

The Rise of Legal Project Management: Importance of project management to law firms^{1, 2}

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ABSTRACT

We can't ignore the rise of legal project management; however, we have to understand how important it is, and what are the advantages if we apply legal project management in law firms.

In the paper, we see through the definitions of legal project management and the application of project management in the law industry. After we get the main concepts, we refer to criteria which are important to evaluate a law firm's performance to discover how important it is for lawyers and law firms to apply legal project management. Through MADM (Non-dimensional data technique), by methods of quantitative and qualitative analysis, we compare the different ways to manage law firms. Finally, we conclude that to train your in-house lawyers with project management knowledge would be the best alternative for law firms, especially for a large law firm dealing international cases.

Keywords: Legal project management (LPM), project management, risk management, plan, cost control

INTRODUCTION

Have you heard of Legal project management? It is a new trend among law firms, to run the firm with project management.³ The goal of a law firm is to offer the work with high quality via efficient team work with limited budget and time, therefore it would be important for lawyers, partners of law firms to realize the importance to practice professional project management in their daily work.

For legal industry, to run a law firm, the company needs to take care of each project. "Legal project management (LPM) can be thought of as fitting between legal processes

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³ Clasen, S. (2018, May 4). The Profitable Benefits of Legal Project Management. Retrieved from <https://www.attorneyatwork.com/the-profitable-benefits-of-legal-project-management/>

and legal practice management”.⁴ In legal project management, the aims are to reduce waste and improve efficiency, and organizing and developing broad programs.

When organizations practice LPM with right direction, LPM can provide program management, helping to manage several strategically related projects.

According to the Guild, there are four types of programs: strategic programs, operational programs, multi-project programs, and mega projects. For legal industry, it can be multi-project programs and operational programs, since the existence of legal project management is to minimize the negative effect on suit case also get the benefits from synergies of multiple projects.

For larger law firms, they might start to strategically manage multiple programs when the program management gets mature. It can also be portfolio management.

“The objective being to minimize the risk and optimize the return,”⁵ a portfolio of projects can be used to develop the best outcome of projects via “mix” of projects that generate the preferable returns on assets.

An asset is either tangible or intangible, which law firms own and expect to bring future benefits. For a law firm, each lawsuit case is regarded as a project, and when a law firm has more than one case from the same client, we can consider it an operational program.

And for law firms which only focus on specialized areas, for example the firms only taking divorce cases, all the cases are relevant, then we can assume it is a portfolio.

There are many positions in law firms; all the human resources are viewed as their assets. Furthermore, the reputation, equipment, fixed cost, cash flow, and initial investments are law firms’ portfolio assets. Especially the reputation for law firms and individual lawyers which they work so hard to get is an important intangible asset.

According to the Guild of Project Controls’ compendium and reference, “a contract is an agreement between two or more competent parties in which an offer is made and accepted, and each party benefits”⁶

Furthermore, we can see that the elements needed to be a contract are offer, acceptance, exchange, capacity, legality.

In a case between a client and law firm, it includes all of the above; therefore, we view each case as a contract, and law firms sign contracts with clients in the first stage after

⁴ Ruhl, J. B. (2017, August 9). The Rise of legal project management. Retrieved from https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/law-practice-2050/rise-legal-project-management/

⁵ Guild of project controls compendium and reference. Retrieved from <http://www.planningplanet.com/guild/GPCCAR-modules>

⁶ A. Lowery (2014, July 2). Guild of project controls compendium and reference. Retrieved from <http://www.planningplanet.com/guild/GPCCAR-modules>

consultation. Contracts between lawyers and clients are Contracts by specialty or under seal.

As we can see from the research, more and more law firms offer the position of legal project manager due to their awareness of how it will impact positively on their relationship with clients, also the efficiency and accuracy of lawsuits. By using project management, law firms get benefits in aspects of litigation, transactions, compliance work. Each case is a project, or a program depending on the scope, for lawyers. Lawyers need to know what clients want from them, how much time they will have to reach the goal, and what resources they can use during the litigation. When law firms try to reach the goal, they will have to manage many plans and people involved. Clients prefer to consult in a law firm which can help them comprehensively with better price and quicker service. Therefore, law firms normally have strong connections with other firms to ensure their service is beyond the standard. And that requires portfolio / project management.

