Developing an Innovator’s Mindset
To Find Your Path in the Future of Law

Juda Strawczynski
Director, practicePRO
Hello!

What is an innovation mindset?

Innovation in legal services (including case studies)

Building your innovation mindset

Your professional paths: Choosing your own adventures!
A starting point:
Innovate (verb)

To make changes: do something in a new way

- Merriam-Webster
Innovate (verb)

Innovation is the creation of something that improves the way we live our lives

- Barack Obama
Mindset (noun)

A person’s way of thinking and their opinions

- Cambridge Dictionary
Innovation + Mindset

Ways of thinking that help us create something that improves our lives
Innovations in legal services
Innovation drivers

• Increased complexity
• Cost
• Law / legal services not meeting needs
• Globalization / competition
• Unmet legal needs
Innovation drivers

• High cost of legal services
• Are all legal tasks bespoke?
• What could be commoditized?
• What could be re-sourced?
  • In-sourcing
  • De-lawyered (see next slide)
  • Relocated
  • Outsourced
  • Automated
  • Not done
Innovation drivers: Shifting labour

Roles Beyond Lawyers

Andrew M. Perlman, *Towards the Law of Legal Services*, 2015
Innovation drivers: Technology
LAWPRO Magazine 2018: Top Legal Disruptions
Innovation drivers:
From lawyer-centered to client-centered
COVID as catalyst

“We’ve modernized the justice system 25 years in 25 days”

- Doug Downey, Attorney General of Ontario
Legal innovation case studies
Legal innovation case studies: Courts

• Shift to online:
  • Zoom Court hearings
  • Full trials by videoconference

• Continuing to shift to digital
  • Enhanced use of e-mail
  • Online filing
  • Caselines pilot project expansion
    • Caselines: Tomson Reuters cloud based ehearings platform

• Other examples: BC CRT – ODR
Legal innovation case studies

Law firms

• **Investing in technology**
  - Practice management software
  - Document management
  - Time, billing and payment systems
  - Workflow / automation tools
  - Templates and knowledge management systems
  - E-discovery, transaction, contract software

• **Big law**
  - In sourcing
  - Relocating
  - Remote (COVID-19)

• **Solos, smalls, medium sized firms**
  - Fully remote (pre COVID-19)
  - 4 day work week
  - B Corp™ certified
Legal innovation case studies

Access to Justice (A2J)

• Steps to Justice Guided Pathways (CLEO)
• Legal Aid
  • A2J Guided Interviews and use of trusted intermediaries
  • Legal Aid eligibility app
• Pro bono innovations
  • Embedded services (ex: PBO Sick Kids)
  • Tech to scale and maintain quality of programs
  • LAWPRO: Coverage innovation to enable pro bono
• Private bar innovations
  • Day of court counsel program (family law)
  • Low bono programs (ex: JusticeNet)
• Regulatory innovations
  • Solutions by region (Sandboxes, roles beyond lawyers)
  • Ontario: MDPs, paralegals, Referral Service Enhanced Directory,
    Civil Society Organizations
Legal innovation case studies:

Legal tech: A vibrant ecosystem

- Toronto: 3 law schools
  - Legal innovation initiatives
- Law practice and time management
  (ex: Clio, soluno)
- Legal research / legal publishing
  - Ex: CanLII – Innovation: law freely available to all
  - Ex: CiteRight, Loom, Blue J, LexisNexis, Thomson Reuters
- Document review and analysis
  - Ex: Kira Systems
- Corporate commercial
  - Ex: Closing folders
  - Ex: Firmex: Virtual data room
- Family / wills
  - Ex: Divorcemate; s-State planner
- Litigation (ex: ACL by Korbitec)
KEY TAKEAWAYS

• The legal services sector is *always* changing
• Despite COVID....
• The future looks bright
• There are lots of exciting changes happening *now* to make law better – for lawyers, for clients, for the public
Building your innovation mindset
The Mind of a CPLED-Trained Lawyer

Lawyer Skills:

Communication Skills: Take legal concepts and ideas and explain them clearly, no matter the medium or the audience.

Legal Matter Management: Take a case from interview through resolution, researching and gathering facts, planning a strategy and advising your client the entire way.

Practice Management: Understand risk, manage trusts and accounting, and grasp the technological tools and trends to practice law effectively in today’s marketplace.

Practice Organization: Manage your time and your projects without cutting corners or exposing you or your firm to risk.

