TIMESONLINE

From Times Online

October 19, 2007

Legal profession is on the brink of fundamental change

In the first of six draft excerpts from his forthcoming book, Richard Susskind lays down a challenge to all lawyers

Richard Susskind

The title and theme of this series might appear rather self-destructive. I am a lawyer myself (of sorts). Many of my close friends are lawyers. Most of my clients are major law firms. Socially and commercially, it might seem that I am shooting myself in both feet.

However, as the question mark in the title should at least hint, I write not to bury lawyers but to investigate their future. My aim is to explore the extent to which the role of the traditional lawyer can be sustained in coming years in the face of challenging trends in the legal marketplace and new techniques for the delivery of legal services.

This is neither a lawyer-bashing polemic nor a gratuitous assault on the legal profession. Instead, it is a collection of predictions and observations about a generally honourable profession that is, I argue, on the brink of fundamental transformation.

That said, I do admit, if I may give away the ending, that these articles will point to a future in which conventional legal advisers will be much less prominent in society than today and, in some walks of life, will have no visibility at all. This, I believe, is where we will be taken by two forces: by a market pull towards commoditisation and by pervasive development and uptake of information technology. Commoditisation and IT will shape and characterise 21st century legal service.

Against this backdrop, I should be honest about one issue from the outset. I do not believe lawyers are self-evidently entitled to profit from the law. As I have said before, the law is not there to provide a livelihood for lawyers any more than ill-health exists to offer a living for doctors. Successful legal business may be a bi-product of law in society, but it is not the purpose of law. And, just as numerous other industries and sectors are having to adapt to broader change, so too should lawyers.

This series calls for the growth and the development of a legal profession not by ring-fencing certain categories of work as the exclusive preserve of lawyers; nor by encouraging cartel-like activity which discourages all but lawyers from engaging. Rather, it calls for lawyers, their professional bodies, their policy-makers, and their clients, to think more creatively, imaginatively, and entrepreneurially about the way in which lawyers can and should contribute to our rapidly changing economy and society.

More specifically, the challenge I lay down here is for all lawyers to introspect, and to ask themselves, with their hands on their hearts, what elements of their current workload could be undertaken differently — more quickly, cheaply, efficiently, or to a higher quality — using alternative methods of working. In other words, the challenge for legal readers is to identify their distinctive skills and talents, the capabilities that they possess that cannot, crudely, be replaced by advanced systems or by less costly workers supported by technology or standard processes, or by lay people armed with online self-help tools.

I will argue that the market is increasingly unlikely to tolerate expensive lawyers for tasks (guiding, advising, drafting, researching, problem-solving and more) that can equally or better be discharged, directly or indirectly, by smart systems and processes. It follows that the jobs of many traditional lawyers will be substantially eroded and often eliminated. At the same time, I foresee new law jobs emerging which may be highly rewarding, even if very different from those of today.

While I hope this will be of interest to many general readers, I believe it is relevant for all lawyers, no matter how specialist or expert they perceive themselves to be. I am often amused and always bemused when, after a presentation to a group of lawyers, I am approached by a small number who purport to be in violent agreement with what I have said. Such lawyers will say that they accept a shake-up in the legal profession is long overdue and that my ideas about the transformation of legal services apply across the board, except for one vital area of legal practice — their own. There follows a stream of rationalisations, clarifying why their corner of the legal universe is and should be immune from change.

My scepticism here should be evident. No lawyers should feel exempt from assessing whether at least some of their current workload might be undertaken differently in years to come. And no lawyers should shirk from the challenge of identifying their distinctive capabilities.

Lawyers can learn from the corporate world in this context. At the peak of the dotcom era, Jack Welch, for 20 years the CEO of General Electric (GE), set up a group of teams to analyse whether the internet could do to businesses within GE what Amazon

was achieving in bookselling. In the spirit of the times, they were called “destroyyourbusiness.com” teams. Before long, however, these were re-designated “growyourbusiness” teams. They had concluded that the internet offered more opportunities than threats and so they moved from being defensive to proactive in responding to the new technology.

