Getting to Yes:
A GC's Checklist for Building a Business Case

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In addition to creating legal strategies and mitigating risk, General Counsels also serve as executive leaders and are expected to act as strategic business partners rather than just legal advisors. The operative word here is "business," meaning that they are responsible for managing the legal department with the same level of efficiency and effectiveness as any other business unit within the company.

To establish yourself as the strategic business partners your clients want and need, it's crucial to cultivate a high-performing team, which can be achieved by streamlining processes and leveraging technology. But that requires an investment of capital and time, which means developing a business case to justify that investment. This will provide an important counterargument to push-back, such as:

- *"All this time you have been providing legal advice and negotiating contracts without a tool. Why do we need one now?"*

- *"How will this affect client service? This new process/ tool will get in the way of me talking to my attorney."*

- *"You don't need a solution designed for Legal. You can use one of these enterprise tools IT already has."*

- *"IT doesn't have the resources to implement another tool or integrate it into our systems. Can this get done without internal IT resources?"*

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Here are steps towards building a business case to get to **YES** on investment.

1. **Identify the problem.** What are the specific pain points or inefficiencies that the new technology or program would address? This could include time-consuming manual tasks, offline tracking and reporting, increased risk exposure, or missed opportunities.

2. **Build a coalition.** If these pain points involve stakeholders outside of legal, bring them along the journey. Help them to understand what benefits these process improvements or tools will have for them. They can be your strongest advocates if they buy into your vision. Let them strengthen your business case with their stories of how these new programs will help them. A simple example of this is that a client who is calling to ask about a status update can be told that they will be able to see the update themselves in the new workflow tool once it's implemented.

3. **Understand the problem to find the right solution.** Gather the requirements for the exact pain points you are trying to resolve. This will inform what solutions are best-suited for your needs. Also, be sure to conduct thorough research on available technology solutions, taking into account factors such as cost, compatibility

with existing systems, and ease of implementation and use. Include systems currently available through the enterprise. It will be important to show that you've evaluated them along with external solutions as you're building support for your program.

4. **Don't forget about the other details.** Be sure to take into account any necessary training, data migration, support from third parties such as consultants, or other logistical considerations - especially ones that affect other departments.

5. **Bring data to the dance.** Business leaders are driven by facts, numbers and impact to the bottom line, so speak in their language. Don't worry if you don't have systems in place to capture data for you. Leverage manual trackers (even temporarily) and anecdotes from your team to extract anything that will help build your justification. For example, how many NDAs are reviewed each month? How many legal resources are reviewing those NDAs, and how much can be saved by automating this process? You can calculate an estimated cost by multiplying the average number of hours by an estimated internal hourly cost per head.

By thinking strategically, and by having a business case grounded in solid research about how your program can impact the delivery of legal services across business lines, and how that translates to actual value for the company, will greatly increase the likelihood of approval.

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