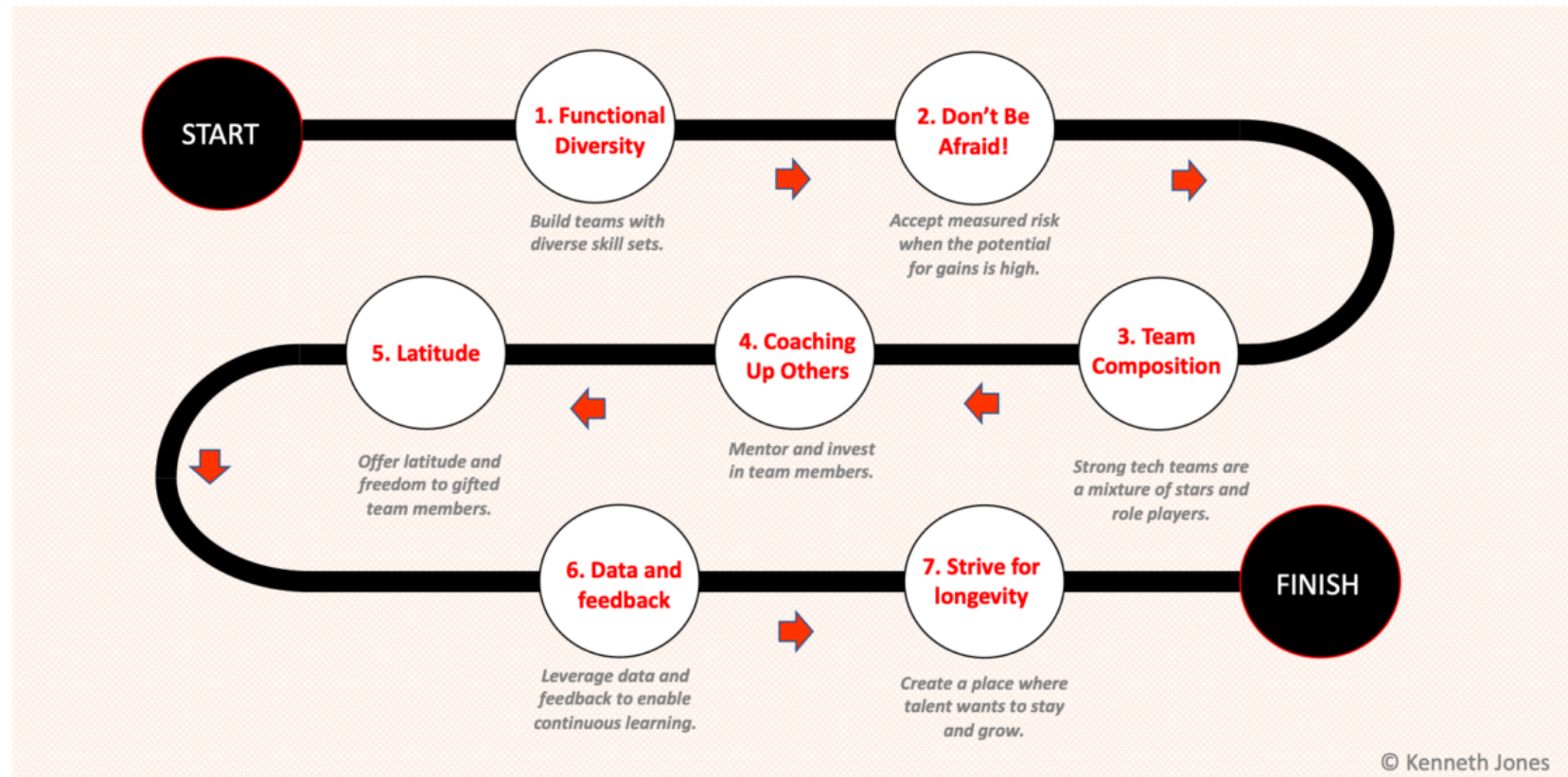# A roadmap to build a tech team to support legal operations (135)

By Kenneth Jones on January 19, 2020

Seven steps to create a first-tier tech team

Three years ago this month, the law firm I work for was founded. See **35 Lawyers and Staff Spin Off to Launch Litigation Boutique Tanenbaum Keale LLP**, BusinessWire, January 25, 2017. To get Tanenbaum Keale (TK) off the ground, there were a ton of moving parts to manage. But one of the most important was development of a technology support team that could fully support the firm's strategy for being one of the nation's premier mass tort litigation firms.

