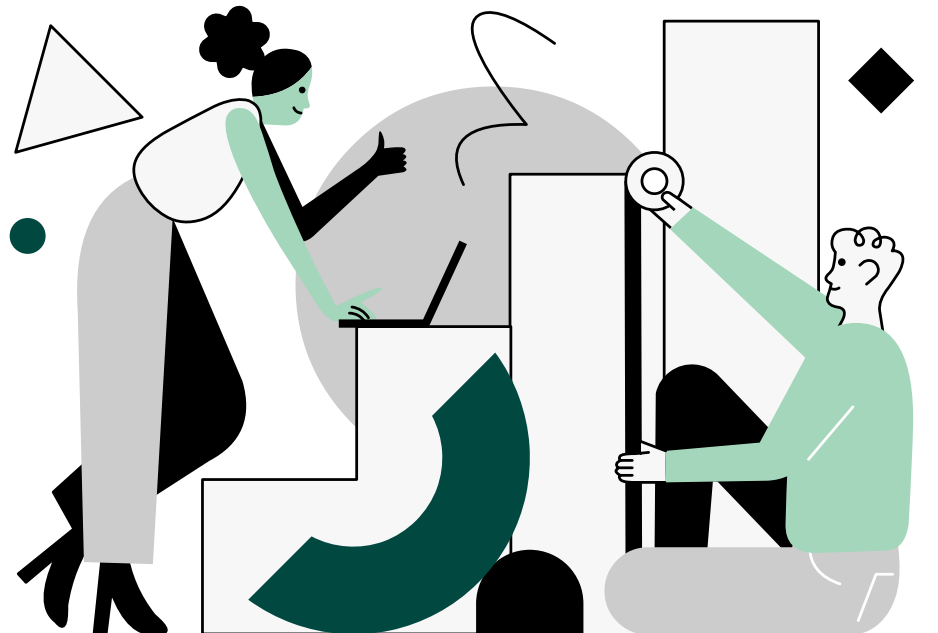


# Creative Problem Solving

5 stages of Design Thinking  
for in-house legal teams



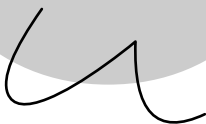


# LOD

LOD pioneered the very first alternative legal service in 2007, and we continue to lead the exciting market we created.

We support the best legal teams in the world with our brilliant legal professionals, legal services team, processes and technology. Together, we find new ways to boost the value that in-house legal teams deliver today, tomorrow and in the future.

LOD is still one of the largest and fastest-growing flexible legal services businesses in the world. We have offices in 9 locations and over 1000 world class lawyers and paralegals, legal operations and tech experts, and risk and compliance professionals. We're constantly recognised for our innovative approach, working hand in hand with clients to create the future of legal work.



# Introduction



In the past twenty years, there have been many frameworks created to revolutionise the way in which we solve problems. Yet most of us still seem to be caught in the time warp of arranging meetings to discuss meetings, endless rounds of discussion, not enough action and solutions that fail to address the needs of the end-user. So, what would actually make a difference?

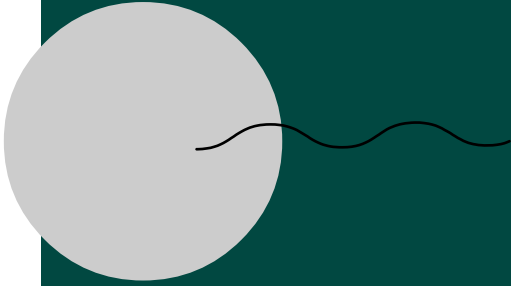
Ever heard of Design Thinking? If it's not already on your radar, then 2021 may well be the year that legal teams can't avoid it. Design Thinking can not only help you effectively identify and solve problems but also shed light on the wider process of how to work better.

According to Margaret Hagan, Director of the Legal Design Lab at Stanford Law School, using this methodology can support lawyers to “take a creative, experimental, and user-centred approach to how they provide legal services”. Design Thinking can help us to systematically learn and apply human-centred techniques to solve problems in a creative and innovative way.

