

Online legal-knowledge services

Building efficiencies and legal knowledge with the click of a mouse.

By Pablo Fuchs



Life has never been more challenging for corporate counsel: burgeoning compliance requirements and a punishing recession mean doing more with less. But online legal-knowledge services, which are still relatively new in Canada, can offer corporate counsel an efficient way to keep up-to-date on key developments — for a price.

Appearing in the early part of this decade, web-based legal-knowledge services are the new kid on the block compared to traditional resources such as textbooks, publications, and case law databases.

The key difference is that unlike publishers which aggregate primary sources or produce academic textbooks that can quickly become outdated, these services provide analysis prepared by experienced lawyers the minute the law changes.

The services include: email updates on legal developments in specific practice areas with analysis and interpretation; practice notes and reference guides; standard documents and drafting notes; up-to-date reports on deals and filings; and analysis of significant disputed transactions and litigation. These web-based services can be customized to focus on specific areas of interest to the user.

Practical Law Company (PLC), based in London, England, gained a reputation for demystifying the law with its *PLC Magazine*. In 2000, the company launched an online portal to provide practical legal-knowledge management solutions for business lawyers.

“PLC allows business lawyers to practise efficiently,” says Ian Nelson, vice-president of business development and marketing for PLC’s U.S. operations, PLC USA, and a former corporate mergers and acquisitions lawyer at a major business law firm in New York. “And there are a couple of reasons why

it’s had such success.

“First, the people we hired have real front-line experience working for the best law firms; some were also top general counsel. Second, clients come to the site knowing it’s up-to-date and written by people who have been in their shoes.”

The website, which is organized by practice area, offers many resources, including material on cross-border deals, straightforward “how-to” guides, as well as a deal tracker and a section that examines cases currently being disputed.

“We now have 1,700 in-house departments and 85 per cent of the top 500 firms in the U.K. [as subscribers],” says Nelson. That success led to the launch of PLC USA earlier this year. Based in New York, the U.S. operation is PLC’s first office outside of the U.K. — and Nelson says that 70 of the renowned Am Law 100 firms have already signed up for the service.

Although PLC could not have picked a worse economic climate to launch a new venture, it believes that its structure, which provides “all-you-can-eat unlimited access” for an annual fee, combined with the wealth of information on the website, will attract lawyers — especially in-house counsel. Fees, which vary depending on the size of the client group, range from \$500 to \$1,750 per person.

“Corporate counsel are expected to know a lot about finance, corporate and securities law, all combined with shrinking budgets,” says Nelson. “This website helps them become more informed.”

Francis Marsland, a corporate counsel with Biogen Idec International GmbH in Switzerland, agrees. He says that PLC is “taking a position in the legal information market that was unoccupied. I use it in my department for broadly supporting know-how in

areas of corporate law. From the perspective of someone in-house, I’m not necessarily looking for leading case law and statute, but guidance and sufficient information to make a business call.”

Marsland also says that the website has become even more useful during this economic downturn: “I need to manage our spending on external counsel very closely. So, I can go to PLC, get the general answers I need, then go to external counsel when I need to ask targeted questions. This is good because when I go to law firms, I’m paying for an added-value service that I can’t get from the web — people to negotiate or litigate on our behalf.”

As for Canadian corporate counsel, although neither PLC’s U.K. nor U.S. websites contain any Canadian law, per se, Nelson says PLC has some Canadian clients, most notably those who focus on cross-border issues. As well, the firm is eyeing expansion.

But while PLC is not yet in this country, there is a Canadian website that applies a very similar model. Montreal-based Nimonik, which focuses on environmental laws and regulations, takes an almost identical approach: a team of experts oversees federal and provincial legal and regulatory developments, then writes an analysis in plain English. Companies can customize the portal to focus on the issues that affect their businesses most, and centralize all the environmental requirements they need to fulfill.

“It complements what people are already doing through emails and newsletters,” says Jonathan Brun, a partner with Nimonik. “[The website] centralizes all the information and makes it fully indexable and searchable. All important dates could also be updated to a centralized calendar on the

website, which then sends updates when certain reports are due.”

The website’s interactivity is another major advantage, Brun says, pointing to a comments section for each legal or regulatory development. “It’s like a wiki for environmental regulations. You can share your comments within your company alone or with the entire community as a whole.”

And it’s not as though just any comment can get through and appear on the website. Nimonik’s experts do an initial filter when the comments for certain legislation are modified then respond to updates and comments to provide an even greater level of interactivity.

Nimonik was originally developed by Montreal-based environmental consultancy ÉEM Inc., and in 2008 it became an independent business. Brun says much effort was put into making the website accessible to businesses of all sizes: it offers a sliding scale in which people pay per jurisdiction for access. Federal information is free, but charges per province range from \$69 to \$129 per month. The annual cost for access to all provinces is \$18,000.

One client, NAV CANADA, has to keep abreast of environmental and occupational safety and health (OSH) developments in 14 jurisdictions — federal, the 10 provinces and three territories. In 2004, the firm hired Nimonik to provide a database of these requirements on a spreadsheet, which “were sent back and forth [between NAV CANADA and Nimonik]. It used to be an editing nightmare. Now, it’s already updated for all to see and the text of the law and the interpretation are already categorized,” says Anouk Guillaume, national manager of environmental and OSH compliance for NAV CANADA in Ottawa.

“From an efficiency perspective, in the past, we had to contract out the compilation of our legal requirements, which was only valid at the moment it was delivered,” she adds. “The big advantage with Nimonik is that the information is always up-to-date. As well, they know

your environmental concerns and they search for things that would affect you. We have limited resources, so it’s a big help.”

PLC says it has Canada high on its list of expansion sites and Nimonik is “looking at other areas” of law in which to expand, since some of its key clients have asked. Although it may take some time for these things to

happen, Brun suggests that “there’s a really strong trend toward these types of systems internationally, in which information is digitized and centralized. And the sooner firms adapt these tools, the sooner they’ll save money and the sooner it’ll be to their benefit.” ■

Pablo Fuchs is a Toronto-based business writer.

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