

The Institute for the Future of Law Practice: A New Narrative for Legal Education and the Legal Profession

by William D. Henderson

The mission of IFLP is to produce more legal professionals who have strong legal knowledge plus foundational training in allied disciplines — in other words, “T-shaped” legal professionals.

You look down at your smartphone and see that you just got a text from a close family relative. They are asking to schedule a phone call.

The next line reads, “I’m thinking about going to law school.”

Well, if you read *PD Quarterly*, you’re likely a logical person to seek out for advice. You’ve got some time to think about it. What are you going to say?

Whatever your counsel, it is likely to be a mix of your views on where the legal industry is today (perhaps quite a bit different than when you started) and where you see the legal industry going over the next 10 to 20 years.

Let’s face it — this is a hard assignment to get right.

Over the years, many of my friends and colleagues have been placed in this situation. And a good number of them have concluded that the best course of action is to pass the buck to me, since much of my research focuses on the economics and structure of the legal profession.

When I picked this research area nearly two decades ago, the job was primarily to describe the functioning of the legal market. This worked wonderfully well to build a tenure file,

particularly since the mid-2000s were a period of significant change and disruption for both lawyers and law firms.

But somewhere along the line, my thinking began to shift. As I gained a deeper knowledge of how legal education and the legal profession evolved over time, including deficiencies that were contrary to our professional values, I began to ask myself the question, “As a lawyer and law professor, do I have an obligation to use what I am learning to help shape and direct the future of law and legal education?”

As a matter of ethics, the Preamble to the ABA Model Rules provide clear guidance on duties as “public citizens.”¹ That said, there is an immense gap between that exalted language and our actions as a profession. For me, this has taken on a moral dimension that I’ve found impossible to diminish or ignore.

For example, at the same time that state courts are increasingly glutted with self-represented litigants, solo and small firm lawyers are struggling to earn a living. At the other end of the client spectrum, corporate legal departments continue to push back on the use of first- and second-year associates, which in turn puts downward pressure on entry-level hiring in law firms. Indeed, since the Great Recession, the number of entry-level jobs in private practice has gone down.² Yet, regardless of job prospects, law student debt continues to go up.

At least for me, it's been impossible to study and write about the current state of the legal profession without asking the question, "Doesn't anyone have a plan?"

Then, over time, I gradually accepted the reality that as a lawyer and law professor with an intimate knowledge of these very serious industry-level problems, I needed to help lead the effort to solve them. Fortunately, other fellow travelers from other parts of the profession were reaching similar conclusions.

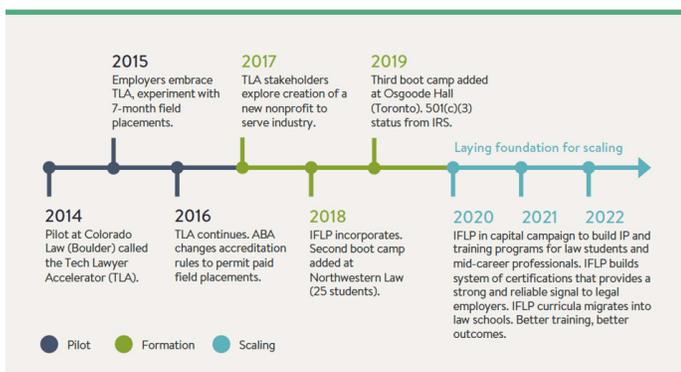
However, before getting too deeply into that story, let me first introduce the Institute for the Future of Law Practice, which is the vehicle we created to drive beneficial industry-level change.

What Is the Institute for the Future of Law Practice?

The Institute for the Future of Law Practice (IFLP, pronounced "I-flip") is a 501(c)(3) education nonprofit that combines sophisticated training in modern law practice with paid internships for law students.

Although our brief operating history has focused on law students, we are building curricula and training modules that will soon be made available to mid-career professionals (more on that later). See Figure 1 for the IFLP timeline.

Figure 1. IFLP Timeline



The mission of IFLP is to produce more legal professionals who have strong legal knowledge plus foundational training in allied disciplines such as data analytics, process/project management, technology, design thinking, and business operations. Some legal employers have dubbed such a worker a "unicorn."³ However, at IFLP, we call them "T-shaped" legal professionals. (See Figure 2.)

