

BarTalk

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Can You Guess Where These B.C. Courthouses Are Located? PAGE 2

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The Battle Over Web 2.0 Has Started The smaller firm in the cross-hairs...

*When the walls come crumblin' crumblin'
When the walls come tumblin' tumblin' down*²
– Lyrics and Music by: George Green, J. Cougar Mellencamp

As of yesterday – March 4, 2010 (the day of writing this column) the Canadian legal competitive battlefield changed. Dynamic Lawyers™, led by Michael Carabash, B.A., LL.B., J.D., M.B.A., Founder/President, formally launched their website: www.dynamiclawyers.com. Have a look – Carabash, a Toronto business lawyer, is one of a growing list of new entrants into the area of online legal services. What makes his web services a bit different is the use of online video guides that aid purchasers to

complete the legal forms that he has made available. He also has a blog: http://dynamiclawyers.com/DL_blog/ and an “online legal health checkup”: http://dynamiclawyers.com/cois_interview.php.

Dynamic Lawyers™ joins other online legal service providers such as LegalZoom: www.legalzoom.com that are seeking to tap the “do it yourself” legal consumer market.

Should lawyers take these new competitive entrants seriously? LegalZoom claims to have more than one million satisfied customers. Even if their profit is just \$10/customer, that is still a cool \$10 million dollars. Not bad for wills, incorporations and trademarks. But their profit appears to be more, much more.

IP Watchdog blog (<http://tinyurl.com/ylejlmr>), in talking about a suit between an LA lawyer named Seton who specialized in non-profit corporations and LegalZoom, stated that:

“The complaint alleges that Seton and LegalZoom entered into a joint

venture in which customers of LegalZoom would fill out forms on the LegalZoom website and those forms would be sent to Seton to finalize the formation of a nonprofit entity. LegalZoom was paying Seton a fixed fee of \$350 per completed application. In total, Seton received \$1.6 million from LegalZoom since the venture.”

The same blog stated in a blog post on Feb 19, 2010 (<http://tinyurl.com/ygpnohj>):

“AUSTIN – Gov. Rick Perry today announced the state will invest \$1 million through the Texas Enterprise Fund (TEF) in LegalZoom.com for the relocation of certain office functions from Los Angeles to Austin. This investment will create up to 600 jobs and more than \$11.7 million in capital investment.”

Should people be taking entrants such as LegalZoom seriously? Missouri, North Carolina and Connecticut have launched actions against LegalZoom or similar services, reports Law.com

(<http://tinyurl.com/ycpokbx>) for the unauthorized practice of law. In talking about the Connecticut investigation, it is stated:

“Mark Dubois, chief disciplinary counsel for the state, said he has received no complaints from people who use online businesses to obtain legal documents for services such as incorporations, wills, real estate deeds and divorce agreements. These are known as ‘commodity’ services in the legal profession.

“From what I see and hear, much of the commodity work (from online providers) is pretty good,” said Dubois, who was a member of the CBA’s task force. *“A lot of lawyering is not rocket science. It is using an existing form or format. This commodity work is the easiest to ship electronically to the cheapest provider and will be the first part of traditional legal services to be lost forever by the small practitioners.”*

All it will take is a precedent-setting court decision that these online providers are not engaging in the unauthorized practice of law for the walls to come crumblin’, tumblin’ down.



The views expressed herein are strictly those of the author and may not be shared by the Law Society of B.C.

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Online Legal Sites

Certainly LegalZoom and Dynamic Lawyers™ are not the only online legal form providers. What is perhaps surprising in this area is that SelfSMCounsel Press, the originator of the “self-help” legal form here in B.C., does not have their books and precedents available for download. You can certainly order their books online, but they haven’t moved into the online forms model (as of yet!) (www.self-counsel.com).

So here is a selection of those online providers from Canada:

Canadian Legal Forms

(www.canadalegal.com/forms/) is a collection of downloadable forms, a blog and links that appear to be by Peter Cusimano in Toronto.

FindLegalForms.com

(Canada Legal Forms) (www.canada.findlegalforms.com/forms) is a California company that now lists Canadian legal forms for download as well as U.S. precedents.

Lean Legal

(www.leanlegal.com/) has forms for both Canadians and Americans as well as “free legal tools” (library, encyclopedia and dictionary). They also have free legal forms such as Bill of Sale, Promissory Notes, etc.

CanLaw Legal Forms

(www.canlaw.com/legalforms/indexlegalforms.htm) is a website by J. Kirby Inwood operating as Kirwood Inc. (“Doing Brilliant Work Since 1981”). Rabble.ca in a blog post (<http://tinyurl.com/yfjnbow>) states that the Law Society of Upper Canada has advised lawyers not to use Mr. Inwood’s services.

LawDepot

(www.lawdepot.com/contracts/canada/) offers legal forms for Canada, USA, Australia and the UK. It is not apparent who is behind this other than it arises out of the province of Alberta.

LegalFormsCanada

(www.legalformscanada.com/) is another site that offers Canadian legal forms. It appears that this site is hosted by Jordan and Jessa Hurdal (mortgage consultants in West Vancouver).

Advicescene

(in conjunction with LawDepot) (<http://legal.advicescene.com/canadian-legal-forms.php>) was founded by Kancy Kinney, BC LLB in 2002 and hails from Victoria. There is a blog as well as links and a lawyer directory.

eLastWill.ca

(www.elastwill.ca/) is operated out of New Glasgow, Nova Scotia by Integral Publishing. In conjunction with this site are eLegalForms.ca, e-Mediation.ca and eLifeinsurance.ca.

DivorceOnline.ca

(www.divorceonline.ca/index.php) offers divorce documents as well as advice and a blog from Stirling Alberta and is operated by Integral Divorce Documents Inc.

UntiethKnot.ca

(www.untietheknot.ca/?gclid=CLCFyb2SoqACFSkYagodaUm3Ug) has “helped more than 5000 Canadians obtain their divorce, without the high cost of a divorce lawyer” and is operated by 0707073 BC Ltd.

Just for reference, online legal services do not have to be restricted to commodity law.

Three prestigious international legal firms offer online legal advice across a range of legal sectors and disciplines:

- **Linklaters Blue Flag Online Services** (www.linklaters.com/OnlineServices/Pages/Index.aspx)
- **Allen & Overy Online Services** (www.allenoverly.com/AOWEB/OnlineServices/OnlineServicesHome.aspx?contentTypeID=8&prefLangID=410)
- **Clifford Chance Online Services** (www.cliffordchance.com/online_services/overview/?LangID=UK&)