

The logo consists of the lowercase letters 'rh' in white, set against a dark red square background.A photograph of a modern meeting room with large windows. A man in a white shirt and tie stands at the front, pointing at a whiteboard. Several people are seated around a conference table, looking towards the front. The room is bright and professional.

Future Law Office 2020

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Redefining the Practice of Law

The logo features the lowercase letters 'rh' in white on a dark red square, followed by the text 'Robert Half' in a bold, black sans-serif font, and 'Legal' in a smaller, black sans-serif font below it.

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Introduction

Future Law Office 2020: Redefining the Practice of Law examines the trends that are reshaping practice management strategies and are expected to drive change within the legal profession by the year 2020.

The latest in the Future Law Office research series, an annual program established by Robert Half Legal in 2000, the report features insights from experts in law firm and corporate legal department management. It also contains key findings from our company's ongoing surveys of lawyers in the United States and Canada, as well as research from other industry resources.

To learn more about the Future Law Office, contact the Robert Half Legal office nearest you by calling **1.800.870.8367**, or visit **futurelawoffice.com**.



Marketplace Catalysts

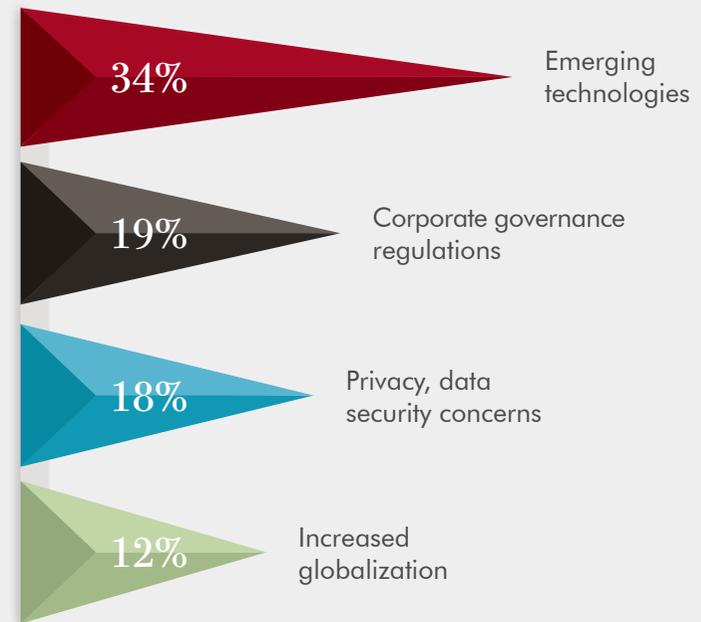
The legal field has been transformed in recent years by client demands, technological innovations and the movement toward globalization and specialization. The profession should continue to see significant changes in the next five years. To remain competitive in a constantly evolving marketplace, legal organizations need to monitor emerging trends carefully and reset their law practice management strategies accordingly.

The economic downturn heightened the need for belt-tightening, pushing legal organizations to get smarter about technology and introduce more efficient business practices, observes attorney and LawSites blog author Robert J. Ambrogi.



Lawyers were asked,

“Which one of the following issues will have the biggest impact on the practice of law during the next five years?” Their responses:*



**Top responses shown.*

Source: Survey of 350 lawyers among the largest law firms and companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

“The firms that are making real and fundamental changes in the ways they operate are taking advantage of innovative technologies and tracking performance analytics,” explains Ambrogi. “These firms are moving more of their client-facing and back-office functions to the cloud, which enables remote work options and optimizes operational workflows.”

Law firms also are becoming more flexible in their use of alternative fee models, an area of increasing interest to Cesar L. Alvarez, senior chairman at Greenberg Traurig LLP. “Alternative fee arrangements continue to grow as clients focus on controlling their legal costs,” says Alvarez. “Across practice areas, our clients are looking for fixed fee and similar alternative fee structures for the certainty they provide, pushing us to become smarter, more disciplined and more efficient in managing projects to ensure the work is profitable.”

Flexibility in staffing models also is a growing consideration for cost-conscious legal offices. “Law firms and legal departments are

Law department leaders surveyed said they are increasing deployment of alternative fees, citing the following arrangements as most often used:

41% Flat fees for an entire matter

40% Flat fees for some stages of a matter

32% Retainers

Source: Association of Corporate Counsel Chief Legal Officers (CLO) 2016 Survey.

