

“What are the roadblocks?”

8 Roadblocks to a New ELM Implementation (And How to Break Through Them)



Introduction

Selecting and implementing enterprise software can be a stressful experience for non-technical business users. This is as true for **Enterprise Legal Management (ELM)** software as for any other business productivity platform. Lawyers, paralegals and administrators may be drafted into an initiative to adopt a new or



replacement matter management and billing system — not because anyone views them as technologists, but because they are the best sources to articulate the business requirements of the law department.

The stakes may seem high, especially if the project’s sponsor is the General Counsel, or someone close to the GC. The attorneys typically are not known for enthusiastically embracing new technology, and this will be daunting for project team members, especially if the department has had experience with failed software adoption in the past. Adoption failures rarely are attributed to the software itself; they tend to happen because design choices made early on align poorly with the users’ functional and usability requirements, or because the project team fails to grasp the end-users’ needs and “pain points.” Thus, user excitement about the new solution never materializes, leading to low adoption rates and a failure to achieve return on investment.

Bridgeway Software recently brought together a panel of prospective adopters for new ELM software, to give them the opportunity to share lessons learned, as well as issues and concerns, about the adoption process. Moderated by Harrison Underwood, Bridgeway’s Premier Implementations Center of Excellence Manager, and Louann Barnett, Managing Director, Legal Management Consulting at Duff & Phelps, the session focused on **eight critical issues** that have the potential to become roadblocks or bottlenecks in an ELM implementation.

In this white paper, Bridgeway shares the essence of that discussion, including important questions raised by the participants regarding their own ELM adoption journey. Each of the following eight sections describes a common adoption roadblock. The intent is to enable the reader to anticipate, recognize and head off these pitfalls before they become issues in his or her own ELM adoption project.

1

Putting the Cart Before the Horse

One of the project variables that has the earliest and strongest potential to derail an adoption project is the targeted delivery date. For many projects, this date is arbitrarily arrived at... and graven in stone.



Harrison Underwood,
Premier
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Best Practice: Never allow a random go-live date to drive your project.

You really need to sit down and understand what the project is and what your requirements for the system are, come up with a project plan, and let reality drive your go live date. This can be difficult.

Target dates are never entirely random. If this is intended to synchronize with an executive cost-cutting exercise, it is essential to understand the expectations for the Legal department, and how they affect the design of the project.

Or, the project may be budget driven. You may go into a project and learn that you only have X dollars to spend in the current fiscal year — so the go-live date has to be 12/31. Or maybe there is a divestiture going on, and the companies need to be split by a certain date.



From working through many previous projects, your implementation partner is in a position to advise you as to why a particular go-live date may or may not be beneficial to the project.

Q: *One thing that would drive a particular date would be avoidance of the cost of the old system — the annual maintenance fee — for another year.*

A: That is a legitimate issue. While there may be a cost saving in not paying two sets of maintenance fees, if you ignore the fact that it is going to take you six months to develop your requirements and implement the system, you may have a much higher cost two years down the road when you need to replace the new system because it doesn't meet the requirements or isn't generally accepted.

What might make sense is a **phased approach**, where the first phase is implementation of **e-billing**, or some other specific functionality, and that allows you to shut down that segment of the previous solution. You may have an opportunity to negotiate with the legacy vendor to hang on for a month or two past the date of maintenance expiration. You want to factor that into the project plan from the beginning.

Best Practice: Understand and plan for all inputs — internal and external.

Your implementation partner can provide guidance, including help in defining requirements, but much is going to depend on the initial **discovery** phase of the project. The project team will talk to management, end-users, and any other stakeholders who are affected by the project, to get an understanding of how they do their work day-to-day. Ultimately, you want to understand what each type of user wants to get out of the system. There are some standardized requirements that we the vendor can provide in advance, to provide a head start.

Q: *What about requirements for use in selecting the vendor in the first place?*

A: Before you go to vendor selection, you need to have a list of high-level requirements — not the detailed requirements that you would use to define and configure system, but you do need to know, for example, that you are going to need to do international invoices, be able to track contracts in the system, and so on. You need to have your high-level requirements before sitting down to talk to each vendor about how their product would handle your needs. Sometimes, your implementation partner can help to gather those high-level requirements.

