



605 A Look at Corporate Legal Departments of Tomorrow

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Faculty Biographies

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Steven R. Andrews is the former senior vice president, general counsel, and secretary of PepsiAmericas, Inc. (formerly Whitman Corporation), the second largest Pepsi bottler, with \$3.2 billion in revenues and operations in 18 states, Puerto Rico, Jamaica, the Bahamas, Trinidad and Tobago, Poland, Hungary, the Czech Republic, and the Slovak Republic.

Prior to joining Whitman Corporation, Mr. Andrews served briefly as acting president and CEO of Multigraphics, Inc. (formerly AM International, Inc.), a manufacturer and supplier to the worldwide graphic arts markets. Mr. Andrews was vice president, general counsel, and secretary of Multigraphics, Inc., and senior deputy general counsel. Prior to that, Mr. Andrews was vice president, general counsel, and secretary of Amana Refrigeration, Inc., and associate general counsel and assistant secretary of Tonka Corporation. Earlier in his career, Mr. Andrews was an associate at Faegre & Benson in Minneapolis. He clerked for The Honorable Donald R. Ross, U.S. Court of Appeals for the Eighth Circuit and served as special assistant to William H. Webster, director of the Federal Bureau of Investigation.

Mr. Andrews has served on the Northwestern University Law School Corporate Counsel Institute, and is a member of the North Shore General Counsel Association and the American Society of Corporate Secretaries. He is also on the board of directors of the Heartland Alliance for Human Needs & Human Rights.

Mr. Andrews received his BA and JD degrees from the University of Nebraska.

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J. Andrew Heaton is associate general counsel of Ernst & Young LLP, resident in the firm's Washington, DC office. He has a broad range of responsibilities, including advising on matters pertaining to the law practices affiliated or allied with Ernst & Young around the world, coordinating the firm's alternative dispute resolution program, briefing and arguing cases in the appellate courts, advising on data privacy issues, and handling a variety of special projects.

Prior to joining Ernst & Young, Mr. Heaton worked on appellate litigation for the U.S. Department of Justice, clerked on the Eleventh Circuit, and practiced law at Davis Polk & Wardwell, where he represented accountants and lawyers in professional liability litigation.

Mr. Heaton is a member of ACCA, the ABA Sections of Business Law, Dispute Resolution, and Litigation, and its Council of Appellate Lawyers. He serves on the board of directors of his college alumni association and as a leader for Camp Fire USA.

Mr. Heaton graduated summa cum laude from Bradley University. He received his law degree with honors from the University of Chicago Law School, where he was a finalist in the moot court competition, a member of the Law Review, and editor-in-chief of the *University of Chicago Legal Forum*.

FUTURE LAW OFFICE 2002

New Perspectives

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Introduction

The Future Law Office is an ongoing project that offers our clients and candidates a global perspective on trends within the legal field that will impact their offices and their careers. Through our extensive research and interviews with noted experts, it has become clear that substantial changes are already transforming the legal profession. Most notable among these changes is growing competition for new business. At the same time, clients are increasingly discriminating in their choices for legal representation.

With ongoing competition among law firms to develop new business, attorneys will need to manage and operate legal practices that are tailored to meet a broad spectrum of client needs. Clients will demand better cost controls that do not sacrifice high quality legal representation.

In addition, marketing will continue to be an invaluable strategic tool. While attorneys have traditionally relied on word-of-mouth to secure new business, they will need to pursue more formal marketing methods in order to raise the firm's public profile, establish its areas of expertise and compete more efficiently. Future law offices will rely on experienced marketing professionals to attract new clients by highlighting a firm's value-added services, such as alternative billing arrangements, multidisciplinary practices or ancillary businesses.

In the area of technology, law offices will benefit from advances in security, software applications and knowledge management systems. In turn, information technology professionals will play a more active role in the smooth operation of the law practice.

As part of the Future Law Office project, The Affiliates interviewed professionals in the legal and technology fields, including experts in emerging technologies, and legal marketing and management consultants. In addition, we consulted staffing specialists throughout our network of offices in North America to note changes they were observing within law firms and corporate legal departments in their areas.

Our findings are also based on extensive research from state and national legal publications, legal trade associations, and the U.S. Department of Labor's Bureau of Labor Statistics, along with data and information culled from industry websites.

The Affiliates regularly commissions surveys on a variety of workplace and legal management issues. Relevant findings from these studies, which include responses from 200 attorneys among the top 1,200 U.S. law firms, are cited throughout this paper. In addition, The Affiliates conducted a survey at the 2002 national conference for the Association of Legal Administrators. Attorneys and administrators were asked to respond to questions addressing the future of the legal field. These survey findings are also included. All sources, including experts and articles consulted by The Affiliates, are catalogued at the end of this paper.

Expanded Use of Technology

Technology will continue to play an integral role in the future law office. Law firms consider efficient systems and state-of-the-art tools not only as essential to day-to-day operations but also as strategic advantages. Increasingly, they will rely on technology to maintain a competitive edge and improve productivity and profitability.

First and foremost, law firms and corporate legal departments will be concerned with protecting their systems and, more importantly, client information. Security-related issues will drive technological advances.

To ensure the maximum benefit from information systems, partners will work closely with their firms' information technology (IT) professionals. For example, attorneys will team with IT specialists to make certain they're making the best use of their systems. According to a recent survey of attorneys conducted by The Affiliates, 91 percent of law firms currently have a chief information officer on staff, which underscores the value of managing technology in the law office environment.

