Why Traditional Legal Professionals Don’t Stand a Chance

Technology ‘s Impact on the Future of the Legal Professional

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Chapter One
The Biggest Change Agent

What is the biggest change agent in the legal field today?

Legalzoom changed the way clients now receive legal services: DIY or Do It Yourself law. No longer do clients have to pay huge legal fees for wills, divorces, incorporations, trademarks, adoptions and other legal services.

Why?

Just get on a website and get the proper forms and related instructions.

Lawyers and Legal Professionals no longer perform many typical duties because of what can easily be found online instead. With a click of a mouse, the client is now in charge.

In fact, some lawyers are actually giving away services such as incorporations as a “loss leader” marketing tool to attract clients for other, more expensive legal services.
Certain technologies created significant changes for Legal Professionals

File Sharing

This technology cut time and expenses along with higher fees. It’s now easy to invite specialists to contribute to just the area needed instead of charging high prices for entire documents.

eBay

More than 90 million people use eBay (that only started in 2001). Today, it’s normal for people to view trading for goods or services as a fact of life causing entirely new fee and payroll structures.
The Empowered Client

The client has become empowered. It’s guidance by clicks. Search Google - find out what you need to know and eliminate pricey teleconference calls to lawyers who in turn do not need to call upon LitSupport, Paralegals and other Legal Professionals.

Virtual Paralegals & eLawyering

A hot arena now is the Virtual Paralegal who can work from home for any law firm in the country.

eLawyering is another viable resource for clients and law firms alike and is becoming more popular. This may be a result of the recession when many law students (no matter what law school attended), could not get jobs and turned to virtual lawyering.

The Net Generation

The twenty-something generation has grown up with computers while Baby Boomers did not. It’s important to realize that the Net Generation is used to communicating via online communities while Baby Boomers are used to communicating one-on-one, face-to-face.

This trend may also be a result of years of new working methods: telecommuting. Either way, it is a new way to reach clients. No longer is it necessary for lawyers to have bricks and mortar law firms. Clients simply reach out through the Internet.
Relocation

Having a prestigious address has been an important marketing tool for many law firms. Today, law firms seek cheaper locations or relocation of certain departments such as accounting or Litigation Support because the work can be done over the Internet.

Lower wages, and other expenses save the firm and client money. Work no longer needs to be physically located near the client. Frankly, you can be anywhere in the world.

Outsourcing

Law firms kicked and screamed to avoid following Corporate

America’s trend: outsourcing work to other countries such as India. “Not in my firm,” said many.

However, one of the most actively developing areas in the legal field today is outsourcing. Why? Technology and cheaper wages.

Lawyers and Legal Professionals alike fear outsourcing will take away their jobs. In a sense, they are right. Delegating work to a lower, competent and less expensive level is the direction of the future.

How to combat it? Learn higher levels of expertise in more diversified areas.
What holds law firms and Legal Professionals back?

Fear and denial.

Technology has always arrived late to the legal field. The introduction of computers saw attorneys fighting hard against it. While it’s difficult to believe now, reasons varied from fearing computerization would take away billable hours to pure ego: not wanting to appear as a secretary.

This old-fashioned thinking is here today. Does this sound familiar?

• Partners hold onto work = less work for associates = less work for Legal Professionals.

• The firm tends to spend less money on new technology, taking a “wait and see” mentality.

This is a very dangerous attitude for your future. In order to move on (remember, a job is not a marriage), a potential employer looks to see if your computer skills are up-to-date. Out-of-date skills will not get you more money nor a new job.
Today, approximately 80% of all law firms are small. Smaller firms are nimble, more entrepreneurial and quicker to respond while larger firms are rumored to be disappearing. Will that happen in the very near future? Probably not.

Legal Professionals now working in larger firms should be aware that sometime in the future, they will most likely work in smaller firms. Different attitudes, workflow systems, budgets, and environments exist between small and large firms. You may have to have more general knowledge of overall matters. For example, large firms tend to compartmentalize - i.e., litigation paralegals may be assigned to the discovery phase of the case, while smaller firms want Legal Professionals to handle cases from beginning to end.

