

Doing it Better: A Member of Disney's Legal Team Discusses Knowledge Management

Interviews and Profiles

Law Department Management





Different businesses have different legal needs. The clothing company's legal necessities differ in kind, not just degree, from the video game company, the hotel company, the toy company or the movie studio. But, as in the case of The Walt Disney Company, substantially distinct businesses may

all be part of the same corporate family. A legal department like Disney's must therefore overcome not only the challenges of scale but also the challenges of scope.

Economies of scale can create business advantages where repeatable processes are used to deliver large volumes of identical products or services. Economies of scope can create business advantages where similar processes are used to deliver a set of distinct products or services. Scope complicates the dictates of scale: centralize then standardize then automate.

As general counsel of ABC when Disney acquired it in 1996, Alan Braverman had already fostered an appreciation of scope. But when he took the reins as executive vice president and general counsel of The Walt Disney Company in 2003, the breadth of his portfolio increased by an order of magnitude. In addition to ABC, there are the television, radio and internet channels from ESPN and The Disney Channel. Walt Disney Studio Entertainment comprises Animation, Pixar, Marvel, and Lucasfilm, just to name a few. Along with the theme parks, there are Disney Cruise Line, Disney Vacation Club and Disney Adventure. The synergies of these diverse offerings are all on display at the hundreds of Disney Stores around the world.

For the past eight years, Tania Daniels has helped Braverman unify the global Disney Legal environment. Daniels joined Disney as Director, Business Technology Partner, Legal in 2007 and by 2011 was serving as Braverman's Head of Global Legal Operations. Daniels' background is distinct. She has both a JD and a Master's in Library Science. Her MLS, in particular, positioned Daniels as a pioneer in legal knowledge management. She headed up knowledge management at large law firms such as Sheppard Mullin before launching her own consulting practice. Still, despite her substantial experience, Daniels had never tackled the combination of scale and scope that awaited her at Disney Legal.

As Daniels explains, "The in-house setting caused me to redefine success for a legal knowledge management solution. The law firm arrangement is binary. Clients are external — separate and distinct from the law firm. But we have a three-way information sharing flow — Disney Legal, in-house client, outside counsel — that is quite complex. This may seem obvious, but when planning for knowledge management solutions at Disney Legal, we had to take into account how our legal teams interact with our vastly different and highly creative business units, as well as the significant level of expertise already present in the Disney Legal organization." Even in theory, there is no centralized, standardized knowledge repository that serves every Disney line of business equally well. Instead, Daniels focuses on providing common structures, tools, and techniques that can be adapted to the needs of the individual business segments. Rather than top-down mandates, Daniels and her operations team offer bottom-up solutions that are designed to fit the demands of Disney Legal's disparate internal clients.

Just as there is no unitary knowledge management solution, there is no single management method that is sufficient to meet the challenges of scope. Knowledge management paired with project management is far superior to either in isolation. Fortunately, Disney Legal, like the company it serves, cares more about what is valuable than what is homegrown. Braverman therefore did not hesitate in 2012 to bring in the ACC Legal Services Management Workshop to assist with the department's increased focus on outside counsel management. Daniels and the ACC team, led by Catherine Moynihan, worked closely together to customize the ACC Workshop to Disney Legal's unique project management needs. "The workshop was not only well received, but provided new tools and techniques for our attorneys to better interact with outside counsel. Most importantly, it has introduced unique and successful process improvement and project management projects throughout Disney Legal's different practice teams." The workshop would not be the last time Daniels and

Moynihan teamed up.