“ The market for legal services is no longer monolithic, where lawyers provide counsel on a customized, one-to-one basis. Today, there’s a clear demand for legal experts who possess financial and business acumen, understand systems, processes and electronic delivery of service, and can deliver legal services in a one-to-many model. ”

Bill Mooz, senior fellow, Silicon Flatirons Center

hiring more contingent legal professionals as a strategy to ‘rightsized’ their organizations, balance workloads and improve efficiencies,” says attorney Charles A. Volkert, senior district president of Robert Half Legal. “They also are relying on flexible staffing options to gain immediate access to specialized expertise on a project or temporary basis.”

To address both customer service and operational efficiencies, Nelligan O’Brien Payne LLP introduced a secure, online portal that allows clients to view progress on their case. The platform provides clients with immediate access to case information which enhances service and transparency levels and reduces the need for clients to call for status updates.¹

¹ Interview with Steven Pink, former managing director, Nelligan O’Brien Payne LLP, February 3, 2015.

Differentiating High-Value and Commoditized Legal Services

Legal futurist and author Richard Susskind introduced a five-step model to explain the evolution of particular legal services into commodity offerings a decade ago, outlining the transition from bespoke offerings to standardized, systematized, packaged or branded, and, finally, commoditized services.² Although the concept of commoditized legal offerings isn't new, it is evolving.

“Lawyers trying to compete for commodity work in the future will need superior marketing tactics. They won't learn to master online marketing skills in law school, but it's probably the single most valuable capability that many of them will need to be successful.”

Eric Goldman, professor of law, co-director of the High Tech Law Institute, Santa Clara University School of Law

Marilyn Archer, a principal and professional services firms practice leader at Gensler, a global design firm, spearheaded a three-year research initiative to identify the underlying forces driving change in law firm design. The research indicated that “while clients are willing to pay a premium for a senior partner to take charge of a legal issue of major value to them, they're balking at paying \$200 an hour for a relatively inexperienced associate for that high-value work, or paying law firm prices for routine legal work — what they consider commodity legal services,” Archer reports.

Gensler's research also notes that many legal organizations are assigning standardized legal work to contract attorneys or paralegals

to provide some legal services at less cost. This approach is fundamentally changing the way legal organizations operate, resulting in the emergence of staff attorneys, high-value paralegals and third-party companies that specialize in particular niche areas, such as preparation of standard briefs, contracts, wills and estates, and incorporation papers. These operational shifts are, in turn, changing the way law firms use space.

“Giving excellent service and value to clients is critical in today's competitive legal field,” says Cesar Alvarez, senior chairman of Greenberg Traurig. “Our top priority is client service, which means finding the best lawyers, and training and developing them in particular areas so clients get the best legal counsel that can be obtained. We recognize that we can't be all things to all people, so focusing on areas of excellence where we can attract customers and continuously improve the quality and value of the legal services we offer is essential to remaining in the game.”



²Richard Susskind, “From bespoke to commodity,” *Legal Technology Journal*, 2006.

Accessing Specialized Legal Expertise to Manage Costs, Improve Efficiencies

Growing complexities in financial and industry-related regulations are contributing in large part to the need for high-value legal expertise in particular areas, observes Tim Collins, general counsel and chief ethics and compliance officer at Convergent Outsourcing, Inc., a large business process outsourcing company.

“During an acquisition, we needed highly knowledgeable, experienced tax and mergers and acquisitions experts to help us make informed decisions and execute the very complex work efficiently — and we obviously couldn’t afford to hire that kind of talent internally,” Collins explains. “Bringing in specialized legal counsel on a project basis enabled us to complete the merger in a reasonable time frame, knowing that all the legal requirements, notifications and licensing issues were managed correctly.”

“ Mediation is a growing area of legal specialization, offering a valuable approach to reduce the time and costs of litigation. ”

Tim Collins, general counsel and chief ethics and compliance officer, Convergent Outsourcing, Inc.

Many firms are introducing specialized positions that require specific skill sets among legal administrators to address customer service, technology and staffing initiatives, observes Paula K. Barnes, past president of the Association of Legal Administrators (ALA) and legal administrator for Burr & Forman LLP. “For example, chief talent officers are responsible for acquiring, developing and retaining the highest caliber legal talent, while innovative and tech-savvy legal experts are being tapped to serve as chief learning officers, responsible for capturing the firm’s institutional knowledge

67% of lawyers surveyed said it was somewhat or very challenging to find skilled legal professionals today.

Source: Survey of 350 lawyers among the largest law firms and companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

and creating an online resource available to employees and clients. Increasingly, legal administrators are serving in more specialized, strategic roles, helping to design where the organization will be in five or 10 years and directing projects to achieve that vision,” says Barnes.