We all know that project management is being practiced in many kinds of industries. For law firms, the cases are increasingly complex, especially the cross-border lawsuits and commercial lawsuits. Lawyers need to be a scheduled consultant for their clients, some of them realized if they proceed the litigation including the preparation in a more structured, disciplined way, the possibility to succeed within budget and time limit is higher. As a result, the rise of legal project management is for sure in this decade. In the paper, we will figure out why it is important for law firms to adequate project management and how we conduct project management in law firms.

The cause of rise of legal project management includes cost, clients consult to lawyers about case also request for budget, at this point, lawyers need to have comprehensive plan to better control the total cost. Secondly, law firms use legal project management to control the risk, once they have a deep plan for legal project, they reduce the risk. Finally, it would be regarding to the scope of law firms, for example, when a law firm wants to offer one-stop services, they are in need of better schedule and stronger structure of project. Or when a law firm specializes in international litigation, the importance of legal project management is undoubted.

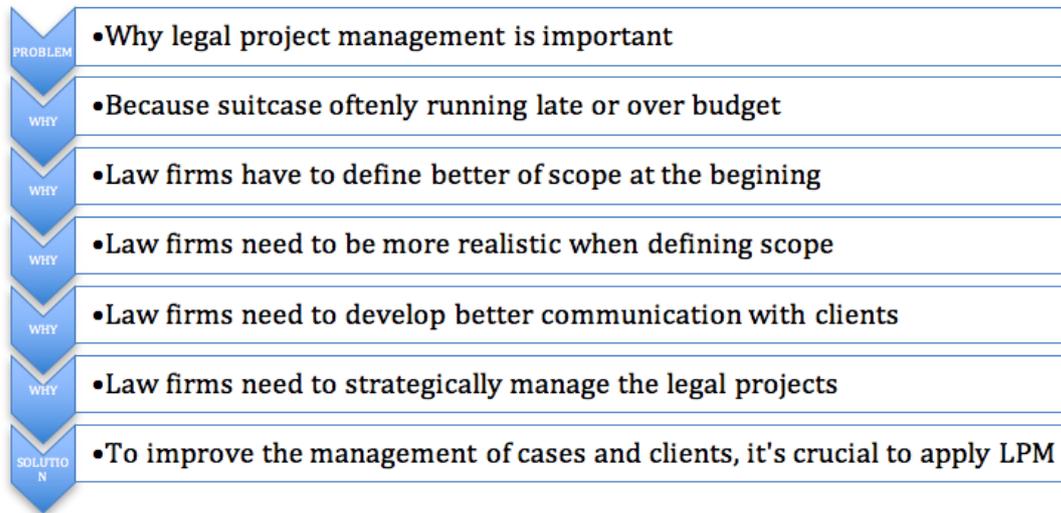


Diagram 1. Root cause analysis ⁷

In the paper, we will see through application of project management elements in law firms and the advantages for law firms who execute legal project management.

It is inevitably for lawyers to learn the ability of project management if they want to expand the business and scope of the case, therefore, in the paper, we will discover

- How does legal project management work?
- How can we develop it to consequently increase the business development?

For lawyers, each case is a contract with clients, also a project for the firm, we try to use the knowledge of project management and contract management to understand why lawyers need to catch up the trend and abandon the traditional way to deal with litigation.

METHODOLOGY

Step1. Problem definition

Most of lawyers are still struggling in the conduction of legal project management. During the research, we want to prove the importance of legal project management. We first define project management and legal project management, finally we see how we improve the legal performance by legal project management.

