

> BRINGING THE TECHNOLOGY OF LAW INTO CLASS

By Sean Murphy



you want to peek into the law school classroom of the future, Marc Lauritsen's course, "Lawyering in an Age of Smart Machines," is a good place to start.

Lauritsen stands at the front of the darkened room, but it is the large overhead screen that has the attention of the dozen law students, most of whom also have glowing laptops in front of them.

Half the screen is showing the website LawHelp Interactive, on which Lauritsen is clicking and typing as he talks. Splitting space on the screen is the teaching assistant, whose image is streaming live from her office in Chicago. In addition, students are contributing notes in real time, each appearing on the screen in a unique color.

The class is creating an interactive questionnaire to generate legal documents, such as

a demand letter to a landlord for return of a security deposit. Later in the semester, students will write their own user-friendly legal apps. Previous students built smart forms to apply for food stamps, secure a copyright or screen a client for a potential claim of workplace discrimination.

"We're teaching machines to do something that a lawyer would otherwise do, and do it better," Lauritsen said—a paradigm change that he called "one of the most significant developments for the next few generations of lawyers."

So what do we do about this dramatic shift, he asked rhetorically.

"Understand it, but more importantly get in front of it. Be a part of the process. Know how to



Vedika Mehera, a second-year law student from Bangalore, India.



Dana Conneally JD '11 is a partner at Evidox, an e-discovery start-up in Boston.

make machines do your bidding. Then lawyers will be free to take on the more creative side of legal practice.”

Lauritsen’s course—which is taught less by Socratic method than by experiential learning—is an obvious value-add for law graduates who will be more desirable to employers with tech proficiency. But Lauritsen sees a more revolutionary purpose: inspiring students to be legal entrepreneurs.

“As the things that are being made are doing more and more sophisticated forms of legal work, the natural participant in their development should have legal knowledge,” Lauritsen said. “There is a strong role for law students and lawyers to have involvement in their construction.”

> THE 100-YEAR UPHEAVAL

“Lawyering in an Age of Smart Machines” is one of a suite of classes unveiled at Suffolk Law in the past few years that capitalize on the emerging

industry of law-related tech jobs, from e-discovery to cloud computing to cybersecurity.

While the law of technology is well-covered ground at most law schools, the technology of law is not.

“We are going through a dramatic upheaval in the way legal services are delivered—an upheaval unlike any in at least a hundred years,” said Professor Andrew Perlman, director of the Institute on Law

Practice Technology & Innovation—launched in the spring of 2013—and director of the new Legal Technology and Innovation concentration approved in the fall of 2013.

“When I started in practice in the mid-1990s, I would be put in a room with a stack of documents and told to look through them,” Perlman said. That job is largely outsourced today—either to automated systems or e-discovery firms that employ cheaper workers domestically or overseas.

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—Professor Andrew Perlman

But rather than fearing the loss of jobs, Perlman said this leaves an opening for entrepreneurial law graduates.

“We need to think innovatively.

There are these really interesting legal jobs, the jobs that are the equivalent of creating the iPhone,” Perlman said. “We can come up with those ideas. We need students to be thinking about how to innovate in the delivery of legal services to make it more efficient and effective.”

> NEW NICHEs IN LAW

Perlman is a thoroughly modern guy but supremely credentialed by any traditional measure: chief reporter for an influential American Bar Association commission on ethics; Massachusetts Supreme Judicial Court committee member on the rules of professional conduct; co-author of a widely used civil procedure casebook and two other books; author of a dozen law journal articles; graduate of Harvard, Yale and Columbia.

An ethicist, political philosopher and legal theorist, Perlman is also, he admitted, “at heart, a nerd.” His face wrinkled into laughter.

He is a blogger on legal ethics and a lifelong tinkerer with all things technological. He was one of the first to try Google Glass—which he uses in class to let students text message him questions—and is teaching an ethics simulation course using a virtual law firm to pose real-world problems for students.

By integrating technology and law in classes, Perlman hopes that law students similarly begin to see technology in a different way.

“We have to get students thinking about how to deliver legal services in new ways and how to create new niches in the legal industry,” Perlman said. “This only comes from teaching students to think about legal services in an entrepreneurial way, which law schools traditionally have not done.”

Perlman emphasized that the

GOOGLE GLASS IN CLASS

Last summer, Professor Andrew Perlman was chosen as one of the early testers for Google Glass. Perlman's pitch—a 15-second video and 50-word application—described how he would use Google's wearable computer in the classroom and incorporate Glass into legal education. We spoke to Perlman this winter about his experience.

Q: How do you use it?

A: It looks like a pair of eyeglass frames with a small projector screen in the upper righthand side that allows you to access information. You interact with Glass using voice commands and a touch pad on the side of the device above your right ear.



