# LAWSG168: The Future of Legal Practice: Richard Moorhead

Richard Moorhead



1.

Susskind, Richard E.: Chapters 1-5. In: Tomorrow's lawyers: an introduction to your future. Oxford University Press, Oxford (2013).

2.

Carr, N.: IT doesn't matter, http://www.roughtype.com/?p=644.

3.

Goodenough, O.R.: Developing an E-Curriculum: Reflections on the Future of Legal Education and on the Importance of Digital Expertise. SSRN Electronic Journal. (2013). https://doi.org/10.2139/ssrn.2255005.

4.

Levitt, Theodore: MARKETING MYOPIA. The publisher offers limited access to this article. The full text cannot be printed or saved.MARKETING MYOPIA. 38, (1960).

5.

Pearce, R.G., Nasseri, S.: The virtue of low barriers to becoming a lawyer: promoting liberal and democratic values. International Journal of the Legal Profession. 19, 357–378 (2012). https://doi.org/10.1080/09695958.2013.771125.

Ronald J. Gilson: Value Creation by Business Lawyers: Legal Skills and Asset Pricing. The Yale Law Journal. 94, 239–313 (1984).

7.

Neale, B., Smart, C.: 'Good' and 'bad' lawyers? Struggling in the shadow of the new law. Journal of Social Welfare and Family Law. 19, 377–402 (1997). https://doi.org/10.1080/09649069708410207.

8.

Sako, M.: SASE Annual Meeting 2012, MIT, USA: Professionals between market and hierarchy: a comparative political economy perspective. Socio-Economic Review. 11, 185–212 (2013). https://doi.org/10.1093/ser/mws024.

9.

Boon, A.: Professionalism under the Legal Services Act 2007. International Journal of the Legal Profession. 17, 195–232 (2010). https://doi.org/10.1080/09695958.2011.580561.

10.

Campbell, R.W.: Rethinking Regulation and Innovation in the U.S. Legal Services Market. SSRN Electronic Journal. (2012). https://doi.org/10.2139/ssrn.2018056.

11.

Hadfield, Gillian K: LEGAL BARRIERS TO INNOVATION: THE GROWING ECONOMIC COST OF PROFESSIONAL CONTROL OVER CORPORATE LEGAL MARKETS. Stanford Law Review. 60, 1689–1732.

12.

Richard Moorhead, Alan Paterson and Avrom Sherr: Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales. Law & Society Review. 37, 765–808 (2003).

MOORHEAD, R.: Lawyer Specialization-Managing the Professional Paradox. Law & Policy. 32, 226–259 (2010). https://doi.org/10.1111/j.1467-9930.2009.00315.x.

14.

Gillian K. Hadfield: The Price of Law: How the Market for Lawyers Distorts the Justice System. Michigan Law Review. 98, 953–1006 (2000).

# 15.

Galanter, Marc: THE ELASTIC TOURNAMENT: A SECOND TRANSFORMATION OF THE BIG LAW FIRM. Stanford Law Review. 60, 1867–1929.

# 16.

Flood, John A.: The Re-Landscaping of the Legal Profession: Large Law Firms and Professional Re-Regulation. SSRN Working Paper Series.

17.

Does Money Really Affect Motivation? A Review of the Research - Tomas Chamorro-Premuzic - Harvard Business Review, http://blogs.hbr.org/2013/04/does-money-really-affect-motiv/.

18.

Kouchaki, M., Smith-Crowe, K., Brief, A.P., Sousa, C.: Seeing green: Mere exposure to money triggers a business decision frame and unethical outcomes. Organizational Behavior and Human Decision Processes. 121, 53–61 (2013). https://doi.org/10.1016/j.obhdp.2012.12.002.

19.

Gwyn Bevan: Has there been supplier-induced demand for legal aid? Civil Justice Quarterly. 15, 98–114 (1996).

# Webb, D.: Killing Time: A Limited Defence of Time-Cost Billing. Legal Ethics. 13, 39–64 (2010). https://doi.org/10.5235/146072810791655198.

# 21.

Cyrus Tata: In the Interests of Clients or Commerce? Legal Aid, Supply, Demand, and 'Ethical Indeterminacy' in Criminal Defence Work. Journal of Law and Society. 34, 489–519 (2007).

# 22.

Goriely, T.: Evaluating the Scottish Public Defence Solicitors' Office. Journal of Law and Society. 30, 84–101 (2003). https://doi.org/10.1111/1467-6478.00247.

# 23.

Fortney, S.S.: Professional Challenges in Large Firm Practices, http://www.thefreelibrary.com/The+billable+hours+derby%253a+empirical+data+on+the +problems+and+pressure...-a0143723886.