Project Management is the art of managing all the aspects of a project from inception to closure using a scientific and structured methodology. The term project may be used to define any endeavor that is temporary in nature and with a beginning or an end. The

⁷ By Author

project must create something unique whether it is a product, service or result and must be progressively elaborated.⁸

Legal project management occurs by the increasing complex of case, nowadays lawyers are dealing with wild scope of case, therefore, if they can apply legal project management in their career, they could reach the saving of cost, time and unnecessary waste. However, legal project management is a rising issue and we are still trying to define it suitably. Let's see the current definition of legal project management.

Paul Easton defined legal project management "The application of widely accepted project management standards, such as those promulgated by the Project Management Institute, to legal matters"⁹

As we know that the process of a legal case is preparation, execution and evaluation in which we can apply different phases of project management.¹⁰

Organizational project management aims to achieve firms' goals by using systematic management of projects, programs, and portfolio

According to organizational project management, we can see that project management is to accomplish a goal by managing the scope and people, legal project management is known as client-oriented management of projects. LPM can grow to provide program management, which is management of several projects sharing the relevant strategy. Finally, if programs are mature, law firms can manage several programs of projects with the same strategy, then it is portfolio management in law firms.¹¹

To be more explicit, we can see portfolio, program and project management in law firms from the figure of the Guild's definition.

⁸ Juneja, P. (n.d.). Project Management - Definition and Important Concepts. Retrieved from <https://www.managementstudyguide.com/project-management.htm>

⁹ Hassett, J. (2011, June 29). How to define legal project management. Retrieved from <https://www.lexisnexis.com/legalnewsroom/legal-business/b/finance/posts/how-to-define-legal-project-management>

¹⁰ Schuurman, H. (2017, December 14). How lawyers benefit from legal project management - Remaking law firms. Retrieved from <https://remakinglawfirms.com/how-lawyers-benefit-from-legal-project-management/>

¹¹ Philmlee, D. (2013, March). Practice Innovations Newsletter, March 2013 – Thomson Reuters. Retrieved from <http://info.legalsolutions.thomsonreuters.com/signup/newsletters/practice-innovations/2013-mar/article3.aspx>