Lawyers have a tendency to want everything to be perfect (and ideally risk free) before it is released to the world. Design Thinking asks us to replace that potential for analysis paralysis with a bias to action – replacing the worrying and pondering with just doing it and learning from what happens.

In creating LOD, we were initially forced to do this by lack of time and resources. But ultimately, this process of launching, testing and iterating has been an enormously positive one. Learning by doing has benefited not only our lawyers and clients, but our business as a whole.

Read on to explore how you can bring Design Thinking to your in-house team or law firm to improve the way in which problems are identified, understood and ultimately solved.



## STAGE #1

# Understand?

First you need to know that you are trying to solve the right thing. Make sure you are certain that you have all of the relevant data you need and get a good understanding of the problem in hand. Trying to solve something with only a limited understanding will waste time and effort. The work involved at this stage will pay dividends.

Empathy is crucial to Design Thinking. Take time to listen carefully and empathise with the issue at hand. Understand what motivates the people you are helping and why they need or want the end result? Spending time to really get under the skin of those involved and understand their experiences and motivations will give you and your team a much better understanding of the issues involved. This process should also force you to set aside your own assumptions about what you think the solution is and give you the insight into users and their needs.

At this stage, you should be:

- Identifying the right people to talk to for information gathering
- Asking awkward questions and exploring multiple answers
- Trying to understand emotional responses as well as more rational ones
- Defining the scope of what you are trying to solve from a human perspective



## STAGE #2

# Define

Take the information that you have gathered in stage #1 and come up with a scope for the project. Try to define the problem in a human-centred manner that describes the specific problem you are trying to solve and will require more than a simple yes/no solution.

This stage is one of the most challenging parts of the Design Thinking process, but it is during the define stage that you and the team can put your analysis and research together in order to form the foundation for a possible solution.

If your team's research uncovers something that may be a problem later on, you will need to reframe the scope of the project. Trust that the team will be able to do this and move the solution in the most promising direction. Reframing or restating the problem in a new way can be an important breakthrough in getting to a great solution.

Make sure that you are:

- Questioning assumptions
- Thinking about the end-user and what they want
- Challenging your team and trusting them to come up with innovative solutions
- Being honest and brave in considering the different options
- Taking the time to do it right
- Looking at the possibility of running a multi-disciplinary team to explore options from all angles

## STAGE #3

# Ideate



This is where you get the chance to brainstorm creative solutions. It requires a steely determination, coupled with the ability to explore new ideas, which doesn't come naturally to all people. Create an environment that enables the team to come out of their comfort zone, reflect, explore and learn.

Your team needs to feel empowered and comfortable enough to say that all of the work to date simply isn't going to cut the mustard, and it's time to start again. Don't panic. Identifying issues at this stage is a blessing in disguise. Don't beat yourself, or your team, up and if this stage uncovers problems that means you have to revisit earlier stages, it's better to do that here.

Make sure you are open to new ideas, challenges and perspectives. Lead by example and show you are capable of changing your own perceptions and goals. Give your team the environment they need to be as creative as they can. Let them experiment with ideas and methods of brainstorming.

This is a fairly fluid and experimental phase where you can have a look at everything and either accept, improve or reject the ideas. Don't shy away from looking at all of the options and potentially combine, refine or augment them to come up with possible solutions. Categorise your ideas, give them names and chose the best ones to move forward with.

This is about:

- Encouraging intuition and collaboration
- Using the white board, mind maps and sticky notes
- Generating as many ideas as possible – quantity not quality
- Deferring judgement and not censoring ideas
- Building off the ideas of others
- Encouraging wild ideas to break outside the box
- Being open-minded







## STAGE #4

# Test

Once the options of how to make this work have been gathered, evaluate and test them. Having a solid understanding of the process from the first three stages – and an open mind – will help deliver the best results. Be honest and make sure you get feedback from your team, users and other stakeholders, as well as giving feedback yourself.