Software Application

Greater numbers of legal administrators will rely on knowledge management software to organize law office data, such as firm financial statistics and research material. This will allow them to consolidate information – from optimal materials to best resources in practice areas – so that lawyers no longer have to “reinvent the wheel” on a new case or assignment.

In the future law office, knowledge management will be available through web-based technologies, electronic workflow platforms, databases and sophisticated search-and-retrieve systems. Managing partners and practice group leaders will continue to reevaluate their firm's structure and culture to implement processes that will encourage the sharing of this information.

Application service providers (ASPs) will continue to serve as an advanced resource for retrieving and storing law office information. However, most law firms and legal departments will be reluctant to rely exclusively on this method due to inherent security challenges associated with the confidentiality, reliability and authenticity of the information being managed by these services.

In a recent survey conducted by The Affiliates, 77 percent of attorneys said they expect their law firms' investment in technology to increase. Legal administrators will expand their technology budgets and work closely with – or in some cases hire – IT professionals.

Attorneys will rely on IT professionals in three distinct phases: implementation, training and maintenance of systems, with an emphasis on the latter. This will include regular software and hardware updates, new employee training, advanced training for existing employees and troubleshooting as problems develop.

Law office administrators will work with a growing number of vendors, including those offering litigation support software packages designed to help legal professionals present evidence during trials, mediations and arbitrations. Law office management will also invest in time-and-billing software and systems to facilitate web-based meetings.

The Virtual Office

In the future law office, remote access to the Internet as well as internal and external business networks will be a priority. Wireless devices will be prevalent and used for day-to-day activities as well as business travel. Products such as the BlackBerry wireless handheld device will enable attorneys to instantly access e-mail and the Internet, whether they are in the courthouse or the boardroom.

One interesting development in the legal field is the increased use of the "deal room." These secure, private websites allow legal professionals to negotiate a variety of corporate transactions, from initial public offerings to mergers and acquisitions. In addition, videoconferencing will reduce travel expenses by replacing in-person meetings.

Keeping it Safe

Experts we interviewed forecast an increase in cyberterrorism and e-mail viruses, making computer network security a hot-button issue. Fear that hackers can easily access client information stored on a law firm's system will keep administrators and IT professionals busy safeguarding the firm's knowledge management structure and intellectual property.

Many law offices will work with specialized consultants who can perform "ethical hacks" of computer systems to pinpoint potential vulnerabilities. Other firms will install advanced software to prevent security breaches, or download security patches and systems from the Internet.

Not surprisingly, as networks become more secure and software more sophisticated and user-friendly, firms will invest even further in technology. They will increasingly rely on e-mail to communicate with clients, file documents with the courts, conduct Internet searches for case laws or tap into their own databases to research the latest bankruptcy filings.

Additionally, the use of electronic communication will cut down on document-transfer costs, messenger services and overall paper load since lawyers will be storing more information on their computers. In short, attorneys will become more technologically self-sufficient.

Marketing Legal Services

The future law office will be characterized by a heightened focus on marketing and public relations activities. In fact, marketing will become an essential ingredient in a well-defined business plan. Managing partners will need to reassess their business-

development efforts to emphasize programs that build strong communication between the firm and its clients.

In addition, partners will rely increasingly on the expertise of legal marketing professionals to reevaluate client-outreach efforts, assess strategies for presenting the firm's services to a potential new consumer and research other business-development opportunities. In a recent survey conducted by The Affiliates, 77 percent of attorneys said their firm already employs a chief marketing officer or has a lawyer whose primary responsibility is marketing the firm's services.

Marketing Departments

The influence of law firm marketing departments will increase dramatically. Soon after it became acceptable for lawyers to advertise, legal marketing and communications professionals quietly evolved into leaders in a dynamic field. As they expand their responsibilities and growth opportunities within their departments, these professionals will capitalize on their specialized knowledge and expertise in areas such as market research, branding, website marketing, design and media relations.

Legal marketing departments will function seamlessly as a business within a business. Directors will be required to create a future vision for the firm and commit to bringing it to fruition. They will assume greater responsibility for developing and supporting strategic initiatives to solidify and expand the firm's position in the marketplace.

Firms will look to hire senior-level marketing and communications specialists who possess strong advertising and business-development backgrounds. To facilitate more strategic client relations, marketing professionals will work closely with attorneys. They will act as coaches on how to present the firm most effectively and how to utilize tools such as PowerPoint presentations and written materials. Marketing and public relations specialists will be responsible for everything from writing business-development materials to drafting marketing copy, researching industry trade shows to advising attorneys on media interviews.

Marketing Strategy

Marketing will play an integral role in assuring client satisfaction and generating new business opportunities.

Cross-selling will continue to be an effective method of business development. Partners and associates will rely on the marketing department to research other areas in which their law firms may represent existing clients. In addition, attorneys will work with marketing specialists on strategies for demonstrating the firm's capabilities to serve as a business advisor to clients.

Of course, technology will play a crucial part in marketing and business development. A firm's website should be an effective tool for educating prospective clients about the firm and its areas of expertise. The best sites will be dynamic and easy to navigate. Visitors

will be able to download a wealth of information about the firm, from practice descriptions to attorney biographies.

In an effort to capitalize on available resources, marketing professionals eventually will invest less in print advertising and instead direct resources toward trade-show sponsorship and public relations efforts. In a survey conducted by The Affiliates, more than 80 percent of attorneys polled said their firms currently use public relations and sponsorship of trade meetings as part of their marketing efforts. Firms will rely on public relations professionals to proactively promote the firm and its expert attorneys through media opportunities and strategic alliances that build visibility for the business.

