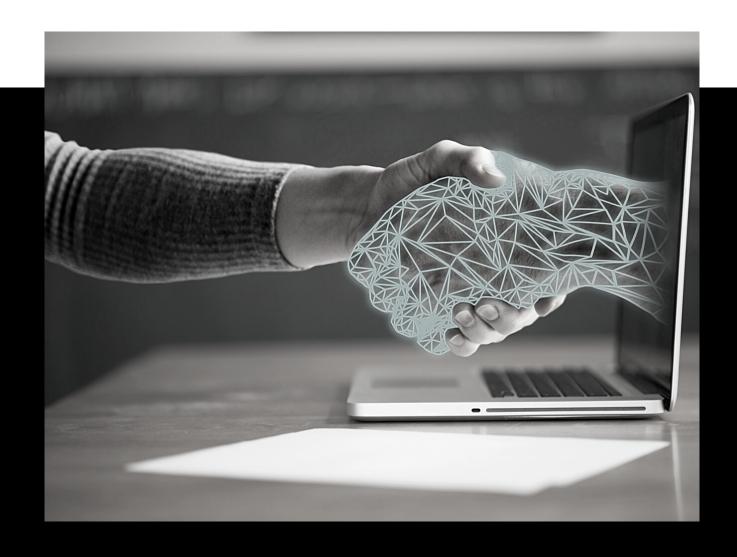
LEGAL SECTOR REPORT

DIGITALLY CONNECTING WITH CLIENTS





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INNOVATION IN 2020 - THE YEAR THAT CHANGED IT ALL

The legal sector has historically proved to be relatively slow to recognise and adopt technological advancement, with a third of firms eschewing any involvement in business innovation between 2014 and 2016.

That is markedly more conservative than even the comparable fields of accountancy and consultancy, where the <u>same inactivity was only found</u> in 22% and 19% of businesses respectively.

This can be attributed to the influence of a multitude of factors, including the entrenched reluctance of individual practitioners and the ongoing expense of subscription-model software, for example.

Another fundamental reason to bear in mind is that specialist occupations such as law or accountancy have historically been able to escape the effects of drastic technological upheaval on the marketplace, as the professions can maintain higher profit margins based on experience and specialist expertise.

This is usually not the case in product-based industries for example, as there are always competitors taking advantage of advances in technology to <u>more efficiently deliver their product and undercut</u> the rest of the market.

THE SHIFT LEFT- BETTER SERVICE, BETTER RESULTS

As a result of the ongoing impact of the COVID-19 pandemic, resistance to the digital future in almost every field has rapidly moved from unwise to unfeasible.



Fewer than 30% of the 32.6 million people employed in the UK had worked from home in 2019, but law firms came under sudden pressure to facilitate remote work for their employees as the international crisis deteriorated.

Social distancing rules were established but the escalating severity of the situation led to several national lockdowns in the United Kingdom.

Law firms have consequently had to adapt to using virtual meetings and other remote methods of communication.

Everything from meetings through to court hearings and signing off transactions has been forced to take on 'virtual elements' - hybrid working policies have been adopted and the reliance on embedded technology processes increased. There has been an increased shift to the left - meaning that businesses now need to move the person, process or technology closer to the customer, resulting in a faster, more efficient and effective resolution.

Clients will expect to engage with law firms who use tech to take instructions and communicate offering them a better service, but businesses will achieve better results in return.



The demand on the legal sector certainly has not lessened over the pandemic; in fact, leading legal accountancy firm Armstrong Watson LLP forecast an increase in profits despite seeing a fall in revenue between 10-20%.

This is also the result of a wide range of factors, including Brexit and the stamp duty holiday instituted in England and Northern Ireland between July 2020 and March 2021.

That period saw a 52% increase in house sales in October 2020 compared to October 2019, which is even more impressive given Q2 of 2020 <u>saw the lowest number</u> of conveyancing transactions since the 2009 global recession.

The legal sector is clearly at a critical juncture, with digital transformation playing an increasingly pervasive role from the first contact with a client to handling their private information afterwards, and in a 2019 survey 8 of the top 10 UK firms identified technology as their first priority over the next few years.

So how is technology changing the legal industry, how does it work, how does it help and what do legal professionals need to know to stay competitive?

This paper will explore the nature of our digital transformation by considering the impact of specific new technologies in the context of improving efficiency, compliance and client experience for legal professionals.



