

PUBLICATION

Beyond Technology: Effective Real World Litigation Innovation

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February 08, 2019

The word "innovation" is used all over the legal industry. The term evokes an emotion. It is a promise coupled with suspenseful anticipation. Innovation is frequently coupled with the latest technology trends, such as artificial intelligence and blockchain. I recently spoke with the general counsel of a professional services company who said that many in the legal industry misunderstand innovation. "Technology is the last 10 percent of innovation," she said, "and 90 percent is planning and process."

That is exactly our approach at Baker Donelson. Innovation anticipates specific results that benefit an organization and its customers. Results require adoption. Adoption requires planning and process, supported by technology. This is effective, real world innovation. The seeds of innovation are not the technology itself, but, rather, the actual use of that technology, powered by process, to solve a real world problem.

Actuated and effectuated innovation gets results. Results are what separates real world innovation from great ideas. In litigation, we have applied innovation to many parts of the litigation cycle, from case intake and planning, to legal project management, to using technology to automate document creation. The results are both lower costs and more predictability. In eDiscovery, for example, we seek a compliant production at the lowest costs, and we seek to use discovery to find the case story and merits as early as possible.

Results require adoption. Clients and lawyers must actually use innovative solutions to reach a result. In eDiscovery, we have found that adoption is driven by a great client experience (CX) that focuses on making the service exceptionally easy to access. Lowering the barriers into the program with effective and accessible consulting services ensures that everyone is synchronized and moving in the right direction.

Adoption also requires careful planning and process, supported by the right technology. However, the vast majority of the benefits of eDiscovery innovation emerge from systematic process improvement – not just the application of new technology. The use of checklists, forms and standard workflows ensures that the process is budgeted, well-planned, and works. Of course, eDiscovery requires technology, and we are constantly looking for new innovative technology solutions to implement. But we look for technology that allows us to take advantage of proven manufacturing and project management principles to keep our eDiscovery cycles as effective as they can be. Planning and process ensures that the technology is leveraged to its greatest possible extent.

Innovation does not start with cool new technology. It starts with an idea linked to specific, measurable outcomes, supported by process and planning. The result should always be a tangible return on investment. That is what drives Baker Donelson innovation.