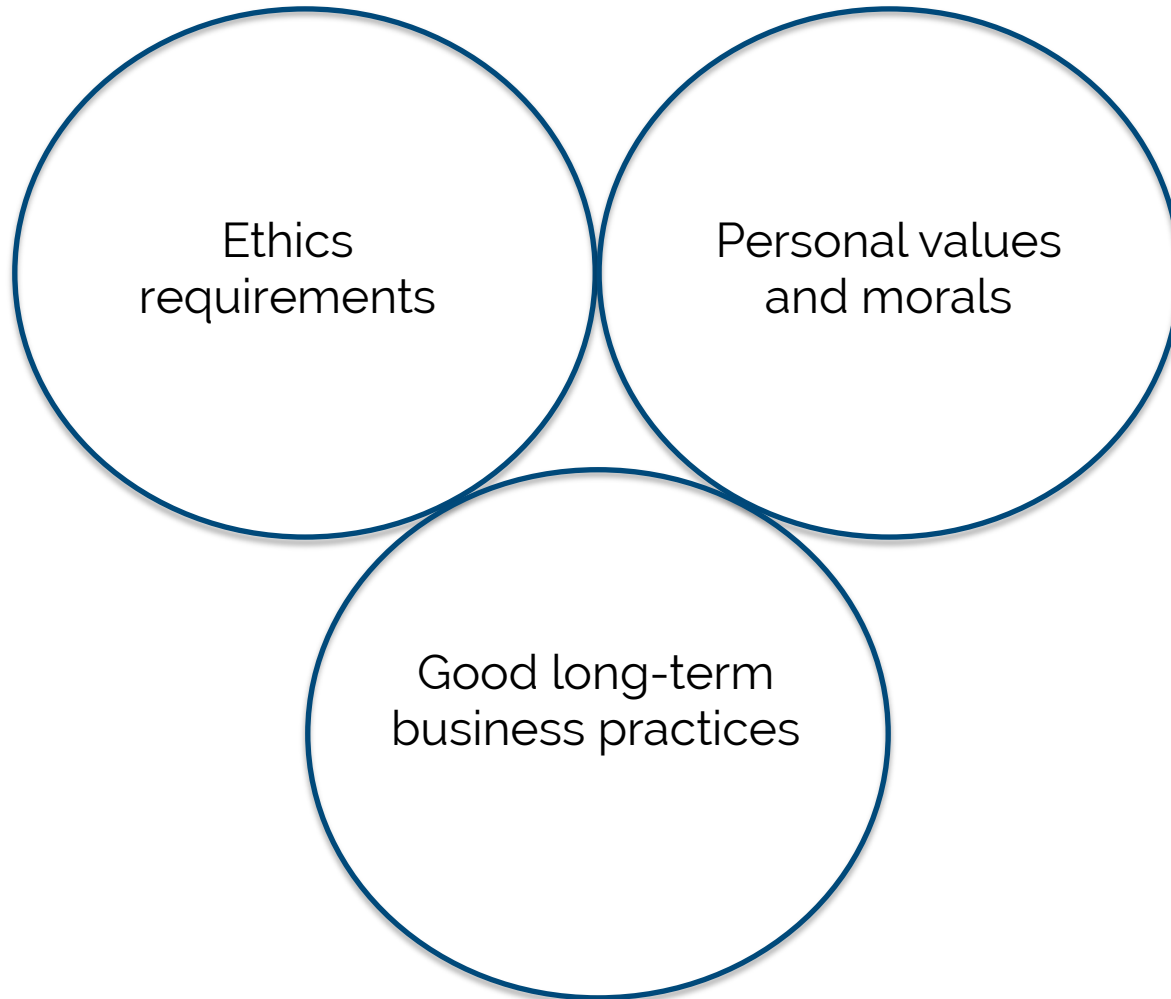


# Adapting to a World That Wants A Better, Faster, Cheaper Legal Solution

NC Bar Center, Cary, NC  
Dec. 5, 2014

Prof. William Henderson  
Indiana University Maurer School of Law,  
Lawyer Metrics, LLC

# Three analytical lens





1997 Dodge Caravan



2003 VW Passat



2014 Honda Accord

“All models are wrong, but  
some are useful.”