Enhanced Client Focus

Law firms will be competing for the business of an increasingly sophisticated client base. This more demanding and discriminating consumer will expect customized legal services, such as a routine bill review and a detailed explanation of case strategies. To remain competitive, legal professionals will need to increase the depth and breadth of the counsel they provide to clients.

Lawyers will transition from legal counselors to business advisors as they take a more hands-on approach to client challenges. Attorneys will broaden their expertise by researching business trends, politics and other areas that affect their clients' businesses. This will enable firms to better anticipate client needs.

Also, attorneys will need to constantly reinforce the quality and value of their legal services to clients through steady communication. Law firms will organize workshops and seminars on substantive legal issues to serve as reminders of the services and experience provided by a firm. In addition, these events will serve as invaluable networking and business-development opportunities for clients.

In an effort to enhance quality assurance, lawyers will also encourage clients to provide instant feedback on the caliber of service they receive. Was the type of assistance provided beneficial? Did the amount of the bill correspond to the support given?

Another service clients will increasingly seek is immediate access to case information in order to keep up to date. With this in mind, firms are designing secure websites that clients can access at their convenience.

Billing

As attorneys expand their relationships with clients and serve as business advisors, they will have to adjust billing strategies accordingly.

Partners will need to make time for a client who may want to discuss a project rate or a notation on the bill that doesn't make sense. To facilitate these discussions, firms will itemize bills more clearly and may adopt multitiered rate structures based on the volume of work clients bring to the firm.

Attorneys will increasingly use the Internet to streamline and expedite the billing process. In a recent survey conducted by The Affiliates, 70 percent of attorneys said their firm currently has a system in place to bill clients electronically. Among those who currently use more traditional invoicing methods, 52 percent of attorneys indicated they would shift to Internet-based billings within the next five years.

At the same time, in an effort to lower legal costs, in-house counsel will limit the number of “go-to” firms for outside legal support. Heightened competition for new business from corporations will compel law firms to use alternative billing structures to further ensure that clients obtain the best legal work for the most reasonable rates.

Consumer Outreach

As the future law office expands into the global marketplace, key decision makers within law firms will regularly reassess the variety of services they can offer their growing client base.

In an effort to provide clients with aggressive solutions to their business problems, lawyers have experimented with the controversial yet potentially lucrative arrangement of multidisciplinary practices (MDPs). Citing ethical conflicts, the American Bar Association (ABA) does not support MDPs, and virtually every state bar has rules against these structures. Even so, MDPs retain their allure. In a recent survey conducted by The Affiliates, 59 percent of the attorneys agreed that, over the next 10 years, MDPs will continue to take shape between law firms and other businesses, including accounting firms and management consulting companies. In the meantime, managing partners and legal administrators will pursue an interim solution: law firm subsidiary businesses or alliances between law firms and other professions.

Offering comparable services as MDPs, ancillary businesses and joint-marketing agreements bypass some of the ABA's key ethical issues, such as fee arrangements and business ownership. For these reasons, attorneys are considering these businesses models as a means to provide non-legal counsel to their clients.

Staffing the Future Law Office

Project Staffing

In the future, flexibility will be key to staffing. Project attorneys and other legal professionals – including specialized paralegals, legal secretaries and case clerks – will be used more often for short-term assignments. Rapid changes in the legal field will make it imperative that firms continually reassess their needs and requirements. The ability to meet the demands of clients quickly and efficiently will be the challenge many firms will need to address aggressively.

Project staffing, not a new management strategy, is being utilized by law firms and corporate legal departments to meet changing case needs and fluctuating activity levels. With increased focus on competition and the bottom line, the cost-effective use of

temporary, part-time and full-time legal professionals will continue to provide options administrators value.

Summer Associates

Summer associate programs will remain a critical part of the business plan of any firm. As law firms become more strategic in their hiring, these programs will no longer serve as a three-month commercial for the firm. Instead, they will become an extended on-the-job interview for the law student.

In a survey conducted by The Affiliates, more than half of attorneys polled (51 percent) said they expect the number of summer associates they bring in to their firm will not change much over the next 10 years. Thirty-seven percent believed there would be an increase.

The evaluation of writing skills, oral communication, analysis, dependability and follow-through will be critical in establishing a plan for future hiring. While all summer associates are expected to exceed expectations, it will be imperative for law students to distinguish themselves in order to receive a formal job offer.

The Importance of Support Professionals

Legal support professionals will continue to advance their skill levels as they take on more responsibility. Legal secretaries will redefine their roles in law offices as they learn new technologies. In fact, there may be fewer secretaries per fee generator; a ratio of 1:3 will not be uncommon. Therefore, the demands on their time will be greater.

For paralegals, specialization will become more important. According to the experts we talked to, those in the profession may soon need to certify their technology skills and legal knowledge through exams administered by local licensing associations. This will allow firms to bill paralegals' time at higher rates. As the revenue they generate increases, paralegals will prove themselves to be integral to the health of any law office's bottom line.

Conclusion

Significant developments are on the horizon for the future law office. Marketing initiatives and new technologies are already impacting the profession, while more sophisticated management philosophies and enhanced client service will further alter office structures and law firm business models.

Both law firms and corporate legal departments will need to monitor and respond to advances in the field in order to address the needs of their clients and companies. Updating technical systems and adapting to market demands will be paramount in tomorrow's business community. In short, attorneys and other legal professionals will need to continue to reinvent themselves and their law offices, and keep abreast of current market conditions in order to stay ahead of the competition.

