STRATEGIES FOR LEVERAGING LEGAL RESEARCH TECHNOLOGY TO IMPROVE THE BOTTOM LINE AND EFFICIENCY

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General counsel and law departments are at the nexus of numerous key business decisions that determine the strategic direction of their companies, processes for day-to-day operations, and creating and developing policies and procedures that minimize risk for stakeholders. These routinely cover everything from due diligence for acquisitions and other transactions to corporate finance, governance, regulatory compliance, contract management, human resource issues, intellectual property, litigation and more.

Oftentimes, these needs require that law departments deliver authoritative answers to thorny legal questions at the speed of business. WestlawNext, developed by Thomson Reuters, is a state of the art legal research technology and an essential tool for conducting in-depth legal research with greater accuracy and speed than ever before.

One of the most significant advancements ushered in by WestlawNext has been to substantially improve the research experience by making the interface easier to use – more like navigating the Web – and to dramatically improve the search technology. For example, in WestlawNext, one can type descriptive terms for the legal issue that is being researched. WestSearch®, the powerful search engine in WestlawNext, runs a global search across the most comprehensive and authoritative collection of legal content gathered from the courts, legislatures, and leading authors of analytical content. This saves time because researchers don’t have to pick a database, run multiple searches in different databases, or go to multiple resources to do research.

WestSearch is a search engine specifically designed for legal research, and is exclusively on WestlawNext. WestSearch incorporates proprietary analysis of the law and exclusive tools – like Key Numbers, KeyCite, headnotes, notes of decisions, indexes, and secondary sources – to deliver relevant documents even if they use phrasing that is different from your query. WestSearch identifies which documents are most relevant – using term matching, legal concepts, and document characteristics – and places them on top of the list.

With Boolean searching or literal search engines, the burden is on the researcher to know all of the terms to describe the particular legal concept or fact pattern in the jurisdiction. The syntax often varies widely and thus, the researcher has to run multiple searches to identify all the terms that may be used. This can be a time-consuming process and also increases the likelihood of missing relevant documents if the language variety is not known to the researcher.

However, WestSearch addresses the legal research challenges of language variety and language commonality. WestSearch will deliver relevant documents even when the legal term of art that is used to describe the particular legal concept, fact pattern, or issue in a jurisdiction is not known (language variety). WestSearch also helps researchers get accurate results even when the search contains common language by identifying legal issues, following connections between documents, and returning highly relevant documents that don’t contain the exact search terms (language commonality). No other search engine can do these things.

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WestlawNext also offers innovations in the form of collaboration tools and mobile technology that enable legal professionals to further enhance productivity and efficiencies. The ability to reduce research time can either be a direct cost savings or frees up time to create higher value work product in the same amount of time. Researchers can focus on core aspects of the matter, the relevant information necessary to identify the solution, and deliver better advice or work product much faster than before – thereby improving client service, cost control and overall value.

This article details some strategies that in-house counsel can use for more effectively leveraging legal research technology such as WestlawNext to reduce costs, improve efficiencies and provide greater value to the business.

1. SHIFT MORE LEGAL RESEARCH IN-HOUSE

Managing budgets is a top priority for law departments, and leveraging technology is one way to drive efficiency and productivity, and also help control legal costs. For the department, outside counsel billable hours and yearly research spend may be reduced as WestlawNext allows researchers to be more efficient and complete more work in-house. One study found that attorneys using WestlawNext successfully completed their research tasks three times faster than using previous research tools.

This technology allows the law department to quickly answer specific legal questions in-house as opposed to moving whole complex matters in-house. Such efficiency makes it both feasible and often sensible to conduct more research in-house.

Shifting some of the law department’s legal research needs can produce sizeable savings. Even moving 1 to 5% of total outside counsel fees to the law department can significantly reduce costs to the business and enable greater flexibility in how you use and allocate your legal spend.

2. REALLOCATE RESOURCES TO HIGHER-VALUE WORK

Even after conducting more legal research in-house, next-generation legal research tools can reduce the total number of hours of staff time devoted to legal research. Across an entire law department, this can produce thousands of hours of time savings annually. Such a significant cache of person-hours can be strategically reallocated to more critical, higher value legal work. It frees up department attorneys to focus on strategic business and legal needs throughout the organization.

3. STRATEGIZE AND GIVE OUTSIDE COUNSEL A “JUMP START”

Time is at a premium when it comes to responding to critical business questions that have legal components. Business transactions and regulatory queries are only a few of the situations that frequently present short timelines and hard deadlines.

The ability to answer a legal question quickly and thoroughly can help inform strategies on whether to handle legal matters in-house or bring in outside counsel, and if the latter, which outside counsel to use. In-house attorneys can use WestlawNext to conduct preliminary legal research queries to help guide outside counsel and quickly bring them up to speed on the legal issues that are involved.