# 24.

Moorhead, R.: Filthy lucre: lawyers' fees and lawyers' ethics - what is wrong with informed consent? Legal Studies. 31, 345–371 (2011). https://doi.org/10.1111/j.1748-121X.2011.00194.x.

# 25.

Susskind, Richard E.: Tomorrow's lawyers: an introduction to your future. Oxford University Press, Oxford (2013).

# 26.

Ribstein, L.E.: The Death of Big Law. SSRN Electronic Journal. (2010). https://doi.org/10.2139/ssrn.1467730.

Clay, T., S.: Law Firms in Transition 2013: An Altman Weil Flash Survey, http://www.altmanweil.com/index.cfm/fa/r.resource\_detail/oid/2d831a80-8156-4947-9f0f-1 d97eec632a5/resource/Law\_Firms\_in\_Transition\_2013\_An\_Altman\_Weil\_Flash\_Survey.cfm.

# 28.

Ribstein, L.E., Kobayashi, B.H.: Law's Information Revolution. Law Journal Library Arizona Law Review. 53, (2011).

# 29.

MacEwen, Bruce, Kalis, Peter J.: Growth is dead: now what? : law firms on the brink. Adam Smith, Esq, New York (2013).

# 30.

Glover, S.: The Future of Law Practice Will Look a Lot Like its Present, http://lawyerist.com/the-future-of-law-will-look-a-lot-like-its-present/.

# 31.

Clementi, D.: Review Of The Regulatory Framework For Legal Services In England And Wales Final Report,

http://webarchive.nationalarchives.gov.uk/+/http://www.legal-services-review.org.uk/content/report/index.htm.

# 32.

Grout, P.: The Clementi Report : Potential Risks of External Ownership and Regulatory Responses A Report to the Department of Constitutional Affairs, http://www.bristol.ac.uk/cmpo/publications/papers/2005/abstract135.html.

# 33.

Harry McVea: Legal Disciplinary Practices: Who Needs Them? Journal of Law and Society. 31, 563–577 (2004).

Harry McVea: Predators and the Public Interest. The 'Big Four' and Multi-Disciplinary Practices. The Modern Law Review. 65, 811–833 (2002).

# 35.

Kouchaki, M.: Professionalism and Moral Behavior: Does a Professional Self-Conception Make One More Unethical? SSRN Electronic Journal. (2013). https://doi.org/10.2139/ssrn.2243811.

36.

Kershaw, D., Moorhead, R.: Consequential Responsibility for Client Wrongs: Lehman Brothers and the Regulation of the Legal Profession. The Modern Law Review. 76, 26–61 (2013). https://doi.org/10.1111/1468-2230.12001.

# 37.

Professor Richard Moorhead: On the Wire. New Law Journal. 162, 1080–1081 (2012).

38.

Jenoff, P.: Going Native: Incentive, Identity and the Inherent Ethical Problem of In-House Counsel by Pam Jenoff :: SSRN. SSRN Scholarly Paper. (2011).

39.

Langevoort, D.C.: Getting (Too) Comfortable: In-House Lawyers, Enterprise Risk and the Financial Crisis by Donald C. Langevoort :: SSRN. SSRN Scholarly Paper. (2011).

40.

Parker, C., Rosen, R., Nielsen, V.L.: The Two Faces of Lawyers: Professional Ethics and Business Compliance With Regulation by Christine Parker, Robert Rosen, Vibeke Lehmann Nielsen :: SSRN. SSRN Scholarly Paper. (2007).

Sako, M.: Global strategies in the legal services marketplace: institutional impacts on value chain dynamics | Saïd Business School,

http://www.sbs.ox.ac.uk/ideas-impact/novakdrucecentre/research/working-papers/global-st rategies-legal-services-marketplace-institutional-impacts-value-chain-dynamics.

# 42.

Sako, M.: Make-or-buy decisions in legal services: a strategic perspective | Saïd Business School,

http://www.sbs.ox.ac.uk/ideas-impact/novakdrucecentre/research/working-papers/make-or -buy-decisions-legal-services-strategic-perspective.

# 43.

Mountain, D.R.: Disrupting Conventional Law Firm Business Models using Document Assembly. International Journal of Law and Information Technology. 15, 170–191 (2006). https://doi.org/10.1093/ijlit/eal019.

# 44.

Darryl Mountain: XML E-Contracts: Documents That Describe Themselves. International Journal of Law and Information Technology. 11, 274–285. https://doi.org/10.1093/ijlit/11.3.274.

# 45.

Regan, J., Heenan, P.T.: Supply Chains and Porous Boundaries: The Disaggregation of Legal Services. Fordham law review. 78, 2137–2191 (2010).