2 Who is Steering the Boat?

Another crucial front end consideration in software adoption is leadership. Every implementation partner has seen projects crippled by not having buy-in from leadership.

An obvious red flag for the project is that its executive champion — the GC, the AGC or another executive stakeholder — is not involved and is not communicating with the project team the strategy for the implementation, or its goals.

Developing a communication plan and carrying that through from the beginning to the end is key to the success of the project.

Every project should have a steering committee. One of its most important controls is a monthly check-in with each of the stakeholders in the project at a senior level. The committee should update them on the project, and cross-reference with the goals that the project leadership originally set out, and then ensure the notes from these updates are disseminated to the entire team.

The projects likeliest to go well are the ones in which all stakeholders were involved in setting the strategy, understanding the goals that they want to accomplish, and bringing those into the design sessions.

Often, the role of the project sponsor is that of a tiebreaker. When individuals in the group disagree with one another, the leadership has an important opportunity to nudge the project in the direction that best aligns with the objectives. A timely executive intervention can ensure that you don't have an alienated user base before you go live.



3

Loosen Up!

One of the most difficult challenges is to get your team to keep an open mind and accept change. This is especially true if you are replacing an existing system. Users need to be encouraged to express original thinking about the functionality of the new system and not be bound by the features they are used to.

It's an old cliché... but you need to prepare your team **to think outside the box**. You also need to prepare them for a certain amount of **Process Reengineering**.

If people expect to follow the same process with the same inputs, they are going to get the same results they have always gotten. It is important to get the message out early that processes should be expected to change, and that change is the rationale for the project — not a consequence of it.

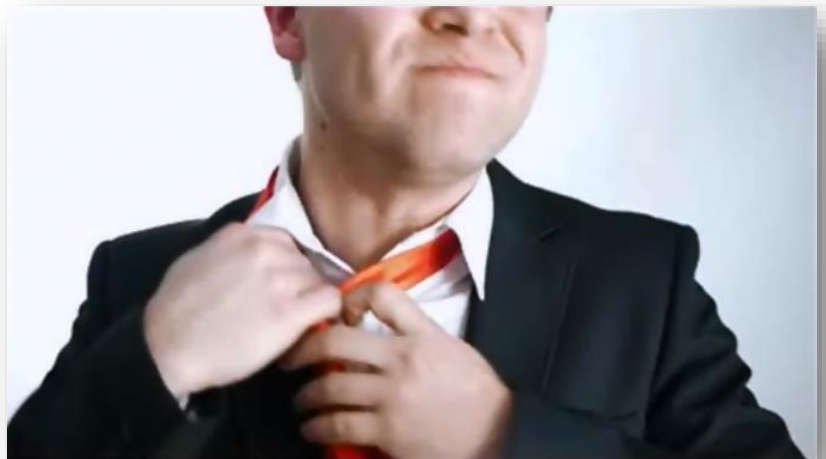
Plan on design sessions where your team will talk about what you're doing and what you want to stop doing; how your peers in the industry are doing the same sorts of things; what the best practices are; and what functionality is available to you within the system. This is an opportunity for you to think critically about your own business processes, so that you can get out of the new system what you were missing from the legacy tool.

Process reengineering begins on day one.

The first thing to consider when you sit down together is what your **pain points** are. They don't have to come from the system itself. Your most obvious concern today could be the need to cut costs, or the fact that you have no idea what you are spending to maintain your current process — or the fact that it's taking 120 days to process an invoice.

A good question to start with is: "What is wrong or missing today from our current process, and what is right today?"

"Why are you getting rid of your old system if you want me to build a new one just like it?"



4

Don't Bite Off More Than You Can Chew

The biggest favor you can do your team and the end-users for whom you are designing your matter management solution is to **keep it simple**.

Overcomplicating the design by building in fields or data that you don't report on and use in your process will drive end-users, and acceptance, away. Brainstorming is great, but when it comes down to actually defining requirements, you need to apply filters.

Often, in managing a complex implementation project, the best approach is a phased approach.

ELM products are engineered for long life. You will be able to add functionality as your Legal department grows and changes, or if you merge or divest. Tailoring the system requires a calm, forward thinking approach, anticipating the addition of functionality in the future.

The goals you have for the system today may not be the same as the goals you have three years from now. Our experience is that this is a 10 year decision, and legal department processes are very dynamic and should follow the development of law department operations as they change through the years. Your business processes are going to be adapted over the years — so why shouldn't your system?

