged that clients often expect their lawyers to 'read their minds,' but this may not be as impossible as it seems if you get to know your client.



Dan also highlighted that in-house teams are focusing on increased efficiencies and reduced costs, and they are looking to technology, such as automation and data analysis, and project management methods to achieve those goals.

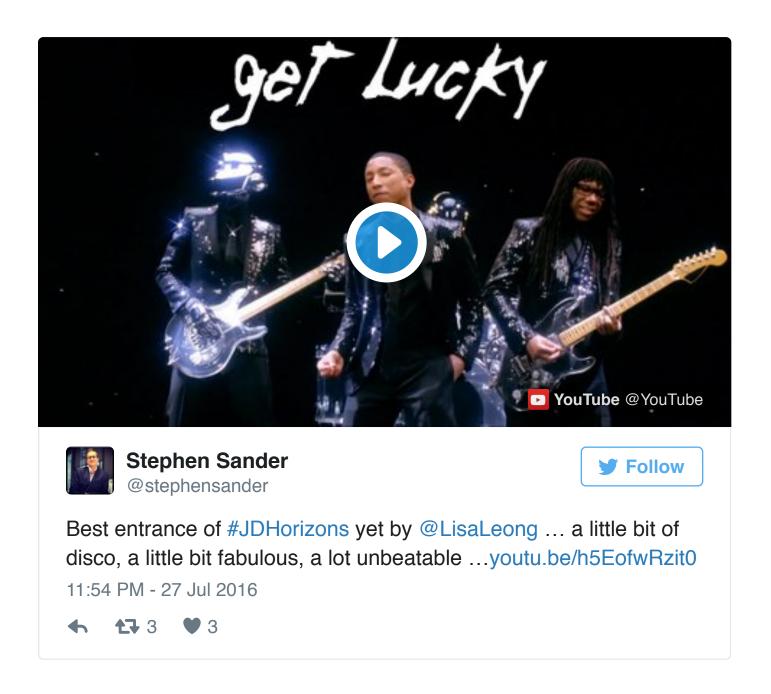


Valeska Bloch, Managing Associate at Allens, also emphasised the importance of putting clients and *solutions* at the forefront of legal work.

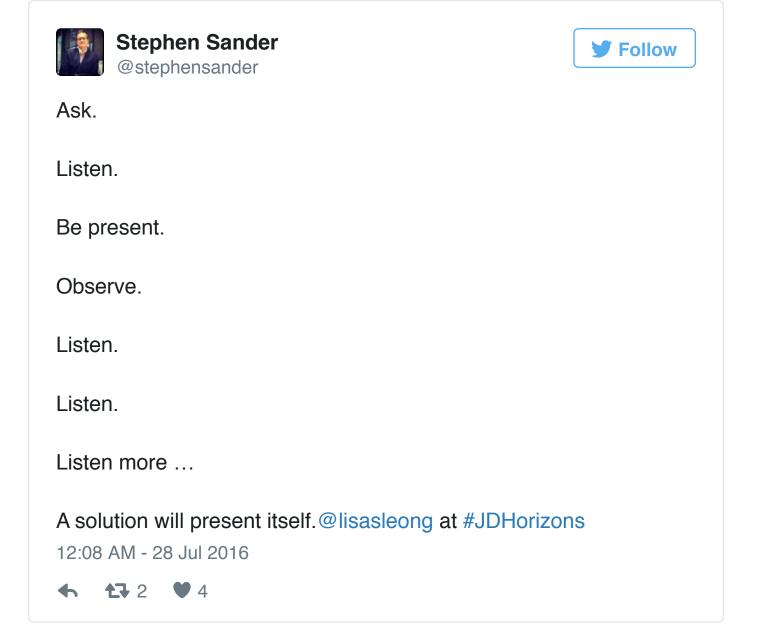


When it comes to *listening* to clients and finding and delivering *solutions*, Lisa Leong, the Diminutive Disruptor of Herbert Smith Freehills, certainly delivered ... a song and a dance that is!

