

Tech Adoption and Change Management

Authored by Robert Blacksberg, Blacksberg Associates, LLC

David Cambria, Global Director of Operations of Baker McKenzie, completed the keynote addresses with *Tech Adoption and Change Management*. He emphasized the importance of investment in people, far beyond the investment in technology. “For every \$1 we spend on technology acquisition, we should be spending up to \$10 on personnel, process redesign, and training.” Illustrations drawn from scenes from *The Godfather* made David’s message visceral.

I. The Keynote Address

David began by asking:

With more than \$3 billion spent since 1993 on core legal technology – for matter management, spend management, IP management and practice management –

- Generally, is the life of your clients, attorneys or paralegals better?
- Are your organizations able to better manage legal service delivery and operations functions?
- Does your Firm/Client have better information to make strategic decisions?

His answer, “No!”

Change can be hard. To demonstrate, David put the audience to work. He directed, “Cross your arms. [Pause ...] Now reverse them.” Most responded that they found it difficult. [As reported in Forbes](#), 90% of people who have had heart bypass surgery can’t change the habits that contributed to their condition.

Another story – the sizeable legal department of a global financial firm was tracking its outside counsel spend in with Microsoft Word and Excel documents. The monthly preparation and distribution of the summary took nearly a week of effort. David asked, “How can this be rational? Traditional economic theory posits an “Economic [Person]” who “is an intelligent, analytic, selfish creature who has perfect self-regulation in pursuit of his future goals and is unswayed by bodily states and feelings.” That person does not exist.

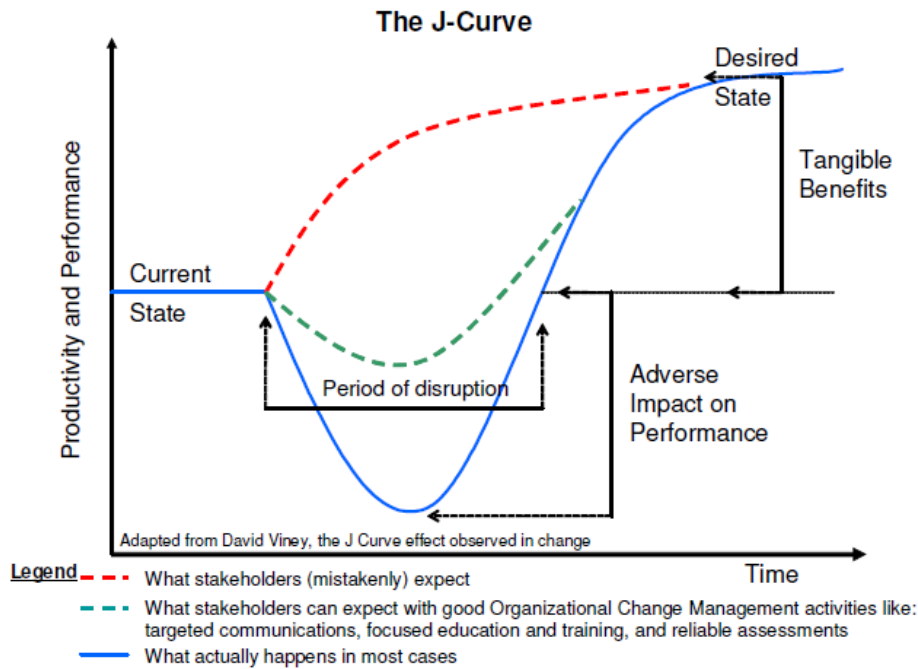
It must be recognized that “change can’t be managed. It has to be led.” The number one reason why change initiatives fail is lack of urgency. The following cartoon illustrated the challenges of leadership for change.



The J Curve diagram (also known as the “Valley of Despair”)² below contrasts expectations and experience in change programs. Too many stakeholders expect a rise in performance without a dip (the red dotted line). Those better informed, implementing a program of well-managed change, move to the desired goals after a small dip in performance (the green dotted line). More often, the adverse impact on performance is more pronounced (the solid blue line).

¹ All illustrations taken from the presentation by David Cambria.

² A Google image search reveals [many Valleys of Despair](#).



An [MIT Sloan Management study](#) of the NUMMI Toyota plan in California concluded that for every dollar spent on technology improvements, ten dollars should be spent on people and behavior.

