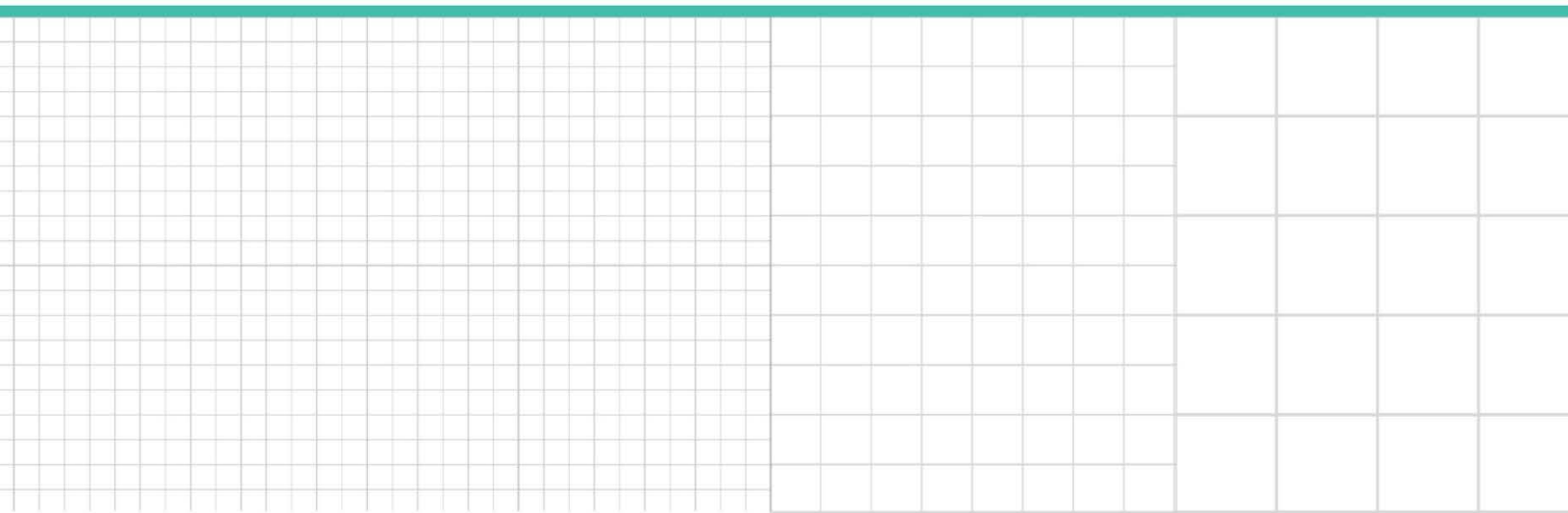


**Checklist**

# **Change Management: How to Promote Innovation**

*Mark W. Brennan, Hogan Lovells*

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# Change Management: How to Promote Innovation

Contributed by [Mark W. Brennan](#), Hogan Lovells

With so many parts of our world in flux, it can be difficult to focus on much beyond the demands right in front of us. Innovation can seem like a luxury at a time when everything feels like a challenge. But innovating is more critical than ever, and it helps to remember that big changes often start with small acts. This article provides concrete steps for fostering innovation in your law practice.

## 1. Accept that everything can be done better. And then figure out how.

Pretty much anything can be done differently, and perhaps better. That's not an easy thing to remember for lawyers who are trained to focus on precedent, but being conscious of our own tendencies to revert to the known is half the battle.

Even if you embrace the idea that improvement is always possible, how do you actually change your ways when everything seems to be working just fine—especially in an environment where time is already a precious commodity? There are a few concrete steps that you can take to help illuminate the possibilities and spark creativity:

**Ask for feedback.** Talk to your colleagues, especially team members whose opinions might not normally be sought. There's more about listening and collaboration with stakeholders later on in this article, but this instance refers to establishing a learned behavior, a habit of welcoming feedback regardless of perceived success or failure.

**Brainstorm.** Embrace new types of ideation traditionally adopted by more 'cutting edge' industries. Go beyond your comfort zone and welcome seemingly wild ideas that you can build on and test that address real problems. Brainstorming helps get people unstuck, injects insights from a broader group, builds enthusiasm, and enhances collaboration.