Expert Interviews

Andrew Z. Adkins, III, Director, Legal Technology Institute at the University of Florida Fredric G. Levin College of Law; Director, International Center for Automated Information Research

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Cheryl Barbato, Marketing Manager, New England region, Holland & Knight

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FUTURE LAW OFFICE

An analysis of changes impacting the legal profession

www.futurelawoffice.com

Introduction

Many in the legal field continue to speculate on how the Future Law Office will take shape. Already such developments as emerging technologies, new attitudes among workers, and evolving management philosophies among law firms and corporate legal departments are transforming how these offices are operating.

What does the future hold in store for the legal professional? How will jobs such as attorney, paralegal and legal secretary change? What will individual workspaces look like? How will legal professionals communicate with clients? What specialized knowledge will firms need in order to compete? And how will the Internet continue to influence the practice of law?

To answer some of these questions and identify emerging trends, The Affiliates conducted extensive research and interviewed noted experts in the legal profession and academia. We also commissioned surveys of attorneys in major law firms across North America. The results of this research offer a snapshot of the Future Law Office and clues to how the profession will continue to change in the years ahead. A transformation is taking place in law offices that will fundamentally alter the way legal services are provided. Many of these changes will occur on two fronts: technology and client service.

In the future, the interface between computers and people will be even more natural and seamless than it is today. This will be the case for the legal profession, in particular. Attorneys and other legal professionals will have to adapt quickly to new technologies in order to better serve their clients. Law firms will need to take the initiative to update office systems and promote their services online in order to stay competitive in an increasingly diverse and technology-driven global market.

"Service" will be among the highest priorities in the Future Law Office as a full-service approach to fulfill-in clients' needs will be adopted and embraced by firms looking to increase their business. This will lead to new firm management structures and job titles. As attorneys and legal professionals observe and under-take these changes, they also will be looking to improve their work-life balance. Other emerging trends will include smaller and digitized law libraries, remote case filing via the Internet, and the growth of multi-disciplinary practices (MDPs).

About the Project

As part of the Future Law Office project, The Affiliates interviewed professionals in the legal and technology fields, including members of the American Bar Association, experts in new and emerging technologies, and legal marketing and management consultants. In addition, we consulted The Affiliates' staffing specialists throughout our North American network of offices to note changes they were observing at law firms and corporate legal departments in their areas.

The Affiliates regularly commissions surveys on a variety of workplace and legal management issues. Relevant findings from these polls, which include responses from 200 attorneys among the top 1,200 U.S. law firms, are cited throughout this paper. In

addition, The Affiliates conducted surveys at national conferences for the American Bar Association and the Association of Legal Administrators. More than 600 attorneys and administrators responded to questionnaires addressing issues that will affect their future work lives. We believe these frontline professionals are uniquely qualified to comment on the coming changes. These survey findings are cited throughout this paper as well.

Finally, our Future Law Office results are based on an analysis of hundreds of articles from state and national legal publications, legal trade associations, and the U.S. Department of Labor's Bureau of Labor Statistics, along with an examination of extensive data and information culled from online research web sites.

All sources, including experts and articles consulted by The Affiliates, are catalogued at the end of this paper.

Redefining the Legal Workforce

A heightened focus on technology and business makes the future law office very different from the one that has come before. The legal professionals who adapt to the changes will excel; those who resist the new environment may be left behind. Working in the future law office will require advanced computer and technical skills, specialized expertise in areas of law that are rapidly changing, and the creativity of a successful entrepreneur.

Over the next 10 years, legal administrators, legal secretaries and paralegals will see their positions redefined to best utilize evolving skills and abilities. The key for attorneys will be delegation, leaving technical tasks to support staff in order to concentrate on meeting their clients' legal needs.

Legal administrators will manage most, if not all, of a law firm's business operations. Those with strong business training will have increased decision-making power, whether or not they are attorneys. Specialization and education will define their roles. In many firms, administrators with MBAs will have partner-level authority over decisions affecting all aspects of firm management, from marketing to information technology. In other firms, administrators will have a more specialized focus, managing one or two specific aspects of the firm's operations. Expanded opportunities for administrators in the new law office may include primary responsibility for new technology investments, workforce architecture, office support systems, document management, facility, and space planning and utilization.

New responsibilities will challenge legal secretaries to take on some of the tasks presently assigned to paralegals. While recommended for many legal secretaries today, basic research, editing and writing skills will become mandatory for those seeking employment in most law firms. Advanced understanding of new technologies will be requisite. In fact, the legal secretary position is one in which true generalization, versus specialization, will be important as he or she must be flexible enough to fill multiple roles — from basic data entry to legal research on the Internet — for attorneys or paralegals who require assistance.

Continuing a trend already taking shape today, experienced and well-educated paralegals will take on responsibilities traditionally associated with first-year attorneys in the firm, such as generating documents and performing research. Under the supervision of attorneys, paralegals will handle standard legal tasks at a lower cost to the client. Consequently, legal assistants will need to have an advanced understanding of technology and its applications in a legal environment. Knowledge and document management systems will become increasingly common and paralegals will have to be skilled in their use.

While demands on today's associates are already high, caseloads and responsibilities will increase as clients demand quantifiable results for their substantial investments. Attempting to meet these client needs, firms will focus on service. This will include increased interaction between the associate and client, more in-depth research and document generation, and expanded responsibility for the firm's bottom-line profitability. Management and new business acquisition will be larger parts of a partner's job description. In addition, project attorneys hired by firms and legal departments to work on specific projects or cases will be widely utilized as a way to keep costs down.

In the next decade, firms will increase the size of their data entry and technology staff. As a result, many will form information technology departments to ensure productivity and maximum efficiency. In order to effectively use the new technology, staff training will be a top priority.

