

2014 COLPM Futures Conference

*Sponsored by the College of Law Practice Management
Hosted by Suffolk University Law School – Boston
Conference Co-Chairs: Lisa Damon, Seyfarth Shaw LLP;
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Deborah McMurray, Content Pilot LLC*

TED Talks - Recap

Thursday, October 16, 2014

TED 1 - Jeff Carr

Team 1: Takeaways: Opportunity in uncertainty. The 4 buckets. Tech enabler.

Team 2: Takeaways: Prevention prevention prevention.

Team 3: Takeaways: Process management.

Team 4: Takeaways: Can't ignore the dollars.

Team 5: Takeaways: Predictability.

Team 6: Takeaways: It ain't just lawyers.

Team 7: Takeaways: Use the metrics.

Team 8: Takeaways: De-complexify.

Team 9: Takeaways: Focus on team collaboration and leadership.

Team 10: Takeaways: Deconstruct.

AND: MPR - Massive Passive Resistance, Counseling, Consumer driven, legal spend is down but the law firms are paid more than their bills – make more by charging less, opportunity in uncertainty, P3 - plan, perform, prevent.

TED 2 - Abe Geiger

Team 1: Takeaways: Massive unmet needs.

Team 2: Takeaways: Adoption by groundswell.

Team 3: Takeaways: Leap-frogging “us.”

Team 4: Takeaways: Customers care about pretty (UX).

Team 5: Takeaways: Aesthetics.

Team 6: Takeaways: Skip over infrastructure that doesn’t work. Leap-frogging - we are the frog.

Team 7: Takeaways: Need ability to analyze data/information.

Team 8: Takeaways: Bottom up innovation, not top-down.

Team 9: Takeaways: Wear a hoodie - have a culture of creativity. Get rid of the uniforms that don’t support creativity (suits and ties).

Team 10: Takeaways: Consumers first.

AND: Tiny law, Don’t overlook Africa, change is not hard, safety is a consumer desire, faster, smarter, easier, prettier, tools for the under-served middle class also serve the under served poor, private Cloud.

TED 3 - Ron Staudt

Team 1: Takeaways: Legal Services Corporation (LSC) technology - using it as a real tool - we are *not* just talking about it.

Team 2: Takeaways: If you remove the impediment of the billable hour, anything is possible.

Team 3: Takeaways: New technology fills the educational gap.

Team 4: Takeaways: Just in time learning.

Team 5: Takeaways: Better use of under-employed lawyers.

Team 6: Takeaways: For the middle class and poor, lawyers are peripheral to their lives – not integral.

Team 7: Takeaways: Stop focusing on the contraction/scarcity and look at expansion - not the 20% who receive legal services - focus on the 80% who don't.

Team 8: Takeaways: Good interview tools solve multiple issues.

Team 9: Takeaways: Expanding access through tech-enabled self-help.

Team 10: Takeaways: Use generally available and free tools to weave together a comprehensive solution.

AND: A moral imperative drives change.

EARLY TEAM INNOVATION IDEAS:

1. Service that does e-discovery on you - do you have any legal risks in your personal portfolio (IMs, emails, etc.) - preventive self e-discovery.
2. Big idea - all the law firms contribute their data to a university – anonymously – and the university would analyze and develop new standards and metrics.
3. Different skills that law school students need - they would “major” in special disciplines. Different training tracks depending on their employment and role.
4. Your annual legal physical. Individual, small corporations, open source questions, embedded logic.
5. Law firm based on future planning based on knowledge of the law, insurance - would combine 3 strengths - predict future legal risk, people who know about the law and insurance companies.
6. Online court that uses crowd-sourcing for jury, skype to appear, collect data that you could mine later - predictive results - stress test your claim. Would be outside the judicial system.
7. A vehicle for expressing low-cost options for middle class consumers - through churches, other community gathering places where you could get info about low cost options.
8. Kick-starter for preventive legal solutions.

