

LawSync: Collaboration in Action

Abstract: A presentation about collaboration, itself the product of a collaboration, looking at a collaborative project as an example of the value of people from different teams working together! That was Peter Griffith and Pete Smith at the BIALL Conference 2014 in Glasgow, a conference which took as its theme ‘law as a business.’ They discuss the challenges with reference to the LawSync project.

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The LawSync project, of which we are part, took the business of law as one of the central elements of its research and development programme. How could Sheffield Hallam law students be made more commercially aware, more able to respond to the changing context of legal practice, and more open to innovation?

The issue which launched the project was *change*. How are the ways in which legal services delivered changing, and what does that mean for lawyers and those who educate and train them? What can law schools do, what *should* they do, to respond to such challenges?

CHANGE – IT’S NOT JUST FOR PARKING METERS

For some, change is disturbing; for others, change is exciting. Whatever people feel about change, it is evident that it is happening and as law librarians, academics, and legal practitioners we need to respond effectively. Developing an understanding of the changes which affect us is a key element of an effective response.

It is important to note that step change which is easy to deal with is being replaced by disruption, which makes adapting much more difficult. There is less time to develop and test responses, and the sources of change have become more diverse, making it more difficult to know where change will come from. New entrants in legal and education services, new means of delivering and accessing these services, shifting attitudes towards professions and institutions- all of these represent challenges to those who work with, or in, the law. These are the main areas of change which LawSync aims to respond to; the focus has been on technology, regulation, business structures, and consumer culture.

In the areas with which law librarians are closely concerned, publishing and education, change is happening. Current means of disseminating legal information, including established online providers, are being challenged by other means, such as smartphone apps. The

example we discussed was a cycling app from Chicago, which incorporates legal information of use to cyclists in the city. Such apps provide an alternative route to legal information, albeit to freely available materials, and represent a potentially disruptive challenge. If people can get to information freely, and have it in context, will they want to use more established forms of accessing legal information? It is interesting to see how Lexis and Westlaw have developed their own apps.

Universities are being challenged by online forms of education, such as MOOCs (massive open online courses). Whilst such course are yet to be accredited for qualifying law degree status the model of free and open courses, which students can take at their own pace, represents a serious challenge to traditional modes of legal education. Higher legal apprenticeships are another challenge to law schools. Students could work towards legal qualifications whilst earning, an element which is central in the marketing of the apprenticeships.

Since the conference the Legal Education and Training Review has issued its report. Its impact is yet to be felt- the regulators will develop their responses, and the Legal Services Board has started a consultation process; but the Review has called for a greater openness in legal education, with more routes to qualification, including apprenticeships.

For both legal publishers and legal educators, such challenges are examples of the *disintermediation* which has been an issue for some time. If people can access services or information by themselves, why would they use a legal publisher or a library? The challenge is to articulate the *value* that publishers and academics add to the process of learning law or getting hold of information. Can publishers, academics, and indeed librarians, save time and money for those who use their services?

Potentially disruptive change is also taking place in the world of legal services and the legal system. In a time of austerity, all public services are facing cuts, courts at all levels being no exception.

The world of legal practice is facing great change across a number of fronts – regulatory, technological, and in the relationship between law firms and the public.

In regulatory terms there have been several important developments. The regulation of legal professionals has been separated from the representation of legal professionals; for example, solicitors are now regulated by the Solicitors Regulation Authority and represented by the Law Society, whereas previously the Law Society had carried out both activities.

In business terms the key changes have been those introduced by the Legal Services Act 2007. This Act aimed to improve service and quality, raise competitiveness, and increase access to legal services. The Legal Services Board (LSB) was established as an oversight regulator with responsibility for legal services of all kinds; it has taken that responsibility to include legal education.