# 46.

Bull, C.: The Legal Process Improvement Toolkit, http://www.managingpartner.com/sites/default/files/ARK1320%2520-%2520The%2520Lega l%2520Process%2520Improvement\_Part%2520Report.pdf, (2012).

Granat, R.: Is Axiom Law a Law Firm? : eLawyering Blog, http://www.elawyeringredux.com/2013/04/articles/legal-ethics-1/is-axiom-law-a-law-firm/.

48.

Staudt, R.: All the Wild Possibilities: Technology that Attacks Barriers to Access to Justice. Loyola of Los Angeles Law Review. 42, (2009).

49.

Staudt, R.: Chapter 8: Cyberclinics: Law Schools, Technology and Justice. In: Educating the Digital Lawyer.

50.

Smith, R.: Can Digital Replace Personal in the Delivery of Legal Aid? A Discussion Paper for the Conference of the International Legal Aid Group, http://www.ilagnet.org/papers.php.

51.

Greacen, J.M., Jones, W.L.: Summit on the Use of Technology to Expand Access to Justice: Analytical Framework. Harvard Journal of Law & Technology :: Annual Symposium. (2013).

52.

Kimbro, S.: Using Technology to Unbundle in the Legal Services Community. Harvard Journal of Law & Technology :: Annual Symposium. (2013).

53.

Lauritsen, M.: A Decision Space for Legal Service Delivery. Harvard Journal of Law & Technology :: Annual Symposium. (2013).

Ledray, S.: Virtual Services Whitepaper. Harvard Journal of Law & Technology :: Annual Symposium. (2013).

#### 55.

Zorza, R.: Preliminary Thoughts on Blue Sky Technology Driven Access and Decision Systems. Harvard Journal of Law & Technology :: Annual Symposium. (2013).

#### 56.

Susskind, Richard E.: Chapter 9. In: Tomorrow's lawyers: an introduction to your future. Oxford University Press, Oxford (2013).

#### 57.

Dutton, W.H., Blank, G.: Next Generation Users: The Internet in Britain. SSRN Electronic Journal. (2011). https://doi.org/10.2139/ssrn.1960655.

#### 58.

Vanilla Research: Understanding Consumer Needs from Legal Information Sources, https://research.legalservicesboard.org.uk/reports-all/.

#### 59.

Smith, R.: Can Digital Replace Personal in the Delivery of Legal Aid? A Discussion Paper for the Conference of the International Legal Aid Group, http://www.ilagnet.org/papers.php.

#### 60.

Haapio, H., Passera, S.: Visual Law: What Lawyers Need to Learn from Information Designers » VoxPopuLII, http://blog.law.cornell.edu/voxpop/2013/05/15/visual-law-what-lawyers-need-to-learn-frominformation-designers/. Manzoli, S.: Taxonomies make the law. Will folksonomies change it? » VoxPopuLII, http://blog.law.cornell.edu/voxpop/2013/04/29/taxonomies-make-the-law-will-folksonomies -change-it/.

62.

Knake, R.: Legal Ethics Forum: The Lawyer as Trusted Curator, http://www.legalethicsforum.com/blog/2013/03/the-lawyer-as-trusted-curator.html.

63.

Compliance Law Games - Open Law Lab, http://www.openlawlab.com/2013/03/20/compliance-law-games/.

64.

James, G., D., Jennings, M.M.: The Evolution of Unbundling in Litigation Matters: Three Case Studies and a Literature Review by D. James Greiner, Molly M. Jennings :: SSRN, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2038616.

65.

Greiner, D.J., Pattanayak, C.W., Hennessy, J.P.: The Limits of Unbundled Legal Assistance: A Randomized Study in a Massachusetts District Court and Prospects for the Future. SSRN Electronic Journal. (2012). https://doi.org/10.2139/ssrn.1948286.

66.

Unbundling family legal services - The Law Society, http://www.lawsociety.org.uk/advice/practice-notes/unbundling-family-legal-services/.

67.

IFF Research: Understanding the consumer experience of will writing services, http://www.sra.org.uk/sra/how-we-work/consumer-research/summaries/the-consumers-exp erience-of-will-writing.page.

Cohen, R.: 1. Unbundling by Law Firms through Cloud Computing: Responding to Changes in Legal Aid,

http://www.ilagnet.org/jscripts/tiny\_mce/plugins/filemanager/files/The\_Hague\_2013/Session \_Papers/Session\_6\_-\_Mr\_Richard\_Cohen.pdf.

69.