Q: *One of my concerns is that the implementation process will take longer because you are "keeping it simple" and updating the design continuously.*

A: Ironically, the opposite may be true. If you have spent any time around IT people, you may be aware of a concept called **agile development**. When programmers develop new software applications, you might imagine them starting with an elaborate, end to end plan for

"We have a saying: "Not perfectly, but improvingly."



building the entire program, testing it, and packaging it up for deployment to users, over a period of many months. But in fact, most software today is built up gradually in small increments, one piece of functionality at a time. Each element of the application is built, tested, and deployed to real users who incorporate it into their work processes in small, frequent iterations. Software developers have found that very complex applications can be built much more quickly and with many fewer errors through this agile approach than they could through the more traditional methodology. So, continuous updating turns out to be a very efficient strategy.

You do need to build in the functionality that you need today, right away. But you might not need to add a whole layer of analytics on day one. It's a little bit more difficult to phase the project when you're moving from an existing system, and the baseline functionality that you are looking for is extensive because you are not starting from scratch. On the other hand, it probably makes sense at the beginning **to get rid of functionality** that isn't being used in your legacy system. That's a win — people hate extraneous fields and forms that they don't use.

It is different when you're moving from a manual process, and automating things you have done by hand. It is very easy to overcomplicate and overwhelm people by tackling too much functionality in the first iteration. **Remember: This isn't your last chance to get it right!**

Q: *We are going from one electronic system to another, but billing has been a paper process. So we have intentionally delayed implementation of an e-billing module. What is a reasonable amount of time to delay that phase?*

A:

- Once you get beyond six months, entering into a new phase is almost like beginning an entirely new project.
- You want to give people enough time to breathe and to get used to using the new system. The matter management and e-billing systems are intertwined, and the 3 to 6 months you spend using the matter management system will actually help in

“There are best practices that apply broadly across industries, but there will be elements that apply uniquely to your legal team. Expect a certain amount of trial and error.”

the design of the e-billing component. So 3 to 6 months is a good interval.

5 **Talk, Talk, Talk. Listen, Listen, Listen.**

Constant, effective communication is never more important than in a software adoption project. It is not simply a matter of using the right words, or the right media for collaboration. The communication must flow from trusted sources.

Internally...

Ensure that the leadership roles on the project team are held by individuals who genuinely influence their peers. Select subject matter experts with the knowledge and authority to give input into design. They need to be trusted advisors with the authority to make decisions.

Externally...

Find a partner, whether it's a vendor or a consultant, that you trust — that has led this type of project multiple times before and will bring lessons learned to the table. Make sure that the partner is listening also. Sometimes the vendor comes in to implement a project, and there are multiple voices influencing the design. As leaders, you need to be sure that your vendor is listening and taking direction from authoritative sources and not being distracted by side chatter.



6

I Do.

If this project is going to be a success (and reflect well on you), it is imperative that you pick the right product and the right team to implement it. The truth is, no one ELM package is perfect for every law department; there are several products on the market that will be able to handle your requirements. One of the intangibles is finding a partner that you trust. It matters a great deal, because you are going to have to be comfortable with this vendor for 10 years. That's the hope — that this is a 10-year partnership.

Your vendor selection process should begin with lots of thoughtful questions, going well beyond the features of the software or its price tag. Among the things you will want to evaluate are:

- The vendor's credentials, its *bona fides* as a business, and its client list;
- Its history of success at your scale of operations;
- Its fee structure (beyond the software license and maintenance);
- The performance indicators and service level agreements the vendor offers;
- The training the vendor will commit to; and
- Its policy on future upgrades.

Clearly, you will be contacting vendor references. Really think about the questions you want to ask them, and don't be shy about digging deep. At very least, you need to find out what their experience has been with customer support.

7

You Own It. So Own It!

The relationship you establish with the vendor you choose doesn't end with the software installation. ELM implementation will involve an extensive design and configuration process, which ends with **User Acceptance Testing**. UAT is not just a contract formality. Both you and the vendor need to recognize it has make-or-break for the project.

“The best metric for the success of your project may be that the product and the vendor were a good fit for your culture, and that the people who participated in it saw it as a fun and rewarding experience.”

