

## LegalTech 2010 - Allvision Review

As in previous years, I have sounded out the British (and others) contingent at LegalTech to prepare a report on the proceedings for Charles Christian and the Orange Rag. I have attributed some comments through the article, but am grateful to many more people who passed on their views in a full and frank manner. Having read the article prior to release I see that I have used a lot of military metaphors. I think this is reflective, not only of my background, but also of the sense that the industry has come through a testing time and is now looking forward to a more positive 2010, but that the world will be a more competitive place and victory will only go to those organisations with a good strategy and sound tactics to implement it.

Charles' web site hosted a very comprehensive review of proceedings throughout the three days courtesy of InsideLegal, but it was more focused on the technology element of the show, particularly the litigation support side of things. What I would like to bring to the proceedings is more holistic view of the whole event, and hopefully answer the question one person posed:

"Was it worth braving the -15C temperatures?"

I ended last year's article with the following words

*"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."*

As you would guess from my inclusion of last year's predictions, I'm feeling quietly smug that they seemed to come true. The overall number of delegates and vendors was down, which meant the density of the crowd within the exhibition felt about the same, and certainly the quality of the attendee's was up. A number of firms were talking about deals they had clinched at the show, and it seems that the bag wielding, freebie collecting parasites are now an endangered species (though there were still a couple willing to sit through demo's of things they had no interest in ever buying just to get a USB gewgaw or two).

If last year was slightly febrile atmosphere in terms of a sense of an approaching storm, this was a far more robust recovery mode, there might still be squalls to come, but there was a sense we have weathered the worst. That being said, the undercurrent of job seeking continues to flow, with a number of people from both sides of the Atlantic, expressly there to promote themselves and their availability.

In the past the event has been dominated by the litigation support vendors, however, this was the year that the sleeping giants of LexisNexis and Thomson Reuters Legal (Westlaw) awoke, and went head to head over the launch of their respective next generation of legal research software.

Outside the venue, Westlaw seemed to be winning the propaganda battle with adverts everywhere, free coffee being dispensed by backpacking individuals reminiscent of

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the lager sellers at sports venues, and on Tuesday, even a free lunch from the most popular street cart in New York. Inside the Hilton registration area, Lexis had two enormous video screens to Westlaw's one, with soundtracks pumping decibels at each other for 8 hours solid. Pity the poor guys on delegate reception who must have been praying for earplugs after the first 30 minutes. As ever the carpet on the Lexis stand was thick and luxurious and the size of their booth dwarfed the Westlaw offering. Both had excellent client parties, but what of the products themselves?

Tikit's Ann Hemming will be writing more about this in a separate article, but summarised the contest as a fundamental difference in design philosophy. Westlaw have been working on streamlining the design of their search screens and improving the user experience but have remained with a branded site design. There are a lot of nice new features and a much cleaner look and feel for the new product but it is still intrinsically the same. Lexis have taken a very different approach, instead of trying to own the desktop, they have worked in partnership with Microsoft office and integrated both search and display into the main Office applications. For many years there have been debates about the best way to integrate legal and business research into the day to day work of the busy lawyer and finally we see a real difference between two vendors. It will be interesting to see which approach wins out but make no bones about it, we have seen a strategic change in the legal research marketplace and the war will be won on how users react to the choice before them. Screens, soundtracks and free food will count for nought in this forthcoming battle.

In terms of the main conference programme, last year's mantra of "move to the left" (referring to the earlier stages of the EDRM model) had been replaced with an all but incessant use of "Cloud". I was disappointed that no-one had thought to tie their products into the cartoon "Up", surely most lawyers are grumpy old men who would be better off in a house 10,000 ft in the air supported by a load of deflating balloons? As with most marketing invented buzzes there were some solid products and services under all the froth, but best to wait until light fluffy ephemeral offerings have blown out of town before coming to any decisions.

The conference syllabus does seem to have taken heed of the feedback from last year and improved, though a number of people thought there was still a way to go. Speaking as someone who has only attended the keynotes and free "super sessions" for a number of years, the more vibrant and current material is far more likely to be found away from the main conference rooms. Sessions from Trilantic, Epiq and Stroz Friedberg had participants from the UK such as Senior Master Whitaker, Chris Dale, Jonathan Maas and Vince Neicho and were very well attended. Though a special prize should go to anyone who actually found the "Concourse" which was buried in the depths of the Hilton. Windowless rooms and stuffy atmosphere, it was only the quality of the material that kept people (i.e. the author) awake. See Chris's article [Mixing eDiscovery business with pleasure at LegalTech 2010](#) for more on this.

The Keynotes had improved overall, with none of them as bad as last year's opener, but with mixed reviews throughout. Tuesday's talk from the in-house counsel of was competent enough, but for us parochial non-Americans it did seem a bit of an unquestioned peon to how well Facebook looks after its user's data and privacy. I suppose it is all the developments in the world-wide litigation scene where the US is very much seen as the data grabbing bully of the playground that makes me so cynical

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of this proposition. As with last year, Wednesday's offering was the best and consisted of Malcolm Gladwell (Canadian journalist, author, and pop sociologist) alongside Dr Lisa Sanders (Technical consultant for the TV show *House MD*). In a highly entertaining talk they questioned the assumption that more information leads to better decision making, coming to the conclusion that "better, not more, information is what is needed".