9. Must address security - provide kits that you could provide to small, medium or large firms - like an ISO standard for security.
10. Have an open platform for templates and forms - people develop them, comment on them - for purposes of development. No geographical boundaries. (Marc Lauritsen's docs)
11. Tinder app (a dating app) - Tinder and Kick-starter for legal ideas. Filter things out that aren't legal claims. You would get metadata on people who are posting - the ones that rise to the top could be contacted by lawyers.
12. Inspired by WAZE app - a legal WAZE - people ahead of you in your path to justice or path to practice.
13. Give me 10 GCs, have them pool their info and experience to leap-frog the law firms. You leverage the collective intelligence - you compile it, processify it.
14. All the banks hired one law firm to do all the research- banks split the fee and they all have access to it. And you can app-ify it.

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SHARK TANK Presentations

Friday, October 17, 2014

Shark Tank Judges: Susan Hackett, Legal Executive Leadership;
Josh Kubicki, Transformation Institute; Chris Marston, Exemplar Companies

Team 1: Kristin Sudholz and Verna Myers

Law to Go - a legal kiosk that provides legal services that people need in their daily lives. Improve access to under-served communities and constituencies. Revenue: franchise the kiosks / business plan / measurement to track click-throughs, etc. Local franchisee will have person/helper on hand - occasionally. (People standing by when folks get stuck. Help adoption.) People who don't have a smart phone - navigate using tools and logic (such as Neota Logic) get them to a point where they can outline the issue - will ultimately direct customers to a solution. Will educate them - they will better understand the law, process - and be ambassadors to their families, communities.

It is local. It's a place where they can start.

Kiosk: Wants it to be simple and easy to use. Person there to guide them through the logistics of using the tool. Not lawyers giving legal advice.

If you have the Internet, you still don't know what to do - where to start. "Bank just foreclosed on my house - what do I do?" Google might provide hundreds of options if you searched this - too much to sift through, and a lot is not helpful.

Josh: Revenue model: Lawyers will pay to advertise. Perhaps the Legal Zoom, Rocket Lawyer Internet services. Customers might pay \$1 for a document, but essentially free to users.

Chris: What about infrastructure dev cost? Possibly partner with other companies. Where will it be located? - Find out where the most under-served communities and neighborhoods are. We are going where people already gather.

What are the local agencies, pro bono groups, law firms doing? - have conversations with them to solicit their support.

Susan: Saying “Here is a document that answers the questions that you asked” . . . isn’t providing the one document the practice of law?

Kiosk - staffed initially, part time during high traffic times.

Team 2: Kevin Colangelo

We are solving 2 very simple, basic problems. We want to get one simple thing done - access to justice.

- 1) Judiciary - We have Chief Justice and the bar association behind this. Helps with speed to market.
- 2) People who don’t have access in the state of Vermont. 80% of people who are voluntarily or involuntarily unable to navigate the legal system. Idea is focused on this problem. We aren’t giving them legal substantive advice - we are only helping them navigate.

Kiosk - private spaces put in places like the local WalMart. What is the #1 issue with these 80% of people? Family law. Most of the pp having family law issues are women.

What happens after you go through the metal detector in a court house? Even lawyers are bewildered. Even they don’t know where to start.

WalMart in Rutland, VT - popular spot - people go there. Key part of biz plan - judiciary is involved in it. How do we get past the bar associations and ethical issues? We involved the judiciary.

Touch screen - gives you guidance, helps you navigate. Benefit Corporation - investors invest in semi-nonprofit. Speed to access. Use profits on the first round of this to fund the next round. Can put it in place in six months.

Chris: I don’t relate to what you said. Is the navigation problem actually in the courthouse? Why don’t you put it there? As opposed to WalMart.

Most courthouses have pamphlets. Digitize this. Use a decision-tree. What is the nature of your issue? Do you have a lawyer? Have you received a summons? Answer: Go to room 222 in the courthouse and ask for so-and-so.

Susan: How do we get the database populated?