Ben MillsCommercial Director, Minerva

THE LEGAL SECTOR TECH REVOLUTION

The impact of technology on the legal sector is not a new development - the Law Society's legal sector forecast from August 2018 estimated that;



by 2038, there will be approximately 20% less jobs than there would otherwise have been as a result of the adoption of new technology.

However, this technology and new working methods is simultaneously anticipated to increase productivity growth to a rate of 2.7% per year; over double the <u>1.3%</u> rate existing prior to their forecast.

While increased efficiency, productivity and market competition are major components of the need to adapt to new technology, there are also inherent concerns which stem from the major developing areas in the legal industry.

We will consider the dangers as well as the advantages of the various elements of digital technology revolutionising the legal industry today and in the future.

WHAT IS THE LEGAL DIGITAL WORKSPACE?

Employees of a law firm need to be connected to and have access to the relevant information and documents that they need in order to conduct their work.

How do they do this?



They have a desktop – be it by virtue of a PC, laptop or sometimes a tablet, providing access to all legal applications and data.



A way to protect and secure all devices used – data must stay secure.



Connecting tools such as Microsoft Teams allowing for video conferencing and project management.



Security – all workspace needs to be protected by two-factor authentication with a secure email system.



Systems support - support from your third party application providers.

COVID HASN'T CANCELLED THE CYBER SECURITY CHALLENGE

Fears around cybersecurity have only escalated in recent years as massive corporate breaches became almost routine news, and law firms are prime targets for hackers given the vast amounts of confidential data and money they hold.

A 2019 report into the top 200 UK law firms found that



91% were exposed to having their website spoofed and used to send spam or phishing emails, and 80.5% were running at least one service which contained a well-known vulnerability that hackers were able to exploit.

<u>Firms reported a loss of over £700,000</u> in the first six months of 2019 due to cyber-crime, and that only includes the breaches which were actually discovered afterwards.

The report summarises the current situation in the industry by stating that:

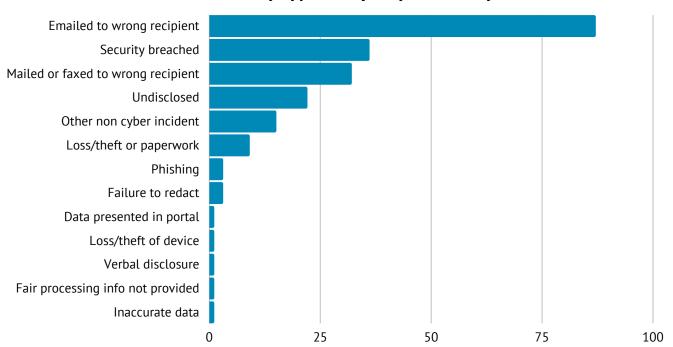
"There is an epidemic of fraud and cybercrime in the UK and law firms are not immune. Irrespective of size, law firms attract cybercriminals due to the large amounts of client money, data and sensitive information they hold."

Law firms in 2020 also reported in a survey conducted by <u>PWC</u> that they considered cybersecurity their second greatest challenge behind COVID-19.

The pandemic has actually helped to bring existing security deficiencies into clearer view, as 20% of businesses have suffered a breach due to the actions of a remote worker since lockdown was introduced in the UK.

Cyber-attacks against the top 100 firms grew by over 60% between 2013 and 2015, with 73% experiencing an attack compared to 45% in 2013/14.

Data breach by type - majority caused by human error



Note: The second highest occurrence to the rather frustratingly titled category 'Security breached' which could mean anything and is a legacy description from an earlier ICO database (since been updated).

This will need to improve as practitioners become more familiar with using technology through training and the natural injection of youth, but technological solutions will also contribute massively to avoiding or combating these costly breaches.

PROVIDING THE VERY BEST IN CLIENT EXPERIENCE

The purchase journey of any goods or services from a client point of view has been vastly altered by the advent of consumer technology and digital marketing, and the UK's legal industry has again been relatively slow to react to how technology is changing the purchase journey, from intake to invoice.



Online reviews influence 93% of consumers but <u>client</u> <u>experience is often far from a priority</u> in such an exceedingly high pressure and consequential field of work, as 68% of consumers who had a legal problem between 2016 and 2018 spoke with a lawyer they did not hire, and approximately <u>82% of clients end their relationship</u> with a law firm due to poor communication.