In the rest of the conference streams the eDiscovery education sessions were reasonably well attended, but there still remains too much duplicative material, and sparse interest in the core of the subject matter. The one main exception to this was the Wednesday ILTA half day session on using Sharepoint within law firms, which was packed with interested delegates.

Within the super sessions the trend seemed to be a continuation of the past two years with the US gradually realising there is a world outside their shores. Sadly the international fertilisation of ideas and increasing globalisation of the issues was overshadowed by seemingly backwards steps in terms of the rapacious approach America is taking to overseas data. Expect a lot more conflict in this area.

The majority of the exhibition vendors were (Lexis and Westlaw apart) litigation support companies, with some other offerings as well. However, again in an increasing trend, some companies, such as the UK's Tikit, had deliberately chosen not to man a booth and were engaged in a series of meetings and briefings. Indeed LDM's Monday lunchtime session in the Warwick hotel across the road from the Hilton was a resounding success. Representatives from 7Safe, CY4OR, Hobs Legal Docs, Legal Inc and many others were seen socialising beforehand, but during the event itself disappeared into a round of meetings, briefings and good old fashioned network. As ever, expect new products and sales to emerge from this process over the next few weeks.

At a high level the litigation support world continues to consolidate and products mature, with them all offering similar functionality. There were some trends new to this year though.

The main focus for product development appeared in two areas, either the automation of collections, via various "early" technologies, or the coding of collected items. Both of these elements of the EDRM model are ones where costs can mount almost exponentially, hence the development focus.

Within the first group of Early Case Assessment (ECA) tools, products such as Incept, Nuix, Clearwell, Digital Reef and FTT's Quickcull all seem to have products to watch. Clearwell (which seems to be winning the UK based action from rival Nuix) in particular, had a very impressive stand with a rolling counter showing how much more data (and how much faster) it was processing than its rivals. Not sure of the underpinning numbers but good marketing, and its version 5.5 looks as though it will keep it in front of the other offerings available in the UK.

Both Terry Harrison and Waseema Hendricks from Hobs Legal Docs tipped Equivio's Relevance as one to watch in the processing/de-duplication area.

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On the automated coding front, the Stroz Friedberg offering still seems the product to beat. The issue here seems to be the reluctance of lawyers to accept that software can actually do a better job of coding, let alone an equivalent one, than humans. The continued pressure from clients to cut costs, might cause a few more prejudices to be broken over the next year. Reza Alexander (as always, present in his own capacity and on leave, rather than as a DLA representative) highlighted DiscoveryReady's i-Decision product as a hot tip in this arena. This view was endorsed by Jonathan Maas (also over in a personal capacity), a recommendation that he assures me has nothing to do with him winning a Flip HD video camera in DiscoveryReady's raffle.

Another sign of the maturing of the litigation support market was the growing emergence of forensic tools into more of the main arena, rather than being the preserve of ultra-specialist consultancies. There were several offerings of forensic capabilities, literally in a physical box, though the thought of letting loose untrained personnel, even with a new set of tricks, still causes shivers down any sensible person's spine. Reza had good things to say about BitFlare, and thought this might even offer an option to corporates looking to do their own forensic work before calling in the external option.

An interesting observation from Kevin Sharp of Information Forensic Management was the tendency of suppliers (perhaps not unsurprisingly) to focus on their element of the EDRM model, with little evidence of a significant number actually providing end to end services and/or overall project management. As this is the vacuum that the author tends to occupy as law firms, clients and vendors realise that project don't run themselves, I have to admit to endorsing the hypothesis.

It was noticeable that in terms of the raffle prizes on offer the Kindle was taking over from iPod and iPhone as goodie of choice, perhaps next year the iPad will lead the Apple fight back.

There is an increasing backlash against the Hilton as a venue, with suppliers citing both hiked up costs and poor service/facilities as their main gripes. It seems that this year all the suites normally taken by the larger vendors were pre-sold to one organisation that then tried to pass them on with a very stiff mark-up. Not good tactics as a number voted with their feet and set up shop in adjacent hotels (and moved all their room bookings to add insult to injury). Poor acoustics in conference rooms, the lack of WiFi on the conference floor is becoming a real embarrassment, and how the Hilton gets away with charging \$55 for a packed lunch, that Jamie Oliver would condemn in a heartbeat, is beyond many.

A registration session on a Sunday for those of us who are in town early would be a boon and the perennial lack of places to meet was again highlighted. Perhaps the Hilton could use the (now) unoccupied 3rd floor, build some partitions and offer up meeting spaces on an hourly basis. Even the Warwick came in for some criticism, with a feeling that both they and the Hilton are getting a little bit too complacent.

That being said, these are minor niggles in what, once again proved to be an amazing experience. Outside of the serious side of the exhibition, the even more serious element of having fun was in full swing. Corporate events and parties ranged from playing Ping Pong, whilst slightly inebriated, 10 pin bowling, stunningly attractive

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waitresses at the Digital Reef party, Autonomy taking clients to see Billy Elliot, cocktail parties from IPRO and others, along with the incredible views over Times Square of the Lexis Nexis VIP event. Throw in a helicopter ride, wonderful meals at The View and River Café, exhaustive shopping and general fun that is New York, and once again LegalTech confirms itself as the premier event in the Legal It calendar. To echo Chris Dale, if only UK lawyers would go, they could learn so much.

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