mp
managingpartner

Things to come

A day in the life of a lawyer in 2036

At the helm
The fundamentals of
good management

Changing expectations
The role of managing
partners in future

Tunnel vision
Source the best leaders
for your law firm

Big data bang

Eric Hunter discusses how big data is changing the way that law firms and their clients do business

Big data affects everyone around the globe in ways that we do not often think about. When we launch a web browser and conduct a search, log in to our social media platforms or shop online, we're accessing and creating both structured and unstructured data. The same 'data access and creation' applies when we log in to our personal email accounts, regardless of the device we're using.

As consumers, we are searching – but for what? Fortune 500 companies are asking that very same question and

> **"The legal profession needs to accept tracking and predictability as important aspects of data analytics and explore how they can be best leveraged with clients"**

leveraging technology to find out exactly what, why and how we search, to learn about our online behaviours and drive us toward their products and services. This is only a 'tip of the iceberg' example, but big data occurs in many variations.

The sheer analytics power potentially harnessed via consumer and social media search capabilities is the focal point of this article. How is this form of 'common consumerisation' relevant to law firms? The legal profession as a whole? Our clients? And how will it shape our

industry's future, especially future knowledge creation and sharing, as well technology-related investments?

Big business analytics

Will the big data (r)evolution lead to future cost savings and efficiencies to such an extent that senior management should and will take notice? Absolutely, it will. But first, let's examine big data analytics, as seen through the consumer search and social sharing lens, as this is what captures the attention of our news media, fuels consumers' information management interfaces and essentially exemplifies how we communicate as individuals, groups, businesses and societies.

When thinking of big data analytics in the consumer realm and how this might translate to the business of law, it is helpful to think of analytics, their outcomes and social media sharing as synonymous. Why? Because the consumer analytics side of ad revenue is what is driving these social media and search giants' revenue models. Google, Microsoft, Facebook and Twitter want us in their systems because, the longer we stay, the more ad revenue is generated on the consumer and business side.

It's time to face reality. Our search patterns, associated thought processes and personal preferences are becoming predictable and, therefore, marketable, through analysis over time. While the ethical and moral implications of these practices are debatable and increasingly controversial, the legal profession needs to accept tracking and predictability as important aspects of data analytics and explore how they can be best leveraged with clients – the very same Fortune 500 companies that are already using data analytics to establish a competitive advantage.

To take it a step further, how do consumer searching and social media technologies affect global competitive strategies and business-driven initiatives? What innovations will emerge and what potential is there for these technologies to integrate with the enterprise? Whether we're talking about 'search to find it' or 'log in and it's brought to me', in reality, these concepts are becoming one and the same through evolutions in intranets, the internet, social media and data analytics.

> **"Understanding approaches that bridge industry verticals and match practice-specific business sense is one of the future binding aspects to consider in big data analytics"**

Case study examples

Information governance in the legal services industry is already moving forward down this path. Archiving and permanent data integration is definitely already a point of interest. The pattern of searching through this material isn't merely to find it, but to connect dots between numerous data sets.

Let's take a look at some case examples.

Future analytics reporting

At Bradford & Barthel, we run Google apps within our practice and rely on Google's 'push' and competition with Microsoft's Bing and Facebook, among others, to fuel hosted innovation that we can capitalise on through future analytics reporting.

Guess what? Microsoft will provide the same thing through hosted innovations in Sharepoint, Bing integration and the ability of legal-specific vendors already comfortable with Microsoft's products to make the next leap in analytics with Microsoft.

When thinking of the innovations these companies are making in the public sector, translate the innovation potential to the legal enterprise market and the business potential savings involved. The two go hand in hand.

Insurance claims analytics

Another worthy example comes from the area of insurance law. Beyond providing clients with access to its workflows and data, a firm could run analytics on past data regarding litigation history relative to worker injury and run patterns on settlement and payout – essentially providing transparency to what was previously unknown.

In doing so, law firms open up the

ability to bill for analytics on practice-specific client sets and can charge for this transparency, based on evolving analytics and history. The key to this is data accuracy and accessibility – the ability to be able to get at the data whenever needed.

Our firm has launched an industry-agnostic business innovation consultancy purely based on this perspective. Why industry agnostic? Because our clients are global organisations from a variety of industries, and understanding approaches that bridge industry verticals and match practice-specific business sense is one of the future binding aspects to consider in big data analytics.

Let's take another look at insurance and how it translates back to legal. At a legal conference in New York recently, I was struck by the concept of 'velocity insurance'. Essentially, insurance companies track individuals while they drive and establish rate patterns based on real-time driving patterns and behaviours, such as rolling stop signs, speeding and proximity to other cars in the immediate area. All of these are either in play, on the horizon, or being pushed back in concept because of a potential outcry from customers.