Since 2014, nearly 200 law students have completed our program. In 2019, nearly 70 students from 18 law schools participated. Further, our demographics reflect the future (52% diverse, 64% female).

Figure 2.



Can't Law Schools Solve This Problem?

No, not in a timely fashion. As a chaired professor at a flagship public law school, this was not an easy conclusion for me to reach.

It also warrants some explanation. To the extent you understand why legal education is going to be unacceptably slow in updating and modernizing curricula, you'll also understand why IFLP was created and have a deep grasp of both our mission and strategy.

Thus, please bear with me and let me explain our collective industry-level predicament. As you'll see, law schools cannot change without clear signals coming from the profession.

Let's Start with Clients

Without clients, there's no need for lawyers. Nearly 50 years ago, when serious academic researchers began to study the legal market with quantitative rigor, they discovered that the structure of the legal market was primarily based on type of clients — specifically, one group of lawyers primarily served individuals while the other primarily served organizations.

This is the “two-hemisphere” theory, which was the key finding of the Chicago Lawyers I study.⁴ Basically, drawing upon a representative sample of Chicago lawyers in 1975, the researchers determined that roughly half of lawyers worked for ordinary people doing things like family law, wills and estates, real estate closings, basic contracts, personal injury work, etc. In contrast, the other half primarily served organizational clients (mostly corporations, but also governmental entities, trade associations, labor unions, and nonprofits). The hemisphere label denoted two things: (1) the profession was divided into two roughly equal parts, and (2) these groups were highly stratified by race, religion, and law school attended, with very little overlap of clients or peers.

Since the 1970s, the proportion of the bar serving organizational clients has grown much faster than the portion that serves people. Indeed, this is the economic juggernaut that created the BigLaw sector.

However, when we study the legal market circa 2019, what we observe is significant turmoil at the two ends of the spectrum. In the PeopleLaw sector, fewer people can afford a lawyer to help solve the basic legal problems related to family, health, housing, and old age. While the incomes of solo and small firm lawyers are flat or declining, state courts are struggling to cope with dockets where, in 75% of all civil cases, at least one party is a self-represented litigant.⁵

At the opposite end of the client continuum, globalization, technology, regulation, and other forces are producing a relentless surge in legal complexity that is racing ahead of legal budgets. Although organizational clients now account for more than 75% of law firm revenues (as opposed to roughly half in the mid-1970s),⁶ more and more legal work is either being insourced to legal departments or outsourced to lower cost legal service providers. Thus, for the last 20 years, employment in private law firms has grown much more slowly than the in-house and government sectors. (See Figure 3.)

In the U.S., there are now more in-house lawyers (108,000) than lawyers working domestically for the nation's 200 largest law firms.

Since corporate legal departments seldom hire directly out of law schools, the insourcing of legal work undercuts the nearly century-old partner-associate law firm training model. The legal profession is supposed to be self-regulating. Isn't it our responsibility to directly address what appears to be a breakdown in our talent supply chain?

