ELM Solutions

The Challenges of Matter Lifecycle Management

Common hurdles and the legal technology to address them

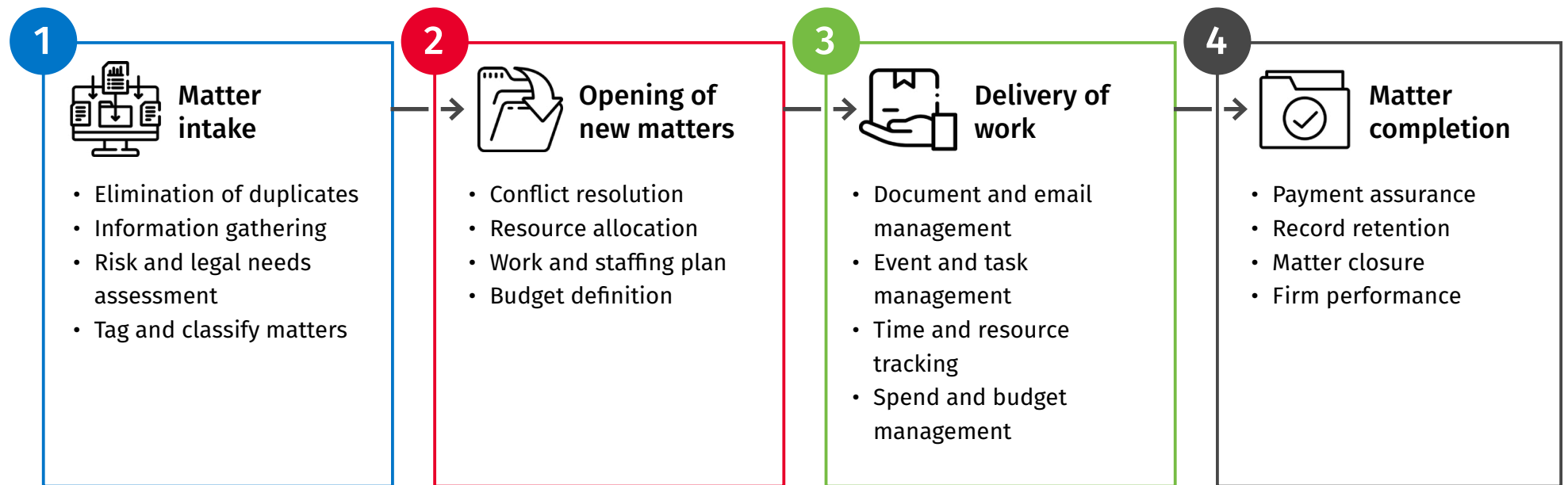# Table of Contents

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Introduction

Legal matter management demands a great deal of coordination to reach the end goal: A single source of truth for matter documents and data to support efficient corporate legal practice management. As legal operations professionals oversee a matter from intake through to completion, they must be prepared to gather, track, and report on all internal and external details and their associated data. A high-level view of the four stages of matter lifecycle management conveys the wide range of documents, tasks, events, vendors, budgets, and invoices that can potentially require attention and organization.

1 Matter intake

- Elimination of duplicates
- Information gathering
- Risk and legal needs assessment
- Tag and classify matters

2 Opening of new matters

- Conflict resolution
- Resource allocation
- Work and staffing plan
- Budget definition

3 Delivery of work

- Document and email management
- Event and task management
- Time and resource tracking
- Spend and budget management

4 Matter completion

- Payment assurance
- Record retention
- Matter closure
- Firm performance

Introduction

A consistent, streamlined approach can enhance collaboration to efficiently bridge gaps between legal and the business and afford a stronger focus on engaging, value-driven work. However, as workloads increase and resources continue to tighten, manual solutions and disconnected technologies increase the potential for common inefficiencies and risk to be introduced:

- **Productivity pitfalls:** Document management headaches and poorly designed workflows weigh legal professionals down with redundant work, insufficient information retrieval, and poor intake processes.

- **Siloed data and solutions:** Disconnected systems restrict the ability to produce comprehensive analytical insights and workflow integrations that can drive greater visibility, risk mitigation, and data-driven decision-making.

- **Poor user experience and adoption:** Legal technology design that does not account for user personalization, accessibility, and overall experience prevents strong rates of adoption and optimization of investments made in the solution.

A deeper dive into the business objectives associated with each stage of the matter lifecycle provides a more complete picture of the drivers behind these pain points – a critical step to define the challenges we are asking modern legal technologies to overcome.

