



10 Big Trends for the Legal Profession

From futurist, trends and innovation expert Jim Carroll

High Velocity Change - Providing Challenges and Opportunities

Generational Warfare

The predominant legal battles of tomorrow are already emerging today. The younger generation, weaned on a massively interconnected global world, has rejected many of the accepted norms when it comes to such legal principles as intellectual property, the role of government, censorship and environmental matters. As they come to take over positions of authority in government and business, they will completely redefine our legal landscape. The result, they will go to legal war with their older, more conservative legal peers.

The Underground Goes Mainstream

One side impact of generational warfare is that “going underground” will become more acceptable. In the last few years we saw a fascinating battle between music companies and Kazaa, the music sharing organization, which used extra-territorial jurisdictional issues to provide itself some shelter against legal action. That type of activity is going to become the norm, not the exception, in the future. Indeed, going legal-underground is about to go mainstream.

Risk Minimization Takes on Priority

Events of the last several years have made it clear that volatility is the new normal. Much of the focus of the legal profession—whether it involves corporate, M&A, tax, consumer law or other issues, will be aimed at risk minimization. In a world in which we truly don’t know “what comes next” in terms of new and complex risks, organizations, government and consumers will increasingly seek to protect themselves in advance, through the law.

Legal Hyper-Change, the Rule, Not the Exception

The pace of innovation and change continues to evolve at a furious pace in every industry-product lifecycles disappear, new knowledge is generated, and industries appear and disappear. A flood of new legal issues, challenges and concerns will emerge.

Just-In-Time Legal Knowledge Becomes the Focus

The typical lawyer will find that their biggest day-to-day problem is simply trying to keep up with the ever more rapid evolution of law. The most critical and important new legal skill will be developing the ability to quickly immerse oneself in new legal issues, matters and knowledge, at the right time and for the right purpose.



Rapid Change & Specialization

The result of this rapid change in the legal space is an even greater degree of legal specialization. Already highly stratified, we'll see sub-specialties within specialties and specialties within those specialties. The law will become so stratified that a hundred thousand professions will emerge in the profession of law.

A Global Battle for Legal Talent

This hyper-nicheing leads to a curious effect: a supply-demand shock, in which it will become the norm for only a very small number of lawyers who have any real knowledge of a particular specialized area of the law. This will further increase the cost of basic legal service, and makes a battleground for access to talent the new competitive edge in the provision of global legal services.

Evidentiary Challenges

Whether they like or not, the Internet is increasingly going to be accepted as evidence in the courtroom. The issues of information validity and integrity are going to become huge, complex challenges. The next generation of lawyers knows that the evidentiary rules of the last 200 years no longer have any effect and will use this reality in many high profile cases.

Alternative Empowerment

The legal consumer today is already dabbling with self-empowerment, seeking alternatives to traditional legal guidance. What we see today is miniscule to what we will see tomorrow, when the generation of kids, weaned on global information, sets out to empower themselves with legal services in the same way they've empowered themselves with technology in so many other ways.

Quick Response and Agility Become Success Factors

The legal profession, often known for moving at a glacial pace, will find that such responses to emerging issues are no longer adequate. The profession will seek a transformation in attitude, capability and adaptability, knowing that its future success will come from its ability to respond to the rapid rate of change that surrounds us.