Legal tech startups:
Start me up... I'll never stop!

Wearables: lawyers want to
dress to impress

Office 365:
what's in it for law firms?

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THE VERDICT

LEGAL IT TODAY

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From the **editor**

Welcome to issue 10 of Legal IT Today! Our second issue of 2015 provides a clear indication that the legal sector will not be immune to the "rise of the robots".

In their book The Second Machine Age: Work, Progress and Prosperity in a Time of Brilliant Technologies, Erik Brynjolfsson and Andrew McAfee argue that we are on the verge of a new industrial revolution, one which will have as much impact on the world as the first one. They say that whole categories of work will be transformed by the power of computing, and in particular by the impact of robots.

For a long time, the popular view was that robots and other forms of artificial intelligence were only likely to take over the kind of work done by assembly line workers in a factory. Now, though, it's gradually becoming more obvious that this will not be the case. "We're less used to the thought that the kinds of work done by clerks, or lawyers, or financial analysts, or journalists, or librarians, can be automated," wrote the British author John Lanchester in the London Review of Books earlier this year. "The fact is that it can be, and will be, and in many cases already is."

The pace of this change is reflected in this issue of Legal IT Today. Mary Abraham, for example, co-founder of online networking app Broadli, says that things that were no more than a gleam in the eye of a sci-fi writer when many of us were children are now reality. She argues that artificial intelligence is an increasingly important factor in the legal IT workplace, and knowledge management professionals in particular need to start thinking about how they are going to make the most of it.

For our regular feature, "The Verdict," we asked four experts whether they thought all basic legal services would be provided by artificial intelligence in 10 years from now. The answers may surprise you! Take a look at page 30 to check them out.

Nicole Black, legal technology evangelist at MyCase, tackles the next generation of smart, mobile devices: wearables. Law firms and their IT departments need to acknowledge and accept that they have already well and truly arrived, and should immediately start taking steps to deal with them, she says. They could start by creating policies for smartwatch and wearable usage by employees for work-related purposes.

We also take a look at some of the legal tech startups that have arrived on the scene in recent years. According to Jobst Elster, head of content and legal market strategy for InsideLegal, some of the most popular innovations developed by startups include lawyer "matchmaking" platforms, focused on both consumer and business clients, and predictive analytics and virtualisation tools. He argues that startups are here to stay and are set to shape the next generation of lawyering.

Are you worried about your firm's information governance framework? Consultant Bryn Bowen is here to help. He outlines what law firms need to do to create such a framework, drawing on the work over the past three years of over 30 information and risk professionals from leading law firms as part of the Law Firm Information Governance Symposium (LFIGS). Among other things, his ideas can help IT directors "stop the ROT" – rid shared drives of Redundant, Outdated and Trivial information.

Disaster recovery is one of those IT issues that never really seem to go away. Law firms are generally much more aware than they used to be of the need to plan for a possible disaster, and every now and then, some of them get the (unwelcome) opportunity to put their plans into action. That was the case for many law firms in the Holborn area of London in April, who had to deal with the aftermath of a major underground fire – a "proper" one-off disaster, not the more common occurrences of hardware failure or human error. Some of them claim to have passed the test with flying colours, but others fared less well, and in the legal sector as a whole, it seems that disaster recovery definitely belongs in the "could do better" category.

Annette Sanders and Susan Horiuchi work for PayneGroup, the provider of security and workflow products, technical training and software migration services. They have teamed up for this issue to explain how law firms can benefit from Microsoft Office 365. Could your firm use the flexibility, cost saving and collaboration tools offered by the new package? Quite a few firms are already doing so and many others are likely to follow suit.

In an extract from her book, Tomorrow's Naked Lawyer, entrepreneur turned non-practising solicitor turned entrepreneur Chrissie Lightfoot offers her view on the new technology that is shaking the foundations of the legal sector. She argues that although much of the latest legal tech is fabulous, it could be even better if it included a social element, such as tools to enable law firms to monitor and understand social media communications. Which lawyer's social media activity led to the firm receiving a new instruction, for example? That is the kind of question she would like technology to be able to answer.

As ever, I hope you find Legal IT Today useful and entertaining. And in case you're wondering, the answer is no, none of our articles was written by a robot! I look forward to your feedback and suggestions for topics, features, and images for the next issue. Have a great third quarter.

Jonathan Watson
Editor
jonathan@legalittoday.com
uk.linkedin.com/in/jrwatson1
@jwatson1

Start me up… **I'll never stop**

BY JOBST ELSTER

Legal tech startups are here to stay and will help to shape the next generation of lawyering whether we like it or not, says Jobst Elster.

I f you start me up I'll never stop," yelled Sir Mick Jagger (in those days just plain old Mick) in the Rolling Stones hit "Start Me Up" nearly 35 years ago. These days, the band often uses the song to open its live shows.

It would also be a good theme tune for the throng of startup companies now bursting onto the legal scene. In the last five years, legal and legal technology startups focused on efficiency improvements in the business and practice of law have popped up as regularly as fast food franchises in the Far East. Don't take my word for it; if you look around at legal conferences and events, the trend of new startup entrants is evident.

At last year's ABA Techshow, for example, 31% of the legal tech companies exhibiting were "first timers", with most of those fitting into the legal startup category. And in January, American Lawyer Media (ALM), the organisers of the LegalTech trade show, announced a partnership with CodeX, a Stanford University think tank focused on "solving systemic problems in law through the exchange of ideas around legal technology". One of the key features of LegalTech New York 2015 was the Codex Pavilion, which offered free exhibit space for emerging legal technology product and service providers.

"Ignite" and "reinvent"-themed conferences and meet-ups focused on giving legal startups a chance to pitch their new approaches to solving old problems faster, smarter, more cheaply and with more enthusiasm are virtually a dime a dozen now. Then there is AngelList, an online resource for startups looking to connect with investors and vice versa that also offers job-matching services. Currently, the site lists 863 legal startups and 1,174 related investors dating back to 2010, with an average valuation of $4 million. A quick count shows that 165 listings have been added since the beginning of this year, representing a near 20% growth rate within the last six months or so alone.

Startup primer

Let's get into some more legal startup specifics. Categorically speaking, lawyer "matchmaking" platforms, focused on both consumer and business clients, are in demand, as are predictive analytics and virtualisation tools. As part of his presentation at Reinvent Law NYC 2014, Bloomberg Law's David Perla provided a lengthy list of startup applications and services. It included:

- Lawyer matching platforms [e.g. Lawdingo; LawGives; Priori Legal; UpCounsel]
- Lawyer networks [e.g. wireLawyer; Lawpolis; Avvo]
- Legal research [e.g. Justia; Judicata; Fastcase; Casetext; PushLegal; Docket Alarm]
- Litigation support/eDiscovery tools [e.g. Allegory Law; Ravel; Logikcull; HaystackHQ; cicayda; Lexbe]
- Online dispute resolution [e.g. Modria; ZipCourt; WayToSettle]
- Legal services platforms [e.g. LegalZoom; RocketLawyer; Docracy; Clerky]
- Document automation and assembly [e.g. eBrevia; CaseRails; Counselytics; DiligenceEngine; VentureDocs]
- IP analytics [e.g. Lex Machina; Juristat; Patentory; IP Street]
- Practice management [e.g. Clio; MyCase; CosmoLex; Lawyerfy; Firmzen]
- Legal information & advice sites [e.g. Legify; Plainite; Lawful.ly]
- Legal billing/spend/metrics [e.g. SimpleLegal; Viewabill]

What does all this mean to the legal marketplace and the legal ecosystem as a whole? Are the startup floodgates still open, or are things finally slowing down to make way for the "execute on the business plan" part of the cycle?

Basha Rubin is the chief executive of Priori Legal, a lawyer-matching platform focused on transforming how small businesses interact with lawyers through cost-effective and transparent access to high quality, reputable lawyers. Like many of those involved in legal startups, Rubin is a lawyer who identified a major gap between existing legal services and what she would want to access as a potential client. "Based on my own experience, the worst time to start looking for legal help is when you most need it," she says.

We all have the same short-term goal of changing behaviour

While Priori Legal is focused on high-value business-attorney matchmaking, Rubin sees many similarities among the large pack of startups. "We all have the same short-term goal of changing behaviour," she says. "As a legal startup community, we can all collaborate to change the way consumers and businesses source legal services and in turn how these services are made more accessible." While there are several startups with similar business models to Priori Legal, Rubin considers her competitors and all startups as one big fraternity that enjoys sharing ideas and working together to make a difference.

The role of technology incubators and legal hackers

What is the breeding ground for legal startups? Where are they finding inspiration and innovation? Who is providing nourishment and encouragement for the basic ideas and business concepts?

Dan Lear, director of industry relations for online legal services marketplace Avvo, blogger, legal technology meet-up founder and legal hacker, knows a thing or two about the startup growth path. "There are a probably a bunch of legal tech startups working out of industry-agnostic tech incubators," he says. "While I think incubators are playing

as big a role in the legal tech space as they are in other industries, technology accelerators are also industry-agnostic programmes that don't just 'incubate' small businesses – they accelerate them."

