



Rethink & Retool:

Avoiding Legal Tech Failures



A Legal Tech Buyers Guide: An Evidence-based Framework for Success

Most in-house legal teams are frustrated with the growing workloads, complexity and the administrative burden required to operate their departments.

Things are too disorganized and everyone is always having to work longer hours to compensate for the wasteful operating practices and to overcome your insufficient tools.

It has been going on for so long that people are getting burned out and the attrition rate is at an all time high. When attrition does occur, the remaining team is left with an even bigger workload and the daunting and expensive task of recruiting and training a replacement. Which can cost up to 3x their salary and take months.

With management's consistent pressure to improve performance from legal, despite the dwindling staff, the place most in-house legal teams look next to generate gains is by buying technology.

And while that is a perfectly reasonable strategy, it's what happens next that starts to decrease the likelihood of success.

Since it's a technological solution, IT gets brought in and potentially vendor management. These functions have well-scripted approaches to evaluating and selecting solutions.

Unfortunately in most cases, these approaches are flawed in three ways; they are primarily feature-focused, the IT resource does not have first-hand knowledge or have experience with the operational pains of Legal, and they have no skin in the game - meaning there will be no impact to them if the decision is a bad one. They don't have to live with the consequences.

"We're not technology people" is the common excuse given by legal operations people in order to hand responsibility for the selection process over to IT or Vendor Management.

Which is precisely why legal should be the lead decision makers, and IT should support, to ensure fit with current and future enterprise architectures, security concerns, scalability, and especially guarding against technical debt.

The technology itself is not the most important criteria of the decision-making process. How the proposed solution will serve to help the legal team deliver the service they need to meet the needs





Key Takeaways: Making LegalTech Investments Work

⦿ Strategic Focus

- Align technology decisions with operational realities: workload reduction, service quality improvement, and burnout prevention must drive choices
- Shift from feature-based to outcome-based evaluation by focusing on how work gets done, not just what features exist
- Think strategically about second and third-order effects before committing to solutions

⦿ Team Building & Process

- Replace traditional role-based teams (IT, Legal, Procurement) with competency-based teams that combine operational, technical, and change management expertise
- Implement structured decision frameworks like premortems to identify and mitigate risks before they materialize
- Build evaluation criteria around jobs to be done rather than feature checklists

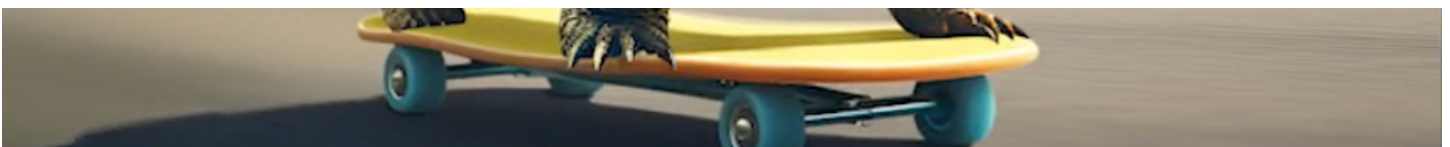
⦿ Long-term Success Factors

- Evaluate vendors not just on current capabilities but on their ability to adapt to changing business conditions
 - Consider technical debt and architecture limitations that may restrict future flexibility
 - Ensure solutions enhance rather than constrain your team's ability to adapt to change
-

of the enterprise, is the most important criteria. The people who stand the most to gain, or lose, are the legal team themselves so they are the ones that should be driving the evaluation process.

If the decision-making process is not managed by legal, and IT takes the lead, you will often end up with a “no decision” process where there is so much information that doesn’t feel useful or relevant to the legal team that they don’t feel confident in making a decision. Or, they will acquiesce and end up with a solution that likely does not improve their daily work lives.

