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Warning! Warning! The end is nigh!

By Phillip Taylor

I'm reminded of Blair's treacherous mission for Frank Field - "think the unthinkable". He did and got sacked! Susskind is made of different stuff (I hope) with this rethink on the nature of our legal services.

Academic Susskind has been thinking the unthinkable here, too. It's worth it after inconclusive attempts by Labour to introduce new packages on legal services, a commission, far too much regulation, and a "push me, pull you" policy on conditional fee agreements so we don't really know where we are or what direction we are going in- and whether we are even allowed to question the future because it is not the 'done thing' and we should just take what is meted out from the government.

However, the next decade should be the decade of change for us as IT takes over and those carbon copies find their final resting place in the 'V & A'. The author used a novel method to test his theories after his forerunner "The Future of Law", and was clearly delighted with the responses contained in his selected quotes from nine eminent people on the dust jacket: comments which are both sensible and constructive.

This book does present a scary future, but it's one we can manage, without Shakespeare's remedy - 'first, let's kill all the lawyers' - which is what some of Susskind's imagery may conjure up for less secure lawyers. The thesis is about our continuing structure, how we deliver our services to the client and the state, and it should also be about what rights we have as lawyers fulfilling our functions as a career under continuous professional development policies- and about democracy within the legal profession which, for some, seems missing with our professional bodies.

So where does Susskind take us in his 8 chapters? The answer is along a road driven by 2 forces:

- * by a market pull towards the commoditization of legal services;
- * by the pervasive development and uptake of new and disruptive legal technologies; and
- * our jobs.

The problem is that everyone else has the same problems just now so there's a need for a constructive approach by all (in other words, the government). Mixed with this will be the modern needs of lawyers, their physical and psychological profiles and wants, and the way in which business and society has adapted to new conditions so far.

I feel Susskind has made an excellent start by opening up this debate but we have a long way to go as the digital era takes effect. But what happens then? I would suggest that whilst the basics of representation and advice remain even with IT, the prognosis and implications in his conclusion should be read and re-read.

The author talks finally about motive- this is actually the beginning of a new structure for legal services which will always be needed in a civilized society. His parting aspiration that these services should be quicker, better, cheaper and more widely available is right (of course they should), but it hasn't worked in the past so why should it work in the future just because of IT! Susskind's rethink must be positive because as a newly famous American has just said "yes, we can". I think we can, so there is no end of lawyers, just a new beginning so the end is nigh has been postponed...indefinitely.