

Tech & the Law 2022

Exploring the attitudes, perceptions and priorities of Australia's in-house and private practice professionals towards legal technology.



Thomson Reuters' Tech & the Law 2022 report

Foreword

It is my honour to introduce Thomson Reuters' *Tech & the Law 2022* report. This year's edition focuses on legal professionals' use of technology during the ongoing COVID-19 pandemic.

Technology has played a key role in the evolution of the Australian legal sector. Law firms and legal departments are rapidly finding new ways to optimise client service delivery and collaborate. They are also increasingly embracing tech to improve their legal operations.

COVID-19 has really lifted the bar for digital transformation, enabling quality legal service delivery via an increasingly virtual workforce.

Tech has the capacity to transform how we work, service clients and advance the rule of law. But what is legal tech without buy-in from talent to drive innovation forward? Legal professionals are both stakeholders and change agents who ought to be considered. How they use tech determines whether greater efficiencies are being met within their organisations.

Nearly half of corporate counsel surveyed in Thomson Reuters' *Tech & the Law 2022* report called out lack of platform integration, training and support as challenges, pointing to the scope there is to optimise existing technology, as well as derive benefits from further investment.

The impact of the "Great Resignation" and so-called "war for talent" is an area of concern. Half of the private practice professionals surveyed singled out talent retention and attraction as their firm's biggest challenge. Additionally, close to half - 45% - have said that growing, retaining, or upskilling talent is a top three priority at their practice.

An overwhelming majority of private practice professionals - 81% - regard more efficient processes as their most valued way of working. This leaves one to wonder whether improving efficiencies may help to improve lawyer engagement.

I would like to thank every legal professional who took part in this year's *Tech & the Law 2022* survey. Their perspectives will no doubt spark productive conversations on the many tech enhancements that can be applied within the legal sector.



Carl Olson Vice President - Proposition Thomson Reuters Asia and Emerging Markets

Introduction

Thomson Reuters' *Tech & the Law 2022* report uncovers the attitudes, perceptions and priorities that legal professionals have towards legal technologies.

This year's edition captures the experiences of 156 in-house counsel and 670 private practice professionals. The survey findings reveal the intersections of talent and technology, and identify trends that are shaping client service delivery and ways of working in the legal sector.

The insights included in this report reflect the fundamental experiences of legal professionals working within a range of private practices and legal teams across Australia. It unpacks the potential for technology to transform the legal sector and provides insights relevant to legal leaders looking to refresh their technology roadmaps. The *Tech & the Law 2022* report aims to inform the way forward for legal professionals.



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Research Methodology

The Thomson Reuters *Tech & the Law 2022* survey encouraged in-house and private practice legal professionals to share their attitudes, perceptions and priorities towards legal technology and their organisation's challenges and priorities in the year ahead.



The survey was conducted on behalf of Thomson Reuters by Momentum Intelligence between 1st and 15th December 2021. The survey received a total usable sample of 997 responses, including 826 fully completed submissions. This includes 670 for private practice respondents and 156 corporate professional respondents.

Therefore, the margin of error for the enclosed results range between +/-3.79% for private practice respondents and +/-7.85% for corporate professional respondents. This is an excellent level of accuracy for a study of this nature and provides a robust and rich source of data.

Report snapshot of Australia's private practice professionals

Firms and legal practices ramping up tech adoption with investment on the rise since the outbreak of COVID-19

59%

Nearly three in five saw their firms or legal practices increasing technology investment during the pandemic.

GREATEST RATES OF INCREASED ADOPTION SEEN IN:

Legal research +21% Know-how and precedent solutions +20%

Legal operations management solutions +23%

Lack of innovation exposes talent risks in a time where lawyer retention and hiring top talent presents a major challenge





Almost one in three legal professionals (29%) who indicated their law firm was not innovative were prepared to leave for a more innovative firm.

Lawyer retention and hiring top talent in a competitive market is a major challenge for one in two legal professionals **(50%)**.



