
Finding a Lawyer in the 21st Century:



A VISION FOR AN ETHICS-FOCUSED, BAR-BASED
ALTERNATIVE TO COMMERCIALIZED ONLINE SITES

State Bar of Michigan Lawyer Referral Service

Traditional ABA Model LRS program – i.e., for consumers who can afford to pay for legal resources:

- State Bar of Michigan LRS operators answering calls – \$20 for 30 minute consultation – but few attorneys charged the fee
- 70% never charged fee; only 6% always charged fee
- Referral was by US Mail to panelist – panelist could not contact caller
- Minimal use of technology

Panelist details

- Panelists Nos: Averaged 284 during 2009 – 2016 period
- Annual cost of \$75
- Percentage fee: 10% of any attorney fee of \$250 or more
- Malpractice insurance - at least \$100,000 per occurrence and \$300,000 aggregate

Revenues: 2009 – 2016 (incl. Panel Fees)

Average during period: \$119,500

Median during period: \$121,500

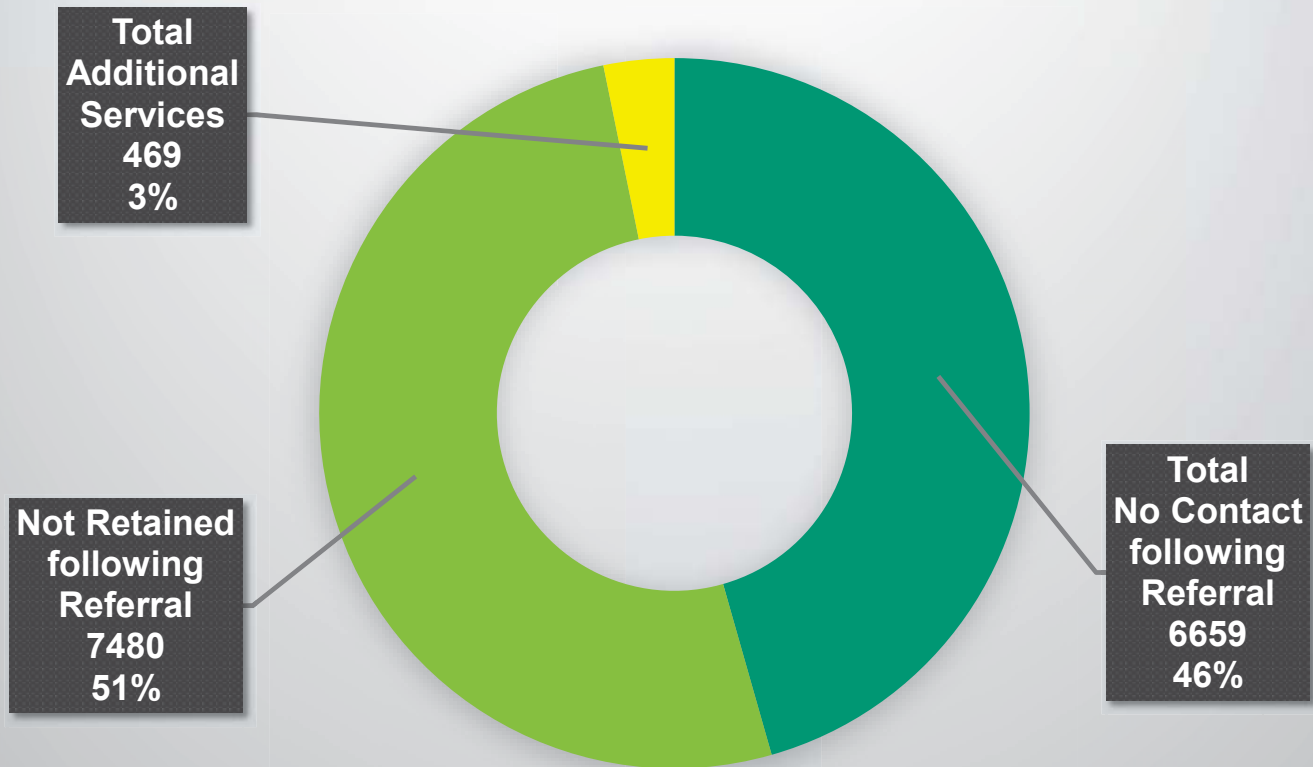
Callers:

Approximate monthly average of 1225 (weekly average of 283 callers)