First, Lisa made what was arguably the best entrance of the conference:

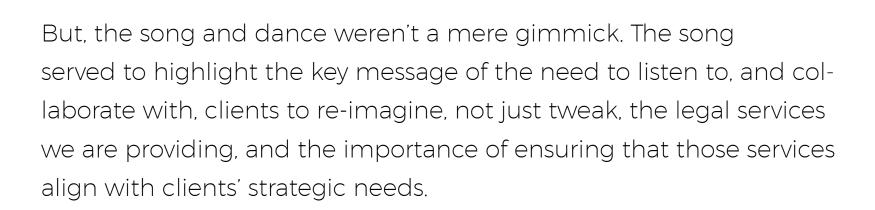


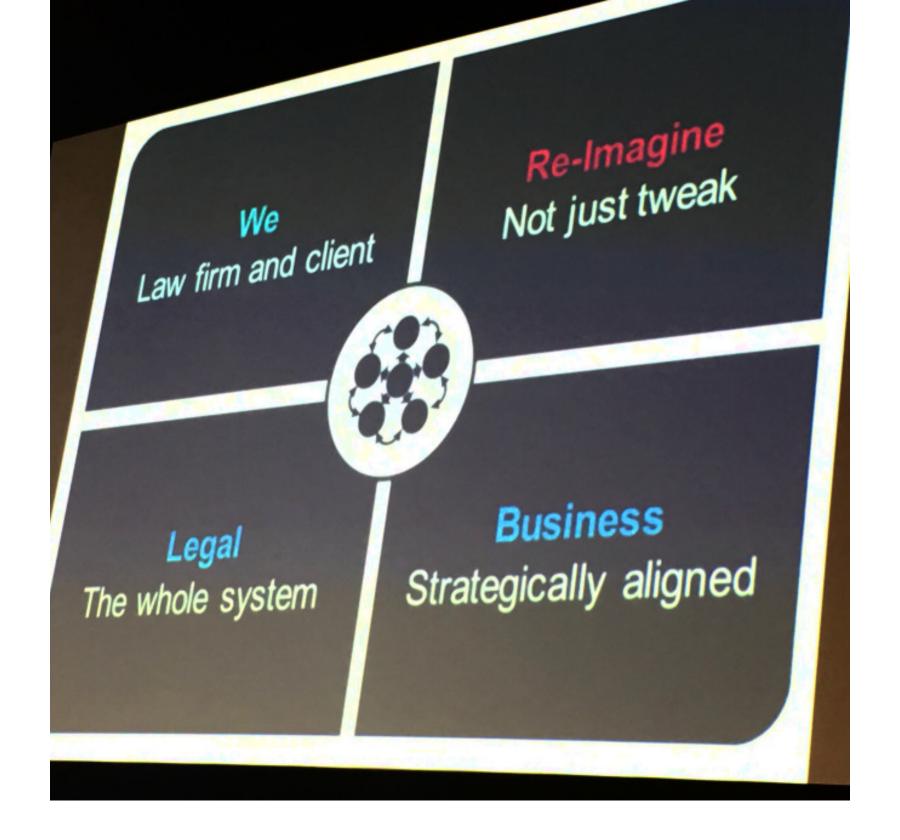
Then, she also delivered the goods by emphasising the need to *listen, listen,* and *listen* some more when it comes to our clients. Because if we *listen* to our clients, and *mindfully explore* what they are trying to tell us, only then will we be able to find the *solution* they need.