It's time to share your ideas with the outside world, and if you can, find easy ways to try them out. Turn them into something that a user can interact with; that could be a wall of sticky notes, a presentation or even a storyboard. You can do this within the in-house team or with other departments. Don't be scared of feedback, both positive and negative.

This is an iterative process and you may well find that the results generated during this stage unearth a few problems or issues. Anything discovered here will identify any alterations and refinements that need to be made in order to create the best possible solution. It will also encourage you to focus your attention and have as deep an understanding of the product and its users as possible.

At this stage:

- Have a go – would this end result actually work?
- Consider the end-user – does this meet their needs?
- Be rigorous – there is no point in launching something that you know will fail
- Understand that it's easier to mitigate the nature of criticism if you actively seek it out Immunise yourself against failure and be prepared to go back to the drawing board
- See that failures can be opportunities to learn and progress





## STAGE #5

# Implement

It's time to finally let this bad-boy out. Your team is happy, you are happy and you now need to deliver the solution to the end-users for live use.

The beauty of Design Thinking is in its flexibility. This is the moment that you and the team have been working towards, but the delivery doesn't have to be the final stage. Projects that are delivered that offer no possibility for adaptations are destined to fail. Despite the endless work that you have done to understand the problem and the end user, there is always room for improvement and this shouldn't be taken in a negative way.

Step back, take a breath and allow for more progress. Take the time to prepare yourself and your team for any changes that may need to be made and encourage a positive outlook if things do need to be amended.

Despite being the final stage, this isn't really the end. Make sure that communication is continually used to evaluate, learn, create and innovate. The Design Thinking process should be viewed as a perpetual loop, in which you and your team will continue to develop new and innovative ways of viewing the end solution and its possible uses.

Understand that:

- Looking back isn't a bad thing
- Change isn't negative and changes can be made
- Criticism can be empowering
- New ideas that arise to improve or change the solution can be created



# Conclusion

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**Based on our conversations with clients, we know that many of you are constantly on the look-out for ways in which you can simplify a process or innovate to find a solution.**

Using a Design Thinking framework – one that leads to an improvement in collaboration, successful implementation and results through innovation – can only be a good thing.

Design Thinking begins with putting a strategic marker in the sand. If you are sitting down and creating a strategy, you are designing. Everything that you create from this process can be adapted as the needs change. Design Thinking revolves around a deep interest in developing an understanding of the people who need your products or services. It helps us observe and develop empathy with the target user.

Law is a profession well-placed to reap the benefits of Design Thinking as it can give us a framework to test new ideas without the tyranny of an 'innovation department' and can lead to a happier team, better output and satisfied stakeholders.

It is important to embrace the key messages of the process and remember that:

- By making the effort to understand and empathise with the end-user and their specific requirements or frustrations, we have a chance to build a solution from the inside out, rather than the outside in
- By bringing multidisciplinary teams together we can make the most of collective expertise
- Immunising yourself against failure and promoting the philosophy of “fail early and often” is the key to delivering solutions that resonate and encourage feedback from actual users and customers

We're in a privileged position at LOD to discuss issues like this with our lawyers and clients, and we've seen many different ways of solution finding. If it would be helpful to chat in more detail about some of the ideas in our Toolkit series or other examples of in-house best practice that we've come across, do get in touch.

Other Toolkits in the series:

**Measure Your Impact - 8 KPIs for in-house legal teams**



# Contact

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**Abu Dhabi**

dubai@lodlaw.com  
+971 4 4019968

**Brisbane**

brisbane@lodlaw.com  
+61 7 3221 2906

**Dubai**

dubai@lodlaw.com  
+971 4 4019968

**Hong Kong**

hongkong@lodlaw.com  
+852 3511 6217

**London**

info@lodlaw.com  
+44 20 3642 0000

**Melbourne**

melbourne@lodlaw.com  
+61 3 9639 1733

**Perth**

perth@lodlaw.com  
+61 8 6380 7600

**Singapore**

singapore@lodlaw.com  
+65 6326 0200

**Sydney**

sydney@lodlaw.com  
+61 2 8014 5110