

# The Future of Legal

Both a lawyer and an activist, **Erin Brockovich** talks about her unorthodox education in the legal industry, the humanity behind law and the growing jump into legal tech.

**LEARN**  
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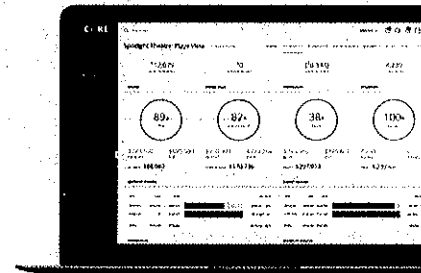
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Source: The National Consumer Law Center

# Understanding the Power of Technology in Changing the Legal Sector

The legal industry is rooted in tradition and is often not one that sees a lot of evolution, but much like other professions, the time has come to adapt.

**D**an Liutikas, CEO of nonprofit International Legal Technology Association (ILTA), shares how technological innovation is giving the legal industry a much-needed rebirth and the benefits that come with that.



### The Intersection of technology and legal

ILTA works as the connecting piece for those involved in legal and technology, offering a community and educational opportunities. There is still more education needed in the legal industry, though, Liutikas admits.

"A lot of it is ultimately coming down to having key understandings of the potentials of the technology itself and what it can do when used in conjunction with different technologies," Liutikas says. There is a lot of focus on "how we are connecting the dots with the technologies and data, and then a lot of it is in the skill sets."

There are a number of things to be expected: "As that can interview you and can ask questions then follow-up questions based on your answers. Ultimately, they can track output that matches the requirements and is backed up to big data to properly align what we know from that data that would be enforceable."

### Benefits of technology

With the increasing use of artificial intelligence and machine learning, the legal industry is seeing a sweeping change of efficiency, cost benefits and higher quality end results.

Liutikas says it's particularly prevalent in "how technology can leverage big data, whereas before you had to rely on what the senior attorney's experience set was to answer questions for clients."

While technology is obviously improving many industries these days, it creates more accessibility as well. AI and machine learning "can help folks who didn't have access to legal services or attorneys and the costs associated with that." Liutikas continues, "For people who should have legal services but have not been able to access those, technology is really going to be behind enabling that."

The legal industry is on the precipice of becoming more attainable and streamlined. "We're in the middle of a new birth for the legal profession where you can leverage all these exciting technologies and data and create better outcomes for the entire spectrum of clients." ■


By Nicole Ortiz

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# Does Artificial Intelligence Have a Place in Law?

A law career, which required years of advanced education and mentoring, provided a defense against the effects of automation — but that may change.

Already, automation has a foothold in the legal profession. Early adopters are embracing artificial intelligence (AI) for functions ranging from regulatory compliance to contract analysis to document review and production. David Kinnear, CEO of High Performance Counsel, observes that “the advent of this technology wave also bodes of change from the outside for the legal space — as non-law technology participants see a new opportunity to enter and compete in the legal space from a technology vantage point.”

## Joining the debate

As AI gains a foothold in law, naysayers are shouting that AI can and should never replace a seasoned attorney, and proponents are shouting that AI can replace the majority of legal functions and solve the access to justice problem.

AI was originally sold as a way to supplant the highly paid attorneys. Specialized attorneys who create solutions to complex problems and apply cases, laws and regulations to a particular circumstance or fact pattern can bill at \$150-1500 an hour. Now, the selling strategy is to offer to

replace paralegals and fledgling associates who bill at \$30-250 an hour, rather than replace the attorneys who might purchase such a system.

David Greetham, an eDiscovery Business Unit leader and patent holder for Ricoh USA, has a different moniker for AI. Greetham believes “the attorneys who embrace AI and intelligent support technology [IST] will powerfully position themselves for success in future law.”

Kelly Twigger, principal of ESI Attorneys, points to Susan Wojcicki, CEO of YouTube, who confirmed that YouTube will

increase the number of people working to oversee content to more than 10,000 next year. “Human reviewers remain essential to both removing content and training machine-learning systems because human judgment is critical to making contextualized decisions on content,” she said in a 2017 blog post.

