

The law firm chief innovation officer: goals, roles, and holes¹

Michele DeStefano²

*Innovate or Die!*³

Introduction

So many lawyers are sick of hearing that they must “innovate or die,” yet their clients call for innovation continues to be loud; and, although not *clear*,⁴ it is *clearly* resounding. Demand for innovation is old news; now, clients are going even further – requesting in pitch proposals (RFPs) that law firms demonstrate how they *have* innovated or how they *will* innovate or *be* innovative. Even those clients who do not use what might be better called ‘the i-word’ ask for it in other forms, including demanding cheaper, better, faster, services or asking for ‘collaboration’ within the firm, or with other competing law firms or legal services companies on projects and panels. Even more compelling evidence for the magnitude of this call? Clients who say they value innovation by their law firms and reward it or, worse yet, punish firms without it.⁵ General Counsels (GCs) have been consistent and clear: “If you don’t want to be an innovation partner with [them], then [they] are going to be inclined *not* to give you business.”⁶ In other words, collaboration towards innovation is no longer a higher standard – it is quickly becoming the standard requirement. True, as I have argued in my book *Legal Upheaval: A Guide to Creativity, Collaboration, and Innovation in Law*, many clients have not been clear as to what they mean by innovation, nor have they quite figured out how to measure it.⁷ True, many law firms are unsure what they or their clients mean by innovation or what the ROI is on investing in innovation.⁸ But these – and other – ambiguities have not stopped law firms from answering their clients’ call by investing (in some way, shape or form) in innovation.

One way law firms are answering this call is by appointing, identifying or hiring someone in the role of what is sometimes called, the chief innovation officer (CINO),⁹ or some other title that signifies this person is the head of innovation. The very first time I heard of the role of CINO at a law firm was in April 2015.¹⁰ Inspired, I decided to investigate. Over the past couple years, I have interviewed more than 100 GCs, heads of innovation at law firms, and law firm partners¹¹ to uncover what is meant by the hackneyed i-word in the law market, to understand lawyers’

views of innovation, and to explore the role of the CINO at law firms. One of the many questions I sought to answer was whether designating someone as the head of innovation at a law firm is an effective way to meet changing marketplace demands and satisfy clients' expectations. This article explores that question along with others concerning the CINO role. It is divided into two parts. This part, Part 1, begins by overviewing the goals and roles of a law firm CINO as described to me by my interviewees.¹² Part 2, to be published in January 2019, highlights the holes that I believe exist within and between the goals and the roles. It concludes by providing three recommendations to law firms to help mend the holes so that the roles are better leveraged and the goals are better met.

I. Goals

*The greater danger for most of us lies not in setting our aim too high and falling short;
but in setting our aim too low, and achieving our mark.*

Michelangelo

There is a building hum in the law marketplace around the role of the CINO at law firms. So much, in fact, that David Wilkins, Professor of Law and Faculty Director of the Center on the Legal Profession at Harvard Law School, decided to host an annual meeting among heads of innovation at firms and heads of legal operations in legal departments to learn more about these innovation professionals and the operationalization of innovation in the legal marketplace.¹³ Although a CINO's goals vary by firm and by person, my research suggests three key aspirational goals of the CINO which I explain below. I say aspirational (as opposed to actual) because, as others have pointed out, aside from being an endeavour to save or make money, in many instances, the goals (and roles) of the CINO have not been completely thought out.¹⁴ Even if they have, they have not been thoroughly played out which may be simply a consequence of time. Although it is true that many who play the role of CINO focus on technological solutions to fulfil their charge, most of the CINO interviewees aim higher. And although they might still miss their mark (see Part 2 of this article), "the greater danger" as Michelangelo's quote above contends, is "not in setting [their] aim too high and falling short" but in "setting [their] aim too low".

A. CINO Goal 1: differentiate the law firm

Branding is deliberate differentiation.

Debbie Millman¹⁵

Of the three goals identified, “deliberate differentiation” is perhaps the least lofty, yet is most central to the CINO role. Interviewees described this goal as “selling the message” that they are innovative¹⁶ and agreed that it is “used as a marketing tool by a lot of law firms”;¹⁷ it is “part of the marketing value proposition and . . . great PR”.¹⁸ It may seem like a cheap shot, but it is not. It is actually commendable. Law firms have historically been known to be horrible at branding and differentiation.¹⁹ Having a head of innovation helps brand the law firm as innovative.

Perhaps it is not accidental that the recent success in some law firms being known as innovative coincides with the rise of the CINO. Being known as an innovative law firm helps get the RFP, and having a CINO helps law firms complete the RFP with a different perspective and this helps the firm stand out. Moreover, many clients want firms to have innovation leaders, even making the specific request for their involvement when conducting business. For example, one CINO interviewee claimed that one of the world’s top 10 banks required his firm to designate a dedicated innovation partner on the client’s business (not just a head of innovation at the firm) or risk losing their spot on the panel.²⁰ Thus, although “the role of CINO, for some, is just a lot of smoke and mirrors to make people appear to be much ahead of the curve”,²¹ there is a bit more to it for others as it is fulfilling client’ desires. So even if the role itself is not an innovation and not all CINOs are successful in getting their law firms to create real innovations, many interviewees felt, at the least, having the role is “improving what there is now”.²² And that is still progress by any measure.

B. CINO Goal 2: develop a culture of innovation at the law firm

Champions are not the ones who always win races – champions are the ones who get out there and try. And try harder the next time. And even harder the next time.

Simon Sinek²³

CINOs are the “champions” of culture creation “who get out there and try” in Simon Sinek fashion. Of the three goals laid out here, the CINO interviewees’ number one goal is to drive culture and mindset change so that innovation is mainstreamed and embedded in the practice and sector groups. This was repeatedly reflected in how CINO interviewees characterised their roles:

*My role is to help develop a culture of innovation and inquiry through education and collaboration across practice groups, departments, and offices.*²⁴

*It’s about driving change in the way the firm functions and delivers services.*²⁵

*My role and my team is to be the catalysts ... to help [the lawyers] think about their own business for themselves ... and overall transformation of how the firm operates.*²⁶

*It’s about people engagement, which has everything to do with innovation but nothing. We work heavily with people engagement to get them energized and engaged to create a culture safe for failing.*²⁷

Culture creation is the CINOs’ main charge because as in any kind of change management initiative, “[w]hen culture doesn’t support innovation, it doesn’t work”.²⁸ Interviewees across the globe say the same:

*For innovation to be meaningful in the organisation, it has to be part of culture. Creating an innovation culture and capability in the firm requires lots of projects and programmes to support that.*²⁹

*The purpose is to make what we call the innovation value chain a reality in the firm. But that is about developing the culture and infrastructure that allow people to be creative.*³⁰

It involves the psychology and methodology of change management ... It is only real change if you move the bulk of the organisation to accepting that this is a good thing to do and that they can be successful at it.³¹

Thus, the champion-of-culture goal is really the CINO's most important charge because if the lawyers are not on board, they cannot get to the business of facilitating innovation inside the firm, nor can they reach the third goal discussed below – innovation both *for* and *with* the client in order to transform relationships and drive business development.

C. CINO Goal 3: delight clients to derive business (old and new)

Only by reaching the second goal can the CINO maximise the third goal, delighting clients, which means more than merely *meeting* clients' expectations; it is about exceeding them. As explained in my book, there are many skills that lawyers need to hone in order to meet clients' expectations today, including project management, mentoring, business planning, leadership, branding/marketing, and more. To exceed expectations, however, lawyers need to turn to the creative, collaborative problem-finding and problem-solving skills that innovators master, such as empathy, observing/listening, risk-taking, and questioning.³² Further, in addition to honing a new skillset, lawyers who delight clients must also master the mindset of innovators. These shifts feed the aspirational aspect of the CINO – by and large the CINO interviewees understand and aspire to the goal of successfully delighting clients, even if some do not make the mark. This goal is not focused inward, towards the law firm itself, but instead, it is externally focused on the client. One interviewee explained it as follows:

For me personally, 18 months ago, I had invited a senior counsel from a large client to talk about his challenges and how we can provide better services. And that was my lightbulb moment. In the past, we were so distant from clients because we were focusing on servicing people internally.³³

This goal is all about the client – taking the extra step to connect to the client. It is akin to that of the design thinker – taking a human-centred approach to problem-finding and solving. With this approach, a whole new type and set of relationships can develop with the client:

I keep saying to people: This is NOT transaction related. The conversation you can have with the client even when you are not [officially] working for them opens up a whole new line of relationships.³⁴

The reason why we introduced the role of global head of innovation is that we are seeing the world around us and around our clients changing exponentially and we needed that extra to stay in touch.³⁵

It is only by understanding the clients' pain points and needs that the firm and its service offerings remain relevant to clients. The CINO's are there to help provide that relevancy.

