



THE
**FUTURE
IS NOW**
LEGAL SERVICES
2.017

CONFERENCE REPORT | 2017

About the Conference

The Future Is Now: Legal Services 2.017 was held on May 18, 2017 at the Art Institute of Chicago. The Illinois Supreme Court Commission on Professionalism brought together lawyers, law students, and other legal professionals to discuss innovations in delivering legal services; the goal was simple: to foster learning, inspiration, and conversations that matter.

Speakers came from across the country, and included lawyers, entrepreneurs, professors, and Justice Robert Thomas of the Illinois Supreme Court. Each presented on the changes in our legal profession and how we can all shape the ongoing transformation.



Audience Demographics

402
Futures
Conference
Attendees

82
Illinois
Cities
Represented

11
States
Represented
(CO, DC, FL, IA, IL, IN,
KY, MI, MO, NV, VA)

The New Normal of Legal Services

Innovation in legal service delivery has exploded. Technology provides us with new ways to communicate, collaborate, and organize our work. As the traditional model fails to meet the needs of many in our society, change becomes necessary.

From our growing underserved population demanding legal representation on friendlier terms to firms exploring the experience economy and redesigning their approach to clients, it follows that there's a new normal in our profession. To adapt and thrive, lawyers must tap into the profession's inherent entrepreneurial spirit. More efficient delivery of legal services is a win-win for all. How we make this a reality was the topic of this critical industry conference.

Defining the Path

Throughout the day, each Ted-like talk and town hall discussion provided opportunities for legal experts to share perspectives about the future of our profession. Topics included:

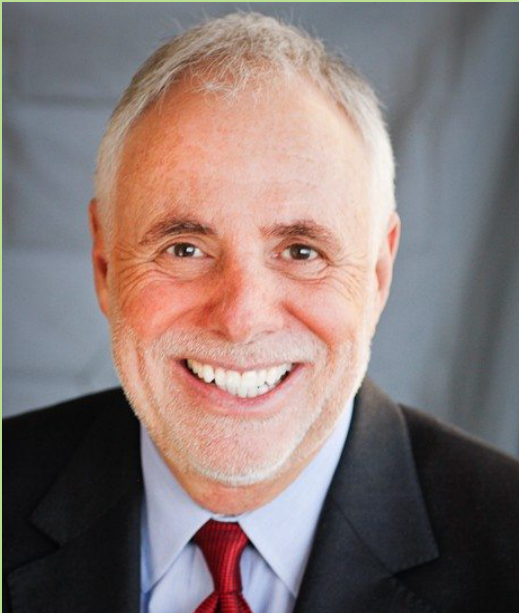
- Improving access to legal representation for the underserved
- Understanding alternative business models and the future of the billable hour
- Incorporating diversity into the legal workplace;
- Exploring competency-based learning
- Capturing and delivering value;
- Incorporating cutting-edge technology in delivering legal services

Conference attendees could earn up to 5 hours of professional responsibility CLE credit. Along with the Commission, the following organizations co-sponsored the event: ABA Standing Committee on Professionalism, ABA Center for Innovation, Chicago Bar Association, Illinois State Bar Association, and the Women's Bar Association of Illinois.



Opening Remarks

Justice Robert Thomas, Illinois Supreme Court – Supreme Court Justice



Justice Thomas was elected to the Illinois Supreme Court in 2000 after 12 years as a civil litigation attorney. During his tenure as Chief Justice, he recommended and successfully established the Commission on Professionalism. As Supreme Court liaison to the Commission on Professionalism, Justice Thomas actively supports initiatives to improve professionalism throughout the state.

In addressing the audience, Justice Thomas urged participants to not forget the importance of professionalism as technology changes the delivery of legal services. Lawyers are fortunate that the professionalism required by their chosen career carries with it such a strong intrinsic personal benefit. Justice Thomas noted that the charge of the Commission on Professionalism includes addressing how to better serve citizens who need our justice system. He told participants that “[it] should be your charge as well.”

Conference Moderator

Jayne Reardon, Illinois Supreme Court Commission on Professionalism – Executive Director



Jayne Reardon is the Executive Director of the Illinois Supreme Court Commission on Professionalism and Chair of the ABA Standing Committee on Professionalism. She develops and oversees statewide and national programs and initiatives to increase the professionalism of attorneys and judges, create inclusiveness in the profession, and promote enhanced service to the public. Jayne frequently writes and speaks about the changing practice of law and the role that inclusiveness and innovation will play in ensuring that the profession remains relevant and impactful in the future.