When I look back upon the past three years, especially the first three months, I often think of the journey as something similar to the construction of a professional sports roster. Whether you are a small market team or a member of a salary cap league, unless you wear pinstripes or Dodger Blue, you aren't going to enjoy an unlimited budget. To win, one has to assemble a mixture of stars and role players that, collectively, can play both offense and defense. Versatility and the ability to specialize are also valuable traits. And, of course, chemistry and culture really matter.

The same framework readily applies to law. For every trial lawyer, there's a team of attorneys working in capacities like research to assist the effort as well as a support staff of paralegals, experts, practice support specialists and the like.

So, how does one relate these concepts, and several others, to the development of a tech team that can build and support top-tier legal operations? Drawing upon my experience, this post offers a seven-part roadmap for building out the technology function of a professional services organization.

1. Functional Diversity

In today's world, diversity is an increasingly valued trait, as efforts are continually made to build out various affinity professional groups. Likewise, there is growing awareness of how disparate viewpoints enhance the effective of legal teams. See, e.g., **Post 074** (Evan Parker reviewing literature on how diverse teams deliver superior results); see also Rock & Grant, "**Why Diverse Teams are Smarter**," *Harv. Bus. Rev.*, Nov. 4, 2016.

Well, in technology, that's a paramount concept as well. To illustrate, it's not uncommon in the business world to think of technology workers in the generic sense. I've often heard the phrase "IT Guys" bandied about to describe such individuals. However, in actuality, nothing could be further from the truth. Just like any large group of professionals, some

technologists thrive on creativity and innovation while others enjoy the immediacy of user support and break-fix. Similarly, most programmers I've worked with have fundamentally different workflows and mindsets than system engineers or networking technicians.

Moving beyond work skills to work habits, traditional 9-to-5 types are vital for in-office support, but the 24×7, remote connectivity-based, always-on world we "enjoy" calls for a different viewpoint on scheduling.

It's really not all that different from some of the common models I've observed in sports. A great striker in soccer requires good passes (quality service). Similarly, in baseball, it's great if several of your players can hit a lot of home runs. But there is only one place on the roster (designated hitter) for a player who is otherwise a defensive liability. In our quest to provide top-tier technology-based services to our legal end users and clients, we are always looking to recruit the "complete package" professional. Yet, like in sports, these individuals are a rare, expensive and thus relatively small subset of a winning roster.

So, what's the bottom line here? Optimal work teams are destined to be functionally diverse. As a technology leader, this was one of my most important lessons learned during my three years here at TK. I am, as most people around me know, very much one of those "always-on", touching-scores-of-projects-a-day kind of people. Is this valuable? You bet it is. But what I'm come to understand, appreciate and acknowledge is that the 9-to-5, Monday-to-Friday solid citizen type with the responsiveness and skillset to jump on and resolve user-facing support tickets is exceptionally valuable. As are incredibly talented engineers with the ability to focus on implementing complex technological solutions within environments like **Amazon Web Services**, **Zero Trust**, **Single Sign-on** and other challenging products.

And, looking at the technology staffing stack from the outside in, there are most certainly roles for business partners, i.e., external companies, to fill in the gaps in technical areas or certain time frames where needs are sporadic or it might not be so easy to arrange support.

2. Don't Be Afraid (of Mistakes)

Building a team requires, by definition, a lot of decisions. And whenever one does "a lot" of anything, perfection is an unrealistic goal.

I've often framed decision making within the context of an NFL quarterback dropping back to pass. Is it a good idea to fire balls into small windows down the field between double coverage on a regular basis? Probably not. However, it's also not advisable to be so risk averse that you ignore that oft-referred to "internal clock" and take seven sacks a game. Somewhere in the middle of that continuum is where you want to be.

In a practical sense, what does this mean? Hopefully, it means strong technology judgement will allow us to make good decisions most of the time. I'd like to think I do that. But, by definition, a phrase like "most of the time" also means you are going to make mistakes.

I've made my share of mistakes at TK, that's for sure. We've swapped out our primary support organization, shifted providers with some cloud-based services and made other resource and approach adjustments along the way. But one needs to come to the realization that that's okay. It's better to be right the majority of the time and correct some errors than it is to suffer from "**analysis paralysis**."

"I chewed this report over for quite some time."

3. Team Composition

Next, let's kick off a discussion about best populating the members of one's core team versus reliance on various business partners.

To do so, let's examine a club I very much root against yet begrudgingly admire, the New England Patriots. In certain roles, such as most of the skill positions on offense, it's safe to say they've been talent-challenged. Sure, there's a certain amount of **Gronk**, **Wes Welker** and **Randy Moss** in the team's record books, but an generous helping of lower-echelon players are a consistent part of the mix.