Came to him via Vermont Law School. Have the school do some of the coding. Combination of practical and clinical - law students go to the kiosk and courthouse and help people navigate.

Chris: It helps people navigate - it could be a nonprofit business. Could it be corporate sponsored, could it be United Way sponsored? Yes.

Josh: More of a social mission. It's empathetic driven - taken the embarrassing pain and helped them through this. How do you get people to use this? I love the niche aspects of it – but, you are the family law kiosk and you are asking someone to walk up to it in a public place – are they going to do that? Won't they be embarrassed?

That is the challenge. If someone has been through the manual process of courtroom procedures, she will be reticent to want to go through it again.

Team 3: Dave Hamburger and Anne Tanutta

We see a lot of folks that are representing themselves. In CA and NY - most litigants appear without a lawyer - child custody, domestic violence, evictions, paternity and more. We designed things with 3 things in mind: 1-Technical, 2- Business, 3-Desirable.

Uber for the law. Welcome to “Open Law.” Geographically focused info and access point, which includes checklists - where lawyers can and can't help you. App would be accessible - also website - you can zoom in on your location - GPS element. These are attys that have subscribed to use your service - enter search terms - family law issues (niche) - build process maps for each kind of claim. “I need a divorce” - what's next? We respond with subjects that apply. Step by step of what user must do. We unbundled it for you - when will an atty be the most useful? I can do the docs myself, but I do need a lawyer to show up for a court date.

There will be resources - checklists, links to other sites, rely heavily on existing data - curate content that already exists. We are starting in CA and NY, where needs are the greatest. There is a small lawyer referral service in it, but that is not driving it. It is designed as just-in-time - they pay for what they use.

Uber costs more because you are calling them at the last minute - pricing might be sliding - dynamic pricing.

How does this differ from what you've heard from the other teams? Unbundling is important to us. Someone might look at a guardianship as a complete process - but it is a set of tasks. We think this is our secret sauce.

Chris: Kind of a Legal Zoom thing. You're taking work away from lawyers - How do you eat the lunch of lawyers and provide services - trying to be something to everyone?

What's the sexy?

Aggregation - if you are one of these folks that needs help right now.

Bigger picture - pro se litigants clog up the system.

Josh: Just in time. Maybe the unbundling is the thing. That to me is what's working here, leave the Uber out of it.

Susan: Who does the content?

Not logic, but a series of checklists. We won't reinvent the wheel - we will use content that exists - partner with other sites. One way to get pro bono credit, is to develop content for this service. (That was a unique idea - BINGO!)

We will have lawyers that pay to be on it. Linked to reputable grading services for the lawyers. Lawyers would be micro-targeted because of geographic specificity.

Also a "premium model" - WalMart could say, we are providing this service ("Open Law+).

Team 4: Bill Palin

We've all spent a lot of time talking about access to justice. There is a problem that occurs before then that bleeds into everything else. People don't know *when* they have a "legal *problem*." How do you fix that issue? Get people in the system who actually have a problem and keep people out who don't.

"Legal Check." Put a small problem in, and get feedback immediately from lawyers saying yes or no - you do or don't have a legal problem.

They created their own logo.

Josh: Is this a Q/A format? Tinder - like. Lead gen for lawyers.

Bill looks at students as a huge market. Website where you can load up your lease and get an answer if it's problematic. GPS location.

Josh: How do you have a network effect for this - must have enormous adoption. Niche apps that are highly focused (e.g., Cell Breaker for breaking your cell phone contracts) - Josh suggests narrow focus, such as just student leases.

Once a user discovers she has a problem, then she reaches out to an attorney.

Chris: The way you set up a problem-solution - this is a legal hypochondriac filter!!

Susan - isn't it like Rocket Lawyer?

That is mostly a website, it requires sign up - barrier to entry.

Chris: When people falsely believe they have a problem, what about these people?

Over 200k people go through ABA lawyer referral service. More than 20% of problems are solved within 20 minutes. A lot of people are taking up a lot of resource time that they don't need. And then those who really need the legal services don't get it because the resources are strapped.

