Great Ideas … But Still Waiting to Happen

Panel Moderator: Mary Beth Pratt

In the first segment this morning, we examine why four particular Great Ideas that have been highly touted have yet to happen – at least they have yet to happen in the way we were led to believe they would. Were the Great Ideas just ahead of their time – and is that time about to arrive now? Maybe we didn't really understand these Great Ideas as well as we thought. Were they "manufactured" issues, that is, Great Theoretical Ideas with no practical application? Maybe these Great Ideas were pitched to the wrong audience. Did they need newer technology – or just newer thinking?

More fundamentally, what is the life cycle of older Great Ideas that seemed great but never realized their potential? How do we get better acceptance and adoption of a Great Idea? Could the staff/lawyer divide (each group with differing goals and perspectives) be at the heart of the issue? Do Great Ideas that fail to happen really indicate failures in leadership?

Mark Greene leads off with a short discussion of the CRM software Great Idea. Enterprise software, seamlessly talking to accounting and file management software, constantly informing staff and lawyers "who knows who" in the client database, integrated with event planning, e-newsletter distribution, client surveys, new file openings … only a few items on a long list of magical output that was supposed to occur at the firm and the individual lawyer level – all in the name of excellence in Client Relationship Management.

Mark Robertson then provokes us by highlighting the Death of the Billable Hour – a death greatly exaggerated by contrast with our predictions. Who inside law firms would not celebrate ceasing to measure out our lives in tenths of hours? We know that a final result in a knowledge-based professional sector is primarily measured by a client in qualitative terms, not quantitative terms. And we also know that many corporate clients need the certainty of a fixed budget allocation. So what is holding back this Great Big Idea?

Ed Poll reminds us about the innumerable seminars, conferences, bull sessions, etc on career, retirement and succession planning. For several decades firms and individual partners have sat through seemingly endless lectures on these Great Ideas: how to keep up, how to move on and how to get out. But to what effect? Are we any smarter about this Great Idea and, if not, why not?

Richard Potter closes with the Great Idea of management training. When it comes to law-as-a-business, we know that lawyers generally have had no training as managers, whereas we know that in general industry management training has become much more – it has graduated to a Great Requirement. But how to find the time, the credible providers, and deal with the general attitude 'I didn't qualify as a lawyer so that I could waste my time on management'.

Really Tough Times or Just the Business Cycle

Moderator: Ron Staudt

The media continues to bombard us with terrible economic news: mortgage and bank crises, massive budget deficits, stock market declines and spiraling price pressure on energy and commodities. The legal business cycle may be softer than the ups and downs of the national and global economy after all; even major economic declines produce work for lawyers. But at the minimum, these economic changes have an impact on the types of work lawyers do and the staffing requirements of the most recession proof law firm.

And, maybe this economic cycle is something different. Huge wealth transfers to the Middle East and Russia together with the emergence of China and India may restructure the world economy. Large US law firms are increasingly global and even US-centric law practice is affected by the growing capability to outsource off shore. And what happens to those least able to pay for lawyers when times are tough, pro bono volunteers grow scarce and donations supporting justice initiatives run low?

Four experts on aspects of these issues will start off a timely exploration of these really tough times.

John Smock leads off this discussion with an overview of how the legal industry is faring as a whole and strategically what law firms need to do to remain at the top of their game.

Carol Phillips takes us through the changes happening in law firms today. Is it because of the economy or just finding better ways to do things?

Ron Friedmann will then explore how outsourcing services locally or abroad has increased dramatically and what effect that has on the bottom line.

Alan Paterson closes with an international perspective on the access to justice implications of the current economic cycle.

Web 2.0 – What Does It Mean For The Legal Profession

Moderator: Dan Pinnington

Rounding out today's program is a topic that 15 years ago wasn't even an issue but now affects how we do business today. The tangled world of Web 2.0 now connects lawyers and clients in more ways than most appreciate and understand. Social, geographic and time zone barriers are fading from memory for many of us, and younger people know nothing of them. These changes have touched just about every aspect of our daily lives, sometimes in very subtle ways, and in some instances they have completely transformed how things are done or happen.

The legal profession is not isolated or immune from these changes. From client-facing technology to social networking and virtual groups, from practicing ethically in a Web 2.0 world to what's next with wikis and blogs, lawyers and law firms must learn to live and work with these new technology tools. But just how will lawyers and firms exploit these new challenges and opportunities?

Four fellows who are experts on Web 2.0 issues will share their thoughts and observations on what this means for the legal profession.

David Bilinsky will enlighten us on all the new ways for lawyers and clients to collaborate with technology.

George Brandon follows up by showing us how social networking is changing the profession.

William Hornsby explores ethics in the new world of Web 2.0, some of the old rules work, some will have to be tweaked, and some just don't work anymore.