Legal hackers are, at their core, seeking to use the hands-on, no-nonsense problem-solving ethos of hackers to bring greater technological competence and understanding to lawyers, Lear adds. "Without going into too much depth, I think that legal hackers are a good place for legal tech startups to get ideas, customers and help for their startups."

Doubling down on design

Much legal startup chatter focuses on "behaviour change". The key question is how to make it happen. The answer may well lie in design, which has taken centre stage in recent years in tech hotbeds such as Silicon Valley. A memorable user experience is a must for any new disruptive product.

Some of this mindset is starting to trickle into legal technology. More legal software companies are designing next generation products with UX (user experience) and UI (user interface) front and centre. Outside the legal sector, vertical leaders such as Accenture, Capital One and Steelcase actually own

reputable design agencies such as Ideo ▶ and Frog Design. In our market, the law firms themselves might well lead this trend.

SeyfarthLean Consulting (SLC) CEO Rob Saccone is one of those betting on a "design first" approach. The former CEO of Microsoft SharePoint specialist XMLAW and long time entrepreneur and legal innovator leads a team of 35 legal service design and technology professionals focused on law department optimisation and legal service design.

"SLC was formed after 10 years of refining our SeyfarthLean approach to delivering superior legal services," Saccone says. "We began by investing in changes to make us a better legal service provider for our clients. The tools and methods we've created to elevate our own value proposition help our clients do the same."

As startups shift into execution mode and buyers take a more practical and detailed look at their options, the initial wave of interest has slowed down over the past several months

Today, the SLC team helps law departments assess, design and manage effective organisations and operations by applying lean six sigma principles along with its proprietary tools and methods for process optimisation and management. "We hire JDs, MBAs, analysts, project managers and other professionals who together offer a unique, multidisciplinary approach to legal operations and service models for large businesses," he adds.

So how does SLC work with startups? "We are constantly scanning the marketplace for new technologies and new business models," Saccone says. "We already join forces with small but established vendors such as Neota Logic and KMStandards, and we're always looking for new and innovative players. We do not have a formal investment strategy in this area, but we do support the startup community in a number of ways through sponsorships, internships and advice/counsel."

While AngelList statistics indicate continued legal startup growth, and law firm investments in innovation are making headlines, the initial massive legal startup buzz seems to have died down a bit. "As startups shift into execution mode and buyers take a more practical and detailed look at their options, the initial wave of interest has slowed down over the past several months," Saccone says. "Some startups continue to do well, particularly in the business-to-consumer space, but activity is definitely down from what it was this time last year."

As for the latest wave of firms making public investments in innovation, such as Dentons with NextLaw Labs, Saccone thinks that so far this appears to be an interesting marketing play. "Seyfarth made active investments in our captive innovation and R&D efforts for 10 years, and more importantly has actively tested these investments in the market with real clients delivering real value," he says. "We've invested in more failed attempts than most firms have invested in total, and our culture supports the 'fail fast' mindset to truly innovate and learn."

Whether you think the current legal startup craze is settling down a bit or you are doubling down on continued startup growth and expansion, legal startups are here to stay and will help to shape the next generation of lawyering… whether we like it or not.

Jobst Elster is head of content and legal market strategy for InsideLegal, an online community for legal vendors, law firms, legal technologists/consultants and legal media. He has served as a legal market strategist for the last 16 years, advising companies entering the legal market as well as those involved in mergers and acquisitions and those expanding strategic operations overseas. Jobst is a member of the American Bar Association's Section of Science and Technology Law Big Data Committee. He can be contacted via email at elster@InsideLegal.com or via Twitter at @InsideLegal. ◢

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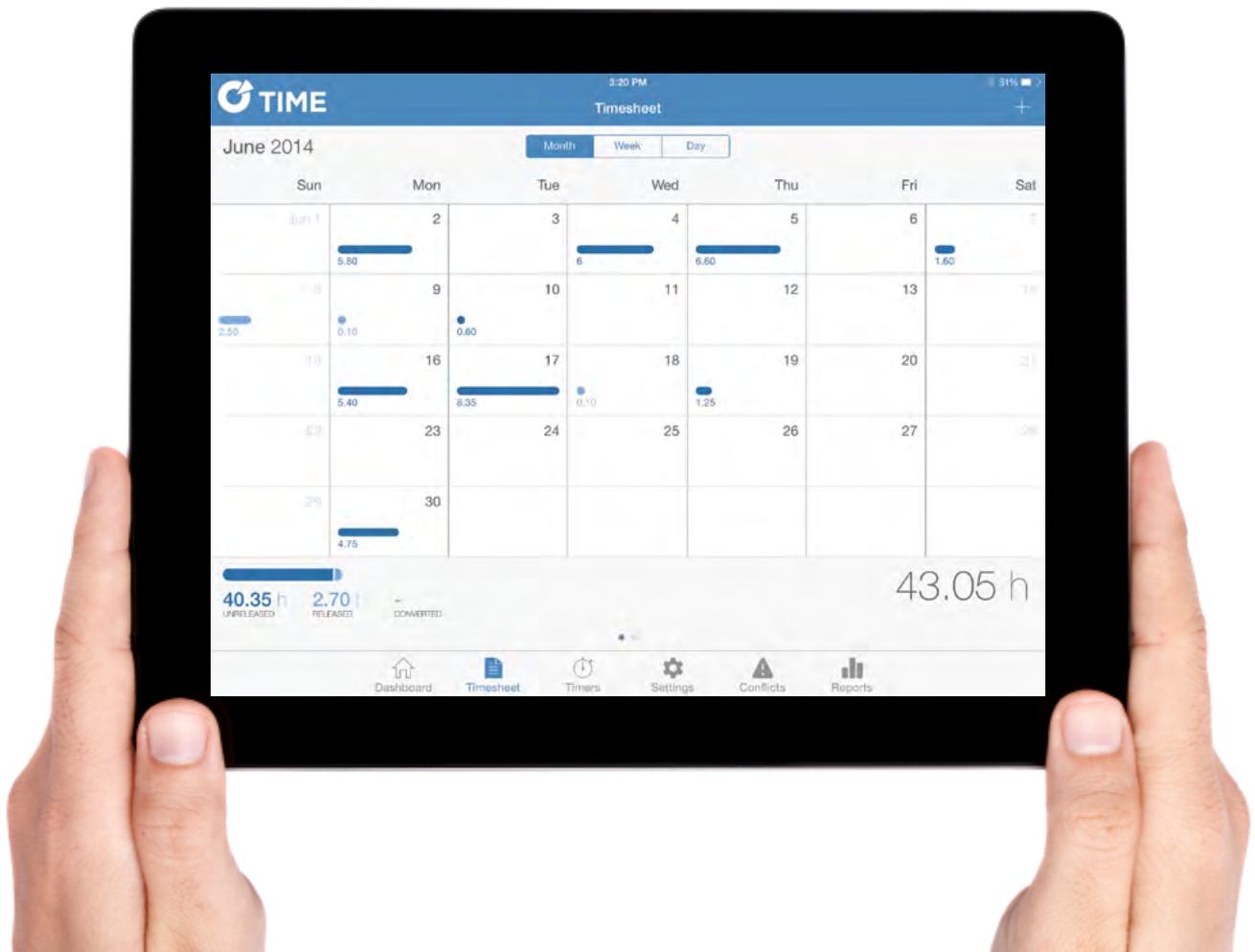
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Smart knowledge management needs **artificial intelligence**

BY V. MARY ABRAHAM

Artificial intelligence is here, and knowledge management professionals need to learn to make the most of it if they are to avoid being left behind, says V. Mary Abraham.

If you are the kind of person who likes a good scare from time to time, forget Stephen King. I have something much scarier for you: spend a few minutes with Tim Urban and his explanation of the possible consequences of the growing involvement of artificial intelligence (AI) in our lives.

Once you have read his blog posts - The AI Revolution: The Road to Superintelligence and The AI Revolution: Our Immortality or Extinction - you will understand why Isaac Asimov once proposed the Three Laws of Robotics,

the first of which was: "A robot may not injure a human being or, through inaction, allow a human being to come to harm."

(For those of us in law firm knowledge management (KM), perhaps the law should read: "A robot may not injure a KM human being or, through inaction, allow a KM human being to come to harm." Given current trends, we may well need the protection of such a law.)

If you are the kind of person who likes to stay informed about cutting-edge

developments and what is coming at you just round the corner, I recommend those same Tim Urban posts.

And if you are the kind of person who simply wants meaningful work that provides reasonable compensation (and you would prefer to remain employed until you choose to leave or retire), I also recommend the Tim Urban posts. ▶

In case you have not yet received the message, here it is–stated as plainly as possible–your KM career may be at the mercy of developments in AI. If you do not believe me, then you should believe Tim Urban.

The pace of change

Why am I pressing you on the issue of AI? Because technology is changing at a breathtaking pace. In his Law of Accelerating Returns, Ray Kurzweil argues that the rate of technological change is exponential. "We won't experience 100 years of progress in the 21st century–it will be more like 20,000 years of progress (at today's rate)," he says.

