



Chapter 5: Technology in the Workplace



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5.1 Introduction

Over the last decade, we have seen substantial growth of the use of technology in the workplace, and particularly in law firms.

Law firms, like many businesses, are always looking for ways to streamline processes and technology offers many innovations to help with organisation and streamlining.

Technology and the use of the internet-based applications do not come without risk, so firms must embark on any new approach carefully and with all risks considered.

CONTINUE

5.2 Standard software applications



You will be expected to be familiar with and competent in the use of various standard software applications, such as:

- Microsoft Word
- Excel
- PowerPoint



Complete the content above before moving on.

5.3 Workplace systems

Customer Relationship Management (CRM) systems

Customer Relationship Management (CRM) systems are online platforms which allow organisations to interact with their customers and clients. They provide online information but allow clients to log in and obtain information about their case, send messages and upload documents quickly and securely.

CRM systems are beneficial to clients as they are secure and can usually be accessed 24 hours a day. Whilst organisations may have to pay for the CRM, cost savings can be made through reduced postage costs and reduced incoming telephone calls as client queries can often be self-serviced online.

If IT updates to a CRM are planned, these should be arranged at times to minimise disruption of service to clients and clients should be made aware if the system will be unavailable for a period of time.



Case management systems

Case management systems are designed to help law firms with the smooth running of their cases by managing matters through a central database. Case management systems usually have built in diary functions where reminders and deadlines can be set, they often contain stock template letters and documents and, in some cases, built in accounts systems. This can help with time management.

Whilst some law firms still use paper files, some have become more paperless and scan incoming post and documents on to their case management systems. Certain types of documents may need to be kept in hardcopy even in a mostly paperless office. Please note that supervisors are usually required to check any incoming post, whether this is received in hardcopy or softcopy.

Case management systems sometimes allow for information to be imported in, which saves on data entry, or exported out, such as statistical reports to help with management reporting.

Case management systems help with supervision as managers are able to check on the progress of cases, case handlers and the quality of their work. This is also useful if a

member of staff is absent from work, and work needs to be re-allocated. It is sensible for a firm to have a supervision policy to set out supervision expectations.

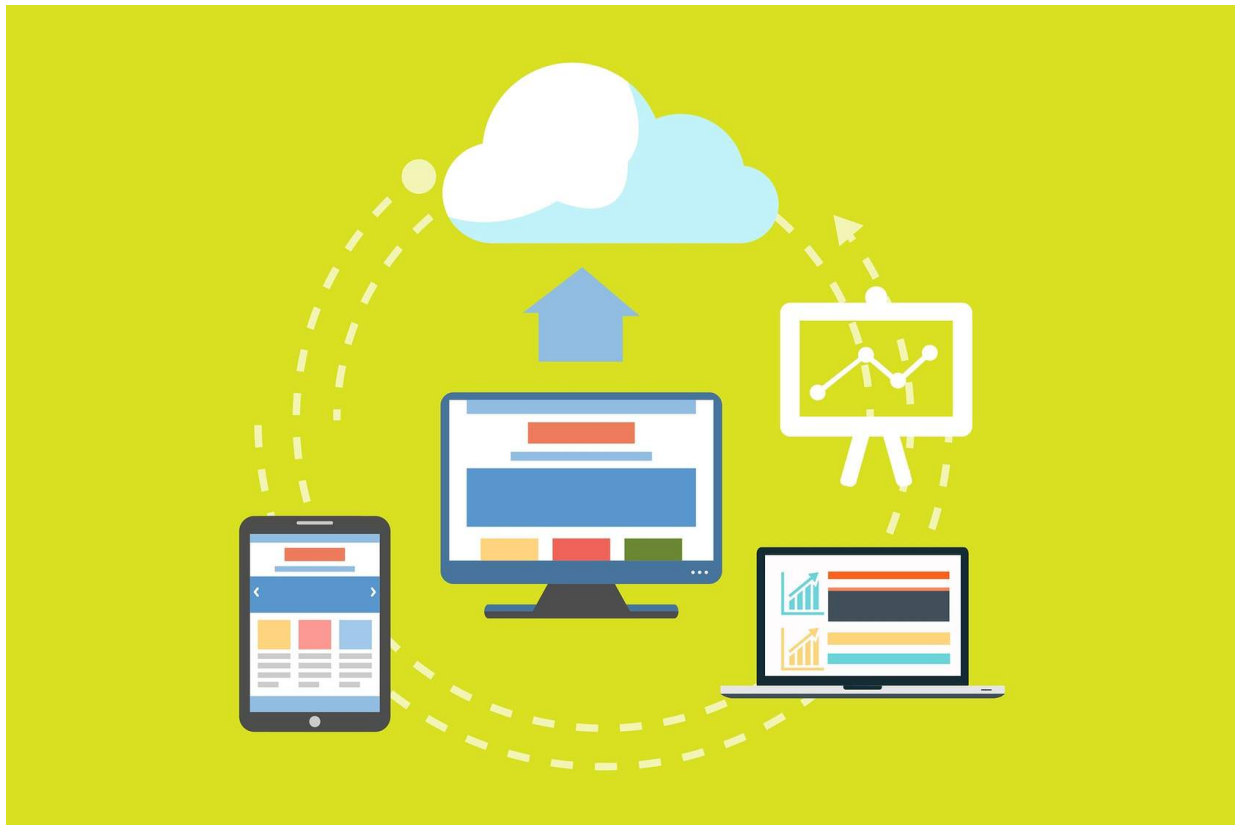
In addition to case management systems, some firms also utilise robotics software to streamline and automate certain processes in order to gain efficiencies.