Culminating this year, Daniels and Moynihan — along with allied legal ops groups located in Northern California, New York, Chicago and Texas — worked together to form ACC Legal Operations, the first new ACC section in a decade. ACC Legal Operations will deliver benchmarking and collaboration opportunities to legal operations professionals from across the corporate spectrum. It is a national version of the kind of organization that Daniels and John Barber (then of Amgen, now on Daniels's Legal Operations team at Disney Legal) founded in 2012. The invite-only Southern California group meets quarterly and brings together legal ops professionals from media, automotive, biopharmaceuticals, utilities, manufacturing, health care, semiconductors, etc. While the SoCal legal ops group will continue to thrive on its own, it is now part of something larger. "It is gratifying to see the move from regional groups to national meetings and now the ACC Legal Operations section. It has been, and continues to be, a wonderful experience getting to know my colleagues and to know there is always someone to call who has probably grappled with the same issue and can lend a supportive and helpful ear."

Few understand better than Daniels how important it can be to offer collective solutions to individual problems. In creating coherence for independent actors under the Disney umbrella, the Southern California Legal Operations umbrella, and now the ACC umbrella, Daniels offers a few lessons learned:

Start small. "This will be familiar to anyone who has launched an initiative that requires significant change management in a legal setting. It is easy to be blinded by the nirvana of complex process and technology changes that get you to the Promised Land. Biting off the entire road map at once will likely lead to resistance and, frequently, project failure."

Listen. "In an in-house setting, it's imperative to watch how your attorneys interact with their internal clients. Processes, demands and requirements are unique to each group and dictate how we design solutions to meet their needs. Watch and listen closely and you'll be surprised at the lack of resistance as you actually make their lives easier."

Know Your Audience. "As legal operations professionals gather together and share best practices, it is easy to want what everyone next door has. But the challenge and enjoyment of working in legal operations is that each solution has to be dictated by the size of the law department, the substantive areas practiced internally, and the company culture. There is no right or wrong design or solution set for a legal operations group. Talk to your colleagues, review the work being developed as legal operations best practices, and then use your judgment and intelligence to decide what works best for your organization."

A CONVERSATION WITH TANIA DANIELS

Where does legal operations fit within Disney?

Disney Legal is a large law department that serves the needs of all Disney entities. The Legal Operations group provides the support for many internal initiatives, including outside counsel management, eBilling and analytics, legal records management, the law library, CLE and professional development planning, and now knowledge management. We also work closely with our dedicated IT and finance partners to make it as seamless and easy as possible for our attorneys who need the functions described above. Like other legal operations groups, we're evolving at a fast pace. As the leader of the group, I focus strategically on getting us to where we need to go next and

socializing those ideas with our general counsel and legal executives. And yes, even as head of legal operations, I still have to put out a lot of daily fires!

How are your initiatives being received?

Disney Legal is a global organization that serves numerous internal clients. When I first started, we had many silos of information with little means to share information. As we embarked on implementing basic technology solutions, like document management, we realized that the complexity of information sharing here sometimes requires Visio diagrams, or after our project management training, swim lane analyses. As we put the process-improvement and project-management initiatives into play, we discovered some duplication of effort and a few less-than-optimal processes. The combination of our dedicated technology partners along with our new found training is filtering throughout the department to get people to see opportunities in a new light. Rather than wince at change and say, "I've always done it this way," people are now realizing that what they thought always had to be is actually a pain point we can solve. They are getting excited to see what options for improvement are available for them.

What advice can you offer to other legal operations professionals, especially those new to the role?

Don't give up. And no, I'm not just saying that because it is one of my favorite Peter Gabriel songs, which clearly gives away my generation. I have had to learn tremendous patience as a legal operations professional because this is a new profession and we are change agents. Some companies are ready to go full steam ahead, but many are not. It may take more time than you'd like for attorneys and legal professionals to understand the benefits of what you are proposing or to get the funding needed to devote resources to these issues. But keep at it and remember you have an entire new profession behind you.

I am incredibly excited to be involved as this new profession emerges. Legal operations is attracting people with a variety of backgrounds — attorneys, technologists, financial professionals — all of whom add a creative perspective on the variety of issues that we are trying to solve. As a profession, it is very gratifying to see how we continually increase our contributions to the success of law departments.



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