This is even more costly when factoring in that <u>returning</u> <u>customers spend 67% more</u> than new ones, a natural consequence of establishing trust and loyalty.

Client journey mapping is a common exercise in other industries and it is no less relevant to the legal sector, as firms should be aware of the contact points between themselves and their clients, from marketing newsletters to staff referrals, and consider the effect of each approach on the firm's standing in contrast to its competitors.

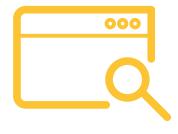
Intake surveys and end-of-case interviews should not be considered a formality, they can provide an invaluable amount of actionable data which helps attract clients to the firm and ensure they remain satisfied throughout the frequently lengthy and challenging legal process.

HOW TECHNOLOGY CAN HELP YOUR CLIENT RELATIONSHIPS

Another key exercise is to examine each step of the client's journey in turn and assess whether the firm is taking full advantage of technology over their working relationship.

There are three distinct stages before a potential client

can ever begin a relationship with any company; they must first become aware of an offering which they take an interest in, there is then their consideration phase before they make a decision.



The most marketing attention is usually devoted to the awareness stage, exemplified by the race to appear as early as possible in Google searches, known as Search Engine Optimisation (SEO). This seems all the more crucial as a Google Consumer Survey dating back to 2013 found that

96% of people looking for legal practices used a search engine.

However, the defining moment for the client is the consideration stage. In marketing, they invoke the "law of seven", which states that the average consumer encounters seven marketing messages before they will come to a decision.

Once a client has found your firm, your website should be engaging and user-friendly, offering solutions to their problems while establishing a competitive edge through your unique selling points. Firms who have offered additional content such as case studies or blogs have also seen the benefit of more internet traffic directing readers to their website.

Lack of price transparency was a specific issue within the legal sector which the SRA addressed with the introduction of new Transparency Rules in December 2018, which contained obligations to clearly display complaints handling procedures as well as price and service information online.

When the SRA made their first web sweep to monitor compliance in Spring 2019, it found that;

75% of websites were not fully compliant with the rules and only 25% were fully compliant, and transparency remains an ongoing concern at the date of writing in early 2021.

Beyond even providing a quote at the outset, many law firms have poor or no websites without personalised content. This is more problematic when considering that mobile and tablet use exceeded desktop use for the first time in November 2016; over 60% of people regularly use their phones to look up businesses, and around 1/5 of those searches are for professional and legal services.

This is a crucial growing majority and, added to the fact that Google uses mobile-friendliness to rank websites higher in their search terms, law firms must devote due attention and resources to their website and its mobile version in order to remain competitive.

To put the loss of traffic in perspective, firms with non-responsive websites on mobile **saw 79% more** people leave than mobile-friendly web pages.

Firms will need to adapt to the developing matrix of customer needs and expectations as the next generations of legal service consumers are increasingly rooted in technology from birth.

THE TECH THAT IS CHANGING THE FACE OF THE LEGAL SECTOR

Digital Onboarding

There is much talk now of digital onboarding. Onboarding refers to the process of acquiring new clients, while "digital" means that no face-to-face or physical meeting or evidence is necessary, the customer can remotely complete the entire procedure to begin a direct working relationship.



This is intrinsically advantageous by offering a quicker and more secure option to provide the required information in the globalised market of legal services, but advantageous suddenly graduated to obligatory following the COVID-19 pandemic and the lockdown instituted in the UK.

The initial Anti-Money Laundering (AML) requirements will be addressed later in this paper, but the functionality of digital onboarding services does not stop with the convenient collection of the obligatory identification documentation.

Firms gain a competitive advantage both in simplifying the client journey and in freeing up staff time to focus on higher priority work like fee earning, rather than following up with potential new clients on an individual basis.



Before Minerva, there was lots of paper and delays for clients. They can now complete easy to use online forms at home, at a time to suit, safe in the knowledge it will be returned immediately to their lawyer when they hit save and finish!

Richard Joy, Director & Head of Residential Property

Onboarding software is also becoming progressively more advanced. As well as being specifically designed for different elements of legal work, solutions such as Minerva's digital onboarding system can provide clients with a secure and immediate system that reduces users' "time to revenue" with faster file opening, secure realtime facial digital ID verification and paperless end to end onboarding.



