



Cornerstones of CASL Compliance – Part 2

A Two-Part Guidebook for Communications Alignment

July 1, 2014 marked a milestone date that fundamentally changed your communications world and business practices. The catalyst for this shift was a new law generally referred to as CASL – Canada’s Anti-Spam Legislation. When the first phase of CASL went into effect in July, the new requirements and penalties for non-compliance were sufficient reasons for most firms and companies in Canada or doing business with Canadians to make a determined effort to be ready.

This Guidebook has been divided into two parts to acknowledge that some firms prepared well in advance while others pushed hard to meet the July deadline and still wonder if they’ve done enough. Use whichever parts of the guide add the most value to your activities:

- **Part 1 offers an overview of important CASL parameters**, readiness suggestions, and a top-10 list of recommended activities.
- **Part 2 addresses the role of technology in satisfying some of the new CASL requirements**, and highlights the advantages and unique capabilities of two solutions being deployed by large firms.



Cornerstone #4: Leveraging Technology

The first part of this guidebook ended with an encouragement for firms to consider applying the right technology tools to help their situation. When Commercial Electronic Message (CEM) traffic and outreach activities are high – in numbers of programs, contacts, list pulls and data churn – spreadsheets and scratchpads are insufficient.

To handle some of the more challenging CASL requirements, you need sophisticated technology solutions working for you. More than a coping mechanism, the right systems can give you the control and the confidence to know your firm is doing all it can to achieve compliance. Larger firms, especially, will benefit from advanced tools that can automate repetitious tasks and manage the complex workflows involved in large-scale initiatives or multiple programs running simultaneously.

Regardless of which CEM-related activities your firm conducts, getting control of your lists is always the first order of business. This suggests the right technology to apply is a full-featured CRM (Customer Relationship Management) solution.

Advanced CRM systems serve as more than just an efficient, centralized database of contact information. Many offer specific capabilities to support business development initiatives and marketing programs, which are usually the drivers behind CEM outreach efforts. In that regard, you should expect a CRM system to handle:

- Complex sorting and categorization of contact names in the database
- Assigning people and companies into folders or lists that align with specific communication projects
- List compilations that direct message distributions
- Management and tracking of project results
- Recording relationship details and dates that could support CASL compliance requirements

- Integration with a time and billing system so that invoice details from the past two years can be used to validate implied consent requirements

Among the potential kinds of commercial electronic messages available, it's likely that email dominates your communications outreach programs as it does at most firms. That fact pinpoints a second technology component for CASL-related operations: email marketing software.

As with CRM systems, multiple choices are available. Base your selection on those with sophisticated tools that address and automate as many email marketing process steps as possible, such as:

- Design templates to quickly prepare and format messages
- The actual distribution and broadcasting of emails
- Feedback mechanisms to capture bounce-backs, faulty addresses and recipient responses
- Tracking and reporting email results

Both pieces of technology play a vital role for firms that conduct high-volume email programs to build relationships or support business development and marketing. You only address part of your needs if you rely on CRM without an email marketing system, and vice versa. However, the combination of both elements working together is a win-win approach that can help you cope with CASL requirements.

Leveraging Technology: CASL Compliance at Work

From a real-world solution perspective, it's worthwhile to look at some of the technologies adopted by large firms in Canada in preparing for CASL. One of those matching all the key considerations is a CRM/email combination of LexisNexis® InterAction® and Vuture's Email Campaign Module.

As full-featured offerings, both systems are ideal for email program workflows: the InterAction component provides all the contact management functionality and relationship intelligence necessary to give you complete control over “who” does and does not receive your communications; and the Vuture component simplifies the different elements and process steps of “how” communication occurs.