And so it should be with lawyers. The challenge is not to assess how commoditisation and IT might threaten the current work of lawyers, so that the traditional ways can be protected and changed avoided. It is to find and embrace better, quicker, less costly, more convenient and publicly valued ways of working.

To return to the disconcerting message of this book for much of the legal profession: for those lawyers who cannot identify or develop the distinctive capabilities to which I refer, I certainly do predict their days are numbered. The market will determine that the legal world is over-resourced, it will increasingly drive out inefficiencies and unnecessary friction and, in so doing, we will indeed witness the end of outdated legal practice and the end of outdated lawyers.

Richard Susskind is Emeritus Professor of Law at Gresham College, IT adviser to the Lord Chief Justice and consultant to leading law firms. He was awarded an OBE in 2000. This is an extract from his forthcoming book, The End of Lawyers? Rethinking the Nature of Legal Services. For more information click here

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TIMESONLINE

From Times Online

October 25, 2007

A decade on: much changed, much still to unfold

The author revisits some of the radical predictions he made about technology and legal services in his first book

Richard Susskind

Read other extracts from The End of Lawyers?, and related articles

One of the problems with being an author who makes predictions is that, eventually, you can be called to account. With the benefit of hindsight, critics can expose the misconceptions and the naiveties. Or, much less likely, they can confirm that the vision has been fully realised.

In my book, *The Future of Law*, published in 1996, I made many predictions. When judging that book, however, commentators often overlook the fact that the view of the legal world set out there was a 20-year view. I was speculating about changes from 1996 to 2016 (give or take). Today, we are just past the half-way point of the 20-year transition and so it is still a little early to assert that I was right or wrong. That said, I think it worth saying that I remain committed to that book's central themes and that we are on course for many of the fundamental changes I anticipated.

Perhaps the most crucial line of thought was that we were witnessing what I called a change in the "information substructure" in society. I used this term to refer to the dominant means by which information is captured, shared and disseminated within society. I observed, as some anthropologists have, that you can see that human beings have travelled through four phases in relation to information substructure: the first being the era of orality, where communication was dominated by speech; thereafter the era of script; then came print; and then, and we were in that transition then (and still are), into the fourth stage — of the world of information technology.

My next point, and I still strongly believe this, is that the information substructure in society — this dominant means by which information is captured, shared and communicated — dictates to a large extent the quantity of our law, the complexity of our law, the regularity with which our law can change, and those who are able to advise upon it and be knowledgeable about it.

If we look at the way the law has changed throughout history, we can see transitions as the information substructure has changed. I argued that there was going to be a shift in legal paradigm (although now the notion of "paradigm" is rather overused). By this I meant that many of our fundamental assumptions about the nature of legal service and the nature of legal process would be challenged by the coming of information technology and the internet. In other words, much that we had always taken for granted in the past, about the way that lawyers work and the way non-lawyers receive legal guidance, would change through technology.

I also identified a phenomenon that I introduced as the "technology lag". This was a lag between two forms of technology: data processing and knowledge processing. Data processing is our use of technology to capture, distribute, reproduce and disseminate information. We have become extremely adept at this. Indeed, everyone who bemoans the information overload that affects all of us will say we have become too good at data processing. But now, knowledge processing is coming to the rescue.

This is a set of technologies that helps us analyse, sift through and sort out the mountains of data that we have created and helps make them more manageable. Data processing has advanced well ahead of knowledge processing, but the gap between the two — the technology lag — is going to close. When it closes, we will be fully in the information society.

I believe now, and I believed then, that we are in a transitional phase between the print-based industrial society and the IT-based information society. Only when knowledge-based technologies allow us to manage more effectively these mountains of data we have created, will we be fully in the information society.

I talked also of the "latent legal market", and this attracted a lot of interest. This was the notion that many people in their social and in their working lives need legal help and would benefit from legal guidance but lack the resources, or perhaps simply the courage, to secure legal counsel from lawyers. I believe things have changed: on the internet we now have vast resources available to people who, from the Government's 2,500 websites or the innumerable voluntary legal services sector websites, can obtain practical, punchy legal guidance. I believe there is not just a latent legal market for the ordinary citizen but also for major organisations, too, when they find it difficult to secure legal guidance on all those occasions when they need it.