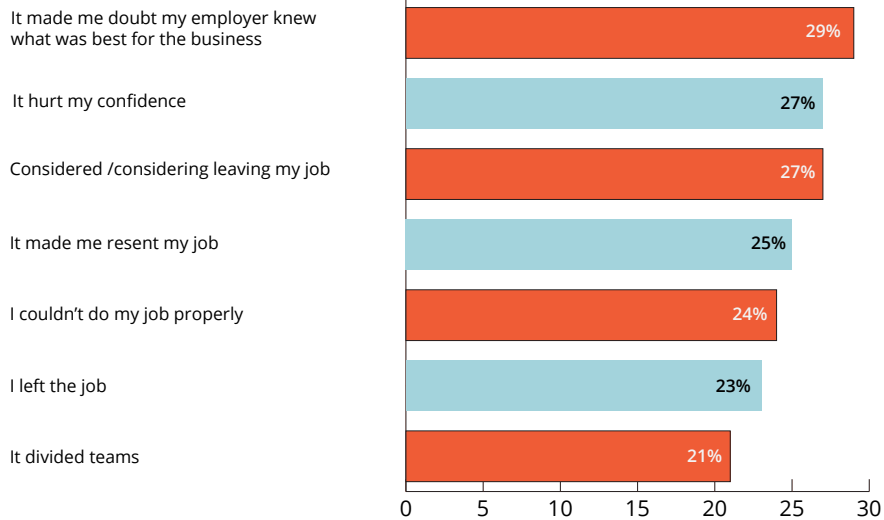
So, how can “non-technology” people avoid coming to a “no decision” or making inappropriate choices? By focusing on what they do know and using a few decision-making techniques to help them increase their chances of making good choices.





77% of In-house Lawyers Experience Failed Legal Tech Projects

The impact of struggling to use tech



Pre-Purchase Strategy

Confronting Operational Realities

Running an in-house legal team means you will be facing at least three common challenges:

- Unsustainable and growing volumes of work
- Less than satisfied internal customers
- Management pressure to deliver more value

Leading to legal team:

- Frustration
- Overwork
- Burnout
- Turnover

If your proposed solutions do not include specifically improving these working conditions for your people, then you're likely going to make the situation worse with a solution that introduces more workarounds, new places to look for information, and new data silos that will inhibit reporting, learning and improving.





Aligning with the Enterprise

Your ultimate purchase has to serve at least two primary masters; management and your legal team. Whether or not you receive future support for similar purchases or initiatives however will be largely driven by management’s view of how this purchase moved the business forward.

And you can make the argument that internal customers are a third master, but in my view a happy and productive team drives service quality and therefore produces satisfied customers.

As we’ve written about many times, legal departments often hold themselves apart by suggesting legal is different and shouldn’t be operated like other departments. Well, legal is different in some ways, but very much the same as other team-based, knowledge workers. If you want increased funding and support from management (and what legal group doesn’t), then making sure you’re operating like other departments to deliver what your bosses want is important.

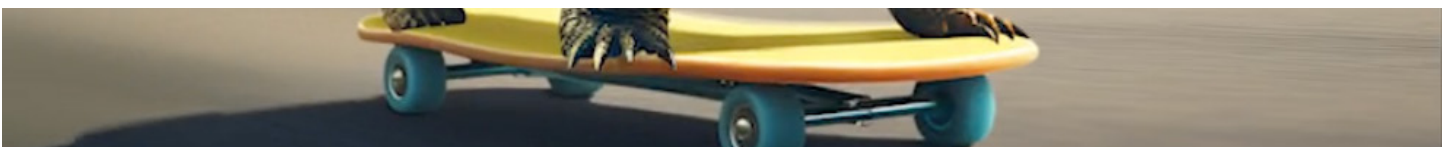
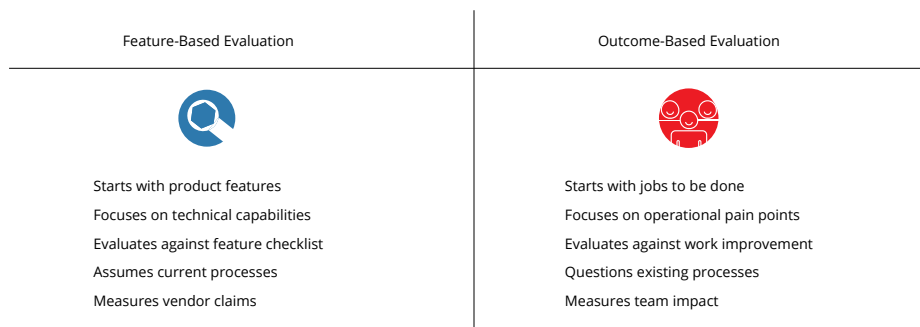
Changing Perspective from Features to Outcomes

The typical purchase approach is to make a laundry list of all the functions that the solution must have and build your scoring mechanism on how many items meet the must have, should have, or nice to have categories.

