

SAINT PAUL LEGAL LEDGER MINNESOTA LAWYER

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Legal solutions by design

Lawyers embracing 'design thinking' to solve clients' problems

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David J.F. Gross (left) and Kate Razavi

Lawyers often are regarded as risk averse. A specialized group of attorneys, however, is now daring to share free of charge its expertise in new ways to solve clients' problems and accelerate innovation in the profession.

Years of study and practice are paying off for these attorneys in Faegre Drinker's Design Lab, who are generating billable work pursuing training and teaching opportunities with clients including Facebook, NetApp, Seagate and U.S. Bank and at the University of Minnesota Law School.

They're revealing their knowledge in a new e-book, "Design Thinking and Visual Advocacy for Lawyers," available as a free download from Faegre Drinker's website or Apple Books.

Faegre Drinker partner David J.F. Gross wrote the book with support from partner Kate Razavi and associate Helen Chacon. The three intellectual property litigators, with Razavi working in Minneapolis and Gross and Chacon in Silicon Valley, founded Faegre Drinker's Design Lab, an official partner of Stanford Law School's Legal Design Lab, in 2017. Harvard Law School's Center on the Legal Profession highlighted the firm's program in an article on design thinking for lawyers.

User-focused approaches

Legal design thinking applies principles from the discipline of design — such as focusing on user needs — to generate, test and improve upon ideas to solve clients' problems in a collaborative, creative process. Visual advocacy uses design principles to develop persuasive presentations, also with users in mind. Some legal design projects take weeks or months to complete while

design sprints focus on solving a single problem in several hours over one day.

Gross said the firm's expertise in these subjects is a competitive advantage. But because Faegre Drinker's Design Lab team is years ahead of the competition he doesn't see any risk in giving away some of what he and his colleagues have learned.

"We think that the legal world should be using design thinking because it's really good for helping clients to solve problems," Gross said. "And we think that the legal world should be using visual advocacy, because it's very effective for communication. And we are giving it away to the world. It's a good introduction but we're not too concerned about people seeing our secrets because a lot of it is talent and expertise. We're very comfortable handing out this blueprint for the basics because we still have that expertise and it's getting better every day."

Both Gross, a U of M alum who practiced in Minnesota for decades before moving to California a decade ago, and Razavi, invested hundreds of hours developing their expertise. Gross helped teach a course in legal design at Stanford and participated in design activities with Margaret Hagen, director of Stanford's Legal Design Lab. He then spent a year auditing three design classes at night. Razavi, meanwhile, developed a comprehensive visual advocacy course that she teaches at the University of Minnesota Law School.

‘Persuasive, clear and effective’

“We litigate complex cases all the time and for years have been the type of lawyers who use every tool at our disposal to talk about complicated things in simple ways to be really persuasive and clear and effective,” Razavi said. “Before the design lab was ever imagined, this has been part of the culture of our practice for a long time, trying to learn how to be really excellent communicators.”

As design lab members spread to almost every practice and every city where Faegre Drinker has offices, so many clients and others began asking about design thinking and visual advocacy that the need for the e-book became clear.

“We spent about two years and thousands of hours to create a deliverable where someone could learn about legal design in 60 minutes,” Gross said. “The book is a very quick read. It’s got very few words and a lot of pictures and diagrams. But that’s the whole point. We wanted to design the book as an example of how you can use design to communicate and solve problems.”

In bar association seminars and other group meetings, Razavi presents visual advocacy and legal design to young lawyers as valuable skills that don’t require decades of experience in the legal profession to master. Faegre Drinker uses them to recruit and retain young attorneys.

“New lawyers, if they can learn some basic visual advocacy and design thinking skills, can take that into whatever organization they go into, and start using it to be effective almost immediately,” Razavi said. “I get really excited about offering these skills to young lawyers, because it just gives them something that they can really run with and show meaningful contributions right away in their legal career.”

‘Make law less boring’

Using design thinking and visual advocacy to develop ideas can be fun and make the profession more bearable and effective, Razavi said. That was the point in a class she and Gross helped teach at Stanford, titled, “How To Make Law Less Boring.”

“We get enormous satisfaction when a group or organization is able to solve a problem because they used design thinking,” Gross said. “We’re seeing the impact, and what it’s about is problem solving and effective communication. As that gets better and better, it’s really good for our legal profession and it’s where we should be going.”

Summra Shariff, executive director and president of Twin Cities Diversity in Practice (TCDIP), worked with Faegre Drinker Design Lab members on design sprint process to develop innovative ideas for programs to connect attorneys of color with each other and with business development practices and opportunities. TCDIP is a nonprofit association of more than 60 law firms and corporate legal departments working to strengthen members’ recruitment, advancement and retention of attorneys of color.

The design sprint took place on a Saturday a year ago, Shariff said. The six hours of brainstorming flew by.

“What design thinking can help us do is to not be stale,” Shariff said. “It can be really helpful to bring in new thoughts and new energy into a problem or issue you’re trying to address.”

That’s helpful for lawyers, trained to be critical, careful thinkers, “because we’re always thinking about what could go wrong with an idea,” Shariff said. “Design thinking, if done well like Faegre Drinker did, can open up space to think big and to put that risk-averse mindset to the side and think in a more innovative way.”

Gross and others in the firm’s design lab are thinking big too.

“Anyone can use and benefit from design thinking and anyone can use and benefit from visual advocacy,” Gross said. “Our goal, our demographic, when we think about this is the entire world. When we look at the downloads from the Apple Book store, at least 40 percent are from outside the U.S. — in South America, Central America, Asia and Europe. The audience here is anyone. It’s not about people who have special design talent or special problem-solving talent. It’s for anyone. That’s why we’re really excited about this moment in time.”