



# CCBE Info Special Edition

## Innovation & Future of the Legal Profession Paris - 21.10.2016

### Editorial- Invent our own future

The conference organised by the CCBE on 21 October in Paris was, according to both speakers and attendees, a great success. It showed that a dialogue was possible between platforms, artificial intelligence inventors, creators of websites, LegalTech experts, and lawyers. We understood that lawyers, supported by Bars and Law societies, must utilise new technologies, initiate innovation, lead research, and create conditions for new services for the benefit of new clients.

We now know better the challenges imposed by new technologies, as well as new expectations of clients. We know that we will need a long-term vision for our profession, and that we must not follow the market with its ups and downs. Over the next five or ten years, artificial intelligence will carry out numerous tasks that were traditionally performed by lawyers. We will be in competition with robots, with ultra-performing softwares that provide low-cost services. We are not ignoring the fact that predictive justice, allowing the prediction of outcomes by analysing existing judgments by a judge or a jurisdiction, will develop and will be used by ministries for budget reasons, and by judges for reasons of ease or necessity.

We learned that we must be trained to carry out this research for innovation, for the knowledge of the future. All lawyers must be aware of these changes.



We must therefore invent the future of our profession, of our activities, of our law firms, and of justice. Each roundtable, focused respectively on justice, legal services, law firms, and bars and law societies, allowed us to determine clear paths of action for our future. Each participant went back, to his law firm or his company, with a clear understanding of what will happen and what he must do.

What is left is to integrate all this information in European bars and law societies, and in the CCBE. We must especially make sure that this new information, this willingness to innovate is integrated into the training of lawyers. It's through both initial and continuous training of lawyers that we can show the vigour of our profession in the practice of innovation and in the excellence of our services.

Our challenge is simple: integrate new technologies and innovation, but remain true lawyers.

**Michel Benichou**  
CCBE President

## PRESENTATIONS

On 21 October 2016, the Council of Bars and Law Societies of Europe (CCBE) organised a major conference in Paris on “Innovation and Future of the legal profession”, which brought together more than 300 lawyers, academics, institutional representatives, legal services providers, and journalists from 36 different countries around the world.



CCBE president, Michel Benichou, [began the conference](#) by reflecting on the concerns of the CCBE regarding the European Union and the rule of law in Europe. He reminded the audience of the importance of judicial cooperation for the protection of citizens, the need to improve defence rights, and the firm commitment of European lawyers to insure free movement of lawyers between the United Kingdom and the European Union in the wake of Brexit. He also highlighted that Europe must to play its part in the provision of help to migrants and their access to justice.



Mr Benichou then welcomed Mr Jean-Jacques Urvoas, the French Minister of Justice, who delivered the [keynote address](#), and who insisted in his speech that the questioning of the rule of law would be both a grave mistake and a strategic error. It would be inconceivable for him to call into question professional secrecy between lawyers and their clients, a principal which is at the very foundation of the rule of law.

Mr Benichou and Mr Urvoas then awarded the very first CCBE Innovation Prize to Mr Jean-François Henrotte, a Belgian lawyer very engaged in the field of innovation both in his own law firm and his Bar.



In preparing for this conference, the CCBE and AIJA (International Association of Young Lawyers) conducted a survey on “What do young lawyers think about the future of the legal profession?”. The results of this survey were presented by Orsolya Görgényi, Immediate Past President of AIJA. This study showed that 60% of young lawyers think that the biggest threat for the future of the legal profession is lawyers themselves, partly due to their resistance to innovation. Ms Görgényi highlighted that lawyers will need to change their attitude towards innovation if they want to be able to address the challenges that face the profession.



Before launching the first session on the Future of Justice, President Michel Benichou introduced the Challenger Panel, composed of Neil Rose, editor of Legal Futures, and Bruno Dondero, Professor of Law at the Sorbonne. Their role was to ask questions and challenge the speakers throughout the day.



## SESSION 1 THE FUTURE OF JUSTICE

Panagiotis Perakis, chair of the CCBE Access to Justice Committee and moderator for the first session began by introducing the four speakers and asking the question: "what will happen to the justice system as we have known it for centuries in the near future with the rise of new technologies?"