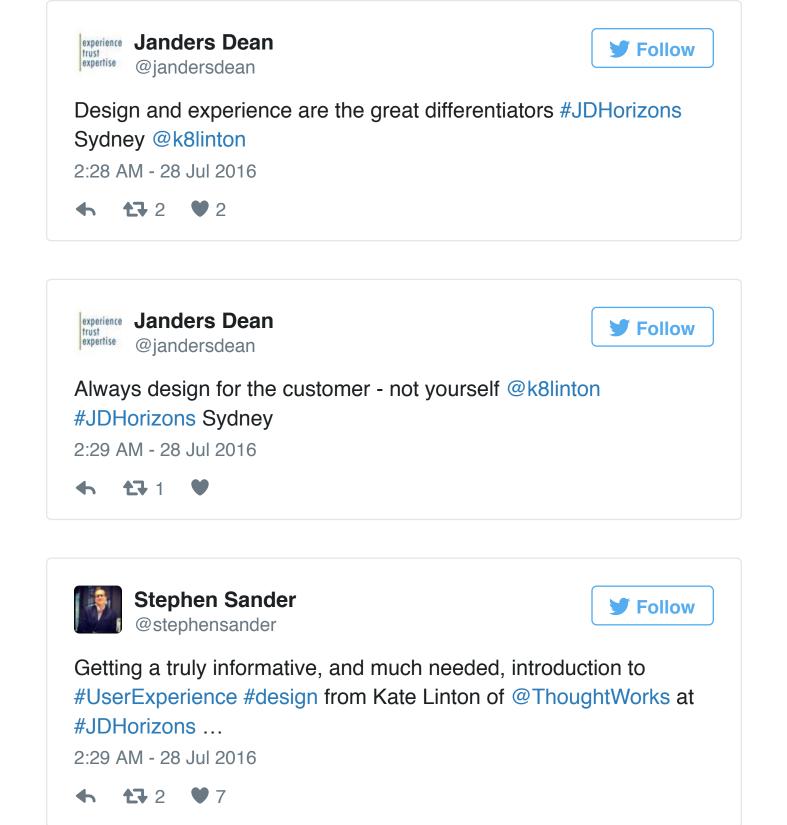
And of course there was that song and dance I mentioned ...







When it comes to service design and user experience, Kate Linton, User Experience Principal at ThoughtWorks, presented a true insight into the importance of user experience design, and design thinking as a cultural component.



Kate highlighted the risks of bad service delivery design and the potentially high financial cost of 'failure demand' that inevitably results. Bad service delivery design, beyond the costs of managing the resulting 'failure demand,' also risks damaging client relationships by causing annoyance and inconvenience.





@k8linton Thoughtworks: Design thinking culture - everyone in your organisation is responsible for understanding the customer

#JDHorizons

2:46 AM - 28 Jul 2016









Last, but not least, the concept of innovation is embedded into everything we do now.

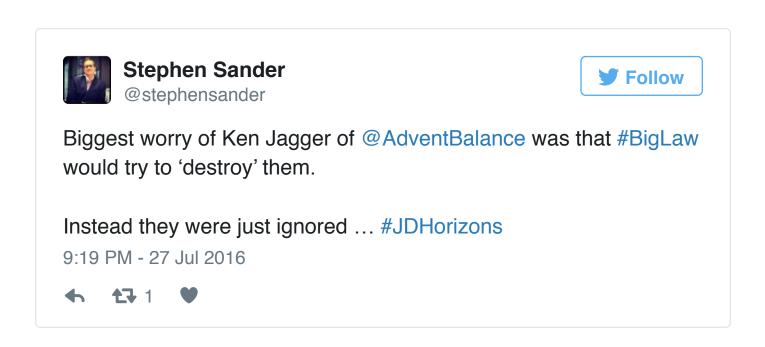
It's universal and ubiquitous.

