



Most frequently asked questions (FAQs) about Remote Legal Work

A short guide to the New Normal

We conducted research with lawyers to answer this and other questions posed in our first essay, called "[Remote Legal Teams—Getting Started and Making It Work! What Legal Organisations and Leaders need to know](#)".

We explored a range of issues in our design driven user research with a select group of lawyers and in-house counsel. We conducted the interviews in Summer and Fall of 2020. Our questions were derived from the five hypotheses proposed in the above essay. This paper is a pragmatic summary of our research results outlined in an easily accessible question and answer (FAQS) format. The "How Might We" or "HMWs"¹ style shows our emphasis in providing possible answers and options. Occasionally our answers are supplemented by current information on the topic. The statements in italics are derived from the results of our research.

Despite a certain pandemic weariness, we think it is important to point out the overarching advantages of remote work and future New Work enablement.

Remote work enables employees to achieve a better work-life balance by saving time on the commute. This also has positive effects on the environment, like reduced pollution and cities are less congested and crowded. Working parents have substantially more to juggle this is true and yet many appreciate more flexibility. This means that remote work acts as an equalizer for families giving working parents better and different options than on-site work can provide for them. Companies could potentially save on rent, providing hot seats for only a number of their employees several days a week and thus spend their funds on other beneficial projects. New models of working, like the 4-day week, are being experimented with as well. This list is by no means meant to be exhaustive.

Remote legal work is human-centered work, or it should be. Serving the clients' needs is key to success while best guiding the client through the jungle of regulations.

10 Frequently Asked Questions

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¹ How might we (HMW): a simple tool taken from the Design Thinking toolbox to change a problem statement into a sentence that opens up opportunities.

Our rallying cry? For the future of legal work, lawyers should be much more part of the solution than the problem! We provide the underpinning on how and why to craft these new solutions below.

10 Frequently Asked Questions

1. How might we create a virtual working environment that is human-centered and allows for empathetic interactions in the digital world?

Lawyers need to be empathetic. Empathy helps lawyers provide better service to clients. This means that there is not only an emphasis on finding solutions to the client's issues but also on providing a client-centric service. It takes a real effort to put yourself in the shoes of the client and try to understand his or her concerns, but it is worth it. This way, clients will feel much more valued and understood, they are happier with outcomes and are more likely to make referrals. When working remotely, make sure to allow for time to chat with your clients and talk about something private that they are comfortable with before getting into legal matters. Take their concerns seriously, take time to explain the matter. Use your voice as a tool.

Try to smile for 10 seconds before starting your call. Your voice will be more friendly and positive!

This is what we have in remote times; voice and language and the voice is more powerful than you think. Some of our interviewees confirmed this as well.

“ **The phone might be better than video conferences sometimes.**

However, an empathetic perspective should not only apply to the lawyer-client relationship but also internally to those in the team.

“ **Connecting rituals are missing (e.g. joint lunch and other regular times).**

“ **Better ways of passing on work and helping each other are needed.**

These points are especially important in remote working when even informal meetings have to be scheduled. Allow for time not only for team calls on work topics, but also to enable social interaction by providing opportunities for virtual coffee meetings or an easy opportunity for some water cooler talk.

“ **Getting seemingly random information besides the core of the topic is missing...**

Without physical, holistic opportunities to communicate, it is all the more critical to learn to pay special attention to the tone, quality and content of online interactions. Establish regular meetings for exchange and alignment. Open meetings with a check-in, as in how does the team feel, what have they been up to lately or similar questions. Or make it a point to ask each other about weekend plans. Celebrate special occasions and even mistakes together online.

2. How might we ease the transition to remote legal working?

Changing mindset and helping people to be more open and adapting to something new is not easy. Sometimes initiating some not directly work-related workshops could help.

