

# Personal development for in-house lawyers

## Building business leaders

A briefing note from the LexisNexis In-house Advisory Board

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## Briefing note: Personal development for in-house lawyers

On 6 June 2013, the LexisNexis In-house Advisory Board met to discuss personal development and its application in the world of in-house lawyers. The meeting was facilitated by Jonathan Smith, Director at LBC Wise Counsel and former general counsel at Fujitsu and of the Managed Legal Service of Berwin Leighton Paisner.

The following is a note of some of the key practical takeaways that emerged from the conversation.

### Personal development for in-house lawyers

Why do in-house lawyers need personal development?

- 1) To help bolster the business case for a pay rise?
- 2) To satisfy the necessary criteria for a practising certificate?
- 3) To ensure the optimal delivery of legal advice to the internal client?
- 4) To develop individuals and maximise their contribution to the business?

Recent research conducted by LBC Wise Counsel shows that while in-house lawyers consider legal advice to be their most important contribution to their organisation, their business colleagues disagree.

In fact, many business colleagues thought that in terms of quality the best legal advice comes from external lawyers. Despite this the research showed that in-house lawyers are hugely valued by their clients; but for attributes that went far beyond legal advice. Their value is perceived to come not solely or predominantly from the application of their technical legal skills, but rather from their non-legal business skills and commercial understanding.

At the same time, the legal market is undergoing a period of fundamental and comprehensive transformation. The traditional structure of the legal market is under threat. A world where most lawyers are managed by business people is no longer such a fantastical proposition.

Against this background, a development programme which is focused on the development of technical legal skills and not these other skills, seems unbalanced and out of tune with the totality of the service delivered by in-house lawyers to their clients.

### Who is responsible for the development of in-house lawyers?

The following are some stakeholders who might be expected to take responsibility for the development of in-house lawyers.

- Regulators of the legal profession
- The company / employer
- The manager of the legal team
- The individual in-house lawyer

The Advisory Board agreed that a regulatory body was not best placed to set the agenda for development programmes, which were often most appropriate when they were customised to the particular environment of the individual employer.

It was felt that the employer should encourage and facilitate a development programme, and the individual in-house lawyer should be responsible for driving its creation and execution. The leader of an in-house team should help put a structure around a training programme that meets the individual's needs.

## Developing a structured training programme

The majority of Advisory Board members have developed a structured training programme within their teams, aiming to avoid a "tick box" mentality; and instead focusing on enhancing the contribution of in-house lawyers to the business.

The following are some practical tips that emerged:

### • Begin by engaging the team

A successful outcome depends on individual belief in and engagement with the training programme. Inspire a deep commitment to personal development, and an understanding of its purpose.

### • Work with individuals and the team to build a picture of training needs

Build a skills matrix, including both the necessary legal and non-legal competencies. You need to think about:

- What your business needs
- What your team needs
- What you as team leader need

### • Include "on-the-job" training

One Advisory Board member offered the following breakdown of how in-house lawyers develop:

- 70% - learning "on-the-job"
- 20% - non-legal training
- 10% - technical legal training

Consider including projects and objectives that allow the development of skills through their application in practice.

### • Consider what needs can be met by law firms

Many law firms and information providers deliver outstanding training on developments within specialist legal areas. Most in-house lawyers are likely to need at least an element of technical legal training as part of their programme; for some this might be a central component.

Some law firms are also starting to offer "non-legal" skills training. While this is a welcome development, think carefully about whether private practice lawyers are best placed to deliver this.

### • Harness the expertise already flourishing in your team

Encourage your team to share their knowledge and experiences. One Advisory Board member regularly holds "brown bag lunches" where in-house lawyers can come together informally to discuss lessons learned from specific projects, industry developments or to share newly-acquired tips and tricks.

### • Harness the expertise already flourishing in your business

Think about asking business colleagues to deliver training to your team. As well as cultivating core business skills, this can be a great way to develop relationships and "sell" the value of legal internally.

Some Advisory Board members had taken this a step further by encouraging secondments, temporary "job swaps" and even permanent business roles for in-house lawyers.

- **Consider obtaining Continuing Professional Development (CPD) accreditation**

Some Advisory Board members have acquired CPD accreditation so that their internal training formally supports regulatory development requirements. This is a relatively easy way to simplify and add value to the programme. ([Click here for some background from the SRA on becoming an in-house CPD provider.](#))

- **Partner with other in-house teams**

Exploit your network of in-house lawyers, and explore ways to share the personal development burden. This might include secondments between in-house teams; setting up buddying or mentoring schemes; or pooling resources for training.

