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Social Innovation – Digital Transformation: smart working also works for lawyers

Giovanni Luchetti

The emergency arising from the Coronavirus has allowed Italy to discover the potentially positive side of a practice that is still viewed with 'suspicion': that of remote work. As part of the measures adopted by the Government for the containment and management of the epidemiological emergency from COVID-19 (coronavirus), the President of the Council of Ministers issued on March 1st, 2020 a new Decree-Law about smart working, also confirmed by the Decree-Law of March 4th, 2020. As indicated in the Decree-Law of the President of the Council of Ministers (DPCM) of March 11th, 2020 it is recommended the maximum use be made, by companies, of agile working methods for activities that can be carried out at home or remotely.

Since 2012, the Smart Working Observatory of the Technical University of Milan has been investigating the developments of this innovation, often providing encouraging signals for workers and businesses. According to the institute's data, in 2019 there were 480,000 agile workers in Italy, with a spread that extends to 58% of large companies. Now, a new research by the institute has assessed the spread of smart working and its effects also in an important area of the tertiary sector, that of professional studies (accountants, lawyers, labor consultants, multidisciplinary).

The spread of agile work in this area is already remarkable. Despite the traditional setting of these offices, it emerged that only 25% of the accountants' studies exclude the possibility of exploiting smart working in the future, a percentage that drops to 12% in multidisciplinary studies. Already today, then, 29% of the accountants' studios adopt agile work for professionals and a further 22% also for employees. 24% of the studies that say they are open to evaluating the activation of smart working in the future close the picture. This opening by professional firms should not be surprising. "The owner of the study is already accustomed to a similar approach" says Marcella Caradonna, president of the Ordine dei Dottori Commercialisti ed Esperti Contabili di Milano (ODCEC) in Milan: part of the owner's work, in fact, is usually done outside the office. The cultural update is gradually opening this practice to other figures employed in the studies, allowing them to perform from home, or in any case on the move, "the most mechanical components of the work, such as the study of practices, the drafting of reports, the appraisals", explains Caradonna.

The impact of agile work on results is even more interesting. The Observatory, in fact, submitted a questionnaire to 196 owners of professional studies,

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with the aim of evaluating the effects of smart working in the various components of work performance, from the degree of productivity to that of empowerment. Overall, there are 11 out of 12 items that have seen an improvement through smart working. In detail, the increase in productivity and effectiveness are the characteristics most frequently reported: in 33% and 34% of studies respectively professional (with shares rising to 44% and 37% if only accountants' studies are considered). Follows, in order, the improvements related to the level of autonomy (rated higher by 29% of the studies); emergency management (20%); the effectiveness of coordination (15%); the use of IT (14%); work planning (13%); satisfaction (13%); accountability (9%); and finally, collaboration between colleagues (3%) and external distractions (2%).

In a critical moment for the Italian and world economy, dictated by the continuous spread of Covid-19 (coronavirus), and for traditional companies still not ready to guarantee their full operation through digital and technological systems, such as smart working, the law firm Trifirò & Partners represents one of the examples of the digital transformation.

Following the spread of Covid-19 and the consequent ministerial restrictions Avv. Jacopo Moretti, partner and expert in Labor and Corporate Law at Trifirò & Partners, told us the two main best practices that the legal firm has taken on right away are the following:

- Trifirò & Partners had introduced smart working as a professional option, before restrictive measures were imposed by the government.
- Once the government provisions limiting travel were enacted, the Trifirò & Partners introduced smart working as a best practice for all.

As underlined by Avv. Moretti these measures have been made possible, in addition to the paradigmatic change of work that has taken place over the years, also by the fact that each employee of Trifirò & Partners is equipped with his own laptop and mobile phone on company systems, all in cloud ensuring maximum security and confidentiality of the data processed.

Furthermore, since smart working is by its nature an individual activity Avv. Moretti stressed that Trifirò & Partners has not forgotten the importance of continuous and direct communication, so much so that:

- Periodic meetings are organized every week in live streaming on Teams, in which all the members of the studio participate (about 80 professionals).
- A steering committee has been set up, with internal professionals, who have the task of monitoring all legislative provisions issued at national and regional level relating to measures for productivity, for the support of workers' income and for the protection of health in the work place with the aim of contrasting the spread of Covid-19.
- Important Italian companies, leaders of different economic sectors of the country (food, engineering, banking, etc.) have

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planned in advance with Trifirò&Partners, the introduction of measures issued subsequently by the government and local authorities. This made it possible to anticipate possible restrictive measures in advance and allowed the firm to already work in smart working mode with client companies.

According to Avv. Moretti's opinion, "this emergency is showing an active contribution by labor lawyers, highlighting also the social role of the legal profession". In fact, companies turn to the lawyers asking for advice on how to best deal with this situation and how to cope with multiple objectives: to ensure the continuity of the business, to protect the health of employees and to comply with the strict limitations imposed by the government and local authorities. "In this phase the support of the labor lawyers in interpreting the provisions that are continuously issued, and often with formulations that are not always easy to immediately understand, becomes fundamental for companies that need to feel guided in their strategic choices. The Trifirò & Partners law firm has long been digitally equipped, also because the procedural activity in the Italian legal system is digitally regulated. However, this emergency situation has highlighted even more what the near future will be, namely that there will no longer be a fixed physical place where to carry out the professional activity; as the need no longer exists. The continuous development of the means of communication allows an ever greater interconnection in real time both between professionals and between customers.

"In my opinion," adds the Avv. Moretti, "this inter-connectivity also contributes to enhancing and consolidating the contribution of advice and guidance that lawyers need to deliver to their clients". Furthermore, the possible negative impact that this emergency will likely have on the economies of all the affected countries will put a strain on the survival of those companies that were already struggling before the outbreak of the emergency. However, it is also true that on a social level this emergency is "forcing the citizens to discover the importance of social values such as the protection of health, respect for the rules and the attention to themselves and to others. All these values could be the push for a rebirth of the Italian society as a whole.

Avv. Jacopo Moretti,labor law expert and parnter at Trifirò&Partners Law Firm (lading italian legal firm for labor&corporate Law).

The author

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