Matter lifecycle stages

1. Matter intake

The initial step in the lifecycle is often viewed in an administrative light – it is not the most thrilling or intriguing aspect of matter management. It is, however, the foundation on which the success of the remaining stages is built. As a result, it's critically important to set yourself up for success when addressing the key tasks to meet the intended objectives.
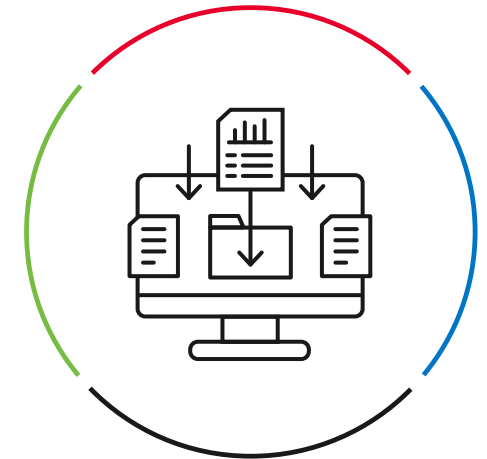
Tasks		Objectives
Ensure the elimination of duplicate matters	→	Avoid the creation of redundant work that has already been completed
Gather accurate and complete information	→	Reduce excessive back and forth requests for information from the requestor
Perform a case assessment	→	Inform case strategy with an understanding of risk, legal needs, and the potential for early settlement or resolution
Appropriately tag and classify matters	→	Support ease of future analysis

When carried out correctly, effective matter intake holds the potential to:
- Save substantial time through the elimination of unnecessary work by confirming the matter
- Improve legal team performance through alignment of appropriate resources to each matter
- Increase visibility with an approach to matter intake that provides clear line of sight to who is working on what and the details of the associated matter

So where does the ideal world of matter intake break down?
Most often, the greatest hurdle stems from the lack of a common intake process for legal service requests. Legal teams find themselves stretched thin across emails, phone calls, and in-person requests, resulting in insufficient matter detail. Compounded by the lack of visibility into existing contracts and matters, deduplication in avoidance of redundant work is a tall task. Without efficient processes in place, teams find themselves risking valuable time lost and the lack of a strategic approach to matter management right out of the gate.

It's critically important to set yourself up for success when addressing the key tasks to meet the intended objectives

Matter lifecycle stages

2. Opening of new matters

Like matter intake, the opening of new matters is often seen as an administrative task, though the outcome of these first two stages of the matter lifecycle truly works hand-in-hand to allow the remaining stages to run smoothly.

Tasks		Objectives
Internal and external resource allocation, including vendor selection and case strategy	→	Provide approval for matter opening based on conflict resolution outcomes
Establish work and staffing plan	→	Consolidate and disseminate critical matter information to in-house or outside counsel
Define matter budget, including alternative fee arrangements and pricing	→	Successfully open a new matter and establish associated billing
Issue related legal holds	→	Ensure data retention and preservation compliance

There is a distinct need for effective information gathering to inform critical planning initiatives.

The tasks and objectives associated with this stage of the matter lifecycle make it clear that there is a distinct need for effective information gathering to inform critical planning initiatives. However, there are several ways in which antiquated processes and procedures create the potential for error, lengthier processes, and increased risk.

Hurdles in opening new matters

- **Point-based solutions –** Without the ability to efficiently locate relevant templates, documents, or contracts, teams often experience lengthy searches and ultimately run the risk of taking on redundant work.
- **Lack of data –** Whether it's relative to budgets, cycle times, law firm performance, or resource availability, gaps in crucial matter data prevent the ability to develop an adequate and informed plan.
- **Decentralized communication –** Inefficient communications with both internal and external teams drive cost up and create a drag on productivity.
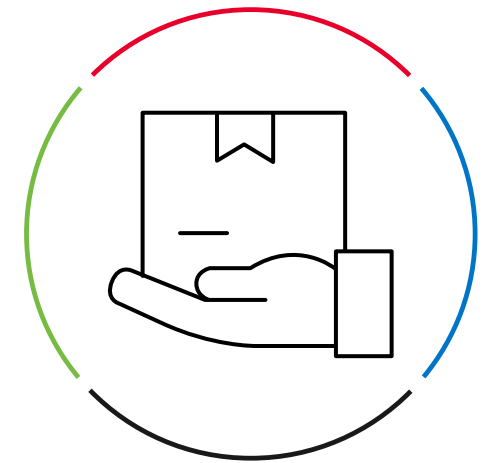
Matter lifecycle stages

3. Delivery of work

A transition to the core phase of matter management means the need to support strong outcomes through several tasks that will drive adherence to timelines and budgets while maintaining a focus on risk mitigation.