Things that were no more than a gleam in the eye of a sci-fi writer when we were children are now reality. In fact, many of us already depend on AI every day. For example, we use a collection of computers to transport us daily (also known as a car) and with the growth of the Internet of Things, much of our lives will simply be "handled" by AI.

So is it rational to think that these technological advances will have an impact on every part of your life except your work life? Not even remotely. Therefore, the next question must be: do you want to be a victim of these developments, or do you want to use them to your advantage?

A few years ago, I shocked and worried colleagues in the KM community when I said that it should be our top priority to work ourselves out of our jobs. Was I advocating unemployment? Absolutely not. Rather, I was encouraging everyone to stretch for the next opportunity and not get stuck in the ephemeral comfort of his or her current routine.

We can do this by constantly looking for ways to move to higher value-added challenges, while simultaneously pushing the routine and less valuable work down to lower-cost resources.

If you act thoughtfully, beginning now, you can make AI your single best KM career-enhancement tool

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This means asking yourself regularly:

- Am I the only one who can do this? If so, is that wise or safe for the firm?
- If I am the only one currently, are there lower-cost people who could be trained to do this?
- Before I train anyone, do I know for a fact that this needs to be done manually? Could some or all of it be automated?
- What AI would be required to relieve us of any part of this burden? Is that AI available inside or outside the legal industry at a commercially viable cost?

I take this stance because I am a student of history and I know that when humans ignore technological progress, they get left behind in the dust. If you doubt this, read Martin Ford's account of the history of agriculture, manufacturing, and now, the service sector. Jobs moved offshore or they moved into the hands of robots. Now lower-cost offshore personnel can use AI to do work that once required more experienced (and expensive) onshore personnel. Enormous advances in AI have made this possible. Do not think for a minute that this could not happen in the legal industry or in your KM department.

The best way to respond to this is to keep yourself informed about the current capacity of technology generally, and AI specifically. And then take a little time
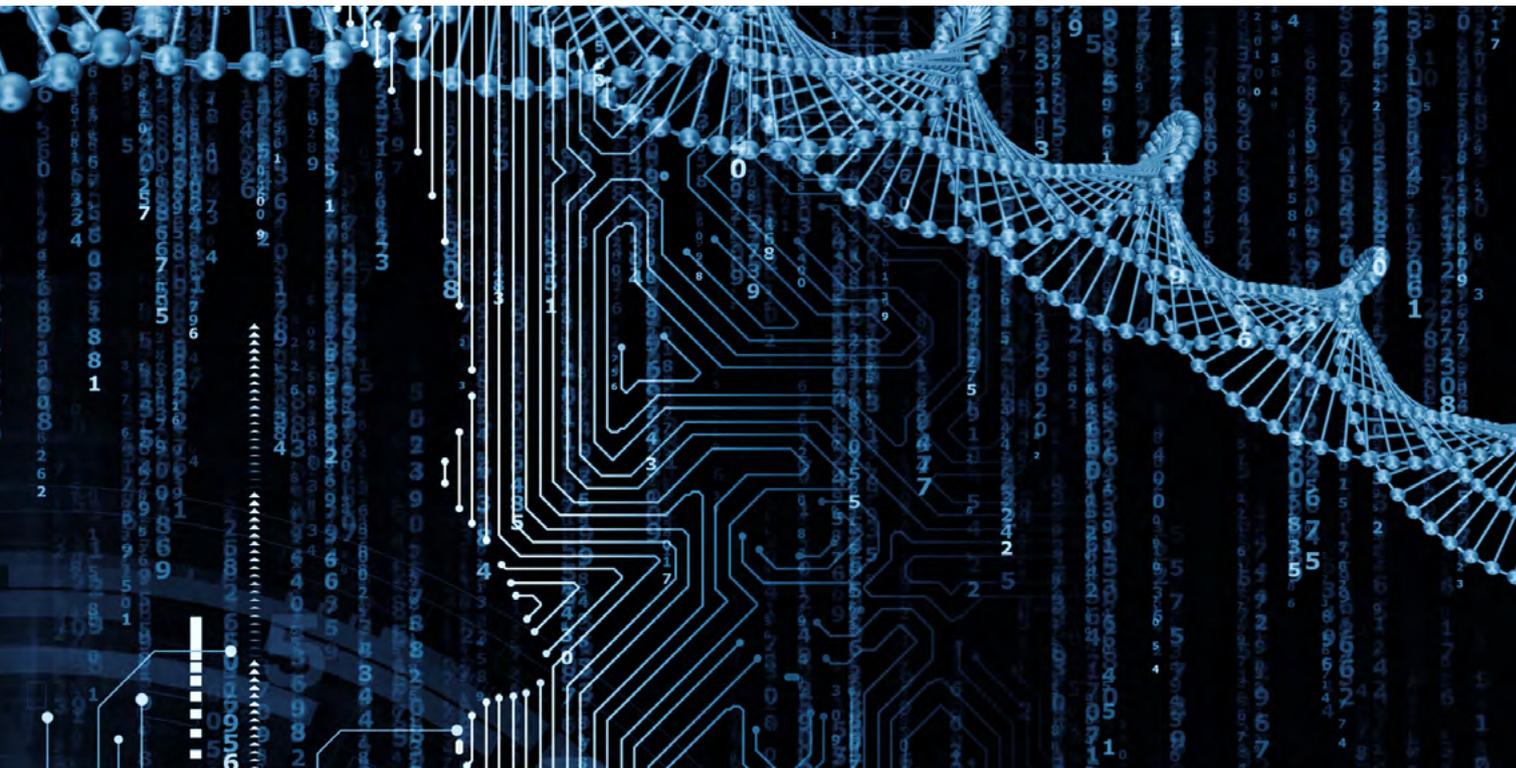
to consider which pressing business problems of your firm or KM department could now become easier to tackle because finally we have technology that answers our needs.

With the exception of electronic discovery, too many of us work with the bare minimum of computerised assistance in the legal industry. And because we do not know better (or have been taught not to be ambitious when it comes to technology), we do not allow ourselves often enough the luxury of exploring how current technology might make our work lives easier and more productive.

What can AI do for me?
In order to spark your imagination and, hopefully, get you thinking about applying current technology to your KM projects, here are some examples of AI that could be put to work for you and your firm:

- Text mining for text clustering, entity extraction, creating taxonomies, summarising documents
- Concept mining for extracting concepts from documents to help with electronic discovery and with clustering documents by inferred topics
- Google search for the web, as well as enterprise search engines for use behind the firewall

- Recommendation systems similar to that of Amazon and Netflix
- Tools that teach themselves to become more effective over time, such as email filters and the Nest thermostat
- Siri and Google Now, AI-enabled intelligent personal assistants
- Online dispute resolution–used at scale by eBay and PayPal
- Litigation analytics tools such as Lex Machina
- Virtual reality tools provide training in a virtual environment–the US Army uses virtual reality to train soldiers for combat and provide therapy for soldiers coping with post-traumatic stress disorder, while the US Army's Judge Advocate General's Corps uses virtual reality to train litigators
- Open Mind Common Sense is MIT Media Lab's AI project that uses natural language contributions by people on the Internet to create a database of commonsense knowledge (i.e. general knowledge that most people possess)–could there be a useful equivalent for your KM department or your firm?

Throughout this article I have been careful to steer away from sci-fi dreaming and stick closely to proven AI technology that is already available. These tools are there for the taking (or, more properly, for the buying). Can you rearrange your priorities in order to free up the resources to explore these options?

If you remember only one thing from this article, let it be this: if you act thoughtfully, beginning now, you can make AI your single best KM career-enhancement tool. By using it wisely, you will be able to pursue more interesting and valuable work. On the other hand, if you ignore the growing prevalence of AI in our lives, your livelihood may be at risk. And this may, in fact, be a rational outcome in the greater scheme of things.

If this is the case, even Isaac Asimov's first law of robotics may not be enough to preserve KM humans from harm.

[Hat tip to Jeff Rovner for pointing out the Tim Urban posts.]

V. Mary Abraham is a co-founder of Broadli, an app that helps people make the most of their LinkedIn networks. She is also the author of Optimizing Law Firm Support Functions, published in 2014. When she is not in entrepreneur mode, she speaks at conferences, blogs at Above and Beyond KM, organises workshops and helps for-profit and non-profit organisations find new ways to collaborate and share knowledge. ◢

Wearable computing: lawyers will want to dress to impress

BY NICOLE BLACK

The release of the Apple Watch, which many consider to be the "gateway drug" to wearable devices, means the next generation of mobile technology is here. Nicole Black asks if your law firm is ready.

The incoming tidal wave of wearable devices that lawyers will want to incorporate into their workflows is going to raise a host of familiar BYOD ('bring your own device') considerations for law firms. And this is going to happen sooner rather than later.

Wearable devices raise a wide array of security concerns, the most obvious one being that they could easily be lost or stolen – along with all the firm-related data they hold. Researchers at BI Intelligence predict that the wearable market will grow at an annual rate of 35% over the next five years, so the time to start thinking about these issues is now.

