

The Lawyers of Tomorrow: 5 Trends Changing the Industry

Technology, Privacy, and eCommerce





Undoubtedly, the practice of law is changing rapidly. Lawyers are going in-house faster, in-house legal departments are impacting the business more than ever, and lawyers are constantly adapting to shifts in the way companies conduct business. In addition to the overall changes in the corporate

climate, the practice of law is changing as well. On the technology side, automation and legal operations are disrupting the way in-house legal departments operate. On the business side, general counsel are poised to become leaders of both the C-suite and corporate boards. With this in mind, here are the five trends we believe are going to disrupt the practice of law, and what we can do to embrace them.

Trend one: Automation

We can all take a collective deep breath, as we don't anticipate robots taking over our jobs or providing strategic legal advice any time soon. However, this isn't to say that artificial intelligence, machine learning, and various other automation methods are not going to impact the way we practice law. This trend started a bit over a decade ago with various e-discovery solutions.

But now, AI and automation trends are increasingly applied to contract review, knowledge management, compliance, and other routine practices. This means that lawyers will have more time to be true business partners, provide strategic legal and business advice, and lead initiatives. We predict that lawyers will become business professionals who happen to understand laws very well — not "just" the lawyer in the room.

So, how do we prepare for this? Great legal education must resemble business school education, with case studies, leadership training, and active networking. The law school and law firm curriculum will have to dramatically change and upgrade how we train lawyers.

Trend two: Rise of the legal operations professionals

All this legal and business tech requires planning, implementation, and maintenance. Moreover, legal departments increasingly need to balance budgets, recruit and inspire personnel, collaborate with other professionals, analyze data, solve diversity and other social impact problems, and much more. This leads to the rise of the multi-disciplinary legal operations professionals, many of whom report directly to the general counsel, hold senior level positions, and have a great impact.

Lawyers will not merely understand the law. They will need to understand a wide variety of disciplines that interact with legal services. Gone are the days where students go to law school because they're bad at math. Future law students will need to love math and technology. They will need to have leadership and EQ skills. They will need to be creative, sober about risks, and thrive under pressure.

We need to be realistic about the expectations of this new legal industry. Law is no longer a haven for people who want to read and write all day. Certainly, there will be a lot of reading and writing, but there will also be budgeting and data analysis in a way we haven't seen before. Hiring will need to adjust to accommodate this wider range of skill sets, and law departments will need to provide a greater variety of training.

Trend three: Rise of in-house departments

We are convinced that we are entering the golden era of the in-house legal department, and that corporate law departments in the coming decades will be what law firms were in the 80s and 90s. Today, general counsel increasingly manage business and legal initiatives. They lead innovation, diversity, cybersecurity, business development, recruiting, HR, and numerous other functions — in a nutshell, general counsel do increasingly more than "merely" providing legal or strategic advice.

We have noticed a trend of large legal departments hiring junior lawyers, sometimes even straight out of law school. This would not have happened in the past. Law departments are also running a larger amount of internship programs, and are training law students to work in-house. All of this used to be done solely by law firms.

Finally, law departments are becoming much more sophisticated legal services consumers. They retain their data and increasingly build their own data centers. They no longer share this data with law firms. They have become much more sophisticated about fee arrangements and hiring or outsourcing decisions. They are adept at choosing whether to hire big or small, in the US or outside of the US — or even to use a technology solution.

We believe that we are just in the beginning stages of this trend, and this is an exciting time that we need to prepare for. In order to succeed in this new brand of legal department, we should definitely re-think the Socratic method, litigation-driven training that we give to our law students. This approach isn't the most effective one for training great in-house lawyers. We think we'll see, and believe it makes a lot more sense, a trend of apprenticeships and experiential training.

Trend four: General counsel and lawyers as CEO candidates

We expect to see more general counsel and lawyers considered as candidates for the coveted CEO roles. With the rise of the in-house legal department, this is a natural progression. General counsel sit in the middle of all functions and manage many business teams. It's not uncommon for them to manage parts of or the entire human resources, cyber security, and business development departments.

General counsel are increasingly skilled business professionals who do way more than risk mitigation. Instead of preventing disasters and cleaning up messes, they are making exciting business decisions, stirring progress, and leading innovation. All of these experiences are the ideal training ground for CEO roles.

Trend five: General counsel and lawyers as candidates for corporate boards of directors

As with the trend to become CEOs, another natural progression we'll see is more general counsel and lawyers considered for positions on corporate boards for many of the same reasons. General counsel are already used to keeping a bird's-eye view of the business, and are increasingly developing the business savvy and corporate guidance skills necessary to succeed on corporate boards of directors.

What does all this mean for today's young lawyers and the future lawyers of tomorrow? First, they must be open to these previously unconventional paths. Second, they must develop business skills early to succeed in all areas of the corporate world, not just legal. Indeed, this means young lawyers must befriend financial statement analysis. Third, young lawyers need to network with business professionals, board members, and C-suite executives. Networking at this level is a skill in its own right.

While law schools and traditional legal networking functions provide many opportunities to network with other lawyers, attaining the coveted CEO and board positions requires networking beyond the legal realm. This will require knowing how to communicate with and relate to all business

stakeholders. While there are some shifts to be made, we predict that the future will be one where lawyers are recognized as true business leaders, rather than merely legal leaders.

For information on ACC Legal Operations, ACC's member-driven organization supporting the needs of legal operations professionals, visit www.acc.com/legalops*.*

Olga V. Mack



Fellow

Olga V. Mack is a fellow at CodeX, The Stanford Center for Legal Informatics, and a Generative AI Editor at law.MIT. Mack shares her views in her columns on ACC Docket, Newsweek, Bloomberg, VentureBeat, Above the Law, and many other publications.

Mack is also an award-winning (such as the prestigious ACC 2018 Top 10 30-Somethings and ABA 2022 Women of Legal Tech) general counsel, operations professional, startup advisor, public speaker, adjunct professor, and entrepreneur. She co-founded SunLaw, an organization dedicated to preparing women in-house attorneys to become general counsels and legal leaders, and WISE to help female law firm partners become rainmakers.

She has authored numerous books, including Get on Board: Earning Your Ticket to a Corporate Board Seat, Fundamentals of Smart Contract Security and Blockchain Value: Transforming Business Models, Society, and Communities. She is working on her next books: Visual IQ for Lawyers (ABA 2024), The Rise of Product Lawyers: An Analytical Framework to Systematically Advise Your Clients Throughout the Product Lifecycle (Globe Law and Business 2024), and Legal Operations in the Age of AI and Data (Globe Law and Business 2024).

Katia Bloom



Commercial Lawyer and Associate General Counsel

ForgeRock

Katia Bloom is a fast-paced and strategic commercial lawyer. Currently, she is the associate general counsel at ForgeRock. Previously, she headed up legal for Avira, Inc., was a founding partner at E Squared Law Group, advising many start-up clients and was in-house counsel at Anesiva. She is actively involved in the Association of Corporate Counsel and a number of organizations promoting women in the legal profession.