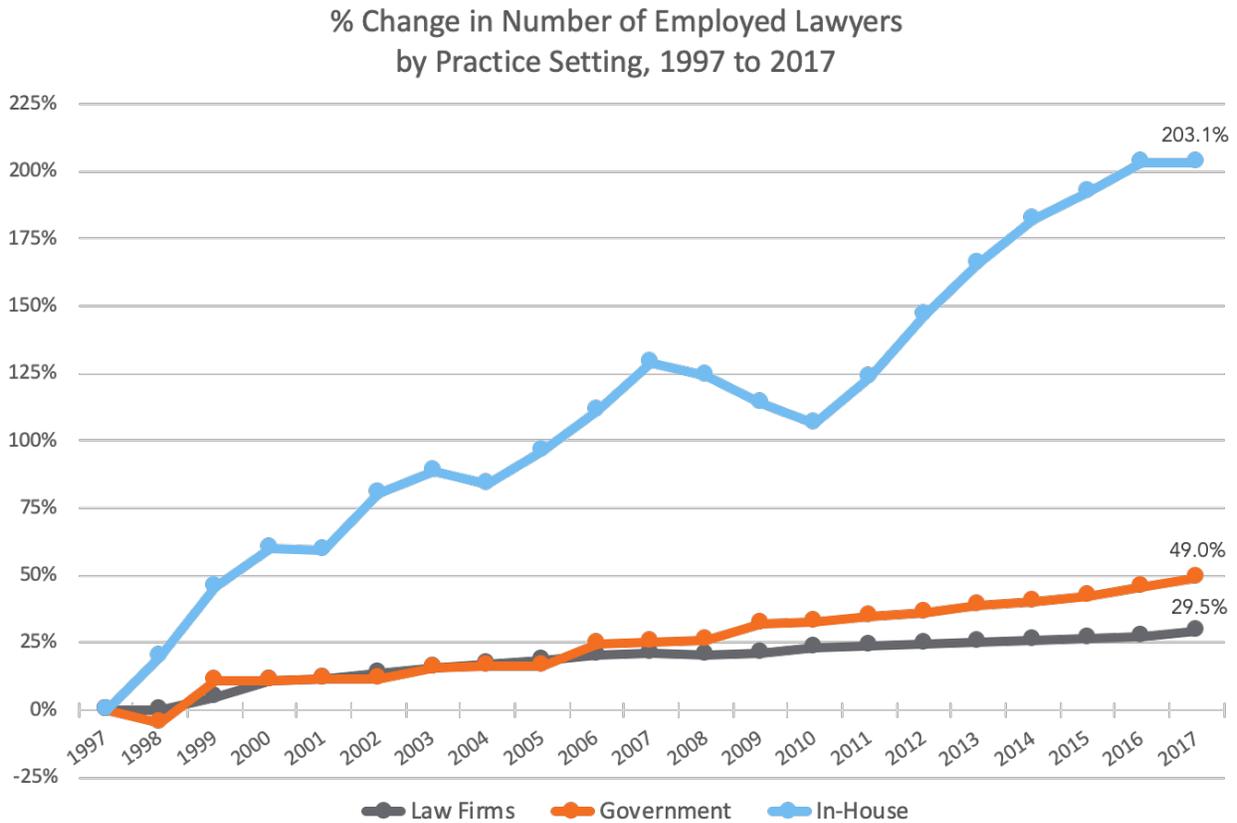
Broader Disruption

According to the renowned UK lawyer, technologist, professor, consultant, and futurist Richard Susskind, the legal field is gradually transitioning from a “one-on-one” consultative model to a “one-to-many” mix of legal products and services.⁷

To many readers, “one-to-many” may sound like so much vacuous business jargon. And I can understand your skepticism. But the evidence is piling up that the legal field is in the early stages of a massive transformation.

One of the leading proponents of this view is Steve Harmon, Vice-President & Deputy General Counsel at Cisco Systems and the lawyer in charge of the department's 28-person legal operations unit. “So many lawyers view their legal work as beautiful, original art work,” observes Harmon. “But what they fail to understand is that we want to buy prints. Standardiza-

Figure 3.



Sources: Bureau of Labor Statistics. Graph generated by Legal Evolution PBC

tion and automation provide tremendous value by enabling sales, increasing transparency, and reducing risk.”

Harmon’s perspective is far from unique. Indeed, several years ago, he was one of the founding members of the Corporate Legal Operations Consortium (CLOC),⁸ which is a trade association of professionals working inside corporate legal departments who specialize in the emerging field of legal operations.⁹ CLOC members now include professionals from nearly one-third of the Fortune 500, with heavier penetration in industries such as technology, life sciences, and financial services, where various aspects of law are often integral to competitive advantage.