Conference Speakers



Jack Newton, Clio – Founder & CEO

The Age of the Data-Driven Lawyer

“Being data-driven is about leveraging data insights to make better business decisions.”

In its Legal Trends Report, Clio anonymized and aggregated data from thousands of lawyers to provide metrics that can help lawyers make better business decisions.

As an example of the benefit of data, Jack projected a slide showing that, assuming an 8-hour workday (not necessarily accurate for most, but a good starting point for a maximum), lawyers really are not billing or collecting the income they thought they were.

Jack called this the devastating funnel. Based on an 8-hour workday, lawyers have a utilization rate of only about 2 hours and a collection rate of 1.4 hours. So, the question is: What are lawyers spending the other 6 hours per day doing? Further, how can we use data to increase efficiency? His message was that lawyers need to collect and analyze data about their own practices to help transfer more value to clients while making a fair living at their craft.



Darth Vaughn, Haight Brown & Bonesteel – Partner & Director of Legal Service Delivery

The Myth of the Digital Native: Establishing Competence and Eliminating Tech Bias in the Modern Law Firm

Darth highlighted the importance of technology proficiency and “the myth of the digital native.” Technology is used in lawyers’ most basic tasks. Lawyers need to recognize that technology “is not magic” and is learned over time.

Darth criticized the current time-based CLE model, asserting that time is a poor substitute for learning. Noting that “we don’t know what we don’t know,” Darth proposed competency-based education and learning as the solution to unlocking untapped value.

Darth cautioned that the positive stereotyping of millennials as technologically proficient leads lawyers to implement faulty strategies when complying with their duty of technological competence. Technology is not a talent and it’s not always intuitive. So, we must slow down to speed up. Technology is a tool that we must understand how to use. Simply associating with a millennial is not the answer. But a tailored focus on competence-based learning may be.



Josh Kubicki, Seyfarth Shaw – Chief Strategy Officer

Capturing and Delivering the Ever-Elusive “Value”

Lawyers need to deliver legal services like Starbucks provides its coffee. To do this, lawyers need to understand and design better processes for serving clients. Josh provided the metaphor of a lawyer and a Starbucks barista: each has its own complexity and each solves a problem. Starbucks capitalized on the global shift to the experience economy, and its success proves designing a client experience can be a winning formula.

To start, firms must blueprint their business, which includes everything that makes up what the customer experiences. Next, firms must create a journey map that captures each customer’s interaction with the firm from their perspective. Combining the two maps provides invaluable insight into your business and how your client interacts with you.

Once we understand how our business interacts with the client, then we can begin to design an experience tailored towards them. We can see where there is friction, where there is inefficiency, and how we can sell innovation, without sacrificing revenue, to the client.



Nicole Auerbach, Valorem Law Group – Founding Partner

Judging the Alternative Legal Landscape 10 Years Later

Currently, the billable hour model dominates the profession. Nicole criticized this model that drives compensation, noting it “disproportionately impacts anybody who has responsibilities outside of the workplace that requires an expenditure of time.” With competing interests that take time, when time is finite, a natural conflict emerges. Nicole argued that the lack of diversity at the upper echelon directly results from this inherent conflict of needing to be in multiple places with limited time, which drives people out of the legal workforce.

Another tension in the model is generational. Nicole harkened to the forthcoming role of Generation Z in the legal profession. Nicole highlighted that Generation Z’s main characteristic is an extreme intolerance toward things that don’t match their desired lifestyle.

Outside of the industry, creativity and efficiency traditionally remedy these tensions. But the profession’s billable hour model doesn’t reward creativity and efficiency. Alternative fee arrangements that reward creativity and efficiency by lawyers and deliver greater value to clients just may be the answer.



Chase Hertel, Road to Status – Director of Business Development & Partnerships *Immigration Legal Services 2.0: How to Go Where Your Clients are Going Online*

“Technology can be used to triage the legal needs of clients, connect with clients where they are, whether at the airport or on the Internet, deliver legal services in somewhat unique ways, and most importantly, bridge the legal gap and help to modernize our profession.”

Road to Status serves immigration clients by breaking down applications step-by-step, providing online consultations, and improving productivity for professionals through its Immigration Management Solutions platform. Through technology, Road to Status has streamlined a difficult process, enabling lawyers to serve more clients.

Chase presented several takeaways for attorneys of all practice areas going forward: (1) be agile and make small, incremental improvements, (2) use checklists, (3) automate what you can, and (4) embrace new delivery models. “It’s time to dig in and start doing,” he urged.