Efficient processes are valued by the vast majority with legal research technology presenting an opportunity for efficiency

81%

Over four in five private practice professionals regard more efficient processes as their most valued way of working.

PRIVATE PRACTICE PROFESSIONALS SPEND A SUBSTANTIAL AMOUNT OF TIME CONDUCTING LEGAL RESEARCH



over nine in ten **(54%)** spend 30 minutes or more on the task per day.

nearly two in five **(19%)** devote one to two hours per day on legal research.

Research and document automation tools deliver greatest positive impact as practices are encouraged to *"choose technologies that solve the problem"*

Know-how and precedents solutions are perceived as delivering the greatest positive impact, followed by legal research tools and document automation solutions.

Better, not more technology.

Invest in technology the time saving more than covers the cost.

Report snapshot of Australia's legal departments

Legal departments increased technology investment throughout the COVID-19 pandemic.



Over two in five corporate counsel (41%) indicated that their legal departments increased their investment in technology.

HIGHEST LEVELS OF CURRENT ADOPTION SEEN IN:

Legal research 44%

Reporting and dashboard solutions 20%

Legal departments are prioritising improving operations and workflows to free up resources for strategic business advice.



The majority of legal departments surveyed placed high value in improving operations and workflows, with over three in five (63%) citing it as a top priority.



Freeing up time to provide strategic business advice was cited by legal department respondents frequently, with nearly three in five (58%) selecting it as their most valued way of working.

Legal research tech has greatest impact as in-house counsels lose considerable time to legal research.



Legal departments spend considerable time on legal research. Over one in two in-house legal professionals (54%) spend between 30 minutes and three hours per day conducting legal research.



Nearly one in four corporate counsel (24%) noted that legal research tools had the greatest positive impact on their ability to succeed in their role.

Integration and training drive successful tech adoption and avoid common challenges by selecting the right technology.

Training and upskilling (45%), lack of integration (45%), and slow, cumbersome or hard to use platforms (45%) were the most commonly faced challenges, with nearly one in two respondents (45%) selecting each of these challenges respectively.



The wrong choice of technology was the primary cause of failed implementation for more than half of in-house counsel surveyed (53%).

Private Practice

Lawyer retention and hiring top talent presents a major challenge

Law firms and legal practices seek to grow client relationships and their business with a talented workforce. Yet in a competitive marketplace, the war for legal talent has become a pressing issue.

Our survey found that lawyer retention and hiring top talent stood out as the biggest challenge facing firms and legal practices. Additionally, standing out as a top service provider and creating innovative ways of working followed closely behind as a major concern.

KEY INSIGHTS

firm, New South Wales

- Lawyer retention and hiring top talent in a competitive market is a major challenge for one in two legal professionals (50%).
- Nearly half of the private practice professionals surveyed (48%) highlighted challenges in standing out as the top service provider.
- Two in five legal professionals (40%) cited creating innovative ways of working as a major challenge for their firm.



What are the 3 biggest challenges facing your firm?

Growing or retaining client base in 2022 a top priority

Over the next 12 months, the top priority for most firms and legal practices will be to grow client relationships or retain their client base, while more than half aim to improve profitability.

A significant proportion will also focus on the intersection of talent and technology. Many plan to attract, retain or upskill talent, alongside improving operations and workflow with technology.

KEY INSIGHTS

- Over three in five private practice professionals surveyed (64%) cited growing or retaining their client base as a top priority for their firm or legal practice.
- Improving profitability is also a critically important priority, with more than half (52%) of private practice professionals placing it as a top three priority.
- Nearly one in two private practice professionals surveyed (45%) highlighted improving operations and workflows through technology as a top three priority for their practice, and attracting, retaining and upskilling talent was selected just as frequently (45%).

What are your firm's top 3 priorities for the next 12 months?

Sample size: 797 (private practice respondents)



Principal, boutique law firm, Victoria

Efficient processes are valued by the vast majority

Legal professionals believe that embedding efficient processes into their work adds the most value. In fact, the overwhelming majority of our survey respondents selected it as the number one value-add.