We need to ensure that innovation doesn't happen in a vacuum, that it emerges from clients' needs. And it sounds simple, but [lawyers] often need reminding. The burning platform is that our clients want this from us. They actually want us to be listening and to be providing magical solutions and exceptional experiences. We need to be innovative and creative.³⁶

It's about providing a new type of client service – building a new kind of relationship with the client, a new door to their hearts and minds – and this is done by teaming up with the client and truly collaborating together:

What is much more effective, in my view, is teaming up with clients. If we work with a client as opposed to on our own, doors open that would never open as a partner.³⁷

Clients' positive responses to teaming efforts and open-ended pain point explorations without solutions help convince the lawyers to get on board with this goal, which then helps drive business. Client comments like the following carry weight:

*We need more law firms to invest in the front end and provide a value add to go through the problem at an early stage and talk to us – and not charge us – and not jump to advice.*³⁸

Client focus and the right culture are necessary to delight clients, differentiate, and drive business; so too is client focus necessary in driving firm culture. These two aspirational goals are looped like an infinity sign. Here is how two CINO interviewees describes this loop in action:

*If my partners see me in these settings and clients say “we had such a nice session with [me] on innovation”, then partners start seeing what we are doing and why. And slowly it turns and they start to get more interested themselves especially if the client is high on their list of clients. And the lawyers are very clever people, and once interested, they get ideas and want to share and look at tools and tech and slowly get more involved ... and it encourages people to dare to come up with their ideas of the law firm of the future. It’s mainly the clients’ feedback to the more senior lawyers in the firm that is really the accelerator. That’s why I spend so much time with the clients and they can help me change culture at the firm.*³⁹

*We need to have collaborative investment and collaborative approaches to problems and to deconstruct the problem together with the client and construct the solution together rather than going back with solutions and being told by the client “that’s not what we are looking for ...” But we need to get to a position to discover together as part of our daily lives. The starting point has got to be from an inputs focus (quality of work and how good your lawyer works) and output focus: what do you value of these services? Given that we have lawyers that do quality work, what will really make a difference? The people that crack that are the ones that will win this game, that is where you will win relationships that can’t be replicated.*⁴⁰

Lastly, delighting clients and driving business goes beyond actual legal practice and creating solutions to legal problems. Clients want help managing their department like a business, and they want help suppressing demand from their internal business clients.⁴¹

*I would love to hear from law firms and I would love for someone from a law firm to come to me and say “We have a point of view on the kinds of technologies that are gonna make your legal services better in the next five years. Would you like to talk to us about them? Would you like for us to present to you on them and take a look at some of your internal processes and look out how you could maybe tweak those to deliver better services for your clients and help your business?” I would love to have those conversations – and I’m rarely asked that. In fact, I’m never asked that.*⁴²

GC interviewees said this repeatedly and law firm partner interviewees echoed it:

*At the end of the day, what they want you to do is run their business and tell them, confidently what to do ... with instantaneous responsiveness.*⁴³

Firms have been rewarded – and awarded – for doing just that. For example, Gilbert and Tobin was awarded for conducting a hackathon with client, Westpac Banking Operation, to develop solutions to free lawyers up from time-consuming and inefficient tasks. CINOs understand the rewards from providing this type of service:

*[C]lients are increasingly interested when I’m sent along with how might I think differently about their business and procure our services to make them look better. There is an oversupply of talent and leaders who are empowering them, but they are asking a lot more of [in-house lawyers] and, suddenly, in-house have a lot of whack, but they don’t know how to effectively employ it.*⁴⁴

One of our marketing and client foci is that we want to be a business partner. It is sometimes difficult for a law firm to move into the wider business services. But there is an opportunity to become more of a business partner rather than legal adviser. We have had

*great response from partners and lawyers. We now have groups at our door saying “we are bidding for this job and need help” or “I have a large client and can you help me?”*⁴⁵

In sum, the CINOs seek to be ‘chief champions’ and the ‘tsars’ of innovation and culture change at their firms⁴⁶ so that the CINOs can meet their ambitious agenda to actually shift the types of services provided to clients, the way those services are delivered, and how they are implemented in terms of packaging and pricing.

II. Roles

I’m so many people.

Character Sally Draper in TV Show, Mad Men⁴⁷

In Season 7 of Mad Men, in the episode entitled, “A Day’s Work”, the character, Sally Draper, meets with her father and says “I’m so many people”, which according to others “sum[s] up the show’s viewpoint on the human personality – few characters on Mad Men could be said to be one thing only”.⁴⁸ This is also true for the CINO. Few CINO could be said to be only one thing in “a day’s work”. Instead, like Sally, each of them “are so many people”. In other words, not only do different types of people play the role, each CINO her/himself plays multiple roles. The role varies by firm in various ways, including how the role operates, what it is called, and who fills it. In the following section, I attempt to provide an overview of these variances understanding that this provides a limited view and it is descriptive in nature, based on my interviews of only 31 CINO and 75 clients, law firm partners, and senior executives at professional service firms.

A. Who

Some of the CINO interviewees formerly practised law but no longer do. Others were trained in the law but never practised. And others are still practising attorneys at their firms. Some focus exclusively on innovation and their titles communicated their role in innovation. Others played additional roles in the firm by title and in form, eg, head of knowledge management. Yet, *de facto*, they are considered in charge of innovation and recognised as such by people at the firm.

Indeed, this is why many of the titles of the interviewees vary (and I refer to all of interviewees as CINOs regardless). In many cases, the person playing the role created it him or herself. As Roy Strom, a well-known reporter covering big law for the past eight years, said to me recently about CINOs, “it is like they are on a personal mission, empowering themselves to do these things and they have this separate ability other than lawyering”.⁴⁹ Consider these examples:

*I was a practising lawyer for a number of years and then I moved into knowledge management. In my role, I see myself as in charge of pushing innovation through the firm ... it sits very neatly within the knowledge function because the principal focus of knowledge management is to help lawyers deliver a better and quicker service to clients. We look to how we can improve going back to quality and efficiency and a lot of the solutions have an innovation angle ... and of course, we will necessarily, when scaling, need to have a tech angle but because I'm talking to the lawyers about how they practice law and practice law better, the ideas and evolution of ideas sits in my team.*⁵⁰

*I have a law degree but was never a lawyer. I studied law and always wanted to be a lawyer, and then I worked at a law firm when I was still studying and I had a lot of responsibility already and I thought “no, this is not what I want to do” ... then there was a job opening at the University and I got involved in developing an online dispute resolution system ... then eventually I went back to law firm life. I was advising practice groups and the board. No one was in this position before at the firm. It was maybe a bit of both advising and leading innovation. I created it and they helped create it before that, and I just asked for a change of the title and they agreed it would be more fitting.*⁵¹

*I spent 30 years as a practising partner in industrial relations and employment law. I was managing partner of our Sydney office and a member of the board. In 2014, I created this role, conceptually and it took me six months to design and now I'm executing it. The word 'journey' is a terrible metaphor but it really is a journey of development. I'm not practicing any more. I phased that down and out.*⁵²

Other times, the CINO interviewee did not have a law degree or any legal training. This group often had very interesting backgrounds and had some training in innovation and design thinking. The following quote comes from a CINO interviewee who describes herself as “innovator, intrapreneur and a business transformer with some design thinking skills”.⁵³

*My college background is psychology and computer science and so I was very interested in human behaviour and the change in that and a philosophical view on humans and deep computer skills.*⁵⁴

Sometimes, the CINO interviewees were practising law firm lawyers. All of the CINO interviewees who were simultaneously practising were partners and fairly senior. For them, heading up innovation was not a full-time job but consumed more of their work time than actual practice. Common responses were as follows:

*About 15% of my time is spent in traditional fee earning; ie, being a litigator and charging my time for doing cases. Then my role is split between business development in my head of innovation role and my head of consumer sector role. As part of that, I lead a [client connection] team which is closely connected with winning and running the affairs of convergence with clients ie, those clients consolidating their legal suppliers globally.*⁵⁵

*The vast majority of my time is as the head of innovation and there are some clients I still work with. And because they are my clients, I’m stuck to them and in a good way. It’s good to stay in touch with the practice of what is going on day-to-day in the life of a lawyer. It is one thing to write about innovation but the more you can get into the substance of the day-to-day, the more helpful. It keeps me into the practice and the team here. But I’m doing the majority on the innovation role.*⁵⁶

I practise percentage wise one-quarter of my time, by my own election. I like to practise and keep my foot in it and you can’t do much less than that if you want to keep your foot in. I track about 3,400–3,500 hours a year and out of that, I bill 800 hours and chase

*clients for another 100 to 200 max. So 1,000 hours towards practice and 2,500 hours towards what I do leading innovation.*⁵⁷

Sometimes the head of innovation is a lone wolf. Other times they are part of a team, but these teams are often not large. Sometimes there were two people co-leading innovation at the firm. In these scenarios, often one person was a practising lawyer and the other not. As one practising attorney CINO interviewee explained, after three years running innovation on his own:

*I'm recruiting for a director of innovation to assist me, and some other firms do have directors or non-lawyer senior colleagues who lead in innovation (often ex-industry) who are paid a salary.*⁵⁸

The titles for the person who leads innovation vary in what may seem like a chaotic collection of nomenclature that is, in reality, anything but haphazard. Many interviewees explained the care (and politics) involved in picking their title:

*We have really struggled with the title. We have been kicking around chief innovation officer, but we don't want to overblow. You have to be very careful in a firm when you do that because people need to clearly understand what the title means.*⁵⁹

*I have never been a fan of calling someone a chief innovation officer. That gives them the responsibility to find all the ideas. That is why I'm called client solution director. It is another element of this firm; ie, truly client focused emphasis on the client.*⁶⁰

Other firms have the title chief innovation officer. I know another law firm just recruited someone with that title and when I looked at that person's CV, I was very intimidated by it. In some ways, it is a tech appointment and that is not my background. And I was thinking about this just yesterday: "Oh, maybe I should change my title, but I don't want to lose knowledge management". What is law? It is a knowledge business and I am a lawyer and we can't lose that at its core. It is all very well to say we are business advisers but at the end of the day, we advise on the law. Should I be called the chief

knowledge and innovation officer? Maybe, but the title gets muddled with the information officer which is the tech expert. How do you deal with that? It's just a shame that it is the same initials 'CIO'. I have more and more doubt of how to signify what I am doing. Probably, I need to reflect.⁶¹

My title, national innovation leader, really just caught up with what I was doing. After five years, we decided to align my title with what I was doing and we only changed the title six months ago. Really, the title followed what the firm was committed to doing.⁶²

B. Why

Interestingly, the motivations for taking on an innovation leadership role are similar whether the person who heads up innovation has legal training or not (or practises law or not). While the firm might have different goals or reasons for appointing a head of innovation, the people who play that role share many of the same 'whys'. All of the interviewees were clearly passionate about inspiring their law firms and lawyers within them to change the way they practise and service clients to meet the changing demands of the marketplace:

I am passionate about all the things that can help us help our lawyers transition from the guy with the quill pen to the modern day service delivery provider.⁶³

I really like to inspire people, and right now it is only small steps, but every small step is a step.⁶⁴

In this role, I have the opportunity to make a meaningful change.⁶⁵

I found it very frustrating ... I know what good looks like ... I could not believe that law and practice could be so inefficient. Hours of doing mundane costs and overcharging the client or writing it off because the client wouldn't stomach the bill ... When I was asked to join my law firm now, it was the opportunity to work with them and do some really good things that I couldn't turn down.⁶⁶

So, the point is, the people that are filling this role aren't skills – even if management at the firm created the role for purely marketing reasons, and even if the people that fill the role cannot fulfil it to its potential. The professionals I interviewed who have innovation leadership roles are uniformly passionate, driven and committed to the cause.

