

Chicago Daily Law Bulletin®

Volume 162, No. 99

Serving Chicago's legal community for 161 years



Adapting your practice in a LegalZoom world

As profession changes, will you change or will change eliminate you?

Back in the day, lawyers were considered a necessary evil. Now, lawyers are headed toward being unnecessary.

The mantra that "You don't need a lawyer to do that" is growing stronger every day. Legal Zoom is reaping unimaginable profits, while we either sit on the sidelines grumbling about the good old days or we stick our heads in the sand and hope the storm will subside. The storm will subside, but when it does, we will likely find a legal landscape that is completely unrecognizable.

Consider a few game-changing facts about the legal profession today.

According to the Attorney Registration & Disciplinary Commission, 1,334 attorneys retired in Illinois in 2015. This is the highest number of lawyers to retire in one year. A significant number of lawyers died in 2015, 475. This trend is expected to continue as the legal population ages.

At the same time, fewer people are applying to law schools and even fewer of them are able to pass the bar. Indeed, if New York's bar passage rate of 59 percent is any indication of things to come, there will be no lawyers to succeed the ones who retire and die. (Above the Law, "New York's February bar exam results reveal worst pass rates in more than a decade," Staci Zaretsky, April 26, 2016).

There is still a so-called justice

gap, which is a term used to characterize the fact that the demand for legal services by low-income people continues to go largely unmet.

The statistics show that 80 percent of the low-income people who need legal services don't have access. You can read more about this at lsc.gov/media-center/press-releases/2011/lsc-releases-updated-report-justice-gap-america.

While law schools, law firms and bar associations throughout the country work hard to try to reduce this gap, it never seems to be enough.

This is not meant to be a criticism of the hard work and progress being made. However, the reality cannot be ignored. The original report documenting the justice gap was issued in 2005; and here we are in 2016, and it is still a problem.

While LegalZoom is the most well-known nonlegal service provider, there are many more that are finding innovative ways to leverage technology so they can commoditize legal services.

The emergence of nonlegal service providers is made possible in part because so many people lack access to an attorney. While LegalZoom is the most well-



Allison L. Wood formerly served as a hearing board chair and as litigation counsel with the Illinois Attorney Registration & Disciplinary Commission. She is principal of Legal Ethics Consulting P.C., where she provides ARDC defense and ethics evaluations for malpractice cases. Her website is legalethicsconsulting.com; her e-mail is aw@legalethicsconsulting.com; and she's on Twitter at @WoodWiseEthics.

known nonlegal service provider, there are many more that are finding innovative ways to lever-

age technology so they can commoditize legal services.

Whether or not the nonlegal service provider will be successful in addressing the justice gap re-

mains to be seen, but they are absolutely changing the delivery of legal services.

At the heart of all these changes in the legal profession are the ethics rules and the profession's ability to regulate itself. Many lawyers and non-lawyers alike lament the restrictions and limitations placed on them by the ethics rules.

Large law firms and nonlegal service providers argue that the ethics rules should be changed to allow lawyers to share fees with non-lawyers. Some argue that the advertising rules should be relaxed so lawyers can competitively market their services.

A few argue that nonlegal service providers should be bound by the same ethics rules as lawyers. And still others argue that there should be only one universal bar exam and one set of ethics rules. Whether or not we should discipline law firms is being considered by some state regulatory agencies.

My next column will be the first in a series that tries to unpack some of these and other issues that are changing the profession from an ethics perspective.

I hope you will be inspired to take your head out of the sand and roll up your sleeves so we can work together to prepare for the new world ahead. As George Bernard Shaw is quoted as saying, "Progress is impossible without change, and those who cannot change their minds cannot change anything."