Professional Ethics and Character:

Code of Conduct Knowledge: Understand where and how the rules that govern lawyers work, and your ethical obligations and responsibilities.

Character and Professional Responsibilities: Act honestly, fairly and with integrity with your clients, colleagues, courts, tribunals and the public.

Professional Ethics: Identify, analyze, and make the right decision regarding ethical issues, complying with your fiduciary duties, avoiding conflicts and protecting confidence.

Self-Management: Remain resilient and self-aware through the challenges of the profession, understanding the value of balance and empathy for yourself and others.

Managing Relationships: Work collaboratively and professionally with your team while building trust and confidence with your client.
Know your risks...
To manage them.
‘Global’ Descriptions of Claims (2009 to 2019)
By Count

- Communication: 29%
- Time Management: 19%
- Inadequate Investigation: 19%
- Error of Law: 14%
- Fraud: 2%
- Conflict of Interest: 4%
- Clerical: 6%
- Other: 7%

By Count (2009 to 2019)
Service errors

• Communication
• Investigation
• Time management
Skills for success:
People and project management

*not just legal expertise*
Emotional intelligence as part of the innovation mindset
Unleash your curiosity!
Read to feed your curiosity!
Consider different perspectives...
Find your communities!
Law student clubs, clinics, law associations
Get a Mentor
Take your breaks!
Mistakes happen – how can we fail better?
Insurance as innovation
COVID-19: Risks and opportunities
Ask + Listen: Learn from your client’s experiences*

*While keeping your professional obligations in mind – avoid unreasonable client pressures
Tips for your professional paths
You have options

- **Private practice**
  - Solo
  - Small firm
  - Medium size
  - Large / international

- **Government**
  - Legislative drafting
  - General legal services to departments
  - Advocacy
  - Criminal law
  - Policy

- **Agencies, Boards, Commissions, Tribunals**
More options: In-House
There are many choices!
You will likely make a few turns on the way!
What kind of lawyer do I want to be?
Honestly assess what makes sense for you.
What makes you unique? What do you enjoy?
What do you **not** enjoy?
Questions To Help Develop Your Practice

- What type of clients do I want to attract?
- What will be my practice area(s)?
- How do I want to practice?
- What kind of life do I want?
Life Choices

- Hours dedicated on task vs. outside interests
- What level of income do I need?
- What other factors are there in my life to take into consideration? (Ex: geography, family)
Pick an area of law you are passionate about. Specialize.
Got a moonshot practice idea? Minimum viable product modeling to start*

Then visit practicepro.ca for budget precedents and other helpful resources
BE PROUD OF HOW HARD YOU ARE WORKING
• LAWPRO co-funds the Member Assistance Program (MAP) with the Law Society of Ontario

• The MAP is a **confidential health and wellness service**, operated by Homewood Health and provided at no cost to all lawyers, paralegals, law students, and judges in Ontario, as well as their family members
Services offered by the MAP

• **Lifestyle coaching**
  • Coaching on childcare and parenting, elder and family care, financial and legal issues, nutrition and smoking cessation, as well as career, retirement, and workplace issues.

• **Peer-to-peer support**
  • Provides lawyers with a volunteer from the profession who can model recovery while providing empathy and understanding. These volunteers have also lived with mental health and wellness issues in the past and have continued to maintain successful and fulfilling careers.

• **Short and longer-term counselling**
  • Confidential short-term and crisis counselling is available in-person, online, or over the phone from experienced therapists who specialize in issues such as stress, anxiety, substance abuse, depression, burnout, and other personal and mental-health issues.
The Lessons

✓ We’re seeing change, accelerated
✓ There are lots of ways to develop your innovator’s mindset
✓ There are many paths to meaningful work
✓ There are lots of ways to innovate to make law better
✓ Actively manage your path into practice and yourself
✓ Practice supports are available
✓ We’re here to help!
Places to Learn More
Covid-19 Articles & Resources
Read More »
Tips to help you succeed in the practice of law
AvoidAClaim.com
Get the latest news on claims prevention and practice management

Report a fraud at fraudinfo@lawpro.ca
Thank you and stay in touch!

Juda Strawczynski
Director, practicePRO
LAWPRO, Toronto, Ontario

juda.strawczynski@lawpro.ca

Web: practicepro.ca and lawpro.ca
Blog: AvoidAClaim.com

Twitter: @LAWPRO and @practicePRO

Connect with me:
• LinkedIn: Juda Strawczynski
• Twitter: @JStrawczynski