

SO, YOU SAID YES TO YOUR FIRST IN-HOUSE ROLE: WHERE TO BEGIN?

While it can be tempting to try to jump straight into the ‘doing’ work and fix everything on day one, this will probably only lead to disappointment in yourself. Building a legal function takes preparation and planning before you can turn your mind to implementing processes and improvements. You will probably be walking into many pre-existing exposures and risks on day one, but it is important to remember the risks were there before you arrived, and it’s unrealistic to think you can fix them instantly. Kate Sherburn, Legal Beagle at Who Gives a Crap and Krystal Kovac, Head of Legal & Compliance at Oncore share their insights.

Day 1



Meet your stakeholders and listen

Making the most of your first (few) days

So how do you make the most of your first day? Kate and Krystal both suggest spending the day listening to your stakeholders. Start by mapping out:

- Who are your key stakeholders, and what are their pain points?
- What are the expectations of the legal function? (Each stakeholder will probably have different expectations or needs.) Clarify how far your remit goes in terms of compliance, governance, and risk.
- What is the company’s risk appetite?
- What is the culture of the company in terms of how people work together?
- How do the different levels of the organisation want you to communicate with them?
- Has the company previously engaged external partners (maybe a consulting lawyer)? If yes, schedule a conversation with them. It is likely they will have valuable insight into how the company runs and why work has been approached in a certain manner.
- Is there any work that you are taking over immediately? If so, what are the deadlines?

Unless you are taking over a time-sensitive operational process from day one, it can be beneficial to use those first few days to assess where the company is at and make a mental note about potential priority items to add to your timeline for major projects. Your major projects timeline is a high-level plan of projects and improvements you want to roll out over the financial year. This won’t come together on day one, but it is a good idea to start jotting down any thoughts.

Practical insight

Krystal says she made the mistake of jumping in too quickly on day one and feeling overwhelmed by everything she wanted to improve. By day three, she had restructured an urgent client MSA because she felt the pressure to have everything instantly available. It took some time for her to understand that her stakeholders

didn’t grasp how long a particular activity would take and that it was her role to educate them on the timeframes she would need. If you are taking over a time-sensitive operational process (especially when it contributes directly to revenue), such as client contracts, prioritise keeping that process running smoothly. Once you have that under control, then you can begin your planning.

30 Days



Planning & Build Relationships

Over the next 30 days engage in as many conversations as possible with various business units for the purpose of promoting the legal function, learning about the company, and gathering your intel. When speaking with different business units, talk not only to the leaders/managers but also the operational staff. This is for two reasons; 1) the operational staff will give you insights into the practicalities (and potential risks/exposures) of their role and 2) shaping the legal function as an approachable team is paramount in ensuring that issues and risks are raised immediately.

Throughout these conversations, it is also important to identify what information or documentation is already in place and where it is stored. From there, begin pinpointing the gaps; the gaps will help you shape the timeline for your major projects.

Practical insight

Kate suggests introducing legal as a function to the broader business. She has achieved this through creating “Legal 101”. As the first in-house lawyer, most people hadn’t worked with a legal function before, and those that had, hadn’t always had a good experience. This ‘Legal 101’ session explains how legal can help the business achieve its goals and when to best loop legal in. It also puts a human face to a function that can have a bit of a reputation. To be the most effective partner to the business, legal needs to be approachable, and the business won’t come to you unless they know and trust you.

Legal advice

Practical advice in a form that is relevant will immediately show the benefits of hiring legal counsel. What this looks like will vary based on the stakeholders’ needs. If you have a busy CEO who likes direct, to the point communication, a 15-page memo is probably the



wrong choice. However, if they love detail, a thorough memo may be perfect. The easiest way to know is to ask, but if it is not clear, provide a concise answer first and add the detail as an attachment.

It is important to keep in mind that giving legal advice is only half the job; you have also been hired to run a function. This means your advice needs to be on point, but as a leader you also need to be improving processes, contributing to strategic planning, understanding the business so that you can offer practical solutions to your advice, and planning workloads and future resource needs.

Technology

To avoid your inbox becoming unbearable, consider putting in place a way to request legal work as soon as possible. If your company operates on Slack, it could be as simple as creating a legal request bot. You could also link your bot to a platform, such as Monday.com, so that your tasks are all in one place and the broader team can find updates without contacting you. There are many ways to do this —start by looking at what systems the company has in place already. In the beginning, it doesn't need to be perfect. The aim is to declutter your inbox and provide updates to the stakeholders without needing to provide a response.

60 Days



Assess

You have spent your first month trying to meet everyone, to understand and sift through pre-existing processes and documents, and to become accustomed to the company's specific services or products. While the first month probably flew by, it is important to try to reflect on what is and isn't working. The best way to do that is to get feedback directly from the people you work with.