In organisational terms the Act established Alternative Business Structures (ABSs). Prior to the LSA 2007, law firms could not take external investment, nor could non-lawyers be partners. In ABSs, both are now possible. Whilst the number of ABSs is relatively low, it is of note that several large scale companies, such as The Co-operative and BT, have set up ABSs. Such organisations are seen as a challenge to traditional law firms, and also as both a potential limiter of opportunity for law students and as a potential creator of new jobs.

There has also been a growth in direct-access barrister work, the most notable example being the entry of logistics company Eddie Stobart into this area.

The civil justice reforms under the 'Jackson' heading and cuts to legal aid will also have an effect on law firms, and thus potentially limit job opportunities for students in certain fields such as personal injury work.

In respect of technology, many commentators have highlighted the actual and potential impact of information technology. They have argued that increased use of IT will allow for many legal processes to be automated, and / or shifted outside of law firms. These automated processes will require less skilled input as systems are put in place to manage routine work. This model may well apply to certain areas more than others, but many firms are looking at how IT can make them more efficient, and an understanding of technology's use in law will be important for law firms in the future.

Customer expectations are shifting in the sense that people see themselves as customers when using legal services, and have the same expectations as they do when making other purchases. Law firms are coming under pressure to be clearer about prices, to make better use of resources, and to be more transparent in general.

All of these changes have their effect on legal education, as higher education in general feels pressure to

deliver an employability agenda. From the Dearing report on, universities have been tasked with producing graduates who are work ready, with relevant skills and experiences. In response to these demands, law school curricula and teaching will need to reflect the changes to legal services. LawSync was created to contribute to SHU's response to such changes.

THE CREATION OF LAWSYNC

Our colleague Richard Whittle had the original idea for LawSync. Richard put together a proposal for a project to be funded by Innovation Project money. He, Peter, and Pete put together a bid for funding to support a project looking at "innovation in legal services," reflecting its focus, developing a Sheffield Hallam response to changes in how law firms work, framed in terms of innovation in legal practice. At the same time another project was launched looking at the impact of the Legal Services Act 2007, showing that the department had a clear interest in the changes affecting legal services, and a desire to develop appropriate responses.

In putting the bid together the team ensured that the proposal was aligned with the department's strategy and wider university objectives – forming partnerships, making the curriculum relevant to legal practice, and enhancing student employability by providing clinical legal experiences. Any project needs to be mindful of the wider institutional context, especially when looking to secure financial support and management engagement with project goals.

DEVELOPING AN ONLINE PRESENCE

Having been successful in its bid for funding the innovation in law project – now named LawSync – aimed at developing an online presence. The team wanted to contribute to debates around legal education and legal services, and to learn from others in these fields. To that end a website was created and a Twitter account set up. The website was designed to present basic information about the project. It also hosts a blog, where members of the team could post ideas. In essence it acts as a 'shop window.'

The site was set up by IT colleagues, some of that support paid for by project funding. Domain names were purchased; WordPress was used as the content management system, SHU having used it for other project sites. Server space was made available by SHU. Whilst all of this did help in getting the site up and running, we lacked the expertise to do so, it does mean that we are dependent on others for updates. This is one issue with collaboration; it means you can get in the skills and support you need, but can mean you are reliant on others for important areas of work.

When setting up the site and Twitter feed, we did not set out a plan for how we would ensure we had material to put on them. A form of content management plan, an idea introduced to us by our colleague Anthony Smith, would have helped with this, along with an editorial policy to deal with issues around consistency of message and the acceptable limits of differing points of view. These became real issues as the group expanded, and a policy which addressed issues such as editorial 'voice' would have been useful and is something we would recommend to any collaborative team when planning their approach to communications.

IDENTITY, BRANDING AND OWNERSHIP

As noted, the project began life with the prosaic name 'Innovation in Legal Practice.' Richard felt that a distinctive name was needed, one which would help identify the project and form the base for a long-term identity, a brand. It was felt that the creation of a brand would help to establish an identifiable vision and team. This would be something potential partners could engage with, and want to be part of. A clear identity would also make promoting the project easier.