“Demand for specialized knowledge will continue to rise in the years ahead as clients seek legal counsel from partners, legal support professionals and service providers who are true experts in a particular practice area,” explains Charles Volkert, senior district president of Robert Half Legal.

As a result, employment opportunities are expected to expand for legal professionals with expertise in insurance defense, commercial litigation, healthcare and intellectual property,³ while heightened concerns regarding privacy and security matters are generating demand for legal risk managers, security auditors and analysts. Advanced technologies also are giving rise to emerging legal areas, such as robotics law, to manage the privacy and safety issues inherent in drones and other unmanned vehicles.⁴

³ Robert Half Legal, “Nearly One-third of Lawyers Plan to Expand Legal Teams in Second Half of 2016; Two-thirds Report Challenges Finding Skilled Talent,” June 16, 2016.

⁴ Patt Morrison, “Robotics-law expert Ryan Calo weighs in on drone regulations — and ‘drunk’ drone,” *Los Angeles Times*, February 3, 2015.

Producing Workplace-Ready Lawyers

Against a backdrop of continuing declines in law school enrollment⁵ and strong competition for lawyer positions among recent graduates, many law schools are introducing courses to further enable students to gain skills, knowledge and experience that can readily translate to their future business roles.

Bill Mooz, senior fellow at Silicon Flatirons Center, a Center for Law, Technology, and Entrepreneurship at the University of Colorado, believes that law school students need to learn practical skills “to convert their doctrinal legal knowledge into a product that someone is willing to buy, and deliver immediate value to an employer upon graduation.”

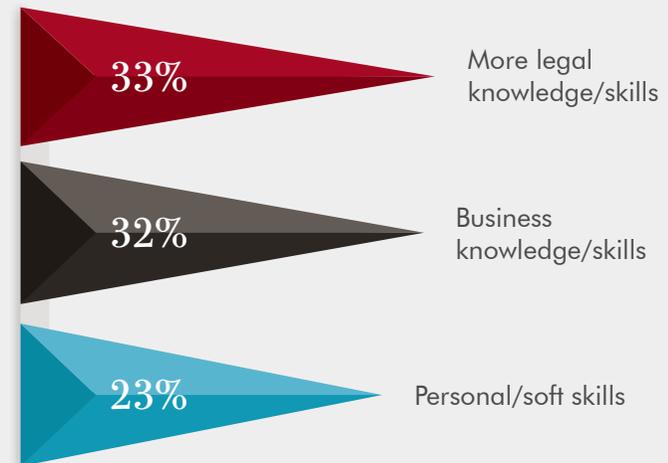
Joan W. Howarth, professor of law at Michigan State University College of Law, observes that lawyers today need a keen aptitude for understanding a client’s business challenges in order to provide counsel that is in sync with business goals. “Students should have a great sense of business strategies, methods and processes, a deep understanding of technologies and the creative use of resources,” she says, adding that her law school offers a diverse curriculum, including classes in eDiscovery, quantitative analysis, legal information engineering and technology, and design thinking for legal services.

Santa Clara University School of Law has identified a broad set of capabilities and legal knowledge that students require upon graduation, explains associate dean for experiential learning and clinical professor Sandee W. Magliozzi. “Our competency model, similar to those used by law firms, guides our curriculum offerings,” she notes. “It includes the traditional, core legal skills but also

encompasses creative problem-solving, self-awareness, collaboration and other interpersonal skills. Our objective is to start the critical continuum of development and learning with students that will continue throughout their legal careers.”

Lawyers were asked,

“What, if anything, do you wish you had learned in law school that would have better prepared you to practice law?” Their responses:*



*Top responses shown.

Source: Survey of 350 lawyers among the largest law firms and companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

⁵ Jim Vassallo, “Enrollment at Law Schools Continues to Decline,” *JD Journal*, February 9, 2015.

The Law Office Restructured

Technology has profoundly changed how legal work is performed — from electronic storage of documents and pleadings to operational and filing processes — and is influencing where it is conducted. “Thanks to the cloud and a range of mobile devices, lawyers are no longer tethered to their desks,” says attorney and LawSites author Robert Ambrogi. “Many firms are reducing their square footage — rather than having an office for every lawyer, they now allocate temporary office space, so some lawyers can work virtually part of the time and on-site at other times.”