C. What

So the question is, given the goals, what do CINOs actually do at the firm? My interviews suggest six common sets of tasks across CINOs:

Set of Tasks 1: Curating ideas and facilitating innovation processes and execution

As mentioned above, one of the main goals of the CINO is to create a culture of innovation within the firm so that the CINO can actually facilitate some real innovation. Unsurprisingly, most described their job as fostering and curating ideas, and many also talked about overseeing the process of bringing the ideas to life.

There is quite an IT component and delivering it and the elements, but my job is to help find the ideas and help curate them past whatever barriers there are in the organisation whether the barriers are time targets or a lawyer that just doesn't get it. My job is to foster the good ideas and make a portfolio of the best and pepper the best ones with the little certain ones [and] focus on shepherding the process too.⁶⁷

CINOs commonly talked about leading various innovation projects, including implementing idea crowdsourcing platforms to capture ideas across the firm, running innovation sprints and contests, and helping to create incubators to bring ideas to life.

We created a journey to bring teams together and ran problems to solve across the firm to incent problem solving and working together and ideating that involved physical teaming and then pitching to the executive team and then to the board. The winning idea was implemented.⁶⁸

Some of the CINOs facilitate innovation at the firm themselves doing so in their own way, while others take a more scientific approach to innovation and seek help from innovation consultancies who are trained across multiple industries:

We take a very science-based approach, working with an innovation consultancy. It is all based on fact and neuroscience and organisational psychology and management science to back up the process. We work people through the process and how it works (and we know that it works) and that has proven to win over even some of the most cynical partners.⁶⁹

A few also attempt to train the lawyers on innovation by delivering workshops on design thinking and storytelling. As one interviewee explained:

The most important skill is storytelling, and lawyers are terrible at it ... storytelling is more about trying to make them think in plain language about options and possibilities. The story of the environment in how we operate needs to be plain and accessible. The story is first. It is the “why”, what is our purpose ... The minute you say things like “core competency differentiation” or “new entrants”, people switch off because it is not their language. You have to be patient. Things that are really obvious to you are not in the organisational culture of the people at the firm you are working with.⁷⁰

That said, mandatory training can fall flat. So, many CINOs attempt to involve clients because it is a sure-way to convince lawyers to hop on the change management train:

One of the telling examples of this was [in the mid-2000s] when we first rolled out project management. It was a classic way to not do change management. We rolled it out with mandatory training sessions and a few emails and materials and it completely flopped. No one did anything. When we realised that the lawyers needed someone to come alongside of them to understand the tool and that they needed the client to ask them to do it, we then got some success stories. Then we urged them to go ask your clients if you can do this for them, and they did.⁷¹

Set of Tasks 2: Analysing technology available for lawyers that is or can be used by the firm to enhance transparency, increase access, create efficiencies, and please clients

Although the CINO role is much more than merely a technological one, being tech-savvy is essential. More than that, many of the CINOs seek to democratise technology at the firm so that all lawyers have access to the same technologies and tools in order to enhance their efficiency and effectiveness with clients.

Part of my job is to understand the tech tools that are available and provide transparency as to what tools we have at the firm and enable access across the firm to help lawyers decide which technologies/tools to use. Essentially, I democratise what we have and make it available to all lawyers across the firm.⁷²

I track what other lawyers are doing in the firm, what products they are using, and provide transparency.⁷³

I actively seek out and explore emerging technologies and then invest in innovative ideas.⁷⁴

Because technological tools can conflict with firm policies, the interviewees explained, the CINO often helps find a work-around solution. CINOs analyse the needs of the lawyers when it comes to technology and try to convince lawyers to use new technologies that will help them service clients better. Even further, CINOs seek to train lawyers about the importance of using technology with consistency so that clients have similar experiences when working with different lawyers across the firm, and so that clients view the lawyers as being tech savvy or, better yet, innovative. As mentioned later, clients care about what technological tools their law firm lawyers are using and sometimes consider tech savviness a proxy for being innovative.

I look at the process inside the firm. I have developed SWAT teams to analyse the saturation of tech at the firm to find places where we didn't have tech but could use it. Our tech practice group got stale. I spend time talking to lawyers about what does and

*does not work for them. I conduct beta trials. I try to spark people to be more open to trying new things instead of just having ideas generated by the lawyers and group think ... Of course, it will immediately come in conflict with a firm policy for how we view the cloud. And the partners call me. But we can show you what you can use. Usually there is nothing people come up with that we don't have a solution to help them. It's whether they knew they could do it. Our job is to train our lawyers to be consistent with clients and use tech to make sure it is all clear ... We preach a lot of practical application of the tech and use it to make the business case clearer for clients.*⁷⁵

Set of Tasks 3: Analysing, unbundling, and reconfiguring processes to enhance transparency, and create efficiencies inside the firm to improve client service

Although technology is important, CINO interviewees do not think it is the be-all and end-all nor that it is the only gateway to innovation. In addition to ensuring that lawyers are using tech for the right reasons and in the right way, CINO interviewees analyse law firm processes in order to break them down to find inefficiencies and then reassemble them (or create new processes) for more efficiency to provide better and cheaper service to clients or to save money for the firm. This sometimes includes offshoring and/or hiring alternative service providers like LPOs. Below are some descriptions of this task area:

*I start from the point of looking for different, better, improved ways in which we can run our business to improve the service we can offer our clients. And it doesn't have to be boiling the ocean or through computers. There are lots of ways we can innovate in the business. A lot will involve tech because tech is so influential in how we conduct our business. But it doesn't just have to be tech and tech should not necessarily be the starting point. We should not use tech for the sake of using it but to improve the service we give to our clients. Here's an example of innovation. In our Dubai office, we were wasting a lot of time waiting for the lift. So we opened up the stairwells between the floors. It is one of the innovative things we have done and it is not what most people think of as innovation, but it is a better way to conduct business. It frees up time. The point is, it doesn't have to be using Watson in the computer to get small incremental gains in the business.*⁷⁶

We launched a disaggregation strategy. The legal industry has largely operated in feudal times. If you needed a pair of shoes, you walk to the cobbler and then they measure, and then they make a cut out: and then a few weeks later you get shoes. We move from that to basic industrial revolution techniques, basic things like breaking down different services. We find the lowest cost way to do them and reassemble those to provide better service to clients. It's not terribly revolutionary but we need to find low cost tools ... and de-emphasise tech because it can slow things down. Then we help the lawyers put their tools together and our team of dedicated lawyers (that don't practise) and non-lawyer professionals have the goal to come alongside lawyers to re-engineer services and utilise the offshore and onshore options and help repackage them to the client. From there, it is very much a journey of re-engineering and rethinking how we do pricing and project management. And then it's engaging with some of the other key and unique stakeholders in the market like the accounting firms to develop a strategic relationship with them and the services they are providing ... My view is that we should engage with all sorts of alternative service providers to be productive.⁷⁷

Set of Tasks 4: Aiding in new business pitches, responses to RFPs, and panel reviews

One set of tasks almost all CINO interviewees talked about was helping the law firm lawyers with client pitches, RFPs and panel reviews. CINO add indispensable input and oversight here:

Nine out of ten RFPs request ... the story of innovation at the firm. So we interface with the partners and the client to figure out what does your client want to change and what is success and how can we lower costs. And we interface on what do they mean by innovation.⁷⁸

Every panel review, where a client has eight–10 or 15 law firms as their preferred law firms, almost without exception, four to five years ago they would demand to see evidence of intention to innovate (and lawyers are good at showing intention to do anything). Now, what we are finding are questions asking about whether the firm has found the right resources for your work and whether you are using those resources and project

*managers and tech solutions. They are asking what is beyond the pilot stage. What is real. This type of evidence is huge. Our partners are waking up saying to me “I have this strange request; can you please help?” If they have not taken those questions seriously, they see the feedback from the clients on those parts and they see that the clients are serious about it. And I only expect that to be much more prominent in the way we do business.*⁷⁹

*We got involved because the marketing manager rang me on a Wednesday and said “we need five iPads by Friday urgently because we are doing a pitch for a really big piece of work and part of the tender is that you have to show them how tech savvy and innovative we are, so we have to do it on iPads”. So, I said respectfully, this might have seemed techy and savvy five years ago, but it is not going to cut it now. And the manager said “tell me what is”. Then, within one day, we had created a demo site and branded it and provided a pitch with branding (with help from the marketing team). The partners were blown away. They were not sure they were confident enough to demo this at the [client] presentation because it was the first time they had seen it. I begged them to please spend an hour with our IT guy and if they were still not comfy, then no worries. But, after an hour, they were. They went out on the pitch, logged onto the site, and showed the client how they could use it and they left the logon and password so the client could play. But we have to find those opportunities, to get some points, and that is how we gain momentum.*⁸⁰

Set of Tasks 5: Engaging with clients to better understand their needs, develop relationships and collaborate to provide more client-centric, effective and efficient services

Many of the CINO interviewees commit a percentage of time to being client-facing. For example, one interviewee said it was 50% of her/his time. CINO interviewees attend client meetings that are purely exploratory. Other times, they are driven by the goal to do what the CINO often does at the firm, improve process or help with innovation but for the client (as opposed to the firm). Regardless, all CINO interviewees view client engagement as important to their job. That said, it appears that those CINO interviewees who were not also lawyers are not always given as many opportunities to have direct contact with clients for various reasons (which

will be discussed more in Part II of this article). Regardless, all believed that client-facing engagement is essential to the role:

I try to talk to clients about the things we are doing as a firm to offer our services in a better and more cost-effective way and ask whether it is what they need and adds value. I also try to help clients change and to innovate. Also, I try to share with clients what are the lessons we have learned in innovation efforts, what we are expecting in the market, what are the things that have failed and that's a good way to start to collaborate and innovate.⁸¹

I attempt process improvement with the client like smaller projects, unbundling services. It is a nice starting point with client engagement to break down complex matters to make them more efficient ... The other way to involve clients – a quite a lot of clients – is with tech and process improvement, helping them do it. In-house lawyers are charged with making important strides in this. For example our banking clients, they are big banks, but they have little in the way of resources. We build those relationships and they have the potential for co-creating value. I tell them all the things I think and give them resources rather than say we are doing amazing stuff to make us the law firm of the future. [Our lawyers] are good at saying how good we are. What is important is what will [the client] get out of it. This is at the source of everything we do. We cannot achieve what we want to achieve – pull away from the pack – without [the client's] effective engagement.⁸²

Successful CINOs know that the key is a combination of co-creation and ‘service’ innovation – innovation in how you service the client and also what services you provide. This is why many of the CINO interviewees take on multiple roles at the firm⁸³ and conduct exploratory meetings to identify pain points and opportunities, and to visually map out in-house clients’ processes. They do this with clients and potential clients or even former clients, and, significantly, they do this for free. (Some firms, like Reed Smith and Clayton Utz, have even created special innovation spaces at their firms to conduct these interview/investigative sessions. These spaces are filled with cool collaborative tools spanning from fancy virtual reality machines to walls made of white board and bean bags.) For the CINO interviewees, these meetings are really about

connecting with the client for business development ie, it is relationship development for the co-creation of solutions and services that meet the mark which leads to more business. James Batham, head of innovation at Eversheds (and also a practising partner), poignantly commented on LinkedIn: “Whilst lawyers are almost unique in stressing about what ‘innovation’ is, the rest of the world gets on with it and calls it ‘doing business’”.⁸⁴

Set of Tasks 5: Networking with legal innovation communities across the globe

Lastly, part of the CINO’s job is to know what is happening in the marketplace and what other clients and firms are doing. So they spend time networking and becoming a part of legal innovation communities across the globe, including those events where their clients are – whether it is going to CLOC, participating in legal hackathons, attending conferences about innovation in the law like those hosted by Janders Dean, or joining LawWithoutWalls. One interviewee said it best:

*Part of my job is building a network of people who have a lot of insight (very much more than I do) into innovation inside and outside the legal sector.*⁸⁵

This network helps the CINO get external support which leads to enhanced credibility and internal support.

Mini-conclusion Part I: Unfulfilled Potential of the CINO is Like Failing to Get the Ice-cream to the Bottom of the Cone

As demonstrated above, the CINO role has huge potential to shape the future of the firm and drive success both *internally* at the firm and *externally* with clients. However, we cannot stop with potential. Stopping there is like failing to get the ice-cream to the bottom of the cone. True, we can always get ice-cream in a cup and usually the cup is for free. But if we are going to pay for a cone, we should at least ensure the ice cream fills to the bottom so that we get the benefit of the cone to the very last piece. And that is the point here. The CINO role at this point is like the ice-cream. The challenge is how to get the ice-cream to the bottom of the cone. To that end, Part II of this article, to be published in January 2019, identifies and explores the potential “holes” in the role of the CINO that are currently preventing CINOs from fulfilling their roles to their

fullest potential, that is preventing them from getting the ice-cream to the bottom of the cone. Specifically, it contends that the role of CINO is ridden with three holes, all beginning with the letter “C”: Confidence, Competence, and Commitment. Although it is more than clear that the CINO that I interviewed, individually, each do not lack all three of these attributes (confidence, competence, or commitment), Part II argues that it is a lack of these three conditions *generally* at the law firm organizational level and sometimes *specifically* among certain individual CINOs, that derail CINOs and their potential success. Understanding that there are likely many ways to mend the holes in the role of the CINO, Part II concludes by providing three recommendations to law firms to consider as they continue to attempt to answer their clients’ call for innovation, no matter how vague or hackneyed that call might be.

III. Holes

A tiny hole can empty a great big bucket.

Cynthia Copeland Lewis⁸⁶

The CINO role has huge potential to shape the future of the firm and drive success both internally at the firm and externally with clients. That “great big bucket” of potential, however, is, at this point, ridden with three holes all beginning with the letter ‘C’: Confidence, Competence and Commitment. So, if it is true that “[a] tiny hole can empty a great big bucket”, the problem is compound and clear: there are three holes, and all three are interrelated. Fortunately, the CINO interviewees do not lack confidence, competency and commitment – quite the contrary in most cases. However, it is a lack of these three conditions that prevents CINOs from fulfilling their roles to their fullest potential.⁸⁷

A. Confidence

Lack of confidence is one of the three primary holes preventing the CINO bucket to be filled to the brim. How so? Frequent complaints from law firm partners and CINOs themselves are that law firm lawyers only want to innovate in some way if some other firm is already innovating in that way, a bit like lemmings:

When you suggest doing something differently, a classic thing to be said in a law firm is: “Who else is doing it?” In every law firm, every colleague hears: “Which other law firm is doing this?”⁸⁸

Law firms are graphic equalisers. Someone does it and everyone else does.⁸⁹

Some may call this a fear of risk and/or failure. However, I think that fear is driven, at least in part, by a lack of confidence about how to innovate and measure the true value of the time it takes. Thus, it is not unlikely that law firm lawyers have a lack of confidence in the CINO role, even if they respect and admire the person filling it. For example, law firm lawyers have not all woken up to the value of a CINO or that a CINO can help them with business development. Even those who have, do not necessarily believe that they should bring the CINO (and the tech and marketing colleagues with whom the CINO works) along with them to client pitch meetings:

They get that the CINO is there to fill the divide between staff and attorneys, but they aren't picking up the phone to call the CINO to talk philosophically about “do you think our practice group can benefit from blah blah?” And when they go on pitches, they don't realise that they need someone from our team and from the tech team that ... can answer the questions about the pitch [that] we and the partner's great marketing team put together.⁹⁰

I am not attending pitches, yet I'm involved in all big pitches. I or my team will be involved in the drafting and where I tend to get involved is once we are on a panel. I will become very much involved in that relationship and getting that panel off the ground and making sure the things we promised in the pitch document, that we are holding our promise. I have always thought that there was a place for someone like me in the pitch meeting and it just hasn't happened and it could partly be a geographic thing or it may also be that I have not been at the firm quite long enough for that to be. It is still very much the case that the best lawyers go on the pitch and they are always limited to only

*bring three or four people. So the short answer is no, but that may well change and quite quickly along with my involvement.*⁹¹

Moreover, although it is true that some law firms are innovating, time and time again, it appears that they are doing a lot more towards *internal* innovation than *external* innovation *with* clients. I heard lots of complaints from GC interviewees that law firm lawyers were simply unwilling to co-create together, to innovate *with* the client.

*These are the value adds. The things that they can provide us that are not the traditional model of advice or documentation ... a transition to thinking away from tech to the softer side, to developing that broader set of skills ... Some law firms are running [training] programmes ... and offer some spots for us to come along. That's been interesting, inviting us to piggyback on their efforts. But what we keep saying to our panel firms is: let's do something together – let's develop together – bring in an external provider and work with them to together develop a training programme and give us an opportunity to work together on learning opportunities.*⁹²

I have experienced this lack of confidence and unwillingness to risk *together* with clients first-hand multiple times. Often, when firms first decide to sponsor a team in LawWithoutwalls,⁹³ which requires going on a 16-week innovation journey, they do not include their clients on the journey as we recommend. Instead, they staff the team with internal people from the law firm. They explain to us their reasoning which is generally that they do not want to risk doing this with a client before trying it themselves. This fear of risking with the client appears to stem from a lack of confidence in the strength of client relationship to withstand an attempt at innovation that fails and in their own abilities to collaborate the way innovation requires. Some of the CINOs talked about this and their view on transparency of vulnerabilities:

I'm very transparent about what we can/cannot do and when we are successful and when we are not. I believe in showing a level of vulnerability, which is something that clients do not normally get from law firms. But in this discussion, and around innovation, an

*openness and willingness to put issues on the table is essential, to say these are the hurdles; this is what we struggle with.*⁹⁴

Worse yet, I have heard stories where law firms have innovated for the client and to solve the client's problems, and not involved the client in any of it – in neither the problem-finding nor the problem-solving – only to show up at a client meeting to deliver solutions on a silver platter. Understandably, this strategy is less than successful, because it demonstrates an inapposite approach to innovation. The key ingredients to successful innovation (eg, empathy, problem refinement, and solution testing *with* the target audience) are conspicuously absent. Unfortunately, some law firms fail to involve the client in problem-finding and solving even when providing more typical types of legal advice or solutions; and some never know it because they do not seek feedback to find out. As a CINO interviewee explained:

*We need to do more after-matter reviews with clients. No law firm does a great job at that. You may have firms that do it internally but a lot of firms, they don't ask the client to sit down (and not on the clients' dollar). I have participated in a few reviews and taken the time to have the client in and give them a lunch to make sure we handled the project the way the client wanted it. And to find out what is a better way and I'm not charging the client for the time. It is a huge piece of good will – if you can get lawyers to take the time do it. Now that would truly be innovation. I can't tell you what the definition is of innovation, but that would definitely be it and not the norm.*⁹⁵

This CINO has it right. The only way law firms will be able to serve their clients better is if they show more vulnerability and seek more feedback, which requires confidence. And the CINO is the right person to help their firm colleagues build that confidence because s/he can seek the feedback on behalf of the lawyers and receive it from the client (hopefully with the lawyers present). Moreover, the CINO can be accountable to address the feedback gained because the CINOs generally treat feedback (despite its painfulness) as potentiality ie the opportunity to create new ways of providing service that will delight the client and build business for the future.