“ **People sharing small personal/private stories can help to connect when not present.**

“ **Gossip and less structured thinking are missing.**

It takes some time to overcome concerns and fears about changing the work structure. In non-pandemic times we should take some time for in-person workshops like some retreats with a coach or trainer. The team could explore their needs and the needs and characteristics of the other team members and find the time to carry out mini-experiments. These mini-experiments help build confidence and self-esteem when trying out new routines and manners of interactions. How about experimenting with agile practices, like daily stand-ups? Get the entire team quickly aligned from the start of the online meeting.

“ Virtual dailies proved successful.

3. How might we use technology to improve the conditions for remote work?

To facilitate remote legal work, it is essential to provide employees with the necessary infrastructure avoiding redundant systems, providing easy – if possible self-explanatory – solutions, such as for contract documentation, for sharing legal documentation in a compliant manner, and access to legal databases.

“ Smooth technology and good integration of tools are essential.

“ Moving to MS Teams would be great.

Also, meeting infrastructure is important. Phone only meetings in a completely remote working environment will be cumbersome as the social interaction is missing and it is important for team spirit and also in external communications and negotiations to be able to see the respective counterparts.

“ Visual aspects and seeing each other are important.

The infrastructure and the tools are essential for remote collaboration to be successful.

“ Having all people use the same platform would help to technically empower people quicker.

Another contributing factor that was mentioned in the interviews is self-management and the necessity for people be punctual and to stay focused in the video call.

“ Digital boards would help.

“ Difficult cases are hard to discuss if you are not in the same place, especially if it is a 1:1 exchange instead of a group exchange.

4. How might we create a netiquette, communication and team culture suitable for a virtual meeting?

There are various obstacles to virtual meetings. Lack of discipline, as in working on other issues while attending virtual meetings, technical difficulties, taking virtual meetings less seriously than on-site ones and cutting short social interactions in virtual meetings are just some examples of stumbling blocks that needs to be addressed. Thus, is important to have clear communication and an agreement on what the expectations for virtual meetings are. It makes sense to have visual interaction as in Zoom or Skype meetings as this will improve communication by also allowing for visual clues. However, switching off video from time to time, we have heard from our interviewees, can be restorative and help focus.

“ Remote work is exhausting.

One interviewee even wished that his team would make the effort to keep up well-dressed appearance and come to the video conference in business attire.

“ People should take care of cleanliness instead of looking like castaways.

We would like to note that this would be a subject that should be openly discussed and decided with the team. It is important to create trust and talk openly about good and bad things. Be open for failure, be open for trials. Test some ways of structure or tools but be kind and change if it does not work or needs be adapted.

“ You can actually fail a little, if you keep improving.

5. How might we establish healthier ways of working virtually?

Legal leaders working remotely, must set the stage and make the time from the outset to develop new habits, social connectivity and collaboration.

“ Collaboration needs a common denominator.

Human centered factors move to the forefront in virtual work and a clear, trusting relationship plays a vital role in motivating people to collaborate. When employees feel constantly busy, so busy that they barely have time to breathe or exchange casual talk, this reduces creativity, drive, job satisfaction and ultimately productivity.

Managers should be the trend setters and be the role models to take the lead in creating healthy holistic standards for their teams so that work becomes sustainable in the New Normal and collaboration.

“ Experience in collaborative working proved positive.

Video calls are currently much more energy-consuming than in-person meetings. It is important to establish a clear protocol for breaks and for response time expectations.

“ Physical exercise (e.g. a virtual pilates class) can help to reconnect to the real world.

Pay special attention to work-life balance measures. For example, set an example! "Walk your talk"—Let your team see you taking lunch breaks, turning off the computer for a round of jogging or signing out of the virtual office in the evening. Make the team's wellbeing a priority! And don't send emails or other messages late at night—it signals that employees should be working at all hours.

6. How might we enable leadership to take steps to improve better remote legal working?

Remote Leadership should put the focus on empowerment. Leaders need to enable their team members to be more self-driven, proactive and bold.

“ We are slowly moving to more collaborative setup.

“ Knowledge management becomes more important in a remote work setting.

Remote work leaders should learn to trust in their teams more than in times with working in the same office the whole day. Leadership by setting goals and responsibilities instead of micromanagement and task setting.