UAT typically happens toward the end of the project, and there is a risk that it may be compressed if the project is subjected to a tight go-live deadline. But UAT is one area where you cannot afford to cut corners. If you go live with a system that has bad data, business rules that are not working properly or workflows that break down, the end-users immediately conclude that you have a defective product, and the project will be off to a troubled start.

UAT typically is required step in the implementation process. The vendor will provide test cases designed to prove that the system is meeting the requirements that you defined, and your team probably will have defined its own test cases.

Be aware that when you assign individuals to a team to evaluate and adopt new software, you are taking them away from their original jobs. This is unavoidable, and it is difficult to secure the commitment of their time, especially during the design meetings, because the individuals with the best perspective on the problem you are trying to solve and the authority to make design decisions are among your department's busiest people. They may find it difficult to devote the time and to commit to avoiding day-to-day distractions during the design sessions.

This is both an incentive to get the product selection and implementation right the first time, and a reason to give all of the participants a satisfying experience, because you will need them to lend their time and perspective to future upgrades and extensions of functionality. It also makes it imperative that you commit the right resources to the project in the first place – people who will pull their weight, ask the right questions and take their role in UAT seriously.

Best Practice: Select a system administrator for the ELM system, from the start of the project.

It is critical that the system have an individual owner and custodian when the vendor leaves — an individual who knows what decisions were made and why they were made and how to help the team grow the product to address your future needs. Even if everything else about the project goes well, if you don't have the appropriate person administering the system, this can be your final roadblock. It needs to be someone who can step into the vendor shoes when the vendor team leaves, who knows what to do when issues come up post



implementation, and who is well-positioned to nurture the system through all the successive changes your department will want to make in the future.

Q: *How long do you anticipate it takes to train an individual on the ELM system so he or she can be an effective user?*

A: Each vendor may have a different take on this. Bridgeway will provide different types of training. There is Developer Training, intended for the individuals who will maintain the system and make changes to it at the front end of the project. That is distinct from Administrator Training for the individual who will be making ongoing modifications, administering users and so on. In addition, we provide power user and end-user training, as close to the go live date as possible. For the core team, we offer two one-day training sessions, and then there is a three day session for the developers.

8 Help! I'm Your Data and I Can't Get Out!

The system is only as good as the data that comes out of it. During the very first meeting of the project, expect to bring along copies of your current reports — the reports your General Counsel expects; and the reports you expect to run on a daily, weekly, monthly or yearly basis.

It is crucial to understand your reporting before you even begin to discuss what the ELM system will look like, because if the system cannot produce those reports, it is a failure as soon as you go live.



Really thinking about what will help drive decision-making in your business will help in the system's design, and getting to that data is really what having a matter management system is all about. Clearly, any data that is now on paper in file cabinets or in boxes in an attorney's office will have to be digitized and find its way into the system to enable your organization to get value from it.

Q: *One of our problems is that our current system is so restricted in its reporting that it has limited our ability to develop our reporting, and we're in a position of not knowing what we don't know.*

A: Your vendor can provide a list of typical reports. In fact, one of the first things we will offer as implementation partners is feedback on the reporting you show us, and if we don't see data we would expect to see, it is part of our job to push back and ask for those kinds of reports. The system will come with a standard set of reports, and we will advise based on the industry you are in what is typical for that industry – for example, if you are in automotive, you will need tread reports, or if you have personal injury cases you will have Medicare or Medicaid reporting, or you may have reporting for the Patent and Trademark Office if you are an IP-heavy operation.

Conclusion

Selecting and implementing ELM software for your law department is a challenge. But it does not have to overwhelm your project team if you address these eight potential stumbling blocks early and proactively:

1. Plan effectively and understand the rationale behind the go-live date you impose on your project.
2. Keep the projects executive champion actively engaged and communicating regularly with the team.
3. Reinforce original thinking among the project team about both the system design and the business process going forward.
4. Keep the system design simple and roll out functionality in phases.

5. Ensure that those articulating the project's objectives are trusted and influential people.
6. Vet your vendor carefully — remember that the ultimate goal is a 10-year partnership.
7. Whatever compromises you must make to meet your deadline, do not cut corners on User Acceptance Testing.
8. Remember that the success of your project depends on the system's ability to meet your reporting needs.

For More Information

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