Legal administrators were asked, "Given emerging technology and employee-friendly trends in the legal workplace today, which of the following job functions and titles do you foresee your firm using in 2008?" (Multiple answers permitted)

Information Technology Manager 33%
Legal Support Supervisor 28%
Litigation Support Director 22%
Telecommuting Coordinator 21%
Internet Strategist 21%
Case Management Director 19%
Mentoring Director 18%
Information Coordinator 16%
Manager of Strategic Innovation 13%
Communication Facilitator 13%
Staffing Strategist 12%

Changing Skills

As staff roles for the future law office are redefined, employment requirements will change. While education, certification, advanced degrees and specialized training will be increasingly important, employers will also seek skills in critical thinking, problem solving and negotiation. In addition, legal professionals will need to be able to work well in teams consisting of firm personnel as well as outside project workers and specialists.

As technology training continues to be key for career advancement, legal support staff will need to have a clear understanding of document management, Internet research

platforms and word-processing software that will enable firms to be more productive. In a survey conducted by The Affiliates, legal administrators cited Internet skills as the area of technical proficiency most likely to accelerate their career growth in the future. And they are not alone in their thinking. In a related survey, 83 percent of attorneys said that greater proficiency with the Internet will help their own careers in the future.

Advanced education will be another important factor in career development. For legal secretaries, a college degree will be essential; for paralegals, certification will become a requirement. Also, paralegals and attorneys with a bachelor's or master's degree in medicine, technology or engineering will be in strong demand, as will professionals with a business degree or management experience. Associates with these specialized skill sets and management abilities will provide an innovative entrepreneurial spirit to progressive law offices.

The future law office will depend strongly on teamwork to handle cases quickly and cost-effectively. Legal secretaries, paralegals and attorneys will need to collaborate with one another to more effectively serve clients. Teams may consist of specialists, expert witnesses and project professionals in addition to full-time staff. Firms will provide in-house training and workshops on teamwork while also evaluating the interpersonal skills of applicants during the hiring process.

Legal administrators were asked, "How will your law firm or corporate legal department's use of Project Teams (teams of full-time and temporary attorneys, paralegals, technical specialists and support professionals concentrating on a single case or project) change over the next eight years?"

Increase 59%

Stay the same 39%

Decrease 1%

No answer 1%

Filling the Ranks

While compensation has been the key element in attorney hiring in the past few years due to competition for the best talent between traditional law firms and new economy companies, this trend is already reversing. Increasingly, lawyers are seeking stability. Attorneys are still relatively highly paid, but skyrocketing salaries are starting to abate, with a greater share of compensation tied directly to proven job performance. Large firms will continue to see steady growth, and staff attrition rates should slow as attorneys respond to the job stability such firms provide.

To maintain their desired image, law firms of the future will recruit much the same way they have for years — looking for the best students from the best schools. The difference: Future associates may become more demanding. How well associates are treated, interesting work and an opportunity to own equity in the firm are becoming just as important as salaries and prestige in capturing the best and brightest talent.

An emphasis on work-life balance and a positive work environment will be the top factors in keeping associates happy. In a recent survey by The Affiliates, high workplace

morale was named the most effective strategy for boosting employee satisfaction. In addition, firms will focus on in-house training and mentoring programs to create a more positive work environment. This is not to say money will no longer be a vital part of a complete package. Bonuses based on performance or billable hours will be just as important as the "intangibles" a firm provides, but the steadiness of firm life will increasingly be valued at a higher level.

Corporate legal departments continue to increase in size as they demonstrate their cost-efficiency compared with retaining outside counsel for day-to-day projects. Corporate counsel positions in both established and startup companies will still be attractive to attorneys seeking an opportunity to practice law while enjoying a balanced work-life schedule. Corporations can often offer consistent 8-10 hour workdays, steadiness of projects and the benefits of stock options in attempting to lure qualified lawyers away from firms. Attorneys may view corporate counsel positions as a way to alleviate the relatively long hours and billing pressures in law firms.

Attorneys were asked, "Over the next 10 years, do you expect the number of hours you work per week will increase, decrease or stay the same?"

Increase 53%

Decrease 16%

Stay the same 31%

Legal administrators were asked, "If one aspect of your job as legal administrator could change, what would you like it to be?"

Decreased job stress 34%

Fewer hours at work 19%

Greater professional autonomy 18%

Better communication with attorneys 17%

More flexible work schedules 8%

Other 4%

Enticing Benefits

As firms tighten their belts and salaries come into line with business objectives, "intangibles" will play a larger role in employee retention plans. These options reflect a changing attitude by employers towards work-life balance for their employees.

More firms will offer legal professionals flextime, expanded retirement packages, business casual work environments, mentoring and career counseling, concierge services, and child and elder care options. The future law office may also see equity programs in the form of buy-in plans for associates or option plans for support staff.

The Right Look

Law office design will undergo dramatic changes in the coming years. No longer will a conservative atmosphere be the norm. Instead, words like "fun", "relaxed" and "modern" will describe the surroundings. Firms will transform their look in order to foster an environment more in line with their new, more employee-friendly business attitudes. Today's law firms are already adopting up-to-date styles to complement new management styles.

Traditional pyramid organizational structures — many associates working under a few partners — will likely disappear from law firms with a more egalitarian design space heralding the change. Partners and associates may inhabit offices of similar size and share support staff to control costs associated with rents and payroll. Common areas will be located office wide and used by the entire staff for client meetings or informal discussions over coffee. To alleviate some of the tedium associated with the long hours required of attorneys and legal professionals, it won't be unheard of for firms to have kitchens equipped with features such as cappuccino machines and soda fountains as well as full-service cafeterias.