“ The best and most effective law firm workplace design takes shape around its strategic business plan, long-term forecast, culture and brand. ”

Marilyn Archer, principal, Gensler

Agility, collaboration, technology and client focus are key factors influencing the legal workplace, according to recent Gensler research.⁶ “Not only are law firms typically requiring less office space today, but the design of the workspace is changing,” explains Marilyn Archer, firm principal. “Gen X professionals increasingly work remotely, but when they go to the office, they want sit-to-stand desks, lounge workplaces that foster collaboration and immediate access to tech resources. So as we discuss office design options with our law firm clients, workplace efficiencies and functional flexibility are cited as priority requirements.”

Designing office configurations to foster communication and to support new technology platforms is a key consideration, and many law firms are abandoning traditional designs, Archer adds. “It’s a game-changer when our [law firm] clients understand they have greater office space flexibility if they aren’t tethered to the geometry of a building — no longer needing large, windowed offices for senior-level associates, for example,” she says. Gensler incorporates the concept of modular building and furnishing components into designs that can be quickly and cost-effectively modified and reconfigured as work styles, operational requirements or space needs change.

⁶ Gensler, “Redesign Law: Gensler’s Legal Office of the Future,” 2015.

Tech Challenges Driving Strategic Partnership Between Legal and IT

Alignment between legal and IT professionals is both common and essential in today's business workplace as the complexities of electronic data and cloud computing continue to grow and concerns about data privacy, security and compliance matters escalate.

Collaboration between legal and IT departments starts with strong and effective communications, notes John Reed, senior executive director of Robert Half Technology, an IT staffing agency. "Increasingly, tech-related matters require a unified response between the two departments. To work more effectively, each group needs a deep understanding and insight into the other's areas of expertise. A simple example is when legal professionals consider adopting new software applications. To gain real value, legal should ask their IT colleagues to evaluate these potential resources in order to determine if they have the integrity, security and return on investment that is expected," Reed says.

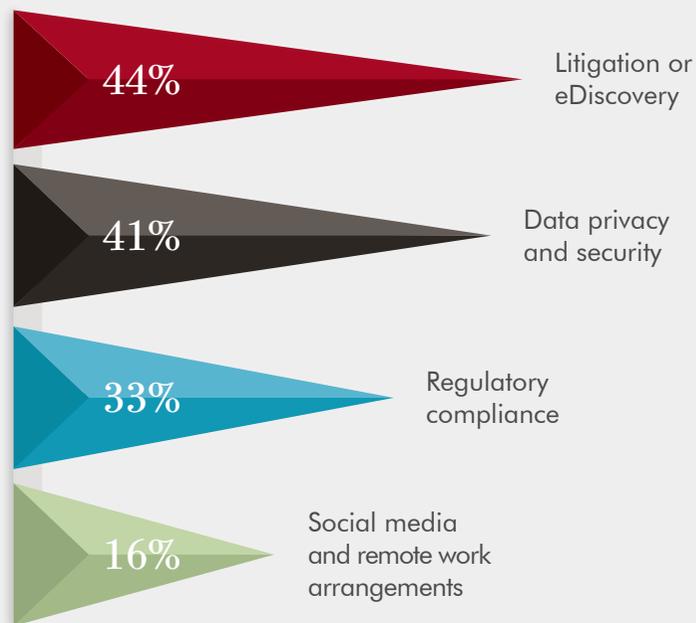
8 in 10 lawyers surveyed said their collaboration with IT specialists has increased during the past two years.

Source: Survey of 175 lawyers among the largest companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

In coming years, legal and IT teams will become even more tightly linked, anticipates Frank Wu, managing director of Robert Half Legal's consulting solutions practice. "Collaboration between the two teams is critical due to the inherent risks and impact involved in data systems as well as privacy, compliance and security considerations," Wu notes. "Organizations with a traditional approach to managing legal and IT functions will likely be at a serious disadvantage in today's global business and regulatory environment."

Lawyers were asked,

"Which of the following projects are driving your department's collaboration with IT?" Their responses:*



**Multiple responses permitted. Top responses shown.*

Source: Survey of 175 lawyers among the largest companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

CYBERSECURITY CONCERNS REMAIN A TOP PRIORITY

In recent years, the U.S. government has been actively promoting legislation⁷ to protect consumers' privacy and introducing measures to enhance public and commercial responses to cybersecurity threats.⁸ And these topics are demanding increased attention within legal departments, according to James A. Merklinger, vice president and chief legal officer for the Association of Corporate Counsel. "Legal counsel are spending significantly more time and energy on cybersecurity," he says. "As data breaches become more sophisticated and occur more frequently, chief legal officers are more intimately involved in identifying risks and implementing prevention strategies."

