

LEGAL TECH

Opportunities, Risks, Regulation

ELG Meeting

Stuttgart, 3 May 2019

- 1. Definition / Term „Legal Tech“**
- 2. Reception**
- 3. Implementation in the mandate handling**
- 4. Digression: national / EU digitalisation (E-Justice)**
- 5. Opportunities and risks**
- 6. Regulation (focus: online advisory platforms)**
- 7. Discussion / Experiences or standards in other countries**

1. Definition / Term „Legal Tech“

Legal Tech is a dazzling term, a buzzword that encompasses the digitization of virtually all aspects of the legal profession, the judiciary or legal service providers.

Examples: Contract and typesetting generators, legal advisory / services platforms, mediation platforms, legal checkboxes, legal prediction tools, smart contracting, document generation, automatic data extraction, speech recognition, law firm software, etc.

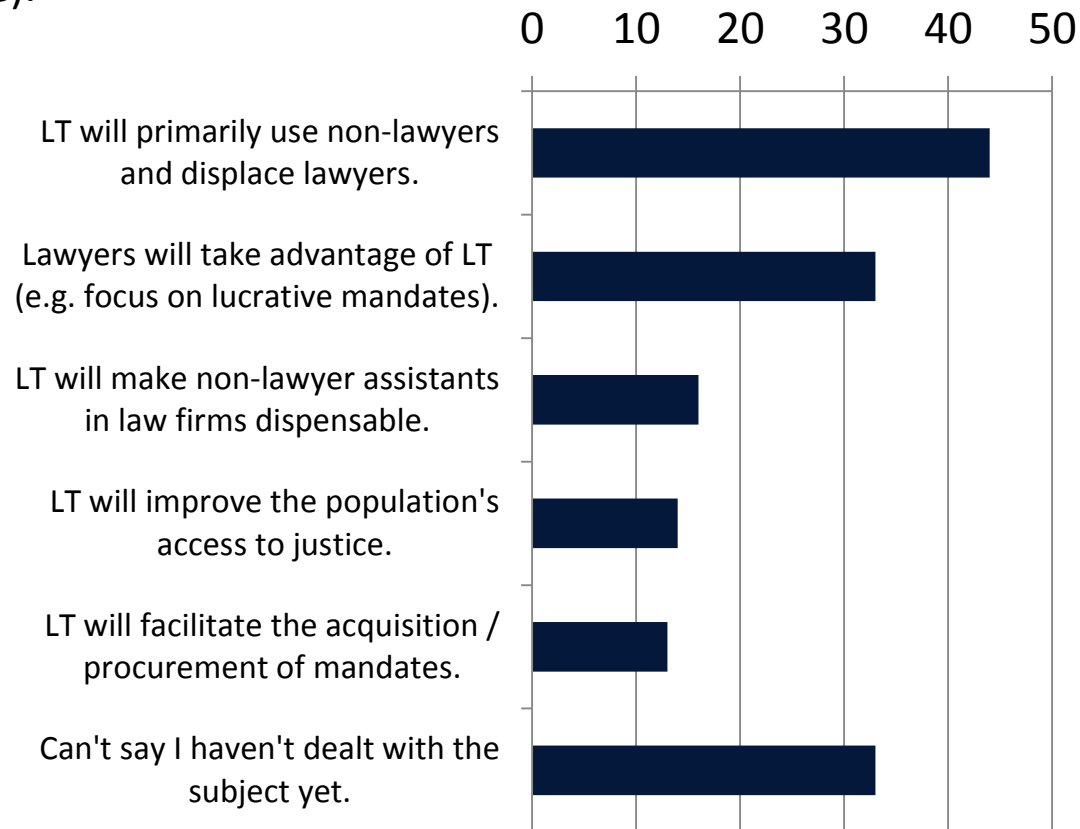
“Industrialization of law“?

“The beginning of the end of the lawyer's monopoly“?

Replacement of lawyers by *“robots“*?

