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ALLStAR BENCHMARKING

HOW COLLABORATING
ON COLLECTING
AND SHARING
DATA IS A WIN-WIN



“Never question the relevance of truth, but always question the truth of relevance.”
—Craig Bruce

FINDING RELEVANCE

IN AN EVER-EVOLVING LEGAL WORLD

How law firms and law schools are staying top-of-mind and delivering an undeniable advantage.

BY KRISTEN M. HALLOWS

You probably became desensitized long ago to the word “relevance,” the loss of which being a persistent bugaboo in the presence of relentless technological advancement. Furthermore, the word’s chronic misuse may allow a loose directive to cloud a well-articulated vision. Consider this excerpt from Graham Roberston’s *Beloved Brands* blog:

[W]hat exactly do YOU mean when YOU say the word relevant? When you answer the question, you likely just wrote down something better. So use that instead of just blindly saying “we need to be relevant.”

Law firms and law schools both wrestle with relevance. We’ll assume that the services offered by law firms are relevant to a potential client’s needs; the real question is who will be chosen to solve the problem at hand. Here, “relevance” carries a feeling of inherent worthiness, whereas “top-of-mind” exudes more of a marketing or relationship-building

element that would seem to be much more controllable. One mission (to stay top-of-mind) suggests hope, while the other (to cling to relevance) conjures up images of lamplighters and dodos.

Being top-of-mind is great, but law schools may need to take it a step further. There should be little doubt that a law school can meet the demands of most aspiring lawyers and others for whom an advanced law degree would be helpful, but will prospective applicants be convinced that the financial investment is justifiable? Do they make another career choice, or do they believe that a particular institution will uniquely position them?

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Proving Their Worth

What are law firms and law schools doing to secure top-of-mindedness or to deliver an undeniable advantage? Of the four examples that follow, two are made possible by considerable resources, while the remaining two are simply resourceful. Above all, they are presented as inspirational narratives for you and your organization.

1 Corrs Chambers Westgarth Corrs Collaborate, a software platform that won a spot on the 2016 Legal Innovation Index, is Australian commercial law firm Corrs Chambers Westgarth's "business enabler [that was] developed on a SaaS [software-as-a-service] platform." Berys Amor, Corrs' director of technology, described it as "a central repository for data, a two-way communication and

collaboration tool, and a workflow tool that enhances and automates our client's business processes."

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In one example, the platform was used to manage the entire lifecycle of a client's trade promotions after rapid growth made it impractical to perform these tasks internally. Among other uses, the client's in-house counsel and marketing team could log on to design a new promotion, create terms and conditions, and check the number of development hours remaining. Corrs received an overflow of work.

In another example, data was pulled from Google Earth to map existing wind farms (and their owners) onto the power grid so the client could view a would-be wind farm in relation to these factors. Amor foresees further capabilities as datasets are added, the platform could conceivably be used to predict a prospective site's viability.

The benefits to start-ups appear to be especially promising. Some use CorrsEdge, "a new generation of aggregated intelligence" developed on the platform, to automate legal document assembly. In the exact words of a client:

"[W]e have been able to complete many of the key tasks required during establishment and start-up of a commercial entity. This has not only saved us a significant amount of time briefing lawyers and then reviewing documentation; it has also delivered very cost-effective outcomes."

Corrs Collaborate could be the legal services equivalent to Amazon's "life bundle" (as so described by Derek Thompson in *The Atlantic*), which was made possible by Amazon's purchase of Whole Foods. Regardless of your feelings about this polemic alliance, the potential for unbeatable convenience is clear. Similarly, Corrs has made it increasingly easy to do work for its clients.