Shortcomings of Traditional SBM LRS program

- Failed to use cost saving technology to increase efficiencies
- Failed to respond to consumer's move to Internet for finding attorney
- Designed for those who can afford legal services but used as free legal aid source
- Only minimally effective in primary goal of linking consumers who can afford legal assistance with a lawyer
- Doesn't provide resources for those who cannot afford traditional legal services

SBM Lawyer Referral Experience in Michigan 2015— A Partial Look



Recently launched State Bar of Michigan Pilot LRS Service (March 2017)

Goal:

Use Pilot to test different initiatives and to serve as bridge while fully updated Online LRS system is designed and built

Primary Features:

- \$25 administrative referral fee to SBM for up to a 25-minute consultation with a panelist
- Administrative fee waived for tenants, Social Security and workers' compensation claimants, and personal injury plaintiffs
- LRS Technicians collect administrative fee at time of call
- Callers can grant attorney permission to call them (panelists to call within two business days)
- Emails immediately generated to panelist and to caller (if caller provides e-mail; otherwise letter)

Early Returns:

- June 2017: 1227 callers
- June 2017: 199 paid referrals, 289 waivers
- Too early to draw conclusions on percentage fees

Three hallmark features of the new lawyer referral system:

- System integrates and works with other major state resources that serve specific target populations.
 - Integrates with the enhanced online directory powered by Zeekbeek, which allows much greater search capability to achieve better attorney-consumer matching, and much more information about each of the attorneys for consideration by the consumer.
 - All of the backend tracking and reporting functions are built directly into the system so that additional software programs to manage the lawyer referral system process are not necessary.
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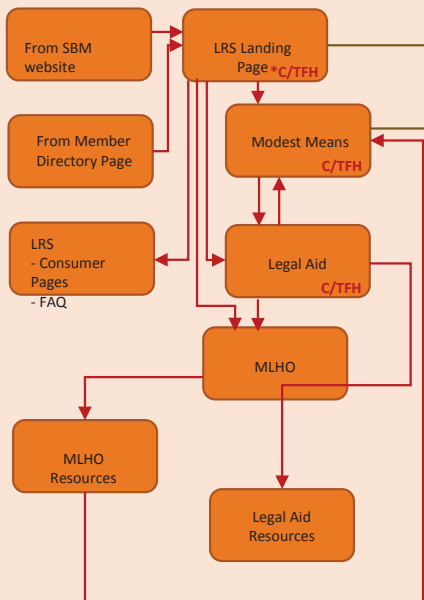
Unique and customizable Triage System modules provide:

- ✓ Intuitive questions to get clients to the right help.
 - ✓ Online scheduling.
 - ✓ Conflict of Interest checking.
 - ✓ Bar association administrative management system.
 - ✓ Online management system for attorneys, including panel registration
 - ✓ Client surveys.
 - ✓ Reporting and statistical information.
 - ✓ E-Mail notifications for client and attorney.
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Proposed User Access Flow for an Online LRS Portal

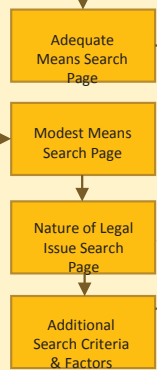
1. SORT:

USER SORT, INFORMATIONAL



2. SEARCH:

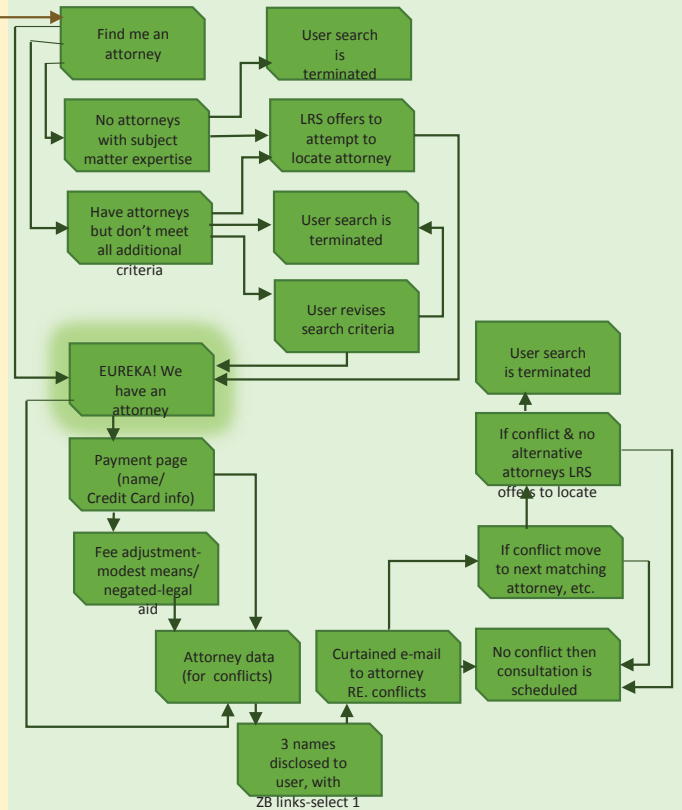
VETTING, IDENTIFY LEGAL ISSUE, OTHER SEARCH CRITERIA



