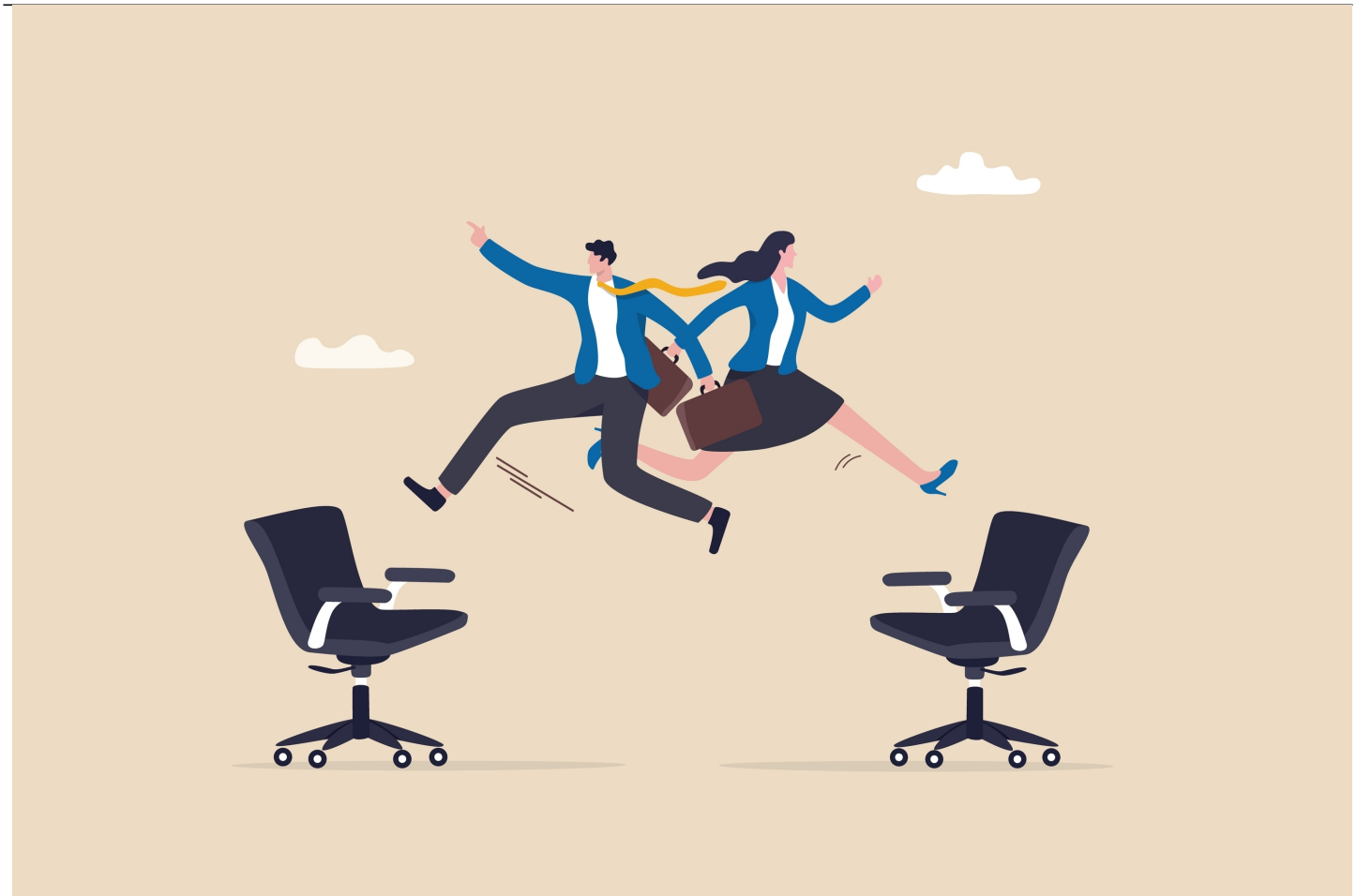


3 Ways the In-house Role is Expanding: Lead the Business, Triage Work, and Maintain Privilege

Career Development



In-house lawyers are increasingly expected to be more than knowledgeable legal advisors. They are expected to advance corporate strategies and demonstrate business acumen. Sometimes, they are also asked to take on additional functional responsibilities within their organizations. This presents opportunities and challenges. A small group of ACC members got together to discuss how their roles are changing and a summary of the conversation is below.

Taking on new responsibilities beyond legal

- Organizations sometimes ask general counsel to take on additional responsibilities beyond the legal function that they were initially hired for.
- For example, this may include human resources, communication, facilities, safety and compliance, customer care, advocacy, government relations.
- The smaller the organization, the more work and diverse responsibilities you tend to have. Especially as hiring a general counsel represents a substantial expense for a company.
- As the legal department is asked to take on such responsibilities, make sure your team has time to do their jobs.
- Keep in mind not all team members want their role to expand beyond the traditional legal function.
- Triage and help your team gauge what matters and roles the team should be taking on - such as serving as project manager vs. handling the legal component of the matter and having another team serve as the main coordinator/project manager.

- Many people don’t know what has legal implications. Train people to understand when legal advice is needed. Help the business teams who come to you scope the matter for which your guidance or intervention is needed.

Show your strategic business acumen

- Show the other business leaders that you are focused on the goal; help the business find how it can meet its goals.
- Get buy-in, develop rapport with the other business leaders.
- Show that you can understand things from their perspective as opposed to being extremely risk adverse.
- If you keep just telling people “no, you can’t do it”, over time they will stop reaching out to you.
- You want your CEO to see you as someone who takes care of the company as if it was your own.
- Tone matters. You can say here is what the law says, and here are steps we can take to mitigate risks.
- Work on your own finance and business knowledge. This will give you a broader perspective and will allow you to contribute more value-add as a strategic leader when you speak about projects.
- If you serve as corporate secretary, have a team member or outside counsel tag along and take notes so you can focus on the discussion.

Maintaining privilege when wearing multiple hats and in a remote work environment

With the rise of remote work, the way in-house leaders and the internal business leaders has changed. Fewer conversations take place in person - they tend more to be in writing, which highlights the importance of having a thoughtful approach to maintaining privilege.Privilege is a sensitive aspect of taking on additional responsibilities outside of Legal. Training your colleagues regarding privilege is key.Clarify when you are putting on your legal hat and when a communication is intended to be privileged – label written communications accordingly.Consider touching base with outside counsel who are expert on privilege, for example once a year, to check on evolutions in the privilege landscape.

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