Related to CLOC is the rise of P3, which is a group of several hundred law firm professionals — some who are lawyers but

many from other allied disciplines — who specialize in “project management, process improvement, price.”¹⁰ In essence, both CLOC and P3 exist to design and build legal systems that enable one-to-many solutions, albeit one group represents buyers (CLOC) while the other represents suppliers (P3). To illustrate this point, all we need to do is observe the large number of leading professionals in CLOC and P3 who have switched sides [e.g., David Cambria (JD) from ADM to Baker McKenzie, Vince Cordo (MBA) from Reed Smith to Shell, Mary O’Carroll (MBA and CEO of CLOC) from Orrick to Google, Peter Krakaur (JD) from Orrick to Solar City to UnitedLex¹¹].

Similarly, in the PeopleLaw market, we see the emergence of online dispute resolution (ODR) systems that use human-centered design principles to eliminate the need for lawyers in certain types of lower stakes matters.

For example, in British Columbia, all disputes involving condominiums, small claims less than \$5,000, and automotive accidents less than \$50,000 are now processed through the Civil Resolution Tribunal (CRT), which is an online platform that uses a mix of automation and case managers to efficiently and amicably resolve disputes. Although the CRT is reducing the role of lawyers in the legal system, the CRT budget is set for a five-fold increase to hire several dozen new case managers to process the growing volume of cases. By the way, the CRT hired the accounting firm PwC to build its IT infrastructure.¹² Several states in the U.S. are now experimenting with ODR.¹³

In summary, the legal industry is on the path to a profoundly multidisciplinary future. Yet, is traditional legal education ready to assist with this journey?

The Missing Feedback Loop

Law professors are people who care deeply about their students. I am one of them. Whatever our deficiencies as educators, we care about the success of our students.

That said, as a group, we are not very close to the practice of law, including the structural changes that have caused a major drop in overall law school enrollment. To the extent I am an exception, it's because my research focuses on lawyer development and the legal industry rather than corporate law, torts, securities regulation, tax, evidence, con law, intellectual property, or some other important area of law. Thus, at least for me but in contrast with my peers, I am practically being clubbed over the head with data pointing in the direction of change.

Yet, setting aside the hazards of intellectual silos, there is another reason why law professors are out of touch with practice: For several decades, the people and organizations who hire our graduates (law firms, judges, federal agencies, and prestigious public interest organizations) have been largely indifferent to what we teach and how we teach it. Specifically, employers reveal this indifference through hiring decisions based on law school prestige and law student grades rather than academic

programming designed to produce law grads who possess the knowledge, skills, and mindset to better serve clients and other lawyers.

Simply put, there is no feedback loop between legal employers and the academy that can identify and reward improvements. Without such feedback, there is no working market for educational quality. And without reinforcement in the form of greater employer hiring and loyalty, it's essentially impossible to drive sustainable change in what and how we teach.

Yet, this was not always the case.

Innovations That Created the T14

Over a century ago, the nation's most experienced and accomplished business lawyers began to pioneer the development of the associate-partner training model. The most well-known example of this is the Cravath System. Although there were no formal law school rankings at the time, these firms quickly settled on the so-called "national" law schools as their preferred hiring grounds, not because of higher entering LSAT scores (the LSAT did not yet exist) but because these schools required an undergraduate education. Also, the faculty were full-time scholars involved in major professional undertakings, such as writing of the Restatements, drafting model uniform state laws, and eventually formulating parts of the New Deal. Although national law school graduates were not necessarily any smarter, by all objective measures they were receiving a much better and more relevant legal education.¹⁴

With the advent of standardized testing and law school rankings, the national law schools were able to lock in an unshakable presumption of better quality. These are the forces that created the T14 (the fourteen schools that have all been ranked 14 or higher since the inception of *U.S. News* rankings in the late 1980s). Ironically, because the T14 produce the vast majority of law school faculty up and down the law school hierarchy, many professors have unexamined but ultimately elitist views about how lawyers become great. In short, it's primarily about

native intelligence, which means that regardless of teaching or curricula, higher ranked schools are viewed as better than lower ranked schools.

Although this mindset is harmful to all of legal education, it is held in place by nearly a century of patronage by elite employers, particularly large corporate law firms.¹⁵ Today's law firm partners are now three generations removed from the elegant business logic that created the original associate-partner training model. Thus, virtually all would be surprised to learn that "normal intelligence," if combined with "character, industry and intellectual thoroughness," was fully sufficient to become a skilled and capable Cravath lawyer. This was because the Cravath System, with its emphasis on training, rotation, and mentorship, was designed to create "a better lawyer faster."¹⁶ Although selection was relevant, the system itself was about the transformation of human capital.