Confidence is not a one-sided hole that only law firm lawyers can and should fill. Rather, a key to a solution is getting help from the clients. Currently, it seems as if clients are talking out of both sides of their mouths. On the one hand, they appear to be asking for collaboration towards innovation; yet, on the other, it is a vague request without the requisite support. As one of the non-lawyer CINOs explained incredulously:

Why do the in-house counsel keep inviting the partners to meetings if they know there are other professionals [like me] that can engage with the clients' professionals and have that reality check up-front. Otherwise, the client is part of the game and then they can come back and just point fingers. So, I tell GCs that they should ask that their panel firms to appoint a director of innovation. Then they will have someone accountable to make it happen as opposed to someone to say "whatever" to keep selling his own old legal model. That's something clients might come to, requiring more than the senior relationship partner to engage.⁹⁶

A huge growing issue is outside counsel guidelines. I read at least one of those every day. The volume has gone up considerably and the complexity dramatically. They go through all these things: not more than two people in a meeting. We won't pay for more than three hours of legal research. What the hell? What they're doing is, instead of engaging with outside counsel in innovating and how services are being delivered, they are just putting in gates – "don't do this or that". And it is a laundry list of crap they won't pay for. How is that driving innovation? In fact, in some respects, it's the opposite. It is preventing innovation.⁹⁷

Or worse yet, the call for innovation is viewed as a demand that law firm lawyers should fill *or else*. CINO interviewees described a rift existing between firms and clients that might be contributing to the lack of confidence and unwillingness to co-create together:

A key problem we have as a sector is that in-house legal departments and private practice firms are facing off, when we should be standing next to each other and serving the business. It is because we have a buyer-vendor relationship. It is contractual and we

are part of the supply change rather than really a trusted colleague. The spin-off is not a free flow between the two parts of the sector serving the business which means we can never get to the point to develop the socially complex relationships required to start winning more business and be a source of competitive edge ... Our clients are starting to ask us to do this for them but in this construct: We are not in this together but instead, "Find it. Do it for us". And so the law firm lawyers do.⁹⁸

Clients ask for innovation and do nothing to help implement it. They pressure us to create it and we come up with stuff because law firm lawyers are quite creative.⁹⁹

B. Competence (and capital)

The second hole with a capital C is competence. Just as I have argued that it is absurd to think professors can just miraculously teach students without any training in teaching, it is absurd to think that law firms can just miraculously motivate lawyers to innovate and implement innovation without any training in innovation. Yet, so many law firms have jumped on the innovation train without actually understanding the what, why or how. I am not suggesting that innovation does not require a 'just do it' attitude. Indeed, over-planning can be the death knell of innovation. Yet, there is an art (and a science) to innovation. I was surprised that many of the CINO interviewees (especially those were also practising lawyers or formerly practising lawyers) had little training in innovation or design thinking. This lack of training shows its colours in the horror stories of worst practices. Consider the following true story from a client, a senior in-house lawyer who recently became head of legal operations for the legal department of a very large multi-national company.¹⁰⁰ It was, unfortunately, a parade of horrors by a CINO who is, according to this in-house lawyer, really well-intended:

Horrible 1: Failing to set expectations and wasting time from the start

I was on a conference call that had been organised by someone in my team in response to an invitation by the law firm. On the call were a number of lawyers from my company, some junior and senior. There were four lawyers and two people from the operations

team. The head of innovation and a couple other partners and various associates were on the call. They were discussing this robot that the firm had created and uses for multiple purposes. Essentially, I realised, they were using it internally but are now trying to get clients like me to use it.

As an outsider, new to my role, it struck me, looking at it objectively, that the number of people on the call when we add it up in terms of hours was really disproportionate to the objective of the call. And also, I couldn't figure out what the objective of the call was.

The head of innovation was quoting Henry Ford and the need to have change and innovation in this space, yadayadayada. No one would disagree, but it was a real disconnect. Two of my guys are on the call and not saying anything and I still don't know why I'm here and, as a manager, I'm a bit pissed off for the waste of time.

Horrible 2: Lacking empathy and jumping to a solution before exploring and defining the problem(s) with the client

Finally, [the law firm lawyers] get to the point: "Here is what the robot does for us internally at the firm and just think what it might do for you to operate a lot of your processes." At this point, I got a little sharp. I tell them, "That's great, and you talk about how your chatbot can fill in our precedents, but you fail to grasp where we are in our journey. We don't know where our precedents are, and we don't have a bank of them; and we don't know if the precedents in one part of the UK are used in another. We haven't even figured out, from a risk perspective, what risks we take, how our level of risk varies in one part of the department versus the other, or why that is so. And we don't have the volume of contracts needed for this type of machine learning to pay out and we don't have the sorts of contracts that your firm wants to help us automate. So the idea that we could just chat to this robot like we would to Alexa to fill in the precedent is crazy."

Horrible 3: Lacking understanding of the client's business and presenting from the law firm's perspective instead of from the client's perspective

Essentially, [the law firm] didn't appreciate where we were on the journey. I can't assume our law firms have taken the time to think of this stuff and I'm sure I'll see this play out with other law firms too. They go to these presentations coming at it like "we have a shiny new toy and we want to tell you about it". But they don't take into account that law firms are so much more structured than legal departments. Law firms have slick processes and can use chatbots. It shows their naivety to think that the in-house problems are the same as what they are dealing with at the firm.

Horrible 4: Claiming to know how to innovate but failing to behave with the mindset and skill set of an innovator

They could add value by spending more time figuring out where in-house is in the journey ... There are the pockets of law firms that understand innovation and have a really good understanding and they come at it from a different angle. Others put pressure on the partner to talk about innovation, to seem to innovative so that their name is heard in that space, but I don't think that is particularly intelligent.

There are a few CINOS that actually will talk about process and mapping out your processes to try to help get under the skin of what it is people do in a legal function. And that, to me, is really interesting. It shows they understand and they want to get to the nitty gritty of how our function operates. And they appreciate that laying out our processes end to end (who does what and why do they do it) that is increasingly important in a world with increased data. Until you know what everyone is doing and why, you can't change behaviors or processes.

So, although the law firm CINO in this example had good intentions, the lack of time spent problem-finding and really empathising with the client is the exact opposite of what innovators do. Further, the client felt disconnected and devalued – the exact opposite of the CINO's intention. Here, the CINO presented the robot as an as-is solution that not only would not work for this particular client but was clearly not bespoke or catered to the client's specific needs. The client in this story absolutely knew that the firm was presenting this same solution 'as-is' to other

clients as well. The other pitfall in this was that the CINO focused too much on the tech, “the shiny new toy”. This is a complaint I have heard multiple times from partners about CINOs.

We have two innovation champions with which to work, but they are more into the tech side. I know what innovation is not and it is more than the strands of tech. It is a holistic strategy to be different and show that you add value.¹⁰¹

Perhaps the worst horrible about the entire scenario described above is that the only reason I knew about the meeting in the first place was because the CINO told me with excitement how great the meeting had went. I decided to check in with the client in the hopes of finding an example of best practices and was disheartened to find out that it was actually an example of worst practices. So, *Horrible 5* is a lack of self-awareness and failure to seek feedback. This CINO had no idea the meeting had gone so badly and he did not check in with his key contact after the meeting to see whether it went well for the client.

The CINO in this parade of horrors story is also a practising attorney. Could this be why there were so many pitfalls? Who knows? Some people believe that CINOs should not be lawyers.¹⁰² Indeed, some of the CINO interviewees who were not lawyers believe they had an advantage, in part because of their training in other disciplines and in innovating, and also because they felt it gave them greater freedom. As one CINO interviewee explained:

I find it super helpful that I’m not a lawyer actually, but the caveat is that I’ve been with the firm since 2007–8, almost 10 years. I know the firm and I have been part of the firm’s journey to its current success. I know that the lawyers have had to go through a lot of transformation ... but that was the easy part, now we need to transform the business model. This is a whole new world and nobody knows the rules and actually we have to invent them. And I enjoy a greater freedom because I am not a lawyer, and the people I recruit are not lawyers and they have unconventional profiles as well. If you don’t pay attention to these new people who are approaching how the legal market is working differently, they may become the bosses one day in another world.¹⁰³

So not having a law degree may be considered a positive to some. The downside, however, is that these CINOs lack legal training and training-by-experience from actually working with lawyers as lawyers. Even those who really understand the law market and have been with the firm for over a decade, like the CINO quoted above, might still have some trouble from a social capital standpoint. So even if they are super competent (which most of the CINO interviewees are), they might not be viewed by their colleagues and other stakeholders as such.¹⁰⁴

*I think the lawyers on a little unconscious level think “oh she’s not a lawyer; she’s not a partner”. So, I have a level of inferiority that makes me unintrusive and they can say “no I don’t have time for you now”.*¹⁰⁵

Social capital is also a problem when the person filling the CINO role is an older partner who is on the way to retirement. I found a few examples of this. My net: whether the CINO is a lawyer or not, I believe s/he needs to be someone who has training in innovating and is senior enough to be a respected leader at the firm (which will vary by firm).¹⁰⁶

Lastly, there might be a lack of innovation competence (in general) among law firms that is related to the next C below, commitment. True, lawyers have had to innovate in law for as long as they have practised, but innovation today requires a pre-mortem on the firm’s competencies including its competency to change. Innovation requires a change in mindset and culture along with a holistic (almost do-over) strategy that begins with reimagining the delivery of legal services and role of the lawyer:

*We need a general honesty about how we are not very good at quite a lot of stuff. If we can achieve that, and do it within the relationship with the clients we have and develop close relationships that will be progress ... To start developing the real value activities, we should reimagine how we deliver our collective service to the business for everyone, that sort of environment has been achieved in other areas and that sort of approach will be the nirvana.*¹⁰⁷

But to reach nirvana, law firms need to fill the third hole discussed below.