More importantly, the two systems also feature unique capabilities that represent a solution optimized for operations in a CASL environment, such as:

- **An advanced list and folder management structure** – including the use of “anti” folders – that makes it easy to set-up, categorize and sort contacts for individual programs and campaigns
- **Functional integration and data exchanges** between the two systems that automate process steps to minimize handwork and human errors
- **InterAction Folder Dependency Analyzer** that uses pre-defined rules and feedback data from Vuture to automatically assign and transfer contacts in and out of proper folders and lists
- **An optional InterAction data quality** offering – called Prioritized Data Management Queries – that identifies duplicate contact records which could compromise consent requests
- **InterAction audit trail features that capture relationship details** and contact data flow information to verify dates of business activity and transactions, customer requests, data changes, who initiated the change, and other consent-related information

Two Components of a CASL Solution

1. **LexisNexis® InterAction®** is a world-class CRM solution designed specifically for the needs and workflows of large professional services firms that market their knowledge, expertise and time based on relationships instead of sales transactions. Used by more Am Law 100, Am Law 200 and NLJ 250 firms than any other CRM solution, InterAction has a global user community of consulting, accounting, financial, investment, legal and other services organizations representing more than 525 firms and 440,000 “seats” worldwide.
2. **Vuture** is a cloud-based technology platform used to create and manage marketing communication programs. The different modules available – supporting email, surveys, web-based initiatives and print programs – can be integrated with CRM capabilities to conduct highly-targeted marketing campaigns in cost effective ways. Vuture is a recommended solution partner for InterAction.

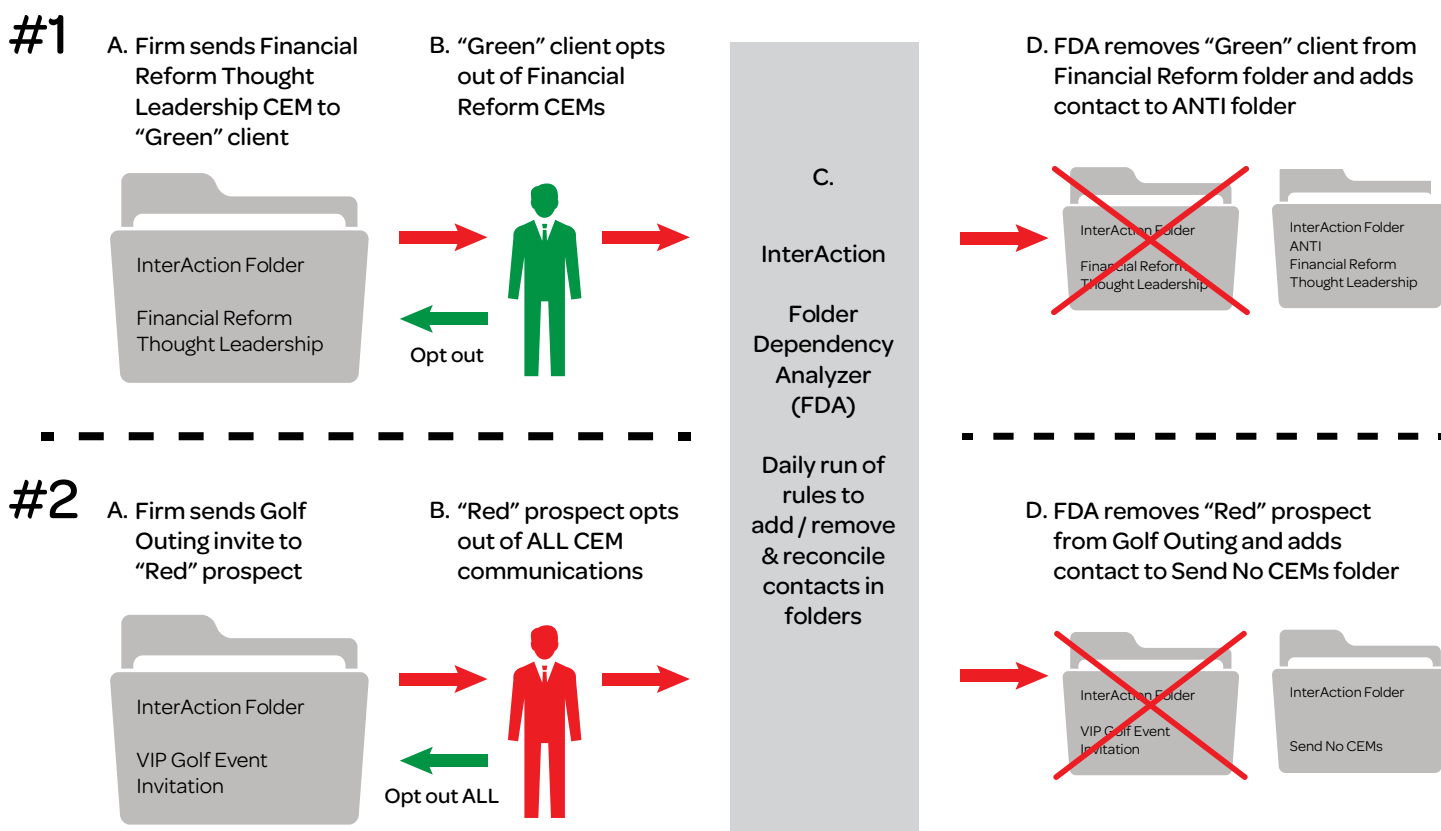
Three basic CEM email examples can demonstrate the functional relationship among all these elements. The advantages that occur when you're able to integrate your CRM and email marketing systems in this way also increase significantly as the number of email initiatives and contact recipients multiplies.