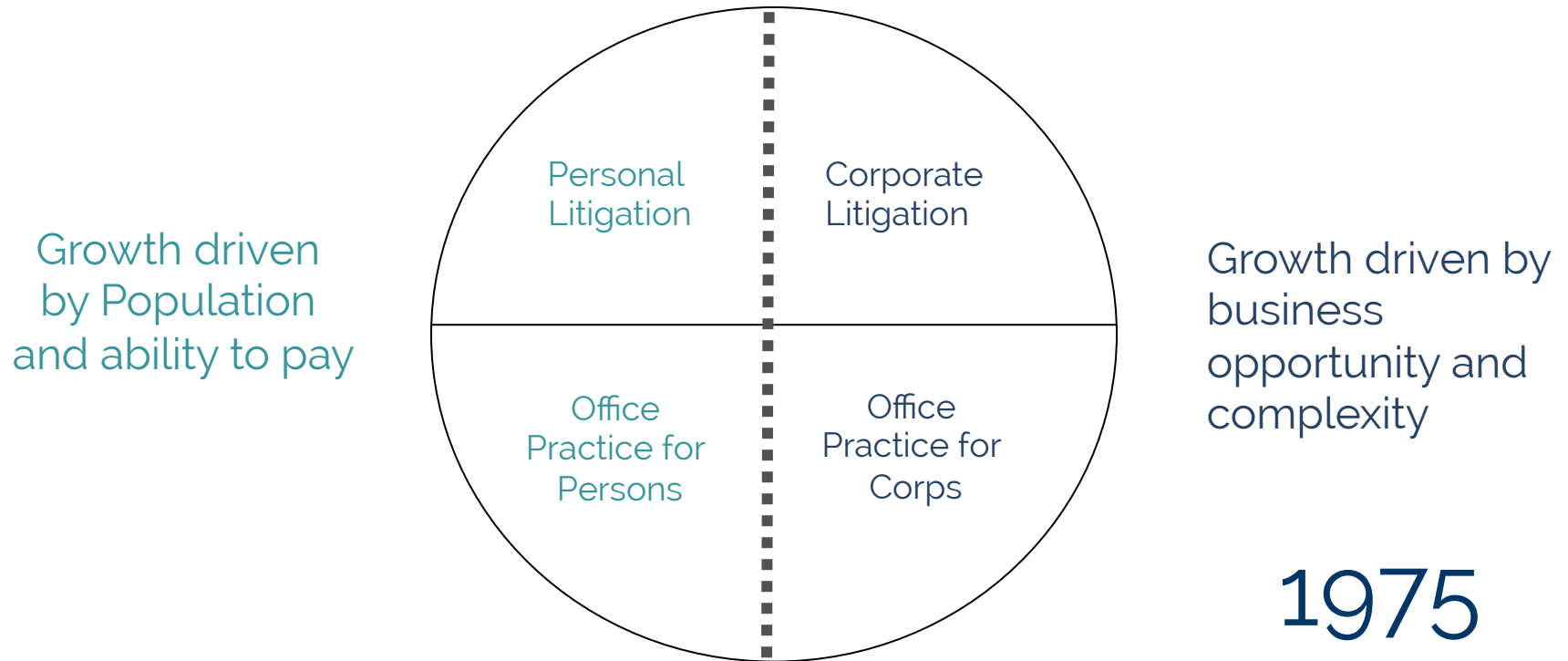
-- George E. B. Box, Statistician



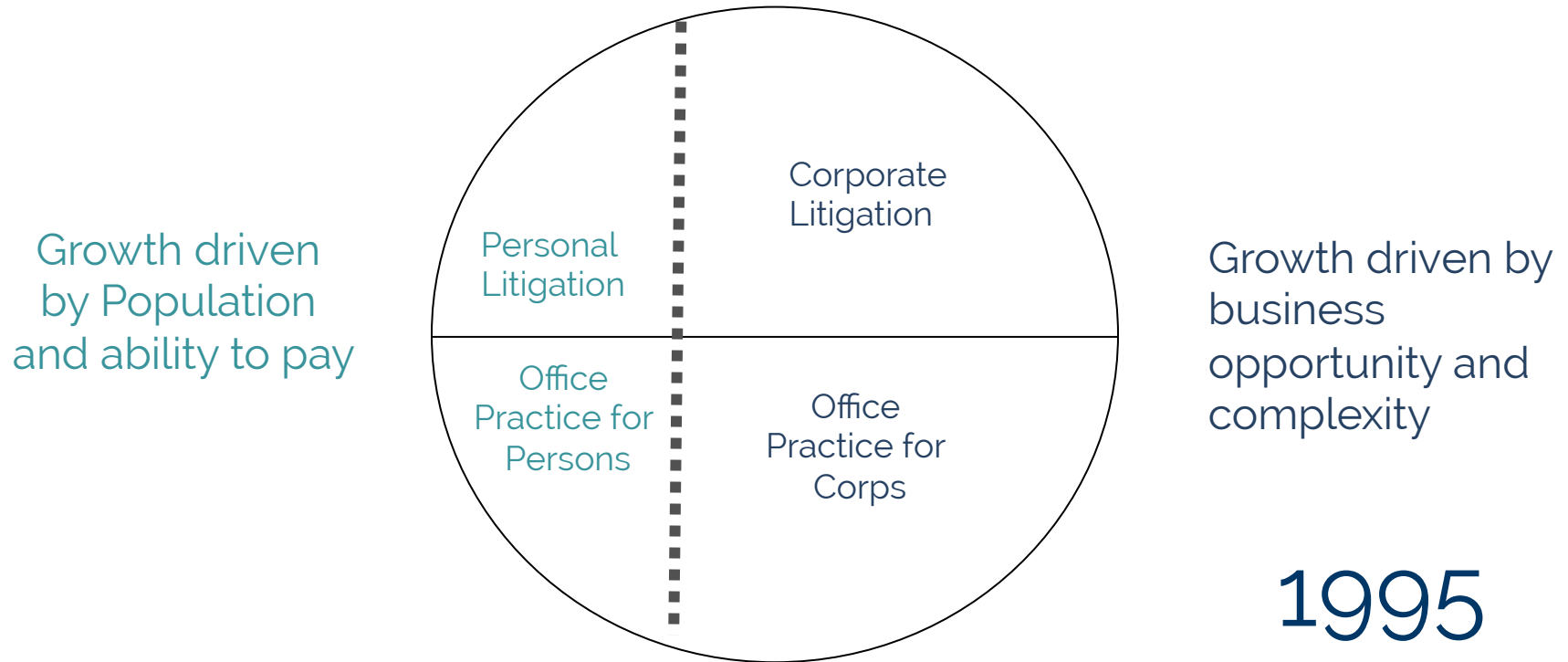
Model 1

Two-Hemispheres Model

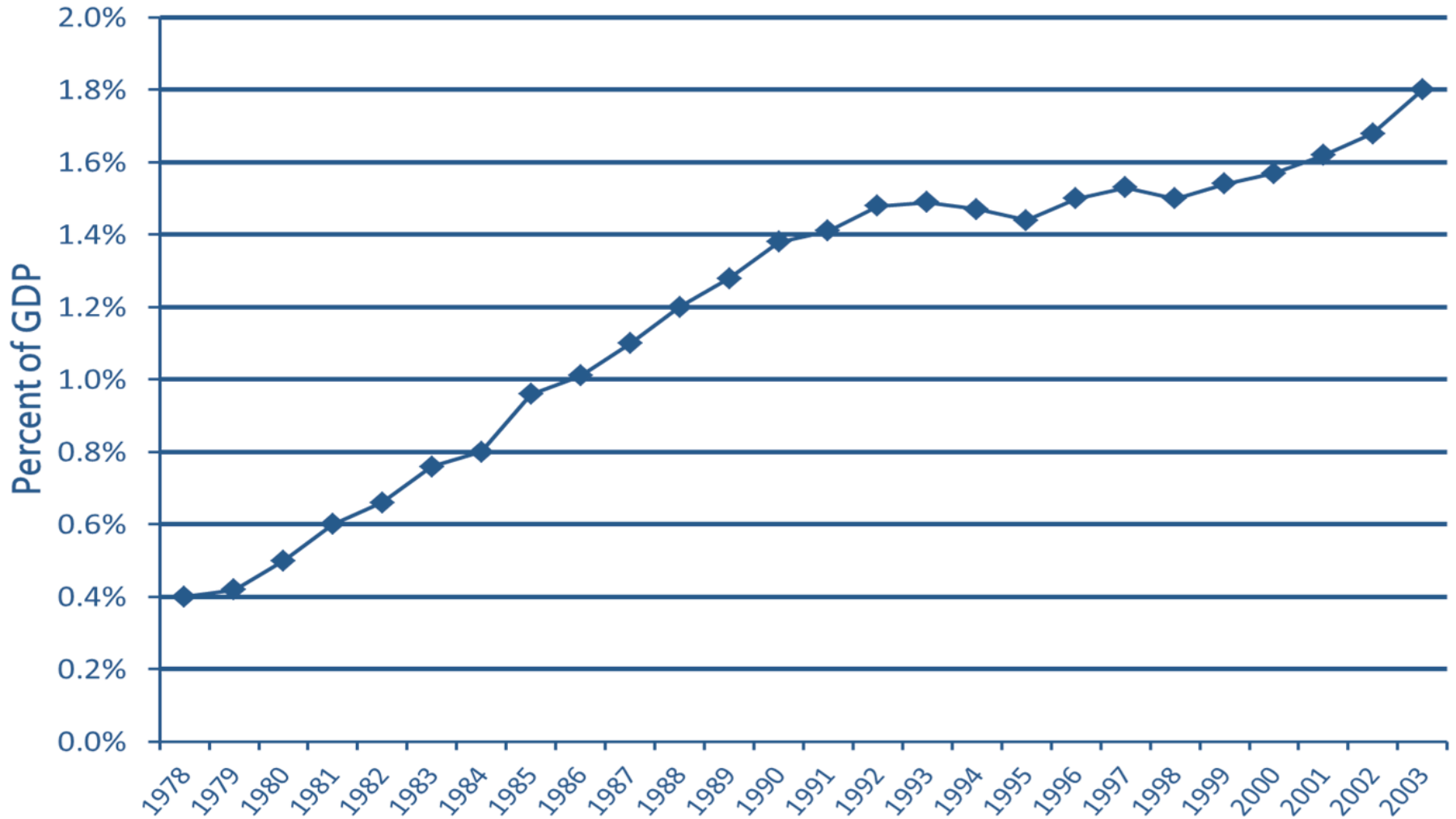
# Heinz-Laumann “Two-Hemisphere” Theory



# Heinz-Laumann “Two-Hemisphere” Theory

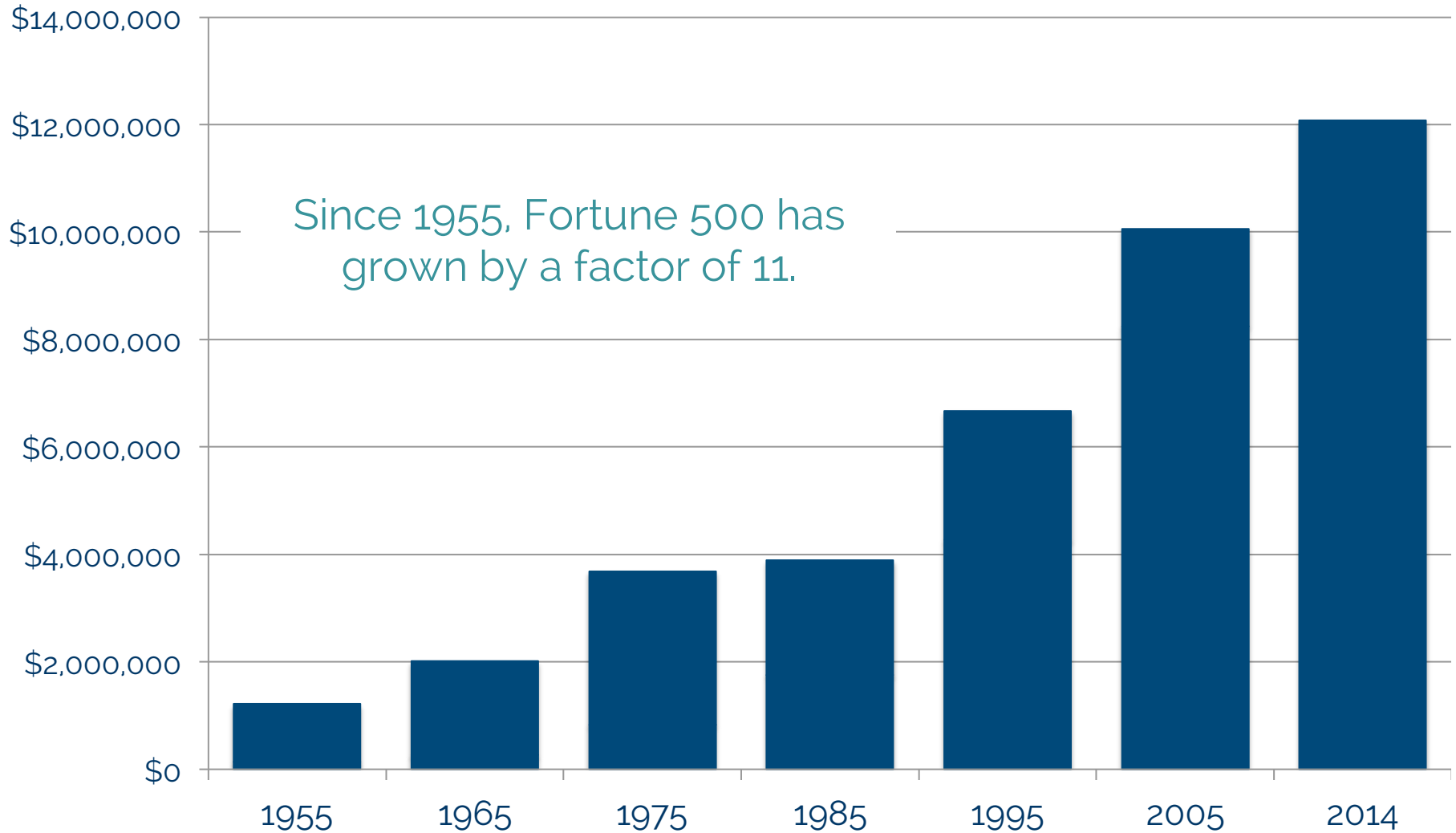


# Expenditures on Legal Services as Percent of Gross Domestic Product, 1978 to 2003



# Fortune 500 Revenues

(inflation adjusted dollars, in millions)