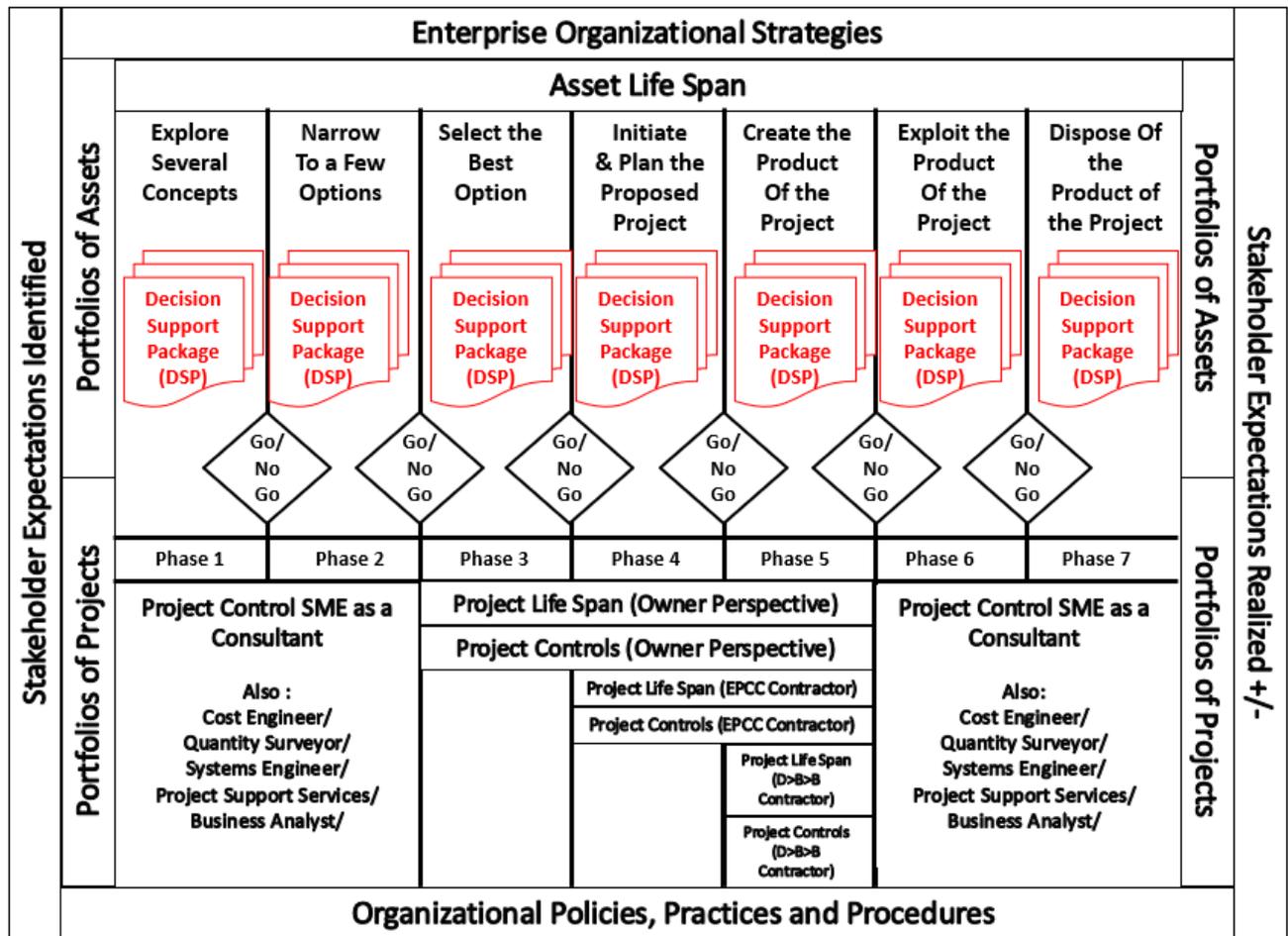


Figure1. ASSET Life Span, PROJECT Life Span and PROJECT CONTROL Life Span¹²

From Guild, we can see the phases of forensic analysis, let's see the connection between project management and legal project management base on it.¹³

	Project management	Legal Project management
1. Creating the forensic analysis process	Project charter & Initiation	Know objective of client & contract, format project
2. Conducting the preliminary analysis	Scope, Budget, WBS, Risk, Communication plan	Scope, Budget, Risk ,Estimate of cost

¹²Giammalvo, P. D. (2015). Course materials, Guild of project controls compendium and reference. Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-project-controls>

¹³ Guild of project controls compendium and reference| Project Controls - planning, scheduling, cost management and forensic analysis (Planning Planet). (n.d.). Retrieved from <http://www.planningplanet.com/guild/gpccar/introduction-to-managing-forensic-analysis>

3. Conducting the schedule analysis	Quality, Status, Time schedule	Communication, Report, Time schedule
4. Damage analysis phase	KPIs, Objectives, Performance	Budget & Time control, Expert report, Cost quantified,
5. Settlement negotiation phase	Report, Closure	Lessons learned, Closure of case
6. Formal Dispute Resolution Phase	Report, Closure	Lessons learned, Closure of case

Table 1. Project management v.s Legal project management ¹⁴

In the paper, we are going to answer the following questions

- How do we apply LPM in law firms and what are advantages of executing it?
- How important is it for lawyers / law firms to apply LPM?

Step 2. Feasible Alternatives

After we see how legal project management works in law firms, we can start to develop three alternatives regarding to project management in law firms.¹⁵

- First, we can hire a professional project manager outside of law firm
- Secondly, we can train our lawyers with project management courses
- Thirdly, we keep managing the case and relationship with clients in traditional ways in law firms, which is to do no change.

Step 3. Development of outcomes for alternatives

Now we will talk about the outcomes of each alternative, the best alternative for law firms to choose would be the one bringing the best benefits with less cost.

