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# DOCKET

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## IT Captives

Employment and Labor

Technology, Privacy, and eCommerce



For most of my years working in or managing corporate legal departments, the legal and IT departments have had an interesting and dynamic tension. On the one hand, the IT department is a client, with all the relationship-forging that accompanies it. As a result, the legal department often has a close relationship with IT that other departments do not. On the other hand, the legal department is not a profit center, so it was typically pretty far down the IT totem pole in terms of how much they realistically could ask the group to do.

This is less of a problem now than several decades ago. Corporate technology used to be a black box, something only IT professionals were able to understand. The majority of IT issues involved mainframes, which vastly underpowered desktop computers, and enterprise software that often required complex, extensive, and expensive modification. Almost nobody outside of IT knew enough about these things to have a conversation with them between equals. In fact, I remember listening to many discussions between IT and their business clients and realizing that the business clients and IT professionals didn't even speak the same language, which resulted in frustration on both sides.

Newer technology is much more user friendly, and most of us have a better understanding of what computers can and cannot do than we have before. Younger lawyers, in particular, have grown up in a world where a certain level of technical competence is common. And a lot of off-the-shelf software that used to require extensive, expensive, and arcane modifications has been replaced by software that is more modular, user-friendly, and configurable.

This begs the question: What is the best way for a modern legal department to interact with their IT department and manage technology deployment and maintenance?

If your legal department has enough clout within the organization, you may be able to have sufficient

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IT resources specifically dedicated to your department. If that's the case, you should consider yourself lucky.

An alternative is developing a "captive" IT group within your legal department. I first experienced this over a decade ago when I hired someone with an IT background to act as our IT project manager and liaison. At first, she focused primarily on better managing existing IT projects from an OGC perspective, making sure that our IT staff really understood our drivers and vice versa. This was a fantastic improvement.

The next step, though, was when we decided to set up our own SharePoint-based intranet platform to meet our knowledge management, communications and collaboration, and related needs. The price was right, but our IT department was getting crushed by other demands at the time. They had only one person dedicated part-time to SharePoint, and all he had time for was spinning up a server when requested.

Back in 2006, SharePoint was not very user friendly. Fortunately, our IT liaison had hired a couple of additional staff who (truly) just happened to have some programming skills. They offered to modify our out-of-the-box SharePoint site to make it look like a well-designed internet site. They told us they could even borrow code and take design cues from our company's brand new public internet site.

We weren't sure how our IT department would feel about this proposal, but we framed it to be as nonthreatening as possible: (1) we planned to modify only SharePoint on our own segregated server; (2) we ran each modification in a test environment to ensure it would be problem free; and (3) no matter what happened, we took full responsibility and not involve IT in any fixes (but would consult with them to the degree they desired).

Long story short, they were more than okay with it. In fact, that same "captive IT" team (part of the legal operations group), is now doing more and more work for the OGC, including building SQL and other databases, working with vendors to customize technology products, etc. And our relationship with IT is better than ever.

I understand that this isn't an option for everyone. Particularly in smaller law departments, it's unlikely that you could get approval to build your own captive team. But these days, more and more of the people you will be permitted to hire, including lawyers, paralegals, admins, and compliance professionals, may also have technology skills that will help you address your needs. Consider adding those skills to your job specifications in the future.

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