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# Professor outlines how technology is changing the practice of law

Dave Stafford September 11, 2013 KEYWORDS EVANSVILLE BAR ASSOCIATION, INDIANA UNIVERSITY MAURER SCHOOL OF LAW, RUNNING THE FIRM, TECHNOLOGY

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As robots and computers entered factories, manufacturing became “advanced manufacturing,” bringing increased production at a lower cost.

That upheaval, the result of innovations in technology, is now being felt within the legal profession. William Henderson, professor of law and director of the Center on the Global Legal Profession at Indiana University Maurer School of Law, explained that the growing legal services industry, populated largely by nonlawyers, is mechanizing and automating the work attorneys do, creating products that can be sold for a relatively cheap price.



Henderson

Henderson outlined the fundamental changes computer hardware and software are making to the legal profession when he addressed the Evansville Bar Association’s quarterly luncheon Aug. 29. About 120 attorneys attended the mid-day event held at the Tropicana – Evansville.

During his presentation, Henderson showed two photos. One picture depicted a mental artisan using 1700-era technology of an anvil and hammer to craft a nail. The other showed a modern-day high school graduate in an advanced manufacturing plant, running computer-controlled machines to produce inexpensive, environmentally friendly drive trains.

“What’s happened to industrial arts is about to happen for all professional services including law,” Henderson said, referencing author Richard Susskind. “We can’t stop it and we don’t do ourselves any favors by resisting it or running it down.”

After the luncheon, attorney Lane Siesky, founder of Siesky Law Firm P.C., credited technology and the ability to hire contract workers with enabling his two-lawyer office to take bigger cases. For medical cases, he can temporarily hire a nurse paralegal, and to review 150,000 pages

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of documents on DVDs, he can enlist the aid of an information technology department to put the papers in a searchable format. Having the ability to connect with outside resources allows Siesky's firm to ramp up to meet the needs of any particular case without taking on tremendous overhead costs.



Siesky

Even in its daily operations, Siesky's office makes use of technology. It has swapped a traditional server for case management software that is based in the cloud. Now Siesky can open his laptop wherever he is and work on any file. With the case management system, he can see all who accessed the file, when it was opened and what was done.

Still Siesky tempers his use of new technology, not wanting to be the earliest adopter who has to work through all the problems the new gadget or system brings.

"We don't want to be a trailblazer to the point where we're making trouble for ourselves or our clients," he said, "but we do definitely want to embrace and tweak certain aspects of what's going on and then be ready to capitalize on what becomes a little bit more mainstream or accepted."

Siesky founded his firm in 2006, about the time, according to Henderson, that the legal profession's golden period was ending. Henderson drew upon statistics and studies to show how lawyers flourished over the past several decades as the complexity of business and government regulations increased. Beginning in 1978, the portion of the Gross Domestic Product allotted to lawyers grew from 0.4

percent to 1.8 percent by 2003.

That growth is now flattening, Henderson said, but the practice of law will not become obsolete.

"Law is so important to our future," he said. "It's so important to knitting together a globalized world, so important to avoiding civil unrest and so important to solving our complex problems of famine, energy shortages, water shortages; but the problem is we can't afford to pay for it on a kind of time-and-materials basis. Our clients don't want to pay for it."

The legal services industry is providing an answer to consumer demands by working to make legal help better, faster and cheaper, Henderson said.

Some of these services, like LegalZoom and Rocket Lawyer, target individuals who need legal help. Other vendors are vying for corporate customers. For example, Axiom markets to general counsels by offering to do sophisticated legal work like small mergers and acquisition transactions.

Henderson ended his presentation by showing a folksy video advertisement for Modria, a web-based company that offers online dispute resolution services.

Laura Scott, partner at Bamberger Foreman Oswald & Hahn LLP, found the video interesting but not surprising. And she does not anticipate online alternative resolution forums will eliminate the need for lawyers.

However, she does expect technology will change the way she practices and her approach to clients. In the past few years, her office has been integrating new software into the work flow and figuring out ways to use new computer products to deliver services more efficiently.

But more efficiency doesn't necessarily mean fewer people. Day-to-day work created by the new technology has led to changes in the composition of the firm's staff. Now, the office includes a three-person IT department. Ten years ago, no such department existed in-house.



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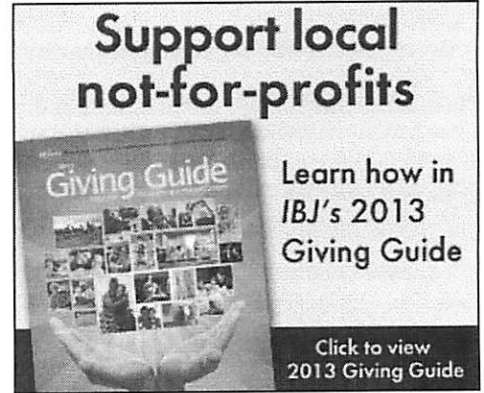
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“That’s one example,” Scott said, “but I think the human component will always be there, just maybe a little different expertise than what we’ve had in the past.”

Henderson underscored Scott’s point in his address by noting that to compete, knowledge of the law along with other expertise will be necessary. The practice of law will have to draw on other sources of human capital from such areas as information technology, system engineering, finance, and product management.

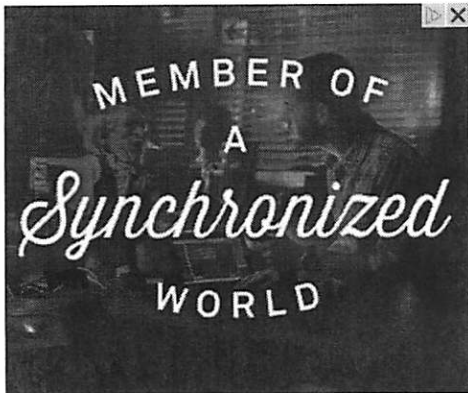
“So we’re going to become more like a manufacturer as a profession than a service profession,” Henderson said. “The law is definitely important, but I emphasize collaboration and teamwork because I want them (students) to get used to listening to other people, tapping into diverse perspectives.”

Reiterating his point about the need to embrace interdisciplinary teamwork, Henderson told the EBA, “I think that lawyers are always at their best whenever we put our economic interests secondary to society and client and we kind of think how can we make this thing work and then we back our fear, we back our livelihood out of it,” he said. “But I think ... there’s an opportunity here to collaborate to build better mouse traps to better serve the citizenry.”



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