Moore, W.E.: 2. The Future of Legal Aid; Systems, http://www.ilagnet.org/jscripts/tiny\_mce/plugins/filemanager/files/The\_Hague\_2013/Session \_Papers/6.2\_-\_Mr\_Wayne\_Moore.pdf.

70.

Zorza, R.: 3. Review of the Status and Potential of Access to Justice Technology in the United States of America,

http://www.ilagnet.org/jscripts/tiny\_mce/plugins/filemanager/files/The\_Hague\_2013/Session \_Papers/Session\_6\_-\_Mr\_Richard\_Zorza.pdf.

71.

Hough, B.R.: 4. Self Help - How Far Can It Go?, http://www.ilagnet.org/jscripts/tiny\_mce/plugins/filemanager/files/The\_Hague\_2013/Session \_Papers/8.4\_-\_Bonnie\_Hough.pdf, (2013).

72.

Benkler, Yochai: The wealth of networks: how social production transforms markets and freedom. Yale University Press, New Haven (2006).

73.

Fernández-Barrera, M.: Prosumption: shifting the barriers between information producers and consumers,

http://blog.law.cornell.edu/voxpop/2011/11/17/legal-prosumers-how-can-government-lever age-user-generated-content/.

Grossman, M.R., Cormack, G.V.: Technology-assisted Review in E-discovery Can Be More Effective and More Efficient Than Exhaustive Manual Review,. Richmond Journal of Law and Technology. 17, (2011).

75.

Markoff, J.: Armies of Expensive Lawyers, Replaced by Cheaper Software, http://www.lexisnexis.com/uk/nexis/search/homesubmitForm.do.

76.

Bommarito II, M.J., Katz, D.M.: 3 Thoughts on E-Discovery in 2015 and Beyond, http://computationallegalstudies.com/2013/01/30/3-thoughts-on-e-discovery-in-2015-and-b eyond-legaltechnyc-2013-daniel-martin-katz-michael-j-bommarito-ii/.

77.

PRACTICE DIRECTION 31B – DISCLOSURE OF ELECTRONIC DOCUMENTS - Civil Procedure Rules, http://www.justice.gov.uk/courts/procedure-rules/civil/rules/part31/pd\_part31b.

# 78.

Abdel Wahab, Mohamed S., Katsh, M. Ethan, Rainey, Daniel: Online dispute resolution: theory and practice : a treatise on technology and dispute resolution. Eleven International Pub, The Hague (2012).

79.

Ebner, N.: E-Mediation. In: Online dispute resolution: theory and practice : a treatise on technology and dispute resolution. Eleven International Pub, The Hague (2012).

80.

Katsh, E., Wing, L.: Ten Years of Online Dispute Resolution (ODR): Looking at the Past and Constructing the Future. University of Toledo Law Review. 38, (2006).

Larson, D.A.: Artificial Intelligence: Robots, Avatars and the Demise of the Human Mediator by David Allen Larson :: SSRN. Ohio State Journal on Dispute Resolution. 25, (2010).

82.

Larson, D.A.: Technology Mediated Dispute Resolution (TMDR): A New Paradigm for ADR by David Allen Larson :: SSRN. Ohio State Journal on Dispute Resolution. 21, (2006).

83.

Raines, S.S., Conley Tyler, M.: From e-Bay to Eternity: Advances in Online Dispute Resolution. SSRN Electronic Journal. (2006). https://doi.org/10.2139/ssrn.955968.

84.

Tyler, M.C., McPherson, M.: Online Dispute Resolution and Family Disputes by Melissa Conley Tyler, Mark McPherson :: SSRN. SSRN Scholarly Paper. (2006).

85.

Schultz, T.: eBay: A Legal System in the Making? by Thomas Schultz :: SSRN, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=896679.

86.

Schultz, T.: Does Online Dispute Resolution Need Governmental Intervention? The Case for Architectures of Control and Trust by Thomas Schultz :: SSRN, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=896532.

87.

Gramatikov, M., Klaming, L.: Getting Divorced Online: Procedural and Outcome Justice in Online Divorce Mediation. SSRN Electronic Journal. (2011). https://doi.org/10.2139/ssrn.1752903.

ISO Launches PICAS Plus to Automate the Evaluation of Motor Personal Injury Claims, http://www.targetwire.com/targetwire/2012/01/09/iso204/iso204\_uk.html.

89.

David, B.: What Data Can't Do, http://www.nytimes.com/2013/02/19/opinion/brooks-what-data-cant-do.html?\_r=0.&adxnnl =1&adxnnlx=1382026146-aPRpXf q/ciVLLPO mVLGQ.

90.

The data deluge, http://www.economist.com/node/15579717?story.

91.