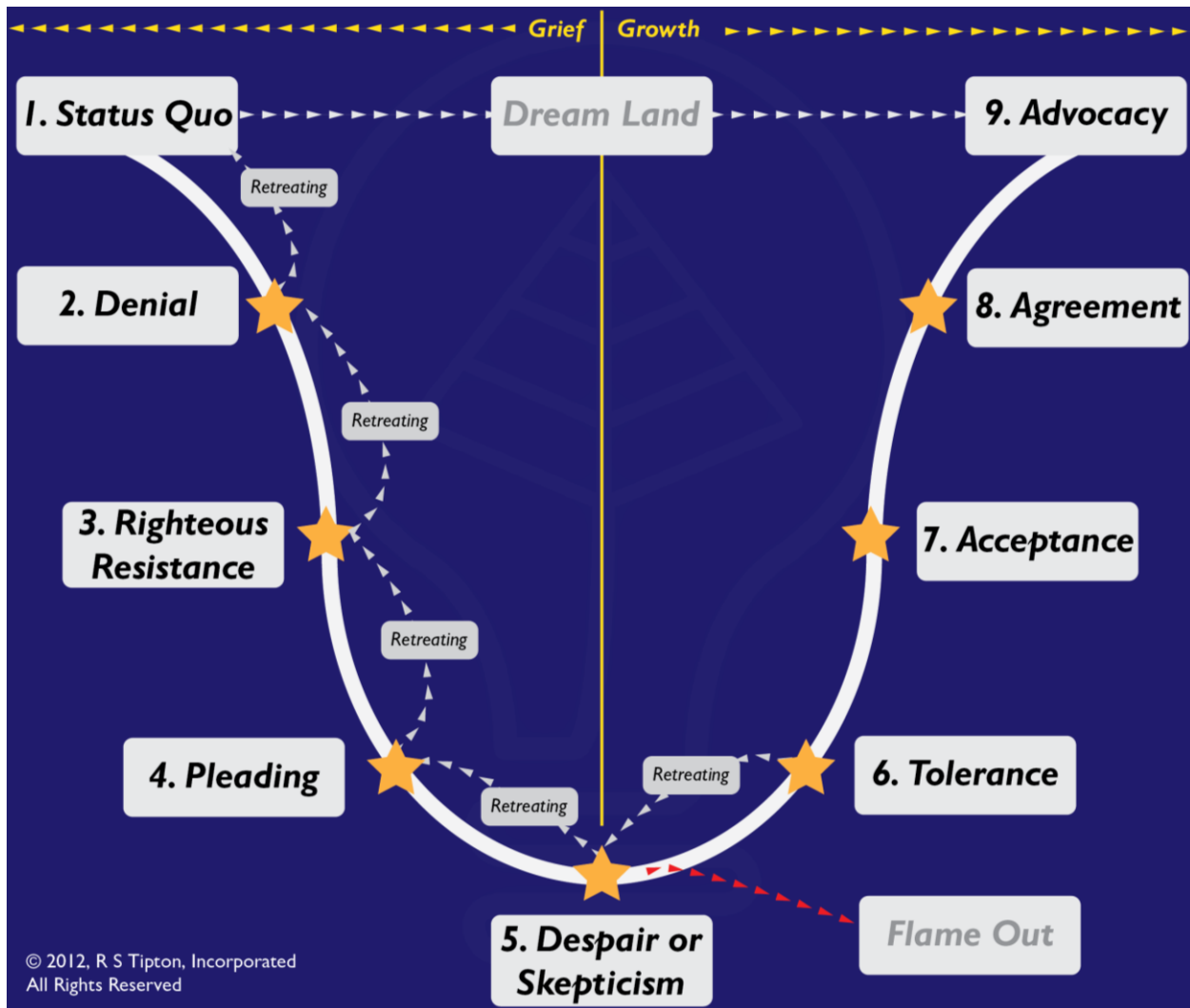
The matrix below emphasizes the components for success in managing complex change. The absence of each of the components stresses projects or causes them to fail. In each case, people are the missing factor.

Model for Managing Complex Change

Vision	Skills	Incentives	Resources	Action Plan	=	Success
Vision	Skills	Incentives	Resources	Missing	=	False Starts
Vision	Skills	Incentives	Missing	Action Plan	=	Frustration
Vision	Skills	Missing	Resources	Action Plan	=	Resistance
Vision	Missing	Incentives	Resources	Action Plan	=	Anxiety
Missing	Skills	Incentives	Resources	Action Plan	=	Confusion

Adapted from Knoster, T. (1991) Presentation in TASH Conference. Washington, D.C. Adapted by Knoster from Enterprise Group, Ltd.