Remarkably, a century ago, Paul Cravath had this all figured out.

The Risk of Corruption

As a law professor, a graduate of a T14 law school, and a long-time researcher of this market, here is my reluctant conclusion: Our system of legal education is more about sorting students based on academic credentials than on content or quality. This is very bad for the legal profession, clients, and broader society.

From far away, this system appears insular and corrupt. From the inside, where I've spent my career, I can attest that it is held together by inertia. Simply put, for both employers and educators, there has been no need and no reward for rigorously questioning what is working well (for us).

Yet, those days appear to be numbered. For quite some time, clients have been refusing to pay for undertrained junior associates, which in turn has depressed large law firms' demand for associates. And, as noted above, clients are insourcing and

outsourcing rather than giving "run the company" work to law firms. Thus, for the first time in their histories, the prosperity of elite law firms depends upon their ability to protect and grow market share, which requires strategy and execution. To the extent these firms are successful, it is increasingly because of the deft deployment of legal operations skills — data analytics, process/project management, technology, design thinking, and business operations — which are seldom taught in law school.

Indeed, Susskind's one-to-many future is enabled by legal professionals who have the knowledge and skills to integrate law with other allied disciplines. This is destined to happen because the full range of clients — from indigent citizens to large multinational corporations — need it to happen. Solving the underlying bottleneck issues is important both economi-

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cally and socially. Thus, this is a moment in time when the old order is at risk of getting replaced or marginalized.

Reconnecting the Curriculum to the Market

The question I have been thinking about for the better part of five years is how legal education can become an important and productive part of this journey. The catalyst for this reflection was my involvement in Colorado Law's Tech Lawyer Accelerator Program (TLA), which was the pilot project that led to the eventual creation of IFLP. (See Figure 1 for the timeline.)

What made the TLA successful in the pilot stage was the linkage between the TLA's curriculum and the willingness of a significant number of sophisticated employers to provide TLA students with paid employment. Note that this was occurring

in the summers of 2014, 2015, and 2016 when the market for paid summer legal employment for rising 2Ls had essentially evaporated.

What made the TLA curriculum interesting to employers was its emphasis on practical skills, industry knowledge, and business. In hindsight, this program was not very hard to create, since all it required was for the TLA's founder, Bill Mooz, to work backward from his very own successful legal career. After becoming a partner at Holland & Hart in the early 1990s, Mooz took a job with a technology start-up that eventually led to a series of progressively more complex in-house positions. Before joining Colorado Law's faculty in 2014 as a visiting professor of practice, Mooz ran the M&A and licensing functions at VMware, a large Fortune 500 technology company that does business in more than a hundred countries around the globe.

What enabled Mooz to thrive professionally was the integration of his legal knowledge (Mooz was a strong technical lawyer) with the skills needed to collaborate and problem solve in a complex knowledge-worker environment. In essence, Bill Mooz was one of the legal industry's first generation of T-shaped legal professionals, although similar to Steve Harmon, David Cambria, Mary O'Carroll, and others, virtually all of Mooz's knowledge and training was obtained on the job. Suffice it to say, it was becoming more and more obvious to all of us that the legal industry needed a new and better talent pipeline that oriented young people to the growing multidisciplinary nature of law, as this affects both the substance of their work and the creation of new career paths.

Regulations Matter

Rules and regulations are difficult to change. Thus, most of us try to be innovative within the existing order.

However, in 2016, under pressure from the Law Student Division, which was fixated on the growing student debt loads, the ABA House of Delegates changed the law school accreditation standards by lifting the longstanding prohibition on students earning both pay and academic credit for legal externships.¹⁷

This turned out to be a significant event that would eventually lead to the creation of the Institute for the Future of Law Practice. Because of the changes in the ABA law school accreditation rules, law schools now had the flexibility to create new types of educational programming in collaboration with legal employers. During the TLA's pilot, several sophisticated employers (Cisco, Adobe, NetApp, Bryan Cave Leighton Paisner) began to experiment with seven-month paid, full-time internships for TLA students that typically took place during the summer and fall of a law student's 3L year, effectively replacing the fifth semester of law school. However, for TLA students to graduate on time, the lack of academic credit required them to take heavy overloads during the remaining three semesters of their 2L and 3L years.

