



The new world of work in the legal sector

George Bisnought is the Founder and Managing Director of Excello Law. He qualified as a solicitor in 1991 and since that time has worked extensively in the regions and the city within both industry and for law firms. As well as being MD of Excello Law, George also holds a number of directorships mainly for companies in the software industry. Here he answers important questions on the new world of work in the legal sector and how the Covid-19 pandemic should act as a catalyst for permanent change.

MLM: Can you give us a brief insight into your path to qualifying as a solicitor in 1991?

GB: I was seduced into the law by the various TV court room dramas on at that time and qualified in 1991 as a dispute resolution solicitor for a regional commercial law firm. I worked across both commercial practice and in industry and founded Excello Law in 2009.

My experience both as a practising solicitor and a client of legal services shaped my view of the type of law firm I wanted to build. I wanted to address lawyer demands for greater flexibility, reward and fulfilment and client demands for quality, value for money and accessibility to senior legal expertise.

Excello Law is first and foremost a commercial law practice but one which is at the vanguard of the new dawn in legal services provision.

“Putting the crystal ball on the table, it seems likely that the Covid-19 pandemic should act as a catalyst for permanent change.”

Our commitment to excellence means we have rejected the conventional private practice model, in order to create a collegiate working environment where lawyers can succeed. We do not tolerate office politics. We operate a totally agile model so our lawyers are free to work where, when and for whom they choose, and being fairly rewarded for the work they bring in.

MLM: In the last five years, law firms have generally adapted well to disruption and new tech – but how will firms cope with the inevitable acceleration in tech advances?

GB: Rather than generalising about law firms as a homogenous group, the answer depends very much on the strategic ambitions of those who are managing each firm. Across the range of legal service providers, there is a broad spectrum.

At one end are the early adopters: firms which have readily embraced disruption and new technology, sometimes trying to become disrupters themselves. At the other are the laggards, reluctantly deploying new technology because they feel they have to, rather than because they genuinely want to. The majority of firms lie somewhere in between, doing just enough to keep up without being sufficiently adventurous to gain real competitive advantage.

The firms whose mindset is most open to making the necessary financial and cultural commitment to use technology that is genuinely beneficial for their clients and themselves, will succeed in the long run.

MLM: Should law firms in the new world of work be run by lawyers in tandem with internal software, finance and marketing specialists – or is outsourcing the answer?

GB: This question is central to the debate which has been current for more than a decade. It is also part of the argument put forward compellingly and persuasively by Richard Susskind, namely that legal practice is already changing beyond all recognition: routine tasks are being increasingly automated as the delivery of legal services migrates online and computerised web-based services displace traditional law firms. He concludes that, to survive, lawyers also need to be technologists.

Certainly, the much greater use of internal IT, finance and marketing specialists is a symptom of technological change: these roles have become essential key components of every modern law firm. The critical issue is where the balance of power lies in the future – will these specialists continue to occupy a supporting role to traditional law firm partners, or will they rank as equals in the management structure of law firms determining and shaping their future strategy? There are already examples of firms which have given partner status to such specialists. More will inevitably follow.

MLM: What would you consider to be the key skills required for the new world of work in the legal sector?

GB: Successful lawyers of tomorrow will need to adapt and adjust continuously to the impact of ever more capable technology, the shifting demands of clients and their commercial imperative to achieve greater value from their legal service providers. Having said that, the essential skills of what makes any lawyer good at their job and attractive for clients to use will remain largely

“However, AI is still at the embryonic stage and we remain in the foothills with a long way to go before we reach the top of the mountain.”

the same, although they will require constant recalibration to meet client expectations.

These include: judgment – being able to assess an issue/problem on behalf of a client and deliver an appropriate solution; collegiality – working well and cooperatively with colleagues, clients, and opponents; dedication – focusing on always doing the best job possible and becoming an expert in one or more specialties; stress – learning how to handle and manage it appropriately; availability – always being available to clients and colleagues; empathy – understanding and accommodating other people’s concerns; clients – doing the best job possible on their behalf because if you do a great job, they will keep coming back.

MLM: What can firms do to ensure they can source the best new talent with the requisite skills to carry them forward into this new decade?

GB: Finding good lawyers in a competitive market has always been a challenge. There are several unique factors in our model that makes Excello appealing: the business is fully agile, meaning that lawyers can work where and how they want. They are in charge of their own working hours and can work from home or at one of our offices in London, Liverpool, Leeds, Chester and Birmingham. It is entirely their choice.

