

Epiq Legal Transformation Services

Key Takeaways from Retaining Your In-House Talent Webinar

2022

With more than half of all legal departments facing regrettable attrition amidst the resignation wave, current market volatility, and continued impacts from the pandemic retention of in-house legal talent is a business continuity imperative. For General Counsel like Beth O’Callahan of NetApp, in-house talent retention is a strategic priority with defined goals, specific values, and tangible tactics. In this webinar, we heard a diagnosis of Q4 2022 market challenges and a suite of solutions utilized by best-in-class legal departments such as NetApp and trends across Fortune 500 in-house legal departments.

MANAGING FOR IN-HOUSE RETENTION

Beth O’Callahan expects that in-house retention is every legal manager’s responsibility. For Beth and her legal team, NetApp’s Values are the North Star for the department, specifically having a growth mindset.

Align Your Department’s Values With Enterprise Culture and Strategy:

NetApp is a high growth, sophisticated global organization and the legal department drives innovation. This includes building the business cases for the legal department enablement and investment, helping the entire organization accelerating towards revenue...running the legal department like the business function that it is.

Live Your Culture: Discuss the role of culture, values, and purpose in today’s business world. Explore how culture impacts today and tomorrow’s workforce, move from labor compliance to creating a values-driven employee experience.

Consider the cultural impacts of message cost-management needs.

Management Responsibility: This priority should not only reside on the General Counsel’s desk

Take One Action Today: A 1:1 discussion between a manager and employee about the value of the lawyer to the manager and the organization is often an overlooked and powerfully simple approach. To quote the Kung-Fu Panda, “the secret ingredient is you.” You are already meeting inside your employee’s home these days!

Measure What Matters: Only 15% of legal departments are tracking retention: we strongly suggest measuring in-house legal talent retention and utilization.

Be Transparent: For regrettable and non-regrettable attrition alike, transparently, and respectfully messaging departures is critical

RIGHT WORK, RIGHT HANDS

For NetApp, this is a stated objective and not simply an ethos. Specifically, Beth ensures NetApp's "lawyers doing legal work," and has sought to remove administrative burdens and non-legal tasks from the legal team's already full plate. NetApp and other leading legal departments are achieving this in several distinct ways:

Leverage or Launch Legal Operations: NetApp has a professional, dedicated LegalOps organization responsible for a specific strategic roadmap and remit including high-value, but not practice of law matters including external vendor management and driving innovative DEI partnerships with law schools.

Automate, Tech-Enable, but do not Burden: Outfit your legal team with what will help their practice: eSignature tools, automated workflow, and all systems required to work remotely effectively. Selecting and implementing new systems requires significant effort and time.

Rethink Thoughtful Legal Workflow Design:

- Ensure your legal team is focusing on their highest value work for the organization that lends itself towards promotion and internal career pathing.
- Evaluate whether a role is a career path or a task.
- Rethink end-to-end workflow and large, quasi-legal matters such as selecting and implementing a Contract Lifecycle Management tool which has significant operational and non-legal burden.
- Create leverage with non-legal resources and evaluate opportunities to juniorize work.

Extend Partners, including Alternative Legal Service Providers (ALSPs):

- Evaluate where models such as legal talent secondments will relieve overflow pressure following attrition in the department and / or while making a long-term permanent hire.
- Segment ongoing legal workflow to ALSPs in-house such as lower value deal documentation for transactions, tier 2 client populations, or non-core geographies
- Diffuse workflow volumes or cover fast-turn transactions while welcoming new or onboarding teammates
- Identify joint-delivery models such as managed contract review to answer client questions across material contract volumes that entails repetitive, high volume, non-commercial legal work

THRIVE EVERYWHERE & INCLUSION

NetApp has embraced remote work as a legal organization supporting a high-growth global business, and not just resulting from the pandemic's prompts. Beth shared the benefits of her legal team's ability to "thrive everywhere," which has included:

- Access and benefit from greater candidate diversity, employing lawyers outside of office geographies, from different industries, training, and experiences
- Retain and attract gender diverse and ethnically diverse lawyers who statistically have primary family and home responsibility
- Ability to meet at best, not standard operating hours, acknowledging family and home responsibilities
- Establishing standards for service or timelines, let the team establish working hours

ADDITIONAL RESOURCES

- Talking About Burnout Is Still Taboo at Work from Harvard Business Review
- Epiq Counsel

SPEAKERS

**BETH O'CALLAHAN**

Executive Vice President
and Chief Legal Officer
NetApp

Beth O'Callahan is Executive Vice President and Chief Legal Officer of NetApp, a Fortune 500 cloud-led data-centric software company. O'Callahan is responsible for overseeing all legal matters at NetApp and managing the worldwide legal team and driving NetApp's ESG program. She also serves as NetApp's corporate secretary and chief compliance officer. She is the recipient of numerous legal and professional leadership awards including the National Diversity Council's Leadership Excellence in Technology Award and the Recorder's Leaders in Tech Law.

Throughout her career, O'Callahan has advised leading technology companies on a variety of matters, including corporate governance, securities law, mergers and acquisitions, capital markets transactions, corporate compliance and ethics, data privacy, intellectual property, and litigation. Before joining NetApp in 2013, O'Callahan served in senior legal roles at Xilinx, and began her legal career in private practice in Silicon Valley specializing in corporate law and business litigation.

O'Callahan serves on the Board of Directors of Bay Scholars, a non-profit organization dedicated to providing educational opportunities and scholarships to low-income students.

O'Callahan holds a B.A. from the University of California at Los Angeles and a J.D. from Santa Clara University.

**EMILY MINIGER**

Managing Director,
Legal Transformation
Solutions, Epiq

Emily Miniger is a Managing Director in the Legal Transformation Solutions Team. Emily partners with corporate in-house leaders to identify and solve common challenges facing global legal departments with people, process, technology and data-insights. She has served as an extension of client in-house teams to help successfully navigate complex legal business issues, from DoddFrank regulatory implementation to legal workflow redesign following the 2008 Financial Crisis.

Emily was previously a Director at Axiom for more than a decade, serving in a variety of Corporate Development and Client Relationship Management roles across North America, APAC and EMEA.

Emily earned her B.S. from New York University.

**BETH PALMER**

Managing Director,
Legal Transformation
Solutions, Epiq

Beth is a Managing Director, Legal Transformation Solutions, with Epiq. She has more than 25 years of experience in the legal industry. She partners with legal departments to reduce spend and risk, increase efficiency and scale their workforce to meet business objectives. She works with her clients to find the right mix of people, process, technology, data and targeted legal consulting to achieve their strategic goals.

Beth began her career as a litigator, spent ten years leading the west coast operations of the largest legal recruiting and contract attorney placement firm and five years with a Big 4 building relationships with legal and compliance departments.

Beth holds a B.A. in Economics from U.C. Berkeley and received her J.D. from the University of California, Hastings College of the Law.