Work areas will be grouped by specialization and include "war rooms" for use as trial or case headquarters. Team members will share offices and access to support staff. In addition, retired partners will be assigned to these shared offices in order to fully leverage available resources.

Hotelling arrangements and "hot desks" will be needed to accommodate the increased number of telecommuters. Dedicated space equipped to support multiple users will be reserved in the hotelling process. This will be used principally for part-time attorneys who require support staff and equipment while on site. "Hot desks" furnished with a telephone and Internet hook-up — but without any staff support — will be claimed on a first-come, first-served basis by teams or attorneys visiting from other offices who have their own portable computers.

Legal administrators were asked, "Which of the following best describes what you think your office floor plan will look like in 2008?" (Multiple answers permitted)

- Smaller offices 34%
- Common offices used by telecommuters 31%
- More meeting rooms 27%
- More common areas with moveable furniture 23%
- More cubicles, less offices 22%
- Will look very much the same as today 19%
- More offices, less cubicles 9%
- Open offices with glass walls 7%
- Larger offices 1%
- Other 3%

The design of future law offices will also feature a more open and relaxed environment. Glass walls, open doors or offices without doors, and cubicles will mirror the direction that many new economy businesses have taken. Firms will take extra care to communicate the right image to their staff, potential employees and clients. Yet higher rents will emphasize practicality in terms of space-saving design. Efficient movement of paper and other data storage sources through the offices, built-in furniture, parking and 24-hour accessibility will also factor into office layouts.

Digital Law Libraries

The area of greatest change in the future law office may be the library. While books will always be part of the practice of law and future law librarians will continue to manage

vast amounts of information on paper — court opinions, state and federal laws, and specialized medical and engineering documents — the library itself will undergo a major transformation. The physical size will be smaller and it will contain fewer of the hardbound tomes on which attorneys have always depended. A survey conducted by The Affiliates, in which 67 percent of attorneys said that the future law firm library would decrease in size, underscores this trend.

The future law firm library is also going digital. Gone will be the "showcase" libraries intended to inspire awe in visitors and users. Libraries will be used as places to retreat. Reading and sitting areas will become more commonplace. Comfort will be the key design factor, with cozy chairs replacing stiff bookcases in an effort to achieve a more relaxed atmosphere.

In addition, computer terminals and high-speed Internet hook-ups will populate future law libraries. Demands to keep costs low and stacks smaller will motivate librarians to provide electronic data storage, CD-ROM services and legal Internet portals. Law office librarians will be increasingly tech-savvy and become leaders and trainers in information management. The demands on these legal specialists will increase as law librarians maximize the available resources to accomplish more in less time.

Virtual Offices

As the law firm library transforms, so too will the typical law office. Attorneys must be able to do business in any location — client offices, courthouses, while traveling or at home — and advanced technology will provide the tools for remote capability at reasonable costs.

In fact, technology will drive the design of firms, offices and conference rooms. High-speed Internet access and multiple surge-protected power sources will be commonplace in all rooms. Designers will have to allot space for document imaging hardware, data storage and information technology personnel. Small details, such as printers placed close to attorneys (who will do more of their own word processing in the future), will be given careful consideration as networks and systems are installed. As more law offices are designed and constructed, firms should make adequate provision for cabling which, while initially expensive, will be far less burdensome than the need to retrofit additional cabling at a later date.

There will be an increase in the use of videoconferencing to keep communication lines open between attorneys and clients or opposing counsel. This technology will also be used as a way to keep lawyers in firms with different office locations in touch with each other. Already more cost-effective than travel, videoconferencing will continue to improve and may become as common as teleconferencing is now.

The Technology Revolution

Law firms will increasingly view technology not only as essential to their daily operations, but as an important competitive advantage. With the development of more advanced communication and information management systems, along with security and

encryption software, attorneys and other legal professionals will soon find that practicing law is a high-tech venture.

Communication Without Borders

Technology has already enhanced relationships between attorneys and clients. In the future, clients will likely have even more instant access to their lawyers through cell phones, web-enabled personal digital assistants (PDAs), e-mail and videoconferencing, among other channels. Such access will effectively neutralize time zone differences and accelerate the circulation of information. The future law office almost certainly will be a 24/7 operation.

E-mail increasingly will be the most common way to communicate with legal professionals. Attorneys surveyed by The Affiliates said 75 percent of business communication within the office and with clients will be conducted via e-mail in the future. Advanced encryption technology will allow even the most sensitive information to be transmitted electronically between attorneys and clients.

In addition, attorneys will soon be able to file documents through e-mail and over the Internet with courts throughout the country. E-filing, currently being tested in some jurisdictions, will automate the filing process and alleviate the need for physically sending hard copies of documents to the courts or serving those same papers to parties involved in the litigation.

PDAs will continue to provide attorneys with the ability to be mobile. Lawyers already are able to retrieve e-mail and access the Internet via handheld devices. In the future they will rely on their PDAs to utilize electronic reference books such as the Federal Rules of Civil Procedure, and interface with their laptop computers, firm libraries and other office systems.

In the coming decade, attorneys see the Internet as a way to keep up-to-date on news and information. According to The Affiliates' survey, 79 percent of attorneys will use the Internet and e-newsletters as their primary means of keeping up with trends and news from the legal field.