All of this led me to speak about access to justice - not in the sense that Lord Woolf, the former Lord Chief Justice, was then speaking of access to justice, when he referred to improved access and greater access to dispute resolution — but in a broader sense. I had in mind the notion that as citizens we should be able to find out easily and quickly what our legal entitlements are, and in so doing, we should be able to avoid legal disputes.

I pointed at the same time to a phenomenon I refer to as "hyper-regulation". By that I meant we are all governed today by a body of rules and laws that are so complex and so large in extent that no one can pretend to have mastery of them all. I argued then that hyper-regulation means not that there is too much law by some objective standard, but that there is too much law given our current methods of managing it. Of course, I was creeping towards the suggestion that, with the coming of knowledge-based technologies, the volume of the law would be more easily managed with the assistance of our systems.

I also drew attention to innumerable emerging technologies that seemed likely, at the time, to be tremendously important. It is laughable in retrospect, but e-mail was one of them. When I suggested ten years ago that e-mail would become the principal means by which clients and lawyers would communicate, many people suggested I was dangerous, that I was probably insane and that I certainly did not understand anything about security or confidentiality. But that technology and many other emerging technologies have now firmly taken hold.

While much has happened since 1996, much more is yet to unfold. I believe that within the next ten years — it might be a little more, it might be a little less — we will see this technology lag, this gap between knowledge and data processing, closing. We will emerge into an era in which we will have at our finger-tps, through the internet and other facilities, all manner of legal guidance and legal resources that were barely imaginable ten years ago.

Richard Susskind is Emeritus Professor of Law at Gresham College, IT adviser to the Lord Chief Justice and consultant to leading law firms. He was awarded an OBE in 2000. This is an extract from his forthcoming book, The End of Lawyers? Rethinking the Nature of Legal Services. For more information click here

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TIMESONLINE

From Times Online

November 5, 2007

How the traditional role of lawyers will change

In part three of The End of Lawyers?, the author argues that 'black letter' lawyers will give way to multi-disciplinary, 'hybrid' advisers

Richard Susskind

Read other extracts from The End of Lawyers?, and related articles

After years of talking with a wide variety of lawyers, I have found that many practitioners have one thing in common: they seem to want to deny that they are, well, lawyers. They downplay the legal content of their jobs.

Private client lawyers (for example, those who advise on divorces or draft wills) tell me that their job is not really about the law; rather, they insist, they are experienced counsellors, confidantes, therapists even, in whom their clients have unwavering faith in relation to their personal problems.

In similar vein, litigators say that their primary role in life is that of project manager rather than provider of legal advice; corporate lawyers claim to be deal-makers and negotiators much less than legal draftsmen; capital market lawyers suggest they are transaction managers rather than gurus of finance law; in-house lawyers maintain they are risk managers more than legal counsellors; banking lawyers assert their clients come to them not for legal advice but for their market knowledge; and high street solicitors insist that they rarely undertake legal research. Even judges say that they are becoming . . . case managers.

Where have all the lawyers gone? Why are lawyers not undertaking the rarefied legal work that our law schools led us to expect (and many still do)?

A variety of reasons might be advanced for lawyers denying they are lawyers. One response might be that being a lawyer is, bluntly, not the coolest of jobs, and perhaps not as prestigious as once it was. There may even be a stigma of sorts attached to being a lawyer — hence the wealth of lawyer jokes. And so, in response, lawyers might be holding themselves out as belonging, at least in part, to another discipline.

I do not accept this line of thought. It may be that the ill-informed and the disconnected will trash the legal profession but in most walks of life lawyers remain well respected. In any event, I cannot imagine according to what scale it is cooler or more prestigious to be, say, a project manager than a lawyer, with all due respect to project managers.

It may be that lawyers often genuinely forget how much they know about the law and so do not regard themselves as especially lawyerly. Or perhaps they do not feel that it is their legal knowledge that differentiates them in the marketplace and so they point to complementary skills of which they are proud.