**Seek novel sources of inspiration.** Think about how other industries solve problems—how does a musician, an entrepreneur, or a medical professional approach a challenge? A lawyer works with several clients in different industries every day. Hone in on these questions when you're reading, listening, watching your preferred content. How do others spot opportunities? How do they adapt and respond in the moment? What drives their decision making? What would they do in your shoes? And of course embrace your diverse colleagues who have unique backgrounds and interests.

## 2. Diversify your teams

Innovation and change are team sports—and you need to have the right team. Even before the global conversation around diversity and inclusion accelerated, businesses have been holding both themselves and their outside counsel increasingly accountable to making meaningful change in this area. Hogan Lovells is one of many firms that collaborated with both clients and management to meet Mansfield Certification Plus for [Mansfield Rule 2.0](#). The results of this push have led to more diverse and inclusive teams, and these teams have often been the drivers of innovation at law firms and beyond.

Diverse and inclusive teams are not only innovative, but they deliver better results for clients. A 2017 [study](#) by the Boston Consulting Group, which surveyed employees at more than 1,700 companies in eight countries across a diverse set of industries and sizes, found that companies with more diverse management teams have 19% higher revenues due to innovation (revenues from products/services launched in the past 3 years).

The key isn't just having diverse people, but also in fostering space for allowing that diversity to make a difference, according to several studies cited in *Scientific American*. Diversity has only an incremental impact without inclusion, cultivating the space and mindset to allow those diverse people to have a voice, to facilitate non-diverse people to be changed by that interaction, to encourage and embrace alternatives and to challenge the ways we have always done it. Diversity is not only a metric to strive for, it is an integral part of innovation and building a successful, resilient business.

## 3. Don't be afraid to fail

This seems anathema in our results-driven world, but science backs it up.

Ensure that your team is working with a growth mindset. Having a growth mindset means that you believe achievement comes from practice, not natural brilliance. If you believe this, then failure becomes your teacher and guide, rather than a condemnation.

The legal space tends to be risk-averse—but that doesn't mean you can't try to define the risk involved and understand what failure would mean, building the possibility of failure into your planning process. Being afraid of that failure will prevent you from thinking creatively.

For example, in a recent class action, Hogan Lovells had to review, analyze and compare plaintiffs' claims to develop responses to file with the court. The team was receiving nearly 70 claims per day, many of which were more than 80 pages long. The task to analyze each document quickly became a logistical headache, magnified by tight time constraints and the need to maintain consistency. Initially, the team tried a commercially available contract comparison tool that uses supervised learning and conceptual analytics to assist, but found it could not help due to the volume of documents filed, along with the short timeframe to respond.

The number of new claims was growing exponentially by the day, so the team regrouped. As a result of their brainstorming and collaboration, the team built an unsupervised machine learning tool using structured analytics that quickly identified patterns among the thousands of documents allowing attorneys to analyze differences and similarities among the filings. It enabled the attorneys to file timely, accurate responses while saving the client a substantial amount of legal spend based on the reduction of attorney time focused on the manual comparison of thousands of documents.

#### **4. Listen and collaborate**

Sounds really obvious, right? It's much easier said than done. But we all must listen to the clients that we serve, and then work with them to respond smarter, faster, and better. Whether you are in-house and your clients are the business teams, your board, and your shareholders, or if you're in private practice, the critical action is the same: really listen to what actually matters, not just what you think matters. Ask clients for feedback on other topics than just matters you have worked on.

Aim to integrate questions about innovation into an ongoing client listening program, both as a point of conversation in regular relationship check-ups and as a part of broader, market-sounding efforts you periodically commission. Most importantly, try to understand what "innovation" means to your specific clients. Not only will the results sometimes surprise you, but your relationships will improve every time you act meaningfully on the feedback.

There is no single standard for innovating. What is fascinating and cutting-edge to one client is yesterday's news to another. While innovation can range from the most revolutionary legal tech to simple upgrades in billing procedures, you have to make sure that your efforts align with your client's needs and expectations. Do that by working hand-in-hand with your clients to collaboratively deploy a tailored solution that truly works for them.

#### **5. Entrench innovation**

And to end with a partial oxymoron, innovation has to become commonplace in your business. Everyone in your organization, from the mailroom to the C suite, should feel not only empowered to be innovative, but expected to innovate. Innovation can be anywhere—from the actual practice of law to the business of it as well—but your people need to understand it as a core cultural value and live it every day.

### **Conclusion**

If 2020 has taught us anything, it's that change is inevitable. Implementing some of these changes on any level—personal, team, or institutional—can help set you on the path towards becoming a more innovative legal practitioner.