"Minerva is helping us transform the way we work to the benefit of everyone. We are delighted with the uptake of the technology by our clients, and we can see that it is already speeding up the whole conveyancing process by having all documents and the ID process, often completed inside 24 hours"

John Turner, Head of Residential Property

These solutions reduce the risk to lawyers whose careers can be brought into jeopardy by completely innocently failing to recognise fraudulent or falsified identity documents at this stage.

We have discussed the significance of customer expectations and the client journey, and digital onboarding acts as a clear example of this consideration.

Clients expect immediate access to goods and services in an age where you do not need to leave the house to get shopping or even set up a new bank account. The traditional legal onboarding process can take weeks as clients are instructed over the phone to compile specific identification documents which they often lack or struggle to find, or the firm has to wait for a physical meeting or the client to post the paperwork.

Clients instead can simply complete the initial steps at their comfort and convenience, saving time and costs from the firm's perspective as well.



Introducing Minerva into our firm has been a god send. It has massively sped up our file opening process, saving up to two weeks on sales and a week on every purchase transaction.

Elton Ashworth, Managing Director

Transparency

Clients also expect more transparency than ever before, and a consumer portal system for example allows them to check for updates themselves rather than relying on calling the lawyer, which is effectively a waste of both parties' time.

Functions such as quote generators, integration with case management systems and customisable online forms also offer comparable improvements in the process, and digital onboarding can also be extended to new employees to streamline their training process and ensure consistency and up to date knowledge.

SOFTWARE(SAAS) AND CLOUD BASED - IS HYBRID FUTURE ACHIEVABLE?

A key development is the increased use of Software as a Service (Saas) and other Cloud-based systems.

Briefing's Legal IT Landscapes 2019 survey asked 59 UK firms if they believe their core systems will run solely in the cloud, remain on-premises, or be a hybrid of the two, by 2023.

Over 60% of respondents expect several central elements to be fully operated in the cloud by 2023, namely Knowledge Management, Document Assembly / Automation / Review and Customer Relationship Management.

A brief assessment of the SaaS systems demonstrates the range of possible benefits while also noting the current limitations of the applications:

Flexibility and accessibility for workers, allowing remote work and access outside of work premises and localised devices. However, there is significant improvement to be made in terms of the customisation offered within SaaS applications, as a recent study found only 12% of businesses saying the systems wholly met their needs.

These systems often offer a lower initial cost, as they operate under subscription models rather than licence fees or other front-loaded costs. They are also usually easier to set up and subsequently update by using the cloud to deploy the relevant data centrally.

Security

Security is perhaps the most frequent client concern at this point in time, as law firms sometimes hold a great deal of extremely sensitive and potentially embarrassing or harmful information and many high-profile data leaks in recent years have certainly contributed to the wider public anxiety about privacy.



72% of firms are seeing an increase in security audits and SaaS platforms are often playing catch up with other sectors, such as financial institutions, which additionally require precise knowledge of where data is being stored and the power to audit SaaS suppliers.

An increased reliance on SaaS applications should consequently lessen costs in terms of physical space and human capital, as well as the risks from the storage and use of physical, paper-based sensitive information.

THE VALUE OF AUTOMATION?

Highly qualified legal professionals currently spend a relatively substantial amount of their time performing necessary but simpler and more time-consuming, often administrative tasks which are not taking full advantage of their particular skill set.

While these jobs might previously have been delegated and supervised, more and more technological solutions are appearing which can automate routine work and drastically improve productivity while actually reducing human costs.

This is known as Robotic Process Automation, which allows the streamlining of the legal process by automating crucial but repetitive and time-consuming tasks like document preparation. This was investigated in Briefing Research's aforementioned 2019 Legal IT Landscapes report, which discovered the following from their 53 polled firms;



Many firms at all levels are increasingly promoting the use of dictation tools for instance, and software is being refined which can transcribe the dictation quickly and accurately to produce an immediate draft for review.



Automation unfortunately only has limited value in the legal field, as most legal work involves some degree of intelligent thought. This leads to the increased focus on....

AI - does it have potential in legal services?

Artificial Intelligence (AI) is effectively the next step after automation, with AI acting as an umbrella term describing the use of machines to perform tasks commonly undertaken by intelligent beings.

This can be applied to existing technology to increase the scope and reliability of the process, for example voice recognition software which works in combination with a dictation tool but also gradually learns a user's voice to improve accuracy and provide a range of additional commands specific to the user's workflow.