There is something different here, I believe, from yesteryear's traditional role of the lawyer as the "man of affairs", the all-purpose rock of an adviser upon whom clients could unfailingly rely. That old boy (and these chaps were invariably male) regarded the law, in contemporary jargon, as their core competence, around which they built more general business acumen.

In contrast, the modern lawyer, who is in denial of being lawyerly, seems to want argue that they have some different core competence and relegate their legal ability to the background or periphery. I believe this is an indicator of profound forces at play, forces that are lessening the need for the traditional "black letter" lawyer. When it becomes possible to standardise, systematise, package and even commoditise the law, the need for the traditional bespoke handling by the conventional lawyer lessens considerably.

Lawyers' denial of their lawyerliness is an early but crucial indicator that they can sense there is less purely legal work to be done and so they are beginning to adapt. Whether they are fully conscious of this phenomenon or not, in order to survive, many are widening their range of skills, broadening their sphere of impact, and are anxious that the world does not pigeon hole them as detached analysts who sit in ivory towers. Most lawyers, in other words, can no longer eke a living from the law alone.

Lawyers, like the rest of humanity, face the threat of "disintermediation" (broadly, being cut out of some supply chain) by smart systems; and, as in other sectors, if they want to survive, their focus should be on *re*-intermediating — that is, on finding news ways of invaluably inserting themselves in supply chains. This will lead, I believe, to the emergence of what I call "legal hybrids": individuals of multi-disciplinary background, whose training in law will have evolved and dovetail with a formal education in one

or more other disciplines.

The formality is important. When most lawyers claim today that they are, say, project managers or counsellors, they are nothing of the sort. Too often they but dabble. They are dilettantes who have read an article or two and attended a few seminars or intense courses. We would not dare call someone a lawyer on the strength of similar schooling.

If lawyers want to re-invent themselves and carve out new multi-disciplinary roles that allow them to deliver new value, then their commitment to these neighbouring areas of expertise must be deep and our law schools should be gearing up accordingly. In this way, we will also formally be equipping lawyers of the future with the tools and knowledge to solve business problems and not just legal problems.

I am not suggesting that there will be no call for the traditional legal expert. I am saying there will be less call for these individuals, because new ways of satisfying legal demand will evolve and old inefficiencies will be eliminated.

On top of this smaller group of genuine legal specialists and this growing cadre of hybrids, I also envisage the emergence of a third grouping: the legal knowledge engineers. These are the highly skilled individuals who will be engaged in the jobs of standardising, systematising and packaging the law. They will be the analysts who reorganise and restructure legal knowledge in a form that can be embodied in smart systems, whether for use by lawyers, para-legals or lay people.

Richard Susskind is Emeritus Professor of Law at Gresham College, IT adviser to the Lord Chief Justice and consultant to leading law firms. He was awarded an OBE in 2000. This is an extract from his forthcoming book, The End of Lawyers? Rethinking the Nature of Legal Services. For more information click here

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TIMESONLINE

From Times Online

November 12, 2007

Outside investors will demand a very different type of law firm

In part four of The End of Lawyers?, the author says that new investors will not be wedded to business practices of the past

Richard Susskind

Read other extracts from The End of Lawyers?, and related articles

For the first time in England, it will soon be open to non-lawyers to invest in law firms. In the autumn of 2006, I took part in a revealing seminar that squarely addressed this possibility.

The focal point of the event was the inclusion in the Legal Services Bill (now Act) of “alternative business structures”, the device that would enable this outside investment. It is a move that is being mirrored in several other jurisdictions and is anticipated for many more.

During the 18 months prior to the seminar, law firms’ responses to this development had been mixed. Some had seen it as an irrelevance, doubting on a variety of grounds that anyone other than lawyers would want to invest in law firms. Others regarded it as yet another indicator of a decline from the professionalism of a partnership into the amoral carnage of the limited company.

Still others were rubbing their hands in glee at the thought of being bought out, serving a couple of transitional years under the new management and then retiring comfortably.