For first alternative, law firms will have to offer an extra position for an external project manager, he or she might not be professional in law knowledge, nevertheless, he or she can manage a case with the view of project management to ensure all elements are considered well and the cost is well estimated and spent. By this alternative, law firms

¹⁴ By Author

¹⁵ Lambert, G. (2010, January 21). Law firm project managers - lawyer or non-lawyer? Retrieved from <https://www.geeklawblog.com/2010/01/law-firm-project-managers-lawyer-or-non.html>

might need to cost more on human resource, also internal lawyers will have to adopt themselves with new way of managing the case also work with the project managers.

With second alternative, if law firms chose to give training course to their internal lawyers, the cost that law firms need to afford is only the course fee, however, we will have to consider about the ability of lawyers, if they could use the professional project management knowledge well, also, if the lawyers would want to adopt themselves into a new way of managing their cases and customer relationship.

Let's talk about third alternative now, that's to stay traditional way to run law firms, which is not to do any change, not to embrace project management in firm management also customer relationship. The law firms will not need to spend more budget, either to do risk analysis. In other words, there is no change.

Step 4. Selection of the criteria

For making it more explicit the result of three alternatives, we are going to list some important attributes and compare them to discover the importance of using legal project management in law firms.

In our research, we are going to use MADM to source the best option of the way to manage a law firm.

The attributes are the criteria which are more important outcomes for us to see how effective it would be when using different alternatives.

We at first figure how lawyers/ firms benefit from legal project management, from the research, we can assume that, generally legal project management brings effect on aspects of execution, evaluation, communication, risk management, profits.

For three alternatives, we have to compare important criteria plus the ease of implementation for company, also the initial cost for applying each alternative.

The major benefits from legal project management is higher profits, healthy relationship with clients, reducing the risks and positive long-term effect¹⁶¹⁷

¹⁶ Clasen, S. (2018, May 4). The Profitable Benefits of Legal Project Management. Retrieved from <https://www.attorneyatwork.com/the-profitable-benefits-of-legal-project-management/>

¹⁷ Ruhl, J. B. (2017, August 9). The Rise of legal project management. Retrieved from https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/law-practice-2050/rise-legal-project-management/

Healthy relationship means to understand what's the goal of your clients and to maintain a great connection with them, higher profits resulted from the better risk management, cost control, and budget estimation.

Also, applying legal project management helps risk management which is to reduce the risks during the process.

So we conclude the attributes that help us to distinguish three alternatives.¹⁸

Our attributes would be as followed,

1. To understand the objective of clients: Communication effectively and efficiently is important for project management also practice of law. It is critical that law firms are conscious of the objectives of clients, after all, the priority is to help clients to realize the goal.
2. The communication with clients: Each law case is a complex scope, the lawyers need to maintain efficient and immediate communication with the clients to inform the process and result of each step, also concrete the trust of clients on lawyers / law firms.
3. The cost of the company: the board of law firms concern at the cost of each alternative, therefore, we will compare the cost that company will consume in using different alternatives.
4. The cost control: "LPM has significant cost-control benefits that can deliver improved profits."¹⁹ Law firms need specific plan to control the cost on each case, the cost control directly impacts the benefits of each case, if they execute a case over the budget, they will suffer from losing time and money.
5. Develop realistic estimate: on-time delivery within budget is very important for law firms, neither clients or law firms like to see unexpected expense at the end of case, so it is important to develop realistic estimate.²⁰
6. Reduce the risk occurs during the litigation: as we said, each case is a complex project, there are potential risk during the litigation, law firms might lose the case due to negligence of details or incidents not noticed.

¹⁸ Smith, A. (2018). Legal project management:an overview. Retrieved from [https://uk.practicallaw.thomsonreuters.com/w-005-3765?transitionType=Default&contextData=\(sc.Default\)&firstPage=true&comp=pluk&bhcp=1](https://uk.practicallaw.thomsonreuters.com/w-005-3765?transitionType=Default&contextData=(sc.Default)&firstPage=true&comp=pluk&bhcp=1)

¹⁹ Ruhl, J. B. (2017, August 9). The Rise of legal project management. Retrieved from https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/law-practice-2050/rise-legal-project-management/

²⁰ Nelson, A. W. (2015, February 9). Article: the art and science of legal project management | legalshift, LLC. Retrieved from <https://legalshift.com/the-art-and-science-of-legal-project-management/>

7. The long-term effect: we don't only want one case each month for the law firms, we want to boost the amount of entrust, as a result, it's necessary for us to consider about the long-term effect according to each alternative.