Through it all, the tight partnership of coach **Bill Belichick** and quarterback **Tom Brady** stands alone as the preeminent Executive Officer and Captain-type partnership in NFL history. Without these two, it is a virtual certainty that New England wouldn't have won six Super Bowls during their reign.

How does this translate to legal technology? In my firm, I consider our core team of internal employees to be absolutely vital to the Firm's success. We have employees who intimately understand the Firm's technology subsidiary, **Xerdict**; others with an incredible working knowledge of the TK core infrastructure and legal applications; and network engineering talent not unlike an excellent football offensive line, which frees up others to work on transformational technologies in the areas of innovation and security.

To sum up, our tech team, though relatively small, operates from a common playbook that focuses on a long-term, team-oriented ownership of technology issues. But who are the providers we slot into those other very important skill positions? These would be key partners such as our 24×7 Help Desk, our managed service provider for urgent infrastructure type support, major cloud providers like AWS and Microsoft, and several legal industry specific software providers in the document management and E-Discovery space.

4. Coaching Up Others

In my view, coaching up employees is a task with a very high ceiling. Think about the value in baseball, for example, of a player who has been given the opportunity to learn four infield positions, has been taught the art of laying down a sacrifice bunt, and has enough speed and discipline to serve as a pinch runner. None of these abilities flow from pure athleticism. Rather, they are learned and developed through coaches who want a roster chock full of versatility and enhanced capabilities.

When it comes to legal technology, the same concepts apply. One of my Xerdict clients has a person in a role of a technology-based paralegal, which is a role that requires a wide range of practice support and general technology skills. This person's depth and breadth of knowledge is truly impressive, as she consistently finds way to use use technology to improve productivity and enhance client service. This person, however, wasn't a superstar on day one. Rather, she became a superstar through a combination of opportunity and encouragement.

The lesson here is to never waste an opportunity to coach up current employees, particularly those who demonstrate an interest in learning. Attorneys and paralegals with an interest in the tech field surely have the potential to develop expertise in creating case timelines or trial presentation graphics. Helping those responsible for client productions and document collections to process these materials on cloud-based E-Discovery platforms is a huge win. And teaching

employees just a touch about complex Boolean search concepts or SQL can really pay dividends as they execute searches in various document repositories looking for certain types of documents or materials in a more targeted, timely manner.

At TK, these are very important concepts to us. Training is part of our mantra. We engage a partner in a legal-oriented LMS (Learning Management System), offer folks training in key platforms such as **IManage** (our Document Management System) and even train selected personal in some of the E-Discovery software products used to help track documents related to our client's matters.

Finally, coaching up should be considered a two-way street. Any training one can do to help technical personnel understand the basics of the legal function (e.g. what is the difference between an interrogatory and a deposition, explaining the calendaring and court deadline management function, etc.) will help any technologist understand how to better support the attorneys and paralegals who are laser-focused on the needs of clients.

5. Latitude

Similar to any sports team, talent is the essential input. That can't be overstated. Does it mean that talented team members can flaunt one's culture or break important organization rules? Of course not. But does it mean certain specific individuals may earn the right to express their unique opinion or pursue a slightly different work process than you might. It absolutely does.

The best managers learn to recognize talent, loosen the reigns a bit, and live with the result. What are some examples of this in my professional life?

One is the most important is the prototypical talented software developer. They are often wired a bit differently. Project planning or response time on support issues might not be their forte. Working hours might be a bit non-conventional. However, when provided the opportunity to create innovative, well-developed work product (in this case, software), the end result often outpaces everyone's expectations by a wide margin.

The lawyers out there in this readership will also surely be able to relate to this concept. Delivering a compelling opening or closely argument requires exceptional oratorial skill. Only the most nimble, crafty minds possess the ability to effectively cross-examine opposing witnesses. And an exception memory and focus is necessary to adroitly offer

objections in a courtroom setting. These professionals develop a following among clients and receive little pushback in charging premium rates.

Likewise, one needs to learn to manage talented technologists more with a light touch than a heavy hand. You'll get more out of them, and they will be more likely to stay. It might not be the easiest thing to do for that Type A personality who often occupies the CIO type chair, but it's an adaptation which is critically important. Identifying those with true talent, and then maximizing the "get" from those special individuals, is a management opportunity unlike any other.