Tiina Astola, Director-General for Justice and Consumers at the European Commission, opened the discussion by stating that the justice system will remain the guarantor of democracy, the rule of law and fundamental rights. She thought it was very encouraging to see that justice systems in the European Union are increasingly harmonised thanks to European laws, projects, and cooperation between Member States.

The point of view of judges on the future of justice was then presented by Nuria Díaz Abad, President of the European Networks of Councils for the Judiciary (ENCJ). The main objectives of the ENCJ include an increase of

quality and transparency of justice systems, an improved interoperability between different justice systems, and a better security for digital justice systems.

Maurits Barendrecht, Research Director at HiiL Innovating Justice, then remarked that despite these optimistic views on the future of justice, there is still a global lack of access to justice for individuals. He added that bars' rules used to defend lawyers against legal start-ups often prevent or discourage law firms from serving individuals. While these rules were created for a good reason, this approach can stifle innovation.



Finally, Jérôme Dupré's experience as a magistrate and founder of a legal start-up (Case Law Analytics), led him to believe that lawyers should take full advantage of new technological tools and should integrate them in their day-to-day practices. He is convinced that the true revolution will not be in the tools themselves, but in the way in which we use them.

## SESSION II THE FUTURE OF LEGAL SERVICES

Thierry Wickers, chair of the CCBE Future of the Legal Profession and Legal Services Committee, introduced the subject of his session by stating that a new way of delivering legal services has emerged with legal start-ups, online platforms, and artificial intelligence before asking the speakers' opinion on the possibility that different legal services could coexist or complete each other.

First, Judy Perry Martinez, Chair of the ABA Commission on the Future of the Legal Profession, presented the situation in the United States where access to justice for poor and moderate income citizens has become a serious problem. It appears that cost consideration is not the only factor, the main problem being that many issues are not even recognised as legal issues by the public. Her conclusion is that there needs to be a better understanding between the legal profession and the public if we want to improve legal services, and therefore access to justice in the future.

In turn, Christian Lemke, partner at Heissner & Struck and vice-chair of the CCBE Future of the Legal Profession and Legal Services Committee, recognised that like any innovation, new online legal services offer advantages (easier access to knowledge, higher productivity, faster dispute resolution), and risks. He then raised several relevant questions: is your provider independent? Will he keep your secrets confidential? Are IT-based solutions able to explain their results? Can IT-based solutions serve to develop the law by telling us if an automatically predicted result is just or not? He said that all these issues must

be properly addressed in order to define the future of legal services.

Christophe Chevalley, General Manager of Rocket Lawyer Europe, gave the example of Rocket Lawyer which was created as a demand from the public was identified, with many people finding it hard to find solutions to their legal issues. Rocket Lawyer answers questions in everyday



language and automates document generation. However, Mr Chevalley was clear that there is a limit to automation, because solving complex legal issues requires creativity and human relation.

Pierre Aïdan, co-founder and director of legal development for Legal Start, then explained that market studies he has conducted prove that there is a need for new legal solutions, and that the main reasons customers use legal tech solutions are simplicity and speed while cost

consideration only comes in third. In France, the demand for alternative digital legal solutions is particularly strong from small companies.

To close the second session, Patrick Henry, Immediate Past President of AVOCATS.BE, looked back through history to show that every major change in an environment induces an evolutionary breakthrough. He also presented AVOCATS.BE's project to develop legal artificial intelligence for Belgian lawyers.

## PRESENTATIONS



The afternoon session began with two presentations. Firstly, Louis-Georges Barret, president of the *Observatoire* of the *Conseil National des Barreaux* (CNB), who presented their project: "24 hours of innovation". He highlighted the fact that innovation is first and foremost about a change in the mindset and a realisation that it is necessary for the survival of the profession. To face up to these changes, lawyers must remain the legal experts.

Secondly, Andrew Arruda, CEO and co-founder of ROSS Intelligence, was welcomed to the stage. He began his presentation by explaining what exactly is artificial intelligence.

Artificial intelligence is a term used to describe four main technologies: machine learning, natural language processing, visual recognition, and speech recognition. These technologies allow us to teach machines how to do a task that was normally carried out by a human.