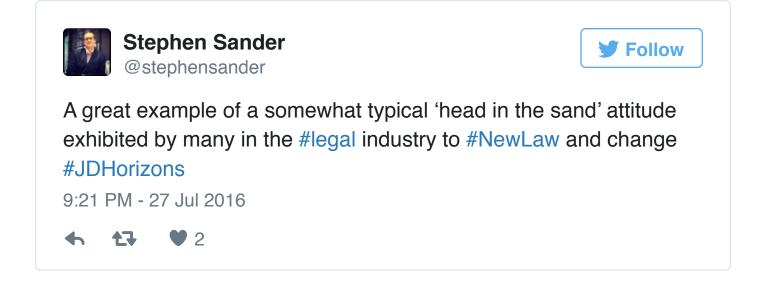
The legal industry is a hotbed of innovation right now, from the range of new technologies that are being deployed and the wholesale re-innovation of internal processes designed to improve client service, and increase efficiency and productivity, to the revolution in legal education, and service design and delivery.

I should perhaps backtrack on my earlier statement. Some sections of the legal industry are a hotbed of innovation.

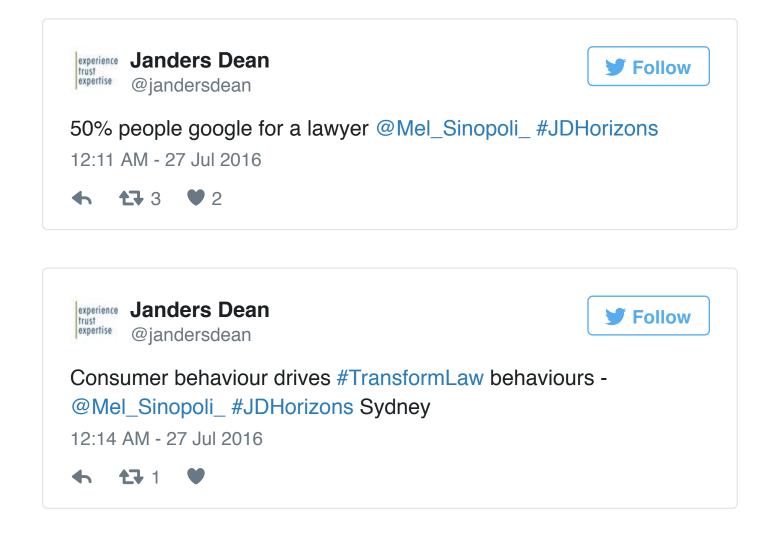
New law startups are reinventing the practice of law with new operating models and an immersion in technology, and some established players are evolving, while others are undergoing more of an internal 'revolution' to remain relevant.

But there are still some who are taking the 'head in the sand approach' to the changes sweeping the legal industry globally.





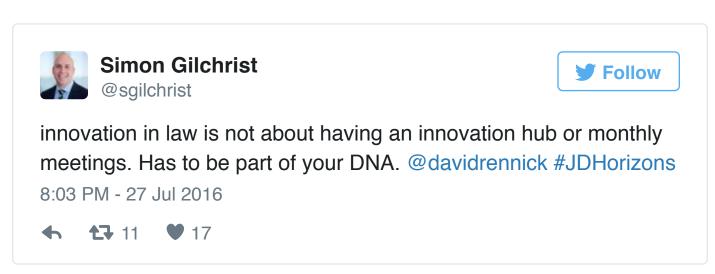
Melissa Sinopoli of MacDonnells Law noted that something as simple as accepting that a growing number of clients search for a lawyer via Google can lead to innovative methods being used by law firms to reach new clients.





David Rennick, Partner and Head at Pinsent Masons Australia, also reminded the conference that innovation has to be embedded into culture – it cannot sit in a hub, or done in committee, or once a month.