# Model 1: type of client

## **People**

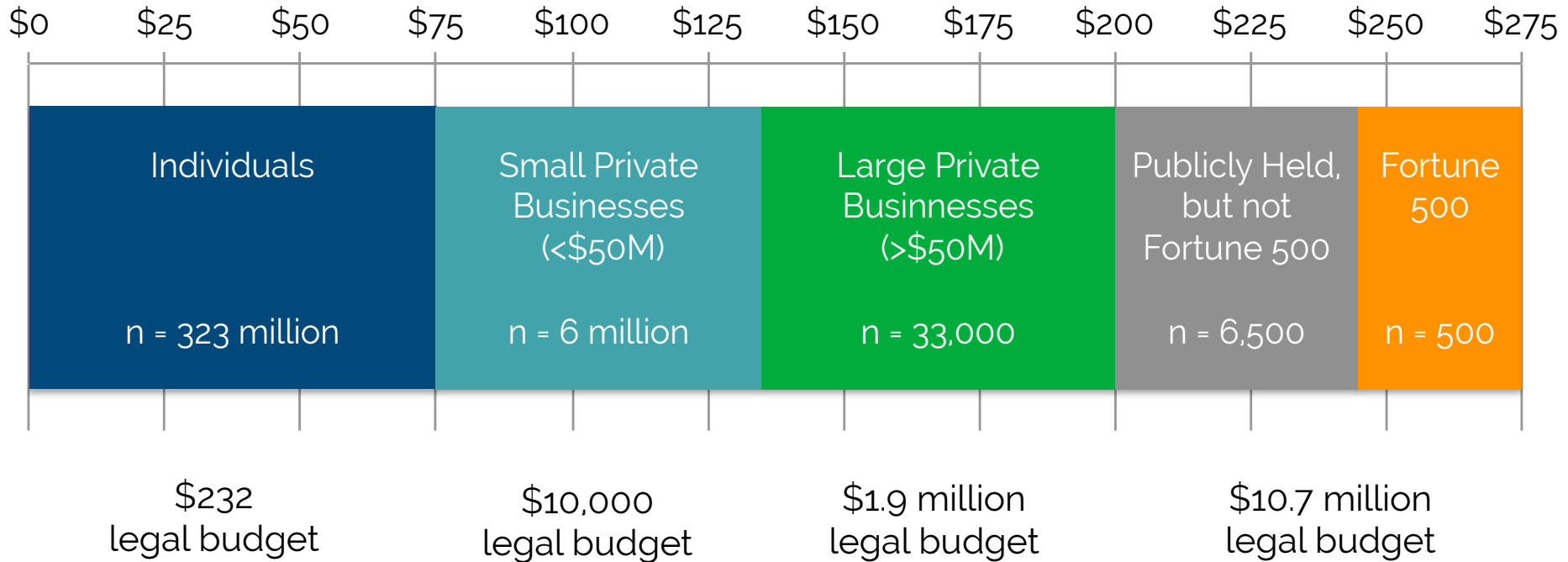
My clients are  
people and  
small businesses

## **Organizations**

My clients are  
large organizations,  
often with a  
general counsel



# Size of U.S. Legal Market



# Model 1: type of client

## **People**

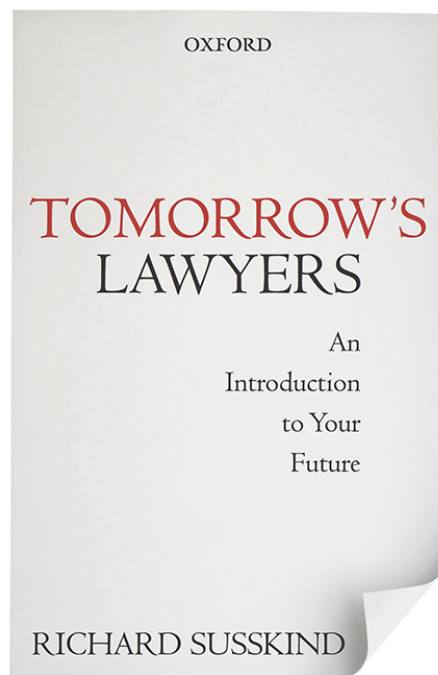
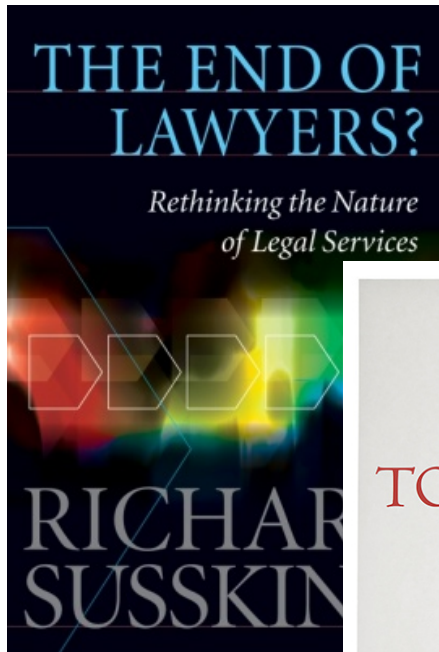
Unmet legal need,  
underemployed  
law graduates