I listened with growing interest to the debate that afternoon. It was a rare experience to hear legal services being discussed as though they were subject to the normal laws of the marketplace and not some kind of special case, sacred cow, or no-go zone.

I discovered that the value of the market for consumer-based legal services in England was thought to be over £10 billion. I learned of market research that reported 60 per cent of citizens would prefer to obtain legal services from common high street brands (supermarkets and banks, for example) than from solicitors in private practice. It was concluded that at least £6 billion worth of consumer-based legal services were up for grabs.

Only a very few of the delegates were lawyers. Most were representatives of these high street behemoths whose remit now seems to know no boundaries. These individuals were not committed to the ways of the past. They were talking about call centres, outsourcing to India, online legal services, the automatic generation of documents, and more.

I thought then, with complete conviction, that the delivery of legal services will be a very different business when financed and managed by non-lawyers.

I wondered what the legal world would be like if dominated or even strongly influenced by the retail industry, by the management methods and ethos of corporate boards, with the backing of venture capital, private equity and other forms of external financing? Would this herald a welcome liberalisation and demystification of the legal market or a lamentable collapse of its professional underpinnings?

I thought how improbable (and have since had this confirmed by specialists in the worlds of venture capital and private equity) that investors would choose to put cash into the traditional business model of most law firms – hourly billing, expensive premises, pyramidic organisational structures, and the rest.

If it were possible to start afresh and build legal businesses from the ground up, surely the hard-nosed investors would not replicate traditional legal service. They might buy a firm for its brand name but would no doubt bring to bear a more contemporary suite of tools and techniques for managing the delivery of legal services.

The new wave of investors and managers will surely find that individual law firms are over-resourced; and, further, that the legal profession itself is over-resourced. They will quickly recognise that, within and beyond law firms, there is enormous duplication of effort and reinvention of the wheel; and, in turn, that there are too many lawyers and too few smart systems.

And I reflected further that there would be no reason to suppose that investors would restrict themselves to legal services for consumers. It is wrong-headed to think, as so many lawyers do, that the greatest impact would be felt amongst those who undertake high volume, low margin work.

Before long, the entire legal marketplace will be under scrutiny, so that commercial law firms will also be challenged rather than purchased.

I know that clients of such firms are increasingly dissatisfied with the level of fees that they pay, that they are under pressure themselves to reduce their legal spend and that they are pushing for much greater efficiency. Their attention is focused not only on the discrete high volume work. They are also looking at decomposing high value, big ticket deals and disputes and identifying what parts of these legal matters can be carried out more efficiently.

And with $40 billion currently being spent each year on the top 100 US law firms alone, there is likely to be some scope for a saving or two.

The major firms may feel they are beyond the scope of commoditisation and systematisation and that, on bet-the-ranch deals and disputes the legal fees represent but pocket change in the grand scheme. But this is not the attitude I find amongst the general counsel of some of the world's largest organisations.

These managers are under pressure to reduce their legal budget. And these clients' loyalty to conventional firms will be limited if new legal businesses emerge that offer quicker, more convenient, lower cost alternatives to low- and high-value work that seem to be more geared to the interests of clients and are more business-like in their constitution.

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TIMESONLINE

From Times Online

November 19, 2007

No one has a vision for the next generation of lawyers

In part five of The End of Lawyers?, the author says the profession is reluctant to look any further than the term of the average managing partner

Richard Susskind

Read other extracts from The End of Lawyers?, and related articles

Over the last two years or so, I have been informally asked to advise the friends of my teenage sons about possible careers in the law. I cannot pretend to these enthusiastic youngsters that what they have seen in movies or read in novels or even experienced through work placements will bear any relation to the legal world a generation hence. Can any responsible lawyer sensibly state with confidence that legal work in 2030 will be much the same as today?

While major oil companies have plans in place for the next 50 years, very few lawyers look beyond the next five. In fact, when honest lawyers are really pushed, most confess to being clueless about how their profession is likely to unfold in the long run.

And yet, in England alone, around 15,000 students each year are now being accepted by our universities to study law as undergraduates.

