

**Looking through the Looking Glass:  
The Digital Legal Horizon  
for Solo Practitioners**

*Digital Law:  
New Client, New Attorney, New Practice*

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**DISCLAIMER**

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**Overview**

- Digital Client
- Digital Legal Education
- Digital Attorney
- Digital Legal Technology
- Digital Legal Alternatives
- Recommended Reads

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## The Context

“Technology is outpacing the law” - *Barry Steinhardt*

“The first rule of any technology used in a business is that automation applied to an efficient operation will magnify the efficiency. The second is that automation applied to an inefficient operation will magnify the inefficiency.” - *Bill Gates*

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## Digital Client

### Different Generations

- Greatest Generation (born prior to 1946)
- Baby Boomers (b 1946 - 1964)
- Generation X (b 1965 - 1976)
- Gen Y/Millennials (b 1977 - 1994)
- Gen Z/Digital Generation (b 1995 - 2012)

<http://www.marketingcharts.com/television/marketing-across-the-generations-12158/>

<http://www.socialmarketing.org/newsletter/features/generation3.htm>

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## Digital Client

### Different Characteristics

- Technologically Savvy
- Expect enhanced, real-time communication
- Ever-shortening delivery cycle

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**Digital Client**

**Different Characteristics**

- Self-Help/DIY = \$ value
- They feel empowered & that they CAN do it.
- YouTube & Google makes them feel powerful.

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**Digital Client**

**Different Characteristics**

- Pricing Alternatives
- Hourly Billing vs. Flat Fees, etc.
- Bundling, Canned, entry-level solutions

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**Digital Client**

**Different Characteristics**

- Want solutions not just information
- They seek wholistic solutions which involve disciplines beyond the practice of law
- Global perspectives & interests
- Multiple Jurisdictions

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**Digital Client**

In short:

“More literate, tech-savvy, mobile, frugal, and assertive client base”

*~Jordan Furlong 4/13/12, The Future of Legal Employment*

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**Digital Client**

“The changing demands of our clients require the legal services profession to find different paths to deliver value to those who buy our services”

*~J Stephen Poor, 5/7/12, Re-engineering the Business of Law, NT Times*

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**Digital Legal Education**

- Are we preparing law students to address the needs of these new clients?
- What do law students need to learn and how will they learn it?
- What do established attorneys need to learn and how will they learn it?

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**Digital Legal Education**

**Legal Education Reform**

- Less law school and more practical hands-on legal experience
- What makes an attorney qualified to practice law?

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**Digital Legal Education**

**Legal Education Reform**

- New institutes to study and address these issues
  - Harvard Law School: FutureEd Program
  - Suffolk University Law School: Institute on Law Practice Technology and Innovation

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**Digital Legal Education**

**Continuing Legal Education Reform**

- Online CLE
- Solo Practice University
- Topics beyond “Legal”

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### Digital Legal Education

What needs to be taught/learned?

- Communication
- Teamwork/collaboration
- Financial Literacy
- Financial Management
- Emotional Intelligence
- Time Management

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### Digital Legal Education

What needs to be taught/learned?

- Technological Affinity
- Technological Integration
- Interviewing Skills
- Database Management
- Pricing

<http://www.attorneyatwork.com/the-future-of-lawyers-five-big-ideas-from-the-suffolk-law-institute-on-law-practice-technology-and-innovation/>

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### Digital Attorney

What are the traits/skills of a successful attorney in this digital age?

- Strategic Planning/Analysis
- Agility
- Adaptation/Flexibility
- Adds Value
- Effective

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### Digital Attorney

What are the traits/skills of a successful attorney in this digital age? (cont.)

- Foresight
- Technology Savvy
- Critical Thinking Skills
- Incisive Logic
- Intellectual Coherence
- Principled Persuasion

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### Digital Attorney

What makes these digitally successful attorneys different from the rest?

- They envision multiple clients, not just one.
- They apply high-end skills and/or talents
- They offer a high-degree of customization
- They meet a need unfulfilled by a traditional provider

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### Digital Attorney

What makes these digitally successful attorneys different from the rest? (cont.)

- They focus far more on preventing problems than on solving them (lawyers as a team member)
- They are comfortable with a high degree of connectedness and collaboration
- They deliver specific, identifiable, and actionable value to the client.