## Much ado about AI

In legal, software platforms and tools routinely use AI or IST to classify and categorize photos, improve upon optical character recognition and to create indices of sounds. Document review and

production is augmented and organized by algorithms that find near duplicates, clusters of related documents, timelines and relationship graphs. Documents are created using decision trees and document assembly.

As AI algorithms are deployed to determine employment, custody, sentencing, immigration and other fundamental decisions, it is important to be able to deconstruct the input’s algorithmic structures, included datasets and quality control. For example, a visual AI was able to distinguish a white hand and not a black hand. It is not hard to imagine an algorithm using past case data and current laws to calcify social change and development if left to its own devices. It is also not difficult to imagine an AI optimizing conditions for its survival over other humans or machines. ■

By Mary Mack, Executive Director, Association of Certified E-Discovery Specialists

# How E-Discovery Tools Can Help Transform Your Firm’s Legal Case Prep

Storing paper legal documents in physical warehouses is increasingly a practice of the past. Now, with the emergence of e-discovery, law firms can save time, money and stress when uploading, filtering, storing and interpreting client information.

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## Maximizing time and money

In litigation, the process of discovery is one of the most important — yet time-consuming and costly — phases of bringing or defending a civil or commercial case for a client. But it doesn’t have to be.

E-discovery platforms can help reviewers easily and quickly identify needed information, saving precious time wasted sifting through a client’s files. They also can help save tens of thousands of dollars, says Fiorella, whose firm has used several such tools, includ-

ing Everlaw. The tool helps reviewers painlessly access and interpret various document types — from medical images and spreadsheets to videos and computer-aided design files — regardless of language or country of origin.

Customers love Everlaw’s easy-to-understand predictive coding search feature. Also known as machine learning, this system empowers attorneys to find relevant evidence adjacent to their search terms. This cuts down on review time and cost, saving dozens of hours.

## Making the switch

Everlaw’s StoryBuilder tool can also help facilitate collaboration among teams, including seniors, during case prep. “Because discovery is the most important and expensive part of your case, senior-level employees need to stay involved to pass along information to make the process go smoothly. Often, they understand the case and client best,” Fiorella says.

Fiorella acknowledges that moving to electronic tools may seem daunting for some, but the payoff can be substantial, even

when considering the cost to use services like Everlaw’s, which charges firms a set price-per-gigabyte per month. For Benesch, the switch has resulted in a more efficient and cost-effective discovery process. “I would encourage people to look at these platforms and compare how they work to what you’re doing now,” Fiorella says. “This tried-and-true way of conducting the discovery process for the past 15 to 20 years is changing in a positive way.” ■

By Melinda Carter

It’s trite to say that the internet and web-based applications have changed everything, but they have,” says Cleveland, Ohio based Andrew G. Fiorella, partner, co-chair of the financial institutions and securities litigation group and co-chair of the e-discovery group at Benesch Law.

# 3 Predictions for the Next 10 Years of Legal Tech

Years ago, legal practice management was revolutionized with the industry's first cloud-based legal practice management platform, but there's more to come.

**O**ver the past decade, there have been a myriad of advancements and changes in legal tech — and the stage has been set for the inevitable wave of greater innovation and invention. Here are just a few predictions for the next 10 years in legal tech:

## 1. More mobility, less paper

Paperless law firms are on the rise. Soon, lawyers will be able to take their entire digital practices wherever they need to go — even into court. "Most judges are already willing to view documents on these devices and do not require paper copies in court," says attorney Tania Bartolini. "I believe that soon the legal profession will adopt the paperless lifestyle completely."

## 2. More remote work

Office Manager Leslie Lelii predicts that the rise of legal technology will



"The next 10 years will see a fundamental change in what it means to practice law."

bring more remote collaboration, and more opportunities for law firms. "By joining with other lawyers in other states to branch out with satellite offices, [firms will be able to] attract a wider client base," she says.