In 2017, the Cisco Legal Department offered to hire six to eight seven-month interns per year (at a rate of approximately \$1750 per week) if the TLA could find a way to scale its program. A crucial pre-condition was that the students had to stay on track to graduate on time from law school, ideally with an overall lower debt load.

This was the very top of the client food chain speaking with a very clear voice. This caused Bill Mooz and I to ask ourselves whether it might be possible to scale the TLA by forming an independent nonprofit that could act as an intermediary organization between law schools and sophisticated legal employers. In effect, we would use the reward of better employment outcomes to gradually update the law school curriculum to the emerging one-to-many legal world.

During the summer and fall of 2017, Mooz and I vetted this idea with a group of professional peers from law firms, legal departments, NewLaw providers, and law schools. When offers of seed funding appeared from various generous and far-sighted sponsors,¹⁸ we took the plunge. IFLP as an independent nonprofit entity was formed in January 2018. Our first boot camp was held in Chicago at Northwestern University Pritzker School of Law with students from four additional law schools. In 2019, we scaled up to three boot camps (Boulder, Chicago,

Toronto) and placed ten students from several law schools into seven-month paid field placements (for academic credit) at Cisco, Cummins, Baker McKenzie, and Perkins Coie.

Independence Matters

For several reasons, we created IFLP outside the structure of traditional legal education.

Arguably, the most important reason was to re-establish — for the first time in nearly a century — the crucial linkage between an innovative and relevant curriculum and employment opportunities for law students. In the year 2019, jobs are the rocket fuel of legal education change efforts, since employment outcomes are a key determinant of our *U.S. News* ranking. To prove the relationship between curricula and full-time, long-term bar passage required or JD advantage jobs, we need the participation of a relatively large number of law schools up and down the traditional rankings hierarchy.

Second, this is a bad time to compete for scarce law school resources. Although not widely reported, the 40-year low in law school enrollments is causing almost all law schools to run significant financial deficits. This is because schools are offering large discounts in the form of scholarships to get the students they need in order to maintain their *U.S. News* ranking. IFLP can avoid these challenges by raising our own independent funding through foundations, individual donors, sponsorships, and a capital campaign.¹⁹ Indeed, because IFLP seeks to align itself with all law schools, IFLP is a perfect vehicle for large corporate clients and legal service organizations (law firms, NewLaw, legal tech) to co-create a new and more diverse legal talent pipeline. This makes it possible, at least in the early days, for us to pass the hat to help get us off the ground. As a lean mission-driven organization with no bricks and mortar overhead, we can stretch these dollars a very long way.

A third reason for independence from law schools is to bypass faculty governance over hiring. This is important because very few of the legal industry's leading T-shaped practitioners fit

the mold of a typical law professor. When it comes to artificial intelligence, process mapping, document automation, cost accounting, and a large number of similar fields and disci-

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plines, the elite academic credentials prized by faculty are both irrelevant and unrealistic — something that law faculty don't appreciate because, as noted earlier, they are distant from the pressures of modern practice. For the good of the profession, we need a mechanism to avoid this culture clash. The best way forward is for an independent organization such as IFLP to demonstrate the connection between T-shaped curricula and improved employment outcomes (which, of course, affects rankings). Over the longer term, a more unified culture will emerge.

What Is IFLP's Future?

IFLP's mission is to help legal education and the legal profession transition to a future where legal professionals have the knowledge and skills to fulfill the most pressing needs of clients, from ordinary citizens to the world's most complex global organizations. This requires integrating law with allied disciplines, such as data analytics, process/project management, technology, design thinking, and business operations.

At IFLP, we segment this educational challenge into two parts: (1) better educating today's law students, and (2) upskilling mid-career professionals, including those from allied disciplines.