Tasks	Objectives
Document and email management	Adhere to defined matter timelines and budget
Event and task management	Carry out effective communication with internal clients and outside counsel
Time/resource tracking	Minimize the risk of missing key deadlines
Spend and budget management	Appropriately file documentation for all legal matters

As previously highlighted, these objectives will be more difficult to reach if the stages of matter intake and opening have not been completed effectively. Furthermore, an exceptionally strong foundation established during the prior stages will translate to two primary benefits during the delivery of work:

• Legal being armed with the information necessary to make sound decisions
• Established budget and billing guidelines that provide the guardrails to adhere to the plan

An exceptionally strong foundation established during the prior stages will translate to primary benefits during the delivery of work.

Matter lifecycle stages

3. Delivery of work

However, even matters originated from a well-prepared process of intake and opening can fall victim to common barriers that drive inefficiencies during the delivery of work.

| Challenges		Business impacts
Disparate systems	→	• Logging in and out of multiple systems to complete work • No integration with related/tangential work, such as legal holds or contract workflows • Inability to access associated contracts and their key data
Decentralized collaboration	→	• Multiple emails, phone calls, etc. result in a lack of central notes and narratives • Lack of document collaboration • Negative impacts on calendar and scheduling coordination
Document management	→	• Lengthy searches for relevant documents • The need to recreate documents you can't find or didn't know existed • Missed deadlines due to poor documentation or absence of tickler system
Reporting and analytics	→	• Pulling reports and data from multiple systems • Lack of control over and insight into spend • Lack of benchmark capabilities to understand both time and cost

Matter lifecycle stages

4. Matter completion

Completion of a matter represents the near-term requirement to secure payment. However, this final stage also presents the opportunity to appropriately document the matter in a way that will set yourself up for future success.

Tasks	Objectives
• Payment assurance • Record retention • Matter closure • Assess law firm performance	• Expedite billing processes • Capture matter characteristics and law firm performance to facilitate future pricing and analysis • Leverage document management methods that will support the ability to reuse for future work

As with the prior stages, you will encounter inefficiencies during the process of closing the matter. What may be less clear are the ways you can carry out the process that will prevent future inefficiencies from being carried forward.

Challenges	Actions to prevent future challenges
• Manual billing processes can be time-consuming and prevent risks due to nonadherence with billing guidelines, AFAs, caps, and other billing arrangements. • Appeals process can prove to be slow • A lack of data can contribute to the inability to track price as it relates to law firm performance.	• Proactively record how the matter went and how well the law firm performed • Capture characteristics of the matter to facilitate pricing and other analysis going forward • Approach documents and templates in a way that will support the ability to reuse them in future work
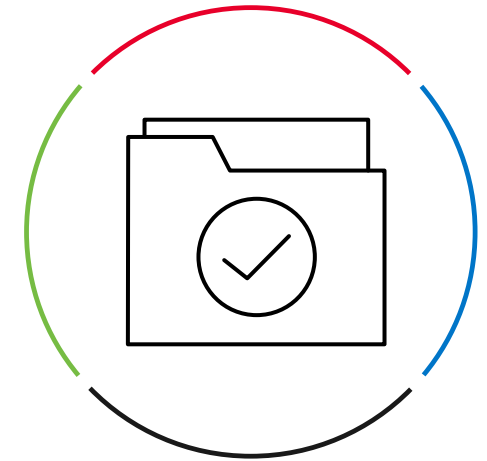
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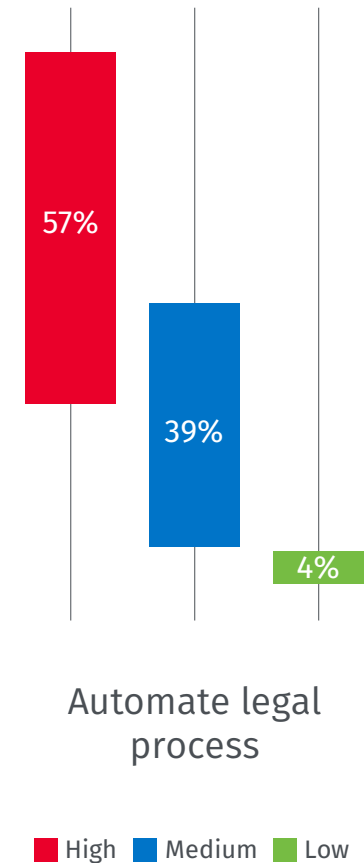
Matter management technology

The 2021 CLOC State of the Industry Report shows that 96% of respondents indicated a high or medium priority placed on the automation of legal processes. Alongside the established objectives of each stage of matter management, it's no wonder most legal operations teams look to technology to overcome common challenges faced throughout the lifecycle of a matter. Doing so with the right vendor as your partner is likely to streamline processes and provide improved visibility for enhanced risk mitigation.