Susan: Why will lawyers want to participate in this?

Trying to lower the barrier to entry for those who don't know they have a problem. We are going to fund it through NSF and other agencies. What is currently available is a maze of hundreds of options - impossible to know what to choose and where to turn.

Team 5: Jeff Rovner and Nicole Auerbach

We have created "LawyERx" (great logo!) -- user friendly diagnostic tool built on Q/A guide. At the end of the Q/A, they will present forms, and if a client needs legal help, there will be a network of lawyers available - via live chat. Pre-determined fixed fee.

Creating differentiating content is at the heart of LawyERx. The need for wills, healthcare directives, selling/buying a car, etc. - law varies state by state. They will recruit law firms in each state to prepare this content. This ensures that the bottom line will continue to drop – profit margins continue to grow (a la Michael Mills).

Platform will be accessible and scalable. Mobile devices - on an interface designed by Bill Palin. Across legal topics- it will look and work the same way.

Will also have a website – accessible in public libraries and other public places. Over time, build a comprehensive legal platform.

Chris: What is the special sauce?

Simplicity of a one-stop shop (like Kayak). So simple - answer a number of questions and it tells you what you need next. (e.g., healthcare directive). They have thought through the content creation part - unlike the other teams' products.

Is it the equivalent of a WebMD?

More TurboTax meets WebMD - it's better.

Chris: You're saying, "Client heal thyself."

Unlike TurboTax, which can never send you to an accountant, we will send to a lawyer if required.

Susan: So many great ideas, the providers end up competing with each other.

We are going to give the tool to LSC funded organizations (for example). We don't have any problem with sharing. This is not an attempt to make a lot of money for lawyers, it is designed to serve a need.

Josh: This already exists. BridgeUS for immigration; Fair Document for trusts and estates, plus other products.

How will it be funded?

Funded by collection of data - on secondary use of anonymous data. People will contribute time and money to this - because it's helping an under-served population.

Team 6: Jordan Furlong

"SURFACING"

Many people don't even realize they have a legal problem - and they don't know there is a corresponding legal remedy.

[\(ABA's Rebecca Sandefur Survey: Accessing Justice in Contemporary America: The Community Needs and Services Study\)](#) – She doesn't ask, "do you have a legal problem," she asks "have you run into these situations?" We don't appreciate that there are unknown, unidentified legal problems that have legal remedies.

SURFACING - diagnostic tool - given for free to the United Way, the umbrella organization that provides funding to hundreds of other organizations across the country. The United Way would provide this diagnostic tool to all their funded organizations.

Main issue is connecting users with the tool. And it's not a front end triage tool, either. We find community orgs that have already staffed the connection points - they already serve people in need. We aren't recreating the wheel - we are hopping on the wheels that already exist.

Who pays for it? Corporate sponsorship - companies that want to give back. First right of refusal to law firms. If firms aren't on board - Rocket Lawyer and Legal Zoom could support it.

Chris: Used a powerful analogy - medicine. He uses it all the time. Cognitive dissonance -do you want to get them involved that early before there is really an issue? Does this crowd the courts with tiny cases?

Jordan says, this can't be a bad thing if there is more access to justice. Issues will start with spousal support, custody, etc.

Josh - Loves the channel access. Loves the problem they are trying to solve. Bias to getting it to a lawyer - I have a problem and I can't pay for it - this sucks! Funneling this to lawyers is the Achilles heel in this.

Maybe Rocket Lawyer/Legal Zoom is the solution - they have networks of lawyers already built up - maybe tap into them.

Susan - where does the content come from?

Team 7: Karen Katz

This isn't about "innovate law," it's about renovate law - 1-800-LegalFX.

Who will man the 1-800 number? Law students at Suffolk Univ. Who will pay for this service? Alums who will donate money or pay for the referral. Then the alum will take the case.

