



Ten Ways In-House Counsel Can Be Indispensable in an Age of Disruption

By: Ania Pobojewski

Give legal advice in the form of an emoji? Maybe not quite.

On October 1st, 2018, [LexisNexis Canada](#), alongside the [Canadian Corporate Counsel Association](#), hosted [Cocktails & Conversation](#), an annual event for in-house legal professionals. Leading in-house lawyers from [Figure 1](#), [TELUS](#), [Interac Corp.](#), and [Shopify](#) shared their experiences, insights, and guidance on the evolving role of the in-house counsel in an age of disruption.

What emerged were ten ways which in-house counsel can enhance their indispensability in an age of disruption. While you may want to refrain from condensing your legal advice into the form of an emoji, here are ten practical ways to be indispensable as in-house counsel:

1. Consider how to support a business unit using disruptive technology when that disruptive technology itself is ahead of the law

The biggest disruptive trends in the in-house environment, according to the panelists, are *-drumroll -* artificial intelligence (i.e. deep learning and machine learning), blockchain, automation and smart contracts.

[Andrea Wood](#), Chief Legal Officer at TELUS, pointed out that disruption goes both ways: disruptive technologies will disrupt the practice of law and the businesses which in-house counsel supports. The challenge for in-house counsel lies in ensuring their legal skills are keeping pace with the rate of change. For instance, in-house counsel will need to consider how to support business unit using AI (or other disruptive technologies) when AI itself is ahead of the law.

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2. Use automation now to reduce costs and repetitive workload

Although AI, blockchain, and smart contracts have received a lot of attention as being the big disruptive trends in the in-house environment, [Steven Hennig](#), Senior Counsel at Spotify, states that automation is having an impact *today*; any task that is repeatable and could be standardized is a missed opportunity for automation. Technologies like AI, blockchain and smart contracts are not as prevalently used today in the in-house environment; their promise lies in the future.

In-house counsel can empower business units by providing them with automated tools to reduce costs and minimize repetitive workload. For instance, [Tara Elliott](#), Deputy General Counsel at Interac Corp., stated that Interac Corp. built a locked template for non-disclosure agreements and suggests doing the same for any standardized agreements that are high volume and low risk.

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is a missed opportunity for automation*

3. Get ahead of the curve now - become a technology lawyer too

Our moderator, [Julie Chapman](#), General Counsel at LexisNexis Canada, asked the panelists whether in-house lawyers are generally the disruptors or the disrupted in the legal industry. The panelists agreed that in-house lawyers are driving disruption by being increasingly more productive in negotiating costs with law firms and demanding cost reduction. However, that doesn't mean that in-house counsel are immune from disruption.

[Steven Hennig](#) had a strong but admittedly biased view in stating that in-house lawyers also need to be technology lawyers. He added that getting ahead of the curve now will pay off later-- the rate of technological change is exponential and will only speed up. [Andrea Wood](#) agreed, "regardless of the business you're in, you're in the technology business."

*Regardless of the business you're in, you're in the
technology business*

4. Stay hungry, stay foolish

When asked how some of these disruptive trends have changed the in-house skill set, [Andrea Wood](#) highlighted the importance of having a thirst for knowledge. An aptitude for growth, a desire to constantly learn new things, and the ability to be adaptable are prized traits.

5. Be collaborative across departments and acquire project management skills (or hire someone with them)

When asked when ask what junior and senior lawyers can do to prepare for the onslaught of changes brought about by disruption, [Tara Elliott](#) mentioned that collaboration and project management skills are becoming more important and relevant as product development becomes increasingly complex.

6. Consider learning a new language – the language of the business units you support

[Aliya Ramji](#), General Counsel and Senior Director, Legal and Corporate Affairs at Figure 1, highlighted the importance of being able to speak the language of the business units you support. Business teams come with their own jargon and business acumen depending on the industry. Providing relevant and meaningful advice hinges on understanding their world and being able to communicate in their language. For instance, can you articulate the difference between a front-end developer and full stack developer, and the different skills associated with each? A nuanced understanding of the business and what they do is crucial, and highlights the importance of developing yourself as a technology lawyer.

7. It's not just a legal job – sharpen your soft skills

[Aliya Ramji](#) also went on to point out that the role of in-house counsel is not just a legal job. In her own role as a General Counsel and Senior Director, Legal and Corporate Affairs at Figure 1, her work consists of 50% legal work, and 50% corporate affairs. This highlights the importance of developing soft skills like judgement, emotional intelligence, and the ability to maintain and build strong relationships with varied internal and external stakeholders.

8. Re-think risk: consider the risk of not taking a risk

Part of a lawyer's job is to manage and mitigate risk. [Aliya Ramji](#) spoke of the need to demythologize risk, especially in the context of law. In a competitive business environment, in-house counsel needs to consider not only the risk of taking a risk, but the risk of **not** taking a risk.

*Risk needs to be de-mythologized - Consider the risk of **not** taking a risk*

9. Be a business enabler: find a solution where others can't

In the face of risk, [Steven Hennig](#) suggests being a business enabler. Being a business enabler means figuring out way to say 'yes' instead of 'no' where you can. If you can find a solution where others can't, you will distinguish yourself. [Andrea Wood](#) added that its no longer enough to simply state that a venture involves legal risk. You can also be a business enabler by offering suggestions on how to mitigate the risk so the venture has a better chance to get the green light.

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10. Be creative in giving advice: simplify, use graphs to illustrate risk...but maybe hold off on the emoji

Your audience – the business units you support- matter when delivering legal advice. [Tara Elliott](#) describes having her 'aha' moment around this when she thought about who her audience was – MBA grads – and how they typically interact with information. She suggested using a visual like a graph to illustrate a project's risk 1-3 years out from its launch. [Andrea Wood](#) suggested that even the use of colors – red, green, yellow – might work well for some groups. And [Steven Hennig](#) joked that he was once hard pressed to give legal advice in the form of a thumbs up or thumbs down emoji. Regardless of your approach, distilling complexity into simplicity a powerful way to speak the language of the business units you support.

[Ania Pobjewski](#) is a licensed lawyer with over 7 years of combined experience in publishing, law, and experiential marketing. She is a Senior Content Development Lawyer at LexisNexis Canada.

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