Even if we concede that many of those students never intend to practise, we are nonetheless left with very large numbers (perhaps a quarter of a million in the next generation, at current rates) emerging from undergraduate law schools — institutions that generally seem to assume and project a model of legal practice that held firm in the mid to late 20th century but may well bear little relation to lawyering in the 21st.

I give lectures regularly at law schools and to legal academics. These talks often provoke interesting discussion, but I fear I am regarded by mainstream law professors as an interesting but ultimately misguided sophist and that trends such as commoditisation and IT are looked upon as marginal sideshows. Disconcertingly, undergraduate law students are also sceptical.

My ideas on the future of legal services may resonate with many general counsel in the world's largest financial institutions and companies, and I may be asked to advise many law firms on possible futures, but most law schools, by and large, seem much less willing to engage. They are comfortable in assuming that it will be legal business as usual for the foreseeable future.

It is clear to me that few undergraduate law schools, in the UK at least, are exposing their students even to the possibility of that legal service may be radically different within the span of their careers.

What, then, are we training our undergraduate law students to become? What should we say to young aspiring, legal eagles about the landscape of the world they are interested in entering? To what reports or publications should we be directing them?

I can find none. For more than 15 years, I have been a general editor of the International Journal of Law and Information Technology; not once in that period have we received a submission on the subject of the nature of legal practice in the long term.

If law schools and legal academics are reluctant to express a long view about the future of law, are others stepping up to the plate? Remarkably, they do not seem to be. For example, professional bodies in England, such as the Law Society and the Bar Council, may currently be discussing or supporting or effecting changes that will substantially affect the future of lawyers but I can find no articulation of an underpinning vision for the future of legal service.

Similarly, the UK Government is unquestionably reforming the legal profession and legal system at a rate of knots but in none of the white papers, consultation documents or speeches by ministers can I find a clear articulation of a distant end game that takes into account the phenomena that most long-range strategic planners are wrestling with — such as the impact of outsourcing or of Web 2.0 (two phenomena that are disrupting and reconfiguring most sectors) on legal practice.

Nor has the Law Commission focused its lens on the future of legal practice. Even major law firms, who invest substantially in technology, very rarely look beyond the likely terms of office of their senior and managing partners, which tends to be between three and five years.

In short, no one who might be thought to be in the driving seat of the legal system is thinking systematically, rigorously and in a

sustained way about the long term future of legal service. No-one seems to be worrying about the fate of the next generation of lawyers.

All that can be discerned in relation to the long term is a common assumption — whether on the part of scholars, professional bodies, government agencies or leading law firms — that legal service of tomorrow will be quite similar to that of today; perhaps more efficient and more business-like but not fundamentally different in nature.

It is assumed that legal guidance will continue to be dispensed by skilled professionals as a one-to-one, consultative advisory service. By and large, no discontinuities, transformations, upheavals, disruptions or revolutions in the nature of legal service are being contemplated.

One possible exception here is the legal publishing community, a market that has changed markedly in the last decade, in its widespread adoption of online techniques. I have found that many legal publishers, from the large and multi-jurisdictional to the small and entrepreneurial, do have a long term view, although it is not one they tend to publicise, for fear, perhaps, of swallowing the hand that feeds them.

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TIMESONLINE

From Times Online

November 26, 2007

Only a foolhardy lawyer will fail to embrace change

In the final part of The End of Lawyers?, the author addresses his critics and says they have missed the point

Richard Susskind

Read other extracts from The End of Lawyers?, and related articles

The title of my book — *The End of Lawyers?* — came to me one afternoon, in early 2006, when I sat in great comfort in the ancient and splendid surroundings of the dark- wood-panelled main hall of the Mercers' Company, in Ironmonger Lane in London.

Founded in 1394, the Mercers is the longest-established instance of a great tradition in the City of London, that of "livery companies". With origins in ancient trade guilds and, in the early days, focused on regulating their trades, there are now over 100 of these bodies.

Mercers were traders in fine cloths and silks. But the last mercer to become an apprentice with the Mercers did so in 1888; since then, like many other livery companies, the Mercers have supported innumerable charitable causes and educational initiatives.