Mr Arruda then explained that when he was practicing as a lawyer, he noticed that current tools are a barrier for individuals to have access to justice. ROSS is not going to replace lawyers, ROSS is a new tool enabling lawyers to do more with less. Mr Arruda firmly believes that artificial intelligence will be the next evolutionary step for the legal profession.



## SESSION III THE FUTURE OF LAW FIRMS

For the third session, Hugh Mercer QC, chair of the CCBE EU Lawyers Committee, introduced the four speakers and encouraged them to engage in a lively debate on the Future of Law Firms.

The first to present was Bas Boris Visser, Global Head of Innovation and Business Change at Clifford Chance, who believes that in order to embrace change, lawyers must first have an open mind towards innovation, and change their mindset and behaviour. He considers that it is crucial to engage young lawyers in the innovation process since they are more familiar with new technologies than most senior professionals. To achieve that purpose, law firms must set up a positive and innovation-friendly environment.

Jaap Bosman, co-founder and principal partner at TGO Consulting and author of *Death of a Law Firm*, had a different view on the risks facing the future of law firms. His opinion is that the single most disruptive factor in the legal profession is commoditisation. Furthermore, commoditisation is made even more dangerous by the fact that lawyers seem to suffer from "commoditisation blindness". In his view, new technologies are not the problem, they are part of the solution.

Regarding commoditisation, Robert Bourns, President of the Law Society of England and Wales, gave the example of England and Wales, where there is an increasing amount of fixed price work. He is convinced that lawyers will have

a bright future as long as they listen carefully to their clients' needs and how clients define the added-value of lawyers.

Closing the session, Carlos Valls Martínez, partner at *Fornesa Abogados*, highlighted a few concrete elements defining law firms of the future. According



to Mr Valls Martínez, the law firms of the future will be innovative on partner remuneration, they will educate young associates, incorporate good processes in their work, etc. He concluded by saying that society and the rule of law need a reliable profession.

## SESSION IV THE FUTURE OF BARS

CCBE President, Michel Benichou, moderated the fourth and final session. The speakers represented three different continents and brought firsthand experience and opinions on the future of Bars and Law Societies in their respective regions. To initiate the discussion, Michel Benichou asked them a simple question: will Bars and Law Societies still be needed in the future?

Representing Asia, Prashant Kumar, President of LAWASIA, was the first to answer this question. His long experience with legal organisations has taught him that the main challenge for legal organisations today is to become part of the solution for the future, to enable innovation, and not to be a barrier to it. However, this challenge also provides the legal profession with a tremendous opportunity.

Jean-Paul Kitenge from OHADA Bar explained that in Africa, lawyers are becoming entrepreneurs in a demanding market. This can create tensions between deontology and the reality of the market, which is why Bars and Law Societies must adapt in this new context, by supporting and updating training methods.

Martin Šolc, Vice-President of the International Bar Association (IBA), had a more global view and highlighted three major issues that are created by new technologies: the security of client communications; the impact

of new technologies on the substance of legal work; the composition of law firms is going to change, and unfortunately part of the profession will lose their jobs. However, he was convinced that Bars and Law Societies will still have a major role to play in the future as there will be pressure from the electorate to regulate new legal services providers, as well as issues with governments that will try to change basic rule of law.

Last to take the floor was Frédéric Sicard, president of the Paris Bar, who was convinced that the first role of Bars, that which justifies their existence, is social solidarity. The future of Bars is only possible if there is a collective organisation. To take advantage of this collective organisation to defend lawyers, one must convince its members to adhere to it, and for that it

is essential to provide services such as training and access to documentation. However, one must not forget that it is the responsibility of the Bars to encourage solidarity and support innovation.

After having thanked all the speakers and attendees, president Benichou ended the conference by stating that the biggest chance lawyers have in the future is their added-value. This is their competency, their independence, and above all their deontology which can never be imitated by artificial intelligence.







All videos, photos and speaker presentations  
are available at <http://ccbeconference.eu/en/>

We would like to thank our partners

*Nous souhaitons remercier nos partenaires*



INTERNATIONAL ASSOCIATION  
OF YOUNG LAWYERS

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