But this immediately creates a disconnect between the real conditions people are struggling with and what is being considered as potential “solutions.” And it is based on a giant assumption that the function points being evaluated will magically drive the performance that is required without even defining what “performance” means!

A better approach is to use a “Jobs to be Done” methodology. This means your solution analysis focuses on the jobs that are the fundamental tasks or goals that your people are trying to accomplish, and what is impeding them from doing a good job. They are not defined by product categories, function points or a specific technology. Instead, they focus on your team’s desired outcomes and progress.

Technology Evaluation: Traditional Feature-Based vs. Outcome-Based





Avoiding Legal Tech Failures

Let's consider a potential example of a top-level Job to be Done (note: there will be several supporting or underlying processes that you can also do this for):

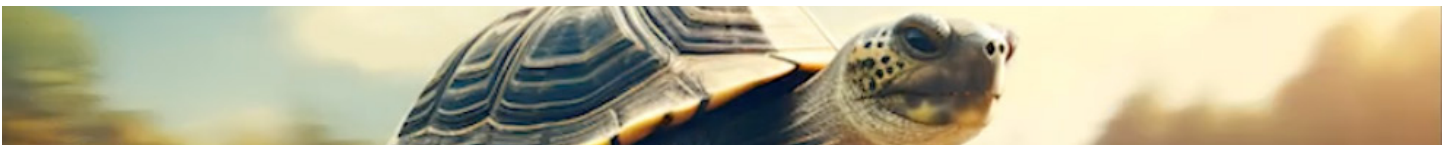
- Consistently and predictably deliver high-quality legal service while adapting to changing operating conditions.

What makes getting this job done time consuming, inefficient, unpredictable, inconvenient or difficult? (The real list is a lot longer)

- Receiving complete, concise, and timely direction from clients via email is convoluted and wasteful.
- Establishing priorities for all work to be done is haphazard and unclear.
- Assigning work to the appropriate people is disorganized and inefficient.
- Having no defined processes to guide our actions and learn from.
- Setting realistic service expectations with clients is almost impossible.
- Little to no data exists to support our need for more resources with management.
- Knowing where or how to make operational improvements is challenging.

Jobs to be Done: Delivering Outcomes that Matter

| Job to be Done | What is time consuming, inefficient, unpredictable, inconvenient or difficult? |
|---|--|
| <div data-bbox="363 1257 444 1339" data-label="Image"></div> <p data-bbox="235 1367 574 1501">Consistently and predictably delivering high-quality legal service while adapting to changing business conditions</p> | <div data-bbox="993 1257 1075 1339" data-label="Image"></div> <p data-bbox="680 1367 1393 1659">Receiving complete, concise, timely direction from clients via email is ineffective. Establishing priorities for all work to be done is haphazard and unclear. Assigning work to the appropriate people is disorganized and inefficient. Having no defined processes to guide our actions and learn from. Setting realistic service expectations with clients is almost impossible. Little to no data exists to support our need for more resources with management. Knowing where or how to make operational improvements is challenging.</p> |