Law firms and their IT departments need to acknowledge and accept that wearables have arrived, and should immediately start taking steps to deal with them. These include creating policies for smartwatch and wearable usage by employees for work-related purposes.

Lawyers have embraced mobile technology
The reason for this is simple: lawyers have historically adopted mobile tools in their practices much more quickly than other types of technology. The American Bar Association's (ABA) 2014 Legal Technology Survey Report offers plenty of evidence for this.

The first step towards untethering lawyers from their offices came with the use of laptops, which the vast majority of lawyers now use as part of their day-to-day practice. According to the results of the ABA survey, 73% of lawyers used laptops in their law firms in 2014. Solo lawyers lead the way: 84% of them were using laptops in their law firms in 2014, up from 78% in 2011.

The vast majority of lawyers are dedicated users of smartphones. Of those who responded to the ABA survey, 77% reported personally using smartphones for law-related tasks in 2014, up from 71% in 2011. Among solo lawyers, 80% were using smartphones in 2014, up from 65% in 2011.

Last but not least, lawyers have also found tablet computers useful to their practices. The ABA reported that 54% of lawyers said their firms had tablets available for their use in 2014, compared to just 20% in 2011. And once again, solos were using them the most: 62% in 2014, up from 19% in 2011.

The 2014 ILTA and Inside Legal Annual Technology Purchasing Survey came up with similar findings about how lawyers and their firms use mobile technologies. This survey, which is sent out to 1,400 ILTA member law firms, included the results of approximately 20% of the firms that responded.

Of those respondents, 35% said they purchased smartphones for their lawyers, with 63% buying iPhones, 39% buying Android, 28% buying BlackBerry, and 9% buying Windows devices. Significantly, two years ago, 50% of firms refused to purchase iPhones. Now, nearly all firms that buy smartphones for their attorneys are choosing them.

As for tablets, 48% of responding firms said they purchased them for their lawyers. iPads were the most popular choice, accounting for 44% of purchases. Microsoft Surface was next at 17%, Android was at 10%, Windows 8 tablet 6%, Kindle Fire 2%, and BlackBerry Playbook 1%.

Wearables are the next step
This rapid adoption rate suggests that the next step in the mobile revolution for lawyers will be wearable technology. Right now, lawyers who use wearable technology in their firms are in the minority, but with the recent release of the Apple Watch, that will soon change. In just a few years, wearable technology will soon become commonplace among lawyers, with the Apple Watch leading the way.

Still not convinced? Let me explain. The Apple Watch will serve as an unobtrusive, immediate link to information that is truly important while simultaneously filtering out extraneous digital noise. The subtle, unobtrusive notifications it provides will make all the difference, since lawyers will be able to program their watches to permit notifications about phone calls or messages from only the most important

people in their lives: their assistants perhaps, their work colleagues, or their spouses.

Lawyers will receive a vibration on their wrist informing them of an important event and then, during a break in the proceedings they are involved in or a meeting, will be able step out of the room and respond. Any other notifications or events that haven't been identified as important enough to be filtered through to their Apple Watch can be dealt with later, at their convenience.

Female attorneys in particular will appreciate Apple Watch notifications. Most professional women don't carry their iPhones in their trouser pockets or the inside pocket of their suit jackets, as these pockets tend to be too small. Instead, they generally keep their phones in their purses and briefcases. This can lead to important alerts being missed as they are unable to feel the phones vibrate and often can't hear them when they ring.

The Apple Watch solves this problem since it provides women lawyers with the ability to receive important notifications right on their wrist, even if their iPhone is hidden away.

While the unobtrusive notifications on the Apple Watch seem a relatively simple concept, they will undoubtedly

The Apple Watch will serve as an unobtrusive, immediate link to the truly important information while simultaneously filtering out extraneous digital noise

make a difference to the lives of lawyers, both male and female. Of course, there is much more to the Apple Watch than just the ability to screen notifications. As it evolves, and third party developers begin to create apps based on demand, the Watch will improve just like its predecessors the iPhone and iPad. It will ultimately be shaped by the needs of its users.

This does not bode well for large firms now that the wearable revolution is already upon us. And mark my words—this is not just a fad. Just as smartphones have changed the way lawyers conduct their business and iPads have also made their mark, the release of the Apple Watch will inspire lawyers to quickly embrace wearable technology.

Like it or not, the wearable revolution is here. It's the next stage of mobile computing. Advances in technology wait for no one and these days they're happening more quickly than ever. Adapt slowly at your own risk and ask yourself: is your law firm ready?

Nicole Black is the Legal Technology Evangelist at MyCase, a web-based law practice management platform. She is an attorney in Rochester, New York and is the author of the ABA book Cloud Computing for Lawyers, co-author of the ABA book Social Media for Lawyers: the Next Frontier and co-author of Criminal Law in New York, a West-Thomson treatise. She speaks regularly at conferences about the intersection of law and technology and can be reached at niki@mycase.com.

A framework for
information governance
at law firms

BY BRYN BOWEN

The ever-growing range of threats to information security is forcing law firms to devote more thought to their information governance policies and practices. Bryn Bowen of Greenheart Consulting Partners outlines the key issues they need to focus on.

The legal industry has a growing susceptibility to data breaches and information security (InfoSec) vulnerabilities. This trend is developing just as firms are seeing increasingly restrictive client guidelines for how their outside counsel manage information. They also face the potentially serious consequences of violations to HIPAA (Health Insurance Portability and Accountability Act), ITAR (International Traffic in Arms Regulations) and other governmental regulations.

This confluence of drivers has prompted law firms to focus more seriously on the quality of their InfoSec protocols, and more strategically, on their information governance (IG) policies and practices.

A framework for law firms
Thanks to the work over the past three years of over 30 information and risk professionals from leading law firms as part of the Law Firm Information Governance Symposium (LFIGS), a framework now exists for approaching

IG at law firms. We also have a menu of well-documented initiatives to deploy. The law firm framework incorporates an industry-specific definition for IG, and the initiatives/projects can be viewed in context depending on firm size, range of practices, geographic reach and other determining factors, such as risk profile.

This article is by no means a comprehensive survey of law firm IG, but it does illuminate that framework and provide insight into some of the more significant

IG initiatives for:
i.   managing access to information within the firm;
ii. movement of information into and out of the firm; and
iii. defensible disposition of information from the firm.

The first LFIGS report, published in 2012, defines IG as an enterprise-wide approach to the management and protection of a law firm's client and business information assets. An effective IG programme:
i.   enables lawyers to meet their professional responsibility regarding client information;
ii. recognises an expanding set of regulatory and privacy requirements that apply to firm and client information; and
iii. relies upon a culture of participation and collaboration within the entire firm.

Participants from a range of industries at the IGI Chief Information Governance Officer summit held in Chicago in May concluded that the IG "leader" may emerge from any of the areas involved in creating and managing information within the firm. However, the consensus was that regardless of industry, risk mitigation is currently the primary driver behind IG framework and project development.

Information "at rest"
Information "at rest" in law firms exists in both structured and semi-structured forms. The former might include financial systems, new business intake/conflicts systems and documents and records management systems; the latter might include email, shared drives and collaboration sites. In either case, it is subject to the same type of access control, management considerations and disposition restrictions.

These include outside counsel guidelines regarding client working group-only access to client information; practice-driven access rights (e.g. M&A practice group restrictions to sensitive client and target information); regulatory-driven confidentiality (matters containing personally identifiable information (PII) and protected health information (PHI)); and conflict and ethics-driven information barriers (lateral hire and conflict-driven ethical walls).

Conducting an information inventory to understand what information exists within the enterprise, along with who generated, imported or created it and why, has become the main starting point for any IG portfolio of projects to secure information within the enterprise. The prevalence of data breaches, and the need to provide an accurate report of the scope of information potentially exposed when breaches occur, means this "data mapping" process is no longer optional.

You need to create and understand the information framework and how it best serves the goals of your firm before developing specific initiatives to help achieve those goals

Over the past few years, technology providers in the eDiscovery space have increasingly paid attention to the activities on the left side of the EDRM (Electronic Discovery Reference Model)–litigation readiness–and refocused their efforts on upstream information management with the same powerful search capabilities used in eDiscovery. The result is a court-tested variety of tools to use in identifying, classifying and in many cases actively managing information "in place". Many firms are starting to take advantage of the range of "proof of concept" programmes that these providers are using to showcase this retooled functionality.

Having identified and classified the information and documented its flow within the walls of the firm, decisions on how to approach reliable management including security, knowledge sharing and disposition can be made in accordance with the law firm's risk profile.

Initiatives to rid shared drives of ROT (redundant, outdated and trivial) information should coexist with creating protocols for "proper" (i.e. tagged with the holy trinity of law firm taxonomy–client/matter/attorney numbers) ongoing storage of information. These should include completely restricting the use of shared drives and redirecting users to the document management system (for work product) and collaboration sites and hosted discovery sites for client information.

Assigning access rights to individual files or documents is a growing trend, as this allows a greater degree of information protection for the individual information asset both within and beyond the firm's firewall. Providers in this space are also leading the way in redefining how collaboration zones are provisioned and managed, allowing more tailored "need to know" approaches to information availability and access rights.