We know that attracting and retaining talent is both a significant challenge and a priority for most firms and legal practices of all sizes. Therefore, if these findings are anything to go by, legal leaders who foster more efficient working environments may trigger a positive uptick in how lawyers perceive their work.

KEY INSIGHTS

- Over four in five (81%) private practice professionals regard more efficient processes as their most valued way of working.
- Reflective of the need to connect during the ongoing pandemic, nearly two in five (39%) value helping teams collaborate the most.

When looking at your ways of working, what do you value the most?

Sample size: 670 (private practice respondents)



Senior Associate, boutique law firm, South Australia

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Legal research technology presents an opportunity for efficiency

Research is a routine task that legal professionals undertake to advise and serve clients on matters. However, it is also an activity that can be delegated to technology to produce faster and more accurate results - particularly when platforms are able to provide the latest precedents, which is seen as the primary barrier to faster legal response times.

KEY INSIGHTS

- Private practice professionals spend a substantial amount of time conducting legal research - over half (54%) spend 30 minutes or more on the task per day. On the other end of the scale, nearly two in five (19%) devote one to two hours per day on legal research.
- One-third of private practice professionals (33%) said that their primary barrier to faster legal response times was lack of access to the latest precedents.

How long do you spend on legal research per day?

Sample size: 686 (private practice respondents)



Lack of innovation exposes talent risks

Innovation is often seen as a way for firms and legal practices to enhance client service and empower their lawyers to be more effective. However, firms who lack innovation may be at risk of losing talent to more innovative firms.

KEY INSIGHTS

- One in five legal professionals (20%) believe that their firm or legal practice is not • innovative, and nearly three in five (59%) as moderately innovative.
- Almost one in three legal professionals (29%) who indicated their law firm was not innovative were prepared to leave for a more innovative firm.



Would you be prepared to leave your firm or legal practice for a firm that was more innovative?

Sample size: 136 (private practice respondents who indicated their firm was "not innovative")



Technology is here to stay, if you don't learn it, you will be left behind.

Principal, boutique law firm, New South Wales

Investment in legal tech on the rise since COVID-19 pandemic

Since the outbreak of COVID-19, the majority of respondents have seen increases to their organisation's technology investments. The need for collaboration and remote work are clear indicators for this increase during this time.

KEY INSIGHTS

- Nearly three in five (59%) saw their firms or legal practices increasing technology investment during the pandemic.
- Over one in five (21%) noticed their firm's investment in legal technology rose significantly.



Firms and legal practices ramping up tech adoption during COVID-19

Private practitioners saw their law firms and legal practices adopt research and know-how and precedents solutions the most during the pandemic. Cloud and remote collaboration may be driving investments in legal operations management solutions, which has also seen a considerable uptake in the past two years.

KEY INSIGHTS

- Greatest rates of increased adoption seen in legal research, know-how and precedent solutions, and legal operations management solutions.
- Adoption rates went up across all legal technology solutions between 2020 and 2022.

Solution	2020	2021	Change
Legal research	41%	62%	21% 🔺
Know-how and precedents solutions	40%	60%	20% 🔺
Document automation solutions	37%	51%	14% 🔺
Reporting and dashboards solutions	36%	45%	9% 🔺
Document drafting solutions	31%	33%	2% 🔺
Legal operations management solutions**	16%	39%	23% 🔺
Risk and compliance solutions	13%	21%	8% 🔺
Business and finance management solutions***	43%	60%	17% 🔺

** In 2020, Project management solutions

*** In 2020, Matter and spend management

Research and document automation tools deliver greatest positive impact

Know-how and precedents solutions are fundamental for legal professionals serving clients, and were singled out by close to two in five private practice professionals as having the greatest positive impact. Legal research, which is typically leveraged in conjunction with know-how and precedents solutions, was the second most popular, followed by document automation.