Having a “pedigreed” law firm on your resume will not be as important as what it is that you can do.
Chapter Three
Disruptive Technologies Affect Legal Professionals

Disruptive technologies: Those that displace an established technology and shakes up the industry.
Disruptive technologies change how we deliver legal services.
Disruptive Technologies Affecting Legal Professionals

- Document assembly: Less work for Legal Professionals
- Online services: Easier for clients to do it themselves
- More sophisticated software: Need for huge teams is gone
- Video conferencing: More international work
- Facebook, Twitter, YouTube: New ways to interact with clients
- Litigation Support/IT: Departments take over former individual duties
- Predictive Coding: Software replaces document reviewers
What is document assembly and how is it affecting the Legal Professional’s job?

According to Wikipedia, document assembly is the design of systems and workflows that assist in the creation of electronic documents.

These include logic-based systems that use segments of pre-existing text and/or data to assemble a new document. The process is used to assemble legal documents, contracts and letters.

Document automation systems can be used to automate all conditional text, variable text, and data contained within a set of documents.
Automation systems allow firms to minimize data entry, reduce the time to proof-read and risks associated with human error.

Additional benefits include: time and financial savings due to decreased paper handling, document loading, storage, distribution, postage/shipping, faxes, telephone, labor and waste.

Is this the end of the traditional Legal Professional’s job as we know it?
Chapter Four
The Creation of New Positions

Technology frees Legal Professionals to tackle higher level responsibilities as it takes over many common or routine and repetitious duties. Today’s Legal Professional is a hybrid of specialties. That is to say, cross-trained in different specialties.

An important acknowledgement of this trend is the International Paralegal Management Association’s (IPMA) name change to International Practice Management Association. Paralegal Managers are now undertaking supervision of several departments such as Records, Litigation Support, Information Management and Contract Attorneys.

**Career tip:** Take continuing legal education constantly – even if your firm doesn’t pay for it. The return on investment is invaluable.
Newly Created Positions Leveraging Experience

Here are just a few of the newly created positions evolving for Legal Professionals:

• Pricing Strategist
• Budget Manager
• Analyst of Assignments
• Process Manager
• Legal Professional Hybrid
• Online Arbitration/Mediator
• Legal Technologist
• Certified eDiscovery and Litigation Support Managers
• Legal Project Managers
Push Your Career Forward

- Information Governance
- Software Expert i.e., Relativity
- Certified eDiscovery Project Manager
- Certified LitSupport PM
- Legal Project Manager
- The Leased Employee
- Virtual Paralegals
- Virtual Litigation Support Professionals
- Content Manager
- Legal Professional Hybrid
More Newly Created Positions

- Practice Manager/Paralegal Manager
- eDiscovery Case Manager
- Knowledge System Expert
- LDA – Legal Document Assistant
  
  *Provides services directly to the consumer*

- eLearning Instructor
Chapter Five
The Law Firm and Structural Changes

The Law Firm Structure of Today

- Equity Partners
- Non-Equity Partners/Counsel
- Associates
- Contract Attorneys
- Paralegals
- Specialists
The organization chart and traditional law firm pyramid will no longer exist. Here's just a peek at what's in store. Where will you belong?
Prediction:
Legal Professional positions will evolve very much like the nursing model.

Today, only a very informal career path exists for Legal Professionals. No upward, defined, career ladders or job descriptions are the same from firm to firm. One firm may interpret an “Analyst” as a lower level position while another may view it as high up on the org chart.
The Future Paralegal Pyramid
How the position will be tiered.

- Paralegal Assistant
- Paralegal
- Certified Paralegal
- Limited Licensed Paralegal
- Licensed Paralegal
The Future Litigation Support Pyramid
How the position will be tiered.

