

# **Survival of the Law Firm: *Is Your Legal Future Secure?***

*By*

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Kids grow up, careers change, close ones die, health problems occur, we reach our middle age years, and then our reclining years – change is inevitable and constant. Many times throughout these years we are asked, commanded and cajoled into trying to change some of our habits or ways of doing things because of changes going on around us. This is one of those times.

*The business environment has changed.* Names of great companies such as General Motors, Bethlehem Steel and others have been replaced with the Microsofts, Intels, and Amazons of the world. In the 1920's 80% of the work was manual and 20% was cerebral, by 2010 80% of the jobs will be cerebral and 20% manual. We are transitioning into an information/knowledge-based economy on a global basis. Internet stocks are hot as virtual companies such as Amazon.com compete against Borders and Barnes and Noble bookstores. Amazon delivers books overnight at generally reduced prices while shopping from your computer. Business at the speed of thought is occurring as virtual companies open daily on the Internet.

Communication is instantaneous. The letter sent via the post-office will become obsolete; cast aside as an inefficient remnant of a curious age when we were willing to wait for communication from others. Our society has been moving toward instantaneous communication for some time with the introduction of the telephone, the facsimile machine, answering machines, voice mail and now electronic mail and the Internet.

*The legal environment has also changed.* The instantaneous nature of communication, accessing information, business transactions and the practice of law has changed.

Many clients expect and demand instant contact such as e-mail communication. The next step will be the significant growth of Extranets as clients and firms discover the ease with which case strategies and status, case materials such as depositions and documents, calendars, project timelines, billing data, etc. can be easily accessed and shared online. Cases will be collaborated on virtually by co-counsel, clients and others.

Daily we hear and read about case, court, and government agency data available free over the Internet 24 hours a day. Dockets of cases, imaged or full text pleadings, calendars, etc. are available from many courts throughout the country. Cases, court rules, statutes and regulations are also available online.

The federal and state governments are moving at a fast pace to codify digital signatures to use on electronic transactions and to pass uniform legislation for electronic commerce transactions, determine jurisdictional and other issues affecting business over the Internet. Government needs to catch up with the rapid explosion of doing business over the Internet. Lawyers need to advise their clients about the benefits and pitfalls of electronic commerce today and in the future.

The practice of law is changing. Electronic filing of court documents is rapidly moving ahead on a national and statewide basis as the courts realize the tremendous labor savings in having documents on-line without the need for paper storage. Courtroom exhibits are prepared in the courtroom as witnesses testify. Testimony in the form of video, text and audio can be sent real-

time to anyplace in the world from a deposition or a trial to co-counsel, expert witnesses or to your clients. Lawyers are increasingly practicing from their home, branch offices and other locations, as legal and factual communication is always available with an Internet connection.

So why do so many practitioners and law firms resist the information/knowledge change? There are several reasons. Old habits - how often have we heard someone say "I've been here for twenty years, and I can tell you what works around here." No control - one of the most compelling drives in humanity is to have a sense of control over one's destiny. The individual is confronted with the stark reality that those things that he controlled in the past are now taken away. Stress - caused by lack of proper planning for the change or poor experiences in the past. Insecurity - what will happen and how will I cope? Many employees worry about fear of failure or of looking stupid.

In order to begin the change process one must switch perceptions of the world. The fact is that we live today, and today demands that we consider today's realities. We need to face the fact that there are other lawyers from across the United States that are desperately trying to obtain your clients in this new virtual world. They are setting up Extranets and other forms of virtual communication with clients with amazing results. If we are threatened with losing our job because clients go elsewhere or of failing to attract associates or partners because of salary structures or technology obsolescence then change will occur.

Our worldview must change from seeing the past as perfect and fearing the future, to leaving the past behind and making the future our challenge. Everybody must understand and appreciate that there is a clear need for change. If we do not change from within, our opposition will most certainly force us to change from without.

Managing effectively in an environment of change requires a willingness to reinterpret and reinvent oneself, re-evaluate relationships and identify the everyday methods of operation that promote stagnation of professional growth. If we are successful in reinventing ourselves in this new virtual world then we will be able to practice law @ the speed of thought and secure our future.