An advantage of educating law students, particularly rising 2Ls, is that paid legal internships are relatively scarce. Thus, the opportunity cost of training is very low. Yet, because that training

leads to employment opportunity with marquee employers, law student demand for IFLP is very high.

See Figure 4 for IFLP’s current student curriculum, which is the equivalent of approximately six law school credit hours (three for the basic track and three for the advanced track).

The foundational boot camps are primarily for rising 2Ls. This is the training they receive before their ten-week summer internships. The advanced boot camps are for rising 3Ls going on to seven-month paid field placements. Eventually, the advanced boot camp curricula will be segmented by subject matter (e.g., litigation, transaction, IP, legal operations, etc.). All this learning takes place when students’ time is relatively inexpensive.

The upskilling of mid-career professionals presents the opposite challenge. Law firm associates, in-house counsel, and other legal professionals work in very demanding, highly paid jobs. Thus, the opportunity cost of learning new knowledge and skills is very high. Large-scale upskilling is only possible if the learning is high impact (immediately usable in the workplace), relentlessly time efficient, and fun.

At IFLP, we believe that what we build for the law student mar-

ket needs to be pointed at the mid-career professional market. Our goal is to create curricula, training programs, and a certification system that delivers tremendous value to participants at a very low per-unit cost. Examples of future IFLP mid-career programming include:

- Open enrollment courses offered through IFLP member law schools.
- Onsite programs at law firms that include significant participation from clients.
- Training connected to major industry conferences.
- Entirely online courses.

By focusing on scale rather than exclusivity, IFLP has the potential to be an industry-level solution. If we are successful, what we create for law schools will eventually migrate into the 2L and 3L curricula, although we hope the seven-month paid field placement (residency) becomes a permanent feature of legal education.

A New Narrative

Since starting the TLA and IFLP, we have been overwhelmed by the large number of colleagues who have wanted to donate their time and expertise to the success of our program. Since 2014, the number has exceeded 200 lawyers and allied professionals.

In other words, professionalism is alive and well in the legal industry. What has been missing is a venue that holds out the prospect of sustained industry impact. In the years to come, we invite you to become a part of this movement. Together we will author a new narrative for lawyers and allied professions that reflects professionalism at its very best.

Endnotes

¹ Paragraph [1] of the Preamble to the ABA Model Rules for Professional Conduct reads, “A lawyer, as a member of the legal profession, is . . . a public citizen having special responsibility for the quality of justice.” Paragraph [6] reads, “As a public citizen, a lawyer should seek improvement of . . . the quality of service rendered by the legal profession. As a

Figure 4.

FOUNDATIONAL BOOT CAMP	ADVANCED BOOT CAMP
<p>Business Fundamentals and Professional Communication: Business of Law, Leadership, Finance & Accounting, Legal Operations</p> <p>Project Management, Process Improvement, and Innovation: Innovation Frameworks, Project Planning and Management, Process Mapping and Metrics</p> <p>Technology and Knowledge Management: Office Productivity Technology, Legal Platforms, Knowledge Management</p> <p>Data Analytics and Artificial Intelligence: Data Center Design, Data Collection, Descriptive and Predictive Analytics, Data Visualization, Computational Thinking and Artificial Intelligence</p> <p>Industry Orientations (multiple): The basics of how specific employer sectors operate, and what students need to know before going to work in a corporate legal department, a law firm, or a public service organization.</p>	<p>Software Licenses: Common Terms in License Agreements and How they Get Negotiated</p> <p>Service/SaaS Agreements: Common Terms in Service and SaaS Agreements and How they Get Negotiated</p> <p>Corporate Transactions: Common Terms in Corporate Agreements and How they Get Negotiated</p> <p>Scalable Contracting: Using Technology and Process to Improve the Efficiency and Quality of All Types of Contracts</p>