KEY INSIGHTS

law firm, Tasmania

- Nearly two in five (35%) claimed that know-how and precedents solutions had the greatest positive impact on their role.
- Legal research tools and document automation solutions provide the greatest positive impact for over one in four, at 28% and 26% respectively.



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Slow, cumbersome and hard to use platforms found to be most common tech challenge

Technology is evolving rapidly, and private practice professionals expect their applications to be intuitive, simple to use and fast. With flexible working now commonplace in the profession, lawyers expect to be able to use tech remotely.

KEY INSIGHTS

- Platforms with poor user interfaces that were slow to function were the biggest technological hurdles among private practice professionals, affecting almost one in two respondents (48%).
- Remote access was also identified as a challenge, with over two in five (44%) of respondents registering their difficulty.
- Platform integration was the third most significant concern, and impacted close to two in five (39%) of respondents.

Have you experienced any of the following challenges with any of your legal technology solutions over the last 12 months?

Sample size: 693 (private practice respondents)

- **48%** Slow, cumbersome or hard to use platforms
- **44%** Access issues when working remotely
- **39%** Lack of integration between technology platforms
- **36%** Training and upskilling colleagues on platforms
- **28%** Cyber security or compliance risks relation to technology
- **15%** Change management issues
- 15% None of the above
- 6% Untrustworthy legal research information
- 1% Other

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Use of technology is now necessary, not optional, but it's important to understand the risks and challenges of doing so, in addition to the benefits.

Special Counsel, large law firm, South Australia

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Choose technologies that solve the problem

Legal professionals were invited to share any advice they would give to their peers on technology and innovation.

Amid the diverse perspectives, finding out what you really need, getting expert guidance and selecting solution providers with adequate customer service support emerged as popular responses. Several respondents also urged legal professionals to get the most out of existing legal technology.

KEY INSIGHTS

- Investing in appropriate legal technology solutions can pay for itself if it increases efficiency.
- Consulting with peers about how specific tech solutions work is deemed as good practice.
- Securing expert support and staff training were highlighted as critical to success.



- Invest in technology the time saving more than covers the cost. Principal, boutique law firm, Tasmania
- Get the best, integrated programs that allow you to work remotely. Principal, Boutique law firm, Victoria
- Use technology, but make sure you have IT support that can speak to a lawyer in simple, non-IT language.
 Principal, boutique law firm, New South Wales

Invest in learning at the outset so you can do the job efficiently. Solicitor, boutique law firm, Australian Capital Territory

Corporate Counsel

Complex risk and compliance landscape top of mind for legal departments

The role of the legal department is to protect their organisation from the threat of litigation and avoid penalties for compliance breaches. They are cognisant of reputational risks and cyber security issues, and recognise that staying on top of all developments can be a challenge.

Coupled with the increasing pressure for legal departments to keep spend on outside counsel to a minimum, while demonstrating their value to the organisation, it is clear that legal departments encounter no shortage of challenges.

KEY INSIGHTS

- The evolving risk and compliance landscape is a significant hurdle faced by nearly three in five legal departments (59%).
- Pressure to keep costs at a minimum and proving the value of the legal department cropped up as common challenges, at 34% and 33% respectively.

What are the 3 biggest challenges facing your legal department?

Sample size: 186 (corporate professionals)



Improving operations and workflows is a top priority

Legal departments are turning to technology to improve their operations and workflows. Over the next 12 months, they will also prioritise leveraging their ability to provide strategic business advice in an effort to ensure they demonstrate value.

KEY INSIGHTS

- The majority of legal departments surveyed placed high value in improving operations and workflows, with over three in five (63%) citing it as a top priority.
- Strategic business advice was a priority for nearly three in five legal departments surveyed (57%), while managing and/or mitigating compliance risks was cited as a top priority for over two in five (43%).

What are the 3 biggest challenges facing your legal department?

Sample size: 201 (corporate professionals)



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Review your workflow and reporting to find some quick wins with the use of technology.