## 3. Increasing use of AI and automation

According to the 2017 Legal Trends Report, lawyers spend only 2.3 hours per day on average on billable tasks. The majority of lawyers' non-billable time is spent on administrative tasks (48 percent) and business development (33 percent). However, with the right tools (including AI), lawyers will continually create and optimize processes that automate administrative work, allowing them to focus on practicing law while providing an effortless and exceptional experience for their clients.

Jordan Couch sums it up perfectly: "The next 10 years will see a fundamental change in what it means to practice law. Lawyers, like surgeons, will be able to practice at the top of their license, using the creativity they learned in law school to invent and test new ways of serving clients." ■

By Teresa Match, Content Strategist, Clio

## How to Adapt Your Law Firm With the Oncoming Advent of Legal Tech

**In today's cloud-based, tech-operated world, there is no imminent need to remember phone numbers as long as a cell phone is running smoothly. But what about legal tech?**

Technology has taken over. But it demonstrates that the human brain is — to a certain extent — a muscle which is getting weaker if you do not exercise it any longer.

Now think about legal tech — great systems automating document review, automating, or at least facilitating, contract drafting, etc. There are the obvious tasks, like fine tuning the systems, training the included artificial intelligence component, recognizing and remedying its fallacies, which keep us busy for the time being.

### A case for experience

An article published in the New York Times last year described the clients' unwillingness to pay for routine work while strategy, creativity, judgment and empathy have been identified as efforts which cannot yet be automated. They require experience — a factor still seen as a value for which clients are willing to pay.

As long as decision-making in contract negotiations or court proceedings will continue to be based on human involvement and interaction — rather than automation — this will probably not change dramatically. Most individuals have reached their professional level by exercise which led to experience. It has been nurtured by doing less complex work at the beginning of a career.

### Beyond automation

The legal profession is facing quite a challenging task to keep the human legal brain sharp and adequately able to train the next generation. If training is going to become fully automated, it follows that the practical on-the-job training for lawyers will be gone.

To counterbalance this loss, there will be a greater requirement for continuing legal education, with sophisticated digital training labs as an obvious solution offering further business opportunities. As they will not come for free, lawyers will sooner or later try to increase their fees and rates.

So the digital revolution requires remembering the essential lesson of evolution: Neither intelligence nor strength, but adaptation to a changing environment, is key to the future.

By Christian Frank, Vice President, ITechLaw Association; Partner, Taylor Wessing

## 💰 Marketers Are Leading Law Firms to Adopt Tech

The future holds exciting promise as legal marketers increasingly identify technology as a critical area for spending.

To the business of law, marketing matters. Look no further than the fact that 67 percent of attorneys say their firm is increasing its emphasis on business development and marketing efforts.

This data, gathered through joint surveys by the Legal Marketing Association (LMA) and Bloomberg Law over the past two years, reveals that law firms continue to increase their investment in marketing. This investment comes in response to growing market and internal pressures to generate revenue.

### Investing in tech

The number one place marketers said their spending would increase over the next two years is in technology. As legal marketers continue to widen their scope of responsibilities and become more involved in strategic business-oriented activities, such as pricing, planning, budgeting and client relations, the need to lean more heavily on technology is essential.

As this level of technology adoption continues to increase, so too do expectations. While many technologies are being utilized within law firms today, their full benefit is not being realized due in part to implementation challenges and the difficulty of aggregating data across systems.

Despite such challenges as cost, complexity and integration, 63 percent of firms have found new opportunities with existing clients and 54 percent have found leads for new clients through the use of technology tools such as business intelligence.

### Serving the client

In fact, the increased use of business intelligence is reflective of a growing client-first perspective, and legal marketers are leading the charge on client account management, client experience analysis and advancing client loyalty. Data shows that legal marketing and business development professionals are clearly focusing business intelligence activities on better understanding their clients through tracking a range of different data.

The next phase for firms investing in artificial intelligence (AI) is to enhance various areas of the practice. As it relates to marketing and business development, the ability to use AI to identify and qualify profitable clients, predict needs and buying criteria and optimize channels, content and messaging rise to the top. In terms of strategic planning, intelligence-based planning can open the door to a multitude of additional benefits.