Remote communication through tele- and videoconferencing will continue to enable meetings to take place regardless of a participant's location. Already in use by many of today's law firms and companies, teleconferencing will further emerge as a cost-effective technology to facilitate information exchange. The improved capability of firms and courts to use videoconferencing also will provide opportunities for long-distance depositions and court testimony. Witnesses and experts will be available to appear before hearings from locations convenient to them. In addition, remote mediation sessions between opposing parties from different states or countries will be able to resolve issues and reach settlements without time-consuming and expensive travel.

Faster word-processors, higher-capacity memory and more sophisticated software will result in viable voice-recognition systems. Advances in this field are continuing each day;

soon there will be voice-activated dictation systems providing near error-free input. Attorneys and other legal professionals in the future law office will find voice-recognition technology to be essential to their jobs.

Knowledge as Power

The concept of harnessing the power of a firm's collective work product into one filing system is not new. Large case files are a tradition in both law firms and corporate legal departments, as are extensive billing and personnel filing cabinets. However, paper-based systems are bulky and often disorganized, and are currently being replaced with digital storage options featuring relatively expensive but highly effective key-word search capabilities. In the future, this process of knowledge management will evolve to the point where all of a firm's information can be electronically stored, indexed and easily reproduced.

A knowledge management system is similar to an index, providing a road map by which one can locate and retrieve any piece information within a firm or department. This may include memos to a particular client; attorney work product and litigation support data on a particular case; staff resumes; time and billing information; vacation records for associates; and countless other documents currently stored in paper files.

Knowledge management will empower staff through the timely access to information needed to do their work — at any time or place. These systems will be accessible through firewall-protected intranet portals — attorneys and other legal professionals will be able to access critical information instantaneously. These systems will not only preserve the firm's intellectual capital within secure environments but also will also result in valuable time savings and lower costs to clients.

Streamlining Documentation

With the volume of information available to legal professionals increasing daily, document and case management systems will be essential components within law firms and corporate legal departments. The future law office will strive to be paperless while synthesizing raw data into valuable knowledge.

Document management systems permit attorneys, paralegals and other professionals to digitally capture information and store images for use in court documents or trial preparation. Through specialized software applications, key information from case files can be accessed instantly during court proceedings. Productivity improves through the increased flow of information and the ability to locate specific materials quickly. Firms that invest in these systems will save valuable office space as the need for paper filing systems decreases.

Application Service Providers (ASPs), Internet portals offering case and document management systems, will allow firms to manage time and billing services, litigation support, and other key software through high-speed web connections. As this technology advances, more law offices will take advantage of the lower costs and increased ability to centralize administrative duties.

Eliminating the Commute

Available technology will continue to impact the way work is accomplished. Telecommuting will gain acceptance within the legal field, particularly as advanced technologies allow for seamless communication. Ninety-eight percent of attorneys surveyed said that telecommuting will increase among attorneys in the future. A greater number of law firms also will open remote offices farther from their main headquarters and closer to client businesses or in rapidly growing population centers.

If firms haven't done so already, they will issue laptop computers to most attorneys, enabling them to telecommute and work from satellite locations. In addition, improved videoconferencing capabilities will allow attorneys to attend meetings, or even court dates, from home offices or satellite locations. With high-speed Internet connections and wireless e-mail accessed via cell phones or personal digital assistants (PDAs), attorneys will be able to retrieve information whenever and wherever they need it. All of this means less time spent getting to and from work.

Practice Area Specialization

The concept of the general practice attorney will soon be obsolete. In the future, attorneys will specialize. Businesses nationwide will look to clusters of expertise — niche markets like Silicon Valley for intellectual property law or New York City for corporate law. Demographics, specialized education and emerging economic trends will determine what is practiced, while technology, the aging baby boomer generation and the globalization of business will impact future practice areas.

Technology will continue to influence the growth of intellectual property, e-commerce, patent and Internet practices. In a survey conducted by The Affiliates, 48 percent of attorneys chose intellectual property as the hottest practice area for the coming decade. Clients will seek attorneys with cyber law experience to represent starting or growing e-commerce companies. Internet legislation is on the rise as well — along with accompanying court opinions — and lawyers able to keep up with the rapidly changing regulations will be in demand.

The aging Baby Boomer generation will result in an increasing number of practices specializing in elder law, estate planning, medical technology (including privacy and security issues), and health care. As the demographics of the country shift and the population becomes older, aging and retirement issues will dominate the legal needs of seniors and their families. In addition, litigation of medical ethics issues surrounding genetic research and therapy may emerge as an in-demand specialty.

In today's global economy, corporate, business transactional, international business and bankruptcy practices are increasingly common. Large law firms will take up these fields as they expand internationally by merging with competitors and creating partnerships with accounting or investment companies.

In addition to the needs of these specific client bases, research shows that there may also

be an increase in alternative dispute resolution (ADR) as a way to avoid lawsuits and resolve issues that would normally find their way to court. ADR appeals to both clients wanting to reduce costs and to attorneys looking to accelerate the negotiation process. In a survey conducted by The Affiliates, 93 percent of attorneys suggest alternative dispute resolution to their litigation clients as a viable option.

MDPs and Beyond

In the future, the business of law will see a shift toward multidisciplinary practices (MDPs), in which accounting, management consulting and real estate professionals will form alliances with attorneys as a way to provide clients with "one-stop shopping." While current American Bar Association ethical guidelines prohibit lawyers from sharing fees or forming partnerships with nonlawyers if the activities involve the practice of law, experts we consulted expect MDPs to become full-service giants within the next 10 years.

