

CORPORATE COUNSEL

Lead and Sustain Change by Demonstrating Performance: 8 Tips

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This GLOBAL IN-HOUSE column addresses the next step in leading and sustaining change in your legal function. To inspire your team and your stakeholders to embrace change and support new initiatives, you must demonstrate performance. Here's how to make it happen.



This third of [my three-part series](#) gives leaders practical tips to demonstrate performance as you lead lasting productive change. Parts 1 focused on Communications, part 2 on Strategy. In setting your strategy and communicating it clearly, you gain the support not only of your team but also of the stakeholders that approve and fund your efforts. Once you get started, it's critical to let people know how it's going.

Tip 1: Sit in on a progress update for one of your businesses in transformation. Focus on how the story is told and progress shared. You'll quickly understand how valuable it is for change leaders to demonstrate performance. As UK-based legal operations professional Sarah Barrett-Vane says, "The way businesses discuss performance and progress is all about data."

The goal of progress reports is to motivate your in-house legal team and keep their focus on the goal. Your tools include your key messages, illustrative anecdotes and data. All are important, but metrics give the most business-aligned way to show progress and eventually, return on investment. To sustain stakeholder confidence that you are a promising leader and to improve chances that future budget requests go well, show how current investments are going. Both qualitative and quantitative signs of headway count.

Tip 2: When setting strategy, try to gather data that illustrates the situation you want to change or improve. Consider what data can be gathered to measure advancement towards your goals. That data builds the foundation for continued monitoring during implementation, enabling you to report on progress or spot issues. Having a strategy for

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Legal sets the foundation for accountability and measuring results since you have clarified where you want to go.

Use marketing techniques and business terms

Once you have some information to report, don't bury news of your great progress in a long document with endless text.

Tip 3: Even with figures, percentages and a few good anecdotes, it's still not easy to tell your story well. Take a cue from marketing and communications experts who know how to present a message so the target audience receives it. Many in-house legal functions that are in transformation have success with producing attractive, inviting digital progress reports, with good graphic design that employ color, infographics and formats that guide the reader.

"When Legal wants to demonstrate performance, you need to speak to your stakeholders in a language they understand," says Barrett-Vane. That's especially important to lead and sustain change.

Association of Corporate Counsel's Catherine Moynihan sees progress: "Corporate legal executives are becoming more sophisticated not only in their use of metrics to inform decision-making and legal strategy, but also in how they communicate with the business side. I see the ACC Value Champions increasingly using business terms. For example, they show improvement in the 'velocity' of transactions they support, or propose investment in legal services supported by ROI calculations."

How to begin demonstrating performance now

As you might imagine, many bright in-house leaders get the idea for metrics. Too often, they don't manage to get it done. It's remarkable that nearly half of large global corporate legal departments that participated in our recent Global Counsel Leaders Circle 2017 Benchmark said they don't use metrics. A key benefit of legal operations professionals is their support to implement and maintain initiatives to gather and analyze data.

I often hear from in-house counsel leaders: "We can't find metrics that present the entire situation," or "I'm worried the metrics will leave something out," or "We're too busy to collect and analyze data." Businesses in your company have the same challenges but have reported performance using metrics for eons. Often your initial experience with metrics spurs the team to consider other measures they would find useful. If you can settle for good rather than perfection, you're ready to start.

Tip 4: Begin with one or two simple metrics and damn the torpedoes. Report on them with consistent format and wording. Obvious starter examples: your function's actual spend as compared to budget. Your external legal spend. Significant transactions supported by legal, completed quarterly.

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Tip 5: Find data the organization already collects and determine how to organize it to show performance or progress in Legal related to your strategy. Often a data analyst from another part of your organization can help.

Tip 6: See what metrics other corporate functions use to demonstrate performance. You can get ideas from metrics shared by compliance and risk management functions to get credit and show ROI, for example. Touting Legal's performance is business-like behavior.

Tip 7: It's more difficult to gather data across multiple countries. Ask other global in-house counsel how they do it. Most are happy to share. You can also get info from the Corporate Legal Operations Consortium <http://cloc.org> and Association of Corporate Counsel's Legal Operations <http://www.acc.com/legalops/>

Using performance indicators to lead and manage Net App's global legal team

At a recent conference, Davud Hasan, Net App's Legal Director, Head of Compliance and Employment for EMEA and APAC, shared with peers Net App Legal's approach to setting strategy and demonstrating performance. According to Davud, it's integral to running the legal department like a business. Net App Legal uses a visual to communicate their roadmap internally, called Project Autobahn. It has colorful visual images and a few words, including FY18 Legal Goals.

Davud explains, "Using KPIs (key performance indicators) is part of our identity and *modus operandi*. It ensures a healthy and consistent dialogue across the team globally, as we all operate off the same foundation. We demonstrate our value to the business by measuring what we do. We benchmark ourselves against other cross-functional teams internally and in-house legal teams externally. We're able to make better strategic and tactical decisions informed by data. We use a balanced scorecard, looking at financial and non-financial KPIs. Our reporting tools enable us to identify trends, opportunities for further efficiencies, spot potential problems and proactively respond in an intelligent manner."

Hasan explains that the entire global NetApp legal team sees snapshots of KPIs and balanced scorecards, varying based on each person's role and responsibilities, to help perform their roles effectively and collaborate with each other. The leadership team (Net App's General Counsel, Geographic leads, Sales Area leads, etc.), use the data to help them ensure the effective operation of the Legal function globally. They also use it to input into business leadership forums, inform Net App's business conduct councils, etc.

Build Your Skills

Tip 8: Become more adept at leading and sustaining change in your global in-house function by building essential skills: setting strategy, communicating succinctly to diverse audiences, and demonstrating performance along your change journey. Each of these skills can advance your influence in the organization.

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Barrett-Vane sums it up: “By demonstrating Legal’s value and ROI to the executive team, your reputation and profile will grow. You become the trusted advisor, the team that delivers results and influences other areas of the business to work more efficiently and effectively.”

A fervent believer in exchanging practical ideas that speed progress, I am grateful to Sarah Barrett-Vane, Davud Hasan and Catherine Moynihan for their input. Their comments originated at recent Global Counsel Leaders Circle conferences, hosted by Eversheds Sutherland (NY) and Bird & Bird (London). Thanks also to the many in-house legal and compliance leaders that question, comment and contribute in my daily work. eldance@GCLeadersCircle.org