Technology vendor requirements

We can better understand how to successfully implement a solution by defining key vendor requirements that should remain top of mind.

- **Microsoft Office integrations** | The sheer volume of documents that require oversight throughout the lifecycle of a matter can be drastically eased by a solution that allows you to work in an intuitive, familiar interface. Identification of solutions that feature MS Office integrations will often solve for this by empowering users to manage matters where they work most often - directly within Outlook, Word, Excel, and PowerPoint to efficiently manage and create documents, emails, tasks, and notifications.

- **Enterprise legal management integrations** | As referenced in a recent IDC Analyst Brief, "corporate legal will better manage bandwidth and the workload of the department by incorporating all of the responsibilities of legal into one integrated suite, creating a powerful single pane of glass." Solutions that incorporate the following functionality and seamless integrations will create greater efficiencies and a stronger bridge between the business and legal.

  o **Legal services requests** | We laid out the importance of a sound approach to legal matter intake and opening. A process that relies a great deal on the legal service request as the starting point. Look for a solution that introduces consistency through centralized intake, storage, and management of legal service requests and their associated documentation. This game-changing approach will enable business partners to easily create requests and stay informed through their completion while empowering the legal team to more efficiently respond to requests and manage workloads.

  o **Legal holds** | An oversight in the process of issuing legal holds during the opening of a new matter can have detrimental effects: once the data you're relying on maintaining is purged, there's no getting it back. Technology solutions that support the creation of a systemic, repeatable, and automated process for the assignment, notification, and administration of legal holds will serve to reduce organizational risk and the potential for costly manual processes.

57%

39%

4%

Automate legal process

■ High ■ Medium ■ Low

Matter management technology

o **Contract lifecycle management** | The integration of contract workflows and data throughout the matter lifecycle will deliver increased visibility to allow for greater risk oversight. The same IDC Analyst Brief referenced above points out, "When CLM is integrated with matter management, matters become more inclusive of other tasks and service delivery and not just litigation events."

- **Flexible workflow automation** | Throughout the lifecycle of a matter, there are countless points at which an unintended manual miss can introduce greater organizational risk, cost, and the loss of valuable time. The application of rule-based workflows to efficiently drive legal staff through common activities, like matter setup, task assignment, and the generation of reminders and notifications, will serve to simplify processes, reduce risk, and drive significant cost savings.

- **Advanced matter analytics** | A solution that leverages data and analytics to improve visibility into risk and spend will support your ability to make more proactive and strategic business decisions. At a minimum, you will want to ensure your solution enables you to:

  o Monitor and track the status of a matter through the lifecycle, including associated spend, risk, and exposure

  o Produce actionable analytics to identify potential areas for efficiency improvements, cost savings, and improved value from legal service providers

  o Track key performance metrics to make it easy to spot trends and potential risks

  o Introduce predictive analytics to apply the power of your historical and current data for improved firm selection cycle time estimates