This decentralised view comes with several cautions, from unnecessary restriction of knowledge assets to putting added responsibility on the information owners to make choices about InfoSec on the fly–not always the optimal situation!

Information "in motion"
Managing information "in motion" presents unique challenges for law firms in particular, because of the diversity of clients within a typical law firm of any size. In order to provide effective legal advice, firms routinely ingest information that provides insight into their clients' strategic plans and tactical and operational protocols.

Clearly, both clients and law firms have much at stake to ensure that when data is in motion, it is properly secured and maintains its integrity throughout the process. Attaching files to e-mail has been the overwhelming method for these transmittals, but firms are increasingly adopting more secure, auditable alternatives. These include ▶

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secure FTP sites that allow superior audit and access controls for appropriately sized information packages, automated encryption protocols for emails with attachments, and collaboration sites.

Client and external counsel collaboration sites have existed for quite some time. However, their deployment has frequently been less than ideal from an IG perspective, with few controls around ongoing management, such as requiring client/matter/partner ownership setup requirements; access control maintenance, including ethical wall and legal hold considerations; and decommissioning of sites and appropriate disposition of their content.

In addition to standard client communications, on-boarding lateral partners and client departures are the main trigger events for mass movement of information into and out of the firm. With the volume of lateral partners and other attorney transfers, developing procedures that clarify the roles and responsibilities for all of the involved areas is now mandatory.

These procedures help firms either avoid receiving information that may expose them to imputed knowledge conflict issues, or prevent complete client information transfers that expose them to interruption of service charges. One of the classic IG initiatives is to

document the information-related steps when these trigger events occur. This creates a matrix of involved systems and areas that then serves as a dynamic data and process blueprint.

One of the more enabling aspects of using court-tested technologies is basing a data disposition programme on that foundation. The term "defensible disposition" becomes less intimidating if technology that has been accepted for producing case-relevant data sets is used to lubricate the cogs of a well-documented disposition programme.

Recognising that having a record series-focused retention [disposition] schedule is just a part of any disposition programme is a tremendously liberating discovery. Various authorities (Gartner, Forrester) have conservatively estimated that 70% of the electronic information within the average company is ROT. This must mean that in law firms, that proportion is closer to 90%!

Using the data at rest tools mentioned earlier, a risk-based, defensible approach to dispose of the ROT can be developed and implemented with little (if any) impact to a firm's knowledge base or operations. While there is a general framework to craft this type of programme, every firm's information (risk) profile is as unique as that firm's culture, and the data disposition initiative should reflect that.

The brushstrokes used to paint this picture have been deliberately broad and reflect one of the essential truths of law firm IG: you need to create and understand the information framework and how it best serves the goals of your firm before developing specific initiatives to help achieve those goals.

Bryn Bowen is the principal consultant at Greenheart Consulting Partners, based in Brooklyn, New York. Bryn is also the President of the ARMA Metro NYC chapter and was formerly director of records information management at law firm Greenberg Traurig, where he established a global information governance and records management programme and reengineered the NBI Conflicts programme. Bryn can be reached at bryn@greenheartllc.com

Looking to improve your law firm's data security? Start with **12 Steps to Cybersecurity: A Guide for Law Firms** a free guide from Clio and Brian Focht.
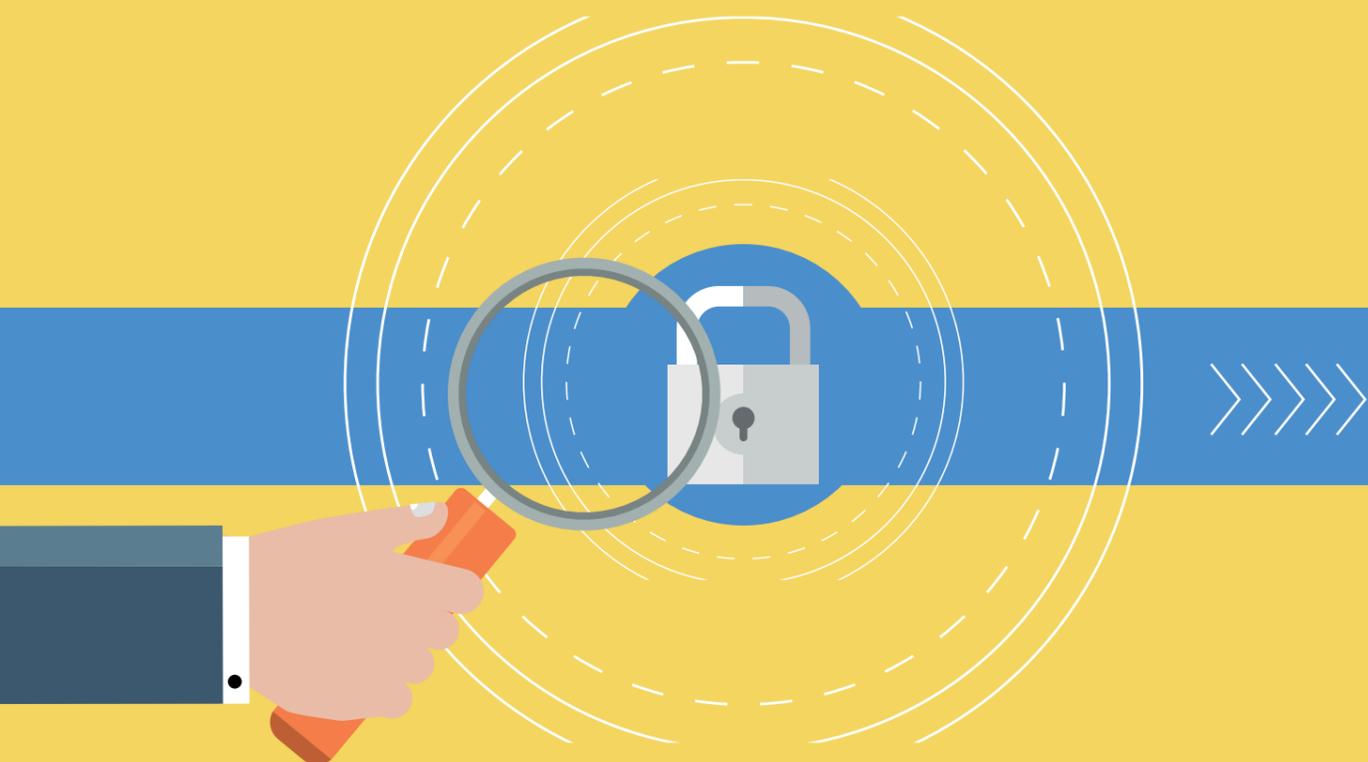
Cybersecurity in Law Firms

From major corporations to individuals, a number of high-profile data leaks have made headlines lately, and law firms aren't exempt. In fact, clients are demanding assurances from law firms that their private data remain confidential—and many are falling short. Is your law firm taking the necessary steps to secure client data?

OVER 1/4 of firms with 50 lawyers or fewer **DID NOT REQUIRE** employees to **PASSWORD PROTECT** their mobile devices

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Fire of London **leaves law firms** looking to the cloud

JONATHAN WATSON

A major fire in a part of London with a high concentration of businesses put many law firms' disaster recovery plans to the test. Some of them claim to have passed with flying colours, but others fared less well, says Jonathan Watson.

On 1 April, an electrical fire broke out underground in the London district of Holborn. Thousands of people had to be evacuated from nearby buildings.

Among those evacuated were many people working for law firms, plus judges, lawyers and other staff at The Royal Courts of Justice in The Strand. UK Power Networks said 1,900 customers in the area were left without electricity.

Due to the added difficulty and danger of tackling a blaze underground and the fact that it ruptured a gas main, literally adding fuel to the flames, the fire burned for 36 hours. It caused major disruption to broadband in the area, with many services going down for several days.

The event may not have been as dramatic as Hurricane Sandy, which brought high winds and coastal flooding to a large portion of the eastern US (including New York) in 2012. And yet as any business continuity specialist will tell you – they are fond of emphasising that hardware failure and human error are the most common causes of disasters for companies – you don't need drama to generate a crisis.

How could the firms affected by the Holborn fire maintain services for clients? If some disruption was unavoidable, how quickly could they get back to business as usual? If they remained "offline" for too long, how much damage would this do to their reputation?

Better than expected?
"The fire took place underground and as it was electrical it impacted power and the Internet," notes Ash Patel, director of business transformation at Cobweb Solutions. "As a result, the impact on the businesses, both with and without a business continuity solution, wasn't measurable as anything other than 'very severe', if it wasn't the end of business activity itself. Most businesses will still be in the process of rebuilding the backbone that enables them to deliver."

In general, law firms do not have a great reputation when it comes to business continuity planning. "Many of those in charge of IT are not really qualified IT people, and don't necessarily understand the full extent of what is required to protect their systems," says

Ian Daly, director of Plan B Disaster Recovery. "They don't 'do' IT, they're just responsible for it. It's like putting chefs in charge of restaurant finances. They may understand a bit about finance, but they are not accountants."