The firm uses new technology to reduce overhead costs and provide legal services at a highly competitive rate. Each lawyer retains personal responsibility for developing and maintaining client relationships and can negotiate fees directly with their clients. This gives them greater flexibility to invest time in supporting new businesses, for example, or agreeing fixed-fee options. Again, that is each lawyer’s choice. Unlike traditional firms, there are no billable hours targets.

Excello’s lawyers keep a greater proportion of the fees they bring in and are incentivised to refer work within the firm. It’s a very collaborative working culture with over 42% of last year’s business being referred between the lawyers. The focus is on giving lawyers control and freedom over when, where and with whom they work, significantly helping to reduce what can be a stressful and long hours culture within the profession. Many of us feel quite ‘liberated’ working this way. In fact, some of our lawyers have been able to pursue other passions in addition to law, such as opening a networking business, teaching, acting as a tribunal judge or being involved in non-profit organisations.

MLM: Disruption is an opportunity as well as a challenge – given the inevitability of huge digital change, who will benefit most, law firms or the disrupters?

GB: Disruption has become a constant feature of commercial life, not just in law firms but throughout the wider business world. Adapting Darwin's Origin of Species, the business that survives (and thrives) is one that is able best to adapt and adjust to the changing environment in which it finds itself.

In seeking to find out who will benefit most, the question seeks to draw a clear distinction between law firms and disrupters. But the legal services market has become more of a Venn Diagram, where an increasing number of law firms are themselves disrupters, part-time disrupters or are using the tactics of disruption to adapt, adjust and survive.

Undoubtedly, those who fail to take on board the impact of huge digital change will not survive – that much is self-evident. The more uncertain question is how the traditional law firm model that is still widely prevalent will evolve and adapt to changing circumstances. For most law firms, that is still very much work in progress.

MLM: Is new tech primarily performing the same legal tasks lawyers have always done, albeit faster, but doesn't that miss the point of AI?

GB: In the delivery of legal services, new technology is a critical ingredient. Whether from the perspective of analytics, equipping lawyers with access to better knowledge tools, cataloguing contracts and other information that is helpful, or using AI tools to extract and process information and provide analytics that are meaningful, it is a significant part of the evolution of what lawyers do.

Arguably the most significant emerging technology is AI, not least because of the benefits that it promises to deliver in cost and efficiency both for legal service providers and their clients. However, AI is still at the embryonic stage and we remain in the foothills with a long way to go before we reach the top of the mountain. Ultimately, the tangible benefits may extend far beyond doing things much faster and removing hours of routine document searching and checking from lawyers' working lives.

But forecasting with certainty what lies ahead in the next decade and beyond for the practical application of AI and other technologies is very

“Adapting Darwin's Origin of Species, the business that survives (and thrives) is one that is able best to adapt and adjust to the changing environment in which it finds itself.”

hard. For lawyers who use these technologies wisely for the benefit of their clients, things should only get better!

MLM: As well as being MD of Excello Law, you also hold a number of software company directorships – how does this mould your thinking on legal tech?

GB: Legal tech is an innovative solution to traditional problems faced by the legal industry. This solution can be rapidly and efficiently implemented allowing law firms to focus on other issues that require more attention. However, law tech is only a part of innovation in the legal sector and will not solve all problems in the legal industry if the industry lacks an innovative mindset.

MLM: Gaze into your crystal ball – what's beyond Covid-19?

GB: Putting the crystal ball on the table, it seems likely that the Covid-19 pandemic should act as a catalyst for permanent change. Most law firms have agile/flexible working programmes which use secure IT systems to facilitate working from home. Setting aside the tragic human cost and widespread economic disruption, one positive effect of coronavirus for the legal sector may be a further dramatic increase in agile, flexible and remote working.

In mitigating the risks of Covid-19, law is one of the best-placed sectors to maintain business continuity by adapting working practices. The changes that the pandemic has brought may have a lasting impact. As law firms require their employees to work from home, the outbreak will serve as a test case for the long-awaited, but not yet arrived, moment when remote working displaces working in a designated office.

Despite their warm words, most law firm managing partners have, until now, been reluctant to encourage or enable remote working beyond a maximum of one day a week. But the Covid-19 crisis has created a unique set of dynamic shocks for law firms. The necessity of continuous home working on an industrial scale that it has precipitated may prove to be an inflection point as more firms – and in particular, their lawyers – see just how much they can benefit. But we will have to wait and see if the much-needed sea change in attitudes becomes permanent.

George Bisnought
is Founder and Managing Director
of Excello Law