- member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in reform of the law and work to strengthen legal education.”
- ² See NALP, *Jobs & JDs: Employment for the Class of 2018 — Selected Findings* (July 2019) (“Overall, the number of jobs in private practice has fallen by more than 4,000 since 2007[.]”).
- ³ See Esther Bowers & Janelle Shankin, “Legal Project Managers: Where to Find These Unicorns,” LPM Institute (August 2019), online at <https://www.lpminstitute.net/post/legal-project-managers-where-to-find-these-unicorns> (last visited August 18, 2019).
- ⁴ See John P. Heinz & Edward O. Laumann, *Chicago Lawyers: The Social Structure of The Bar* (Northwestern University Press, rev. ed. 1994) (“Chicago Lawyers I”).
- ⁵ See Paula Hannaford-Agor JD, Scott Graves & Shelley Spacek Miller, *The Landscape of Civil Litigation in State Courts* (National Center for State Courts, 2015).
- ⁶ See William D. Henderson, “The Decline of the PeopleLaw Sector,” *Legal Evolution*, November 19, 2017, online at <https://www.legalevolution.org/2017/11/decline-peoplelaw-sector-037/>.
- ⁷ See Richard Susskind, *Tomorrow's Lawyers*, 161 (Oxford University Press, first ed. 2012).
- ⁸ See www.cloc.org.
- ⁹ For a primer on the field of legal operations, see William D. Henderson, “Where the Jobs Are,” *ABA Journal* (October 2015) (discussing the rise of this new field).
- ¹⁰ See website for P3 — The Practice Innovation Conference, <https://www.legalmarketing.org/p3-conference>.
- ¹¹ UnitedLex is a “NewLaw” provider, which is a companion category to CLOC and P3. A NewLaw company is a legal service organization that has at least some nonlawyer ownership and set of offerings that relies heavily on a mix of lawyers and allied professionals. Because of the legal profession’s prohibition on fee-splitting (see ABA Model Rule 5.4), NewLaw companies serve only organizations with in-house lawyers, albeit that includes nearly three-quarters of the U.S. legal services market. For additional information, see generally William D. Henderson, *The Legal Market Landscape Report* (State Bar of California, July 2018).
- ¹² For a more complete discussion of the CRT, see Bill Henderson, “Is Access to Justice a Design Problem?,” *Legal Evolution*, June 23, 2019, online at <https://www.legalevolution.org/2019/06/is-access-to-justice-a-design-problem-099/>.
- ¹³ See Henderson, *Landscape Report*, *supra* note 11 at 20-21.
- ¹⁴ For a more intensive treatment of this topic, see William D. Henderson, “Law Firm Strategies for Human Capital: Past, Present, Future,” in *Studies in Law, Politics, and Society* (Austin Sarat, ed. 2012); William D. Henderson, “Talent Systems for Law Firms,” *PD Quarterly* (NALP, February 2017).
- ¹⁵ See William D. Henderson, “Three Generations of U.S. Lawyers: Generalists, Specialists, Project Managers,” *70 Maryland Law Review*, 101 (2011).
- ¹⁶ See Henderson, *Law Firm Strategies*, *supra* note 14 — quoting Robert T. Swaine, *The Cravath Firm and its Predecessors 1819-1948*, Vol II at 5, 266 (1948).
- ¹⁷ See Karen Sloan, “ABA Approves Pay for Law Students’ For-Credit Externships,” *Law.com*, August 8, 2016.
- ¹⁸ The visionaries here were Chapman and Cutler LLP and Elevate Services, Inc. Kudos to Tim Mohan of Chapman and Liam Brown of Elevate for their leadership.
- ¹⁹ IFLP wishes to thank the Law School Admission Council (LSAC) and Quislex for their support, which substantially paid for our year 2 boot camps in Boulder, Chicago, and Toronto — and Kellye Testy of LSAC and Ram Vasudevan of Quislex for their belief in IFLP’s potential.

About the Author



Professor William Henderson is on the faculty at Indiana University Maurer School of Law, where he holds the Stephen F. Burns Chair on the Legal Profession. He is Co-Founder and Director of Development for the [Institute for the Future of Law Practice](#) and Founder and Editor of [Legal Evolution](#), an online applied research publication focused on successful legal industry innovation. His industry accolades include ABA Journal Legal Rebel (2009), National Law Journal 100 most influential lawyers in America (2013), and National Jurist most influential person in legal education (2014 and 2015). He is also a Fellow of the College of Law Practice Management.