And where there is a good IT person, the law firm often ends up being completely dependent on that one individual. "That can be a problem if they are on holiday, or ill, or affected by the disaster," Daly says. "From an IT supplier's point of view, law firms are expensive to look after. You have to spend a lot of time taking them through what needs to be done – even if that is not very much."

> *'Many of those in charge of IT are not really qualified IT people, and don't necessarily understand the full extent of what is required to protect their systems'*

Many of the companies who suffered in the Holborn fire had replication solutions that replicate their data to separate sites so they can recover from these. "However, what they learned is that recovering from replications actually takes a lot of work, and time," says Daly. "Replication is a good first step, but it doesn't mean that you can expect to get working again very quickly and with the degree of certainty that your clients probably think they're paying for."

Not everyone in Holborn was well prepared. Even three weeks later, the websites for some firms still said they were relying on a single inbound and outbound email.

Others appear to have coped quite well. 4 Stone Buildings, whose barristers recently won an award for commercial litigation, lost all power and communications in the wake of the fire. However, as its chambers management software is hosted in the cloud, its barristers found they were able to carry on working as normal, once they had moved to an alternative location. According to Chris O'Brien, a clerk at the firm, the impact of the outage was minimal.

It was a similar story at nearby Mansfield Chambers, where senior clerk Martin Parker said that after a short delay while people moved out of the office "we were able to resume work as if nothing had happened".

Cloud is only part of the answer
Both sets of chambers use a hosted platform provided by Advanced Legal. ▶

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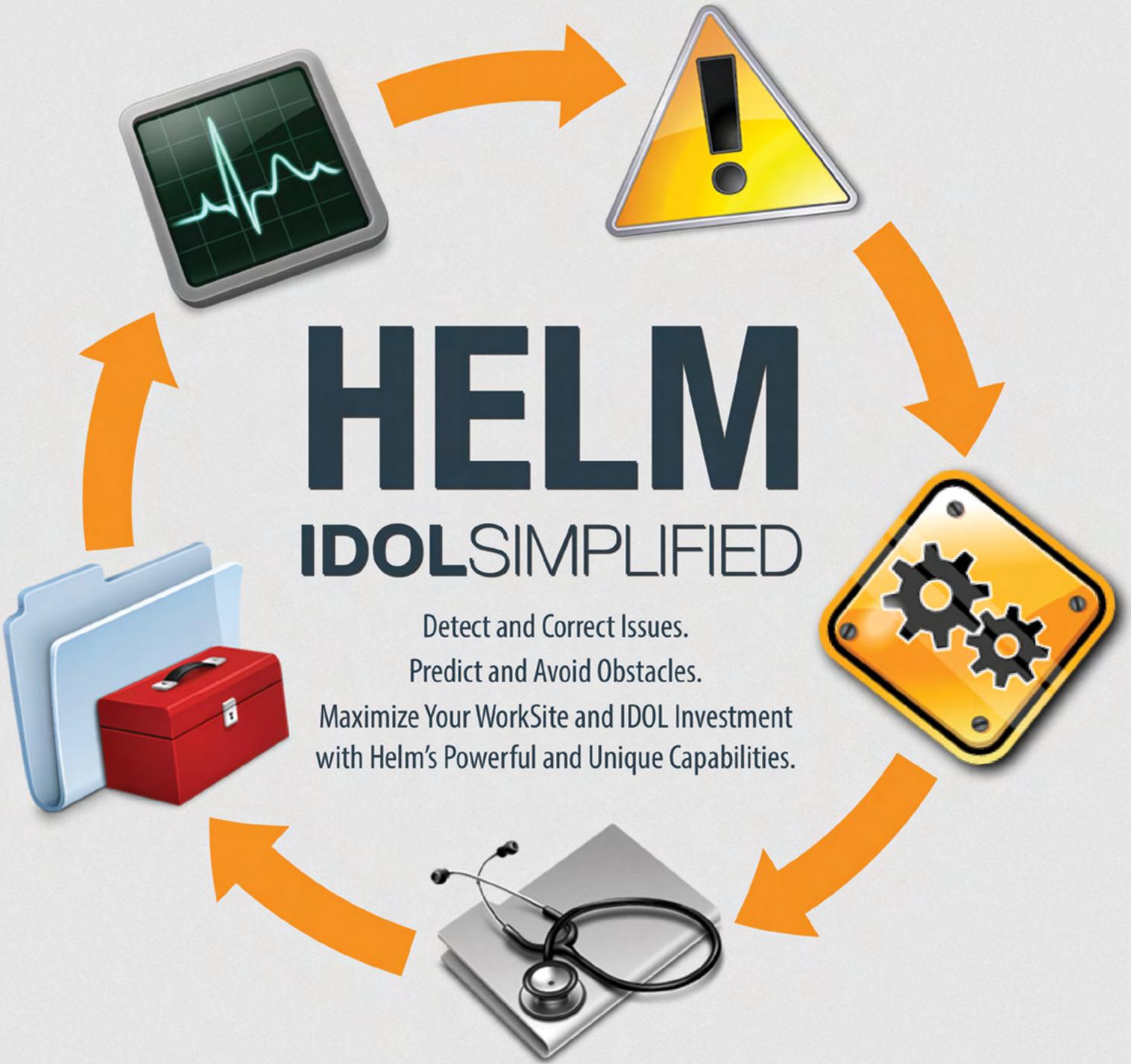
"There is not a 'one size fits all' answer to the question of business continuity," says managing director Doug Hargrove. "Any disaster planning has to flex and fit with a firm's business processes. However, when it comes to disaster recovery, the cloud can be a great asset."

Hosted or cloud services really come into their own in situations where power is lost, adds Danny Killeen, director at SproutIT. "Staff can simply relocate to a DR office, make their way home, or go to another location with Internet (and power) to work on mobile devices."

But while the cloud is useful, it is basically just a server in someone else's datacentre. If there's a problem with that datacentre, then you need to have an alternative – and not all cloud-based practice management systems can offer this. "Law firms need to ask themselves how quickly they would get back up and running if that datacentre was lost," says Daly. "They also need to test their plans regularly."

Some firms turned to WiMAX to maintain broadband services during the long wait for repairs. Luminet, which operates an Ethernet standard-based WAN in London, helped several companies to get online after the fire. The main advantage of WiMAX is that it can be set up quickly. "This means that when there is a disaster, such as fire or flood, we are usually the first port of call," says Luminet's chief executive Sasha Williamson.

International solicitors Mackrell Turner Garrett claim to have dealt with the situation well. "We have had a continuity plan in place for many years," said the firm's chief executive Julie Pryor. "On moving to our new premises two years ago we reviewed this plan in order to make sure it was up to date with all of our requirements should the worst happen." Thanks to this plan and clear communication between its offices, the firm claims it was able to continue offering a full service to its clients without any break.

If firms did get it right, it was no thanks to regulators. The Law Society's practice note on business continuity, apparently last updated in October 2011, offers a few general remarks and links to the guidance available on the website of the government's department for business, enterprise and regulatory reform. However, anyone clicking on this link will be disappointed – it takes the user to content that has now been archived.

There still needs to be a change in mindset, argues Daly. "Lawyers remain convinced that you can always go back to paper," he says. "Nowadays, everyone is chained to their practice management systems so they can't actually do that. Yet the belief remains that they will be able to muddle through and clients will be understanding."

Law firms would be unwise to rely too heavily on such understanding. Many business continuity specialists speak of a "half-life of goodwill". Half of it is lost in one day, three quarters of it in two days, 87.5% of it in three days and so on. For IT specialists in law firms, it all boils down to one simple question: how long do you think you would be able to keep your firm's clients happy if disaster strikes? ◢

Gartner's Trends in **eDiscovery**

In the recent Magic Quadrant for eDiscovery, leading industry analyst Gartner evaluates the key players in this market and elaborates on changes and trends. Johannes Scholtes, Chief Strategy Officer for ZyLAB, a Dutch/American eDiscovery software vendor that Gartner positions as "leader" in this Quadrant, comments on the 3 most important trends and combines these with his observations from the field

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Gartner's Magic Quadrant evaluates top vendors of electronic discovery (eDiscovery or ediscosure) software for the identification, preservation, collection, processing, review, analysis and production of electronically stored information (ESI) in support of the common law discovery process in litigation or other investigative proceedings. The leaders' position in Gartner's Magic Quadrant is reserved for companies with a technology offering that distinguish themselves for strategic adoption with an ambitious roadmap.

'Controlling Risk and Cost remain Primary Business for eDiscovery Solutions'

Gartner observes that the demand for eDiscovery technology and services continues to grow but that organizations want agile and less expensive approaches to eDiscovery. The analyst adds that controlling risk and cost remains to be the primary business goal for seeking better and more effective eDiscovery solutions.

ZyLAB has always offered transparent and cost-effective approaches to eDiscovery. Most organizations realize that the traditional project-based approach to eDiscovery is no longer sustainable and seek new and innovative technologies that support lower cost and faster

performance. We also see our customers use tools originally purchased for reactive eDiscovery in a proactive way to reduce legal risk, make business operations more effective and increase the value of information through its lifecycle.