General Counsel, Queensland

Process improvement to free up resources is highly valued

Legal departments are constantly looking to demonstrate value within their organisation and drive efficiencies. They have a preference for empowering other business units to handle standard contracts so they can focus on what they value most – liberating time to provide more strategic advice.

KEY INSIGHTS

- Freeing up time to provide strategic business advice was cited by legal department respondents frequently, with nearly three in five (58%) selecting it as their most valued way of working.
- Over one in two legal departments indicated that creating processes for managing in-house legal requests (52%) was what they valued the most.
- Empowering other business units to handle standard contracts was cited by nearly half of in-house respondents (49%) as their most valued way of working.

When looking at your ways of working, what do you value the most?

Sample size: 162 (corporate professionals)



In-house counsel lose considerable time to legal research

Research is a routine task that legal professionals undertake to serve clients in the day-to-day. Conducting legal research is also an activity that can be optimised with the use of technology.

Spending less time on legal research by leveraging technology is an example of creating a more efficient practice that empowers legal departments to focus on value-adding activities such as providing more strategic business advice and navigating the risk and compliance landscape.

KEY INSIGHTS

• Legal departments spend considerable time on legal research. Over one in two in-house legal professionals (54%) spend between 30 minutes to three hours per day conducting legal research.

How long do you spend on legal research per day?

Sample size: 168 (corporate professional)



Legal departments lack complete confidence in their reporting

Few respondents indicated that they were extremely confident in their ability to report on document management, matter management and spend management. This highlights the importance of quality systems, processes and technologies that lead to more efficient and empowered legal departments.

KEY INSIGHTS

- Only a small proportion of legal departments are "extremely confident" in their ability to report on document management (14%), matter management (15%) and spend management (17%).
- The majority of corporate counsel from small and mid-sized departments say they are only "somewhat confident", while their peers in larger departments generally claim to be "very confident".

How confident are you in your ability to report on the following?

Sample size: 155 (corporate professional)



Legal departments increased investment in technology throughout the COVID-19 pandemic

The pandemic has forced organisations to embrace remote work and cloud collaboration, prompting their investment in technology to ramp up where needed.

This change was experienced most by larger legal departments with the majority (56%) indicating that their investment had increased, and close to one in four (23%) significantly increasing their investment in legal technologies.

KEY INSIGHTS

- Over two in five corporate counsel (41%) indicated that their legal departments increased their investment in technology.
- One in four in-house lawyers (25%) said they noticed a moderate increase in their investment in technological solutions.
- Close to one in four (23%) large legal departments increased their investment in legal technologies significantly, compared to under one in ten (8%) among smaller legal departments.

Since the COVID-19 pandemic emerged, what happened to your legal department's investment in technology?

60% 51% 40% 25% 20% 16% 5% 3% 0% It went up It went up It staved the It declined It declined significantly significantly moderately same moderately

Sample size: 156 (corporate professional respondents who experienced a failed implementation)



Mid-size legal department (6 to 20)

2%

4%

Large legal department (20+)



It went up moderately It staved the same 5% It declined moderately 5% It declined significantly



Small legal department (1 to 5)

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Document automation and legal research tools are the most desired solutions

Document automation, which saves time and reduces the burden of processing documents manually, has become a desirable solution for many legal departments. It has attracted an overall desirability rating of 71% in our survey, followed closely by know-how and precedents solutions at 67%. Legal research is the most commonly adopted technology within the legal teams of respondents surveyed.

KEY INSIGHTS

- Document automation solutions was the most overall desired solution when considering levels of current use and desired adoption.
- Know-how and precedents solutions and legal research were also highly desired by in-house counsel.

Solution	Current	Desired	Overall Desire
Document automation solutions	33%	38%	71%
Know-how and precedents solutions	30%	37%	67%
Legal research	44%	17%	61%
Document drafting solutions	25%	36%	61%
Reporting and dashboards solutions	40%	17%	57%
Risk and compliance solutions	31%	23%	54%
Matter and spend management	33%	17%	50%
Legal operations management solutions	22%	24%	46%

Legal research tech has greatest impact, followed closely by reporting and dashboards, and document automation

Technologies that appeal to one legal department may not to another, according to our survey findings. In-house counsel from small departments valued risk and compliance solutions the most, while midsized legal teams favoured legal research tools above all. Large legal departments, on the other hand, singled out document automation as the technology driving the greatest impact.