Scenario 1 involves a promotional Thought Leadership CEM on Financial Reform, which follows this activity sequence:

1. **Contacts are selected from InterAction to receive the email** and are compiled in a new Financial Reform Thought Leadership Folder. A companion ANTI Folder is also set up.
2. **Vuture provides tools to help you prepare the email**, pulls the list of contacts in the Financial Reform Thought Leadership Folder, checks the ANTI Folder and Send No CEMs Folder for any recipient conflicts, and distributes the email.

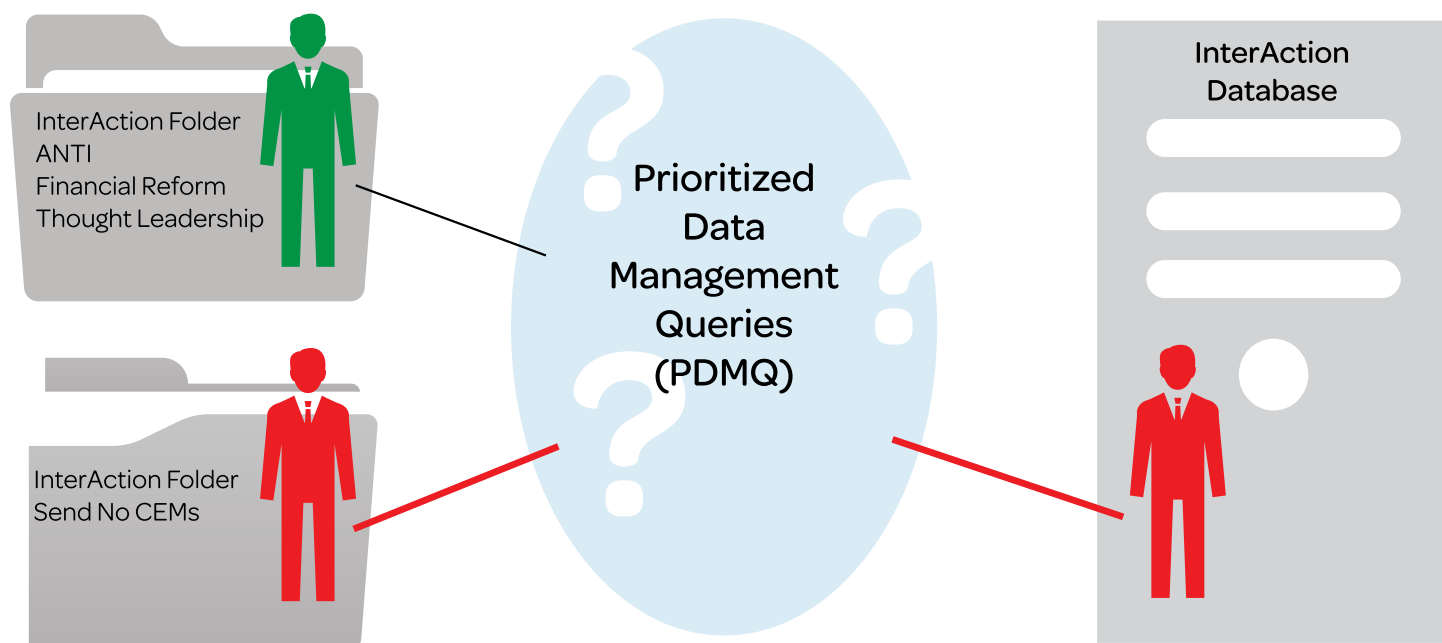
3. **The "Green" client gets the email and elects to opt-out** of further communication about the Financial Reform topic.
4. **Vuture captures that opt-out feedback**, and uses its integration with InterAction to modify the consent settings for the "Green" client in the Financial Reform Thought Leadership Folder.
5. **Following established rules and schedules**, the InterAction Folder Dependency Analyzer (FDA) notes the new settings for the "Green" client and automatically moves that contact to the ANTI Folder to block further emails.