## **Organizations**

Wealthy clients  
complaining  
about cost

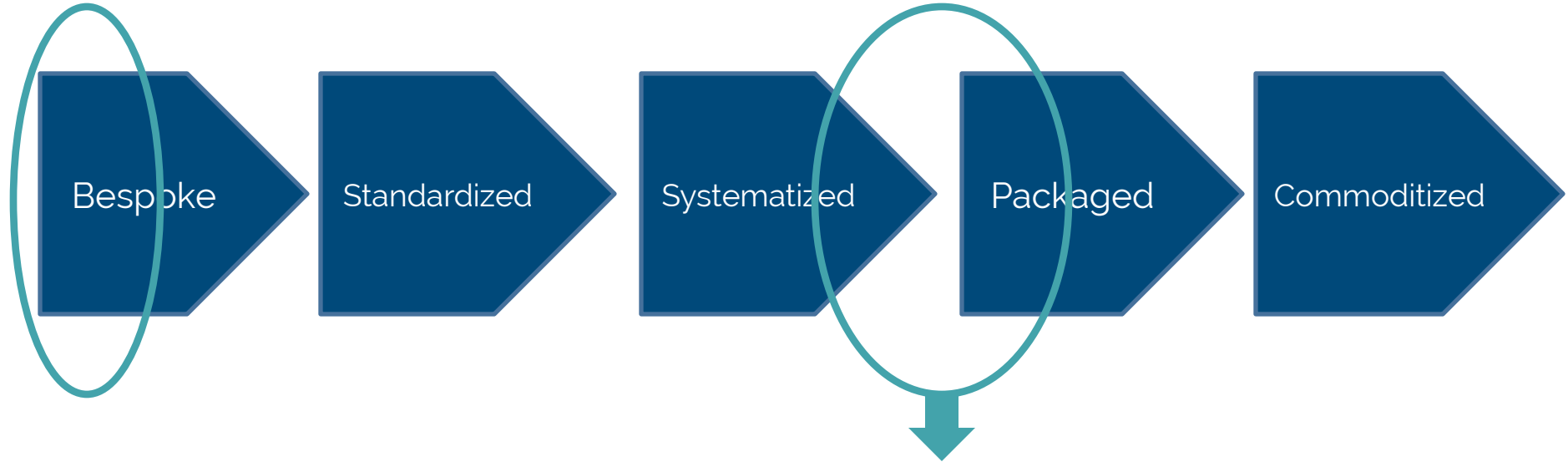
# Model 2

## Five Stages of Legal Evolution



## Model 2

# Susskind's Five Stages of Evolution



- Needed human capital:
- Information technology
  - Systems engineering
  - Finance
  - Marketing
  - Project Management
  - Law

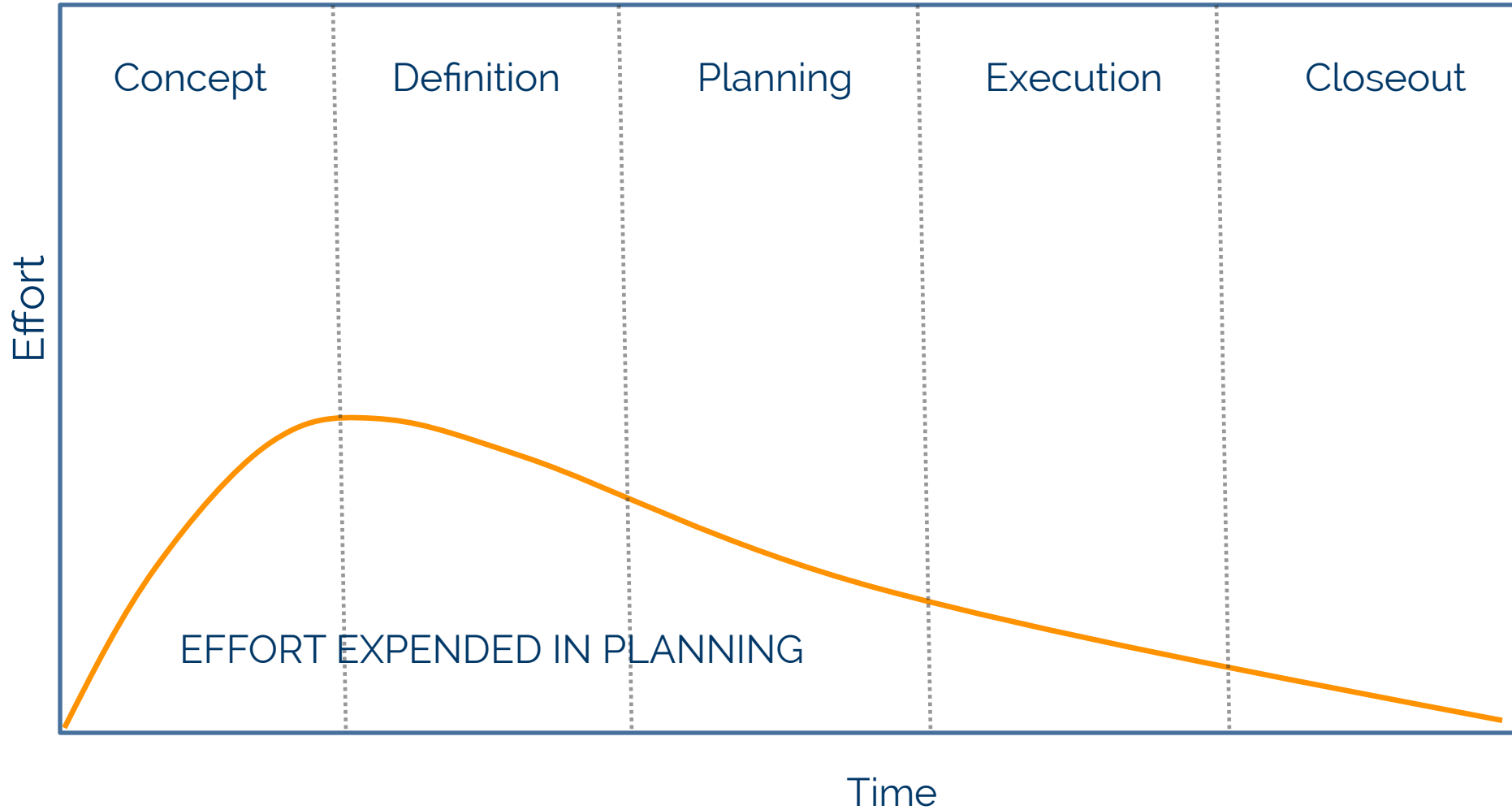
# Project Management vs. Project Improvement

A project is “... a temporary endeavor undertaken to produce a unique product, service, or result” PMBOK (2004).

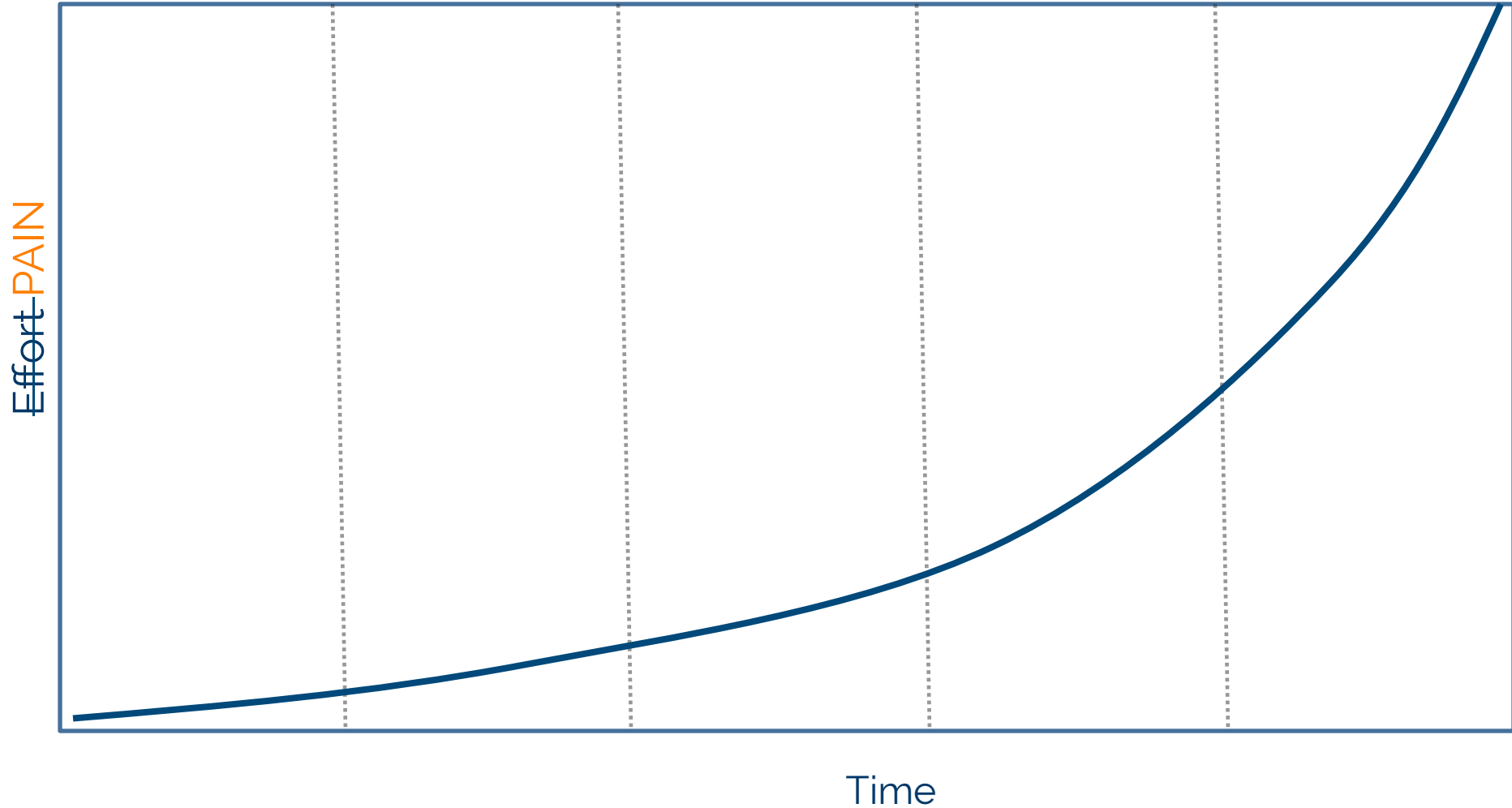
Process improvement “is ... a series of actions ... to identify, analyze and improve existing business processes ... . These actions often follow a specific methodology or strategy to increase the likelihood of successful results.” Process Improvement: A Handbook for Managers (1996).