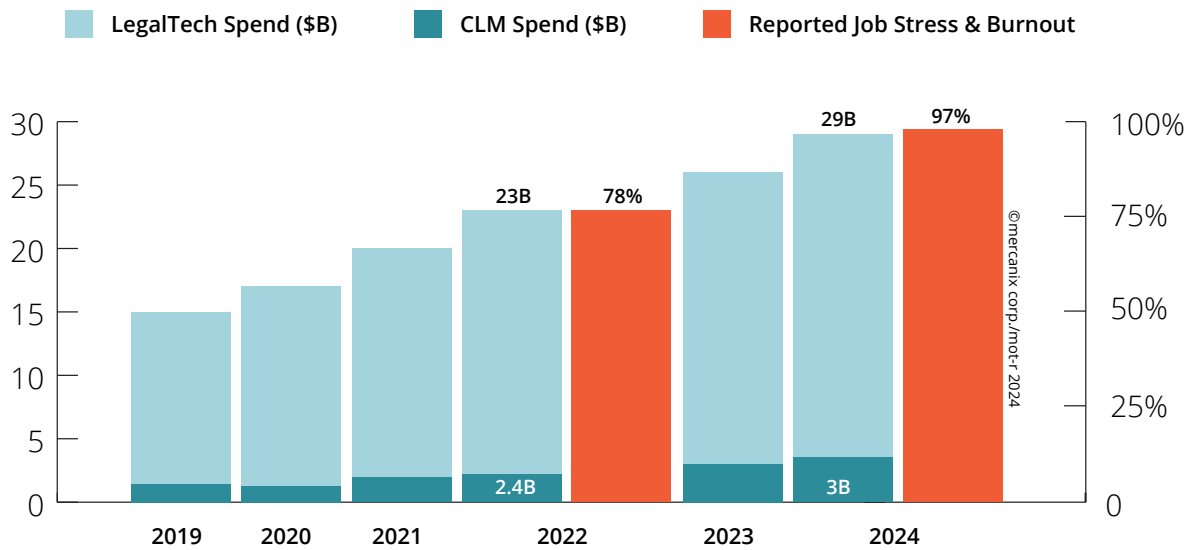


As you can see, these are first-principles-like questions that should be tackled long before you start discussing tactical technology selection questions.

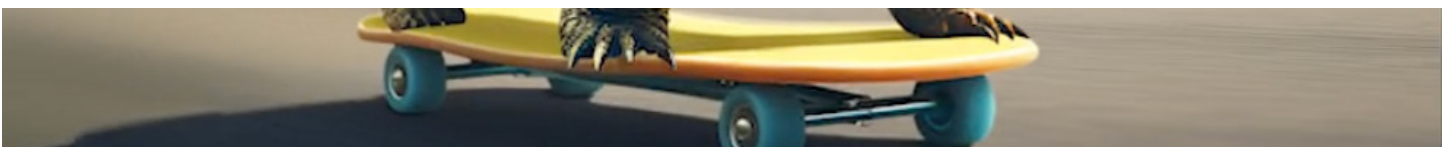
If you need evidence that the commonly used feature-focused approach isn't working, just look at the amount of technology spend that has occurred in the past 5 years and yet the rate of burnout and turnover is at an all time high. **Technology as it is being purchased today is not reducing frustration, stress and burnout.**

While strategic alignment and outcomes-based thinking set the foundation, successful technology selection requires a structured decision-making approach.

LegalTech & Burnout: Coincidence, Correlation or Causation?



Spend: Cascadia Capital Legal Tech Industry Report, April 2024
OpenPR.com, Marketpublishers.com, Brandessencereasearch.com, Giiresearch.com, VentureBeat.com, ResearchandMarkets.com
Burnout: Axiom's 2024 In-House Counsel Survey Report





Decision-Making Framework

Building an Evaluation Team with the Right Competencies, not Roles

Most buying teams are composed of people from different functional areas in the business. That makes sense from an approval and ongoing support perspective. What is equally important is knowing the circle of competence of each of these people.

In essence, the circle of competence is a mental model that encourages individuals to focus on their strengths, acknowledge their limitations, and make informed decisions within their areas of expertise. So you need to understand what exactly are people bringing to the table in terms of their competencies.

It also means you'll need to recognize people will spend their time and attention on areas that are in their circle of competence. So, if you have someone that is highly technical they'll want to steer all conversations toward things they have expertise in and potentially move focus away from what is truly important. Guarding team attention and focus is a critical requirement for coming to a good decision.