If the past is any indicator of the future, you can be assured that leading firms will continue to invest in the tools that help enhance their strategies, and legal marketers will be at the forefront of those implementations.

By Betal Roach, MIM, CAE, Executive Director, Legal Marketing Association

# Erin Brockovich: Find the Balance Between Technology and Humanity

**The famous consumer advocate loves how technology is helping the legal profession but cautions: don't forget human interaction.**

"I think there is more for us to be excited by than there is for us to be fearful of," she says.

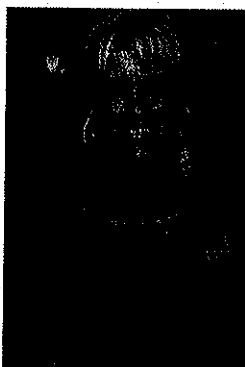
For the past 22 years, Brockovich has been fighting for the little guy — consumers facing big problems like environmental contamination, faulty medical devices and bad drugs. She's spent that time meeting with people all over the country and the world, steadily tracking problems and looking for solutions.

It's rewarding work, but can also be challenging, especially when it comes to keeping tabs on data.

### Assisted by technology

Eight years ago, she created a website, [communityhealthbook.com](http://communityhealthbook.com), for individuals to self-report issues in their community. Now anyone can log on to report concerns or see what's happening in their area.

Many complaints come from people who live on or near polluted sites, including near polluted water. While exposure to certain chemicals can lead to disease, it can take years for those diseases to show up. By then, people who were exposed may have moved away. Mapping those



"I think there is more for us to be excited by than there is for us to be fearful of."

cases can bring together people with similar experiences and illnesses.

Brockovich started mapping concerns around the country and was shocked to see the volume of complaints. "The map was so filled up, I almost couldn't see the United States," she recalls.

### Finding balance

Technology is helping streamline the process of getting and sorting information.

Programmers can create algorithms to do "a deep data dive" of public records, Brockovich notes, adding that technology can uncover problems and help find solutions.

The Columbia School of Public Health has created the largest website of documents — [ToxicDocs.org](http://ToxicDocs.org) — which contains 20 million previously classified documents on industrial poisons. Access to those documents can help lawyers find information and litigate cases.

Still there's more than data. Brockovich urges balancing tech and humanity.

"There's nothing like human interaction because you can see people's reactions," says Brockovich, who concludes, "I don't think technology can replace that."

While Brockovich isn't doing legal work, she remains curious, likes putting pieces together and isn't afraid to ask tough questions.

"I am doing this for all of us. I have grandchildren now," she says. "I just think we are better off knowing the truth." ■

By Kristen Castillo

# Introducing Tech to the Law Classroom

As technology becomes increasingly present in the legal profession, legal education will need to keep pace.

Legal education in the United States and around the world is rapidly changing to embrace the recent evolutions in the area of legal technology. The reason for this evolution is perfectly phrased in a recent report published by BCG and the Bucurius Law School: "In the future, the business of law will require fewer junior lawyers and more legal technicians. Accordingly, law schools may need to offer courses on legal tech."

## Open enrollment

One of the pioneers of such new offerings is Stanford, in particular, its Center for Legal Informatics, known as CodeX. Other schools have increased their offerings on legal technology, too. Georgetown Law, for example,

"The goal is to make law students literate on machine learning in order to spot automation opportunities and translate such needs to computer programmers."

offers a course called "Computer Programming for Lawyers." Harvard offers a class on "Law 2.0: Technology's Impact on the Practice of Law." Meanwhile, Cornell Law School recently launched a new LL.M. program on "Law Technology and Entrepreneurship."

The proliferation of course offerings on legal technology results in an important

choice law schools have to make. On the one hand, law schools may provide future lawyers with the tools in order to create technologies themselves. This seems to be the approach of Georgetown Law with its programming class. On the other hand, law schools may rather want to focus on teaching law students the core principles of certain technologies, without necessarily teaching those students to effectively use those technologies themselves.