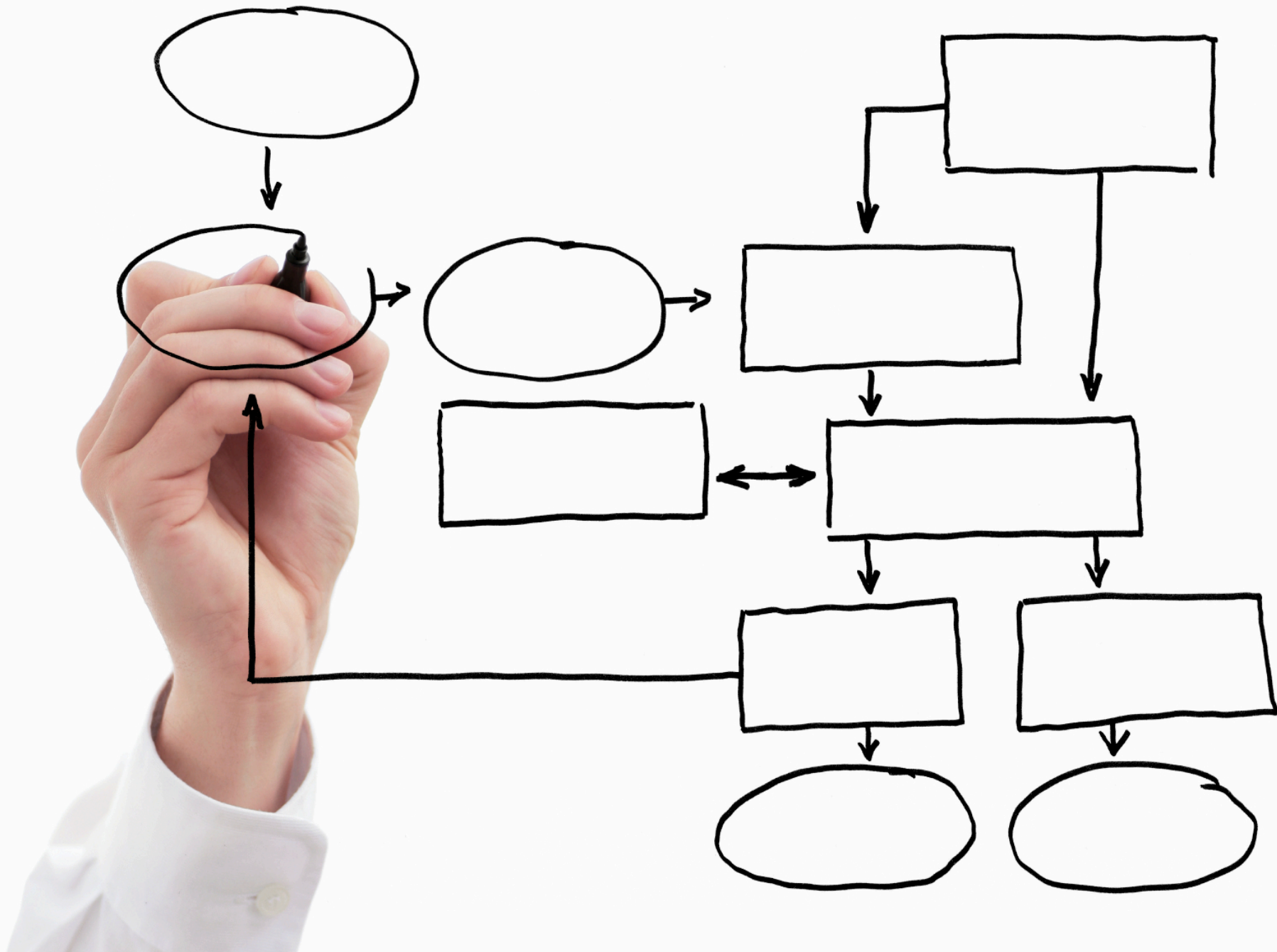
# Project Life Cycle



# The unplanned project



Excerpted from James P. Lewis, *Fundamentals of Project Management* (3<sup>rd</sup> ed. 2007)



“You don't learn to process map,  
you process map to learn.”