“ **Trust is relevant as you do not directly see people working.**

Employees should take over responsibility - ownership. They might feel less visible if they work alone at home. Remote leadership needs to show respect and trust in other ways than with physical presence. It requires a more coaching-related leadership style.

“ **Remote work is an opportunity to develop new soft skills.**

The relationship could be better built or kept with some additional break-out sessions or virtual coffee breaks. Take time to chat with the team and ask how they feel and about their situation at home. They would appreciate being seen as human beings.

If the people on the team understand the overall purpose and the big picture of the tasks, they will likely not feel like lonesome workers in their individual home office space. Communication, even over-communication becomes a critical success factor.

“ **Better and more communication would lead to more work being done in less time.**

7. How might we keep the positive aspects from Corona times?

One big outcome of the Corona crisis was that companies were (and still are) forced to allow employees to work remotely in spite of existing concerns. We have understood from our interviews that the majority of the stakeholders were positively surprised not just by how quickly the necessary infrastructure worked,

“ **Even for lawyers, it is possible to use digital tools and work collaboratively.**

but also, that there were no major or serious negative effects on the team work, that work performance and employee well-being actually improved.

“ **Productivity boost, mainly due to saving travel time and less meetings**

It will be interesting to see whether this will lead to a lasting shift in mindset, allowing for more permanent legal team remote work arrangement or hybrid working models allowing at least for partial remote work.

“ **A blend of joint physical presence and remote work would be great.**

“ **We need better technology that gives a better illusion of reality.**

“ **Free yourself from being tied to time and place.**

8. How might we address technical concerns in virtual work?

For legal professionals to buy into virtual legal work technical concerns have to be addressed. Ideally, technical access should be fast, easy and intuitive, the necessary training should be provided. Redundant work, as in having to fill in information in various databases should be avoided to keep administrative work to a minimum.

“ Having all people use the same platform would help to technically empower people quicker.

Access to legal databases and cloud-based documents is important as there will be no access to on site libraries. As mentioned, phone only conversations can provide focus but are limiting, visual meetings are important, as described above. It is important to work with the IT-, IT-security and data privacy organization to provide the necessary safeguards for IT-solutions. These safeguards should be openly communicated, which could be done in trainings and FAQs for the users.

“ We need to balance security and privacy risks with the benefits.

“ We have already experienced security issues which might have been avoided in physical settings.

9. How might we enable faster adoption of technical tools in more conservative eco-systems?

Collaboration tools and whiteboards for example—Concept Board, Miro, Mural, Big Blue Button—and Video Conferencing tools like Microsoft Teams and Zoom, help to make communication and work in these remote times possible and more visible. There are challenges and caveats of their use yet these tools enable sharing of resources and a new type of collaborative digital working that is truly new and bold for the legal field. Knowledge sharing is a game-changer.

“ All relevant resources need to be available to everyone, shared drives instead of mailing make exchange quicker.

There are companies and Law Firms which can use tools for collaboration and creating information management, and it is not per se non-compliant. Legal and Security concerns are important, and it is part of a lawyer's DNA to see the risks, but we should focus on the solution. And lawyers are also well-known for finding creative solutions. Thus, be creative, don't give up, and embrace the change. That does not mean that you do not take your legal obligations seriously. We could enhance the acceptance of innovative tools in the business. Challenge the executives, sit together with IT and find solutions.

“ Allow for trust and relationships and work on eye level.

10. How might we create business value with virtual collaborative work?

We heard from our interviewees the importance of including clients and partners in virtual working setting and if possible, on the company platform. Integrating and connecting legal stakeholders across the globe to establish more transparency and business value alignment with digital tools is a promising strategy but presents many challenges.

“ We need a collaboration tools which include versioning and strong security.

Whereas there are international challenges to be dealt with, in-house a good collaborative company culture is a success factor that pays off. When departments are able and willing to share knowledge, it can significantly decrease instances of costly work duplication and allow teams and individuals to gather information more quickly and easily. Organizations that can merge systems into a unified information hub (such an enterprise content management platform) makes information accessible whenever legal employees need it, and better insights can be drawn for more profitable and faster decision making.

