

The Law Page

THE GLOBE AND MAIL

FUTURISM

A novel idea: the end of lawyers

Oxford-educated lawyer Richard Susskind is rattling the profession with predictions of coming new legal technologies

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When Richard Susskind predicted in 1996 that lawyers would soon send most legal advice and documents through e-mail, he was dismissed by his British brethren as a threat to the profession.

Today e-mail is as common as the office phone, but 12 years ago the Internet was only taking baby steps and Mr. Susskind's digital forecast was seen as blasphemy to a profession that has imparted advice and arguments on written paper for hundreds of years.

"The idea of a lawyer not sending a letter was revolutionary, it was unthinkable, unimaginable. ... I was seen as a seriously dangerous person. I was told my ideas were offending a traditional profession and I was dismissed as fanciful," Mr. Susskind said.

It took only a few years of Internet innovation to vindicate Mr. Susskind, a Scottish-born, Oxford-educated lawyer and legal technology consultant based in England. Now his futurism is rattling the profession again, this time with a new book called *The End of Lawyers? Rethinking the Nature of Legal Services*.

In Mr. Susskind's vision of the future, small law firms that dispense customized legal advice will be pushed out of business by technology-savvy and more nimble firms that dispense run-of-the-mill advice and legal documents through websites. Larger law firms will evolve into commercial enterprises with vast stables of legal, accounting and other experts geared to preventing and managing clients' legal risks. These big firms will outsource basic legal services to cheaper quasi-legal experts and they will build retail kiosks or websites that allow clients to download regulatory expertise and draft legal documents any hour of the day.

Mr. Susskind is spreading his message by visiting lawyers in dozens of countries to promote his new book and preach about coming new legal technologies. It is no small irony that the Canadian Bar



Richard Susskind: "If you want to compete as a law firm, you are going to have to change"

Association chose one of Bay Street's oldest haunts, the National Club, as the venue for his futuristic speech to Toronto lawyers

During an interview, surrounded by wood panelled walls, ancient business portraits and weathered antiques, Mr. Susskind hunched forward in a worn leather chair like a runner in starting blocks as he rattled off the "radical" forces that are reshaping the profession.

Throughout the session he rubbed his BlackBerry as if fondling a favourite talisman.

"I am seeing a whole wave of new technologies emerging, which are allowing clients to gain cheap and new access to legal services and advice. The classic interface between lawyers and clients is disappearing because online services are replacing it," he said.

Preposterous? It is already happening. In Britain, the world's most competitive legal market, Linklaters LLP kicked off what Mr. Susskind calls "an arms race with technology" in 1997 by launching a Web-based service called Blue Flag that allowed clients to research regulation and compliance standards around the globe.

Many innovations later, clients of some major British firms can now use

online document drafting services to download within minutes financial term sheets, employment contracts and other standard documents. Even courts are getting in the act after a pair of retired U.K. judges recently launched an Internet startup that allows lawyers to quickly generate judicially approved directives and motions for the courts.

U.S. and Canadian law firms have been slow to embrace British innovations, but new competitors are starting to innovate.

In November, Toronto lawyer Michael Carabash launched an online legal service called www.DynamicLawyers.com that charges lawyers a modest monthly fee of \$30 to connect with individuals who privately post legal questions on the website. So far, Mr. Carabash said, 36 lawyers have registered to offer legal advice to 237 posts.

The service gives posters a chance to check a variety of legal advice for free and lawyers get the opportunity to build ties with potential clients.

"I started this business because of what Richard Susskind has been saying. The profession is changing," Mr. Carabash said.

The Dynamic Lawyers of the legal world are just the beginning, Mr. Susskind said. The credit crisis and a deepening global recession have put enormous pressure on corporations to reduce their legal costs. He expects in-house lawyers will shave costs by cooperating with their competitors to stay on top of compliance and regulatory shifts. They will also be more aggressive about legal bills.

Mr. Susskind predicts a "radical shakeup" of law firm billing practices that charge clients according to hours of service provided. The days of billable hours are numbered, he said, because it "rewards inefficiency" by handing the largest pay for the most time spent on an assignment.

"Clients are becoming more savvy and more discerning. ... We can no longer look at these changes in our leisure. If you want to compete as a law firm you are going to have to change," he said.