-- Myron Tribus

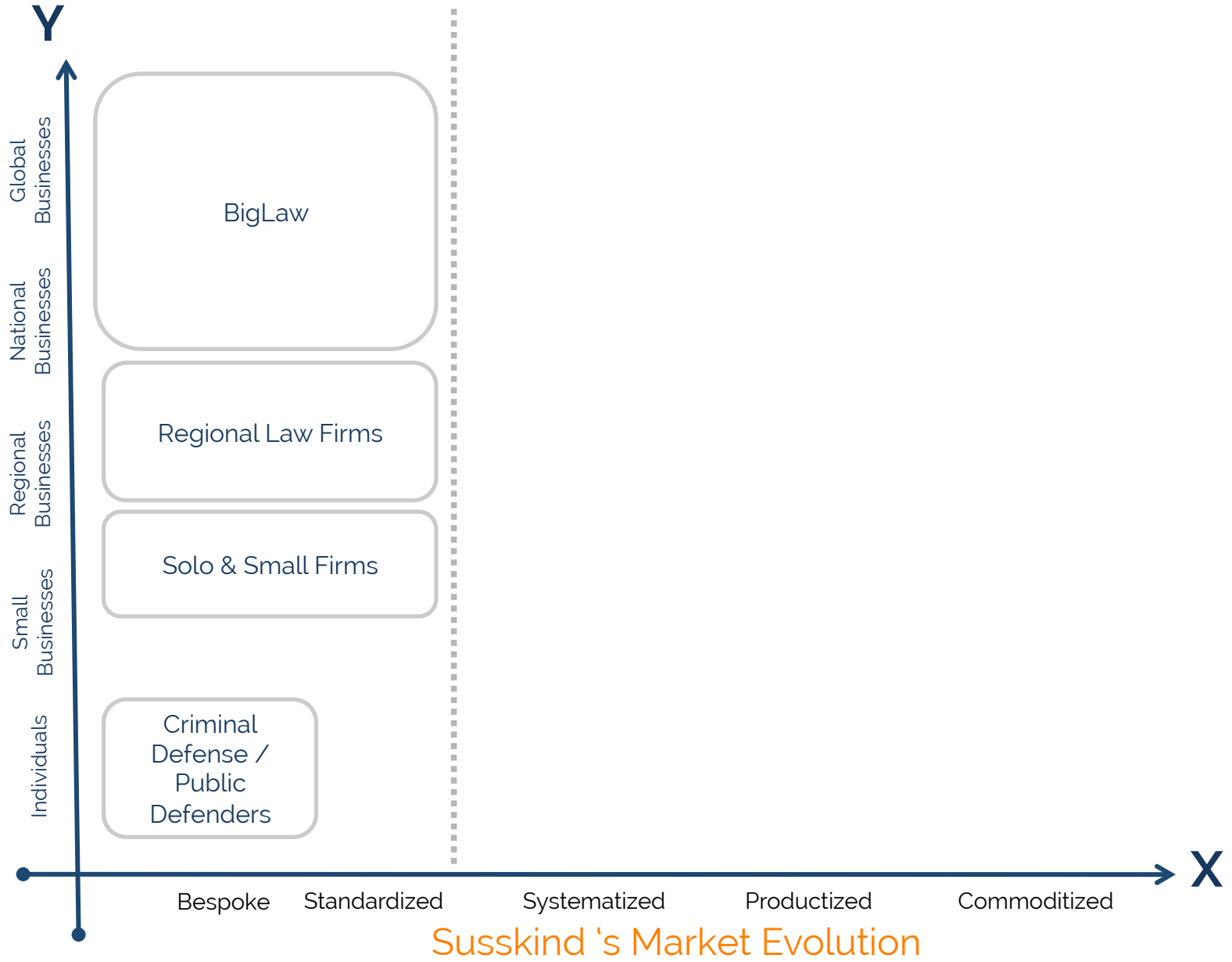
Model 3

Emerging Ecosystem

# Model 3

Artisan Guild

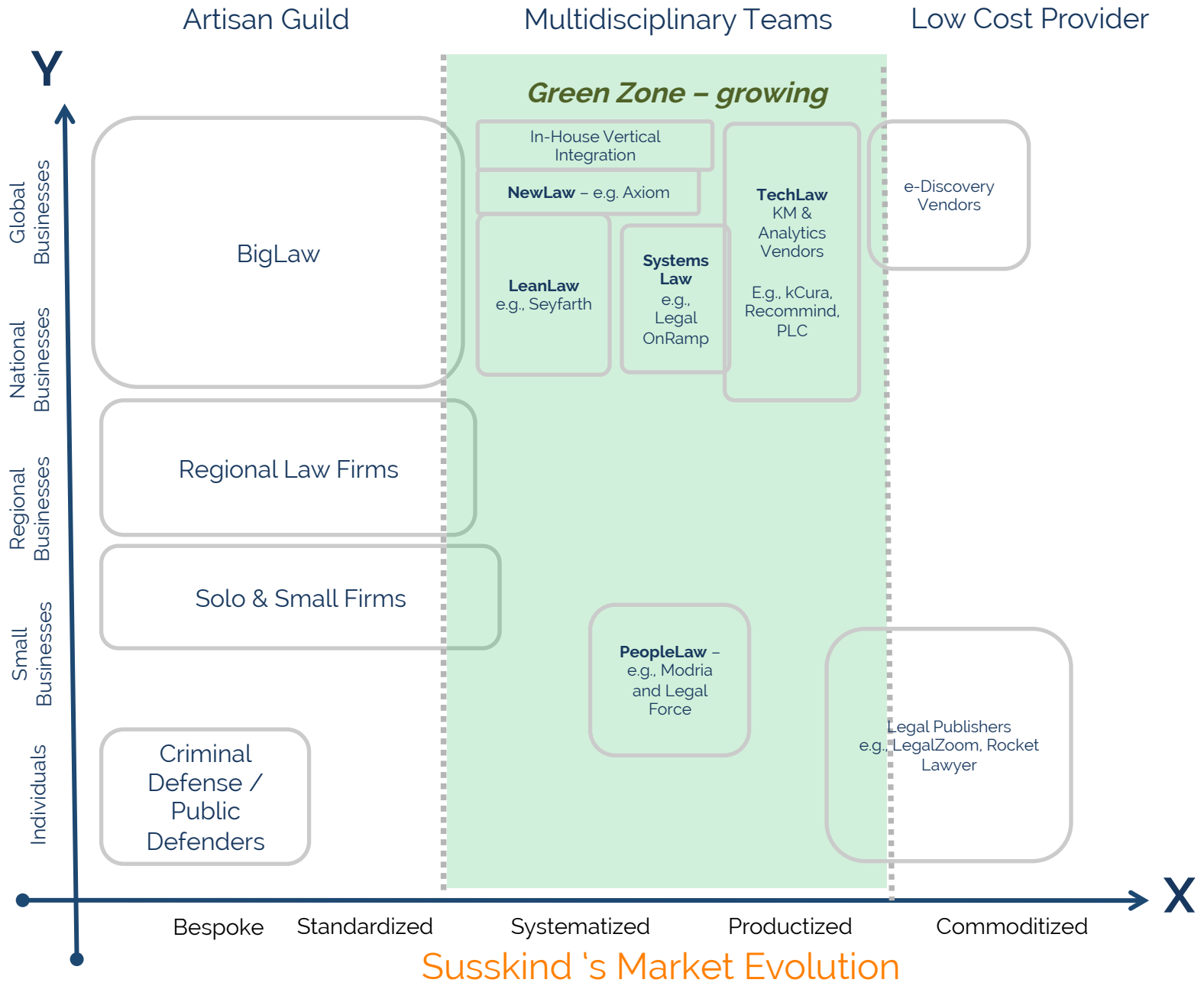
“Two-Hemispheres”



Susskind 's Market Evolution



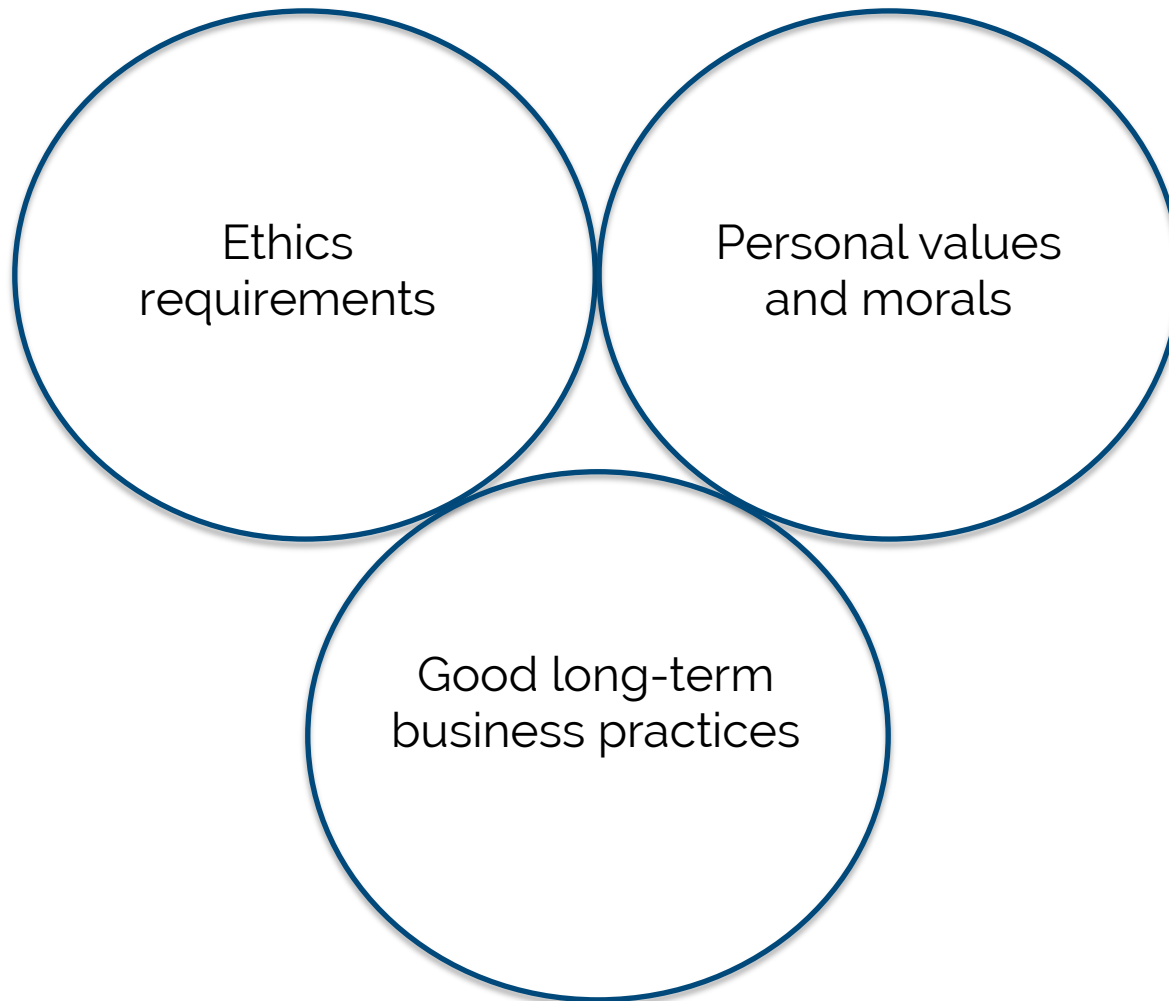
“Two-Hemispheres”