6. Data and Feedback

Starting with **Bill James's** newsletter on **sabermetrics** in the late 1970s, the entire sports world has been revolutionized by data. Yet, it is not the data per se that drives superior result, but the continuous learning that data enable. The same is true in the world of business. All of us receive gads of surveys and requests for feedback when we purchase goods or travel. There's a reason for this: consumer feedback is incredibly valuable, as it's the most direct and efficient way to identify issues and improve the user experience.

Within TK's IT Group, we've don't ask our end users to complete surveys, as they are all preoccupied with client work. But we do encourage all calls for assistance to funnel through our Help Desk. Why is this model an improvement over an end user picking up the phone and asking a member of the IT Group for help?

The answer is simple: we need a reliable dataset to help us evaluate the user experience. Through our Help Desk, all calls and issues are logged, as are the resolutions to each issue. If a problem is resolved in a manner that a more senior IT manager might not think is appropriate (e.g. bypassing a security control), some teaching and coaching can occur. On a more macro level, tickets can be analyzed and if there are recurring problems, a broader strategy aimed at long-term corrective action can be developed.

All of these opportunities can't be uncovered without a strong partnership with law firm management to support centralized issue reporting and the willingness of employees to fully engage in the process. But I'm glad we've accomplished this at TK, as it's provided all of us with improved visibility to the challenges our users are facing, which is the first step in providing better service.

Outstanding service in the middle of the workday is relatively straightforward. But in a law firm performing high-stakes legal work for sophisticated global clients, the technology has to be available 24×7. Thankfully, there are a plethora of options out there to assist us. I think of these service providers as ancillary partners.

Within Xerdict, for example, which is a software subsidiary of TK that enables clients to better manage sprawling litigation matters, see **Post 108**, we monitor our business on three different levels (server operating system, database, external testing of user-facing functionality) through service agreements with three trusted ancillary partners (hosting company, database support company, outside service). This enables us to define all system problems early, at a minimum at the same time users report issues, and often in advance of that.

Within TK, we also work diligently with our managed services provider to monitor our services, networking equipment, internet connectivity, individual workstations and many other services and pieces of equipment. Again, similar to Xerdict, the goal is proactive notification and resolution.

Finally, there are services in the public domain which are helpful. For example, we subscribe to a service (**AlertSite**) to monitor our externally facing systems. **Downdetector** is a great site to identify outages in situations where we are having problems getting in touch with external partners with broad outages whose call centers are flooded with calls during such periods. Such robotic watchdogs are excellent complements to any technology organization that must be 24×7 accountable.

7. Strive For Longevity

Similar to a veteran player who becomes more valuable through exposure to an ever larger myriad of different game situations, the experienced legal technologist become more valuable by exposure to the endless permutations of high-stakes and middle-stakes tech problems. Yet, with staff turnover, a good chunk of that institutional knowledge literally and figuratively walks out the door. Thus, it's critical to create a team environment that fosters longevity.

So, be sure to value your employees. Show your appreciation, offer your thanks, talk to them about their career objectives, and thereafter do your absolute best to understand and meet them. Retaining employees is an important objective. I'm

proud to say I've worked with three core individuals in the areas of programming, database support and hosting for the entire history of 18-year history Xerdict. That's been a real godsend for both me and TK.

In addition to continuous learning through data, great sports franchises build systems to preserve and replicate what works well. Thus, build time into projects and work processes for documentation and cross-training. Training alternative resources certainly does not obviate the need to retain key employees, but it does mitigate the risks when you fail. Always good to have some materials to share with new team members to try to maintain some sense of service continuity.

Conclusion

Through a combination of continuity and trial and error, we've found a good model for TK. It includes creating a strong core team, engaging several top-tier legal technology service and software providers, expanding our usage of cloud-based providers into infrastructure and application areas, and plugging holes with excellent ancillary partners.

Would this work for other law firms? Certainly, it could. But excellent arguments could be made for bulking up the size of one's internal technology group a bit more than our network, which is more reliant on partnerships. It goes without saying that those most invested in the long-term success of a law firm are their boots-on-the-ground employees.

On the other hand, excellent arguments might also be made for increasing the amount of responsibilities shifted to managed services providers or practice support partners. These types of companies have excellent resources and are a fine option for those law firms looking to quickly get up to speed on industry best practices.

In closing, I think what is most important is careful consideration of these various factors. Diversity of skills, a mixture of professionals, star talent, and longevity of the team are all important. Because we start in different place, each firm is destine to build out or restructure their teams in different ways. But if we are comprehensive in our needs analysis from the perspective of the firm and its clients, we have a good shot at a winning result.

Legal Evolution