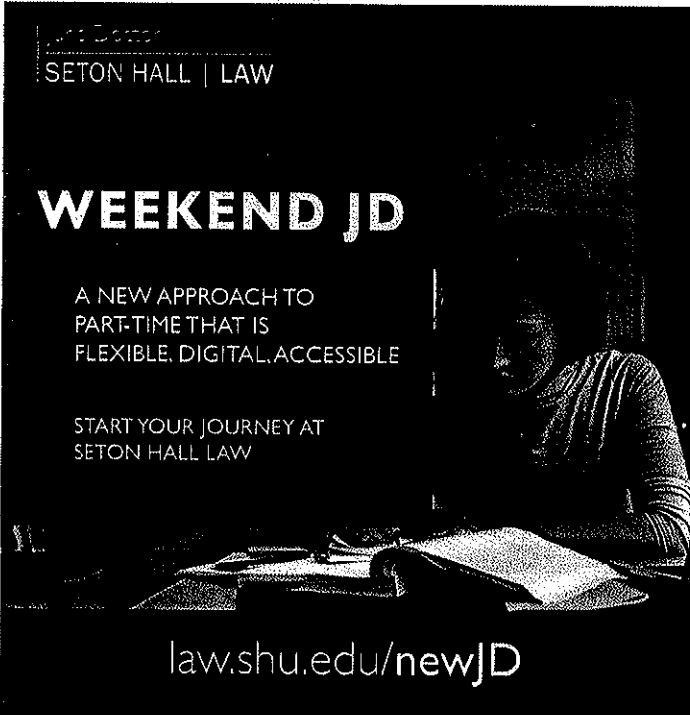
## A possible approach

The latter approach was taken by the Columbia Law School, which this year offered for the first time a one-week intensive class on "Data and Predictive Coding for Lawyers." The aim of the class was not for law students to be able to create machine learning models

themselves, but rather to understand the technology underlying machine learning. The goal is to make law students literate on machine learning in order to spot automation opportunities and translate such needs to computer programmers.

What all of these initiatives have in common is clear. With an increasing amount of studies predicting the automation of certain aspects of the legal services market, being equipped with a thorough understanding of legal technology creates a valuable opportunity for law students to enter legal practice and become leaders in their respective fields. ■

By Rémy Bonneffé, LL.M., Co-Founder and Co-President, Columbia Law School Legal Technology Association



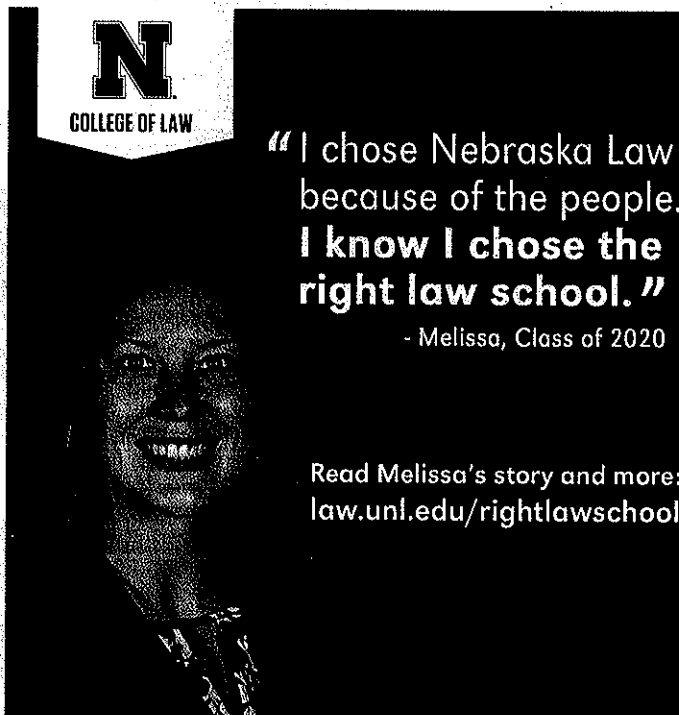
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# 3 Students Make a Case for a Career in Law

We sat down with three students to talk law — covering everything from inspiration, education, opportunity and trajectory.