Case management systems are designed to be secure and password protected. It is important to never share passwords.



Cloud computing and cloud file sharing

Cloud computing and file sharing is a growing area of technology. Cloud computing involves data centres which are available to multiple users via the internet.



Cloud computing services can include storage, software and databases. This is useful for organisations with staff working in more than one location as it runs from a remote computing server.

Any online activity can be at risk of hacking and so it is important that any information is stored securely and password protected. If a firm was considering using cloud computing or cloud file sharing they must fully vet their provider first, and ensure it is approved by their data security officer and IT team.



Activity

Research what Case Management Systems are and their benefits and prepare a 5 minute presentation with your findings.



Complete the content above before moving on.

5.4 Using technology to communicate

Technology has increased the ways in which law firms are able to communicate internally and externally. Traditionally communication in law firms was almost always done in a formal manner. Internal business information may be shared on a formal or informal basis.

Formal communication —

Formal communication may include business reports, presentations, shareholder meetings, or business news. Formal communication may also need to be used internally to inform an employee of potential disciplinary proceedings, termination of employment or risk of redundancy. Meetings and recruitment interviews are usually formal in their nature.

Informal communication —

Informal communication may be used for ad hoc catch ups, colleague to colleague telephone calls and video meetings. Even relatively informal communication within a law firm requires professionalism and a level of formality. For example, when using technology to communicate with a client it is not appropriate to use the language, slang or informality that a case handler might use with a friend outside work. If a case handler was to be too informal they risk offending a client or colleague which could lead to a complaint.

Understanding etiquette



Technology means we can now communicate with our colleagues and clients in more ways than ever.

A member of staff is there to represent the firm so they should always remember to reply to clients within the firm's Service Level Agreement timescales and to always communicate in a professional manner.

Some firms have a preferred 'house style' which states the size and font to be used in letters, documents and emails. If a client requests a reasonable adjustment of this, perhaps due to sight issues or dyslexia, this should be complied with as much as is reasonably possible.



Some CRM systems have built in message functions which allow clients to send direct messages to their case handler.

Whether messaging a client via direct message, email etc., a case handler should avoid overly informal communication, slang or the sort of language they might use with a friend over text message.

Some firms use video conferencing facilities to communicate with clients and whilst it might be possible for staff to do this from home, they should always present themselves to the client as if they were in a meeting at the office.



Accuracy is important when communicating with clients both in terms of the content of the advice given, but also making sure that you are communicating with the person you think you are to prevent a reportable data breach.

Internally a firm may have a company intranet page with information and resources for staff. Some firms use videos to update staff. Firms may also use video chat functions for meeting remotely, which will be discussed further later on.



Complete the content above before moving on.