In a perfect world (although it is unlikely you will assemble people with all these competencies), you'll

| Roles-Based Teams | Competency-Based Teams |
|---|--|
| | |
| Legal Operations/Admin GC/AGC/etc. IT/Legal IT Security Application Support | Current Legal Operations Knowledge Service Quality Knowledge Legal Process Improvement Personnel Burnout & Turnover Evidence-based Management Practices Jobs to be Done Knowledge Change Management Current Enterprise Strategy Organizational Change Current Enterprise Application Architecture Future Enterprise Application Architecture Integration/API Design Use Case Development AI Prompting/Agents/LLMs |





want a team of people who collectively have as many of the competencies listed in the graphic as possible. As a fall-back, you can use GenAI to act as an expert from any one of the missing areas of competency and have it review your decisions and background content informing those decisions.

Mitigate Risks Using a Premortem

Among the many effective evidence-based management practices to improve the chances of a project's success, is a prospective hindsight method called a premortem. A premortem is the hypothetical opposite of a postmortem.

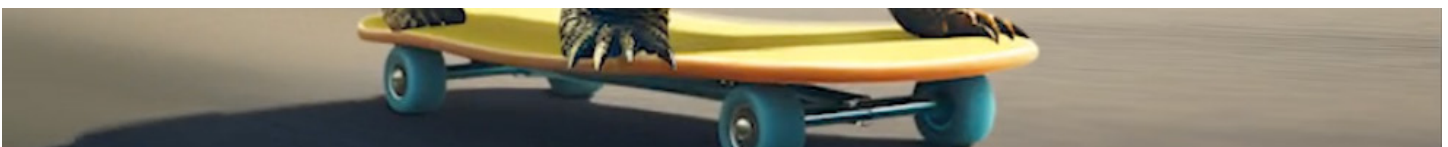
A postmortem in a medical setting allows health professionals and the family to learn what caused a patient's death.

A premortem in a business environment comes at the beginning of a project rather than the end. Before you make an important decision, and your goal is to ensure you're harnessing the intelligence of your whole team, you set up the following scenario.

"Suppose it's two years from now, and we made the decision to implement a technology solution for [x] purposes, and it turned out to be a disaster. Now, you have a page in front of you. Write the history of that disaster in bullet points."

Using a Premortem: A Framework for Avoiding Failure

| Top Reasons for Failure | Failure Avoidance Strategies |
|---|--|
| <ul style="list-style-type: none"> ✘ General Counsel didn't "Buy in" ✘ Selection team "Too busy" to create proper requirements ✘ Small junior team left to do the work ✘ Selection process incomplete and flawed ✘ Selected solution not supported by many ✘ Kick-off meetings poorly attended ✘ Little to no adoption of solution | <ul style="list-style-type: none"> ✔ Signed Business Case & Resource Commitment by GC ✔ Formal assignment of resources to project by Leadership ✔ Outcome-based, Jobs to be Done requirements developed ✔ Proof of concept review process by users ✔ Small scale pilot undertaken ✔ Waste and work hours reduction focused training/roll-out |





Avoiding Legal Tech Failures

Developing the list of bullet points is completed individually with no influence or opinions expressed by the leader. Then each person is asked to read out one reason from their list at a time until all unique reasons have been compiled.

Next, the list is compiled and distributed to the team in preparation for the next session, where they are asked to come prepared with suggestions for how to avoid these reasons for failure before they happen.

In the failure avoidance session, teams build a list of unique reasons for failure and can rank the most likely culprits to cause failure. Then as a group they can craft strategies for avoiding that failure. This process also sensitizes the team to spot early warning signs once the project gets underway and encourages people to raise doubts that might otherwise have gone unsaid.

Even with the right team and process in place, technology decisions have long-lasting implications that must be carefully considered.

Long-term Impact Assessment

Identifying and Avoiding Technical Debt

Most buying processes will favor vendors that have a long history in the market. Of course, reducing vendor risk is important. You want to know they are stable, responsive, reputable, etc. But the flip side of a long history is that sometimes the technology they are selling you is old enough to become a liability.