Geared to older people, others who don't have access to the Internet. Yes, someday there might be a portal. We can connect with Sokolove Law because of their amazing 800 system.

Josh: Any regulatory issues?

Yes, maybe. There will have to be a regulatory effort. ABA will have to figure this out because they are producing too many law students that aren't finding jobs.

Susan: How to capture highly processed, judged information and allow people to have access - what I am hearing in your model is exploiting the least experienced people to provide advice one on one. Are you concerned about the inexperience of your service providers?

Students will be trained - they will be doing intake calls. 2-4 weeks of training - then take it to the practitioners who will do the legal work.

Chris: I like this part of the model.

Josh: What problem are you focused on solving? Law school student? Or consumer trying to get help?

The students - concerned about this and think there is money here. Revenue opportunity here. Second piece is access to justice.

Chris: People need help - but no one is really thinking about the damn target market. Who is it? Is it grandma?

W focused more on the delivery model - law school students - alumni.

Susan: I like the alumni angle - distinguishing.

Josh: Re law student preparedness - if you can build up competencies in the law school audience - that seems to be the essence of the problem you are trying to solve. You are gating your marketing - targeting.

Scalable on a regional basis.

Team 8: Liam Brown and John Alber

There are a lot of contracts over which you have no bargaining power whatsoever. A lease agreement - the worst kind of contract – that covers your house or apartment. Called “Tenant Storm.”

Provides education to tenants. - their rights, provides them with a dispute resolution service. Ratings - compliance on minimum standards for agreements. A marketplace for people who serve landlords and tenants. Rental market is \$20 billion - sell the site to good landlords and tenants. There already is a marketplace for tenant listings - and people are interested in selling into this market.

Josh: What’s your revenue model?

Subscriptions from landlords, advertising revenue .

Challenges: Building awareness among landlords so they will want tenants to see them as good landlords.

Susan: How do you build and maintain the legal content?

We want it to go beyond a Yelp model - is there an appropriate deposit and return, timeframes to address problems.

Josh: Sort of an Angie’s List for tenants/landlords.

Yes. Huge gap in the middle that is under-served.

Decomplexification, consumerization - spurred on their thinking. Can this process be simplified? Can it provide access - not only to lower economic classes, but the huge middle class?

More geographic than the other applications discussed today. This brings a larger economic model to the same problem.

Susan: What about dispute resolution, which is very fact specific by nature.

The lease will have to have approved dispute resolution provisions. How much of this can be done online? Landlord/tenant courts are inundated, can’t get traction here. With ours, a bad landlord ends up with a scarlet letter.

Chris: Bargaining power - like a match.com. Why not work with existing platforms instead of trying to create something new?

We understand the competition - eco-system we don't want to compete with - want to provide a value-added aspect and plug into another third party system. Offer our "badge" (i.e., Good Housekeeping Seal of Approval) and give people access to the checklists, dispute resolution, etc.

Chris: Why would landlords do this? What do they get?

If you are a slum lord, they will get bad marks in the Yelp sense.

Team 9: Andy Perlman

C.O.R.T Translation = Court Online Real Time Translation

We are going to reduce the cost of translation services in courthouses. Enormous cost - Ohio saw growth in its translation budget more than ten times in a few years. (He also mentioned New Mexico, telling a similar story.)

Because of the translation issues, people are being denied orders of protection, etc.

Constituencies - courts that have limited resources - and pro se parties, clients of all kinds.

Unique features: Accessibility to range of languages - via Skype - access to a translator that appears instantaneously. Immediacy. Push buttons to choose one of multiple languages that you need.

Competing against the bespoke translation industry. Found one online service in Ohio. Challenges: finding translators who know legal terminology, compliance with court rules, judge resistance and skepticism, infrastructure (spotty Internet/wifi services in courthouses).

One way to control quality - Hire independent contractors - offer benefits / work from home. MPR (Massive Passive Resistance) issue – courthouses will have more resources available to them because they will outsource these services.