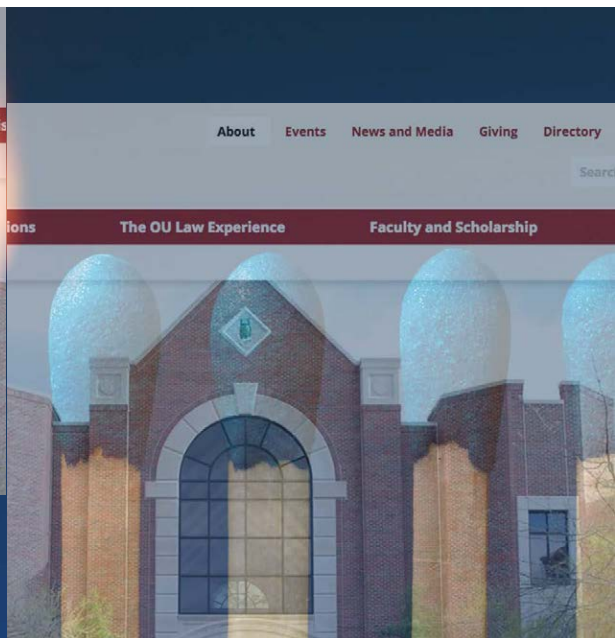
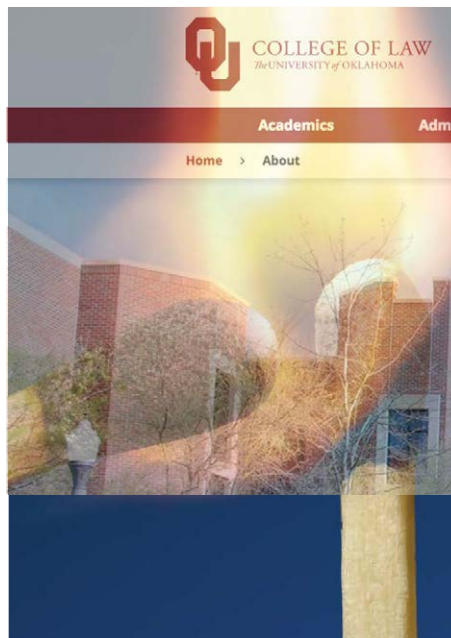


Continuing with the Whole Foods detour, consider this quote from Bruce MacEwen, author of the *Adam Smith, Esq.* blog: "...I suspect that the Whole Foods deal starts less with a strategic end-goal and more with this insight: Shopping for food is broken." Not to wax melodramatic, but what if shopping for legal services is broken? Also from Bruce MacEwen's recent blog post: "Wall Street wasn't betting against Amazon, and maybe you shouldn't bet against a little R&D [research and development] at your firm."

2 Hodge Jones & Allen
London-based Hodge Jones & Allen (HJA) has developed its own predictive modeling system for its high-volume personal injury work. Partnering with University College London, hundreds of cases were analyzed to produce models capable of forecasting the result of a potential case. The models' limitations, as well as the whimsicality of human judgment, were acknowledged in the firm's November 2014 press release, but, as you might expect, their accuracy is projected to increase as additional data is obtained.

Fascinating findings emerged, such as the importance of the "age and working status of the claimant" and the presence of "subtle gender bias." Strength of witnesses and reliable evidence didn't overwhelmingly predict a win, but they were significant factors in obtaining higher damages. Matt Cuell, HJA's personal injury team manager, said that the models "challenged some of our prejudices about the cases we should be taking on."

The models are described as "simple Excel-based programs that the HJA inquiry team will use to help make initial assessments of the likelihood of a positive outcome for the client and the practice for each case." In the words of HJA's senior partner, Patrick Allen: "These models will not replace [the inquiry handling team's] experience and judgment, but will provide an additional aid to them in a world where it is no longer good enough to



take a case on with a 50 percent chance of success and where fees are restricted to a few hundred pounds."

Cost control is, of course, vital, but we're reminded of the other side of the business success binary in an article in Legal Support Network's *LPM (Legal Practice Management)* magazine: "Predictive modeling now closely informs the firm's marketing, targeting a higher proportion of those potentially profitable clients."

Hodge Jones & Allen's ability to predict the outcome of a case may seem like a basic business preserver, but, again, what are we really trying to say when we use the word "relevance?" If predictive models allow the firm to market more effectively, it would seem that top-of-mindedness has been elevated to another level. On her *How to Build a Brand* blog, Sammy Blindell writes, "Know where your ideal client can be reached, and be there ... on a regular basis."

3 University of Oklahoma College of Law University of Oklahoma (OU) College of Law and its Class of 2017 have an impressive list of firsts. The *Norman Transcript* proudly states that this graduating

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class was the first to be immersed start to finish in the school's college-wide Digital Initiative, and OU Law is the first law school in the U.S. to list something like this among its achievements.