10 Signs of Technical Debt: If Vendor Due Diligence surfaces any of these conditions beware of Technical Debt

| | |
|---|--|
| 1. Slower Deployment and Upgrade Cycles | Delayed updates and complex upgrade processes |
| 2. Poor Integration and Stability | Difficult integration with existing systems and limited scalability |
| 3. Unreliable Uptime and Performance | Frequent outages or downtime or inconsistent response times |
| 4. Higher Support and Maintenance Burden | Excessive support requests or dependence on vendor-specific expertise |
| 5. Limited Customization and Adaptability | Rigid configuration options or high costs for modifications |
| 6. Suboptimal User Experience | Outdated interfaces or frequent errors |
| 7. Vendor Transparency and Roadmap Concerns | Lack of modernization plans or unsupported or deprecated features |
| 8. Security and Compliance Risks | Outdated security protocols or difficulty meeting compliance standards |
| 9. Hidden Costs and Resource Drain | Unexpected downtime costs or high total cost of ownership (TCO) |
| 10. Poor Support for Future Growth | Incompatibility with new technologies or stagnant innovation |





You might not be able to tell without some deeper investigation because “UI refreshes,” can gloss-over deep architectural problems that may cause limitations in flexibility, feature development, integrations, response times and downtime.




















This is exactly where IT should come to the fore and ensure that the proposed solution does not suffer from technical debt.

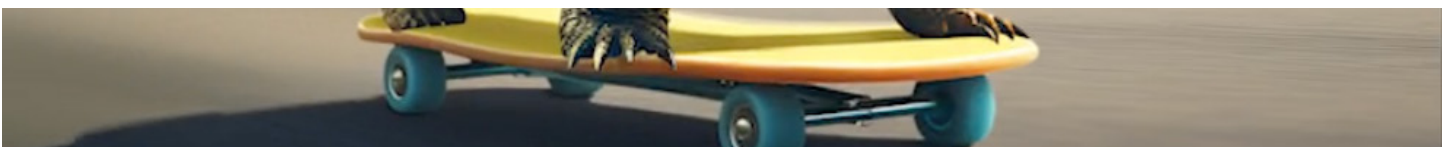
Preparing for Change

We all face change at work. People come. People go. Reorganizations happen. Compensation plans change. Strategic KPIs get modified. New technology (ie. AI) gets introduced. New laws and regulations get enacted.

Some of this change is predictable, and some of it less so. If your technology can’t flex to accommodate at least the predictable changes without enormous costs or downtime, then its effective useful life quickly diminishes. If you select an older solution whose design was predicated on a “stable, predictable operating environment” then you can guess how that’s going to turn out.

Are You Prepared for Change?: Typical organization changes that will affect Legal

| High-Frequency Changes | Medium-Frequency Changes | Low-Frequency Changes |
|--|--|--|
| <ul style="list-style-type: none">  Workflow Process Changes  Work Reassignments  Short-term Leave  Long-term Leave  Team Turnover | <ul style="list-style-type: none">  Responsibility/Scope Expansion  Remote/WFH Policies  Integrated Technology Changes  KPI/Compensation Changes  Management Changes  IT Security Changes  Major Client Win/Loss | <ul style="list-style-type: none">  Market Entry/Exit  Ownership Changes  Mergers & Acquisitions  Technology End of Life  Major Technology Shift (ie. AI)  Legal/Regulatory Change  Economic/Social Change |





What Happens After the Decision Can be Costly

“And then what?” That’s the question you have to constantly ask yourself when making an important buying decision.

Second-order effects are the consequences of consequences. They are the ripple effects that occur after an initial action or decision. While first-order effects are the direct and immediate results, second-order effects are less obvious and unfold over time.

As an example, if you buy a Contract Management solution you’ll see some very positive second-order effects as shown in the table above. But you’ll also experience negative second-order effects that collectively can outweigh the positive benefits. If the total positive benefits of a solution aren’t orders of magnitude larger than the negative effects, your users and organization will be negatively impacted.

Every technology choice you make will be imperfect. There are no perfect solutions, only trade-off’s. But neglecting anything past the first-order benefits and costs increases the chances that you haven’t fully understood how solutions like these have trade-off’s and impact your operations both in the short-term and long-term.