Merklinger sees a strategic shift toward assigning cross-departmental teams the responsibility for managing risks associated with privacy and security issues. "Legal and IT professionals each bring particular knowledge and expertise to the table, the sum of which is required to effectively develop, implement and manage today's privacy and security issues and the challenges we expect to face in the future," he explains.

Heightened sensitivity to security matters is an inevitable outcome of major breaches that have recently taken place, notes Eric B. Evans, a partner at Mayer Brown LLP and West Coast co-chair of the firm's eDiscovery and information governance practice. "As a law firm, we recognize the urgency to be proactive and aggressive in protecting our infrastructure and the confidential information that resides on our network," he explains. "Security management is part of our overall plan, and many of our clients are imposing regular end-to-end security audits on our systems."

⁷The White House, Office of the Press Secretary, "Fact Sheet: Safeguarding American Consumers and Families," January 12, 2015.

⁸Michal Lev-Ram, "President Obama unveils cybersecurity push in tech industry's backyard," *Fortune*, February 13, 2015.

ADDRESSING GROWING eDISCOVERY COMPLEXITIES

As the world becomes more connected due to technology, managing electronic discovery is becoming more complex. "There's no question, as long as the consumption and volume of electronic data continue to grow, legal professionals and their IT colleagues will be facing ever-increasing demands when compelled to protect, preserve and produce potentially relevant and responsive information," says Frank Wu, who manages Robert Half Legal's consulting solutions practice. What Wu refers to as the "digital landfill" — unorganized or useless data which may need to be retained to comply with legal holds — places additional pressure on financial resources and will be an increasing concern, he adds.

A growing number of companies, with specialized knowledge and experience in various components of electronic discovery, are helping legal organizations manage the eDiscovery process, observes Mayer Brown partner Eric Evans. "As a law firm, we understand our core competencies and the substantial advantage we have in providing legal counsel, but we also recognize the challenge of competing with vendors that specialize in the eDiscovery field. So establishing managed vendor relationships with such companies is a viable

59% of chief legal officers and general counsel surveyed cited data breaches as one of their top concerns, with **22 percent** reporting a data breach within their organization during the past two years.

Source: Association of Corporate Counsel Chief Legal Officers (CLO) 2016 Survey.

and cost-effective option, and a reflection of an inherent rule of a free market, where work flows to those with the most expertise and competitive advantage,” Evans says.

While Tim Collins, general counsel and chief ethics and compliance officer at Convergent Outsourcing, acknowledges the inherent complexities and costs involved in eDiscovery engagements, he also foresees tech advancements in the coming years that will enable keyword searches and analysis in real time. “We’ll be better able to understand potential exposure at the front end of discovery,” he says. “Even today, there is eDiscovery software available that can immediately make a record of and store everything relevant to a case as soon as you receive a litigation hold.”

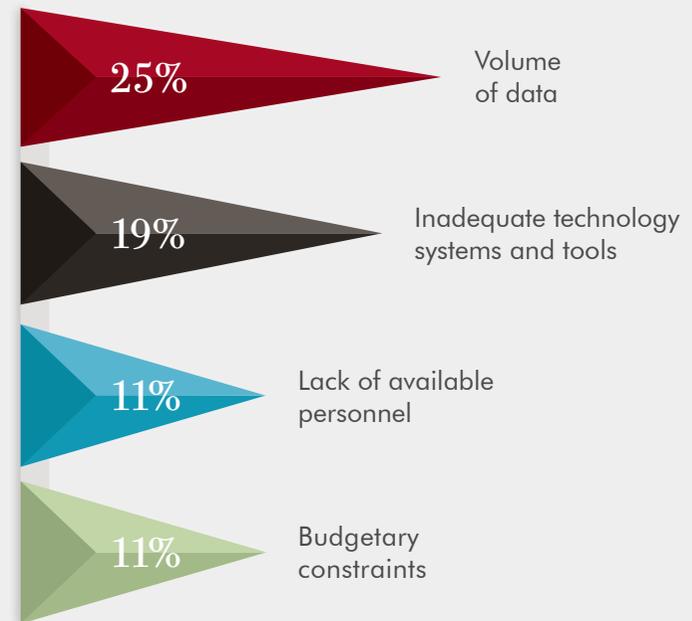
39% of lawyers surveyed said the number of eDiscovery projects managed by their law firm or corporate legal department has increased compared to two years ago.

