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Innovation implies that the lawyer learn new skills

By Legal Forum (<https://forojuridico.mx/author/brenda/>)

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By Janet Huerta and Marco V. Herrera 🔖 9 Minutes Of Reading

Michele Destefano is a teacher, book author, speaker, independent consultant and facilitator in law firms, corporate legal departments and new legal companies on innovation and technology, culture creation, team building. She is recognized by the American Bar Association (ABA) as a Legal Rebel, by the Financial

Times, as one of the Innovative Lawyers of North America and as one of the 20 most innovative lawyers in the United States.

Michele is a law professor at the University of Miami School, and a Visiting Professor at Harvard Law School, in the executive education program. She is the founder of LawWithoutWalls, an international multidisciplinary group of experts that brings together more than 1,000 lawyers, business professionals.

As a law professor, Michele researches and writes about the growing intersections between law, business and legal innovation. His book *Legal Upheaval: A Guide to Creativity, Collaboration, and Innovation in Law* presents more than 100 interviews of general lawyers of large international corporations and chiefs of innovation in law firms. Another recent work focuses on the changing role of the compliance officer and is based on interviews with more than 70 general advisors and compliance directors of S&P 500 corporations.

In his tireless search to offer lawyers content and trends on innovation to help the digital transformation of lawyers, *Legal Forum* sought Michele, to tell us about his vision, his research and the content of his books, here we present the interview.

How should we understand innovation for lawyers?

After doing hundreds of interviews with lawyers from different countries, it is clear to me that most users of legal services are not clear about what innovation is or what it means.

In the same way, law firms are uncertain of what clients want when they ask for innovation or what would be the return on investment (ROI) for some innovation process in their firms, but they keep telling the client that they are somehow Innovating in your business.

In the first place, lawyers see innovation as something distant, secondly, law firm clients say that they do realize when law firms innovate, and number three, clients are not asking for great innovation, what they are asking is an increase in the added value of legal services.

In my opinion, the innovation that the market is asking for, the clients, is oriented towards a profound transformation of the service, so that the added value of legal services is increased with the idea that legal service providers are modern and adapt To the modern world. What the general lawyers of the big companies want is that the offices take the attitude, mentality and the abilities of the innovation, beyond the innovation in itself.

“The innovation that the market is asking for is oriented towards a profound transformation of the service, so that the added value of legal services is increased with the idea that legal service providers are modern and adapt to the modern world.”

Clients want them to help them face the changes and challenges of the changing world, to help them solve the great transformations of the current times, to help them face conflicts, urgencies, the multiple problems that need more collaboration, what Lawyers are traditionally not accustomed to working with other people to be able to generate new and more modern ideas of client challenges.

Clay M. Christensen affirms in his book *The DNA of the innovator*, that the most creative innovators are distinguished by five factors: association, questioning, observing, experimenting and the creation of new business networks (*networking*); but considering the way in which lawyers are trained, their practice and daily tasks, inclinations and personalities, the innovator's DNA is not natural for the lawyer.

The lawyer in general is a strategist and they are good at identifying the branches of the forest and the trees within the entire forest, which makes them very peculiar, but in general they are trained to solve problems, not to find problems through collaboration, experimentation and observation for which sometimes they do not have time.

This situation happens in all countries and regions of the world, Australia, United Kingdom, United States and Latin America, I need to interview lawyers in Mexico, but I consider it a general global situation.

Are there other characteristics and behaviors associated with the profession? How can lawyers begin to change this *mindset* ?

There is definitely a set of behaviors that lawyers need to develop, in my book I describe what are the skills that lawyers need to face modernity, the basis is the skills I call COST (Clarity, Organizational, Service and Technology), which are basically *management* skills and that include the understanding of the difference

between brand and *marketing*, which lawyers usually do not know or forget. It also includes business skills that imply total understanding of the client's business, how they operate, how they think, what their risks are and how they want their cases and documents to be written and developed.



In interviews with company lawyers, the most mentioned complaint is that the external lawyer does not deliver documents or information in a way that can be used in my daily work. The client needs a business partner, not just a lawyer who provides opinions. Another important skill in this block, is to be able to offer and receive feedback, adequate *feedback*, this allows the internal and external lawyer to resolve and understand the forms of work and the service that is being provided.

In the next block of skills, which is located in the middle of the pyramid, are skills that mean that lawyers can work in groups in a collaborative way and empathize with client problems, understand real costs and help find the root of the problem, to later look for a comprehensive group solution. For this we need to

develop a culture of trust, humility, creativity and, I insist, empathy, something that many lawyers around the world do not have. If you do not empathize with the client, with the companies, you cannot understand or help solve the problems, it is a dilemma about what comes first, the chicken or the egg?

In the highest part of the pyramid is the ability of innovation, which is the ability to do different things, create value and improve customer service in a permanent and lasting way. It must be understood that it is not so difficult to make a difference in the service offered. The complex thing about this skill is how do lawyers understand the meaning of creating something that they are not really understanding, is not raised as such (the service) or is not clear to clients.

The challenge for lawyers and law firms is to create new habits that are lasting within the service culture. The problem is that fostering innovation and new habits takes time and money and it is somewhat difficult to convince lawyers to invest in it. That is why technology is gaining importance to help automate processes to get more time.

In some cases, lawyers believe that innovation does not apply to them or to their work, but it definitely helps to add value to their services.

Do I understand then that the disruption of lawyers comes more from personal development than from technology?

That's right, technology will only help the automation of operations and processes, as well as the analysis and prediction of information, the real change to face the future is for lawyers to learn to be better leaders, to learn to empathize, synthesize, associate and use data and information to become a true business advisor.

The idea is that customers see them as business advisors not only of legal matters and that using innovation help customers predict the future of their company. If the offices learn to use the data they generate, they can help customers analyze market trends and be called from the design of new businesses or products, and even to be one step ahead of their customers.

What do you think about the digitization of lawyers?

Technology is different from the digitalization of lawyers, being digital means a different way of capturing clients, a different business culture, a different way of serving them, how information is used and how technology is applied and used.

If lawyers apply innovation and change, do you think this will have an impact on justice?

If the lawyers change, I am sure that justice can be improved, since the lawyers will work more collaboratively and better understand the clients' challenges, with this we can see more lawyers opening their hearts and minds to problems. of the world and of justice.

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