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INSIGHT: Tomorrow's Lawyer Must Embrace Innovation, Technology

April 8, 2020, 4:00 AM

Clients want bold, open-minded, and tech-savvy attorneys, Morgan, Lewis & Bockius attorneys say. They examine the skills attorneys need to become well-rounded "legal athletes" who can work with data and innovate.

Technology, combined with market forces and client demands, will transform the practice of law and the delivery of legal services. Instead of fearing this inevitable change, today's lawyers should embrace it and acquire the skills that will be needed in tomorrow's legal world.

Bold and open-minded lawyers have the ability to change markets or create new ones. This is the kind of lawyer clients are looking to hire.

What Skills Will Future Lawyers Need?

1. Lawyers Must Embrace Project Management

Despite the reputation of Big Law for having a glacial pace of change, clients are pushing for a new breed of lawyers and law firms. Nearly a decade ago, Professor William Henderson predicted the era of legal specialists was ending and a new era of "project managers" was emerging. In this new era, he believed lawyers would begin applying systems- and process-orientated approaches to legal work.

In essence, lawyers would be required to use project management skills in combination with their specialized legal knowledge.

Nimble lawyers are already practicing project management and applying Legal Lean Sigma[®] principles to increase productivity and efficiencies. Effective project manager lawyers are looking for ways to create and streamline repeatable, defensible legal processes.

Successful lawyers are identifying legal functions, tasks and deliverables that can be process-mapped to drive efficiency, consistency, and reduce risks whether it be supporting immigration services, negotiation of contracts or the review of documents for investigations, discovery or due diligence.

2. Lawyers Must Embrace Innovation

Lawyers must embrace innovation and look for new ways of delivering services. Legal organizations should promote their own innovators and disruptors by creating new teams and roles. The uptick in new roles supporting legal innovation include the roles of Chief Innovation Officer, data scientists, statisticians, design thinkers, process and UI designers and artificial intelligence (AI) application and software developers. The diverse thinking of project teams bring real change to how legal organizations solve client problems.

Other examples include legal organizations creating "innovation labs" to incubate ideas; something done by companies outside of law for years. These labs have become useful in generating ideas from an array of employees, which in turn, promote internal disruption. Existing services can be improved and new ones launched. These roles are most effective when separated from the organization's bureaucracy to allow creative thinking some freedom.

Looking to change the practice of law, many lawyers and firms have embraced new technologies to create legal applications that assist clients in finding answers to simple legal questions. Others have created applications to assist clients in quickly drafting various form documents.

Taking it further, there is a trend to use predictive and probability modeling and analytics and other techniques to gain insight into the data.

3. Lawyers Must Embrace Technology and Data

Lawyers have struggled to stay abreast of the ever-changing technological landscape and data proliferation. Yet, data is driving and will continue to drive business and change in the legal field. Lawyers who embrace technologies to analyze and synthesize data will be best equipped to provide fresh advice and solutions to their clients.

Legal innovators have already been working with AI tools to assist clients in synthesizing data to locate areas of legal risk. AI has been used to identify potential harassment or discrimination issues, accounting issues, and issue of fraud, to name a few.

For example, Morgan Lewis eData built a #MeToo bot, which is an analytics framework that enables the firm to very quickly analyze large amounts of disparate data sources and then surface any data that requires further analysis which may include in-person investigations.

As technologies evolve, lawyers must collaborate with technologists to understand the data landscape. Lawyers can learn a great deal about new technologies simply by speaking with clients and stakeholders about the technologies they are using, how they are using them and what problems they are solving with the technology.

Technology, itself, does not solve the problem, but rather a good process with technology supporting lawyers, solve the problem. Lawyers can further seek training and certification on the use of different technologies.

Specific to technology, embracing and understanding different technologies has never been more necessary than with the impact on organizations globally during Covid-19 and the desire and potential need for organizations to continue business as usual.

This may be something as simple as technologies to support remote work while maintaining access to all data systems to function as if you were still in your office or video conferencing to replace in-person meetings or to stay connected with your teams and clients or how lawyers are using technology to support remote depositions; all of which must be done in a manner that considers cyber vulnerabilities.

4. Lawyers Must Think Like Their Clients

Businesses are constantly changing their approach to technology, innovation, and collaboration. Great lawyers understand their client's businesses and seek to balance the risks and rewards of decisions. These same lawyers can keep pace with the most innovative of companies and advise them of the best way to embrace new technology, while minimizing risk.

5. Preparing Future Generation of Lawyers

Law schools are reformulating their programs to address the evolving legal landscape. Law firms have traditionally treated law school as a means of identifying promising talent they could train, while law schools focused on teaching students to "think like lawyers."

As the legal industry evolves, the skill gaps for new lawyers will widen and law firms will be less able to provide those skills through on-the-job training. To fill this gap, law schools should consider offering courses focused on project management, process improvement, business, and technology to more effectively address the needs of businesses and firms.

What's the Bottom Line?

Tomorrow's lawyers need to be well-rounded "legal athletes" with a broad set of skills. Project management skills will be essential, as lawyers plan and execute legal projects, developing repeatable processes that improve efficiencies. Lawyers who are technically capable and business-savvy will be in high demand. Data analysis, technology, and artificial intelligence will augment practice specializations allowing many lawyers to work across practices.

Although changes like this may seem daunting to some, lawyers should capitalize on the opportunities created by the change. Lawyers need to be forward thinkers and evaluate how they can provide better legal services and solutions to their clients.

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