Over the next weeks, keep track of the pain points the business has shared and start to tackle the low hanging fruit. The quicker you can automate standard processes and implement self-service, the quicker you can turn your mind to the more difficult tasks (automating and improving will be an ongoing process). Automation and self-service will also win you some ticks of approval with your stakeholders.

Key tips to automation and self-service

- **Assess the software already available in the business.**
While it may not be perfect, it's a short-term fix until you have the budget to get the built-for-purpose legal-matter-management program you dream about.
- **Accept that it won't be perfect at first.**
If you can automate one step, that will go a long way towards establishing a business case for a more expensive platform. (There are many not so pretty ways to hack contract automation — as an example, if you're on G-Suite you could set up a G-Sheet to show the status of particular work items, allowing your stakeholders to check the status without needing to call or email.)
- **Map out the process to identify exactly what you need.**
Once you begin the process of procuring a platform, it will become apparent how many features are available. Knowing exactly what you need (and what the broader business needs) makes this task much easier.
- **Create a knowledge base as you go.**
Each time you get asked a question, note it down along with the answer. This will slowly build a self-service knowledge base for those standard/frequently asked questions. This will also make training a resource easier when the time comes. If you are running on Slack, you can even build out a bot that will answer the question for you, based on the knowledge base you have compiled.

- **What resources are needed to go from the present state to a future state** — consider both headcount and software
- **Include your stats** — take the time to collect how long a task takes to complete and the impact it has on the broader business. As an example, when building a business case for a contract-management system you should look at the time it takes to generate a contract. Maybe with the CMS, that contract becomes a self-service template where the client now completes 90% of the work, reducing your task to 10% as now you only need to review the final document. If the system integrates (removing the need for the operational team to input the data), measure the cross-functional saving too. Finally, don't forget to measure the decrease of risk exposure — i.e. if you didn't previously have visibility of all contractual clauses in report format, you should include that metric too.

Final thoughts

Building a perfect legal function certainly doesn't happen in 90 days and the steps outlined above are tasks that will be revisited and reviewed throughout the lifetime of the function.

- Prioritising improvement of the company's pain points (for all of your stakeholders) is the starting point to creating trust and establishing your value.
- Accepting that the processes won't be perfect and putting in interim solutions is key to continual improvement of the function.
- Understanding the business, the risk appetite, and the industry is paramount to ensuring your time is spent on the right issues, rather than the technical legal problems that may have a negligible impact in reality.
- Connect with other sole or small legal counsel teams. There is a wealth of support in this space and having a group of colleagues who understand the practicalities of running a legal function alone or with limited resources is key to success (and sanity). The Association of Corporate Counsel has a dedicated special interest group for sole legal counsel that we would highly recommend you connect with. [a](#)

90 days and beyond



Improve

If there's only one of you (most likely if you're the first in-house counsel), optimising your time and focusing on the outcomes that will give the business maximum value is a must. After two months in the business, you should have a good understanding of what the business needs and wants. Finding the time now to review your precedent templates and create new ones for recurring tasks can assist in optimising your efficiency. Try to make notes when you create a recurring task, as this can form the basis of a how-to manual when the time comes to hire a resource.

Strategic direction

Pause for a moment to think about the strategic direction you want to take the legal team in. Reflect on the points you began to map out from day one. Use those points as a basis to discuss with your CEO/ reporting line the full remit of your function. Your goal should be to dedicate most of your time to strategic work and automate, self-serve or resource the business-as-usual tasks where possible.

Roadmaps

It can be helpful to create a roadmap of the legal function, which can encompass:

- **Present state (what the function currently does)**
- **Future state (expanding the remit of the function)** — maybe the focus at the beginning was client contracts; however, legislative reviews, employee training, company secretariat, compliance/governance etc. may need to be included in your workload)
- **Timeline for major projects** — include your major projects plan across the financial year and consider expanding it to include future state tasks with a rough timeline


Kate Sherburn



As the sole Legal Beagle (aka in-house counsel) at Who Gives A Crap, Kate works in a role that she loves and for a company she is passionate about. Who Gives A Crap is a social enterprise that donates 50% of its profits to help build toilets for those in need, working towards the goal of ensuring everyone on earth has access to a toilet.

Kate Sherburn was featured in Series 1 of In-house Insiders. ACC's podcast series that's by in-house for in-house. Listen for free now: acc.com/insiders.

Krystal Kovac



Over the past two and half years, as the Head of Legal & Compliance at Oncore, Krystal has been building the legal and compliance function to assist Oncore's strategic growth plan. Legal process improvement is one of her passions, and she enjoys seeing how those improvements can assist not only the legal team but the broader business.