

How to Focus Internal Communications About Legal Risk

Internal communications about legal risk and preventive law projects will be more effective when they are focused on the specific interests of specific stakeholders.

The purpose of this resource document is to identify some of the most important stakeholder groups and provide the questions that are typically higher priority for each. The key to success lies in ensuring that your communications answer some or all of these questions in whatever format(s) you choose to use, ranging from memos to PowerPoint presentations.

- Care should be given to the nature and scope of the information provided to be sure that it does not diminish any privilege rights the company may have should related issues wind up in litigation.

This summary list of questions was developed from interviews with members of these stakeholder groups about the information they receive and / or want about legal risk management and preventive law efforts.

Executive Officers:	<ul style="list-style-type: none">■ What is the scope of the preventive law projects that have been implemented and what processes have been addressed?■ What are the significant risks that have been found and what has been done about them?■ What resources are committed to this effort and are the results of the effort truly worth the resources being invested?■ What validation, if any, has outside counsel provided about the legal risks and the solutions developed? What is outside counsel reporting as to the impact of these risks on other companies?■ Are there any findings that need to be reported to the Board of Directors?■ Were any Code of Conduct violations identified?■ Did the law department receive appropriate cooperation from the business units? ■ What are the plans for the next reporting period? Are there critical processes that have not yet been reviewed and should be?
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<p>Business Unit Management and Clients</p>	<ul style="list-style-type: none"> ▪ What business processes in my unit have been reviewed and what risks were identified? ▪ What business people were involved in the projects? ▪ What steps are being taken to address these risks? What further assistance or resources do you need? ▪ Is it possible to quantify the financial benefits of the preventive actions taken? ▪ Is it likely that any of the problems identified in these processes also exist to some degree in similar processes in the business unit? ▪ What recommendations do you have for additional training or legal support that should be provided to the business unit?
<p>Internal Audit and Compliance</p>	<ol style="list-style-type: none"> 1. What business processes have been reviewed? 2. In these processes, what internal controls have been strengthened? 3. What legal risk problems were found that may be common to similar processes in other parts of the company? 4. What legal risks require additional effort or follow-through? <p>5. Are there any findings that need to be disclosed to the Board Audit Committee or any regulatory agencies?</p>
<p>Other Lawyers and Legal Assistants</p>	<ul style="list-style-type: none"> ▪ What lessons have been learned about identifying legal risks that we should apply to work for our clients? ▪ What legal risks were identified and how did you address them? Can these solutions be applied to client projects we are managing?

<p>Law Department Management</p>	<ul style="list-style-type: none"> ▪ All of the above. ▪ What level of resources did it take to produce these results? (Hours, dollars, staffing) ▪ In what types of business processes were the most important legal problems found? ▪ What does this tell us about the priorities we should set for reviewing processes in the future? ▪ Have we learned anything through this work that tells us something about what type of training we should be providing to the legal staff? ▪ Who on the legal staff demonstrated superior performance and should be recognized for this? Whose performance was below par?
<p>Board of Directors</p>	<ol style="list-style-type: none"> 1. What internal controls have been strengthened? 2. Are there any significant legal risks that are not yet being managed appropriately? 3. What further steps are necessary? 4. Were any Code of Conduct violations identified? If so, what are they?
<p>Company Employees</p>	<ol style="list-style-type: none"> 1. What is the company doing to manage legal risks? 2. What legal problems or issues should I be alert to? 3. What do I need to know about legal risks? 4. What are my responsibilities in dealing with legal risk? 5. From whom do I ask for help if I spot a potential legal problem that deserves attention or if I need advice?

See Also: [How to Communicate Preventive Law Results](#)