'Migration to Office 365 sparks evaluation of eDiscovery processes and tools'

According to Gartner, organizations that are in the process of migrating e-mail and documents into Office 365 should take a step back on what that means to their established eDiscovery process and technology application.

At ZyLAB we advise our customers when they start using cloud computing in whatever form, to have a plan in place to search, retrieve, review and produce the relevant information. Our software seamlessly connects to MS Exchange, 365 and all other relevant e-mail servers and e-mail files to create a central compliance archive for virtual any electronic information in almost any format or language.

'Concerns on How to Handle New Data Sources'

Gartner sees that new data sources as social media, Web and IoT increase concerns about data sovereignty and are driving emerging requirements and expanding the consideration of eDiscovery scope and technology usage.

"If it exists, it is discoverable". ZyLAB has always stressed this fact for all kind of data, wherever it resides. Both IT and legal professionals should be aware that communication in social media should

be considered as "electronically stored information" which means eDiscovery rules apply in case of litigation. That is why ZyLAB already in the early days has been developing cloud collectors that not just makes a cloud copy, but truly collects all data – including (hidden) metadata and relations between data.

Download the full report "Gartner's Magic Quadrant for eDiscovery" 2015

The annual report evaluates the eDiscovery software vendors on their respective abilities to execute and the completeness of their vision and positions ZyLAB as 'leader'. Gartner reports that "[ZyLAB] offers eDiscovery, which is an integrated solution supporting all stages of the EDRM. The company's other products include ZyLAB FOIA for addressing Freedom of Information Act (FOIA) requests; ZyLAB for Investigations for criminal, regulatory and internal fraud investigations; and ZyLAB Intelligent Information Governance for file analysis and classification. Its eDiscovery technology architecture is horizontally scalable and can handle large datasets. Multiple language support capability is built into review and analytics. ZyLAB also provides services, such as e-mail archiving and records management. Its products can be deployed on-premises, via SaaS and as a virtual appliance. Its pricing structure matches the different deployment options."

But most important; the analyst firm reports that "ZyLAB's customers are its best advocates and express high satisfaction with the company's responsiveness and attention to requirements."

Download the Gartner report.

Office 365:

What's in it for law firms?

BY SUSAN HORIUCHI & ANNETTE SANDERS (PAYNEGROUP)

Lawyers now have the option to purchase Microsoft Office 365 for their small, medium, or large firms. Susan Horiuchi and Annette Sanders of PayneGroup outline the potential benefits.

One-stop shopping
You can choose from six different Office 365 for Business or Enterprise plans, ranging from $5 to $22 per user per month. The Business plans top out at 300 users, while the Enterprise plans are unlimited. Features that come with the Enterprise E3 plan include:

- Office applications (Word, Excel, PowerPoint, Outlook, OneNote, Publisher, Lync and Access) installed on up to five PCs/Macs
- Office Mobile (Word, Excel, and PowerPoint) installed on up to five tablets/phones
- Office Online (Word, Excel, PowerPoint, and OneNote)
- 1TB of cloud storage per user saved on OneDrive for Business, Dropbox for Business or SharePoint
- HD video conferencing, instant messaging and a corporate social network
- Industry compliance with ISO 27001, EU Model clauses, HIPAA BAA and FISMA
- Built-in capabilities such as permissions, versioning control, eDiscovery, record management and more.

For a full list of features in each plan, start your migration research here: https://products.office.com/en-us/business/compare-office-365-for-business-plans.

Impress me!
Let's look at what law firms will find valuable in Office 365. From small to large environments, there are compelling benefits for all.

Flexible - Your firm's situation is unique, and how much of your environment you want to be cloud-based is up to you. Choose from a fully cloud-

based environment (off-premise), an environment where your entire environment is in-house (on-premise), or a combination of the two. You can make the transition to Office 365 at your own pace and on your own terms.

Cost saving - Parsonage Vandenack Williams needed to upgrade a server, purchase new licences for Office and implement a costly SharePoint and Exchange deployment. "When we looked at [Office 365], there was a huge up-front, real-dollar saving," the firm said. "Obviously, you're then paying a monthly fee to be able to use the functionality, but that monthly fee is substantially offset by reduced IT costs."[1] It's obvious that every organisation will have to weigh their own potential cost savings; however, this is a good example of Office 365 meeting all a firm's needs.

> *You're paying a monthly fee to be able to use the functionality, but that is substantially offset by reduced IT costs*

Easily managed - Picture an environment where your data servers are hosted, Office application software is always current, your data is highly secure, and you still hold the key to managing users

Annette Sanders is a Master Series for Law Firms instructor and senior trainer with PayneGroup. She frequently conducts train-the-trainer sessions on Microsoft Office, document management, PayneGroup products, and other legal-specific software to an organization's training and support personnel. Annette is Microsoft Office Specialist certified, and has over two decades of experience in the large law firm environment providing training, support, and project management services. Annette is a contributing author to Word 2013 for Law Firms and writes articles for technology publications.

and services through a single admin component. Even though it's in the cloud, everything is at your fingertips.

Work anywhere - Need to edit the latest version of a document while waiting for a flight? No problem. Read the latest drafts for a matter while on the train? You got it. Collaborate with co-counsel from different locations? A time-saver. With Microsoft touting a 99.9% uptime, you can access documents saved to the cloud just about anywhere, anytime, on any device.

Collaborate - As an alternative to two authors sending a document back and forth, imagine them using a Skype conference call to collaborate on it. As the document is saved to the cloud (and the second author has been given permission), both of them can edit it at the same time. Don't worry about colliding with your co-author's edits - you can see where they're editing. And if you really need to lock down individual paragraphs, secure them with the Block Author feature.

Work with Microsoft experts - From planning stages to ongoing support, the experts at Microsoft are available to help you get on board and keep things going. With their expert guidance,

deciding whether to make the leap, assessing your needs and figuring out how to make it happen are all part of the plan. This could be especially beneficial for smaller firms who lack in house technical expertise.

Increased productivity - Measuring productivity increases is certainly unique to each law firm and depends on the size of the technology leap undertaken. Robbins Tunkey Ross (RTR) states that "Office 365 has completely transformed how we work"[2]. RTR went from "faxes, couriers, and an unreliable server" and claims that "productivity is up by an estimated 25%" since migrating to Office 365. Their use of documents stored in the cloud, mobile devices, smartphones, and co-authoring (for briefs!) has really changed the way they operate, and they've obtained a better disaster recovery solution in the process.

Can I still use third-party apps?
If the full version of Office is installed, then third-party apps can be integrated; however, you still need to jump through the testing and compatibility hoops. Unfortunately, third-party apps do not currently integrate with Office Online or Office for mobile devices. However, since the full version of Office is installed on the Surface Pro 3, third-party apps such as PayneGroup products are fully functional.

[1] Office 365: Why A Law Firm Switched, http://www.informationweek.com/applications/office-365-why-a-law-firm-switched/d/d-id/1109170?page_number=1

[2] Microsoft Customer Story: Legal Firm Embraces Cloud Computing, Wins Case for Mobile Productivity, https://customers.microsoft.com/Pages/CustomerStory.aspx?recid=5644 ▶

Susan Horiuchi is the VP of Professional Services for PayneGroup. In addition to managing the professional services and training division, Susan develops custom training programs and provides high-end technical training and project management services. Susan is a Microsoft Certified Trainer alumni and has over two decades of experience in the legal industry and PayneGroup combined. Susan is a speaker at legal technical conferences, an author of technology publications, and an author of the Word for Law Firms and Excel for Law Firms book series.

How is Office 365 evolving?

Matter Center
Matter Center for Office 365 is a new cloud-based platform currently in the technical preview stage with no release date available at the time this article was written. Matter Center offers legal organisations a document management solution with the ability to store, find, organise and archive files within Outlook, Word or directly from Office 365.

Assuming Matter Center will always be synchronised with the latest version of Office, this could be a game-changer, since law firms notoriously have had to wait for third-party document management systems to be compatible with Office.

Exciting New Features
Looking ahead, at its recent Ignite conference Microsoft announced new features we'll see coming to Office 365 in the future:

• Team collaboration with Delve— connect with team members from any location with one-click access to Skype, team calendar, email, OneDrive content and OneNote team notebook via the Delve dashboard

• Outlook 2016—recently used files can easily be attached to email messages. Share a OneDrive file link with permission to view or edit
• Clutter—improvements to keep your email inbox organised
• Sway—first release of a new app for Office 365 provides a canvas for storytelling. This could possibly replace PowerPoint presentations with its ease of use

Looking ahead, we're excited to see how Office 365 will continue to evolve and how law firms will adopt it in the future.

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• Office 365 Roadmap and what's new: http://roadmap.office.com and http://blogs.office.com
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When will technology enable law firms to monitor and understand **social media** communications?

BY CHRISSIE LIGHTFOOT

Chrissie Lightfoot shares an extract from her latest book, *Tomorrow's Naked Lawyer: NewTech, NewHuman, NewLaw – How to be successful 2015 to 2045.* It includes her insights about "NewTech" and its application.