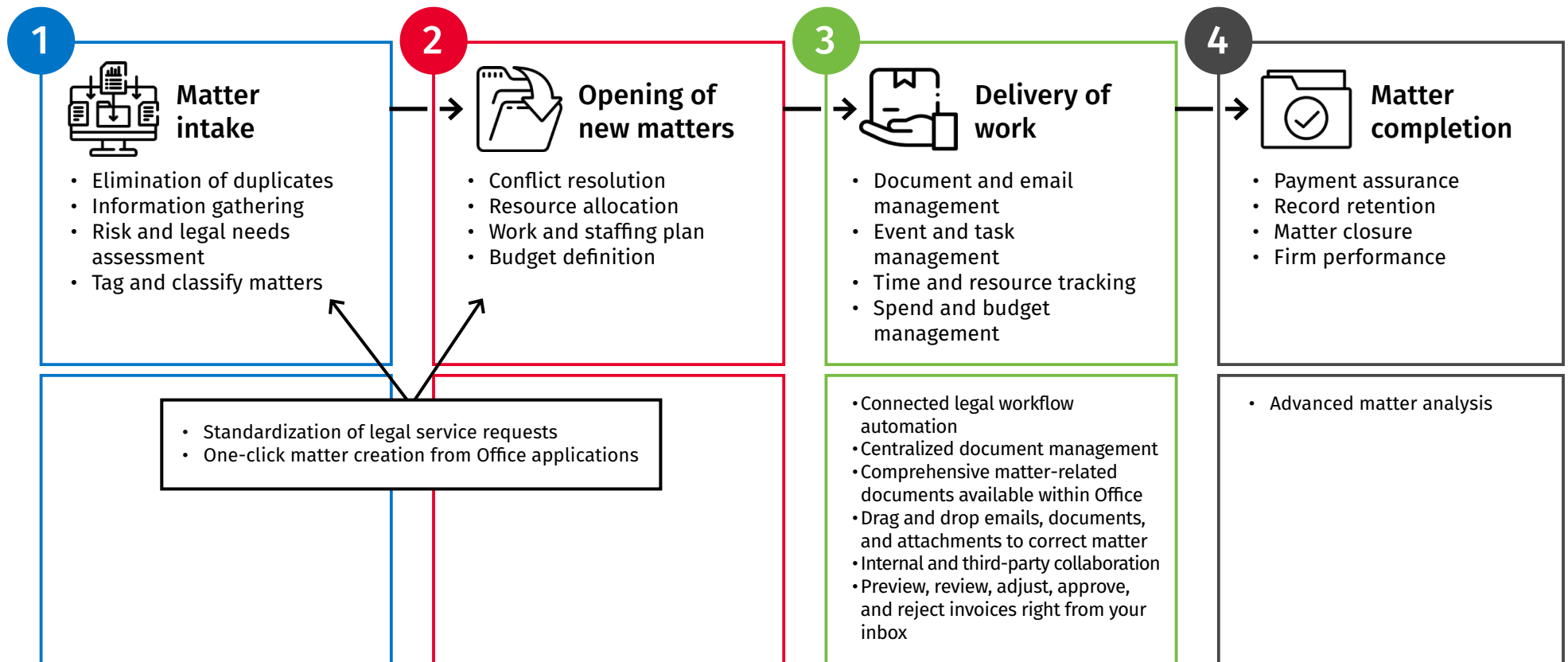# Benefits of integrated matter management solution

A well-thought-through solution selection and implementation will prepare you to overcome the obstacles that span each stage of matter lifecycle management and drive organizational benefits in three primary areas.

Business benefit	Matter lifecycle management challenges addressed
Boost productivity	• Standardize, automate, and integrate critical matter workflows to reduce complexities and mitigate risk throughout the lifecycle of a matter • Centralize document management for improved transparency to shorten discovery processes and minimize redundant work
Make informed decisions	• Highlight trends, risks, and opportunities to identify cost savings or efficiency improvements with advanced matter analytics • Maintain data integrity and build on technology investments with a singular platform approach that bridges data and information across the most commonly used solutions
Enhance usability and adoption	• Access and act on matters, related documents, and workflows, all without leaving Microsoft Office • Identify an intuitive platform that will increase user adoption and time savings to free up resources for a focus on high-value, strategic legal work

Conclusion

The impacts of inefficient matter management can be felt across the business, with the legal team experiencing the greatest consequences. Technology is readily available to address the most common challenges. However, it's critical that you don't overlook the importance of a solution with the functionality to align with the responsibilities that span the lifecycle of a matter, delivered by a vendor with the expertise and experience to form a strong partnership.

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- Standardization of legal service requests
- One-click matter creation from Office applications

- Connected legal workflow automation
- Centralized document management
- Comprehensive matter-related documents available within Office
- Drag and drop emails, documents, and attachments to correct matter
- Internal and third-party collaboration
- Preview, review, adjust, approve, and reject invoices right from your inbox

- Advanced matter analysis

Wolters Kluwer's ELM Solutions is the market-leading global provider of enterprise legal spend and matter management, contract lifecycle management, and legal analytics solutions. We provide a comprehensive suite of tools that address the growing needs of corporate legal operations departments to increase operational efficiency and reduce costs. Corporate legal and insurance claims departments trust our innovative technology and end-to-end customer experience to drive world-class business outcomes. Our award-winning products include Passport®, TyMetrix® 360°, CLM Matrix, and the LegalVIEW® portfolio of legal analytics solutions, based upon the industry's largest and most comprehensive legal spend database, with more than $150 billion in invoices.

Contact us to learn more about how matter lifecycle management can help your organization succeed.

Call: **+1 800 780 3681**

Email: **elmsolutionssales@wolterskluwer.com**

www.wolterskluwer.com

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