Finally, **Linda Klein** will address wellness and balance in a 24/7 connected Web 2.0 world – is it possible?

Today's Panelists

Alan Paterson is a legal professor and Director of the Centre for Professional Legal Studies at the University of Strathclyde Law School in Glasgow, Scotland. Under his leadership as Dean, Strathclyde developed a global reputation for innovation and for its application of technology to enhancing the process of legal education. Additionally, he has worked to build bridges between the world of the law school, the public, the judiciary, government and the legal profession.

David Bilinsky is a Practice Management Consultant as well as the Practice Management Advisor for the Law Society of British Columbia. He is the immediate past Editor-in-Chief of ABA's Law Practice Magazine. Dave is the founder and current Chair of the Pacific Legal Technology Conference, a past Co-Chair of ABA TECHSHOW, and has been active in an advisory role for other legal technology programs.

George Brandon is Director of Business Development and Marketing with Morris Polich & Purdy LLP in Los Angeles. George is an experienced business development, marketing and IT professional with over twenty years of law firm and related legal experience. He has worked with over 150 law firms, including some of the largest firms in the world.

Ron Friedmann is the SVP, Marketing for Integreon, which provides outsourced knowledge and administrative services for law firms and law departments. Friedmann has two decades experience at the intersection of law practice, law business, knowledge management, and technology. A lawyer, he has held senior management positions at large law firms, legal software companies, and a consulting firm.

Mark Greene has been one of the pioneering forces in legal marketing. He has brought the best marketing practices of global corporations to the legal industry with an approach to marketing strategy and tactics rigorously based on information and research. Mark is currently the Chief Marketing Officer with Nixon Peabody LLP.

William Hornsby is staff counsel at the American Bar Association, where he works to advance policies that better enable people to obtain affordable legal services. As counsel to the ABA Commission on Advertising from 1990 to 2002, Will has worked extensively with the state ethics rules governing client development.

Linda Klein is Managing Partner with Baker Donelson Bearman Caldwell & Berkowitz. She has held numerous and various leadership positions. In law firm management she has been managing partner of a medium sized law firm, which she led into a merger with one of the 200 largest firms in the US. In Bar leadership she is the only woman to have served as President of the State Bar of Georgia, 7th largest in the US and Chair of the ABA's Tort Trial and Insurance Practice Section. In non-profit leadership, she has been President or Chair of many different organizations

Daniel Pinnington is Director, practicePRO at the Lawyers' Professional Indemnity Company (LAWPRO) in Toronto. Dan is a prolific writer and speaker on risk law practice management issues. He is a veteran of hundreds of presentations at law firms, CLE programs and conferences all over North America, and has chaired more than a dozen major conferences. He is Editor in Chief of ABA LPM Section's Law Practice Magazine, and chaired ABA TECHSHOW 2007.

Carol Phillips is the West Coast Director of Administration of Sidley Austin LLP, an international law firm with over 1800 lawyers and 16 offices throughout the world. Carol is a past president of the Association of Legal Administration, an international organization of over 10,000 members. Carol was awarded a Certificate in Legal Management in 1997. Carol is a founding member of the College of Law Practice Management.

Ed Poll is President of LawBiz Management and a nationally recognized coach, management consultant, author and speaker on law practice management topics. He has published five books and numerous articles on a wide range of subjects that benefit the legal community and law practice management profession.

Richard Potter is a former business lawyer, law firm administrator and now a professional services consultant (i-lawmarketing.ca) who works from his base in Eastern Ontario.

Mary Beth Pratt, a marketing and business development consultant, who teaches law practice management at Temple University Law School, and serves on the Board of Trustees and as Secretary of the College of Law Practice Management.

Mark Robertson is Managing Partner and practices business law at Robertson & Williams in Oklahoma City. He is a frequent lecturer on small and mid-sized law firm marketing and management issues, a former columns and articles editor for the ABA Law Practice Management Magazine, and is former Law Practice Management Section Chairman, and co-author and editor of ABA publication Winning Alternatives to the Billable Hour.

John Smock is one of the earliest management consultants to the legal profession. Coming from Arthur Young, where he spent 10 years as a partner, he has directed or participated in more than 200 assignments for law firms of all sizes. Among his areas of expertise are strategic planning, analyzing organizational structures, helping with mergers and acquisitions, and compensation systems.

Ron Staudt is the Associate Vice President and Professor of Law, Chicago-Kent College of Law Illinois Institute of Technology. He teaches Copyright Law, Intellectual Property Strategies, Internet Law, Public Interest Law & Policy, and Access to Justice and Technology. He also is director of the Center for Access to Justice & Technology, a law school center using Internet resources to improve access to justice with special emphasis on building Web tools to support legal services advocates, pro bono volunteers and pro se litigants.