

Shared Legal Services – Practical Business Considerations for Case Management

A discussion document written by Elizabeth Miles, CEO and joint founder of Iken Business Ltd

Shared Services partnerships are a hot topic at the moment – not least among our clients. A number of our public sector legal teams adopted these arrangements some time ago in order to achieve savings, but as the pressure on public services mounts, more and more organisations are joining them.

Case Management solutions can do much to assist with successful shared service delivery, but there are plenty of decisions to be made at the outset to ensure that your software of choice can properly support your activities. Here are 8 pointers for consideration when consolidating two or more case management systems.

It is likely that case management information will be consolidated into one database, which will need to be configured to meet the wider business requirements of the shared service.

This document deals with business and management information only. Technical considerations will be dealt with in a forthcoming issue of Iken Matters.

1. Lexcel

The Law Society (England and Wales) Lexcel Standard provides an excellent overview of what needs to happen in a well run legal practice. Many local government legal teams already have the standard, so they are starting from a good place.

Whether or not you have accreditation it is worth using the standard as a checklist of things to be considered in running a shared service, being mindful of how each area will be affected. The standard can be [reviewed here](#) and there is a useful [checklist here](#).

If the participants already have Lexcel, how similar are the office manuals?

An early decision about which office manual will be adopted and how this needs to be adapted will provide pointers as to all areas that need to be consolidated, including practice management standards as well as case management and client care.

Examples of non case-type specific areas include lists of experts; client feedback; supervision, appraisals and HR procedures; training and CPD policies; library resources (which will possibly be increasingly online with split-site services and home working policies) and documents.

2. Branding

What is the legal status of the shared service and how will this be reflected on the electronic stationery? Will email disclaimers change? Will correspondence need to say “on behalf of”?

Changing stationery (either paper or electronic) takes some time, so it is worth planning ahead and adopting a mechanism that can easily expand if other authorities join the shared service at a later date.

Ideally this will be agreed at an early stage so that the shared knowledge bank of precedents can be adjusted to use the new branding.

3. Reports

I have included this consideration early, because you can't get out of a system what doesn't go in. It is always a good idea to have reporting needs in mind when configuring your case management system. Here are a few practical pointers.

First identify a set of favourite reports commonly used in each authority and compare them. Who uses these reports, and for what business reasons? Are there different management information requirements in the different authorities and if so what are the reasons for this?

Make a list of all the stakeholders who will need reports about the new service and identify what their management information requirements will be. Is there a requirement for new reports within the shared service: for instance reports that compare one participant with another?

4. Clients

By “Client” I mean the business unit that gives you instructions; to whom you are accountable for outcomes; that is authorised to spend one or more budgets; and that accepts responsibility for payment.

Some time recording systems (not Iken!) impose a constraint that the client and budget code are one and the same, but there is no reason in business terms why a business unit cannot give you instructions for cases to be charged to different budget codes.

In fact, for shared services it is even more important that the proper (business) definition of “client” is applied because lines of accountability, client care and service levels are likely to be more complex.

Do the participating entities have similar corporate structures and directorates? Which directorates and business units are authorised to give instructions? How will these be named within the shared case management system?

There may be a need to group clients together for reporting purposes. Within an authority this may be business units within a directorate, but with shared services there may be requirements to group clients together across authorities, for instance clients giving instructions on planning matters.

When thinking about client groups, it is also useful to consider client reporting requirements.

5. Case Types

Not all authorities use the same set of case types. An early review of the different lists of case types is recommended so that a single shared list can be defined.

Consider using a 3- or 4- letter code for each case type and applying this to associated precedents and diary templates, work processes. This approach makes it easier to manage the knowledge base by case type.

It is likely that there will be a need for additional reports focused on client demand and fee earner performance by case type (across authorities).

6. Teams

The team structures of the existing legal teams may well be different. An early decision about the team structure will mean that responsibility for case-level shared standards can be delegated sooner rather than later.

Will teams be split geographically or will they be physically near each other on the same site? Which team will take responsibility for which case types?

It is likely that there will need to be additional reports focused on team performance.

7. Know-how

With lawyers possibly dispersed across different sites it becomes even more important to define agreed common approaches to different area of work. Once teams and responsibilities are defined designated leaders can begin to consolidate different knowledge banks and legal processes.

This includes generic risk and escalation procedures, process steps; KPI's, target and key dates; reminder points; steps; stages; payment points all organised by case type.

8. Charging and Billing

A review of the charging procedures (if any) will need to take place, and new charging mechanisms put into place. What will be the basic (default) charging rates for fee earners, and what will be their target hours?

Where different rates are to be applied to a type of work will these be the same for clients in each of the Authorities or will they differ? For instance, will a discount be applied if one authority generates more instructions than another?

What types of work will be subject to fixed fee rates and/or stage payments? Consideration will need to be given to cheque requisitions and the recording of disbursements. Will these be drawn from the shared services budget and recharged, or directly from the clients' budgets (and if so, within which corporate financial system)?

Care will need to be taken with budget and account codes for recharging, as these need to map onto what has been agreed about allocating and paying fees from different corporate financial systems.

If you have adopted shared services, or are thinking of doing so, it may well be that you are aware of other business considerations. I would be delighted to receive your comments and to hear about your experiences.



About Elizabeth Miles

Elizabeth is a founding Director and CEO of Iken Business Limited. Established in 1992, Iken Business is a leading provider of Case Management software solutions, as well as IT consultancy.

Elizabeth holds a BSc in mathematics and an MSc in decision processes. She has spent over twenty years in the software industry including working as a consultant for Oracle. Elizabeth is passionate about meeting customer needs and delivering intelligent, high quality solutions.