31% of lawyers surveyed anticipate spending 5 percent or more of their budgets on eDiscovery-related projects in the coming year. On average, lawyers expect to allocate 4 percent of their budgets to eDiscovery.

Source: Survey of 350 lawyers among the largest law firms and companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

Lawyers were asked,

“Which of the following is your top challenge in managing requests for eDiscovery?” Their responses:*



*Top responses shown.

Source: Survey of 350 lawyers among the largest law firms and companies in the United States and Canada, commissioned by Robert Half Legal and conducted by an independent research firm.

Envisioning the Law Office of the Future

Leading legal experts share their comments about the law office of the future and strategies for success in the next five years:

- **DIFFERENTIATING VALUE AND SERVICE**

“Clients want quality, value and certainty — and even five years from now, these will remain key criteria that drive clients’ decisions regarding legal services,” says Greenberg Traurig senior chairman, Cesar Alvarez. “As we plan for the future, we need to continuously monitor and reassess the marketplace and be open to change. But we also need to remain focused on delivering an enhanced service and value proposition to clients.”

- **MONITORING A DYNAMIC WORKPLACE, RESPONDING WITH AGILITY**

“Recognizing that the pace of change in the legal profession continues to accelerate, you need to continuously re-evaluate workplace issues and decision-making in light of shifting business realities,” says Tim Collins, general counsel and chief ethics and compliance officer at Convergent Outsourcing. “It’s a matter of staying as nimble as you can be so you can adapt to the dynamic marketplace quickly and effectively for long-term success.”

- **REDUCING JURISDICTIONAL CONSTRAINTS**

Joan Howarth, professor of law at Michigan State University College of Law, foresees that jurisdictional boundaries will become less significant in the future in response to expanding global business opportunities. “Recognizing that the world is getting smaller, I expect five years from now lawyers will be permitted to practice in a much broader arena, with fewer geographical restrictions than exist today,” she says.

- **NARROWING THE JUSTICE GAP**

“I like to believe that within the next five years, our profession will enable greater access of affordable legal services to low- and middle-income consumers,” notes LawSites blog author Robert Ambrogi. “We need to make fundamental changes in the way we operate, placing greater emphasis on using technology and business

processes to enhance the availability and affordability of legal services. As a profession, we need to rethink how we define law practice, and who is qualified to deliver legal services, and also give serious consideration to allowing non-lawyers to own or have equity interest in legal services entities.”

- **MAKING THEIR MARK: GEN X, Y AND Z**

“As important as attracting and retaining the best legal talent is today, it will become even more essential in the coming years,” says Charles Volkert, senior district president of Robert Half Legal. “Gen X and Gen Y are used to working remotely, and using technology to maximum advantage. And because of their commitment to achieving a greater work-life balance, flexible work options will likely become the norm, rather than the exception. These professionals, and Gen Z to follow, will continue to shape the law profession of tomorrow, applying creativity to how work is accomplished and how legal services are delivered.”

- **ADDRESSING CLIENT FEEDBACK**

“While we expect the law office of 2020 will operate much differently than today, client service will be our chief priority and a primary focus of every law firm,” says Paula Barnes, past president of ALA and legal administrator for Burr & Forman. “At the heart of client relationships is receiving feedback from them and responding to their concerns — asking clients where they plan to take their business, what we as their legal counsel are doing well and what opportunities there may be for improvement. Open and honest dialogue is critical as we plan for the future — because if we stop listening to clients, we might as well shut the doors.”

About Robert Half Legal

Robert Half Legal is the premier provider of highly skilled legal professionals for law firms and corporate legal departments on a temporary, project and full-time basis. With North American and global locations, the company offers a full suite of legal staffing and consulting solutions to help organizations manage constantly changing workloads and access expertise across in-demand legal practice areas. Robert Half Legal is a proud supporter of the Association of Corporate Counsel and the Association of Legal Administrators. In addition, Robert Half Legal promotes diversity in the legal community and is proud to offer a scholarship through the Minority Corporate Counsel Association.

For more information about our many resources, please contact your local Robert Half Legal office by calling **1.800.870.8367**, or visit our website at **roberthalflegal.com**.



Experts Interviewed

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ROBERT J. AMBROGI, ESQ.

Author, LawSites blog

MARILYN ARCHER

Principal, Gensler

PAULA K. BARNES

Past president, Association of Legal Administrators,
legal administrator, Burr & Forman LLP

TIM COLLINS

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ERIC B. EVANS

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