*Jordan Furlong, <http://www.law21.ca/2012/04/the-future-of-legal-employment/>*

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### Digital Attorney

New roles for an attorney:

- General Contractor
- Knowledge Tailor
- Strategic Auditor
- Accreditation Monitor
- Proficiency Analyst
- Legal Physician
- Informal Arbitrator

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### Digital Attorney

New roles for an attorney:

- Legal Knowledge Engineer
- Legal Technologist
- Legal Process Analyst
- Agents for Change
- Entrepreneurs
- Lawyers as Consultants, rather than as technicians
- Lawyer as a Professional

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### Digital Legal Technology

“Technology is just not a footnote in life.” - *Phil Shuey*

“Law practice on the go.” - *William Peacock*

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Digital Legal Technology

“The Mobile Lawyer” ~ *Joe Dysant*

“Disruption of the Legal Marketplace”  
~ *Mark Britton, Founder of Avvo*

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Digital Legal Technology

“Law + Tech + Design + Delivery”  
~ *MSU, Law Laboratory*

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Digital Legal Technology

1. Devices
2. Apps
3. Attitude

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Digital Legal Technology

1. Devices

- Mobile
- Smartphones
- Tablets
- Wireless Networks
- Cloud Computing

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Digital Legal Technology

1. Devices (cont.)

- Visual Display
  - Google Glass
  - Holodeck (Virtual Reality)
- Voice Recognition
- Input Devices

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Digital Legal Technology

2. Apps

- Standard legal practices:
  - Case Management
    - MyCase
  - E-Billing
  - Archives
  - Docket Control

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Digital Legal Technology

2. Apps (cont.)

- Marketing
  - YouTube (Celebrity Lawyers)
  - Blogging/Content
  - Prefix (advises lawyers on pricing)

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Digital Legal Technology

2. Apps (cont.)

- Discovery/Evidence
  - TrialPad (@\$89)
  - Cicayda (big data analytics, predictive analysis)
  - Snapchat
  - Last Night Never Happened
  - Pre-cog-like Software

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Digital Legal Technology

2. Apps (cont.)

- Client Services
  - Client Portals
  - Fuze Meeting/Skype
  - Virtual legal assistants

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### Digital Legal Technology

#### 3. Attitude

- Technology alone is not enough
- Content (machine) v Context (Human)
- Documents + Expertise (procedure know-how)
- Paradigm Shift: Sell results, not time

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### Digital Legal Alternatives

#### Online Legal Services:

- Self-service Systems
- Other Intelligent Systems
- Embedded Law Systems

*The Future of Technology in Law Practice, Ron Friedmann, Esq., 5/16/2002*  
<http://www.prismlegal.com/index.php?option=content&task=view&id=46&Itemid=54#>

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### Digital Legal Alternatives

#### Self-service Systems

- Intelligent In-take + analysis
- Artificial Intelligence
- Answers, stream-lined reports, e-mail alerts
- Self-service + Lawyer Support

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**Digital Legal Alternatives**

Other Intelligent Systems

- Diagnostic check-ins
- Smart FAQs
- Document Assembly
- Workflow Systems

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**Digital Legal Alternatives**

Embedded Law Systems

- Compliance
- Contract Management
- Preventive Law
- Training

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**Digital Legal Alternatives**

Examples

- Legal Zoom, Nolo, Rocket Matter, (document database)
- Law Pivot (crowd-sourced legal advice)
- Shpookie (posting info for attorneys to bid for the case)
- VakilSearcj, TM Guru (India)

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**Beyond Digital Legal Alternatives**

**Competition for Talent**

- “No Lawyer for 100 Country Miles, So One Rural State Offers Pay” Ethan Bronner, 4/8/13, NY Times

No traditional big-law jobs

Need to create own opportunities

- API your services (Carolyn Elefant)

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**Beyond Digital Legal Alternatives**

**New Management/Investment Models**

**Commoditization**

- Licensing “Legal Packages”

Charging to be “Messaged”

- \$100 to message Mark Zuckerberg

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**Recommended Reads**

*List of Must-Reads Related to Law and Technology*

Stephanie Kimbro, 3/29/2013  
<http://virtuallawpractice.org/2013/03/list-of-must-reads-related-to-law-and-tech/>

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Questions??



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