Q: What is it like to use?

A: It's like wearing your smartphone. I can access Google searches and simple web browsing. I can take photos and videos and do other things that I would normally use my phone for, but without having to pull my phone out of my pocket. For me, it's mostly cool. But I'm admittedly a geek.

Q: Is it ever distracting?

A: Yes. For example, I tried it once while driving. There won't be a second try. I didn't find it easy to access the information I needed while keeping my eyes on the road.

Q: What is the best use for Google Glass?

A: New apps—which Google calls "Glassware"—are being added all the time. One cool app is Field Trip, which gives you visual images and information about areas you're traveling through. So, for example, if you walk Boston's Freedom Trail, you get all sorts of historical information about what you're seeing as you walk. Another cool app is a visual translation app. You can look at a sign in a foreign language, and Glass recognizes the text and shows you what the sign means in English. It's not quite the universal translation device from Star Trek, but it's still pretty awesome.

Q: How do you use Glass in class?

A: When I wear Glass, students can text me questions while I'm lecturing. I can see the questions as I'm talking and respond to them when the time is right. Students love it because it gives them an additional way to interact with me beyond the usual question-and-answer format. It doesn't replace the typical way of doing things but nicely supplements it. I have found that students are much more eager to ask questions while I'm wearing Glass.

Q: You got Google Glass over the summer; how often do you wear them now?

A: I don't wear Glass a lot. For the most part, I still prefer my smartphone. But given how quickly Google and developers are adding new Glassware, that might change sooner than I think.

—JBB

current trend lines show Suffolk Law and all law school graduates increasingly gravitating to jobs for which a JD degree is preferred but not required. In 2013, 29.2 percent of employed Suffolk Law graduates got jobs in business.

And unlike other parts of the legal marketplace, legal tech jobs are growing. The *ABA Journal* estimates that employment in what the U.S. Census Bureau calls "All Other Legal Services" was less than 1 percent of total legal services employment in 1998. But by 2010, that market had more than doubled to more than 21,000 jobs and now makes up nearly 2 percent of total legal industry employment—an annual growth rate of more than 6 percent, the *ABA Journal* magazine reported in October 2013.

"For all of these new jobs, whether it's e-discovery or automated document assembly, law graduates are in a better position to utilize their expertise. If you have a law degree, you will have better insights and do the jobs better," Perlman said.

THE JD AS ENTREPRENEUR

Perlman's vision is already a reality for some of Suffolk Law's recent grads.

Dana Conneally JD '11 is a partner not in a law firm but in Evidox, an e-discovery start-up housed in an old leather tannery near South Station in Boston. Although he worked in the litigation support group at Goodwin Proctor for nearly seven years, he said he never wanted to work as a

traditional lawyer. When he enrolled at Suffolk Law as an evening student, his eye was on the emerging tech businesses that provide legal consulting.

"I needed to be able to think and talk like an attorney to be able to think and work with them in the way that I wanted to," Conneally said. "When you are working in the legal environment, it helps when you can talk in the same way, issue spot in the same way. You just see things differently as an attorney."

Evidox has recently broken through the walls on the tannery's second floor to gobble up another 3,000 square feet for its expanding business. Conneally works long hours and his smile is prideful as he presents \$1 million worth of computer servers

recently purchased and stacked in this climate-controlled space.

Perlman called Conneally “a perfect example” of the kind of spirit Suffolk Law’s new institute is trying to instill in law students.

“He saw the market changing, made his move and now he’s a partner with a very successful company,” Perlman said.

Luke O’Brien JD ’91 worked part-time at a Cambridge software consulting firm while attending Suffolk Law. Today, O’Brien, 43, is general counsel of Brightleaf, a legal document automation firm. Clients—mostly law firms and in-house legal departments—use the firm’s web-based system to “streamline the production of documents,” the *Boston Globe* recently reported in an upbeat story focusing on new business opportunities in the law. Brightleaf has raised \$9 million in start-up capital, and the Westwood, Mass.-based firm now has five employees in the United States and 30 in India.

O’Brien has started, built and sold a handful of companies, including one to automate legal processes in the health law industry.

“Law school can be like studying botany of trees in a school for carpenters,” he said. “It is nice theory to know, but doesn’t teach you how to use a power saw.”

But O’Brien thinks Suffolk Law’s new institute might smooth the transition from law student to working lawyer by fostering practice technology skills. To take his analogy further: the institute is dedicated to teaching law students how to use the power saws.

O’Brien is among a crowd of legal innovators now coalescing—professionally and personally—around the institute. “Andy Perlman is refreshingly open to how can we do things better,” he said.

Also in that crowd is Adam Ziegler, who recently left his firm to start Mootus, a website that allows law students and lawyers to share legal knowledge. For a small monthly subscription fee, you can apply the power of crowd-sourcing to legal knowledge, he said.