5.5 The impact of technology on teams

Most case handlers work as part of a team. In any team, good communication and teamwork is key.

- Case handlers need to have good communication skills with their clients, but also with their colleagues in order to ensure the smooth running of the team and wider business.
- Case handlers often use case management systems to store details of the cases they are responsible for. Case management systems can also be used to generate letters and documents throughout the running of a case, but also to record attendance notes and telephone attendance notes to record any file reviews or any telephone conversations which may have taken place. It is important that attendance notes are factual.
- Case handlers must be professional in their attendance notes and telephone attendance notes. It is possible for a client to see the contents of their file should they decide to make a Subject Access Request, so any disparaging remarks about the client may be seen and would likely generate a complaint.

The information used on a case management system can be useful to fellow team members if perhaps they were picking up a telephone call on the handlers' behalf, or if the supervisor was reviewing the file. Each person involved on a case should keep a record of the work done as this will help other handlers, and ultimately the client.

Other information which is inputted into the case management system may be used to generate reports and management information, so it is important that it is accurate so it can be relied upon.



Team members need to have strong communication with each other and with their managers.

Information may also need to be shared externally perhaps to a client or commercial client. Case handlers must be very careful about who they share information with and what information is contained in order to ensure client confidentiality.



Activity

Research what a Subject Access Request is and how long an organisation has to comply with one.



Virtual Team development

Video meeting software

Good communication is a key factor to having a successful team within a law firm. With the increase in working from home arrangements, many firms have invested in video meeting software to ensure people can still communicate effectively.

Video meeting software may be used internally within firms and teams for regular meetings, 1-2-1s, appraisals, business updates and presentations.

Weekly or monthly 1-2-1s are a great opportunity for a case handler to catch up with their manager, seek help and development, especially if they work remotely.

Video meetings are also useful for continued professional development as they can be used to deliver, and sometimes record, training sessions. Most external training providers now offer remote training via video platforms such as Webinars. Video meeting platforms often have additional features such as chat boxes to allow questions to be posed, the ability to break a group up into smaller groups for activities, and whiteboards for ideas sessions.

Most video meeting platforms allow for subtitles to be added during meetings and presentations making it more accessible and inclusive for people with hearing difficulties.

Case management and other legal conferences can also be conducted productively via video meeting platforms, providing all users are given guidance on how to use the software in advance.

Interviews can also be conducted via video meeting platforms which helps with both internal and external recruitment.

Some firms make good use of video meeting technology to meet with clients who may have difficulties attending an office, thus enabling access to justice.

Telephony software

Other tools which can help with communication is telephony software. Some firms simply have all incoming calls directed to a single point where they can be transferred to the correct case handler, but others use software to help clients select how their call should be directed by responding to an automated message. Some firms simply have direct dial telephone numbers. Some telephony systems allow staff to log in to them remotely, such as when working from home or attending an offsite meeting.

Telephony software can allow a firm to analyse the calls a firm makes and receives. It may be able to identify in real time if calls are waiting to be answered, and may also help to identify if calls are not being answered, perhaps by certain case handlers. Such a concern would need to be investigated to avoid complaints.

Some firms invest in call recording software so calls can be reviewed for quality and training purposes. Clients should always be informed if their call is going to be recorded.

Some case management systems are able to recognise the telephone number of a client if it matches one on the system, but a case handler is always responsible for making sure they are speaking to the right person before divulging any information for GDPR reasons.

If case handlers have voicemail facilities with their telephones, access to voicemails should be password or PIN protected.



Complete the content above before moving on.

5.6 The risks of technology

GDPR rules should always be observed when dealing with external clients to ensure data breaches do not occur.

Client confidentiality is key to a professional working relationship which is built on trust.

Case handlers should always verify the identity of a client before sharing information with them via the telephone (or otherwise).

- If a case handler is having a telephone conversation with a client, but they are away from the office, they should avoid using a personal mobile line and where possible try to use the work telephone system remotely to ensure the call goes via the work platform and is recorded.
- If sending information via email, ensure the email address is double checked as even one typo could mean the email gets sent to the wrong person. It is often worth encrypting emails to ensure their security.
- If employees in a firm are able to use the firm's internet, it is sensible to have an Internet Usage Policy for staff to clarify what the internet may or may not be used for. This is to protect the employee and employer. If employees breach the Internet Usage Policy they may face potential disciplinary action. The firm may also wish to restrict access to certain websites to those relevant for work purposes only.