Kick this back to legal and a similar approach can be applied to client data, research and real-time collaboration access between work groups, project groups, attorneys and clients. We will then begin to see what I term 'velocity billing'.

Avoiding 'garbage in, garbage out'

Bringing this back to the consumer example, the accuracy of search results from Google, Facebook or Bing are only as accurate as the data within the system. As we begin to run more and more complex analytics through an increasingly complex work process, the integrity and accuracy of the data becomes of the utmost importance. As law firms deal with clients, the integrity of our data has a direct influence on whether we can obtain reasonable and accessible information.

This enables another use of big data analytics in taking legal project management to the next level. We will then be able to accurately predict project rollouts, track efficiencies and track individual user strengths and preferences in ways that only consumer social media has previously been able to do.

> ## "We will be able to accurately predict project rollouts, track efficiencies and track individual user strengths and preferences"

A big legal future

So what is available as we look into the future of the legal industry? Within the next ten years, there is great potential for big data analytics to integrate within our practices as it continues to drive and evolve consumer social media. These analytics will affect our business and staffing models, as well as the way our clients tie into our evolving culture.

It is impossible to look at the effects of analytics without taking into account predictive coding, artificial intelligence and the like. In this 'targeted intelligence' world, predictive analytics and data are leveraged so that each individual's preferences are associated relative to his groups and goals of relative group sizes. This means that defining who, what, where and how we're associated can be tracked and aligned for both maximum efficiency and maximum cost models.

Evolving business models

The account management model adopted by my firm puts this concept into play and demonstrates how business models evolve. Front-line lawyers interact with client-driven panels in the same way that managing lawyers and partners traditionally would. This allows leadership structures outside of the traditional management structure to evolve and come to the forefront.

Managing by client becomes the norm in this model, rather than necessarily managing by specific title or region. Traditional structures become antiquated when joined by analytics-driven processes and client-driven experiences through social media platform enterprise interfaces.

With a continuing eye on this innovation path, our senior management team launched Spherical Models. This is a business model innovation consultancy focusing on interactions with the firm's clients in re-thinking linear approaches to collaboration and social media integration, while leveraging big data analytics integration through multiple collaboration points.

The concept of Spherical Models is moving business models forward in tandem with outside consumer market forces driving consumer analytics, big data analytics and the resulting behavioural changes and business processes that will continue to evolve over time.

Future considerations

The idea of a more 'connected' globe is more relevant now than ever before. And, again, the associated privacy concerns are more relevant than ever before as well. While the business benefits are all very well and profound, what are the privacy challenges for clients, law firms and consumers?

Will individuals working for organisations want to experience an environment where every webpage they visit on any device in any search or social medium can be run and correlated as part of a user identity package, and what influence will this have on work productivity, analysis and relevancy?

Will organisations continue to push more 'free time' to pursue personal interests once the ability to track and run analytics can create an accurate analysis of creativity and work performance? What will tie us closer to our clients, social circles and ability to interact and perform?

How will the regional differences in privacy, where data must reside, and the associated legislative decisions, affect the ability of information-sharing economies to become more competitive than others? How are global organisations reacting?

All of these questions are ones that we need to ponder as we move forward into the analytics future.

Let's take a last look at the potential future of big data analytics. A large part of that lies in the integration of artificial intelligence and predictive coding with both traditional and social search. This next evolution in search and social sharing is already taking place – we see it every day through our consumer interfaces.

Analytics and big data can create an environment where all meetings and interactions are captured on video, archived, recorded, searched and played back at any given time. Whether it is a phone call, a Skype session or a video session, traditional time spent on specific tasks is accelerated.

Big data analytics in the social arena accelerates collaborative sharing and has the potential to exponentially shift productivity and efficiency, staffing models, research and problem solving into a whole new world of probability. We're already moving into an era where everything is online, including ourselves.

With the continuing ability to capture everything on camera and video, the ability to run facial and verbal analytics real time anytime (from devices ranging from sunglasses to automobiles with the ultimate potential for biological integration through bloodstream or neural interfaces) is trending forward.

It may seem like science fiction, but that future is coming. But, until we reach science fiction or Ray Kurzwell's predicted singularity, integrating business and legal with the constant evolutions in social media and search through big data analytics will be a continually evolving role for both C-level executives and managing partners. ᵐᵖ

Eric Hunter is the director of knowledge, innovation and technology strategies at US law firm Bradford & Barthel (www.bradfordbarthel.com)