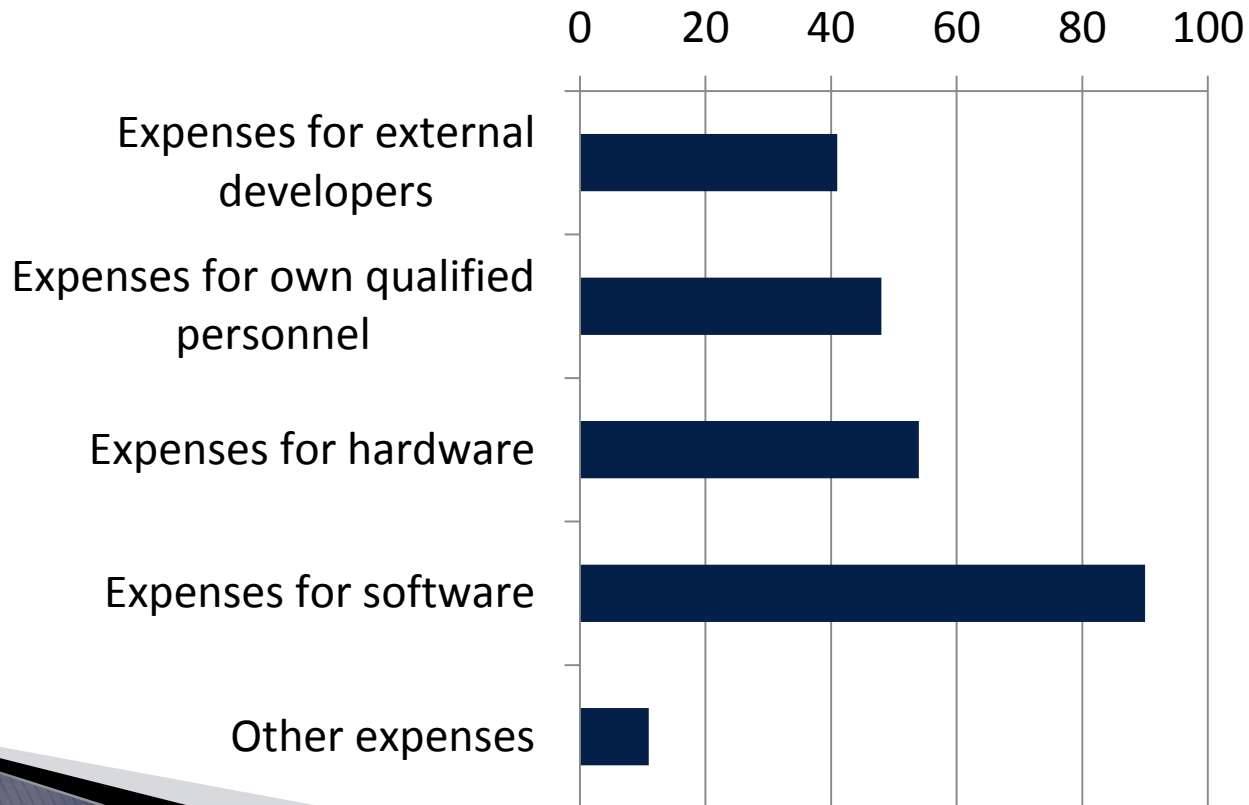
2. Reception

Survey of lawyers at the 68th German Lawyers' Conference in 2017 under the motto "*Innovation and Legal Tech*" (figures in percent, multiple answers possible).



2. Reception

According to a survey of 200 German commercial law firms conducted by JUVE Publisher in 2018, the following picture emerges as to where expenditure on legal tech is going (figures in percent, multiple answers possible).



3. Implementation in the mandate handling

3.1 Before processing the mandate

- Web-based information offers to (potential) clients.
- Mandate generation through online platforms / web presences, for "*mass phenomena*" (examples in Germany: flightright.de, frag-einen-anwalt.de, 123-recht.de).
- Development, testing and implementation of software tools.

3. Implementation in the mandate handling

3.2 During the processing of the mandate

- Law firm software
- Portals which enable a systematic processing / search of court judgments.
- Software which can read out "*substantial information*" from machine-readable data sets.
- Software which gives the review at least partly in the hands of the client.

3. Implementation in the mandate handling

3.3 Completion of the processing / follow-up of the mandate

- automated invoicing

- feedback system/evaluation options (also: "*Google valuations*")

**4. Digression:
national / EU digitalisation (E-Justice)**

Situation in Germany

Outlook for Germany

Situation at European level

Outlook at European level

5. Opportunities and risks

- Online platforms: Take or enhance the work or business of the legal profession?
- Improved access to justice for a broader population (easier enforcement of lower sums in dispute).
- Restrictions regarding advertising law are no longer imposed outside the legal profession (ban on single-case mandate advertising, etc).
- Growing dispensability of office staff.
- Automation, outsourcing and streamlining of processes offers the possibility to concentrate on the examining / legal consulting activity.
- Lawyers apply for the mandate, so to speak. Selling off the legal advice?