Scenario 2 is similar, involving a Golf Outing invitation and a "Red" prospect recipient who requests to opt-out of all communications from the firm. In that case, the feedback loop with Vuture would modify the consent settings for the "Red" prospect so that it would move to the InterAction Send No CEMs Folder.



A third example acknowledges that contact lists and databases are never static. To help maintain data quality, InterAction offers a special PDMQ (Prioritized Data Management Queries) capability to identify potential duplicate contacts that could impact CASL compliance. At any time, your firm's data steward can run PDMQ to check a folder's contacts against the entire InterAction database. Usually, such reviews involve a "do not send"

folder to highlight any duplicate database contacts and conflicts. In this case, PDMQ checked names and email addresses to find a duplicate of the "Red" prospect. The data steward can merge that duplicate with the contact in Send No CEMs to restrict further contact, abide by the prospect's request, and minimize risk to the firm.



Take Action Now

Regardless of the technology solutions your firm chooses to rely upon, the critical issue is to become compliant and avoid CASL penalties for violations. Familiarize your firm with all the details by consulting these legislative resources: [Canada's Anti-Spam Legislation web site](#) and text of the [CASL Law](#).

Although technology will play a vital role in your activities, don't overlook the human element. CASL is an ongoing process with multiple phases versus a quick-fix scenario. Your firm could benefit from naming a single individual who has management oversight covering all CASL-related activities, changes and implementation steps.

To learn more about CASL transitions, or to discuss the advantages of combining InterAction relationship intelligence with Vuture email capabilities, contact your LexisNexis representative. There are professional services teams with the right experience and solution resources necessary to get your firm up and running quickly. ■

About the Author

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As an Enterprise Client Engagement Manager for LexisNexis InterAction, Dave serves as a consultant, technical advisor and project manager to guide firms in selecting and deploying the right portfolio solutions for their business needs. Prior to his eight-year association with LexisNexis, he spent several years as a senior consultant and team leader with Arbour Group

working with enterprise customers in the medical industry on software and technology solutions for regulatory compliance and manufacturing process validation. Dave's career experience also includes a six-year tour of duty with the United States Marine Corps. He earned an M.S. degree in Information and Telecommunication Systems Management from Capitol College, an MBA from Averett University, and a bachelor's degree from the University of Wisconsin.

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