The results indicate that the size of a legal department may influence which technology is perceived as having the greatest impact.

KEY INSIGHTS

- Nearly one in four corporate counsel (24%) noted that legal research tools had the greatest positive impact on their ability to succeed in their role
- Dashboard solutions and document automation solutions were also frequently cited, with one in five (20%) selecting one or the other.

Which of your technologies have the greatest positive impact on your ability to succeed in your role?

Sample size: 172 (corporate professionals)



In-house Counsel, New South Wales

Lack of integrations and staff training are among the most common challenges

Legal departments driving digital transformation are on a journey of ongoing innovation. In-house counsel have an important role to play and are significant change agents, making it imperative for them to access training and tech support. This came across in our survey, which found lack of training to be a significant challenge for many. Lack of integration was also singled out as a commonly experienced challenge, as well as slow, cumbersome, and hard to use platforms.

KEY INSIGHTS

- Training and upskilling, lack of integration, and slow, cumbersome or hard to use platforms were the most commonly faced challenges, with nearly one in two respondents (45%) selecting each of these challenges respectively.
- Access issues when working remotely affected one-third of corporate counsel (33%) while change management issues were prevalent for over one in four (28%).

Have you experienced any of the following challenges with any of your legal technology solutions over the last 12 months?

Sample size: 170 (corporate professionals)



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Make time and space for training in the use of new technology.

In-house Counsel, mid-sized organisation, Western Australia

Wrong technology selection found to be primary cause for implementation failure

Evaluating which technologies are best suited to your legal department can be a challenge. Nevertheless, getting technology selection right appears to be a significant step in securing success over the long term.

Nearly one in four legal departments have experienced a failed tech implementation, which highlights the importance of managing the introduction of new technologies.

KEY INSIGHTS

large organisation, Western Australia

- Close to one in four legal departments (23%) have experienced a failed legal technology implementation project.
- The wrong choice of technology was the primary cause of failed implementation for more than half of in-house counsel surveyed (53%). Change management and budget constraints were also cited by 33% and 22% respectively.



Integration features and training drive successful tech adoption

Corporate counsel were invited to provide practical advice on what it takes to adopt technology successfully in-house.

Many observed that evaluating your needs before selecting a provider, getting expert advice, and ensuring that your choice of technology integrates with existing solutions are critical.

KEY INSIGHTS

- In-house counsel indicated that investing time, money, and training into the technology adoption journey are best practice.
- Working with tech experts emerged as an important step towards improving the legal department's overall performance.
- Adopting a unified or integrated platform will eliminate many potential pain points or challenges for the legal department.

Don't pick what everyone else has - make sure it interacts with existing technology can you leverage existing technology, rather than getting yet another platform.

In-house Counsel, large organisation, Victoria

Get a trial so staff can test drive and have buy-in. Don't be afraid. Partner with your innovation and tech teams in external firms for guidance and advice on the best tech.

In-house Counsel, large organisation, Victoria

Conclusion

Legal technologies are embedded into the way lawyers work and advise clients. They provide research insights and serve information that supports strategic legal guidance.

The future of the Australian legal sector is being enabled by digital transformation. While a majority of legal practices regard growing or retaining their client base as a priority, improving operations and workflow is also on the agenda for nearly half of those we surveyed. Over the next 12 months, most corporate counsel will have improving operations and workflows on their priority list.

Since the COVID-19 pandemic, technology investments have gone up in every category, and legal professionals are finding new ways to use the tech they have. Thomson Reuters' *Tech & the Law 2022* report suggests that firms and legal departments with the right capabilities, training, and integrations are at the forefront of legal innovation.

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