Technology – Corporate Counsel

Using Technology To Increase Efficiency And Decrease Costs

The Editor interviews ***Phil Crowley,*** *Assistant General Counsel - Knowledge Sharing Systems, Johnson & Johnson, and* **Steve Levy**, *Director of Information Systems, Microsoft Corporation.*

Editor: How is technology helping your law department to increase its efficiency and decrease its costs?

Levy: We have a little over 250 attorneys in our department. Most are in Redmond, WA and others are scattered throughout the world, including such places as Fargo, ND and Denmark. They focus on all aspects of law from litigation management to intellectual property and from contracts to all the other legal frameworks that it takes to run a business, including compliance, privacy, labor and employment law, the leases for our offices around the globe and so on.

We look at ways of using technology to obviate some of the one-to-one client services and turn them into a one-to-many service. Immigration requests, approval of advertisements and basic contracts are just a few examples where technology can add efficiency to the process.

Largely a developer, technologist, and systems architect, I'm responsible for determining the strategy for how our law department can leverage technology to become more efficient. I gather our users' requirements, define the system that meets their needs, and determine how it's going to interact with the users. I then guide our developers on the actual physical design, construction and testing of that system.

Crowley: Our 170 in-house lawyers advise and counsel the 100,000-plus employees of Johnson & Johnson and its 200 worldwide affiliates. One of our primary uses of technology is to keep them apprised of the laws, regulations and principles that govern our company's operations. Through web-based training, we have delivered more than 80,000 course sessions to over 22,000 employees.

Training is provided through what we call our J&J Law School Online. The content includes 70 training modules, some off-the-shelf and some customized. We have a corporate learning management system ("LMS") that manages who takes the training, tracks whether the training is completed and makes reports available to our management.

Editor: How does technology help you to manage your relationships with outside counsel?

Levy: Like every other large corporate law department, e-billing is a major initiative for us. The data it provides can help us build partnerships with our outside counsel as we work together in determining how we are going to handle a particular matter. E-billing has given us a much better handle on being able to see what firms are doing for us so that we can go back and say in a sensible way, "wouldn't it make sense if we approached this case, in this manner and in this fashion?"

DataCert is the vendor of the e-billing system we use. It does a really nice job on making the software work and, for us most importantly, handles any systems trouble report from our law firms. We don't have the time, expertise or inclination to provide the tier-one technical support for our e-billing system. Because DataCert specializes in technical support, it can provide economies of scale in handling trouble reports with the needed skills.

Obviously, DataCert is not going to address questions about whether too many hours were charged for a matter. It does, however, handle questions about how data flows from a law firm to an in-house system. That is not a trivial problem, as anybody who has worked with EDI or any other interchange system knows, and DataCert handles it with expertise.

Editor: How is technology helping your legal team to share documents?

Levy: The time of e-mailing contract drafts and other shared documents back and forth is about gone. Multiple drafts should be replaced with a single copy accessible through an extra-net. Recent case law suggests that not doing so may ultimately place you at a risk of spoliation charges. For example, if in-house counsel destroys a draft, but the law firm doesn't, is the in-house counsel properly enforcing the company's retention schedules? Not every judge understands what technology can do, but for the most part all judges are pretty good at applying existing statutes and legal principles to how documents are being managed – or in some cases, mismanaged.

At the same time, we are serious about cutting costs. Why do we have the same research done over and over again? If law firm A has done research, law firm B may do it again because the in-house counsel engaging law firm B didn't know law firm A did it. We're working on ways to centralize our research in a brief library that we can share with our outside counsel.

A library can have a wealth of information in it, but if you don't know what's there, it doesn't do you any good. We are

Please turn to page 73

Using Technology

Continued from page 55

looking at using a document management system to do that but have not yet selected which system we'd like to use. We are hopeful that within the next week we will make that decision.

Crowley: Another of our primary uses of technology is what we call our Legal Ease intranet site. It's intended for use only by our lawyers and law department staff. It's managed by my colleague, Giuliano Chicco. Giuliano brings a wealth of education and experience in law library management and understanding of intranet capabilities to the task. He's designed and developed the format and accessibility of this online repository for such information as select forms, orientation for new lawyers, a "roadmap" for handling divestitures and other document sharing.

Editor: Is there a forum available for corporate counsel from large and small companies to share information about applying technology to improve their efficiencies and reduce costs in their legal departments?

Crowley: Yes, there is. Last year, I founded the 21st Century Law Department Committee of the New Jersey Corporate Counsel Association. It's intended to provide a venue for corporate counsel interested in law department technology issues to discuss ideas and share best practices. We're currently organizing a review of contract management systems. The goal would be to make the information available to NJCCA's broader membership to help them identify the capabilities of technology that they can use to improve law department management.

Editor: How does your committee use technology for its own communications?

Crowley: We have been successfully hosting our committee's discussions using WebEx. This online collaboration tool enables participants to view PowerPoint presentations and share documents in real time. Its biggest advantage for our committee is that it allows busy attorneys to participate in an hour-long meeting at their desks without having to incur the time, expense and inconvenience of going to a physical location. It works pretty well.

Editor: What other benefits does your committee offer?

Crowley: Our committee is hosting a CLE-program at NJCCA's Annual Conference on September 23. Jeremy Frey, formerly an assistant U.S. attorney in NJ and now a partner at Pepper Hamilton, will lead a discussion about the current compliance and enforcement environment. Eric Pillmore of Tyco International and Dave Slobodien of D&B will give the perspectives of how large and small legal departments are addressing the challenges of implementing and auditing an effective compliance program.

Editor: Where can our readers learn more?

Crowley: For more information about our September 23 compliance program, they can contact NJCCA's executive director, Barbara Walder, at njcca41@ aol.com.

In addition, I'd love to hear how other in-house counsel are using technology to increase the effectiveness and decrease the costs in their law departments' operations. They can contact me at (732) 524-2451 or via e-mail at pcrowle@ corus.jnj.com.