Nicolle Schippers, ARAG – Associate General Counsel *Re-Defining a Lawyer’s Role Through Legal Check-Ups, Preventative Lawyering, and Legal Insurance Plans*

Nicolle urged lawyers to demystify their services and focus on reaching potential customers who may not know what we do or how we can help them.

Legal check-ups are one way to educate consumers. Often by not recognizing the legal importance of life events like divorce, childbirth, buying a house, and coping with end of life events, consumers are blindsided by their catastrophic effects.

Nicolle advocated moving towards preventative lawyering similar to that in the medical profession. Periodic consultations with an attorney can provide value to consumers and increase access to justice through proactive explanation of legal context and the help that the law may provide.

Nicolle also advanced another solution to the problem: legal insurance. In jurisdictions where legal insurance is common, more people have opportunities to understand their legal needs. Reorienting ourselves toward preventative care, rather than becoming involved only after a full-blown legal crisis has erupted, will educate consumers and help reduce the access to justice gap.



Ethan Katsh, National Center for Technology and Dispute Resolution – Director

Online Justice: What Can Technology Deliver?

Prof. Ethan Katsh explained that changing the forum is one way to address the access to justice gap. Where is the world's largest courthouse? According to Ethan, it's not any traditional brick-and-mortar but over the internet and on the device in our pockets.

As a leading proponent of Online Dispute Resolution, Ethan looked at three challenges to access going forward. One, conflict remains a growth industry. It continues to accelerate as our world becomes more complex, generating disputes every day. Second, we need new tools to resolve these conflicts. Third, the next challenge we should meet is preventing disputes. The large pool of disputes arising from technology can be resolved or prevented through technology.

Ethan highlighted that the dispute resolution process has historically ignored prevention. To prevent disputes, we need to know why they occur. To know why disputes occur, we need data. Once we have this data, we can begin to work on prevention. As consumers increasingly demand one click redress, technology will provide the data and enable the industry to move from resolution to prevention, low value to high value disputes, and simple to complex issues.



William Henderson, Indiana University Maurer School of Law – Professor of Law

The Legal Profession's Last Mile Problem

Explaining that 3 out of every 4 dollars spent on legal services comes from corporations, Prof. Bill Henderson focused his talk on the relationship between lawyers and corporate clients. The Last Mile Problem in delivering value, he argued is not technological. "We have the technology, process, and data to solve the legal profession's cost problem, but we lack a business model to actually deliver these things." The problem is that our current business models fail to reward higher lawyer productivity and that stymies growth in the industry.

Projecting slides showing the rise in regulatory complexity over the years, Bill demonstrated that the complexity of legal problems that corporate clients need lawyers to solve has increased exponentially. As a result, the billable hour model increases the cost of legal services more than the corporate legal department's budget increases.

Given the lack of productivity increases in the legal profession, the rising cost of legal services fuels a poisoning environment between law firms and clients. The firm's inability to invest in productivity forces corporations to drive their costs down through rate cuts or in-sourcing legal work. In turn, firms are not incentivized to increase productivity because it decreases revenue. He argued that lawyers should position themselves as solving more of their clients' complexity per hour, thereby benefiting both the client and the firm.



Dennis Garcia, Microsoft Corporation – Assistant General Counsel

Diversity is the Future of the Legal Workplace

Dennis set the table for the discussion in calling the current makeup of the legal profession a crisis. When 64% of the profession is male and 88% is white, it's no wonder we trail other professions like engineering, accounting, and medicine when it comes to diversity. Dennis challenged the audience to move forward and look at ways to improve diversity and inclusion.

Our profession faces disruption like never before. Noting the exponential rate of change affecting society generally and lawyers in particular, Dennis argued that transforming to this newer environment requires “diverse and outside perspectives and experiences.” By having outside perspectives, lawyers will learn more as a team and be able to provide better services to their clients.

Dennis laid out a few tangible pieces of advice for the audience going forward. First, the tone needs to be set at the top. CEOs and leaders need to be champions of diversity, and tying part of their compensation to achieving diversity and inclusion metrics can ensure responsiveness. Second, legal organizations should continue to hire diverse attorneys. An atmosphere must be created for them to grow and remain in the profession, which can be done through training or mentorship. Third, measure what your organizations are doing to advance diversity because measuring something will naturally lead to improvements over time. Finally, be bold and creative in pushing forward.



