

Mastering Business-First Lawyering as an In-House Legal Counsel

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Today's Agenda

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5 Responsibilities of In-House Teams

11 Communication, Business Objectives & Technology

16 Key Takeaways



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How do you know your legal team is NOT business-first?

1. Constantly seen as the department of “no”
2. Other teams in the business don’t want to go to legal unless it’s absolutely necessary
3. Responsive/reactive use of legal department
4. Legal finds out about important deals with sales at the last minute, not during the deal process
5. The business doesn’t know how the legal team operates
 - a. Legal lacks data/quantifiable metrics that demonstrate value
6. Lack of consistent processes
 - a. Timing
 - b. Advice
7. Legal forum shopping



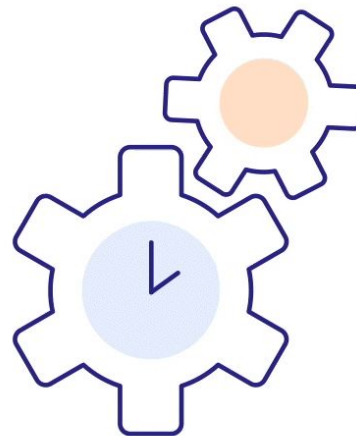
In-House Legal Responsibilities

1. GC past

- Legal advice only (subject matter experts)
- Siloed teams
- Lack of KPIs

2. GC/CLO present

- Risk management
- Legal guidance
- Contract management
- Compliance/regulatory
- Strategy
- “Corporate generalist”



Organizational chart...



... what does it mean?

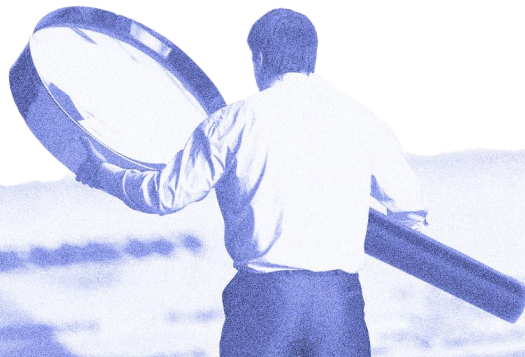
- The GC title (and Associate GC, Deputy GC, etc.)
- GCs vs. CLOs
 - **Poll**
- Reporting to CFO or CEO
- Know people at your level within the organization
 - **If you are a director, get to know the other directors within the organization**
- Building relationships

Successful Business Partnerships

1. The how and why of successful business partnerships
 - a. Think about how you are communicating certain things
2. Alignment and collaborative workflows between departments
3. Functions and departments must be in sync about processes and priorities to maintain a healthy risk level and foster innovative solutions
4. Effective communication and collaboration facilitates an understanding of the distinct needs of different business units and needs



How to: Understand Business Objectives



- How does your company make money
- Who are your competitors
- Are there current issues within the organization
- Deep understanding of the company's goals and strategies
- Aligning legal strategy with business objectives
- Roles of in-house counsel in strategic planning
- “Be the business”

Effective Communication & Proactive Mindset



- Responsiveness is one of the most effective ways for your legal team to build great relationships within other business units
- Standardizing terms (SLAs)
- Develop tailored communication skills, tools and tactics
- Communication tone/collaboration
- Legal teams should effectively communicate this value to other departments through use of metrics and other KPIs

Every issue is a business issue



- **Legal Risks = Business Risks**
- **Business Objectives Guide Legal Strategies:** Legal decisions shouldn't be made in isolation but should reflect the company's goals.
- **Risk Mitigation is a Business Imperative:** Proactively identifying and addressing legal issues is an essential business task, not just a legal one.
- **Value Creation and Cost Management are Key:** Identify opportunities for cost savings or revenue generation while minimizing legal and business risks (e.g. well-negotiated contract)

What does it mean to truly be business-first?

- Be invested in the outcome
 - **Think like an owner**
- Legal landscape
- Understand the upside of the contracts too – it's not *all* bad!
- Risk-tolerance: what risks are you willing to take?
- Working together to get deal done in the best way possible



Companies love business-first lawyers!

- When the business wins, we all win
- Sense of security
 - Strategy
 - Protected by legal
 - Being in the know
- Smoother processes
- Connections and networking
- Better and faster deals

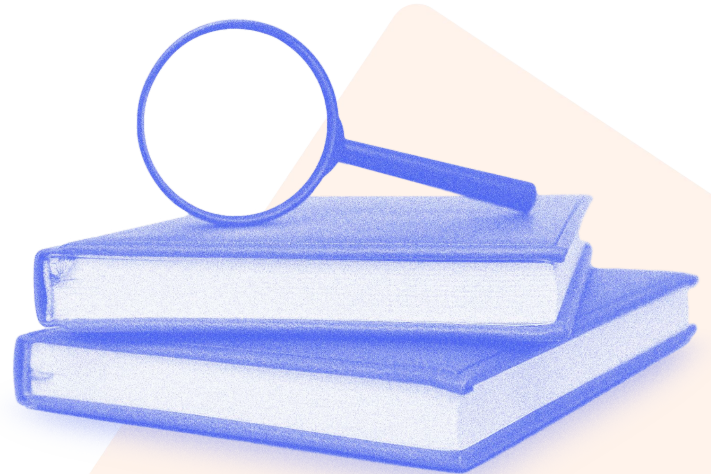


Evolving beyond legal advice

1. Improve collaboration

- Make legal information accessible to those who can benefit from it the most
- Share the latest versions of data and documents to ensure everyone is on the same page

2. Regular feedback and open dialogue can help your team understand the needs of the business better and provide more effective support



Ethical challenges

1. **Tricky business, balancing dual hats/acts**
2. **Confidentiality: our silent golden rule**
3. **Competence: Not just legal know-how**
4. **Conflict avoidance**
5. **Uncomfortable yet necessary, up-the-ladder reporting**
6. **Personnel issues**
7. **Obligations as an attorney, particularly when you're a business-first lawyer**
 - **Attorney-client privilege**



Embracing technology

1. Improved efficiency
2. Data analysis and insights/metrics
3. Improved communication – keeps everyone on the same page
4. Ability to connect applications and pull data from other systems to enable efficient contracting
5. Eliminates manual and repetitive tasks



“We have a number of legal tools at our disposal.”

Final Thoughts

- Impact: may not be quantifiable
- Be curious vs. defensive
- Aligning goals
- Embracing the mindset



Additional Resources

- eBook: [How Legal Can Partner with Internal Teams to Drive Profits](#)
- Podcast: [Building Your GC Brand](#)
- eBook: [From GC to Business Partner: 5 Ways to Build Your Brand](#)



Thank you!

Questions?