## Identifying new joiners with the capability for development

The Advisory Board concluded by discussing how best practice in recruitment can help capture those with the greatest propensity to excel as in-house lawyers.




Sometimes personal development flounders because fundamentally an individual's personality and core capabilities are better suited to private practice. The following are some practical tips shared by the Advisory Board:




- Use the skills matrix you developed for the personal development programme as a map of the core capabilities you require.
- At interview stage, focus on the candidate's personality and fit within your team and the business as a whole.
- Consider asking business colleagues to run an interview, allowing you to observe the interaction.
- Consider using assessment centres as a way to uncover more about the candidate's true potential as an in-house lawyer




### Further reading

- [When enough's enough](#) – an article from Jonathan Smith, Director of LBC Wise Counsel, including some practical thoughts on training and mentoring.
- [Let's get personal](#) – an article from Paul Gilbert, CEO of LBC Wise Counsel, taking an in-depth look at personal development for in-house lawyers.
- [When being a good lawyer is not enough](#) – a research paper on the development of in-house lawyers from LexisNexis and Cranfield Business School.

## The LexisNexis In-house Advisory Board

<p><b>Clive Davies</b> Senior Counsel, Fujitsu Services</p> 	<p>Clive is a senior counsel with Fujitsu Services advising on major service contracts with customers especially in the public sector.</p> <p>Prior to joining Fujitsu in 2007 Clive was the lead IT and outsourcing partner at D J Freeman for 13 years and Olswang for 4 years. He qualified in 1977 and worked as an in-house lawyer for the Alexander Howden Group in the insurance industry, Esso in the petroleum business and ICL in the IT sector before joining D J Freeman in 1990.</p> <p>Clive specialises in advising on major project contracts for IT outsourcing having represented customers and suppliers in-house and in private practice for many years. He also advises on electronic commerce and data protection.</p> <p>Clive has been recognised as a leading IT lawyer in the legal directories for some years and lectures and writes regularly on IT related legal subjects. He is chair of the Society for Computers and the Law, the treasurer of the International Federation of Computer Law Associations (IFCLA), an editor of Communications Law and a member of the Intellectual contracting best practice working group.</p>
<p><b>Kerry Phillip</b> Head of Legal Vodafone</p> 	<p>Kerry Phillip is Head of Legal at Vodafone Limited, with responsibility for all legal matters for Vodafone's UK operating company. Kerry leads a team of 25 lawyers and paralegals .</p> <p>Prior to joining Vodafone, Kerry held senior positions at several telecoms companies including 2 years as General Counsel at Azzurri, 8 years as a senior commercial lawyer at O2, and 2 years as a senior lawyer at BT.</p> <p>Kerry qualified as a corporate lawyer at Linklaters where she spent 4 years (3 in Paris) before moving to BT, where her in-house career began. Kerry is married with 3 children and a dog and loves food, travel, languages and sports.</p>
<p><b>Jean Hughes</b> General Counsel, North &amp; South West Europe Atos IT Solutions and Services</p> 	<p>Jean Hughes joined Siemens (now Atos) IT Solutions and Services in November 2010 as Head of General Counsel Legal. She is responsible for the legal, contract management and compliance organisation throughout North and South West Europe</p> <p>Prior to joining Siemens, Jean was at eBay where she was UK Director of Legal and Public Affairs. She also took the role of European Commercial Director where she built a pan-European contract organisation. Before that, Jean held a number of senior positions within Fujitsu Services, including heading the legal function for the Public Sector and the Financial Services, Retail and Travel business units.</p> <p>Before moving to work in-house in the technology sector, Jean was in private practice in the City. After qualifying as a solicitor at Baker &amp; McKenzie, she worked at Allen &amp; Overy, Freshfields and Denton Wilde Sapte. While at Freshfields she built and led the knowledge management function for the IP/IT department. During her time in private practice Jean worked in Hong Kong, Singapore and Paris.</p> <p>Jean has a law degree from Cambridge University and has also studied Chinese at Taipei University, Taiwan. She speaks Mandarin, Cantonese and French.</p>