We are going to fill the table with color score, the indications are as followed,

- Green score indicates alternative brings positive effect according to attribute
- Yellow score indicates alternative brings positive effect generally, with some changes or issues to deal with
- Red score indicates the alternative doesn't satisfy expected attribute

Attribute	Alternative 1 : <i>Hire professional project manager outside of law firms</i>	Alternative 2 : <i>Train lawyers in firms with project management courses</i>	Alternative 3 : <i>Stay traditional way to manage law firms and customer relation</i>
Understand clients' objectives			
Communication with clients			
Cost of company			
Cost control			
Develop realistic estimate			
Reduce risk during litigation			
Long-term effect			

Figure 2: qualitative analysis²¹

The standard would be to exclude the alternative having any red code.

From the table, we can eliminate the alternative 3, which is to stay traditional way to manage law firms and customer relation.

²¹ By Author

FINDINGS

Step 5: Analysis and comparison of the alternatives

According to figure 2, we can eliminate alternative 3, which leaves us alternative 1 and 2, this shows us legal project management is important for law firms nowadays, nevertheless, here is the problem, which alternative is comparably appropriate? “Which way of managing law firms will bring the best benefits for law firms?” therefore we can choose the best alternative for managers of law firms concerning law firms’ long term benefits. We are going to furtherly put different scales of each criteria with responding weight. Then we use a quantitative analysis with relative weighted technique (MADM Compensatory model). We will consider alternative 3 too in quantitative analysis to have comprehensive understanding.

We will convert each scale into quantitative analysis as followed,

- *Excellent = 1 Highly satisfy objective*
- *Good = 0.67 Likely to satisfy objective*
- *Fair = 0.33 Fairly satisfy objective*
- *Poor = 0 Poorly satisfy objective*

Attribute	Alternative 1: <i>Hire professional project manager outside of law firms</i>	Alternative 2: <i>Train lawyers in firms with project management courses</i>	Alternative 3: <i>Stay traditional way to manage law firms and customer relation</i>
Understand clients' objectives	Good	Excellent	Good
Communication with clients	Excellent	Excellent	Fair
Cost of company	Fair	Fair	Excellent
Cost control	Excellent	Excellent	Poor
Ease of implementation	Fair	Good	Excellent
Reduce Risk during litigation	Excellent	Excellent	Fair
Long-term effect	Excellent	Excellent	Fair

Figure 2: Qualitative analysis²²

²² By Author

Then by using of MADM Compensatory model (Dimensionless value) here, we will have it as follows,

Attribute	Alternative 1: <i>Hire professional project manager outside of law firms</i>	Alternative 2: <i>Train lawyers in firms with project management courses</i>	Alternative 3: <i>Stay traditional way to manage law firms and customer relation</i>
Understand clients' objectives	0.67	1	1
Communication with clients	1	1	0.33
Cost of company	0.33	0.33	1
Cost control	1	1	0
Ease of implementation	0.33	0.67	1
Risk during litigation	1	1	0.33
Long-term effect	1	1	0.33
Sum	5.33	6	3.99

Figure 3: Quantitative analysis²³

As we can see from figure 3, alternative 3 is far behind other two alternatives, so we will proceed to next step with Non-dimensional data technique only with alternative 1 and 2.