Another element of AI that is already in common use on websites, "chatbots" can offer constant customer service which will only grow more accurate and comprehensive as the technology becomes more advanced and there is constantly more data available to analyse and refine the existing technology through the machine learning process.

Emerging but potentially momentous use of the technology is to address failures with access to justice for smaller issues or poorer clients who cannot afford the upfront cost to retain legal services even where they have strong prospects of success from a strictly legal perspective.



One example is the UK's DoNotPay service, which has over 100 bots for legal matters ranging from the original function of appealing parking tickets to now offering as much as the preparation of all requisite documents and a <u>customised script for small</u> <u>claims court.</u>

While there are a myriad possible uses for AI technology, it is evident that the most successful UK law firms see the potential as the NCSC 2018 Report – 'The cyber threat to UK legal sector' reported, around 40 of the top 100 were using AI systems on active files by 2017, quadrupling the number of firms from 2015.

This trend will surely only continue as the technology grows more advanced and demonstrably accurate.

BIOMETRIC IDENTIFICATION AND FACIAL RECOGNITION: APPROPRIATE ALTERNATIVE TO TRADITIONAL AML METHODS?

HM Land Registry introduced a standard known as 'Safe Harbour' on the 12th March 2021 to encourage the use of digital identity checks in the conveyancing process and provides guidance on a higher level of digital identity check.



There has been wide public controversy in the UK over the use of biometric facial recognition technology, culminating in an August 2020 Court of Appeal decision finding that the South Wales Police using Automated Facial Recognition (AFR) surveillance was a breach of the right to privacy and family life under the European Convention on Human Rights.

That case concerned a camera scanning crowds in busy public locations and comparing faces to a "watchlist" database, either erasing the data if there is no match or flagging the match to the operating police officer to follow up and stage an appropriate intervention.

Irrespective of the public outcry against this use of AFR, biometric identification within the legal sector is another matter entirely. This is because it is voluntarily consented to by a client, who must in any event provide a substantial amount of evidence to satisfy the SRA's stringent AML demands.

The technology is more secure in practice, such as the case of Biometric Residence Permits, which contain unique human fingerprint patterns as opposed to relying on the much more fallible method of photographs being examined by the human eye. It is also easier and quicker than relying on paper-based identification and saves a great deal of time and space that would be better served with less clerical, more chargeable work.

The European Union (EU) General Data Protection Regulation (GDPR) places biometric data in a special category and demands explicit prior consent as well as introducing the right to be forgotten and severe penalties for failing to comply with the rules.

This legislation is in force in the EU and the UK, with the global scale of the legislation ensuring that any software available to law firms will comply with its terms (non-EU established organisations are still subject to the GDPR if they process personal data about EU data subjects).

The <u>United Nations estimated</u> that 2-5% of the world's Gross Domestic products (GDP) is laundered money, somewhere between \$800 billion to \$2 trillion dollars if not more, as over 90% is thought to proceed undetected through the system.

The National Crime Agency in the UK has similarly estimated that at least £100 billion (around \$140 billion) of corrupt foreign money is filtered through the UK annually.



The Fifth Money Laundering Directive (5AMLD) came into force on January 10th 2020 and included a regulatory endorsement for electronic verification, stating:

"Accurate identification and verification of data of natural and legal persons are essential for fighting money laundering or terrorist financing. The latest technical developments in the digitalisation of transactions and payments enable a secure remote or electronic identification".

Furthermore, the <u>Legal Sector Affinity Group</u>, which is the governing body of the UK's legal regulatory and representative bodies, published a draft of updated AML guidelines in February 2021.

This guidance, pending approval by the Treasury, confirms that AI, machine learning and biometric authentication procedures are appropriate alternatives to traditional AML checks, noting in the accompanying quidelines that:



"The use of biometric indicators such as facial recognition software as part of an overall identity verification process is now widely used across various industries, and may be considered proven technology, helpful in meeting a practice's AML obligations, especially in non-face to face situations, remote client take-on situations."

The guidance did acknowledge that inherent biases within these technological systems must be considered, which is certainly a challenging concept for the less technologically minded contingent within the legal profession.



This is reflected in the statistic that 41% of the GDPR breaches reported by the top 150 law firms in the UK were emails sent to the wrong person.

Human error was the predominant cause but given 48% of the firms had cause to report a breach within the first 2 years of the regulations existing, it is clear significant change within the industry is necessary to meet the standard of privacy which is expected both legally and on an individual client-by-client, case-by-case basis.