The businesses of law are increasingly relying on new technologies to drive processes and efficiencies. This trend is only going to continue as we advance into a robotic age with advanced technology encompassing cognitive computing, cognitive reasoning and artificial intelligence. Inevitably, legal businesses will become ever more tightly connected. The companies (and lawyers) that succeed in the near future will be those that take the time now to assess the role of advanced technology (NewTech) in their delivery and service model.

While all this whizz-bang legal technology may be fabulous, there are elements missing that would make it absolutely magical. "SocialHuman" tracking and attribution, for example.

I have spoken with a handful of (leading) existing legal tech providers about my idea to track the online social activity of lawyers and to drop that activity seamlessly into an existing ERP/DM AX/DM/CRM system.

Where lawyers, prospects and clients increasingly meet and communicate in social land, it seems obvious that the tech systems need to evolve to cater for this communication medium and SocialHuman element. At present, lawyers have to feed the information into their tech system manually (using a keyboard) with regard to their activity on various social streams such as LinkedIn, Twitter and Facebook. They do this to track the touch points with their prospects and clients to feed into the bigger CRM picture, resulting (hopefully) in a client matter and therefore the finance and (fingers crossed) remuneration system.

Wouldn't it be nice if all this were done automatically? We're there with document automation in law law land. We're beginning to get there with marketing automation, slowly. But the next big thing, I reckon, in law law land tech, is to tackle SocialHuman technology.

I wonder which of the current legal tech players will be the pioneer? Perhaps it won't be any of them. Perhaps it will be a new player that comes along and bolts the SocialHuman tech/software "plug and play" element into one of the MD platform providers.

On the subject of attribution, I was chatting with a couple of people from Google earlier this year at a conference and thereafter at Google HQ about Jaz Rasool's relevance and resonance technology (since Google search and algorithms presently tick and buzz around relevance) and my idea about SocialHuman tracking attribution. I
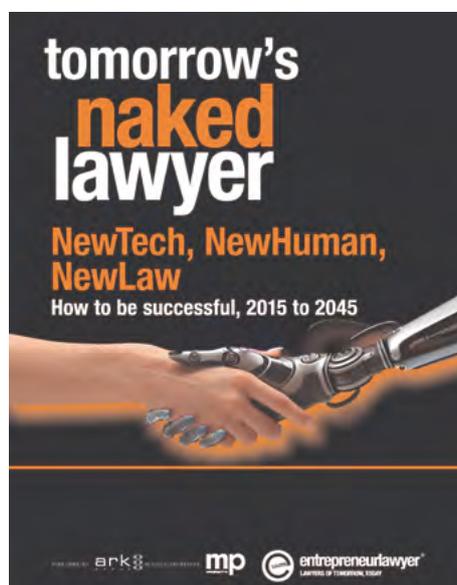
shared with them my views on the relationship cycle and correct attribution with regard to who in the law firm actually influenced the instruction from what social/web based activity – for example, using social networking, recording it easily, and therefore the right individual being rewarded accordingly.

The gist of their comments was this: in the future, we are going to have a much better understanding of attribution. Smart legal businesses are going to get more excited about things like how you can tell for sure that the advertising that resulted on you clicking on the ad got you to the website and resulted in the instruction – i.e. they're going to want to know where the instruction really came from.

I reckon they were actually talking about which elements truly impacted the instruction decision. If we could combine this idea with what I am suggesting, then this would be magical for the lawyer, the prospect and client of the law firm, and ultimately for the owner of the business of law.

I can see it would certainly sit nicely with businesses of law that boast a merit-based system, such as RPC, which scrapped its flat rate salary for newly qualified (NQ) solicitors from September this year in favour of a merit-based system. The firm argues that the concept of the flat rate has "passed its sell-by date". Hear hear! Perhaps if the

law firm I was at was as pioneering and visionary as RPC, I would have stayed practising law there as a NQ with this fabulous setup in play!

The next big thing in law law land tech is to tackle "SocialHuman" technology

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Prior to September, only trainees and NQs had a fixed salary at RPC, with those higher up the chain already rewarded through a merit-based system. This is the most common (outdated IMHO) set-up in law law land as we currently know it.

While I'm on this innovating soapbox, I believe it's timely to say that if the existing legal tech providers plugged the IBM Watson AI tech into their ERP/MD AX/MD CRM systems then this would boost the value of their products exponentially in lots of areas. It's not a bad or mad idea, since your brain and mine, and those of our fellow lawyers, prospects and clients are going to be "in the cloud" by 2029 and connected to technology and heaven knows what else.

Forewarned is forearmed. It's better to be prepared than to be chasing your tail. I guess the question is: are you going to be a first mover or a laggard?

Coincidentally, since publishing *Tomorrow's Naked Lawyer* in November 2014 – we're six months further down the NewTech evolutionary road – I believe IBM is making great strides in the very area I speak of: SocialHuman tracking attribution together with social media reputation of the company.

If Companies House opens up its datasets to the likes of IBM, it will mean that with the IBM Watson technology it will be able to go in, understand the totality of a company and potentially tie it into other data, for example, social media monitoring and social media reputation, thereby providing a full health check of a company. By monitoring and understanding social media communication, one has to wonder what goodies of information will surely flow. I shall leave you to ponder…

Chrissie Lightfoot is an entrepreneur turned non-practising solicitor turned entrepreneur and CEO of EntrepreneurLawyer. She is the author of Tomorrow's Naked Lawyer: NewTech, NewHuman, NewLaw – How to be successful 2015 to 2045 (published November 2014) and its prequel The Naked Lawyer: RIP to XXX – How to Market, Brand and Sell You! (published in November 2010).

Will all **basic legal services** be provided by artificial intelligence in **10 years from now?**

We ask four experts what the rise of the robots will mean for legal services in the near future

THE VERDICT

V. Mary Abraham
Co-founder / Broadli
Author "Optimizing Law Firm Support Functions"

It is one of the great inequities of our society that the legal needs of 80% of low-income people in the US go unmet. We have an abundance of lawyers, but humans have not eliminated this "justice gap".

So now we turn to machines. In Rise of the Robots, Martin Ford asserts that any job that can be outsourced can be automated. Computers can analyse discovery documents, due diligence materials and pathology reports in a manner that is more consistently accurate than humans.

Further, current technology enables computers to move beyond routine work to creative work. They can write fiction, sports stories and financial reports, as well as compose music and generate original art.

With artificial intelligence, computers can close the "justice gap". Given their ability to analyse vast quantities of data, it is not a great leap for computers to adjudicate small claims court disputes in minutes and at a fraction of the cost.

Imagine eliminating the advantage large companies have over individual consumers. Automated adjudication would allow a consumer without many resources to pursue a claim against a richer defendant that has the resources to simply wait out the claimant.

This could revolutionise patient disputes with health insurers, among other things. Even in the world of Big Law, computers could sort through and discard all the negotiation issues that historically have been immaterial, allowing (or forcing) the parties to focus on the handful of issues that really matter.

We cannot afford to wait ten years for basic legal services to be provided by artificial intelligence. We need it now! ◤

Stuart Barr
Director and Social Computing Consultant / HighQ Solutions

I think the law firms of the next five to ten years are going to be quite different from those of today. They will leverage the exponential growth in computing power, artificial intelligence and pattern matching to significantly augment what humans can do, taking away some of the more routine legal work.

I don't think artificial intelligence will replace human lawyers in the next 10 years but it will certainly play a major role in the practice of law and force a major shift in the way firms operate. Large and small firms alike will need to find other ways to compete and gain a competitive advantage as technology levels the playing field and commoditises legal knowledge and processes. However, the most high value and bespoke legal work is still going to need human intuition, interpretation and reasoning for a while yet. ◤

Kingsley Martin
President & CEO / KMStandards

In the next decade, technological advances will significantly impact the legal profession, threatening mid-level associate tasks and creating enormous opportunities for automated solutions.

Consider the question: what is the GNP of Romania? A search engine can interpret the question, find a resource (such as Wikipedia), and provide the answer: $367.5 billion. Next consider the question: is a service provider an employee or independent contractor? Here, the answer depends on identifying and evaluating a number of factors that must be applied to each situation.

To offer such counsel, innovation is progressing through three stages. First, systems find relevant material. Next, they analyse the material to identify the relevant issues (in a case) or the relevant elements (in a transaction). Finally, algorithms apply the relevant factors to predict optimal outcomes.

This development is well under way. In 10 years, automated systems will offer routine legal advice and, in future decades, address increasingly sophisticated matters. ◤

Oz Benamram
Chief Knowledge Officer / White & Case

Many, but not all, basic legal services will be provided by computerised systems in a decade. And a few not so basic services as well. Synthesising data (what we call "big data") will enable computers to identify correlations between causes and outcomes, and perform these services better, faster and more cheaply than lawyers.

First, computers will assist lawyers to perform better. For example, knowing that a specific argument is unlikely to win a case in front of the presiding judge can help the system draft better pleadings.

Moreover, knowing the most likely outcome of the litigation, based on comparing similar cases in the past, computers can replace some of the processes we follow today. Why go through years of litigation, if you could get a similar outcome within seconds? ◤

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