Attribute	Step1	Step2	Alternative 1		Alternative 2	
	Relative Rank	Normalized weight (A)	(B)	(A)x(B)	(C)	(A)x(C)
Understand clients' objective	3	0.11	0.67	0.07	1	0.11
Communication with clients	4	0.14	1	0.14	1	0.14

²³ By Author

Cost of company	1	0.04	0.33	0.01	0.33	0.13
Cost control	7	0.25	1	0.25	1	0.25
Ease of implementation	2	0.07	0.33	0.02	0.67	0.05
Risk during litigation	5	0.18	1	0.18	1	0.18
Long-term effect	6	0.21	1	0.21	1	0.21
Sum	28		SUM	0.88	SUM	1.07

Figure 4: Additive weighting model analysis²⁴

From MADM model, we can have the result that alternative 2 is better solution than alternative 1.

Step 6: Selection of preferred alternative

From figure 2. we can decide to eliminate alternative 3 already, then we need to determine which is better between alternative 1 and alternative 2, so we use MADM compensatory model to give additive weight to each to be more accurate for the result.

Finally, we can determine that alternative 2 is better than alternative 1 from figure 3 and 4.

Therefore, we recommend the law firms to apply legal project management, via the approach to acknowledge their own lawyers with professional project management courses. It will not only help law firms to adequate faster but also bring better, stronger long-term effect.

The preferred alternative is to train layers in law firms with project management courses.

Step7: Performance monitoring and post evaluation of results

If law firms choose the second alternative, to train lawyers in law firms with project management courses, we have strategies as followed to track the performances,

²⁴ By Author

- Track down customers' satisfaction and customer relationship in long-term aspects
- Financial report, we can check the cost / budget control and revenue
- Feedback from stakeholders, to see if it is effective after applying
- Evaluate the performance of lawyers with/ without project management knowledge
- Highlight what can be improved regarding to risk management for lawsuit

For better monitoring the performance, law firms can evaluate the criteria by month, by season, or by case. Evaluation can be focused on customer relationship, cost control, budget control, and risk management. Then law firms can view if it brings positive long-term effect by a year report, and don't forget to consider about customers feedback.

CONCLUSION

Legal project management is important for currently competitive law industry, with it, law firms have more chance to satisfy their customers with shorter time, lower budget, lower risk with more efficient service. In the paper, we see through the definitions of project, program, portfolio, asset then we see how legal project management is defined, and the connection between project management and legal project management.

In the paper, we answer to the questions:

How do we apply LPM in law firms and what are advantages of executing it?

As we can see from table1, we apply legal project management in different phases, in the process that a lawyer is dealing with a lawsuit. There are many advantages of executing legal project management, the most important effect is reflecting on the budget control and customer relationship. With application of legal project management, we can better control cost, more accurately estimate the budget, and furthermore maintain a healthy relationship with customers.

How important is it for lawyers / law firms to apply LPM?

We define the alternatives between using the legal project management with professional project managers(non-lawyer), training lawyers with project management courses, and no application of legal project management, then we use MADM model to determine that legal project management is important for law firms. We can see from figure 3, training lawyers with project management skills has the highest scores in the criteria we mentioned about, and the criteria are critical for us to define whether a law firm manages itself well. For a law firm, it's getting complex the industry, customers want more service, and they often expect law firms to offer one-stop service. To reach the level of expectation of customers, law firms must seek for a more efficient, structured way to offer service.

With the relevant analysis, we can see the advantages for law firms to embrace legal project management.

To conclude the paper, we already see the advantages of applying legal project management, as it is a new trend, and it is still growing. We urge law firms to train their lawyers with project management skills for further challenges.

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Tzuyu Lai is a student in SKEMA Business school for her master degree of Project and programme management and business development. She has a bachelor's degree in law from Chengchi University (NCCU, Taiwan), during her five years of university, she went to University of Seoul, Korea and University of Konstanz, Germany as exchange student. Afterwards, she did internships in an E-commerce startups as a marketing assistant.

The experience broadened her mind and made her decide to come to France for her Master's degree. As an international talent, she is willing to take any challenge out of her comfy zone. She is interested in working in an international environment and a career that combines her bachelor and master background. She has training on PRINCE2, Agile, CAPM and other project management knowledge in her master's degree program.

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