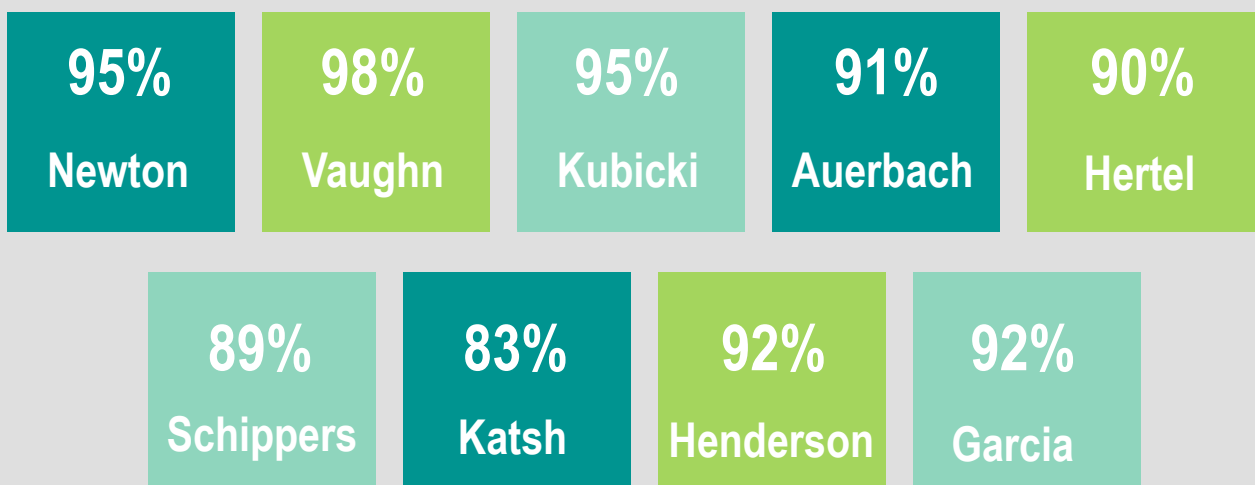
Participant Feedback

Over three hundred conference attendees completed a post-event evaluation form. The information in the next two sections reflects the responses collected from that survey.



Speaker Evaluation

Participants were asked to rate the following statement for each speaker: "This talk was engaging and informative." The percentages below indicate those who chose either "agree" or "strongly agree."



Opinions on the Future of Legal Services

The evaluation included several optional free response questions. As you can see from the answers below, the challenges and obstacles facing practitioners at 2017's Conference were similar to those at 2016's Conference.

If you could change one thing about how you deliver legal services, what would it be?

2017

1. Eliminate the billable hour, introduce alternatives
2. Increase use of technology, become more proficient

2016

1. Greater use of technology, electronic resources
2. Work more efficiently, simplify legal processes

What is the primary obstacle (if any) preventing you from making the change you identified above?

2017

1. Too pressed for time, lack the requisite funding, or not in a position to make change
2. Difficult finding alternatives, the need for more practical models to follow

2016

1. High cost of doing business, insufficient funding
2. Overcoming decreasing levels of demand, maintaining profitability and financial security

Evaluation of Town Hall Meetings

This year we held four separate town hall discussions each with 2-3 speakers. Jayne moderated the discussions and fielded live questions from the audience via microphone and the new mobile app.

Some of the audience's questions included:

- *How to address the profession's substance abuse problem?*
- *What are the ethical issues with legal service innovation?*
- *How can rural law firms achieve more diversity?*
- *How do you prioritize which technology to learn?*

During the town hall discussions, legal practitioners had many opportunities to gain new perspectives and ask questions. The conversation was robust, and even heated at points, as lawyers emphasized tradition over change and challenged our speakers to support their predictions.



95%

agree or strongly agree that the town hall discussions provided multiple viewpoints, expanding the learning experience

80%

as a result of this conference are considering different ways of conducting their practice