“For obvious reasons, Andy Perlman and I really hit it off,” said the 38 year old. “He’s proactive and not just sitting around complaining about the changes in the legal profession. He wants

Suffolk Law students to find the opportunities in technology.”

At Mootus, Ziegler is one of two full-time employees (both co-founders) and a paid intern in rent-free space in Boston’s Innovation District. With the institute up and running, Ziegler said he plans to draw Suffolk Law students into the company.

➤ THE LEGAL TECHIE

Back in Lauritsen’s Smart Machines class is 25-year-old Vedika Mehera, a second-year law student from Bangalore, India. During class, her fingers are a blur over her laptop keypad as she zips between various websites and shared class folders.

The opportunity to bring technology into the practice of law is what brought Mehera to law school—and almost kept her away.

“Everybody tried to talk me out of it,” she said of her decision to go to law school after spending a year working in Massachusetts state government. “They say technology will put lawyers out of work.”

But Mehera has a different career path in mind. During the summer after her first year, she eschewed the traditional clerkship or law firm internship. Instead, she worked in client services for a Boston-based tech

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—Marc Lauritsen

There’s an App for That

Can an iPhone app improve your legal writing? Want to find the newest state evidence rules on the fly?

Yes, there are apps for that, courtesy of Suffolk Law School.

Legal writing professor Kathleen Vinson developed **iWrite Legal**, a free iPhone app to help lawyers and law students improve their writing skills. The app includes legal writing tips, a checklist to improve your writing, and other helpful resources. Another free legal app comes from Suffolk Law’s new Institute on Law Practice Technology and Innovation.



MassLitApp.com—which looks great on an iPhone when saved as an app—allows you to pull up the text of federal and state rules. The mobile web app provides easy access to a wide range of state and federal legal resources—from the federal rules of civil procedure to the Massachusetts child support calculator. And all of the rules are formatted to be viewable on a phone or other web-enabled mobile device.



start-up, a fundraising website called Fundraise.com.

“I’d like to work in tech at some point,” Mehera said about her plans after graduation. “I’d like to use what I have learned as a lawyer but also do something creative, like making a product.”

Lauritsen said that while the majority of his students likely will still end up working as traditional lawyers, he invites speakers into his class from start-ups and legal consulting companies like Evidox and LegalZoom to give his students alternative role models.

“There are really novel and surprising new forms of legal services delivery that are on the edge,” Lauritsen said. “For these students, it’s like ‘Whoa, I don’t need to limit my sights to a traditional legal career path.’”

ARE YOU TECH SAVVY?

Suffolk Law Partners with Corporate Counsel for Kia Motors to Test Lawyers' Software Skills

When a lawyer spends five hours completing tasks that should take 30 minutes with the right software tool, valuable time is wasted and unnecessarily billed to clients.

Suffolk Law's Institute on Law Practice Technology and Innovation is working to remedy this problem through a unique partnership with D. Casey Flaherty, corporate counsel at Kia Motors America.

Flaherty pioneered a technology audit to test his outside counsel's software skills, including proficiency with Word, Excel and Adobe. Flaherty's test consists of a series of mock assignments, such as formatting a motion in Word, preparing exhibits in a PDF, and creating an exhibit index in Excel.

The goal of the audit was to determine if lawyers' lack of basic technological competence was translating into unnecessary costs for Kia Motors.

The nine firms that took the audit confirmed Flaherty's concerns. While Flaherty took about 30 minutes to complete the mock assignments in the audit, the average pace for the nine firms whose lawyers took the audit was 5 hours. The best pace of any associate was 2.5 hours; the worst pace was 8 hours.

"Casey's results reveal how much most lawyers need to learn about the use of basic law practice technology," said Professor Andrew Perlman, the institute's director.

Suffolk Law's new institute is currently automating Flaherty's audit with plans to expand it to cover additional subject areas, such as cybersecurity and knowledge management. Perlman and Flaherty also hope to use the audit data to identify gaps in legal training and develop curricula to fill those gaps.

Suffolk Law will make the audit freely available to law schools, lawyers, and clients who want to enhance technological competence within their organizations. A pilot is expected to be available in early 2014, with a larger rollout later in the year.

—JBB

Professor Andrew Perlman, director of the Institute on Law Practice Technology and Innovation, identified some of the ways technology has changed the legal workplace.

STANDARD:

Reviewing discovery documents page-by-page or on paper



BETTER:

Using predictive coding to sort electronically



STANDARD:

Typing in Word to convert a hard copy into electronic form



BETTER:

Scanning a document using OCR software



STANDARD:

Drafting a document from scratch



BETTER:

Using interactive forms or templates