Security and access management

Firms will take steps to ensure they have good physical security at their offices and with any computing systems, and it is important that you comply with these restrictions.

Firms may issue staff with identification cards to ensure only those who are permitted can enter work premises and access systems. Visitors should be signed in and out. Any files, documents or letters which include client or business confidential data should be locked away each day.

Computer systems within law firms should always be password protected to help ensure their security. Case management systems and CRM systems both contain data which is private to clients.



Confidentiality

All clients expect their cases to be handled confidentially and this is also a legal requirement under GDPR. These rules limit access to, and place restrictions on, certain types of information.

There are many legal processes which can involve sensitive information, such as medical information in civil personal injury claims, or financial information in conveyancing or probate.

Ethical walls may need to exist within a firm to prevent a conflict of interest. Where a real conflict of interest is identified, a firm should consider whether they should continue to act under the Code of Conduct Rules.

Some ABS firms may be owned by an insurance company, so they must be careful to have ethical walls in place to prevent the sharing of information, for example, between claimant and defendant parties in civil litigation.

There can be occasion when data needs to be transferred out of the business, such as a spreadsheet on some commercial cases to a commercial client, or financial information to a client relating to the sale of a property. Before case handlers share any information they should check what is the preferred way of doing so at the firm, for example any emails with such information may need to be encrypted.

The confidentiality of employees is also vital in a law firm. Staff files and information must be kept confidential and only shared by a manager on a need to know basis.



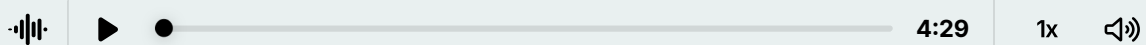
Complete the content above before moving on.

5.7 Being a lawyer for the future

In 2020 the world experienced a significant change in working practices, when the COVID pandemic forced many people to work from their homes and use technology in different ways. Changes to working practices can be slow, or it can happen quite quickly.

To be a successful lawyer, you need to be able to **adapt and make use of new and emerging technologies**. As you move on in your career, you may be asked to assist with the implementation of new technologies and systems, and may even be asked to work with developers on creating new apps. Law firms are already using apps and chatbots to reach their customers.

Listen to this recording on automation within law firms, before reading the guide that follows.



Audio Transcript

Most law firms and organisations use technology to some extent. Most law firms have a form of case management system, and they may also have a customer relationship management system, where clients can log in, send documents, and receive updates on their case. Some firms have invested more recently in modern technology to help them improve the efficiencies of running their law firm. Some

law firms have invested in robotic software technology. This can be used to complete certain processes, which would have otherwise been completed by a human, for example, checking incoming post, drafting documents, and completing data entry. Such technology can really help a firm gain efficiencies and reduce its staffing costs, but it does not come without risk. Any new software or technology should be extensively researched, tested, and trialed before it is implemented into a business.

A firm may wish to start off with using robotic software to complete standardised low risk processes. These would need to be quality checked thoroughly before the robot was allowed to continue with its work. The difference of course between robotic software and humans, is that robots don't tend to take sick days, come in late, or need much time off. In fact, some software is able to be programmed to work overnight, but it would need somebody to quality check the work that it has been completing.

An organisation should tread very carefully before entering the world of robotic software. As you can imagine, some staff may be unnerved by the prospect of software being brought in, which could essentially do part, or all of the job that they normally do. A firm may be very keen to gain the efficiencies of using software, but they should also be mindful of the morale of staff. Using software such as this in a law firm can also create new positions, such as the people who are responsible for making sure the software is used appropriately, and for creating and developing new processes. New and emerging technologies such as this can come at a significant cost to a business, so this is something they may wish to start off with on a small-scale basis and grow and develop over time. It's wise for any organisation to keep an eye on its return on investments when entering new areas such as the use of this technology. By regularly reviewing how efficient these processes work by robots, a firm can compare whether these are more cost effective than having the processes completed by humans.