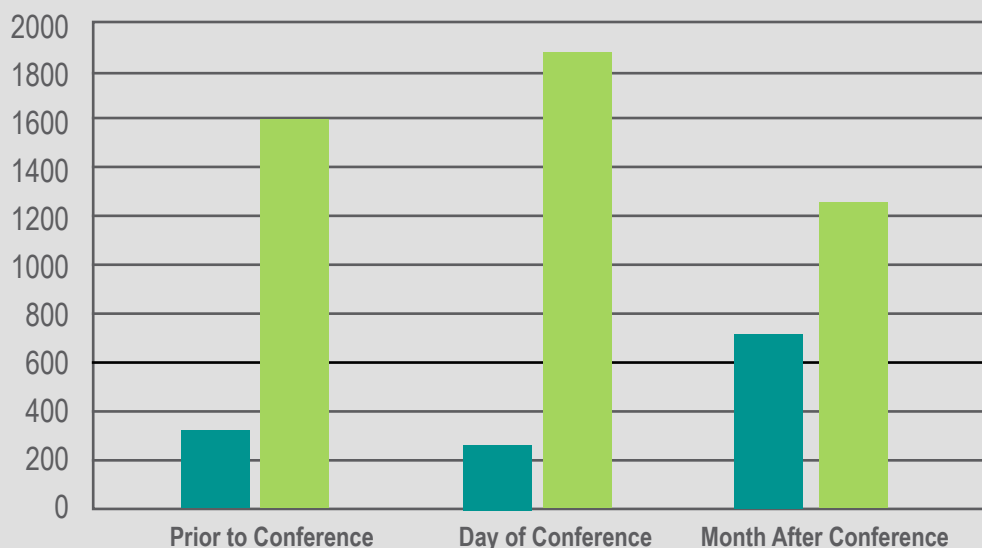
Media Coverage

The Conference was covered by journalists from many different publications. We appreciate articles featured in the Chicago Daily Law Bulletin, the Illinois Bar Journal, Illinois Lawyer Now, the ABA for Law Students “Before the Bar” blog, the Illinois Courts Connect, and others forthcoming.

To ensure The Future Is Now: Legal Services 2.017 continues to inspire and challenge lawyers to do law differently, the Commission on Professionalism leveraged social media to promote and increase awareness of the Conference. All conference mentions were tracked by monitoring #TheFutureIsNow hashtag on Facebook, Twitter, LinkedIn, Instagram, and Google+.

Below is a graph showcasing the 2017 Conference’s success in comparison to last year’s inaugural event.

Year of Conference	Prior to Conference	Day of Conference	Month After Conference
2017	1625	1828	1222
2016	344	258	726



As shown above, the success of The Future Is Now: Legal Services 2.017 exceeded the Commission’s expectations. Across the board, the 2017 Conference received 252 percent more social media mentions than the 2016 program.

When analyzing pre-event promotion, the 2017 Conference received almost five times as many mentions in comparison to last year’s event. On the day of the Conference, 2017 mentions increased by more than 600 percent. When monitoring mentions for a total of 30 days after the event each year, 2017 Conference mentions increased by 68 percent when compared to the numbers from the 2016 Conference.

Planning and Execution Timeline

October – November 2016

- Discussed conference reformatting ideas
- Brainstormed potential topics and speakers for 2017 program
- Set date in accordance with Justice Thomas's and other bar leaders' schedules

December 2016

- Began inviting speakers
- Explored venue options
- Received approval of Conference admission fee

January 2017

- Secured the Art Institute's Rubloff Auditorium as the event venue
- Confirmed conference speakers and topics
- Received approval for 5 hours of professional responsibility CLE credit in Illinois
- Contracted graphic designer, photographer, and videographer
- Requested speaker bios and talk descriptions

February 2017

- Launched Conference website and registration pages
- Developed Conference logos, promotional materials, and videos
- Announced Conference via social media and blog post
- Sent invitations via email including both email blasts and personal invites

March 2017

- Pitched local and national legal media to attend and write about Conference
- Developed Conference brochure content and outsourced design work to graphic designer
- Met with AV and the video production team at Rubloff Auditorium
- Sent second and third rounds of invitations to Illinois lawyers
- Set and hosted speaker conference calls

April 2017

- Planned menu and logistics for post-event speaker and sponsor reception
- Arranged transportation and lodging for out-of-state speakers
- Received talk outlines and PowerPoint slides from speakers
- Published weekly Conference-themed blog posts
- Developed Conference App

May 2017

- Printed Conference brochure
- Made nametags for 2Civility staff, co-sponsors, and Conference attendees
- Developed Conference Feedback Form and CLE certificates
- Hosted Conference
- Collected participant feedback and distributed CLE certificates

June – July 2017

- Edited video footage of speakers' talks and posted on 2Civility website
- Produced Conference recap video and blog posts for 2Civility website
- Analyzed participant feedback and prepared Conference Report

What's Next

The Future Is Now: Legal Services 2.017 has come to a close, but the conversation continues. As the profession evolves and new ideas emerge in today's legal landscape, the future law-focused event remains a staple in the legal community. Topics for the 2018 program have already been recommended, and the Commission has started brainstorming speakers for The Future Is Now: Legal Services 2.018. Stay tuned!