<p><b>Ian Leedham</b> Senior Counsel (Disputes &amp; Commercial) National Grid PLC</p> 	<p>Ian has been involved in numerous re-organisations, mergers, acquisitions and outsourcing with National Grid and is responsible for a 45 strong team dealing with commercial legal matters, disputes, construction, IP, employment, health &amp; safety, property and Global Records Management and Group IP portfolio. Within the department, Ian has been involved in various legal panel reviews and technology innovation within the Group and assisting other in-house teams. National Grid won the “In-house Legal Department Initiative of the Year” at the Legal Technology Awards 2006 and were recognised in The FT Legal Innovation Awards 2007 and 2008 and the only in-house entry shortlisted in the British Legal Awards Best Use of Technology 2006 and 2008. Ian speaks regularly on innovation and technology in the legal industry which are topics he feels passionately about.</p>
<p><b>Hank Udow</b> Chief Legal Officer and Company Secretary Reed Elsevier</p> 	<p>Hank joined Reed Elsevier in March 2011 as Chief Legal Officer for Reed Elsevier as well as Company Secretary for Reed Elsevier PLC and Reed Elsevier Group plc.</p> <p>Prior to this appointment Hank was Chief Legal Officer and Company Secretary of Cadbury plc until its takeover by Kraft in 2010. A US citizen who is admitted to the Bar of New York State, he has been resident in London for the past 18 years. Having started his legal career as a securities and M&amp;A lawyer at Shearman &amp; Sterling in New York and London, Hank spent over 20 years at Cadbury where he acquired substantial experience managing global legal and M&amp;A departments, becoming Chief Legal Officer and Company Secretary in 2005. In 2009 the National Law Journal named Hank as one of the 20 most influential general counsel in America.</p>
<p><b>Steve Cowden,</b> Former General Counsel and Company Secretary, Reed Elsevier Group plc</p> 	<p>Steve Cowden is the former General Counsel and Company Secretary of Reed Elsevier PLC and Reed Elsevier Group plc, a leading business information provider and electronic publisher listed in the FTSE 100.</p> <p>Prior to joining Reed Elsevier in 2001, Steve worked in the pharmaceutical industry for over 20 years, latterly as Group Company Secretary of Glaxo Wellcome plc. He began his career with Beecham Group plc in 1977 and then with SmithKline Beecham plc.</p> <p>Steve is a member of the Law Society of Scotland, the International Bar Association and an honorary member of the GC100. Formerly, he was an alternate member of the Hearings Committee of the Takeover Panel and a member of the CBI Companies Committee.</p> <p>He graduated Bachelor of Laws with Honours from the University of Edinburgh in 1974 and is a Scottish solicitor, having been admitted in 1976.</p>

<p><b>Toby Hornett</b> Legal Director, Canon Europe Ltd</p> 	<p>Toby Hornett joined the Canon Europe Legal Department in 2006, and is now a Legal Director. He manages a small team in various locations responsible for legal support to the B-2-B business unit and also leads competition law compliance and corporate projects.</p> <p>Toby joined the Clifford Chance London office in 1997 from law school, and stayed for three and a half years, including a stint in the Paris office.</p> <p>Toby speaks fluent French, was at Edinburgh University, Guildford Law School and has an MBA from INSEAD.</p>
<p><b>Tim Bratton</b> General Counsel, Financial Times</p> 	<p>Tim moved in-house when he joined the Financial Times in 2000 and has held his current role since 2003. During that time Tim has also assumed management responsibility for the FT's Company Secretariat team and the role of Director of Intellectual Property. Prior to joining the FT, Tim trained and qualified at Denton Hall (now SNR Denton) where he specialised in intellectual property, information technology and digital media law.</p> <p>Tim manages a 12 person team based in London, Belfast and New York and his team advise the FT globally, combining corporate, commercial and media law expertise. In 2010, the team were runners-up in The Lawyer In-House TMT team of the year award as the result of the legal work undertaken advising the FT's business as it implemented new digital business models.</p> <p>Tim is a regular speaker at in-house conferences and has previously sat on advisory boards for the Legal Week Corporate Counsel Forum and the Chief Legal Officer programme. Tim writes about issues facing the legal profession and in-house lawyers on his blog at <a href="http://www.legalbratblawg.com">www.legalbratblawg.com</a> and his articles are often published in The Lawyer and Legal Week publications.</p>
<p><b>Liz Kelly</b> Group General Counsel Group Legal &amp; Compliance</p> 	<p>Liz was appointed Divisional Director - Group Legal &amp; Compliance in 2011 and prior to that had various roles in Group Legal. Whilst at Nationwide she has led the legal support on the mergers with Portman, Derbyshire and Cheshire and the acquisition of parts of Dunfermline, developed and implemented a new strategy for Group Legal and has set up a new general Legal panel to advise the Group.</p> <p>Liz was in The Lawyer's "Hot 100 Lawyers list!" in 2010 and won The Lawyers In House Lawyer of the Year award in 2011. She started her legal career at Clifford Chance and worked in the Commercial Department for four years. She then spent a couple of years helping to set up an American firm in London before moving in-house to become Head of Legal for an international sports marketing company. More recently she was the Legal Director and Company Secretary at World Snooker.</p>