



# The three traits of the **unrivalled lawyer**

White paper

When tackling a new legal matter, lawyers and clients want to be unrivalled. However, what measure of success qualifies a lawyer to be classified as ‘unrivalled’, and how does one achieve that status? It is simply being better than opposing counsel in every matter. Being better involves expertise, hard work, and the proper resources. It means backing a solid legal strategy with research and readiness. With today’s legal technology, research tasks that once seemed impossible because of time constraints and the oceans of data needed to source a sound decision, are now possible.

### *Is ‘unrivalled’ an unachievable benchmark, or is it the new benchmark?*

In this report, we will outline three traits of an unrivalled lawyer and reveal how legal research can influence a lawyer’s ability to achieve that level. *Accuracy* and *efficiency* are paramount. However, for lawyers to feel unrivalled, they also need *confidence*. That comes from comprehensive preparation, an unassailable case, and the trust of their team.



Whether the matter is big or small, accuracy is the most fundamental part of any successful case. But client expectations have grown beyond that aspect. They expect error-free, reliable, commercial, and solutions-focused advice, and they expect this quality advice consistently across the firm. They now expect their lawyers to bring a higher level of expertise into their case preparation — even before exploring case strategy.

“There’s never been much room for error, but now the expectation is even higher,” says Angela Rudolph, a senior associate with Westlaw® Edge product management team. “Clients expect you to be the expert in everything. Even when you know it’s an unreasonable expectation.”

Building a case on solid footing is essential. It doesn’t take a major mistake to derail a case. Any number of small, yet critical errors could cost a lawyer and their client a victory.

#### **Accuracy pain point: Keeping up with changes in the law**

Every lawyer knows that with the speed at which the law changes, keeping up to date on all changes can be a real challenge — but it’s

critical to an accurate case. Do you have a go-to case you’ve used as a cornerstone time and again? If, unbeknownst to you, that case is overruled, it’s now bad law.

For lawyers trying to keep up with heavy caseloads, trying to avoid these kinds of ‘gotchas’ can be more than cumbersome. The flow of changes and updates is more than busy lawyers can manage by themselves. Changes to statutes and regulations complicate the process even further.

#### **Accuracy pain point: Identifying relevant caselaw amid a sea of options**

Looking through all the potential cases to find those that are most relevant is not impossible, but it can feel like too much. Nevertheless, this time consuming and labor-intensive work must be done, and done well. Cases that have meaningful legislative interpretation are out there waiting to be found. But the amount of effort required to find them isn’t always within a lawyer’s control.

#### **Accuracy solution: KeyCite Overruling Risk**

KeyCite Overruling Risk delivers clear warnings on implicitly overruled cases without the need to review each case manually. Now you can know if a point of law in your case has been implicitly undermined based on its reliance on an overruled or otherwise invalid prior decision. It’s a whole new level of confidence that previously would have been almost unattainable.

#### **Accuracy solution: Judicial Consideration**

Legal research isn’t just about finding cases, it’s about finding the right cases. To locate cases that have meaningfully interpreted legislation, turn to Judicial Consideration in Westlaw® Edge. It’s seamless access to an editorially curated list of cases with an author’s summary of the case included. Keeping up with changing laws is easier when you can see which cases matter most, and why.



## EFFICIENCY

While both accuracy and efficiency are key traits for an unrivalled lawyer, they don't necessarily go hand in hand. Clients expect lawyers to know everything, and they want answers quickly. They don't want to pay for gaining the insights they believe lawyers should already know. So, while they want the accuracy that comes from the detailed review and checking of everything related to their matter, they don't want to pay for the time it takes to achieve that.

### Efficiency pain point: Second guessing

"Many lawyers, including myself, are perfectionists", says Rudolph. "It's how we survived law school and qualified. We want to make sure that every bit of our case is accurate and yields the results that we want. The fear of making mistakes means you spend more time reviewing documents and data, and you probably want to triple- or quadruple-check everything on your list. This eats up valuable time and chips away at your efficiency."

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– Angela Rudolph, a senior associate with Thomson Reuters Westlaw Edge product management team

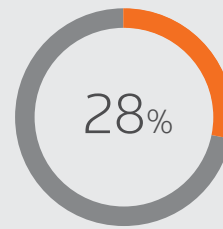
The *Harvard Business Review* concurs: "Second-guessing also has a real productivity impact," says Amy Jen Su, co-founder of executive leadership development firm Paravis Partners and coauthor of *Own*

the Room. "When you're spinning on a decision, you're not moving forward. You're just sitting in this purgatory of second-guessing."

### Efficiency pain point: Questioning your information sources

Online research tools can be extremely helpful in adding efficiency to case preparation — but not if lawyers have doubts about their authority. If lawyers ever question whether sources are complete and up to date, that's an efficiency pain point.

### Efficiency pain point: Managing non-billable hours



[The Thomson Reuters® Institute](#) estimates that **28%** of an attorney's time is spent neither practicing law nor meeting with clients.