Chris: Demonstrated a growing market. Huge pain point from a budgetary standpoint. Already works in other industries. Currently happening in medicine. Press a button and someone is on.

Josh: For profit. How will you monetize it?

The money is already out there being spent on these services – courts are being strained with the costs of these translators. Could lower the budgets by millions.

Chris: What you have yet to come up with that's new is the actual infrastructure. Biggest challenge is how you get your customers.

Monetary - show them that it's cheaper than what they already use. Ease of use and reliability of use. As simple as pushing a button on the language you need.

Our plan is to do a slow roll-out of it.

Chris: I absolutely disagree with slow roll-out. You are first to market – you must exploit the market. Speed is important.

Josh: Access global law schools – have law students in global schools do the translations.

Team 9 loves this idea!

Susan: Concerns - liability – What if the litigant loses and complains that the person didn't translate correctly?

We need to be able to compete by vetting people better – this vetting process is already working in court houses.

Also can scale this up – for the individual attorney and client in the courthouse.

Josh: I am worried about a chilling effect on the dialogue. There is something lost in translation – a potential downside.

People will also have access to translation services who didn't before – a civil rights benefit.

Legal assistance foundations also have to hire translators. Legal Aid offices.

Chris: Fund with OPM - other people's money.

Not just Si habla espanol: Si habla "everything."

Team 10: Mark Tamminga and Sharon Nelson

Unlike all other teams, we actually have Michael Mills!

Security is a largely intractable problem in small to large law firms. And the response is always reactive – the bullet has hit your head, then you put your helmet on.

Security is becoming impossible for a large number of organizations. We propose a \$200k investment for 20% of the company.

"Law Lock" – is a bundle of services. A free self-assessment that leads to a bundle of other services.

Hundreds of law firms have had security breaches. 7% of attacks are directed at law firms. NSA has shared confidential docs that they got from the NSA in Australia. Law firms aren't learning – Wilson Sonsini has had two data breaches 4 years apart – they didn't learn from the first one. Law firms benefit - clients benefit. And legal aid clients - they are the worst protected because they have no money.

"Law Lock Certified." A "free-mium" model. As soon as you do the audit, via a decision-making trail, a user can determine what their needs are. They can pay at that point. About being a one-stop shop for these services, ranging from the free audit to other tools and even consulting services.

There will be training – lawyers would pay to be trained. Firms couldn't brag about it on their websites or they will be a target for hackers, but they could put it in their RFP responses and say they are Law Lock Certified.

Chris: Why do you exist? There are very good products out there. We know that lawyers suck, but if they lifted their head, they could find a great alternative. So, why do you exist?

Our product is targeted to solo - small - mid-sized firms. They are renewable certifications. Nothing exists for this audience size.

We think there is a lot of power in the free online survey. Legitimacy that comes from what Law Lock is - above reproach.

Chris: What are you trying to do better?

Susan: What I am hearing is “Here is the whole package.” Are you trying to solve their problem or identify their problem so they can go to the next stage? If I did your survey and found I have 37 problems, why would I hire you to fix it?

Law Lock will include 24/7 access - emergency services, etc. They will also resell services.

Josh: Is it a lead gen tool for services?

Yes - for services and products. It is a front end lead gen tool that leads to the next step. Who is the person who takes the survey for small law? It could start with a secretary or a lawyer. How do you get the right person to take it? Value proposition has to be strong enough to push it forward.


AND THE WINNERS ARE . . .

Best Elevator Pitch: Team 5 - We understood in 30 seconds that this was an emergency room. Dealing with crisis situations and how to bring them forward.

Runner-up: Team 8 - “Tenant Storm” - In the judges’ deliberations – you outlined a very specific and understandable target market.

Winner: Team 9: “C.O.R.T. Translation” Best in answering judges’ questions and best overall idea and presentation.

Respectfully submitted,

A handwritten signature in black ink, reading "John L. Murray". The signature is written in a cursive, flowing style with a large loop at the end of the last name.