5. Opportunities and risks

- Effects of progressive legal advice via Legal Tech also regarding fees / amount of remuneration.
- Online platforms address a virtually unlimited number of legal users: Systematically much greater danger of (false) information and damage.
- Destabilization of the confidence of the seeker of justice / damage to the legal system (e-crime). Door opener for dubious providers.

6. Regulation (focus: online advisory platforms)

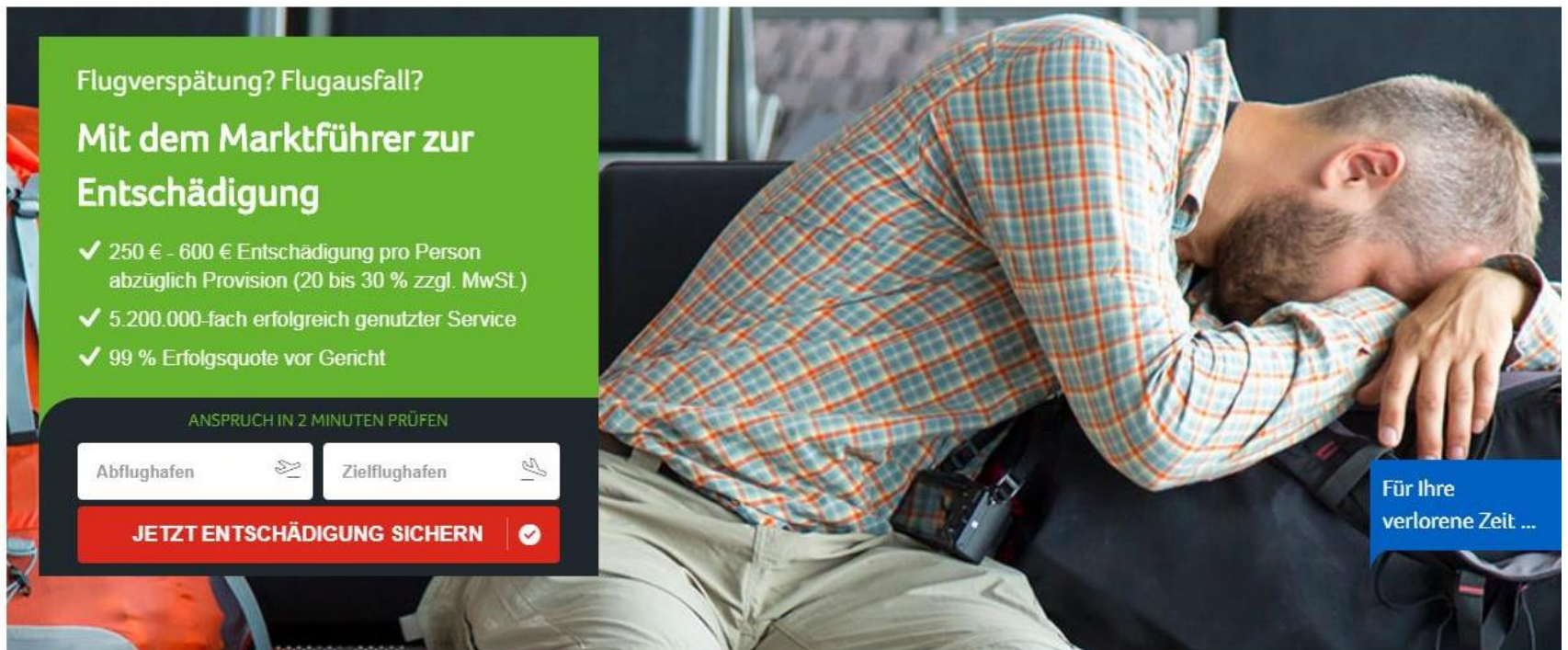
- Need for regulation?
- Many lawyers hope that regulation will lead to the exclusion of "*non-lawyer*" competitors (legal advice platforms, etc). Problem: Regulation provides legitimacy.
- Regulation may be desirable because of the legal "*grey area*", especially with regard to professional requirements and obligations of the legal profession.
- Questions of (professional) liability insurance.
- The asymmetrical regulation or density of regulations between the professional requirements of the legal profession on the one hand and the lack of regulation or depth of regulation for online consultations on the other hand.

6. Regulation (focus: online advisory platforms)



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JETZT ENTSCHÄDIGUNG SICHERN 

Für Ihre verlorene Zeit ...

7. Discussion / Experiences or standards in other countries

Thank you very much for your attention!