Should we be worried about robotic software taking over law firms and replacing everybody's jobs? Absolutely not. Law firms will always need good case handlers to take care of their clients and provide them with advice and support throughout the life of their case. The idea of robotic software is an exciting one, and one that many large firms have already significantly invested in. However, it's never going to replace people and the human elements of law firms, which is so important. The idea is really that the robotic software can be used to replace processes, which perhaps people may not have otherwise enjoyed doing in the first instance. The starting point is usually administrative type functions, possibly even with that extending to drafting or writing. Different law firms can have different budgets when it comes to dealing with technology. Some firms may be keen to be involved in futuristic technology, whereas other firms may have less of a budget and may be less willing to take risks. Any investment needs to be made very carefully, and law firms should always make sure that they're dealing with a reputable IT supplier to ensure that if there are any problems, the support is there from another business to ensure these are ironed out in a timely manner. A law firm should always consider any risks of harm to a client or their case of using technology or software. Client confidentiality and data protection is very important, and a client's personal information should never be shared outside of a law firm without their express permission. As such, all data should be secured safely and ideally password protected.

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Case Study

Sam is a CILEX lawyer working in a busy litigation department. Sam has an urgent court deadline approaching where the exchange of certain documents is required by a key date.

Sam has a client who is out of the country, but Sam needs to send some sensitive documents to them urgently for signing. Sam's client works in intelligence for the military, and is currently on a tour of duty, which makes communication difficult.

Sam has a personal interest in information technology and recently stumbled across a new file sharing platform on the internet. The file sharing company seemed to have a great website, but it must be new as Sam could not find any

reviews online. Sam knows that his employers are currently looking into Customer Relationship Management system options, but he is frustrated at how long that is taking and needs a solution now.

Sam knows their client has access to a smart phone, and so decides to send the documents to the client via the file sharing platform. He is confident it is secure.

Sam has worked in the litigation department long enough to know when time is of the essence. Sam does not run their plan past their supervisor, their GDPR/Information security representative or their IT department.

Has Sam done the right thing? What could the consequences be of their actions? Explain your answer



Complete the content above before moving on.

Knowledge Check

This knowledge check is a self-assessment to see how well you understood the content of this chapter and it does not count towards your course mark.

There are 5 questions in this knowledge check.

1. A law firm can use case management systems to (choose the 2 correct answers):

- ☐ Supervise work for them and never worry about quality checking again.
- ☐ Improve efficiencies in case handling.
- ☐ Help case handlers and their supervisors stay on track with dates, such as court dates.
- ☐ Run a case from start to finish with no human involvement.

SUBMIT



Complete the content above before moving on.

2. Customer relationship management systems (choose the 2 correct answers):

☐

Are free.

☐

Allow clients to obtain information on their case, even when the office is closed.

☐

Are a very secure way to share documents with clients, providing they are password protected.

☐

Mean we never need to have a telephone conversation with a client.

SUBMIT



Complete the content above before moving on.

3. Cloud computing and cloud sharing (choose the 2 correct answers):

-
- ☐ Always 100% safe and secure.
 - ☐ Only available business-to-business.
 - ☐ Quick, easy to access.
 - ☐ Makes remote working and remote meetings easier.

SUBMIT



Complete the content above before moving on.

4. Using technology to communicate (choose the 2 correct answers):

- ☐ Can be rolled out to staff without training or information.
- ☐ Helps teams to meet together and receive training together without commuting.
- ☐ Means you can always communicate in an informal manner.

☐

Helps a firm reach clients who may have difficulties attending an office, such as for disability reasons.

SUBMIT



Complete the content above before moving on.

5. Technology is (choose the 2 correct answers):

☐

Something we should fully research and consult office data protection officers before trialling.

☐

A good way for firms to gain efficiencies.

☐

Something we should embrace quickly without sense checking its data security.

☐

Does not involve any contracts etc., so it's fine to sign up to any terms online as they will never be enforced.

SUBMIT



Complete the content above before moving on.

5.8 Summary

(1) Technology offers many efficiency gains for law firms but is not without risk.

(2) Confidentiality and data security should be a priority to a firm when considering any new technology solutions.

You have completed Chapter 5.

EXIT