C. Commitment

The third hole is a lack of commitment. There are two facets to this hole that prevent CINOs from fulfilling the role to their potential, and not unsurprisingly, they also begin with the letter C: compensation and culture.

Beginning with compensation, some CINOs are not compensated for their work in innovation.

As to reward, I'm measured in the same way as all partners and there is no different analysis of my contribution because of my innovation role. It's primarily about the fees I bring in through fee earning, my clients, and running the client connection team. I am unusual in that I bring in work because of innovation. That for me is the key point. I realised long ago that I couldn't win multi-million pound annuity clients (ie, clients who are prepared to give the firm millions each year) because I was a specialist litigator, but I could if I talked the client's language of change and efficiency.¹⁰⁸

Although it varies by firm, law firm partner and CINO interviewees mentioned that often lawyers are not rewarded for innovation. I heard repeatedly that lawyers' efforts at innovation are not recognised in the firm and even if they are, they are not compensated. This is made even more complicated by the difficulty in measuring the value of innovation. Contributing further to the problem is that remuneration is often based on an assessment of an individual's contribution. Even if the assessment includes non-financial contributions, this creates a structural impediment to collaboration and disincentivises team based behaviour:

Revenue and revenue production on an individual basis still runs how people are remunerated. So there is a great deal of self interest and fear and fear breaks down collaboration. In its dumbest form, I'll collaborate with you if I can get something from you. It is not collaboration for collaboration's sake. I want a dollar number to come out of it ... Our firm talks about it a lot. Nice words in a well-put together policy that doesn't

*translate into hard-and-fast rules on how to weight behaviors vs how much revenue you made.*¹⁰⁹

*I'd say there is a high degree of cynicism. We talk about collaboration and diversity but numbers are what talk. People want to talk about cooperation, but they don't really mean it. Only numbers matter ... In certain areas the firm is very profitable, but there are three firms in our market that continue to win against us. The only way to compete is with a team-based collaborative culture.*¹¹⁰

*If it is working properly, it has an internal and external aspect ... It is not just being on a soapbox making the case for change as opposed to working with clients to implement change, working with the board to identify hot spots for innovation and working with your HR teams to find the right incentives to devote time to these projects that aren't leading directly to client revenues. There is a whole lot to do internally to make it happen – a whole lot more than a marketing ploy.*¹¹¹

And that “whole lot to more” leads to the second facet of the hole, which is culture. The two go hand in hand. If innovation is not compensated (or rewarded), then it will not be ingrained in the culture of the firm.

As stated above, this is the CINO's most important goal: to create a culture of innovation. Yet this goal proves exceedingly difficult for at least three reasons.

First, despite the ubiquity of the word innovation in law, some firms are not talking about it at all, or they are not talking about it enough or they are only paying it lip service and the partners know it. Unfortunately, it is not uncommon to hear quotes like this:

*You know what, I don't think that in almost 13 years in legal, I've participated in a serious conversation about innovation (other than discussions about the Financial Times Innovative Lawyers awards) and some discussions about 'innovative' billing and fee arrangements (not really innovation at all). Have I led a sheltered law life?*¹¹²

*Law firms are traditionally way behind the market and I see other firms dabbling without a holistic view.*¹¹³

*The relationship between leadership and innovation is that leadership needs to give permission for risk and give the resources to create and celebrate it. It has to be important to them Leaders at law firms are not too innovative. They suck the oxygen out of the room.*¹¹⁴

Second, it will not be surprising to hear that, generally, the main way to convince lawyers to buy into the innovation agenda is with a good reason (aka solid numbers) and persistence.

*It all comes back to individuals' willingness and what is in it for them to be change agents or innovators. Sometimes they are forced to be, but usually it works only if they want to be and believe it will make it better for them. There needs to be some good reason; eg, the client has wanted innovation.*¹¹⁵

*In order to really set an innovation agenda for the firm ... is to explain the need for transformation in the industry and help people come along the journey of how it can tangibly work.*¹¹⁶

The ease in finding a good enough reason is dangerously deceptive. As discussed in depth in my book, there is research that shows that lawyers are more sceptical in nature than other professionals and they are not necessarily equipped for or naturally good at (nor do they really like) the type of collaboration and mindset that are required to innovate.¹¹⁷ So, convincing successful, money-making lawyers that there is a 'need' to innovate is harder than hard.

*I communicate a lot about innovation because it can inspire people from the office. But it is very hard in the current reality to really drive innovation within the firm because, still, the urgency is not really felt despite all the signals.*¹¹⁸

Lawyers admit it themselves. As one law firm partner interviewee explained:

*I am frustrated with the reluctance of pockets of lawyers to see the rewards of collaborating, no it's not just pockets but brick walls and road blocks.*¹¹⁹

Third, even with a really good reason, even with proof of solid ROI with a top client and a Financial Times Award, culture may not change. Consider the following true scenario.

The chief marketing officer at a law firm started a dedicated client pursuits team within the business development (BD) department whose purpose was to identify opportunities with clients that the firm was not currently pursuing and to use a human-centred design thinking approach to BD. The team was led by two ex-lawyers who were trained in (and had experience) in design thinking and innovation. They had three wins in a row. First, the team met with a corporation that had (up until then) only given the firm a very small book of business. After an exploratory pain-point finding meeting and joint collaborative idea generation meeting, the team offered to co-develop a legal process management tool. This experience prompted the corporation to reassess its relationship with the law firm and, within a year, revenue had increased from a few thousand to a few million. A similar chain of events (and increase in business) followed from a second company and then a third. Essentially, each of the people on the pursuits team paid for themselves by a multiple of three. As a result of their efforts, the firm won a Financial Times award in 2017 for helping the third client decrease internal legal department costs associated with meetings, overhead, and inefficient processes.¹²⁰ However, when the CMO left the firm, the pursuits team was dismantled and the two leaders of the team were demoted.

So the point is, if “it takes a village to raise a child”, it takes a lot more than a champion CINO to change the culture. It takes commitment, support, and cultural reinforcement – including time, money, leadership, compensation and training.

Conclusion

There's a hole in the bucket, dear Liza, a hole.

*Then mend it, dear Henry, dear Henry, mend it.*¹²¹

So you might be thinking, “Ok, there are some holes in the bucket-of-potential for CINOs – you have made your point. Now tell us: What’s the answer?” For those readers that remember the old children’s song “there’s a hole in the bucket”,¹²² they will know the answer and that is “to mend it”. However, here, just like in the song, the holes are not as easy to mend as it seems. For those of you that do not remember the song, it describes a logjam situation in discussion format between two characters, Henry and Liza. Liza tells Henry to fix the hole, but Henry, the character with the hole in his bucket, soon realises that he needs straw to fix the leaky bucket and that the straw he has is too long so he needs to cut the straw. Therefore, Henry needs an axe but, in order to use the axe, he needs to sharpen it. To sharpen the axe, he needs to whet the sharpening stone. To do that, he needs water. The only bucket he has to fetch water in has a hole in it. It is a classic logjam situation, and to a degree, this may be an apt description of the position of many firms as it relates to the CINO role. Some firms will be like Henry and have an awful time figuring out how to mend the holes without creating a logjam. So what’s the answer? I do not have a crystal ball – rather, hundreds of interviews and years of experience researching changes in the legal marketplace and working at the intersection of law, technology and innovation, lead me to three recommendations, understanding that there are likely many ways to mend the holes and not all options will work for *all* firms:

- First, if your firm does not have a head of innovation role, create one. Then fill and support the role properly. The person does not need to have the title CINO, and for some law firms using the i-word in the title might be counterproductive. Feel free to call this person whatever works for your firm, for example “The End-Run Around Procurement”¹²³ or “Chief Client Insight Officer (CCIO)”. I say this with a bit tongue-in-cheek but to reinforce that the title does not matter; the clout, power, support, training, compensation, and incentive structure is what does. You might now ask: how do you ensure you get those right? Well, that will vary for each firm. For example, to ensure the person filling the role has the right level of credibility, for some firms, s/he will need to have legal training. For others, s/he will need to be a practising partner. For others, s/he will need to be a trained professional who is not a lawyer. The same goes with

compensation and incentives. The final formula will vary. But whatever you do, make it transparent so that others understand how the firm is valuing (and evaluating) the person in the role and her/his team.

- Second, insist at the get-go that the CINO interfaces directly with clients (a lot), innovates alongside and with the client whenever possible, and tracks all client interactions. What do I mean by track? Have the CINO create a ‘Client Insight Database’ that the CINO oversees and populates based on her/his client interviews and meetings. In this database, the CINO should track everything from who, what, where, to the clients’ pain points to what the client likes to eat for breakfast. Seriously. Then, the CINOs should create consumer stories and user interface maps for each client that tells the client’s story and details all the ways the client interacts with the firm and how often and with whom.¹²⁴ Further, check in with the client and seek client feedback (again and again) on the CINO role and on how the firm is doing on creativity, collaboration, innovation and client service. Do this via short via interviews and quick chats. Add that info to the database too. If you do not think the partners will believe the CINO’s recollections of the feedback, send the partners along for the feedback. If they will not go, consider having an external consultant conduct these check-ins (with or without the CINO) and record the clients’ responses (with permission of course) so the feedback can be absorbed by the CINO and partners. Then, tweak the CINO role to fit clients’ needs.
- Third, find ways to demonstrate the value of a CINO and a collaborative problem-finding and solving approach, and do not forget to celebrate when you get it right. How? Involve your clients in setting the goals of the law firm CINO and measuring success. Set financial BD-related targets within the firm and track the ROI. Then share it – all of it – even those successes that are not tit-for-tat measurable. Play snippets from the client recordings to demonstrate what doesn’t measure up to expectations and that which delights. Train everyone (yes everyone – including front-of-house and back-office staff) in interviewing and listening skills, including the new CINO. It is only by training that others in the law firm will help the CINO add value and/or see the the value of the CINO. Share the ‘Client Insight Database’ with all the lawyers across all the offices of the firm so they can combine it with their databases of info the lawyers already use and populate. Some lawyers will adopt new behaviours from the exposure and the training. Even those

who do not might see *some* of the value of the CINO role and this kind of approach to client service and business development. Those who do not adopt new behaviours or see the value will, at the least, see the firm's leadership trying new ways to differentiate and supporting it beyond lip service.