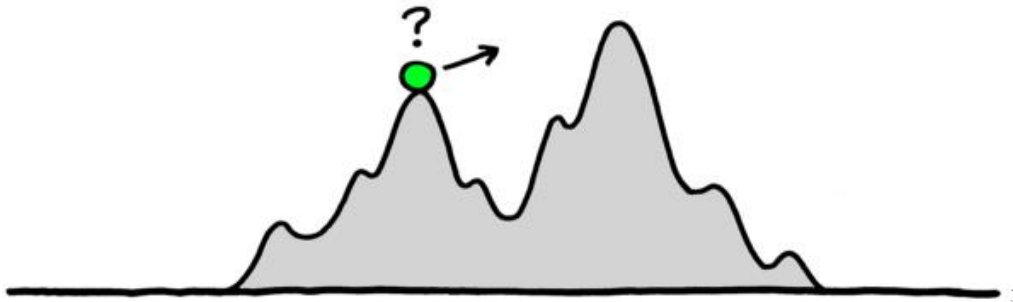
The curve below emphasizes both organizational and personal resistance to change. Both individuals and organizations, presented with new systems or methods, retreat to the familiar, to their well-worn ways.



Images that I associate with this are the behavior of water, melting and refreezing. Under optimal conditions, water, frozen as ice, can recrystallize in the beauty of snowflakes. Under most circumstances, ice just melts – neither the stability of block ice nor the beauty of snow crystals can be sustained. Add enough violence and turbulence to repetitive melting and refreezing in the updrafts of a thunderstorm, and hailstones grow, sometimes to dangerous sizes.

Change can be small. The costs of small change may be reasonable and may steer toward a local optimum. Trying to find or change to a global optimum may increase costs exponentially, and never be either definable or achievable.

In mathematics and computer science, a **local optimum** is the best solution to a problem within a small neighborhood of possible solutions. This concept is in contrast to the global optimum, which is the optimal solution when every possible solution is considered.



HOW LONG CAN YOU WORK ON MAKING A ROUTINE TASK MORE EFFICIENT BEFORE YOU'RE SPENDING MORE TIME THAN YOU SAVE?
(ACROSS FIVE YEARS)

	HOW OFTEN YOU DO THE TASK					
	50/DAY	5/DAY	DAILY	WEEKLY	MONTHLY	YEARLY
1 SECOND	1 DAY	2 HOURS	30 MINUTES	4 MINUTES	1 MINUTE	5 SECONDS
5 SECONDS	5 DAYS	12 HOURS	2 HOURS	21 MINUTES	5 MINUTES	25 SECONDS
30 SECONDS	4 WEEKS	3 DAYS	12 HOURS	2 HOURS	30 MINUTES	2 MINUTES
1 MINUTE	8 WEEKS	6 DAYS	1 DAY	4 HOURS	1 HOUR	5 MINUTES
5 MINUTES	9 MONTHS	4 WEEKS	6 DAYS	21 HOURS	5 HOURS	25 MINUTES
30 MINUTES		6 MONTHS	5 WEEKS	5 DAYS	1 DAY	2 HOURS
1 HOUR		10 MONTHS	2 MONTHS	10 DAYS	2 DAYS	5 HOURS
6 HOURS				2 MONTHS	2 WEEKS	1 DAY
1 DAY					8 WEEKS	5 DAYS

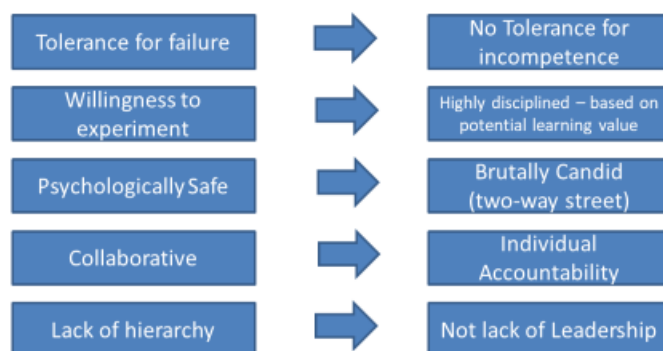
HOW MUCH TIME YOU SHAVE OFF

³ This point is similar to the computational solutions in machine learning. It may be much less costly to compute a solution that achieves an incremental improvement, taking into account a reasonable number of factors than to program or compute a global solution.