What's interesting about this initiative is the heavy involvement of law librarians, particularly digital resources librarian, Kenton Brice, who has the enviable task of imagining the next generation of lawyering. Brice acknowledges that app curation is half of what he does. He asks, "Would a lawyer really want this?" Once he masters an app, he trains his students; instead of merely taking a class, each student uses the tool in the same way a lawyer would.

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through buildings not yet constructed. 3D modeling using the OVAL is currently being explored by OU Law faculty and staff, but Brice foresees many uses, such as the viewing of molecular structure in pharmaceutical patent litigation.

He explains that multiple people could experience something as humble as an arrowhead or as intricate as a recreated accident scene, and he feels that the presentation of evidence using virtual or augmented reality seems like a natural progression. Why show a jury a 2D image when they could be given a tour of a 3D object? Understandably, a major obstacle would be the need for a sufficient number of head-mounted displays; if history is any indication, Moore’s Law can be expected to eventually deflate costs to the point at which it would be practical for everyone in the courtroom to be supplied with one.

As Brice comments, the task is to create good lawyers, not technologists, but technology is an essential piece. A June 2017 *3 Geeks and a Law Blog* post explores the success achieved by amateur chess players who leverage computers. AALL President and *3 Geeks* blogger Greg Lambert posits, “... an average or intermediate skilled lawyer and technology could be better than an

expert lawyer, even if that lawyer had the same technology.”

OU Law’s hi-tech emphasis is too new to say without a doubt that the school provides an inimitable benefit, but we know enough about the modern workplace to say that this is probably true.

4 Wake Forest School of Law Wake Forest School of Law recently joined the Winston-Salem Entrepreneurial Ecosystem, “a group of academic, financial, and community-based organizations focused on enhancing entrepreneurial growth in Winston-Salem in both the for-profit and non-profit arenas.” The Community Law & Business Clinic (CLBC) delivers complimentary educational sessions and business consulting to small businesses in the area, but professor Simone Rose, the first associate dean for innovation and entrepreneurship, shared that her vision is to expand the CLBC so that partner organizations could, for example, contribute their expertise to entrepreneurship courses offered through the lab, assist with projects, or act as mentors.

Rose recently discussed Wake Forest’s exciting new creation—the Wake Innovation and Launch Lab (WILL). The most striking aspect is the potential symbiosis with, and involvement of, the community. As an illustration, Rose foresees concepts for medical devices and other inventions coming to the lab so that marketing, branding, and financing can be formulated and planned. Her goal is to have two projects in process by September 2018.

Also notable is the lab’s interdisciplinary nature. Wake Forest offered its first engineering major in fall 2017, and Rose plans to explore the possibility of working together.

Ultimately, Rose would like Wake Forest Law’s participation in the Wake Forest Innovation Quarter to be as robust as that of the medical school and undergraduate schools. Graduates will be more creative and forward-thinking, and they’ll be better communicators

who think entrepreneurially. As opposed to telling their clients what they can’t do, they’ll explore ways to achieve their goals: “How can the law be used to bring about what the client wants to achieve?”

Wake Forest Law’s strategies to provide students with integrative experiences are so new that they haven’t been fully implemented yet; however, if attendance can spark human connections and other opportunities unobtainable elsewhere, its attractiveness to prospective students should be undeniable.

Your Institution Here

Fastcase CEO Ed Walters has said that decisions are made using hunches. Whether a feeling is reinforced or allowed to dissipate can mean the difference between simply being relevant and being chosen.

The case examples in this article aren’t necessarily presented for emulative purposes, although the prospect of law librarian involvement is thrilling. Rather, they demonstrate how individuals and organizations are driven by desires usually masked by the notion of relevance—“stickiness,” in the words of Berys Amor (Corrs); successful outcomes and attraction of appropriate clients (HJA); learning environments that reflect the exigencies of today’s world (OU Law); and heightened community visibility and engagement through likely and unlikely partnerships (Wake Forest Law).

What exactly do we mean when we say the word “relevance”? Share your ideas and any other reactions you have about relevance at bit.ly/ND17relevance. ■



KRISTEN M. HALLOWS
RESEARCH ANALYST
Bricker & Eckler LLP
Columbus, OH
khallovs@bricker.com

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