Some firms are already doing some of these things. Then again, some firms think they are, but they are not *really* (at least not to the full extent). Other firms do not believe that they should do any of these things, and the truth is, they might be right. It is not clear that following these three recommendations will fill all the holes. So, likely the real answer – my best piece of advice – is the same advice that Liza gives to Henry at the end of the song: Each firm has to put its head to the task to fill the holes on its own. As Jordan Furlong contended in a recent article, lawyers are both “the cause of and solution” to the problems.¹²⁵ If law firms and their lawyers put their heads, hearts and their pockets to it, given the power of lawyers' minds and our ability to solve complex problems, law firms will fill the holes in the bucket so the CINO role can fulfil its true potential and, hopefully, overflow.

¹ This article was first published in the Modern Legal Practice by Globe Law and Business.

<https://www.globelawandbusiness.com/journals/modernlegalpractice>. I give big thanks to two people. First, for the original editing, I thank Erika Pagano, a law lecturer at the University of Miami, guest faculty at IE University, and the director of LawWithoutWalls. Second, for the citation authentication and formatting, I thank Lauren Alvarez, one of my top student civil procedure students of all time.

² Recognised by the ABA as a Legal Rebel, Michele is a law professor at the University of Miami, guest faculty at Harvard Law School and IE University, and the founder of LawWithoutWalls. She is also co-curator of the *Compliance Elliance Journal*, an international e-journal of articles in compliance and ethics. Michele earned her BA, *magna cum laude*, from Dartmouth and her JD, *magna cum laude*, from Harvard Law School.

³ This statement has been made by many in the law market over the past few years. See eg, Natasha Bernal, “Clifford Chance's Visser Warns Firms: Innovate or Die”, *The Lawyer* (25 September 2015), <https://www.thelawyer.com/issues/online-october-2015/clifford-chances-visser-warns-firms-innovate-or-die/?nocache=true&adfsuccess=1>; Joseph Onyekwere, “‘Innovate or Die,’ Olanipekun Warns Lawyers”, *The Guardian* (6 June 2017), <https://guardian.ng/features/innovate-or-die-olanipekun-warns-lawyers/>.

⁴ For an argument that the call for innovation by clients is vague, see Michele DeStefano, *Legal Upheaval: A Guide to Creativity, Collaboration, and Innovation in Law* (2018), pp45–48.

⁵ A rich discussion about this topic can be found in my book, see Michele DeStefano, note 4, above.

⁶ Client Interviewee 25, GC, large media and telecommunications company in Australia (10 July 2017).

⁷ Michele DeStefano, *Legal Upheaval*, note 4, above.

⁸ *Id.*

⁹ For an overview of C-suite roles in law firms (excluding the Chief Innovation Officer) see Alex Davies ed., *Evolving Role in the Law Firm C-Suite* (ARK Group, 2017); see also David Cowen, “CINOs Will Drive Innovation in Legal Industry”, *The Cowen Group* (7 February, 2018), <https://www.cowengroup.com/cinos-will-drive-innovation-in-legal-industry/> (reporting that 32 law firms in the United States and Europe have a CINO and projecting another 30 will be hired or promoted as a CINO before the end of 2018).

¹⁰ It is not clear who was the first to think of adding this new role to the law firm. Some of my interviewees claim the role back as early as 2014; but see Wes Gay, “How One Law Firm CEO Empowers Millennial Lawyers to Use their Strengths”, *Forbes* (5 December 2016), <https://www.forbes.com/sites/wesgay/2016/12/05/279/#600125432733> (claiming that, in 2016, Andrew Glincher, CEO of Nixon Peabody was the first person to appoint a chief innovation officer at a law firm).

¹¹ 107 interviews were conducted with clients, law firm partners, heads of innovation at law firms, and senior executives at professional service firms. To review the methodology and sample characteristics, see Michele DeStefano, *Legal Upheaval*, note 4, above.

¹² This article is descriptive in nature and given my interview sample size, it may not be representative of all CINOs but instead it is anecdotal. Further, although I only interviewed 31 CINOs, I asked the other 70+ interviewees their impression of the role as well. Although most of my client interviewees were GCs, some were associate GCs and some were company business professionals. Therefore, they are referred to as Client Interviewees. Also, although not all of the interviewees that head up innovation at their firm have the CINO title, I refer to all of them as CINOs for ease of reference and because they performed that role in function if not in form.

¹³ Under the leadership of Professor David Wilkins and Dr Bryon Fong, Harvard Law School’s Center for the Legal Profession has also just recently conducted a survey of heads of innovation at law firms. Results from that survey should be out soon. See eg, “Operationalizing Innovation in Legal Organizing”, *Harvard Law Today* (29 August 2018), https://today.law.harvard.edu/operationalizing-innovation-legal-organizations/?utm_source=twitter&utm_medium=social&utm_campaign=hls-twitter-general.

¹⁴ Joshua Kubicki, “Conversations with BigLaw Chief Innovation Officers (CINOs): What’s on the Minds of These New Legal Industry Pioneers?”, *Medium* (26 June 2018) (“It is clear that the role has not been really thought out by anyone. Others quite frankly are frustrating as the person seems to ‘know it all’ and is waiting for the firm (and the world) to catch up”).

¹⁵ See Len Stein, “The Key to Brand Design Is ‘Deliberate Differentiation’”, *BrandMag* (18 December 2017), <https://www.brandingmag.com/2017/12/18/the-key-to-brand-design-is-deliberate-differentiation/>; Debbie Millman is, according to her own LinkedIn profile, “a Designer, Author, Illustrator, Educator, Brand Consultant, Host of the award-winning podcast ‘Design Matters’”, <https://www.linkedin.com/in/deborahmillman/>; see also Debbie Millman, Designer, Author, Illustrator, Educator, Brand Consultant, Host of ‘Design Matters’, *Meet the Creatives* (15 June 2017), <https://meetthecreatives.simplecast.fm/episodes/dee269bd/debbie-millman-designer-author-illustrator-educator-brand-consultant-host-of-design-matters>.

¹⁶ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.

-
- ¹⁷ CINO Interviewee 15, Innovation Manager, Dutch law firm with offices in Europe and New York.
- ¹⁸ CINO Interviewee 25, Head of Innovation Europe, very large law firm from the United Kingdom.
- ¹⁹ See eg, Scott Goodson, “Brand Building for Law Firms”, *Forbes* (21 June 2011), <https://www.forbes.com/sites/marketshare/2011/06/21/brand-building-for-law-firms/#4bad7d89f72c> (“Brand building is essential for many industries, but historically professional services firms have been reluctant to invest in brand building”).
- ²⁰ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ²¹ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ²² CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ²³ Simon Sinek is a British-American author, motivational speaker and organisational consultant. He is the author of four books, including *Start With Why* (2009), https://en.wikipedia.org/wiki/Simon_Sinek.
- ²⁴ CINO Interviewee 27, Director of Innovation, one of Australia’s Big Six law firms.
- ²⁵ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ²⁶ CINO Interviewee 25, Head of Innovation Europe, a very large law firm from the United Kingdom.
- ²⁷ CINO Interviewee 8, Executive Director of Innovation, world-renowned law firm from from Asia.
- ²⁸ *Id.*
- ²⁹ CINO Interviewee 31, Innovation and Networks Leader, law/professional services firm from Australia.
- ³⁰ CINO Interviewee 21, COO, multinational London-based law firm.
- ³¹ CINO Interviewee 16, National Innovation Leader, one of Canada’s largest law firms.
- ³² Michele DeStefano, *Legal Upheaval*, note 4 above; see also Jeff Dyer, Hal Gregersen, Clayton M. Christensen, *The Innovator’s DNA: Mastering the Five Skills of Disruptive Innovators* (2011) (describing the key attributes of innovators as questioning, experimenting, associating, observing, and networking).
- ³³ CINO Interviewee 9, Chief Information Officer, Australian corporate law firm.
- ³⁴ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ³⁵ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ³⁶ CINO Interviewee 14, Client Relationship Director, a multinational Australian law firm.
- ³⁷ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ³⁸ Client Interviewee 33, Senior Corporate Counsel, insurance company headquartered in Australia.
- ³⁹ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁴⁰ CINO Interviewee 21, COO, multinational London-based law firm.
- ⁴¹ For a rich discussion of this, see Michele DeStefano, *Legal Upheaval*, note 4 above.
- ⁴² Client Interviewee 29, VP and Associate GC, American enterprise information technology company.
- ⁴³ Law Firm Partner Interviewee 23, Partner, New York City-based law firm.
- ⁴⁴ CINO Interviewee 21, COO, multinational London-based law firm.