The breakeven chart above helps calculate potential rewards for change in routine tasks and serves as a guide for investment in change. For example, if a task is performed five times per day, and the improvement would save 30 seconds per instance, you could spend up to three days of time and get a payoff within five years.

In the following chart, David Cambria reflected on several characteristics ascribed to successful change programs. For each characteristic, there is a complementary strengthening factor. So, collaboration must be accompanied by (and perhaps tempered by) individual accountability.

Real Innovation is...



Embracing his reputation as the “Godfather of Legal Operations,” Cambria listed these lessons:

- Keep your priorities straight and don’t forget to treat yourself and your team after a job well done.
- Never get bullied into making a decision you don’t agree with, even if it means offending someone who’s trying to intimidate you.
- When trying to solve a tricky problem, leave it alone and come back to it later. A solution will always present itself.
- If you are familiar with the naysayers and negative people in your organization, you’ll be able to anticipate them and plan accordingly.
- Symbolism can be clever, but remember, ABC – Always Be Clear.
- Don’t cry wolf too often or people will doubt your sincerity.
- Finesse is sometimes more important than muscle.
- Keep a unified front at all times; voice concerns you have in private.
- Don’t get too sentimental or emotional when making decisions.
- When delegating important tasks to others, make sure you’ve covered all the bases and haven’t left anything to chance.
- Build a powerful community. By helping others, you will receive help as well.

II. ALT Talk

Participants in the ALT talk included Debbie Foster Managing Partner, Affinity Consulting Group; Florin Boiangiu Director, Digitus Information Systems; Mike Jones Chief Executive, Americas Region, ThoughtRiver; Dan Biegel Chief Client Experience Officer, American LegalNet; and Glenn Marsa Customer Support Manager and Subject Matter Expert, JuraLaw.

“Almost every person who calls me that has a technology problem doesn’t actually have a technology problem. They have a people problem, they have a process problem, they have a culture problem, they have all of those.”
Debby Foster

Planning for a project must be like a marketing project. Every project experiences the Valley of Despair. Debbie compared it to childbirth. Though it can be incredibly painful for a time, the rewards on the other side make it worthwhile, if you are prepared.

Preparation for a project matters to a greater degree than most people assume. Identification of points of failure and addressing them in advance supports the chance for success. Recovering from failed mission is much more difficult, and requires a significantly greater effort to recover than the planning to avoid difficulties initially.

Takeaway – spend more time than you think you need in planning. Hiring consultants and others experienced in the work a project requires has a high payoff.

“Most projects have a pink elephant in the room. [For example], it’s that managing partner, who has not come on board with the project. Don’t leave a pink elephant in the room.”

Empathy is one of the strongest tools to help people change. Watch the Ted Talk by Derek Sivers, “[How to Start a Movement](#).” “The first follower is what transforms a lone nut into a leader.” “Show not just the leader, but the followers.” “If you really have the guts to start a movement, have the courage to follow and show others how to follow. When you find a lone nut doing something great, have the guts to be the first one to stand up and join in.”

Have conversations across the board – with the leader, with the naysayers. Never underestimate the ability of users to sabotage a project. The human connection and trust with users has a very significant effect on acceptance and adoption.

Be sure that you are giving practical tools to solve their problems.

Account for loss aversion. Humans are wired to avoid loss more readily / powerfully than to achieve gain. A cost of delay model⁴ served as a more convincing tool than modeling rewards from success.

Consider an “attorney thinking” mode of persuasion. Attorneys are trained in law school to identify a fact pattern, seek the most authoritative sources, and apply the rules from those sources to the facts to reach a conclusion. An IT professional would often state an opinion and state the conclusion that they have drawn. See to translate the IT argument into the lawyer’s way of thinking. Cite facts, draw on authoritative rules, including practices at other firms, and allow the attorneys to draw the desired conclusion.

People like to do business with people they like. Be sure to connect thoroughly with customers. “Point me to naysayers. I want to know who they are and what they are saying.”

⁴ A detailed presentation on cost of delay by Donald Reinertsen. <https://www.youtube.com/watch?v=OmU5yIu7vRw>