This is only one area that will affect the business of the future law office. Attorneys and law firms will have to adapt to the growing influence of the marketplace in how they practice law. More consolidation will take place as law firm mergers become increasingly common and legal issues become global. Large firms will maintain many offices to better service a diverse client base. Smaller firms will partner in order to "virtually" expand their expertise and better serve their clients.

Shifting Business Paradigms

Law firms will undergo a radical transition toward a business management culture. Partner-led firm management will diminish as flatter organizational structures prosper amid profit-sharing arrangements and MDPs. Attorney decision-making committees will cede more and more authority to nonlawyer directors or administrators.

These high-level executives will be empowered to make decisions and develop strategies about the future growth of the firms they lead. We may see these administrators form executive teams to take on the tasks of finance, human resources, technology and marketing within the firm.

Attorneys who are tapped to sit on committees will attend fewer meetings and act as advisors. Senior partners often assigned to these groups will instead be able to spend their time practicing law and finding new clients while a firm's business leaders focus on profitability.

Marketing the Firm

While law firms have traditionally lagged behind other fields in devoting attention to marketing, in the future they may very well take the lead. Competition from other firms, legal web services and newly formed MDPs will compel marketing executives to use new technology to improve law firm brand recognition.

Attorneys were asked, "How important do you think law firm marketing will be in the next 10 years?" Their responses:

Very important 66%

Somewhat important 28%

Not very important 5%
Not at all important 1%

Internet marketing in the form of law firm web sites will increase dramatically in the next 10 years. In addition to the advertising on firm web sites, legal marketing professionals will utilize personal digital assistant (PDA) technology. The ability to create PDA channels and "beam" a firm's information to prospective clients will be a valuable marketing tool.

Lawyers will continue to use listing services such as Martindale-Hubell, but will also explore similar opportunities on the web. Prospective clients will have the ability to use a large number of these web sites to identify attorneys who best meet their specific needs.

Moving Beyond Billable

With regard to firm billings, clients will have the power in tomorrow's legal world. Increased competition from online legal sources and MDPs will enable clients to define how costs will be structured rather than granting lawyers and firms full authority to set fees. Attorneys will become innovators, establishing billing procedures that best meet their clients' needs. Billable hours will decrease in importance as results — not merely time and effort — are rewarded.

Value billing will gain in popularity as an alternative to hourly billing. More uniform in its formula, value billing is touted as client-friendly and easily understood. The idea behind it is simple: Firms will charge a fee based on how long it should take to complete a given task. These standards will become uniform for an increasing number of cases and projects. In addition, legal professionals will be forced to consider the client's financial limitations when hiring staff and establishing billing structures. To keep costs down, paralegals and project attorneys will be relied upon with greater frequency.

Online Opportunities

E-commerce will change the way legal services are provided. As a result, clients will have options unlike any previously available. The Internet will offer myriad sources for advice and information from attorneys and nonattorneys alike. Access to the principles of law will no longer be solely derived from face-to-face meetings with licensed lawyers but, instead, from the Internet. Even with the current ethical concerns around privacy and conflict of interest issues, legal assistance on the Internet will be viewed as good for the profession because individuals and companies will be better able to seek help when they really need it. Attorneys, spurred by the competition from non-licensed legal professionals, will have to move quickly to establish themselves as providers of Internet-based legal services.

The Internet will offer greater access to legal information formerly available only from lawyers or law firms. People who prefer to research and handle legal matters on their own will locate uncomplicated legal forms along with easy-to-follow instructions and guidelines. Legal information brokers will provide sites with downloadable advice-oriented columns and data. Other web sites will be dedicated to specialized practice areas. For example, an entrepreneur will be able to learn all he or she needs to know

about the basics of intellectual property law without having to incur the expense of a formal consultation with an attorney.

Law firms will attempt to counter this trend by offering their services via in-house web sites in order to maintain contact with current clients and recruit new ones. While some of these web options may already exist, their use will increase dramatically as technology improves. Attorney representation will continue to be the outcome of most web-based interactions.

An additional option for finding legal counsel will be to go through a legal intermediary — or "go-between." He or she will develop online matching services through which clients will be able to access attorneys or law firms best suited to their specific needs. One format these sites likely will use is a system similar to the popular eBay auction web site. Prospective clients will post questions and pertinent case information, and attorneys will respond with time and cost projections. Clients will be able to accept or reject bids, thereby retaining complete control over the process. Many attorneys will use these sites as a way to bring potential clients to their offices after an initial online connection.

Conclusion

What is in store for the future law office? Significant changes and exciting new options are certainly on the horizon. As technology and client service emerge in importance on the front lines, trends in specialization, office cultures and management philosophies will continue to impact the legal profession.

As the decade unfolds, it would be advisable for both law firms and corporate legal departments to monitor and respond to advances in the field in order to address the needs of their clients and companies. Updating technical systems, reconfiguring offices and shifting with market demands will be the keys to staying competitive in tomorrow's legal world.

Additionally, as job descriptions change, so too will job benefits and opportunities. It will be necessary for all legal professionals — from attorneys, paralegals and support specialists to administrators, managing directors and hiring managers — to keep skills current and capitalize on chances for continuing education.

Expert Interviews

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Deborah Arron, Attorney, Management Consultant

Larry Bodine, Editor, LegalBiz online; Operator, LawMarketing.com

Peter Bonavich, Member, Futurist Committee, American Bar Association

Bill Cobb, Member, Futurist Committee, American Bar Association

Bill Gibson, Vice Chair, Law Practice Management Section, American Bar Association

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David Hambourger, Director, Practice Support, Winston and Strawn

Gary Munneke, Professor of Law, Pace University School of Law

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