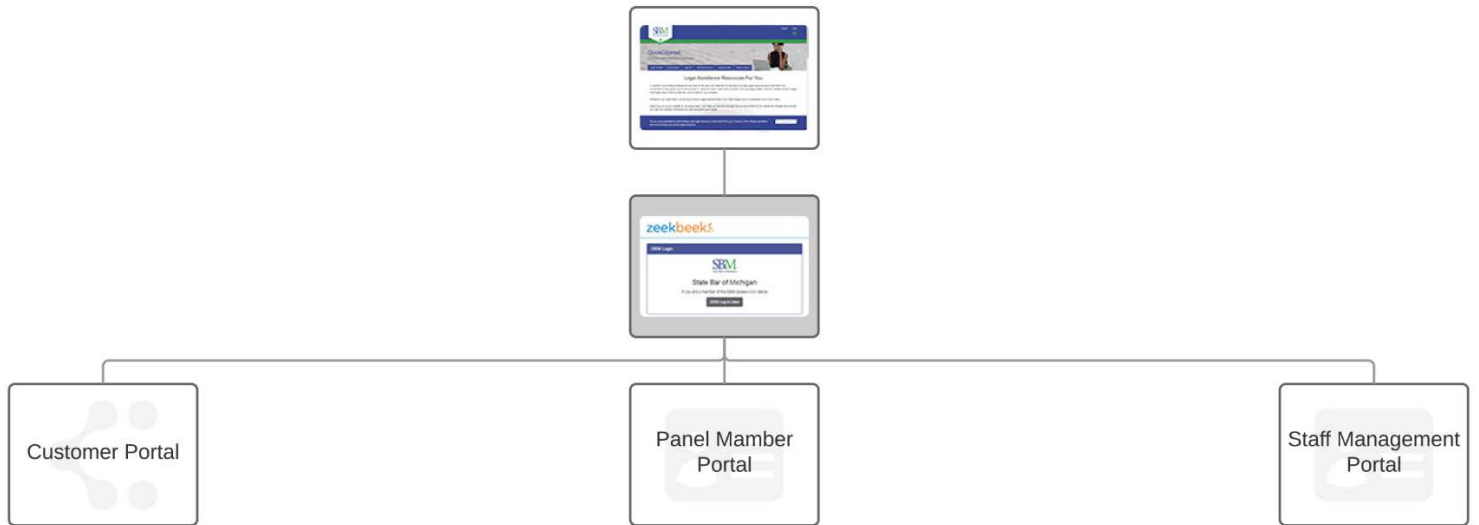
Can call or text for help

3. SCHEDULE:

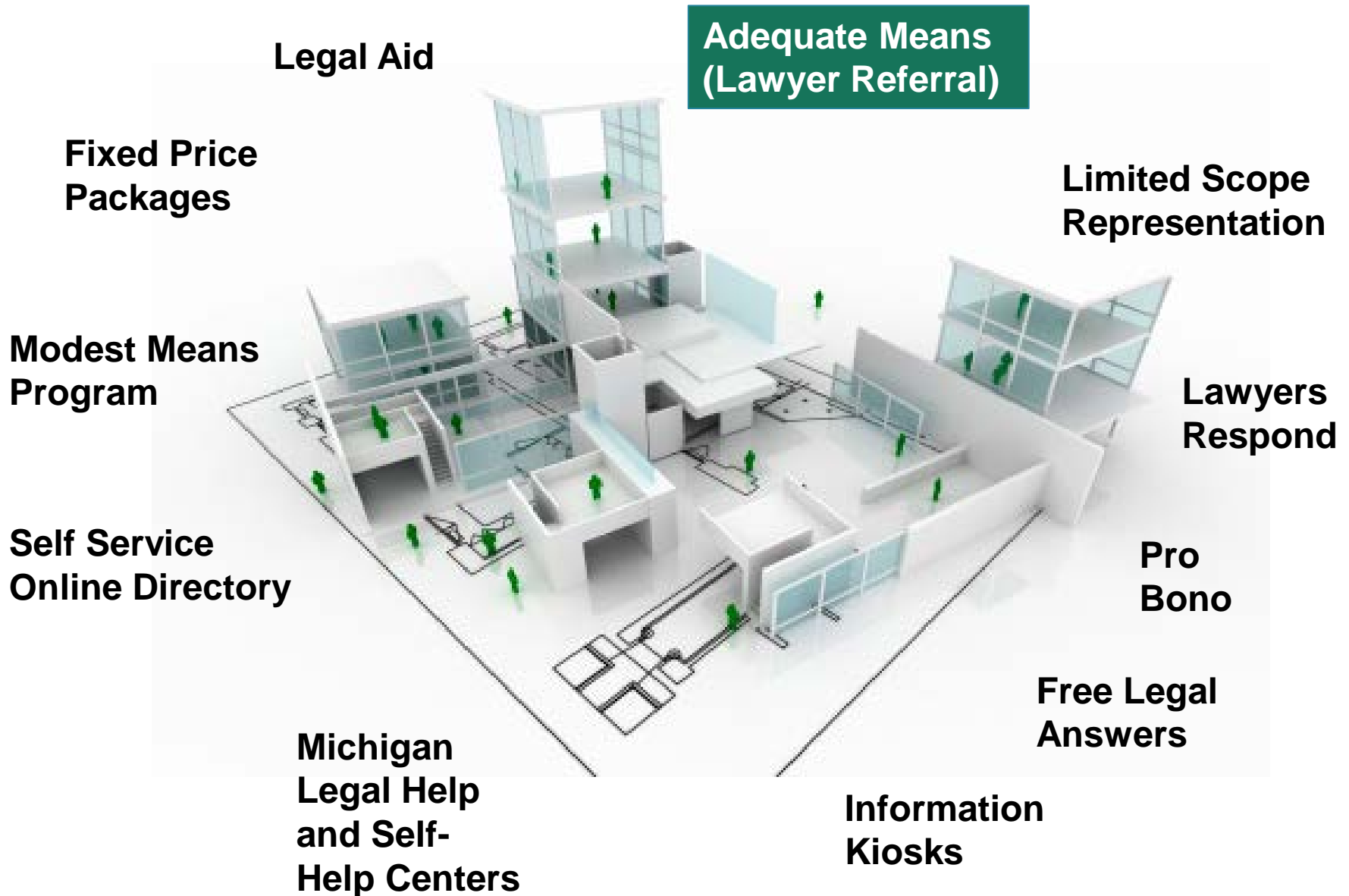
LOCATE ATTORNEY, RESOLVE CONFLICTS, SCHEDULE CONSULTATION



Overview LRS System



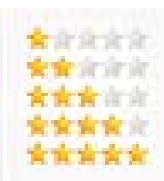
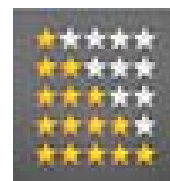
Public Online Legal Resource and Referral Center



A Call to Arms

Assumptions

- The Internet will become the primary place for the public to find legal services
- The sites that will dominate will be best at search engine optimization (SEO), credibility, and user satisfaction
- Bar directories have credibility but lack the convenience & content the public wants
- Users expect quick, relevant content but need help to know what's relevant, credible
- The dominant sites will shape how the public perceives lawyers in the 21st century
- Some popular shopping tools, esp. lawyer ratings, are ill-suited to choosing a lawyer
- Bar associations have not capitalized on their value in the online lawyer marketplace
- Our value is exponentially increased if we work together on a single platform



A state based LRS program cannot compete with a national commercial LRS entity.



If we don't join to form a nationwide network of state and local bars cooperating to form a national legal directory and LRS program, we will be minimized by national commercial entities, to the detriment of our members and the public.

In the face of the competition, bars need a common, effective branding message about the value of legal services, and aggregate our databases, expertise, and knowledge behind that message in a common platform, collectively manage consistent with professional ethics.