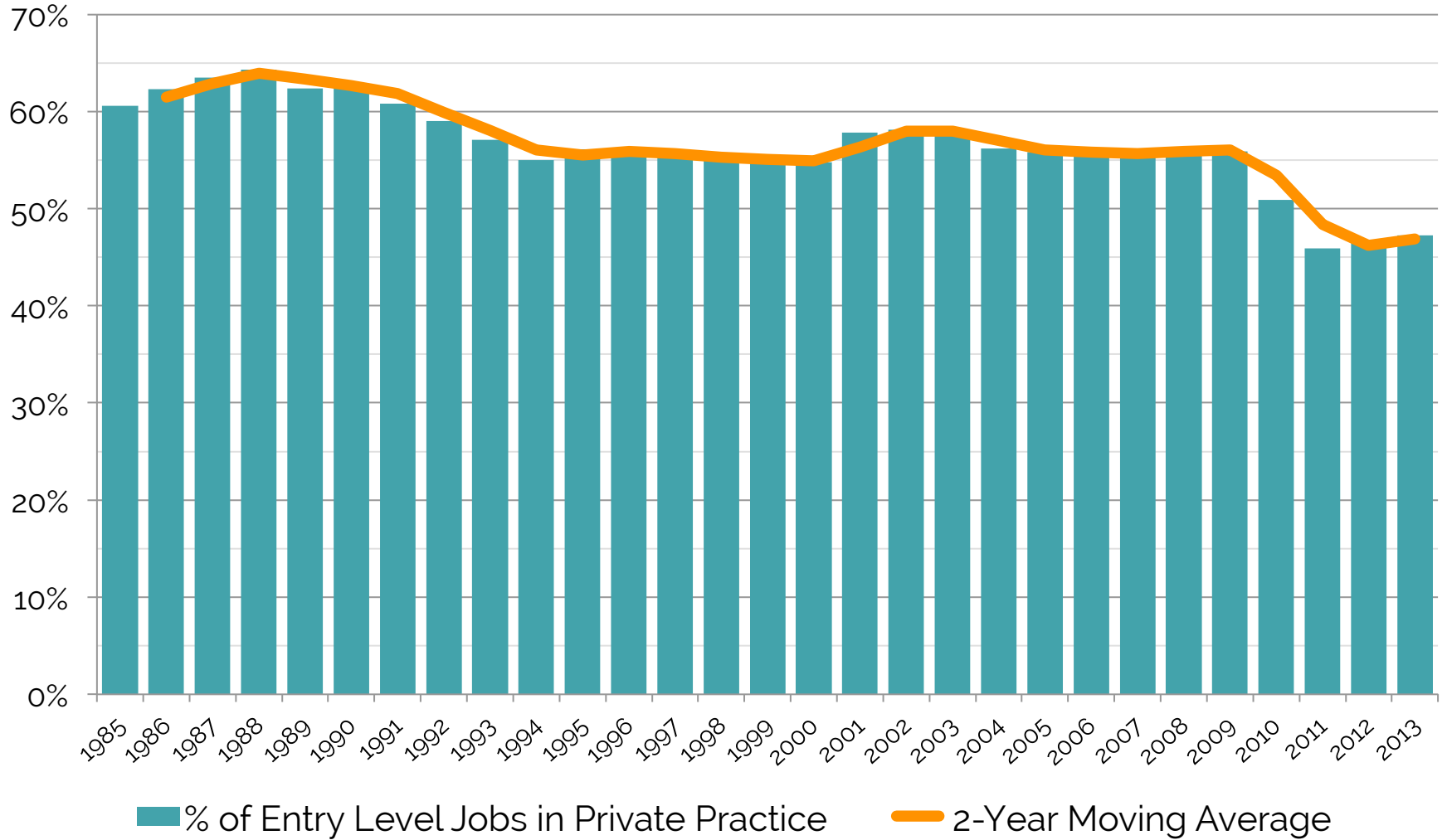
Susskind's Market Evolution

# Implications

# Three analytical lens

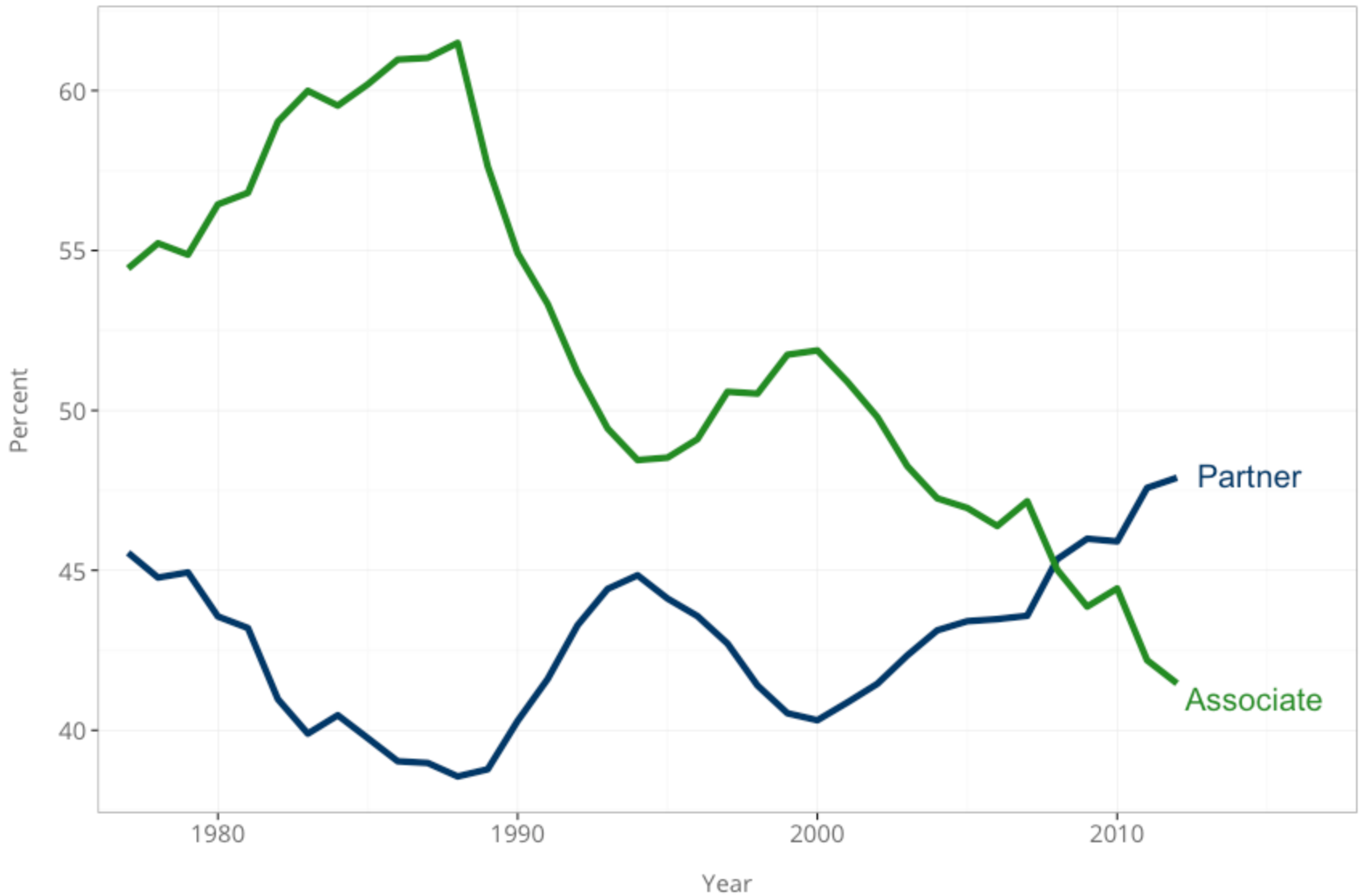


## % of Entry Level Jobs in Private Practice 1985 to 2013

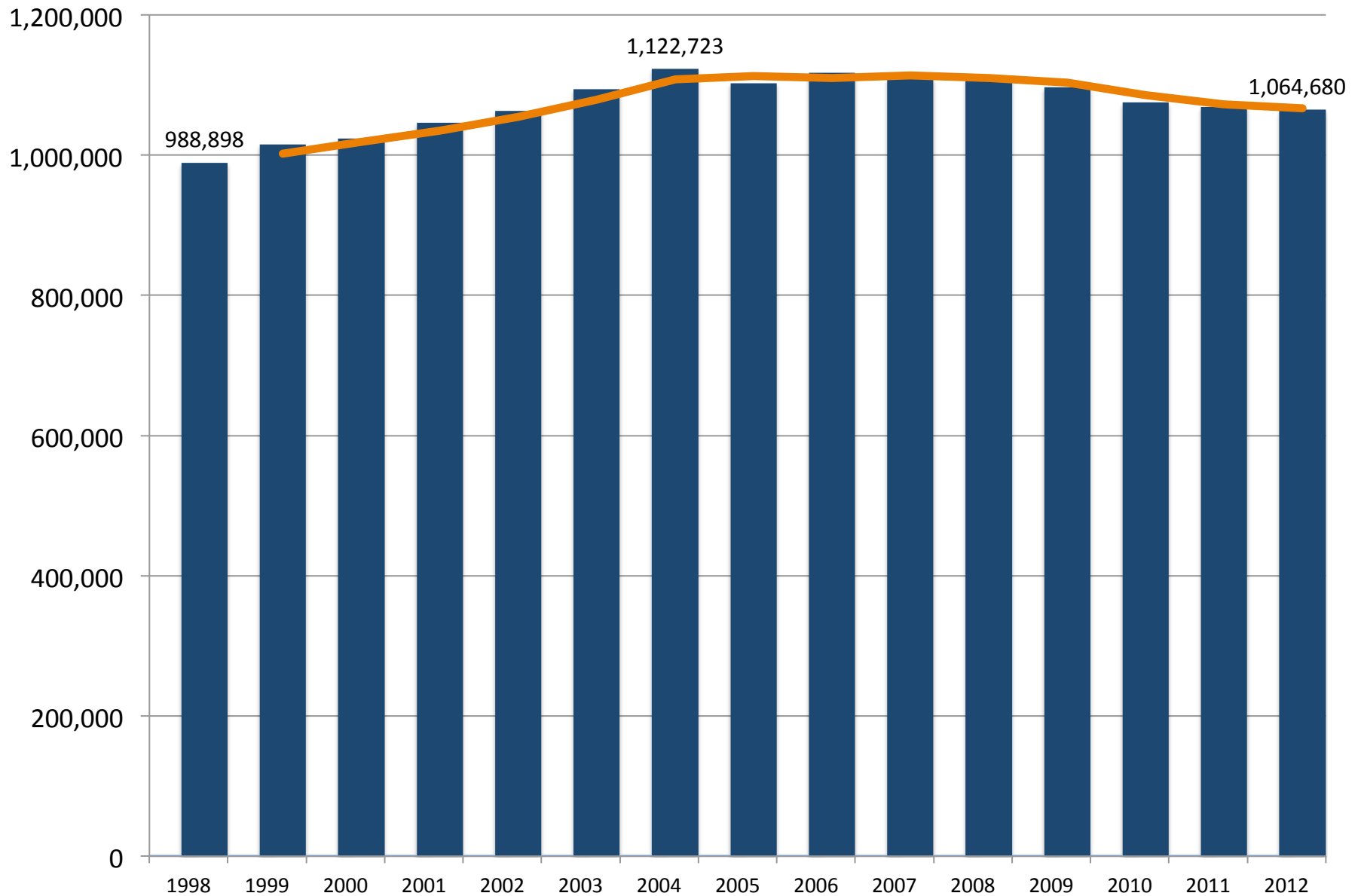


Source: NALP, charts generated by William Henderson

% Partners and Associates in the NLJ 250, 1977-2012

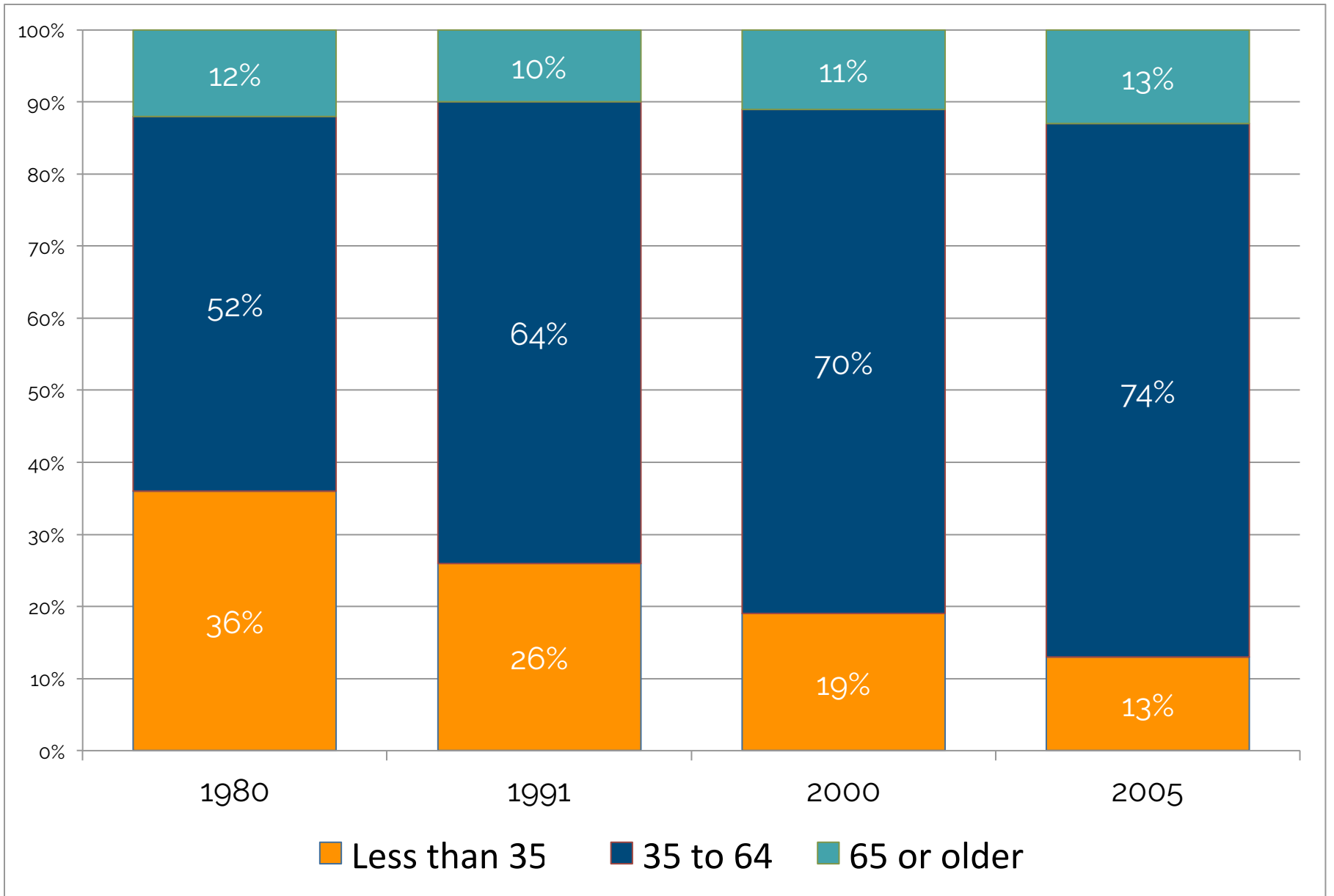


# Total U.S. Law Firm Employment, 1998-2012





# Demographics of Licensed Bar



# Preamble to Model Rules

[6] We lawyers seek improvement in the law by ...

- acquiring knowledge
- engaging with the public
- acknowledging defects in the system
- and seeking changes in the public interest

# Preamble to Model Rules

[9] In the nature of law practice ...  
conflicting responsibilities are encountered.  
Virtually all difficult ethical problems arise  
from conflict between a lawyer's  
responsibilities to clients, to the legal  
system and to the lawyer's own interest in  
remaining an ethical person while earning a  
satisfactory living.

Questions