Data, data everywhere, http://www.economist.com/node/15557443.

92.

Manyika et al., J.: Big data: The next frontier for innovation, competition, and productivity | McKinsey & Company, http://www.mckinsey.com/insights/business technology/big data the next frontier for inn

ovation.

93.

Andreessen, Marc: Why Software Is Eating The World. Wall Street Journal (Online).

94.

Thompson, C.: What Is I.B.M.'s Watson?, http://www.nytimes.com/2010/06/20/magazine/20Computer-t.html.

95.

Levy, S.: The AI Revolution Is On, http://www.wired.com/magazine/2010/12/ff\_ai\_essay\_airevolution/.

Thompson, C.: The Screens Issue - If You Liked This, Sure to Love That - Winning the Netflix Prize, http://www.nytimes.com/2008/11/23/magazine/23Netflix-t.html?\_r=0.

#### 97.

Katz, D.M.: Quantitative Legal Prediction – or – How I Learned to Stop Worrying and Start Preparing for the Data Driven Future of the Legal Services Industry. SSRN Scholarly Paper. (2012).

#### 98.

Dysart, J.: How lawyers are mining the information mother lode for pricing, practice tips and predictions, http://www.abajournal.com/magazine/article/the\_dawn\_of\_big\_data/.

99.

Shay, L., Hartzog, W., Nelson, J., Conti, G.: We Robot: Do Robots Dream of Electric Laws? An Experiment in Law as Algorithm,

http://cyberlaw.stanford.edu/multimedia/we-robot-do-robots-dream-electric-laws-experime nt-law-algorithm.

100.

Theodore W. Ruger, Pauline T. Kim, Andrew D. Martin and Kevin M. Quinn: The Supreme Court Forecasting Project: Legal and Political Science Approaches to Predicting Supreme Court Decisionmaking. Columbia Law Review. 104, 1150–1210 (2004).

101.

McConnell, R., Ralston, D., Simon, C.: What Computer Models Can—and Can't—Do, http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202580943312.

102.

Harbart, T.: Big Data Meets Big Law,

http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202555605051&Big\_Da ta%20\_Meets\_BigLaw.

103.

Hodson, H.: AI gets involved with the law. New Scientist. (2013).

104.

Manjoo, F.: Will Robots Steal Your Job: Software Could Kill Lawyers: Why That's Good for Everyone Else,

http://www.slate.com/articles/technology/robot\_invasion/2011/09/will\_robots\_steal\_your\_jo b\_5.html.

105.

Gray, J.: Welcome to Robot, Android & Automaton LLP, http://www.theglobeandmail.com/report-on-business/industry-news/the-law-page/welcometo-robot-android-automaton-llp/article4261559/.

106.

Ayres, I.: Prediction Markets vs. Super Crunching: Which Can Better Predict How Justice Kennedy Will Vote?,

http://freakonomics.com/2009/12/23/prediction-markets-vs-super-crunching-which-can-bet ter-predict-how-justice-kennedy-will-vote/.

107.

Katz, D.M.: Netflix Challenge for SCOTUS Prediction?, http://computationallegalstudies.com/2010/01/13/netflix-challenge-for-scotus-prediction/.

108.

Harbert, T.: Lex Machina Arms Corporate Leaders and Patent Attorneys with Predictive Analytics,

http://data-informed.com/lex-machina-arms-corporate-leaders-and-patent-attorneys-with-p redictive-analytics/.

Lex Machina | IP litigation data and analytics, https://lexmachina.com/.

# 110.

Pullum, G.: Why Are We Still Waiting for Natural Language Processing? - Lingua Franca, http://chronicle.com/blogs/linguafranca/2013/05/09/natural-language-processing/.

# 111.

FantasySCOTUS from the Harlan Institute, http://www.fantasyscotus.net/.

# 112.

Guthrie, C.F.: Smart Technology and the Moral Life. Ethics & Behavior. 23, 324–337 (2013). https://doi.org/10.1080/10508422.2013.787359.

# 113.

Gillers, S.: A Profession, If You Can Keep It: How Information Technology and Fading Borders are Reshaping the Law Marketplace and What We Should Do About It. SSRN Scholarly Paper. (2012).

# 114.

Swede, J.: Professional negligence law needs to catch up, http://www.darlingtons.com/blog/professional-negligence-law-needs-to-catch-up/.

# 115.

Hwang, T.: The Laws of (Legal) Robotics: Automatons, APIs, and the ABA, http://www.robotandhwang.com/2013/06/the-laws-of-legal-robotics/.

Lauritsen, M.: Are we free to code the law? Communications of the ACM. 56, (2013). https://doi.org/10.1145/2492007.2492025.