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4. MAXIMIZE TRAINING AND OTHER EXPERT RESOURCES

Training can help maximize productivity and effectiveness in conducting legal research. A little training can go a long ways. Even for experienced users, a few tips on how to leverage the latest legal research functionality can produce lasting benefits.

Different training options enable users to learn in the way that’s most effective for them, and on their own schedule. WestlawNext’s Learning and Support webpage (http://info.legalsolutions.thomsonreuters.com/westlawnext/learning-support/) provides one-stop access to several different training resources, including quick reference guides, videos, free eLearning courses, and weekly email tips. A toll-free number is provided for scheduling one-on-one live training sessions.

In addition to training, round-the-clock assistance with research questions can be accessed either by phone or online chat. West Reference Attorneys provide live, one-on-one support for any legal research questions. These expert researchers can skillfully guide users to find the answers they’re searching for.

For specific questions involving business law, the new Experts On-Call service provides specialists who are knowledgeable in business law research and the latest SEC developments. They can assist with corporate organizations, debt structures, employment and compensation agreements, SEC forms and much more.

5. LEVERAGE RESEARCH THAT CAN BE SHARED IN-HOUSE AND WITH OUTSIDE COUNSEL

WestlawNext users can organize legal research results into folders that can be readily shared among team members, both inside and outside of the organization. Sharing research provides significant benefits, particularly between in-house and outside counsel. It avoids duplication of research efforts, and facilitates collaboration. If outside counsel or someone in your organization has already conducted the research, the time and cost of the research project can be significantly reduced when this research is shared.

With folder sharing technology, the research and accompanying citations are automatically updated in real-time. KeyCite at-a-glance symbols displayed in folders let you know right away if a case, statute, regulation or administrative decision has been negatively cited or is still good law.

In-house and outside counsel are able to share information in a timely and efficient manner knowing they are both viewing up-to-date information. This also saves photocopying and scanning costs, and eliminates delays in using mail, email or courier. And, as an added benefit, folders can be accessed if you prefer to do your research on an iPad. You have access to prior research anytime, anywhere.

6. SET TECHNOLOGY REQUIREMENTS FOR OUTSIDE COUNSEL

If your law department is using technology to drive efficiencies – but your outside counsel isn’t – this can greatly hamper their ability to control legal costs as well as deliver value. Outside counsel is operating at lower productivity, driving up costs.
More importantly, time-saving collaborative tools such as folder sharing can’t be fully utilized. Bottlenecks and delays can quickly develop, as information cannot be as effectively shared. Opportunities for unnecessary duplication of work and miscommunication grow.

Not surprisingly, law departments are increasingly setting minimum technology requirements for outside counsel. According to a survey by the Association of Corporate Counsel, nearly a third of law departments surveyed said that they have asked outside firms to address specific tech concerns in their RFPs. In addition, 19 percent said they’ve stopped using an outside firm because of technology-related issues.

Law departments are seeing that technology is an area – like travel expenses, billable hours and research – that can be leveraged to help control legal costs. In-house counsel expectations that outside counsel use technology efficiently and effectively in order to improve productivity have increased. Technology like WestlawNext offers significant benefits and opportunities as law firms think creatively about new strategies to meet the evolving expectations of their clients and alternative billing models.

7. LEVERAGE MOBILE CAPABILITIES

As technology evolves, so does when and where legal professionals use their information. With smartphones, tablets and laptops, today’s lawyers can communicate, access information and present ideas anytime, anywhere.

New, adaptable and intuitive research capabilities, such as WestlawNext mobile capabilities, are designed to work well on smartphones and mobile devices, such as the iPad. But anyone who has ever wrestled with a balky app or a program that isn’t properly updated knows that an application that isn’t optimized for your specific needs while on-the-go can turn a time-saving idea into a productivity-killing headache.

The ability to add notes and highlights, organize into personalized folders, and then share the content with others helps you be productive even when you are out of the office. Offline access enables you to continue your annotations and review your research in the absence of a Wi-Fi or cellular connection whether you are on a plane, train or offsite. All files are automatically synced as soon as connectivity is restored.

Features such as these help ensure that productivity is maximized whether team members are in the office or on-the-go.

INCREASED EFFICIENCY, LOWER COSTS, GREATER VALUE TO THE ORGANIZATION

WestlawNext is a proven technology that helps reduce research time, improve efficiency and increase productivity while at the same time delivering more accurate and complete answers. Added benefits include increased collaboration and opportunities for controlling legal costs.

All of this, in turn, can enable more strategic use of law department resources, and enhances the value of the department as a strategic asset that drives innovation throughout the organization.

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