WHAT DOES THE FUTURE HOLD FOR A DIGITAL LEGAL WORKSPACE?

As repeatedly referenced throughout this paper, the legal sector has traditionally been slow to react to innovation and managed to maintain profit regardless, but the digital revolution can no longer be ignored.

As millennials and people who grew up with exponentially advancing technology become the primary consumer of legal services, the client expectations in every industry have changed seismically.



Adaptation is crucial to survival, particularly given the accelerating impact of the COVID-19 pandemic, and law firms are increasingly unable to rely on reputation or prestige when clients are much quicker to leave if they feel out of the loop or otherwise dissatisfied with the service they are receiving.

There is also the rise in efficiency offered by technological solutions which allow the specialist practitioner's to more efficiently commit their time to more complex tasks requiring their expertise.

This contributes to offsetting any additional cost from the technology, as well as usually offering a more secure and widely accessible option than traditional location- or paper-based methods. The effective use of data to organise the firm and look ahead to the future is another key factor for long-term success.



One such example is awareness of the trend towards video content, as four times as many consumers prefer watching a video about a product or service than reading about it.

This is already being reflected in the rise of video content, which was estimated to make up 82% of internet traffic in 2020, a substantial rise from 63% only five years earlier, lawyers who take advantage of the video and social media landscape are already benefiting with major publicity, such as Florida-based Anthony Barbuto and his nearly two million TikTok followers.

TikTok itself represents the future in social media, as 41% of its 150 million daily users are between the ages of 16 and 24, spending an average of an hour a day on the app.

Facebook and Instagram are the most established players but the former especially is on a downward trajectory, with 42% of users taking a break from Facebook in 2020 and an ageing demographic evidenced by the 65+ demographic doubling since 2012.

Instagram currently holds over half a million users under 30 to almost an hour's usage and has overtaken Facebook as the primary platform for marketing to young consumers, but <u>TikTok</u> is the natural successor.

Anticipating and adjusting to macro market trends will make or break those within the legal sector, as the margins for error with factors such as cybersecurity and client care narrow and competitors aspire to a level of efficiency which renders traditional approaches as infeasible.



We hope we have shed some light on what the future holds when it comes to the integration of digital technology into the legal industry, thank you very much for reading and please get in touch if you have any questions or think we could be of any assistance.

ABOUT

Connecting lawyers to their clients - faster. A quick, safe and simple experience.

Law Firm Services' digital onboarding solution, Minerva, offers law firms a quicker, safer and simpler experience for their clients.

With an aim to help law firms succeed in an ever increasing digital age, Minerva has been created with law firms for law firms. Technology that works, helping law firms put clients first.

Remove the worry surrounding the safe onboarding of clients with one solution - a fully branded quoting tool and client portal. Securely share and communicate important information with clients to help onboard them quickly, compliantly and effectively.

Bring great customer experience to clients of all practice areas, but in particular provide your conveyancing team with a solution that massively speeds up the process, removing headaches and delays for all parties.

Find out more and book a demo at www.minervaportal.com



Quote management



Digital facial recognition ID



Intuitive online form filling



HMLR integration for office copies



Collect monies on account



Case management system integration



Instant website quote calculator



Reporting dashboard

What is the industry saying about Minerva?

Minerva is speeding up the conveyancing process.

In March 2021 Law Firms completed 8,000+ enhanced AML checks using Minerva.

Over 75% of people completed the checks within 24 hours of request.

Richard Mathias,
Sales Director at Minerva



Stephensons

"Minerva is a very useful tool to streamline our quoting, file opening and onboarding processes; it makes the customer journey that much easier. We can see and manage everything at a glance. The solution is safe, secure, reliable and very easy to use" - **David Baybut, Owner & Partner**



Key Conveyancing Solicitors

"Minerva is helping us transform the way we work to the benefit of everyone. We are delighted with the uptake of the technology by our clients, and we can see that it is already speeding up the whole conveyancing process by having all documents and the ID process, often completed inside 24 hours" - John Turner, Head of Residential Property



banner jones solicitors

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WatsonRamsbottom

"Introducing Minerva into our firm has been a god send. It has massively sped up our file opening process, saving up to two weeks on sales and a week on every purchase transaction" - **Elton Ashworth**

These firms are improving client experience and onboarding clients in record time





















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