**Emille C. Schwarz**  
1L, Columbia Law School

**When and why were you first inspired to pursue a career in law?**

**Emille C. Schwarz:** I was first inspired to pursue law in college after taking a graduate class called "Neuroscience and the Law." I had been studying neuroscience prior to that course, but was fascinated by the ability to translate scientific principles into legal policy and practice.

**Gatluak Ramdlet:** My passion started when I was about 12 years old. I spent a portion of my childhood in a United Nations-run refugee camp in western Ethiopia. One of my favorite things to do was attend criminal trials and civil disputes which were often run by elders or individuals appointed to the position. In an environment where each individual is his or her own counsel, the ability to speak, and especially to be a persuasive speaker, determines one's fate. I want to speak for those who cannot advocate for themselves.

**Alessandra Masciandaro:** While studying philosophy, our professor mentioned that philosophy students tend to do well on the LSAT since the reasoning tested is the same that we were developing through our analytic philosophy courses. I realized that law was a practical application of the study I loved. Most members of my family have careers tied closely to helping others. For that reason, I grew up with a sense that I should pursue a career that directly impacted other people's lives for the better.

**With technology being incorporated into more aspects of education, what kind of changes are you seeing in the education method?**

**ES:** I hope to see courses integrate legal technology future discussions. For example, many legal technology startups are now

working to develop automated systems to aid in certain legal areas including contract law, document review and intake. It would be meaningful for syllabi to address new methods that future lawyers can employ to help make legal processes more efficient and less costly.

**GR:** Additionally, professors are now using things like polling software to assess whether students are learning the material. My professors effectively used these tools for on-the-spot feedback, and as a law student, I appreciate learning if and why my responses are wrong before taking the actual exam.

**AM:** Technology seems to be providing opportunities for learners to regularly process information through a variety of modalities. Our contracts class includes short videos along with the readings. Others use online quizzes that hone in on important aspects of the reading. All of our substantive courses have included online discussion boards, which allow us to get practice with legal writing and engage in meaningful dialogue.

**What opportunities are available in law school for gaining practical experience?**

**ES:** Columbia Law offers a lot of ways for students to gain experience working with clients and conducting legal research. They offer legal clinics, research assistant positions, pro bono opportunities through student organizations and externships with a multitude of organizations. Additionally, I am working through the Columbia Law School Legal Technology Association to develop a voluntary research program with participating legal technology startups to help students get introduced to the emerging field.

**GR:** Nebraska College of Law provides many opportunities to gain practical experience.

Our career development office is great at connecting students with local and national employers. I had an incredible opportunity to interview, and eventually work for, a public interest law firm. Not only was I able to enhance my legal research and writing skills, I also gained insights into public interest law as a potential area of interest.

**AM:** In law school, our first year "Introduction to Lawyering" class provides the most practical experience. We simulate client interviews, counseling sessions and meetings with a partner. These simulations are paired with writing a legal discussion, memo and brief, giving us experience doing the tasks we will be required to do as lawyers.

**What path are you planning to head down after you graduate?**

**ES:** I have always wanted to run for local office, and hope to pursue that goal. While at a law firm, I would love to get involved with any technological innovation that is going on and help drive the next generation of lawyering.

**GR:** As a kid I dreamt about working for the United Nations and advocating for those displaced from their homes. For a kid living in a refugee camp, this was nothing more than a fantasy. I recently accepted a summer internship opportunity with the United Nations. Of course I don't expect this to turn into a permanent position following my internship, but it would absolutely be the dream.

**AM:** I am hoping for a position in a large firm. I know these decisions do not all have to be made at the outset. As long as I continue to make wise choices, the final destination will sort itself out.



**Gatluak Ramdlet**  
2L, University of Nebraska — Lincoln College of Law



**Alessandra Masciandaro**  
1L, Seton Hall Law School

## ■ A Look at What's Behind the Fastest Growing Law Firms

In October, 2017, the Law Firm 500 Awards recognized some of the fastest growing law firms in the United States and in doing so, a shared indicator of success.