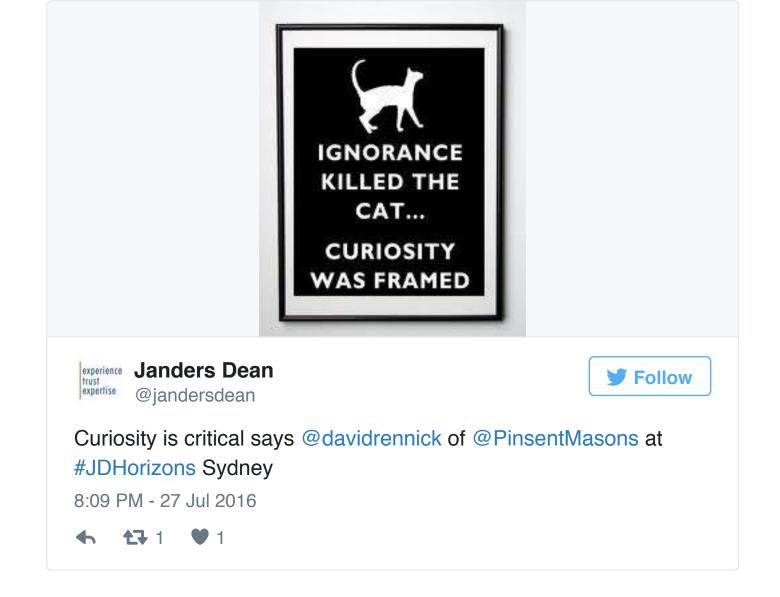






David also highlighted the capability of young lawyers to be much better innovators than partners, and the importance of keeping them curious and inquisitive, and putting them in positions of opportunity and responsibility when it comes to contributing to business development and innovation.



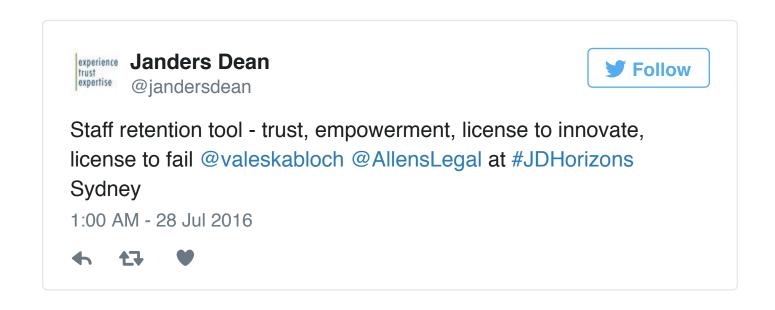


However, he also emphasised that a no-blame culture, which can be alien to lawyers and law firms, is an essential component of an innovation culture.





On the subject of innovation, that concept was echoed by Valeska Bloch of Allens, where the 'Accelerate' program, designed to assist startups, offers early opportunities for junior lawyers to develop client interaction skills, and exercise both legal and commercial judgment in real-world situations.



And remember, not all innovation is technological!

You can innovate by *improving processes*, usually by simplifying them, or 'killing' those which are unnecessary.

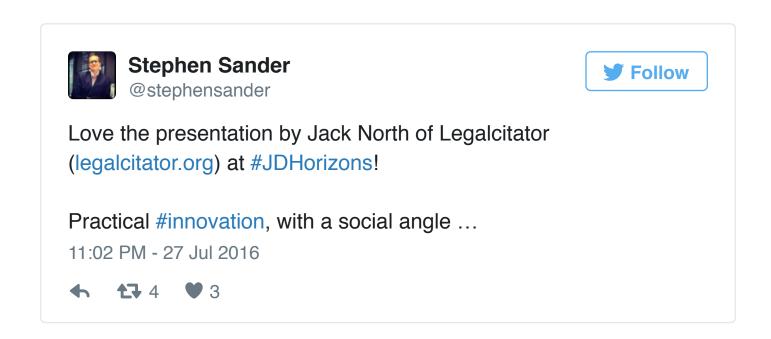
You can innovate by *reducing your committees*, resulting in speedier decision-making.

As Priyanka Ashraf of Dowson Turco Lawyers highlighted, you can in-

novate by being a *cultural or social entrepreneur*, and disrupt the practice of law and service delivery without the use of technology.



And sometimes all you need is a bright mind, as illustrated by Jack North, the co-founder of Legalcitator.



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