

LegalTech 2009 - Allvision Review

In 2008, as Charles Christian was unable to make the show, I sounded out the British (and others) contingent at LegalTech to prepare a report on the proceedings. Whilst both Charles (www.theorangerag.com), and the other respected UK commentator, Chris Dale (www.chrisdalelawyersupport.co.uk), were able to attend this year's exhibition, I thought it would add to the overall commentary in this area to reflect on last year's report and try to identify what predictions had come true, where the same themes applied and what was new for 2009. A sort of "something old, something new, something borrowed, something blue" approach.

The one topic that did dominate the whole event was the proposed acquisition of Interwoven by Autonomy. Their lunchtime briefings were packed with people trying to ascertain what would be the outcome of the merger. Though heavy on food (a very nice sit-down lunch was provided, but mainly ignored by delegates) they were light on information. As the deal has yet to be ratified, people were understandably constrained on what they could say, or even hint at, but that didn't stop the many interpretations of what information was given out. Rumour and gossip swirled around the aisles of the exhibition, with each self-appointed expert adding their spins to the latest "fact" to emerge. If we are continuing with our wedding theme, then this was certainly a match that divided people into very definite camps of "for" and "against".

The perennial "old" points are that the show is overly skewed towards litigation support and has too few meeting places, but remains the premier event in the legal technology world for squeezing a month's worth of appointments into three days, networking with key industry individuals and generally immersing yourself in this environment. As was predicted last year and is slowly coming to fruition, expect an increasing trend to suppliers booking off-floor suites or even off-site venues, (the Warwick hotel across the road being a particular favourite) and not bothering so much with booths on the main exhibition floors.

The educational programme is starting to look very bloated and tired. With the exception of certain keynote speeches and the super sessions, the main presentations were apparently very sparsely attended. Whilst the likes of LDSI, Legal Inc and Trilantic had good sized audiences at their panel presentations/debates, particularly Legal Inc's Wednesday's "farewell for Brits" lunch, the main conference streams had under 10 delegates in some cases. A source within the LegalTech syllabus committee acknowledged that the point had come to try and trim the number of streams and their (at times) very repetitious content. Though there will remain a need for education for those entering into the various areas covered by the conferences, the emerging focus will be on new content and more specific trends.

The keynotes were almost a perfect microcosm of the overall programme ranging from the sublime to the totally tedious. Day 1 saw the most stultifying boring opening day on Records Information Management I have ever had to endure, (there is photographic evidence of the author fast asleep at 10:30 in the morning). Yet Judge Facciola's Day 3 Keynote had tremendous substance to it and was eagerly devoured by a wide awake audience. One of the many core issues he covered was that Judicial pronouncements are driving the need for a skilled and proportionate approach to electronic disclosure (or discovery as our US cousins like to call it). This is causing an upturn in the use of technology, particularly the use of early case assessment tools (of which more in a minute). This drives the requirement for lawyers to be able to

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understand and cope with the changes within of this part of the lifecycle, which increases the requirement for capable professional advice.

Will we see the same on this side of the Atlantic? There were certainly some UK commentators that thought the recent spate of judgements in the form of Digicel, Hedrich and Abela, coupled with Senior Master Whitaker's committee's imminent Practice Direction and Technology Questionnaire would trigger a similar situation within England and Wales. More than a few suppliers were certainly hoping this will be the case.

In summary, the Keynotes and super sessions are excellent value, but the programme needs a revamp if it is to compete with the likes of the ILTA offerings.

Some other "old" trends from last year, were also evident, with more evidence of their increasing importance. Larger organisations are continuing to bring information management and disclosure/discovery responsibilities in-house and reap the considerable cost saving and efficiency benefits such a move brings. See Chris Dale's blog for more on this area.

The US migration towards Sharepoint based document management systems continued, given added impetus (in some people's eyes) by the Autonomy/Interwoven deal. That being said, there hasn't been much evidence of this approach making it across the Atlantic to the UK, though that position might change over the next 12 months.

But enough of the old stuff, what was new? Like the Curate's egg, there were some good things and some bad. The good news was that those delegates that attended, had far more purpose about them and knew what they wanted to get from the show. There was a distinct decrease in the hordes of freebie collecting exhibition attendees, identifiable by their Lexis Nexis conference bags stuffed full of pens, baseball caps and other such goodies. Though one UK exhibitor did take to hiding the stand's basket of M&M's whenever one such locust hove into sight.