The name 'LawSync' was chosen as it reflects the idea, and ideal, of the various players in legal services coming together, and 'syncing' their practices with broader developments in technology and the market.

Along with the brand, being clear on intellectual property is important. When working within an institution, this is relatively simple as there is only one policy to work with. As people from other organisations are added, there is a need to work out agreements around ownership and attitudes to the sharing of ideas. IP is something we as LawSync need to revisit, especially as more people from outside SHU are involved.

COMMUNICATION

As our presence developed, we attracted interest from people outside SHU. Three colleagues, Anthony Smith, Mitch Kowalski, and Stephen Allen, joined the LawSync team. As the team grew, we needed some way of managing communication. Sharing documents by email was too clunky, indeed e-mail itself has its limitations in a collaborative setting.

Video conferencing was chosen as the principal way to hold meetings. As it was free and we all had Google accounts, we decided to use Google+ hangouts. These allowed for the team to meet despite being in different locations, and also allowed for making notes and sharing sites as we talked. Other such tools are available, and all offer the chance not

only to hold meetings but also to share content and record the meetings.

In order to manage activities within the project we needed a system which would allow us to share and edit documents, set and manage deadlines, etc. We invested in an account with Basecamp. Basecamp allows for creating discrete 'projects,' within which documents can be created or shared, timelines created, and conversations held. It has allowed us to create virtual 'teams' for different projects, by inviting different people into the relevant projects. As it does not rely on institutional access to software, Basecamp is useful for projects which cross organisations. Other such tools are available; within organisations something like SharePoint could be used.

THE VALUE OF COLLABORATION

Having described the process of collaboration, we turned to the question 'why collaborate?' What benefits are held out by working with others, both within and across organisations?

For institutions, collaboration offers access to a wider pool of expertise, serves to promote the institution by showcasing its interests and expertise, and the links forged with outside partners open up possible new markets.

For individuals, collaboration can lead to personal and professional development opportunities. For Peter and Pete it opened up the chance to speak at BIALL, and with Richard to be published. Opportunities to work on other projects can open up. Working with others also gives you the opportunity to demonstrate your skills and your contributions to your institution and the profession at large.

QUESTIONS TO AND FROM THE FLOOR

We asked the delegates at our session to think about how collaboration might work in their businesses or institutions. What sorts of barriers were there to collaboration *within* the organisation and with outside partners?

The main challenges to collaboration inside organisations were different objectives between teams, different levels of understanding, enthusiasm, resources. The main challenges to collaboration with people outside of your organisation were finding the right people to work with, and convincing them and their managers that collaboration is worthwhile.

We were asked how and where we found people to collaborate with. Initially the team was made up of people from within the department, as we knew each other and were aware of our interests and strengths. When looking outside the department, we used Twitter and other media to find people who were interested;

looking outside the department also allowed us to develop a wider range of skills and build on a more varied body of experience.

How did we set out objectives? Our initial objectives were linked to the project funding stream, which was dedicated to innovation. We aimed to develop an understanding of the relevant changes in legal practice, to make connections with other academics and practitioners, and to create a module based on innovation. These objectives remained constant, but other ideas and aims developed as new people joined the team.

What will the module look like? The proposed module focuses on the design and evaluation of innovative legal products and services. Students will cover the regulatory framework of legal services, the idea of law as a business, legal project management, and related topics. They will produce a business plan for their product or service, which will form one element

of their assessment. We hope to run the module from September 2014.

CONCLUSIONS

The rewards of collaboration include access to knowledge and skills, development opportunities, and the potential for new opportunities with partners, for staff and students alike.

Collaboration, whilst offering such rewards is not without its challenges. Clarity of purpose, as with any project, is important; when working with colleagues across institutional boundaries, clarity as to voice and message is crucial. The selection of tools to assist collaboration is important, but must be underpinned by policies as to their use. The main thing we have learned is somewhat prosaic, but no less important for that; clear communication and good planning are at the heart of successful collaboration.

Biographies

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