It was probably the fine food and wine that emboldened me and fuelled my imagination. I wondered to myself, in an entirely untutored way, about the fate of mercers. I thought about improvements in transportation and communications, the impact of machinery on craftsmen and cottage industries, the emergence of synthetic fibres, the advent of mass-market retailing, and the impact of an ever more influential fashion industry.

And I then thought about other ancient trades and craftsmen, now remembered in London largely because of the livery companies that bear their names — for example, tallow chandlers (who rendered animal fat as candles); cordwainers (who worked with fine leather); and wheelwrights (makers of wheels).

It occurred to me that the fundamental demand for the products of these trades —cloths, candles, wheels — had not diminished; indeed it had often increased. But new technologies, methods of production and innovations had served to displace most of the associated craftsmen.

I reflected upon the legal world and the possible impact of information technology. And I wondered then — and this first thought inspired the title of the book — whether lawyers might fade from society as other craftsmen have done over the centuries.

Perhaps 100 years from now, maybe more or maybe much less, people might sit in fine comfort in some vestige of today's legal world (perhaps an ancient courtroom refurbished as a restaurant, as some of London's banks have been repurposed) and, appropriately nourished, speculate in a leisurely manner about solicitors and barristers and advocates and attorneys, in much the same way as I had been musing about various craftsmen of centuries past.

Who exactly were these people, these lawyers? What was their craft? They were involved with the law, of course, but what did they actually *do*? Why did we need them? How did they contribute? And why do we not have them any more? What brought about the end of lawyers?

This anecdote, as I say, led me to the title of the book. I accept that it is a provocative title. But to provoke the legal community into serious reflection and then into practical action is one of my aims in life.

A common retort by cynics, sceptics, doubters and critics runs simply and as follows: computers cannot replace legal work. Full stop. I will leave to one side the fact that this really is a gross oversimplification of my thesis, in that it ignores what I say about standardisation, commoditisation and the transfer of many legal tasks from lawyers to non-lawyers. But even as a claim only about the impact of technology on lawyers, it is weak. I respond in two parts.

First of all, my interest is manifestly not in some wholesale, monolithic substitution of legal advisers by information technology. Instead my focus, insofar as IT is concerned, is on the extent to which some, much or all of what lawyers do can be undertaken more quickly, more conveniently and less expensively, and in a less forbidding way, by systems than by conventional work.

The question I therefore prefer to ask in this context is: from the clients' point of view, what tasks of lawyers will be better

undertaken in the future by systems?

It is a foolhardy lawyer indeed who unreflectively and dogmatically replies to this question by asserting “none whatsoever”. Open-minded lawyers, and those who genuinely care about the interests of their clients should, in the internet age, continually be looking at ways in which IT can play a more prominent role in their services.

My experience of working with law firms and in-house legal departments leads me to claim that there is remarkable scope for greater and beneficial deployment of technology. I also contend that for some lawyers there are existing and emerging technologies whose widespread adoption will effectively render them redundant. (Much the same has happened in many other sectors; lawyers are not immune from the destructive effects of the internet and IT revolutions.)

I call technologies that threaten the work of today’s lawyers and law firms “disruptive legal technologies”. They do not support or complement current legal practices. They challenge and replace them, in whole or in part.

This leads to the second part of my response to the non-believers. Most of the disruptive technologies that I identify — such as document assembly, personalised alerting, online dispute resolution, and open-sourcing — are phenomena of which most practising lawyers are only dimly aware. (Also bear in mind that my predictions are long-term predictions, stretching to 2016 and beyond.) If lawyers are barely conversant with today’s technologies, they have even less sense of how much progress in legal technology is likely in the coming 10 years.

Politely, it puzzles me profoundly that lawyers who know little about current and future technologies can be so confident about their inapplicability. To be able to claim responsibly that IT will have no or minimal effect of lawyers, as many do, surely requires some considerable depth of insight into what disruptive technologies do and will do in years to come. My purpose in writing my book is precisely to provide that insight.

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