One new theme that permeated throughout the conference was the constant mantra of "move to the left". This wasn't some barn dance type instruction from a suitably dressed American "caller", but a shorthand phrase to do with focusing on the left hand side of the EDRM model. That is, put far more emphasis on sorting out your data and information processing, before you started feeding into the sausage machine that charges on a per/GB basis. This could be as formal as a litigation readiness project, but also included more tools and emphasis on Early Case Assessment (ECA) alongside culling data on-site or via per/hour professional services. As an example of the interest in this area, the Legal Inc super session on learning lessons on Litigation Readiness from large organisations and applying those to smaller firms was very well received.

A depressing number of suppliers had appropriated the phrase of "getting your ducks in a row", with Autonomy being the main offenders. There were significant flocks of yellow plastic birds emphasising the point all over the exhibition hall, one only hoped they migrated to a recycling facility at the end of the show.

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A new phenomenon was paradoxically the lack of new technology. Whereas last year saw the real emergence and consolidation of early case assessment tools in the analytic capabilities of Clearwell, Nuix and others, this year was all about consolidation. There was very much a feeling that both the technology and the marketplace was going through a stage of "evolution not revolution". Just as the internal combustion engine in a Ford Model T used the same principles as today's engines, but the performance is many fold improved because of a process of general improvement of the technology, so the technology pieces of the jigsaw underpinning the EDRM model are in place, and what will follow now is a set of incremental improvements, rather than a fundamental change in technology. This technology enhancement will be facilitated by an ongoing process of consolidation amongst the suppliers, with the rate of change being accelerated by the ongoing credit crunch and its aftermath.

We had Onsite3 (a US based litigation support company) going into Chapter 11 and being bought by Integreon only days before the show. Another US vendor, SPI, weren't so lucky and went under, almost as the stands were being put up, with their employees learning of their fates over the weekend, by text messages giving them their 1 week's notice. Their booth was pre-paid and was duly erected, only to stand like some Marie Celeste amongst the others, unoccupied and desolate, without even a pen for the freebie gatherers to collect.

However, in a more positive reaction to tougher trading conditions, a number of UK companies were identifying technology that would allow them to expand the services they could offer to clients. As in previous years, we should expect a spate of announcements over the next month or two as suppliers try to grow out of their traditional market. There is an increasing trends towards companies claiming to offer "end to end" services, we will see this time in 2010 how many actually make it and are still around.

A technical trend (in the spirit of evolution not revolution) was in the capture of search terms to show what you had and (most importantly) had not searched, and a resurgence in the understanding and knowledge of search techniques so as to get best value out of ECA.

A final "new" point, though one that could just as well been categorised as "old", was the increasing adoption of Office 2007 by law firms, mainly driven by their clients demanding it. As well as using the core Office programs, there was a lot of focus on the use of Office tools and how to train people in the most cost-effective way. The educational stream on this area had substantive discussions on the use of elearning and strongly argued debates on the optimum manner to deploy the products. This will be trend that cross the Atlantic in a big way over the forthcoming months.

The knowledge/information management conference sessions were, as always, dominated by West KM, but were also overshadowed by speculation on the potential impact of the Interwoven acquisition and how that would impact the searching functionality of the product.

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The "something borrowed" part of this article, sees an the possible adoption by the US of the UK/EU approach of "if you don't need it, get rid of it", driven by the escalating costs over the past few years of processing "junk" disclosure, sorry discovery. If last year the US acknowledged the existence of the rest of the world, this year they started talking to them and realised there were some good ideas out there that they might want to adopt. Again, see Chris Dale's website for more news on initiatives in the international arena. Trilantic's annual review of international data protection regimes and the practicalities of carrying out collection exercises in the varying EU countries was another well received super session.

As to what was making people "blue", other than "it's the economy, stupid", the exchange rate was a pale shadow of its two dollars to the pound of last year. We missed all the fun of building snowmen in central London, though also the travel chaos that came with snow in winter, who would have thought of such a thing! Even the basketball didn't go New York's way.

On a serious note, the omens for next year's show are that it will be a slimmed down version of its former self, but that it will actually gain benefit from trimming down on the "fat" of; duplicative seminars, "here today, gone tomorrow" vendors and time wasting delegates. It will remain as the premier event of the legal technology calendar, and will continue to attract those individuals who need to keep abreast of both the infrastructure of the process, but, most importantly, the people who make it all happen. 2009 was less show and more business, we expect 2010 to continue the trend and Allvision will be there to participate, record and comment on events.

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