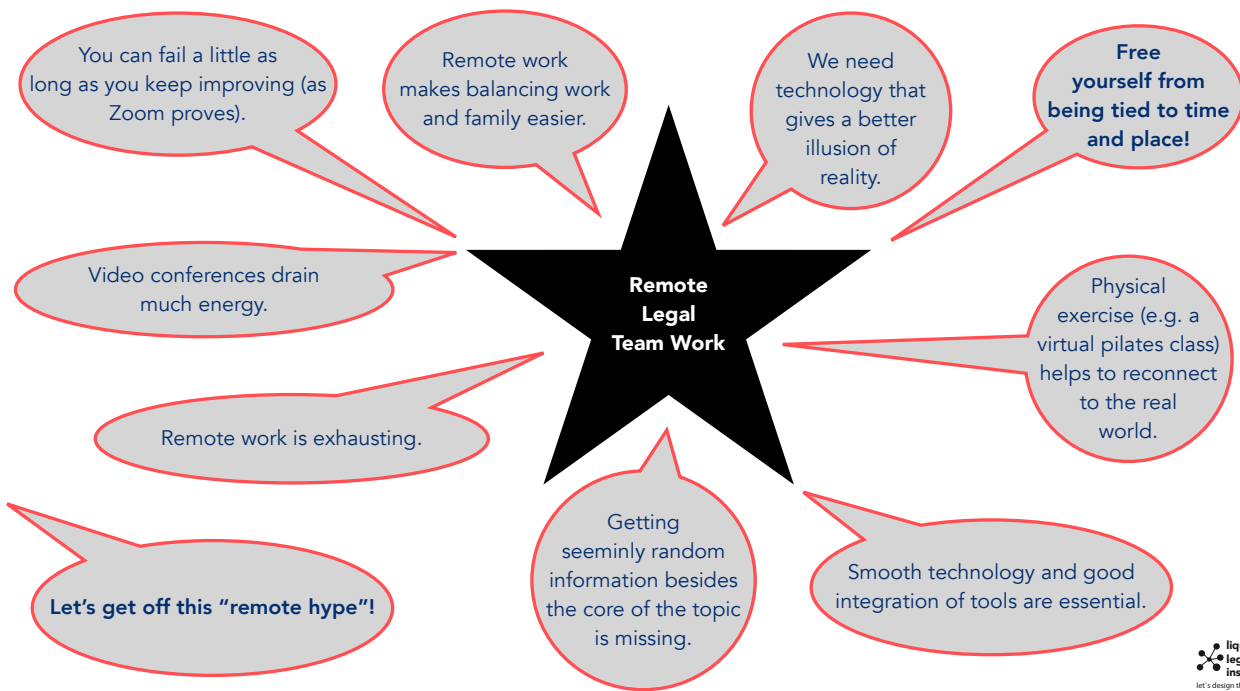
“ A company collective agreement that allows for work from any place world-wide is needed.

Efficiency and profitability are increased. This can also lead to greater cohesiveness and employee satisfaction as mentioned in point 6. as people can more easily appreciate the part they – and their colleagues – play in the bigger picture.

Breaking down silos paves the way for innovation. Eliminating knowledge silos means better insights and faster decision-making, so businesses are agile enough to outpace their competitors.

“ Collaborative work in the same document is a game changer.

Legal stakeholders need a tool that pulls all relevant data together, rather than having to go via multiple platforms to access client and external information.



Summary

Remote legal teamwork requires human-centered virtual exchange.

It is a challenge to balance transparency, trust, meeting frequency, and collaborative teamwork. Lawyers often need to work together within one matter and one document, each for different legal fields. Not only within the legal team but also in collaboration with the (internal or external) client.

We gathered thoughts and experiences from a range of legal professionals and we know that good collaborative remote working makes business sense and is motivating for people. Remote and digitalized work is shifting work paradigms, including the practice of law.

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