

Data Drives Dramatic Shifts In Business Roles and Practices

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► How corporate counsel can meet data imperatives head-on.

Across the United States, and throughout the world, people and businesses are experiencing a period of intense and rapid technological disruption and change. Some of these changes predate the COVID-19 crisis, which has upended business practices across industries, but there's little question that the pandemic has proven to be a catalyst for further intensifying these existing trends. Due to these new and ongoing structural changes to the economy, and the role technology plays, many companies are redesigning their business around data and leveraging it to increase and add revenue streams.

Companies – like society itself – are becoming more data driven. People are using their smartphones for an ever-expanding number of daily tasks – from counting steps and calories to navigating the world around them. All of these actions create more and more data, which is already taking on unprecedented importance in our lives, and reshaping the economy and how we do business as well. In the legal world, particularly in the realm of e-discovery and digital forensics, this shift has had a tremendous impact on how we collect, interact with, use, and secure data.

With all this in mind, Corporate Counsel Business Journal recently teamed up with e-discovery and technology-assisted review provider H5 for a webcast entitled “Expanding Roles and Comfort Zones: How Corporate Counsel Can Meet Data Imperatives Head-On.”

The webcast was moderated by Sheila Mackay, managing director of e-discovery services for H5, and the panel consisted of industry veterans Mira Edelman, senior corporate counsel for DISH Network; Kimberly Quan, global head of e-discovery and digital forensic investigations for

Juniper Networks; and Karla Wehbe, director of legal and compliance business solutions for H5.

Karla Wehbe got the conversation started with a discussion about the ways data is contributing to the restructuring of business departments and practices – breaking down walls and forcing companies to rethink and reorganize the way they structure their teams and individual roles.

“It’s a connected and complex world of stakeholders, and for a long time people have worked in their silos, but the connection of certain processes and requirements has forced us to come out and work together,” Wehbe said. “Our increased need to work together around these complex issues is highlighting a commonality in the processes and technologies that are being used by these multiple functions. If you look at record retention, data management, investigations, litigation – they’re going to develop similar methodologies, even though they may have different perspectives or different outcomes.”

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–KARLA WEHBE

Ultimately, however, as Wehbe points out, the goal of these new processes and technologies is to allow businesses and their employees to have increased confidence and trust in their decisions – to facilitate action and not paralysis.

Speaking about the convergence of certain roles within organizations, and the increasing number of cross-functional teams working together, Mira Edelman attributed this phenomenon to a confluence of factors, including

both the increasing amount of data itself and the increasing amount of regulation that goes hand in hand with it. “We have a growing body of regulations that are affecting different types of data, both in the U.S. and abroad,” Edelman said. “Think about privacy regulations, export control regulations, and then of course, companies also worrying about data security risks that have been heightened now that much of the workforce is remote because of COVID. Structuring cross-functional groups to dive into issues that involve data and technology can help to provide a better outcome for the company.”

But, of course, not all technology is created equal. “There’s such a great variety of technology out there, either in existence or built specifically to handle new data issues, and the type of technology you select at your company to handle your data has a downstream effect across multiple company verticals – in terms of the ability to analyze, preserve, collect, delete, produce any of those items. There are two things driving this convergence, data and technology, and they are interrelated.”

This increasing interrelatedness and convergence has profound effects on the way people work. Discussing her own company, Juniper Networks, specifically, Kimberly Quan said: “People are really very collaborative and there are a myriad of broad initiatives where there are overlap. What I’m finding is that each person or team brings subject-matter expertise, and we’re coming together. My background, being both a technologist and having a legal side as well, allows me to liaise between disparate groups, but I am finding that willingness is there across the company, which makes the initiatives easier to deal with because of the transparency and the cooperation that’s occurring.”

All that said, no matter how good the technology may be, next-level collaboration relies heavily on the human element as well.

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-KIMBERLY QUAN

“Successful cross-functional teams have a mission,” Edelman said. “They benefit from good project management and milestones to achieve the result, which often a project manager can run. So whether you have regularly scheduled check-in meetings or more drawn-out goals, it’s really helpful – on a personal level and for developing synergy.”

Quan agreed: “What’s really important is to have a mission and have organization and follow-through. You need to consider what the size of the team should be; something like enterprise-wide collaboration is very different than a smaller group that’s thinking about the culture of one particular org in the company or something like that. So trying to apply some kind of blanket rules across every group or project is not going to work. Not only does it depend on the organization that you work for, the enterprise, but also the groups within the organization, the initiative, even down to the personalities.”

So, even as technology and data reshape our world, from the way we work to the way we live, it’s important not to forget the human aspect – which makes these changes possible, and ultimately, makes them succeed.

The entire webcast, “Expanding Roles and Comfort Zones: How Corporate Counsel Can Meet Data Imperatives Head-On,” can be [seen here](#). ■