Managing non-billable hours is not just a pain point for efficiency; its effects reach throughout a firm. The Thomson Reuters Institute estimates that 28% of an attorney's time is spent neither practicing law nor meeting with clients. When your livelihood is based on the billable hour, you don't want to move too quickly. But write-downs can be a trap that can lead to lost revenues and can diminish your reputation with clients and firm management. "The time you spend researching a new area of law, or keeping up with changes to the law and figuring out how they relate to your practice, is important," says Rudolph. "Establishing and adhering to efficient work practices at your firm directly relate to the bottom line. So, arming yourself with the right help and tools is essential."

### Efficiency solution: Legal Topic Suggestions

Knowing where to start is a challenge everyone faces at times. Legal Topic Suggestions alleviates that pain by increasing the efficiency and quality of your research. Legal Topic Suggestions contain related caselaw, Canadian Encyclopedic Digests, Texts & Annotations, Legal Memoranda, eLooseleaves on ProView, Causes of Action, Proof of Facts, and Thomson Reuters Practical Law documents, organized by thousands of legal issues.

### Efficiency solution: Sidebar

Eliminate the need for manual document mark up and sidebar decisions without leaving Westlaw Edge with the sidebar enhancement. Simply highlight the text that you want sidebarred and select the sidebar option from the menu that appears. The sidebars will appear on screen as well as on all documents that you email, print, or download.



## CONFIDENCE

While the traits of accuracy and efficiency are easy to define, confidence can be a bit more cryptic. Is confidence exclusively an internal trait, or can it be built within certain circumstances?

“An attorney’s confidence is under a consistent prolonged assault at every level of the process — from starting law school, to getting an initial job, to remaining employed as an associate, to making partner at a firm,” states Harrison Barnes of U.S. based BCG Attorney Search. “Paradoxically, confidence is the most important characteristic for an attorney to possess in order to be successful.

“Nothing is more important to your long-term success as an attorney than remaining confident at all times. The moment you lose your confidence is the moment you lose the game. You must find a way to preserve your confidence no matter what crushing blows the legal system throws at you. Do this and you will succeed where so many others fail.”

Confidence impacts your daily work life as well as your long-term career prospects. Clients want to see a confident lawyer handling their case; fellow lawyers will refer potential clients to one they believe is confident and competent; and firm management looks thoughtfully at confident junior lawyers when assessing potential partners.

***“Bring clients into the fold, tell them about your vision, show them why you’re confident by sharing what you know and how you learned it.”***

– Angela Rudolph

### **Confidence pain point: Having confidence in your research**

Research is the basis for all legal work and feeling confident that every stone has been turned while prepping a case is important. Timing is also a factor: finding errors early in research, rather than later, is key to feeling that a case is strong. Product engineers call this ‘failing fast’ as they design a new product and welcome the early errors. Catching bugs in early prototypes means they can be easily and inexpensively fixed — not so when problems are discovered at the manufacturing stage. The same is true for preparing a legal case. Finding errors early in the research process means that lawyers won’t have to re-evaluate their case strategy at the final hour. They can start by asking a colleague for their views on a proposed strategy, but ultimately rely upon technology that can detect and correct weak spots in their research..

### **Confidence pain point: Projecting confidence to your clients**

Even though a lawyer may have devised a strategy, applied it to their work, and run it by trusted colleagues, confidence can still waver in front of clients. That type of situation is a problem for both lawyer and firm. Lawyers need to be certain that research is on point, but there are not endless hours in the day to recheck work. There are tools lawyers can use to give unwavering confidence when presenting to clients.



#### Confidence solution: **KeyCite Overruling Risk**

KeyCite Overruling Risk delivers clear warnings on implicitly overruled cases without the need to review each case manually. Now you can know if a point of law in your case has been implicitly undermined based on its reliance on an overruled or otherwise invalid prior decision. It's a whole new level of confidence that previously would have been almost unattainable.

#### Confidence solution: **Common Queries**

A large measure of your client's confidence has to do with your own ability to deliver clear, authoritative answers. With Common Queries, you can head straight to the facts of the matter, whether that be providing guidance on a technical legal concept or simply confirming familiar points of law for yourself. Either way, it's now easier than ever to feel — and project — confidence as you lead your case onward.



#### Conclusion:

When evaluating the key traits of an unrivalled lawyer, accuracy, efficiency, and confidence intermingle. Accuracy can sometimes grapple with efficiency, and these traits can affect confidence. When you add demanding client expectations and legal pain points, achieving unrivalled status can be challenging. However, when legal technology is added to the equation — all three can align to raise one lawyer above the rest.

#### The complete solution: **Westlaw Edge Canada**

Westlaw Edge is **the** standard for trusted online legal research. It is created and updated by a team of lawyers, computer scientists, and research technicians to produce the best and most powerful legal research product in the industry, built on the foundation of the market-leading research platform.

Its rigorous editorial standards ensure the most up to date, connected, and organized collections of case law, legislation, and regulations, providing the highest degree of accuracy.

Its time-saving research tools are powered by industry-leading technology and editorial enhancements.

**Sources:**

[Stop Second-Guessing Your Decisions at Work \(hbr.org\)](#)

[Legal Executive Institute | Thomson Reuters](#)

[The Most Important Characteristic Attorneys Need to Succeed and Why It Is Almost Impossible for Them to Keep It | BCGSearch.com](#)

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