

Since this month's *ACC Docket* is focused on international legal issues, this article will focus on an international opportunity for chief legal officers (CLOs).

Aside from the CEO, the CLO may possibly become the most influential change agent in a corporate organization. To be a change agent, the CLO must rise to a level of excellence. What distinguishes an excellent CLO from an acceptable or good CLO?

## CLOs as Change Agents

BY KENNETH A. CUTSHAW

In the March edition of *Executive Counsel* (Volume 7 Number 1, a magazine for "C" officers), an article titled, "Change Leaders will be the GC's of the Future" struck me as a beacon for CLOs. There is a way for a good CLO who supports the CEO and executive team to transition to a CLO who establishes herself as a change agent within the organization.

The authors of that article identified nine leadership competencies that are fundamental to reaching excellence.

Those are:

- results orientation,
- strategic orientation,
- market knowledge,
- collaboration and influencing,
- developing organizational capability,
- team leadership,
- change leadership,
- customer/client impact, and
- functional competency.

These leadership competencies apply to all executives. One interesting finding is that excellent CLOs have developed leadership skills equal to those


of CEOs on almost every level, and they surpass CEOs in collaboration. Two areas where CLOs usually lag behind CEOs are "market knowledge" and "change leadership." CLOs often find themselves in a "box," where counseling and giving advice does not translate into making change happen. However, a competent an excellent CLO will recognize the opportunity to become a change agent, and enhance his focus on change leadership.

The CLO can increase change leadership competency in the corporate setting through outsourcing. The CFO has traditionally outsourced the financial audit functions, the accounts payable and similar functions. The CLO has traditionally outsourced litigation. The CMO has often outsourced its advertising production, but maintains the decision making process. The COO often outsources certain operational capacities that are better done by specialists. The CIO will outsource database storage and similar type of functions for IT. Where can the CLO stand apart in the area of change leadership? This area is ripe and ready to be harvested in the outsourcing arena.

Over the last two years, this column has made many references to the legal process outsourcing (LPO) industry and how it has grown over the last decade. The industry in its earliest offerings came after the successful business process outsourcing (BPO) industry in the early 2000s. But

the legal practitioners in the United States, the United Kingdom and other developed legal markets were not prepared to accept the presumption that legal services could be delivered outside the "four walls" of the firm or the corporation, or outside the country where the lawyer is licensed. That perception changed and the outsourcing legal industry has trended toward an accelerated growth curve.

Much of the acceleration of growth is now driven by the successes seen by large global corporations with the Indian LTO model. It is also driven by the large US law firm that has captured expanded work for the client by establishing a non-lawyer warehouse for service. Warehouse services are positive developments for CLOs. A few large international US-based firms have established an ediscovery office staffed with non-legal professionals and young lawyers to conduct the extensive work required for large litigation and the new ediscovery demands found in lawsuits. The ediscovery industry has been a catalyst for the outsourcing of legal services. It has provided opportunities for the Indian-based LTOs as well as the LPOs in the Philippines, Israel, Middle East and European locations.

The CLO can be a change agent. A CLO can recognize the opportunity to bring positive change to the company by realigning its outsourced legal services in a way that it recognizes the global nature of legal services delivery. Attention CLO: Rise to the level of excellence that allows you to be recognized within your corporate structure as a change agent. 

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