-
- ⁴⁵ CINO Interviewee 9, Chief Information Officer, Australian corporate law firm.
- ⁴⁶ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ⁴⁷ *Mad Men: A Day's Work* (Netflix aired 20 April 2014); Julia Turner, "Mad Men, Season 7, Part 1: Don and Sally See Right Through Each Other", *Slate* (21 April 2014), http://www.slate.com/articles/arts/tv_club/features/2014/mad_men_season_7_part_1/episode_2/mad_men_episode_2_review_don_and_sally_s_talk_at_the_diner.html (quoting and describing Sally's sentence "I'm so many people").
- ⁴⁸ Matt Zoller Seitz, "Mad Men Recap: I'm So Many People", *Vulture* (21 April 2014), <http://www.vulture.com/2014/04/mad-men-recap-season-7-valentines-day-sally-funeral.html>.
- ⁴⁹ According to Law.com, Roy Strom "covers law firms with a focus on how the Big Law business model is changing. He writes a weekly column for Law.com called 'The Law Firm Disrupted'". See eg, *About the Author: Roy Strom, The American Lawyer*, <https://www.law.com/americanlawyer/author/profile/Roy%20Strom/>.
- ⁵⁰ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ⁵¹ CINO Interviewee 15, Innovation Manager, Dutch law firm with offices in Europe and New York.
- ⁵² CINO Interviewee 31, Innovation and Networks Leader, law/professional services firm from Australia.
- ⁵³ CINO Interviewee 8, Executive Director of Innovation, world-renowned law firm from Asia.
- ⁵⁴ CINO Interviewee 8, Executive Director of Innovation, world-renowned law firm from Asia.
- ⁵⁵ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ⁵⁶ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁵⁷ CINO Interviewee 16, National Innovation Leader, one of Canada's largest law firms.
- ⁵⁸ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ⁵⁹ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁶⁰ CINO Interviewee 26, Director of Client Solutions, an Australian business law firm.
- ⁶¹ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ⁶² CINO Interviewee 16, National Innovation Leader, one of Canada's largest law firms.
- ⁶³ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ⁶⁴ CINO Interviewee 15, Innovation Manager, Dutch law firm with offices in Europe and New York.
- ⁶⁵ CINO Interviewee 27, Director of Innovation, one of Australia's Big Six law firms.
- ⁶⁶ CINO Interviewee 18, Director of Knowledge And Innovation, multinational London-based law firm.
- ⁶⁷ CINO Interviewee 26, Director of Client Solutions, an Australian business law firm.
- ⁶⁸ CINO Interviewee 8, Executive Director of Innovation, world-renowned law firm from Asia.
- ⁶⁹ CINO Interviewee 27, Director of Innovation, one of Australia's Big Six law firms.
- ⁷⁰ CINO Interviewee 21, COO, multinational London-based law firm.
- ⁷¹ CINO Interviewee 16, National Innovation Leader, one of Canada's largest law firms.
- ⁷² CINO Interviewee 21, COO, multinational London-based law firm.
- ⁷³ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁷⁴ CINO Interviewee 27, Director of Innovation, one of Australia's Big Six law firms.

-
- ⁷⁵ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁷⁶ CINO Interviewee 29, Global Chief Innovation Officer, a London-based law firm with four dozen offices worldwide.
- ⁷⁷ CINO Interviewee 16, National Innovation Leader, one of Canada's largest law firms.
- ⁷⁸ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ⁷⁹ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁸⁰ CINO Interviewee 9, Chief Information Officer, Australian corporate law firm.
- ⁸¹ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁸² CINO Interviewee 21, COO, multinational London-based law firm.
- ⁸³ For example, one interviewee who is Head of Innovation is also the firm's Consulting Solutions Leader. See CINO Interviewee 31.
- ⁸⁴ James Batham, *LinkedIn* (27 August 2018), <https://www.linkedin.com/feed/update/urn:li:activity:6438851384514265088?commentUrn=urn%3Ali%3Acomment%3A%28activity%3A6438851384514265088%2C6439206561767264257%29>.
- ⁸⁵ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁸⁶ See <http://cynthiacopeland.com/cindystuff.html>; see also Sandy Wade, *Girl in the Bubble, The Healing in the R.A.I.N.* (3 February 2018), <http://healingisintherain.blogspot.com/2018/02/girl-in-bubble.html>; *AzQuotes*, <https://www.azquotes.com/quote/671068>.
- ⁸⁷ The irony is not lost on me that these three words all begin with the letter C which in the United States, as a grade, equates to *average*. The good news is that filling all three of these holes will bring the CINO role to an A grade.
- ⁸⁸ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁸⁹ CINO Interviewee 21, COO, multinational London-based law firm.
- ⁹⁰ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁹¹ CINO Interviewee 20, Chief Knowledge Officer, American law firm with over 24 offices worldwide.
- ⁹² Client Interviewee 9, Head of Knowledge and Development, Compliance and Secretariat, a Big Four Australian bank and financial service provider.
- ⁹³ See *LawWithoutWalls*, www.lawwithoutwalls.org.
- ⁹⁴ CINO Interviewee 23, Global Head of Innovation and Business Change, a multinational law firm headquartered in London.
- ⁹⁵ CINO Interviewee 6, Director of Practice Innovation, an international law firm from the United States.
- ⁹⁶ CINO Interviewee 25, Head of Innovation Europe, a very large law firm from the United Kingdom.
- ⁹⁷ CINO Interviewee 7, Chief Practice Management Officer, an international law firm headquartered in the northwest United States.
- ⁹⁸ CINO Interviewee 21, COO, multinational London-based law firm.

-
- ⁹⁹ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ¹⁰⁰ Legal Ops Interviewee 1, Head of Legal Operations, large company headquartered in London (3 August 2018) (specific industry intentionally redacted for confidentiality purposes). Note: this interviewee was not part of the original interview sample.
- ¹⁰¹ Law Firm Partner Interviewee 21, Partner, Top-tier Australian law firm.
- ¹⁰² Gabe Teninbaum, *11 Principles of Law Firm Innovation*, Thompson Reuters Legal Executive Institute, 2017, <http://www.legalexecutiveinstitute.com/wp-content/uploads/2017/06/11-Principles-of-Law-Firm-Innovation.pdf> (“This person need not (and arguably, should not) be an attorney”).
- ¹⁰³ CINO Interviewee 25, Head of Innovation Europe, a very large law firm from the United Kingdom.
- ¹⁰⁴ David Cowen, note 9 above (predicting that one-third of new CINOs will “be successful in driving their firms forward” and “[a]nother third will lack the personal talent, internal resources, budget and executive support to win big. Their firms will start looking for new CINO talent, and the top group will be offered more money and opportunity”).
- ¹⁰⁵ CINO Interviewee 25, Head of Innovation Europe, a very large law firm from the United Kingdom.
- ¹⁰⁶ But see Norman Clark, “Every Law Firm – Without Exception – Needs a Chief Innovation Officer”, *Walker Clark World View Blog* (21 February 2018), <https://www.walkerclark.com/worldview-blog/308-every-law-firm-without-exception-needs-a-chief-innovation-officer.html> (arguing that all law firms should have a CINO and that “the best candidate” for a CINO is “a relatively new associate”).
- ¹⁰⁷ CINO Interviewee 21, COO, multinational London-based law firm.
- ¹⁰⁸ CINO Interviewee 5, Head of Innovation, a multinational law firm based in London.
- ¹⁰⁹ Law Firm Partner Interviewee 19, Chief Executive Partner, Top-tier Australian law firm.
- ¹¹⁰ Law Firm Partner Interviewee 20, Partner, Top tier Australian law firm.
- ¹¹¹ CINO Interviewee 18, Director of Knowledge and Innovation, multinational London-based law firm.
- ¹¹² Email from Global Director of Communications, New York law firm operating in the United States and Europe.
- ¹¹³ CINO Interviewee 8, Executive Director of Innovation, world-renowned law firm from Asia.
- ¹¹⁴ CINO Interviewee 26, Director of Client Solutions, an Australian business law firm.
- ¹¹⁵ CINO Interviewee 11, Chief Strategy Officer, leading London-based law firm.
- ¹¹⁶ CINO Interviewee 16, National Innovation Leader, one of Canada’s largest law firms.
- ¹¹⁷ See Michele DeStefano, *Legal Upheaval*, note 4 above, pp 56–69; see also Larry Richard, “Herding Cats: The Lawyer Personality Revealed”, *Altman Weil Report to Legal Management* (August 2002), <http://www.managingpartnerforum.org/tasks/sites/mpf/assets/image/MPF%20-%20WEBSITE%20-%20ARTICLE%20-%20Herding%20Cats%20-%20Richards1.pdf> (utilising the Caliper Profile on over 1,000 lawyers); Larry Richard, “The Lawyer Personality: Why Lawyers Are Skeptical, What Makes Lawyers Tick?”, *Lawyer Brain Blog* (11 February 2013), <https://www.lawyerbrainblog.com/2013/02/the-lawyer-personality-why-lawyers-are-skeptical/>; Jathan Janove, “Can Risk-Averse Lawyers Learn to Embrace Change? An Interview with Dr. Larry Richard”, *Ogletree Deakins* (12 January 2016), <https://ogletree.com/shared->

content/content/blog/2016/january/can-risk-averse-lawyers-learn-to-embrace-change-an-interview-with-dr-larry-richard.

¹¹⁸ CINO Interviewee 15, Innovation Manager, Dutch law firm with offices in Europe and New York.

¹¹⁹ Law Firm Partner Interviewee 21, Partner, Top-tier Australian law firm.

¹²⁰ Reena SenGupta, “Legal Success Comes from Turning Orthodoxies on Their Heads: Inward-Looking Firms Will Not Prosper”, *Financial Times* (2 June 2016), <https://www.ft.com/content/48a7b0a2-2069-11e6-aa98-db1e01fab0c>; see also Herbert Smith Freehills, <https://www.herbertsmithfreehills.com/news/herbert-smith-freehills-wins-financial-times-top-asia-pacific-innovation-award>.

¹²¹ It is not clear who wrote this song. Wikipedia states that “[t]he earliest known archetype of this song seems to be in the German collection of songs *Bergliederbüchlein* (c 1700)”, *Wikipedia*, https://en.wikipedia.org/wiki/There%27s_a_Hole_in_My_Bucket; and there are different versions of the song. The one I’m quoting here can be found at *ScoutSongs.com*, <https://www.scoutsongs.com/lyrics/theres-a-hole-in-the-bucket.html#ixzz5OTtvD3FD>.

¹²² See *Wikipedia*, note 125 above.

¹²³ I have a theory that the CINO might be able to combat some of the angst created by in-house procurement professionals because they can bring the conversation to a different plane, one that is not based only on the bottom-line and discounts. I might not be right about this, but it may be worth more exploration.

¹²⁴ Many firms track information about clients already so this would be additive.

¹²⁵ Jordan Furlong, “The Cause of and Solution To”, *Law Twenty One* (1 August 2018), <https://www.law21.ca/2018/08/cause-solution/>.