And Then What?: New Contract Management purchase decision: first-, second-, and third-order effects.

| First-order Consequences | Second-order Consequences | Third-order Consequences |
|---|---|---|
| <ul style="list-style-type: none"> + Higher Quality Agreements + Faster Contract Preparation - Purchase Price - Downtime Cost of Selection Team | <ul style="list-style-type: none"> + Lower Risk from Standardization + Increased Client Satisfaction + Measurable Service Improvement + Higher Output per Person - New Vendor Cost/Risk - New System Access/Login - New Data/Content Silo - New Implementation Cost - New UI/X to Learn/Train - New Integration Costs - New Support Costs | <ul style="list-style-type: none"> + Faster Revenue Cycles + Improved Governance + Improved Contract Data - Duplicate Document Security - Duplicate Document Storage - Increased Search Costs - Increased Change Complexity/Time - Toggle Tax/Multi-tasking Overhead - Increased Onboarding Costs/Time - Increased Roll-up Reporting Costs/Time |





Conclusion: Building a Foundation for Sustainable Legal Operations

The landscape of legal technology decisions has fundamentally changed. While feature-driven purchasing continues to dominate vendor selection processes, the evidence shows this approach is failing to address core operational challenges facing legal departments. A new framework is needed.

This framework rests on three pillars:

Operational Focus

- Center technology decisions around measurable improvements in team workload, burnout reduction, and service quality
- Prioritize solutions that eliminate administrative overhead rather than adding new layers of complexity
- Build clear metrics for success based on operational outcomes, not feature checkboxes

Strategic Team Assembly

- Move beyond traditional role-based selection committees to competency-based teams
- Leverage both internal expertise and external perspectives, including GenAI tools when needed
- Ensure the final decision is made by those who will live with the daily consequences of the decision

Future-Proofing Decisions

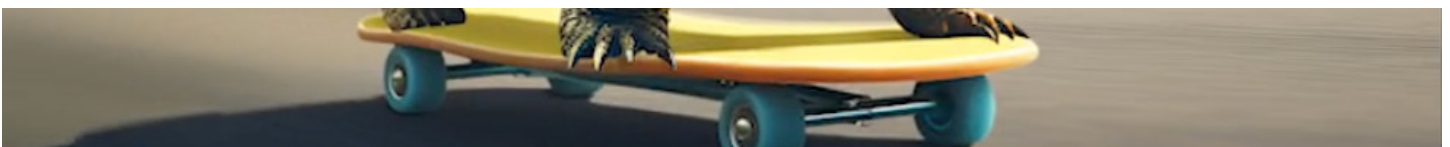
- Apply premortem analysis to identify and mitigate potential failure points before they occur
- Evaluate technical debt implications thoroughly, looking beyond surface-level features

Consider both predictable and unexpected changes in your operating environment. The path forward requires legal operations leaders to fundamentally rethink how they evaluate and implement technology.

Success will be measured not by the number of features deployed, but by meaningful improvements in team effectiveness, service delivery, and adaptability to change.

For those embarking on this journey, start small but think big. Begin with a pilot that can demonstrate measurable operational improvements, build competency-based teams that can effectively evaluate solutions, and always consider the second and third-order effects of your decisions.

The goal isn't to find perfect solutions, but to make consistently good decisions that move your organization forward while avoiding costly missteps. The future of legal operations technology lies not in chasing features, but in building adaptive, sustainable systems that empower your team to deliver better legal services while improving their well-being and effectiveness.





Avoiding Legal Tech Failures

About Us

mot-r is the only legal work orchestration solution that that helps in-house legal departments improve their service, reputation and value to the enterprise, while decreasing the human cost of overwork, burnout and turnover.

Designed to reduce operating costs, increase responsiveness, enhance organizational learning, elevate team adaptability and future-proof your operations, by starting with a single use case and scaling-up as needed:

- Contract Management
- Legal Team Workflows
- Advisory Work Management
- Transaction Management
- Approvals & Due Diligence Reviews
- Compliance Management
- Matter & Case Management
- Vendor Management
- AI Agent Orchestration & Governance
- and more

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