

New:Law New:You

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Australian Women Lawyers Conference 2018

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New:You?

THE EVOLUTION OF THE EMPLOYEE



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The background features several sets of concentric, curved lines in shades of gray, some solid and some dashed, creating a sense of motion and depth. A prominent blue speech bubble shape is positioned on the left side of the slide.

drivers of change

- More-for-less challenge
- Demographics
- Liberalisation
- Globalisation
- Information technology



we have the
technology

automated document assembly
relentless connectivity
electronic legal marketplace
e-learning
online legal guidance
legal open-sourcing
closed legal communities
embedded legal knowledge
online dispute resolution
intelligent legal search
big data
AI-based problem-solving



technology -
enabling legal
practice & access
to law/justice

- Enhanced technologies
 - multi-media
 - hyper-linked briefs
 - video-link technologies
 - data analytics
- digital courtrooms → the art of persuasion
 - people retain 10-15% of information presented orally
 - 65-87% of information presented visually
- Increased accessibility
 - deliver professional/community legal education
 - express legal issues in accessible forms (eg short videos)
 - livestreaming – courts/tribunals

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litigation, decomposed

document review
legal research
project management
litigation support
(electronic) disclosure
negotiation
strategy*
tactics*
advocacy*



our profession:
a future

- Expert trusted adviser –
 - Expert -> intelligent, creative, innovative lawyer who fashions - articulates new solutions and strategies for clients with complex or high value legal challenges
 - Trusted -> communicate guidance with integrity, confidentially, highly tailored, customised, personalised
- Enhanced practitioner –
 - Knowledgeable but not deeply expert
 - Enhanced by standardisation and computerisation

barristers - a future

- Oral advocacy quintessential bespoke legal service
- Very high-value, very complex legal issues continue to be argued before conventional courts in traditional manner for foreseeable future
- Lower value, less complex disagreements – shift towards mediation, collaborative lawyering, other ADR, dispute containment, dispute avoidance
- Less courtroom appearances – virtual hearings, ODR
- Written opinions on complex areas - bespoke, no alternative

barristers - thriving in the gig economy

- Success in the gig economy comes from a balance between *viability* and *vitality*
- Most effective independent workers navigate tension between independence and traditional arrangements by cultivating 4 types of connections to:
 - *Place*
 - *Routines*
 - *Purpose*
 - *People*
- Focus both about being *at work* (discipline) and being *into their work* (stay fully invested in process/output)

“Thriving in the Gig Economy” *Harvard Business Review* (2018)

globalisation - staying relevant?

- Increased Knowledge/specialisation
 - International arbitration & mediation processes
 - International trade law/human rights law
 - Cross-border transactions law (M&A, JV, financing, competition)
 - International regulation (financial, products)
 - Particular foreign jurisdiction's/region's law
- Gain formal admissions/accreditations
 - Foreign specialist courts (SICC, DIAC)
 - Foreign jurisdictions
 - International arbitrator/mediator



The best way to predict
the future is to invent it.

Alan Kay, Computer Scientist

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