If we fail, the public will come to identify and choose lawyers the same way they locate and choose hotels and restaurants, to the detriment of the public and the profession.



Lawyers \neq Shoes, Bars, Hotels

statement of PRINCIPLES

The members of the CloudLaw Consortium adopt the following operational principles concerning the development and maintenance of a public access consumer information network as essential elements for carrying out their **access to justice** mission in the 21st Century:

- **Collaboration between bar associations, court systems, legal aid and pro bono, and social service networks enhances the value of the information provided to the public and bar association members alike. The CloudLaw network is being built to help create and integrate into a seamless national triage network of legal and related services.**
- **Attorneys and law firms alone should individually control, and maintain responsibility for, the promotion of their own legal services by deciding the content of information presented about them in the online network.** Specifically, the only information ever available to the general public is:
 - Basic, verified licensing information from the lawyer's licensing entity (i.e., status and contact information)
 - Information uploaded to the member's enhanced profile by the member or an authorized agent of the member
 - Information provided by a client if the member has chosen to accept reviews
- **Single numerical ratings of lawyers are inherently misleading and will never be used.**
- **Attorneys will not be able to pay for advantageous positioning on search displays nor will advertising for one attorney ever be placed on the profile page of another.**
- **Individual reviews by actual clients can be a useful consumer tool and should be available, if consistent with the ethics rules of each jurisdiction, as a marketing option for individual lawyers.** If a lawyer chooses the option of reviews, consistent with the jurisdiction's ethical requirements:
 - CloudLaw will independently verify the status of the reviewer as a client of the lawyer before the review is posted
 - The lawyer may post a response to the review
- **For the CloudLaw network to be the most complete and trustworthy consumer resource on legal services it must also help lawyers market their services ethically. Ethical practice tips and tools will be developed by each state's consortium members and built in to that jurisdiction's network site.**

Finding a Lawyer in the 21st Century: A Vision For An Ethics-Focused, Bar-Based Alternative To Commercialized Online Sites

Assumptions

- The Internet will be the primary method for the public to find legal services.
- Search engine optimization, credibility, and user convenience will determine which sites prevail.
- The way in which information is presented on the SEO-dominant sites will be the main force in shaping the public's perception of the legal profession in the 21st century.
- As sites fight for dominance, those that have familiar, popular user-convenience tools that have become the norm on commercial shopping sites will have an advantage over those that don't.
- Some popular customer shopping tools are ill-suited to choosing legal services. Client feedback, endorsements, and ratings in the context of legal services can be a threat to the quality of legal services and thus must continue to be managed, and managed more effectively, through regulatory mechanisms.
- Current state and local bar-based find-a-lawyer Internet services (directories and lawyer referral services) will not be able to compete with national services due to an SEO disadvantage.
- State bars have unrealized, non-monetized value to contribute to the find-a-lawyer Internet marketplace, and that value is exponentially increased if state bars work together on a single national directory.
- Unless state bars and regulators aggregate their databases, expertise, and knowledge behind a single lawyer-locator service and collectively manage the evolution of that service consistent with professional ethics the public will come to identify and choose lawyers the same way they locate and choose hotels and restaurants, to the detriment of the public and the profession.

Elements of a Competitive, Bar-Based Lawyer-Locator

- National directory is built through the membership database of participating state bars
- Evolution of the directory is guided by a consortium of the participating state bars
- Basic directory profile is available free to every member of a participating state bar
- Each lawyer is responsible for his/her own profile content and is subject to the ethical requirements of the lawyer's licensing jurisdiction(s)
- Popular Internet customer tools (client reviews and ratings) are re-designed by the consortium to make them better fit the context of the legal profession, e.g.:
 - Lawyer chooses option of reviews/no reviews, cannot control content if accepts reviews
 - Service confirms that review comes from actual client before posting
 - No single number rating
 - If lawyer chooses review, site encourages feedback on important lawyer qualities, to help educate public expectation about lawyer quality (e.g. reliable, responsive, good listener)
 - Lawyer to lawyer component focused on specialty and niche practice areas
 - No competing attorney advertising on profile pages
- Participating state bars can customize the service.

Economics of a National Bar-Based Lawyer-Locator

- Revenue source for service provider: premium services (e.g. assistance in profile development) to lawyers and/or a service charge to the participating state bar for the cost of offering the free member profile
- Revenue for bar associations: % of premium services purchased by lawyers within the state
- Additional revenue stream as incentive for bar associations that are early adopters