- Practice Support Manager
- Director, Litigation Support
- Certified Litigation Support Manager
- Litigation Support Professional/Analyst
- Litigation Support Technician
- Litigation Support Assistant
Chapter Six

Don’t bust your career because you won’t, don’t or can’t get more continuing education.

On the job training is no longer the best way to advance. Why?

• While the person training you may be very knowledgeable, they may not know how to impart the information. They are not trained, professional instructors.

• Your in-house trainer may not be fully trained. How would you know? They may be trained with information the firm needs now – and not any further.

• Taking a webinar here or a seminar there does not give you the full picture. You don’t know what you are missing. How would you?

• There may be no one to ask for the right information. Ask the wrong person, get the wrong information - but don’t know it until it’s too late.

• Your trainer may feel you don’t need to know everything right now. So you end up getting bits and pieces of information.
Learn to know your job.

Your firm may have a very limited budget for continuing legal education and does not realizing its return on investment. Many times, there is very little in the budget for any Legal Professional’s continuing legal education. Most likely, the bulk of the budget is spent on new associates. After all, they’re going to be partner some day.

In some firms, Legal Professionals are included in attorney training. However, Legal Professionals do not perform the same assignments as attorneys – for that matter, neither do attorneys perform the same assignments. What you glean from an attorney seminar may be helpful in seeing the overall picture but you cannot practice law. Usually, very little in-house attorney training sessions apply directly to you. Training specific to the Legal Professional’s assignments is critical to get ahead and stay ahead.

How can you get the training you need?

If your firm will not pay for additional training, don’t give up. By demonstrating the numbers, you can convince the firm how
Don’t deliberately stall your career.

much more effective, valuable and profitable Legal Professionals can be. Show them:

a) How much time you will be able to save;
b) Why they can justify a higher billing rate for you;
c) How much more profit they can earn from your department;
d) How they can more effectively utilize other Legal Professionals.

Always provide a written explanation complete with applicable numbers.

If the firm still will not pay for CLE, do not be the Legal Professional who refuses to pay for it yourself. This entitlement attitude only serves to curb a successful career. To stay ahead, you’ll have to get ahead. Saying you cannot afford CLE is like saying you cannot clothe yourself, get a car, provide a roof over your head or anything else mandatory to exist. That’s how important continuing education is to your career.

Give up your Starbucks! Take a second job. Don’t have time? Get up an hour earlier. Don’t short-change yourself! Technology is changing faster than anyone ever Imagined. Be part of the change, not part of the past.
In Summary……

• Do It Yourself Law has empowered the client

• Certain technologies changed the look and feel of many jobs

• The smaller firm is the wave of the future

• Fear and denial hold back firms and Legal Professionals alike

• Disruptive technologies change the way legal services are delivered

• Newly created positions are evolving

• The new Legal Professional will most likely be a hybrid

• The new structure of the law firm is different from the old triangle

• Positions will develop a hierarchy and new org chart

• Continuing legal education is the key to staying up-to-date
Finally,

Keeping up with technology is critical. On-the-job training may not be adequate and waiting for your firm to get on the bandwagon with the latest technology may be a pipe dream.

Continuing Legal Education is the key to staying current and up-to-date with important changes. Through education, you will signal to your firm and clients that you are the go-to expert.

OLP offers eDiscovery and Litigation Support Certification exams; webinars; onDemand videos; certificate courses; online, live and OnDemand courses; podcasts, over 100 live webinars per year for members; regional chapters; and more – just to keep you from stagnating. OLP can give you certificates, certifications with credentials after your name, training, mentors, current information. But what you really get in the end is this:

a future.

Remember the wise old Legal Professional who once said: *Ride the horse in the direction it is going. You’ll never regret it.*
For More Information

• The End of Lawyers? By Richard Susskind
• Tomorrow’s Lawyers  By Richard Susskind
• ABA eLawyering Task Force
• ABA Task Force on Legal Education
• The Estrin Report
• KNOW, the Magazine for Paralegals
• ALA – The Association for Legal Administrators
• The Paralegal Knowledge Institute
• The Organization of Legal Professionals (OLP)