

WHEN TECH MEETS LAW

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by michael heron

When a law firm in Iberia announces the creation of a new practice area or team, eyebrows are sometimes raised. Suspicious scepticism is inevitable as one tries to analyse how genuine the attempt is to start or chase a new trend. But when it comes to technology and Ecija, it might be unwise to bet against them. When **Paulo Morgado** (pictured) was announced as the firm's newest partner, it is impossible to avoid glancing at his illustrious track record. A former CEO of Capgemini and the holder of an MBA are not the everyday cv of a new hiring by a Spanish independent law firm. As we delve deeper, we uncover there is more to this story. There is a new business opportunity that could well set a trend for law firms in the future.

You have been brought into Ecija to grow a new area, business unit: technology and transactions. Can you explain in more detail what this is?

We saw that there was a gap in the market related to how companies negotiate with technology service providers. I am referring to software integrators such as Accenture or Capgemini and indeed software companies such as Microsoft or SAP. Traditional companies need more and more help to understand and negotiate contracts they are signing with these suppliers. My experience has shown me that in Europe, compared to the US, there isn't the same level of sophistication when negotiating

these contracts to bring an economical benefit. All the questions related to privacy, IP, etc. are being tackled by lawyers already, and this is not what we intent to do from this new business unit at Ecija. Our aim is to bring value for money and maximum ROI on budgets for IT.

Ok, so talk me through a typical process with a client. Let's imagine a big Portuguese company, what would that look like from your side?

We like to initiate the process by challenging the client to really ask themselves if the solution they are intending to buy is needed if there are alternatives and if everyone within the company is aligned regarding the negotiation of an IT contract. This may sound strange and obvious, why would companies buy solutions they don't need? But it's not true, it still happens a lot. Once the company has decided on the solution, we look at capacity. This could be related to the number of licences needed, number of people involved in the project, etc. We also look at the cost in terms of unit to price, as the creativity tech companies use to define their price is very high, which can be confusing to clients. There are also hidden costs such as ongoing maintenance fees and complimentary software they may need to invest in. Efficiency is also extremely important. So, after looking at the solution, the right capacity, and the right price, now we need to look at the delivered time scale and if the provider can meet this expectation. Finally, we look at the output. Is it responding to the needs of the business and is the outcome working?

But this service could be performed by any consultancy company, so what is the benefit by doing it within a law firm?

There is a challenge to coordinate all the different "players" involved during this process of contracting a new technology supplier which include business management, IT, the purchasing department, finance, the potential supplier, the in-house legal team and eventually the external law firm. Sometimes the in-house legal team take a contract template from another supplier and try to re-use this contract. If the external law firm is not involved from the beginning in this process, it is very difficult to reflect all the different business areas and their expectations of the outcome of the project, and for this to be accurately reflected in the contract. Our opinion is that since the law firm must be involved in this "dance", we assume the role of coordinator from the beginning. Therefore, this is where our true value adds lies, and why we believe it makes sense for this area to be provided by a law firm. Therefore, we always ask the purchasing department to bring competition to the tender, so that we can help our clients get the best deal and the best solution for them. I have never practiced law, but I trained as a lawyer, and this mindset helps when delivering this new area for Ecija.

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