Though most of the firms were smaller, they were quickly rising. Their common thread? Setting goals, then using technological solutions to achieve massive growth. Remarkably, award-winners experienced an average growth of 226 percent.

### The right solution

Rather than one single technology, these firms are integrating systems to meet their individual needs.

Commonly used, document automation tools produce higher quality, more consistent work, faster and more efficiently than ever before. But there's more to it than simply use of technology.

A major focus is on building qualified prospects by combining client relationship management tools and intake systemization, with automated social media and email campaigns. Tech solutions for client retention are a major priority.

### The leading voices

Here's what a couple of the winners had to share:

Landerholm Immigration, APC, out of Oakland, California, grew by 216 percent. Founder, Otis C. Landerholm has implemented case management, time and billing software (Clio), internal collaboration software (Slack), VOIP phone systems and the grossly undervalued online calendar. All of these, together, keep his team in touch with clients, and on top of their matters. "Firms taking advantage of the gifts that technology provides are moving past the firms that remain in the dark ages," said Landerholm.

Similarly, Rock Solid Law in Jacksonville, Florida, grew by 221 percent. Founder John Miller attributes technology to "a gushing pipeline of new opportunities for a growing firm. Practice management software is a key to maximize our clients' experience and keep on top of who our clients are as well as their current and future needs."

By Christopher T. Anderson, Co-Founder, Law Firm 500 Awards; President, How to Manage a Small Law Firm

# How We Can Reverse the Trend of Women Leaning Out of Law

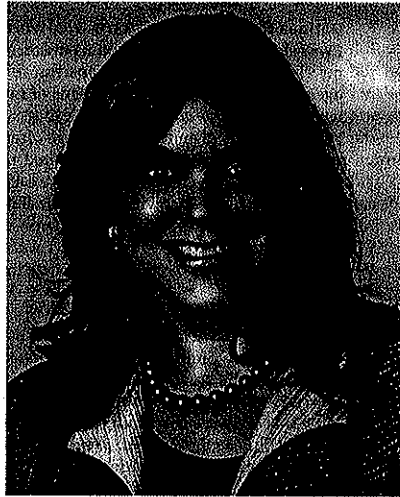
A prominent woman in the legal profession considers the disturbing trend of women leaving their posts at law firms and offers hope for change.

**T**he legal sector still has a lot of progress to make toward equality. Hilarie Bass, American Bar Association (ABA) president and co-president of Greenberg Traurig Law Firm, weighs in on where these issues with inequality stem from and what attorneys can do to help.

**Challenges women face**  
"The glass ceiling continues to exist; it's just been moved up," Bass says.

She has been studying the trend of female lawyers leaving their positions between the ages of 40 and 50. Her research shows that women feel their firms are inhospitable, and ultimately, they get fed up with working toward a goal that they feel has had little payoff for them.

While there are more females currently attending law schools than men in the United States, and women are able to rise to partnership positions, they still appear to be leaving the field. Bass attributes this to implicit bias, success fatigue — "the perception that women have to work just a little harder than their male colleagues



"The glass ceiling continues to exist; it's just been moved up."

to get recognition for their achievements" — sexual harassment and the feeling of having hit a glass ceiling.

She continues, "but when it comes to becoming an equity partner or managing partner — the highest lev-

els of law firm leadership — it's still much less common for women to reach that level of success."

### Reversing the exodus

It may sound basic, but Bass recommends that attorneys work to become the best lawyer they can be and hone their skill set.

"I tell men and women young lawyers the same advice, which is: become really good at your craft, and then think about what you would like your career to look like," she says. "Because each of us has so many opportunities to take advantage of new and different paths, but it doesn't always happen just sitting behind your desk."

Attorneys can become involved in bar associations, seek out leadership positions or do pro bono service. The glass ceiling can be destroyed entirely, and it begins with bringing awareness to the problems within the industry.

"Each of us has so many opportunities to take advantage of new and different paths, but it doesn't always happen just sitting behind your desk." ■

By Nicole Ortiz