

Voluntary Bar Leaders Conference Participants Recommended Reading

July 10-11, 2015

New Florida Bar President Ramón A. Abadin has promised to use his year in office to address issues that will ensure the continued success of Florida's lawyers in the 21st century. Several of those issues are listed below, along with recommended reading on each topic.

Also, be sure to look at the American Bar Association Journal's April 2015 cover story, "100 Innovations in Law." It's available at:

http://www.abajournal.com/magazine/article/100_innovations_in_law

You also should get a copy of "The Relevant Lawyer: Reimagining the Future of the Legal Profession," published by the ABA's Standing Committee on Professionalism and the Center for Professional Responsibility. The authors of this thought-provoking, 20-chapter book will help you focus on the accelerating disruption of the legal services marketplace and how best to adapt. It's available at:

<http://shop.americanbar.org/eBus/Store/ProductDetails.aspx?productId=187108732>

Uniform Bar Exam:

New York to Adopt a Uniform Bar Exam Used in 15 Other States

http://www.nytimes.com/2015/05/06/nyregion/new-york-state-to-adopt-uniform-bar-exam.html?_r=0

New York Times, May 2015: New York State will begin using a standard bar examination given in 15 other states next summer, making it the largest state so far to adopt what amounts to a national credential for lawyers

The Uniform Bar Exam Debate

<http://www.jdjournal.com/2015/05/22/the-uniform-bar-exam-debate/>

JDJournal, May 2015: Gregory Coleman, (past) president of The Florida Bar, said, "Obviously, New York adopting the uniform bar exam has accelerated this issue — not only for Florida, but for a number of other states. I think you will see the Northeast fall and go to

the uniform bar exam, and then you'll see an acceleration of other states adopting it." Florida is considering a national bar exam, although many are concerned about increasing competition for jobs.

Reciprocity:

Reciprocity fight returns as lawsuits press the ABA-advocated issue

http://www.abajournal.com/magazine/article/reciprocity_fight_returns_as_lawsuits_press_the_aba-advocated_issue/

ABA Journal, February 2014: For the better part of a decade, the American Bar Association has been working to ensure that experienced lawyers looking to practice in another state can do so without having to dust off their old bar exam notes or sign up for a prep course. Despite the ABA's efforts, many states continue to employ restrictive rules — or in some cases, outright bans — when it comes to admitting out-of-state lawyers on motion. While some states have opened the doors to out-of-state lawyers, others have been less accommodating. According to the ABA, 11 states **(including Florida)** do not allow admissions on motion, while another 24 states will admit only lawyers from states that have reciprocity with them.

Florida lawyers call for change

<http://www.floridabar.org/DIVCOM/JN/jnnews01.nsf/8c9f13012b96736985256aa900624829/332f77b7675ffa5785257d8c0046cd71!OpenDocument>

The Florida Bar News, November 2014: Tear down the anti-reciprocity wall that keeps Florida lawyers from practicing in other states without taking that state's bar exam — and vice versa. Change the curriculum so law students receive more practical hands-on experience, rather than just learning to think like lawyers. Those two clear signals were sent from 1,148 Florida Bar members who participated in a [Vision 2016 Commission survey](#) conducted by The Florida Bar in the areas of bar admissions and legal education.

Limited License Legal Technicians:

Washington State Experiments with Legal Technicians

<https://bol.bna.com/washington-state-experiments-with-legal-technicians/>

Bloomberg, June 2015: Other states likely will be watching closely to see how the legal technician experiment plays out. So far, Washington is the only state to create a new class of legal advisor, the Limited Licensed Legal Technician, or LLLT. The first six will have more authority than a paralegal and less than a lawyer when their licenses take effect, expected later this year. State bar leaders are hoping that legal technicians will have less overhead and less debt, and thus be able to charge more affordable rates. Eventually, the state hopes to expand the legal technician program so that LLLTs can also work on elder law, landlord tenant law and immigration law.

Legal technicians filling service gap in Washington

<http://www.lawtimesnews.com/201506154746/focus-on/focus-legal-technicians-filling-service-gap-in-washington>

Law Times, June 2015: The state of Washington is proving to be a leader in expanding the legal model in the United States with its adoption of limited license legal technicians to help address the gaps in legal services in family law. The move seeks to fill the huge gap in access to family law services and includes plans to eventually broaden to other practice areas. And there are indications that other jurisdictions may follow suit.

Limited-scope representation, or “unbundling”:

Unbundled services for civil cases proposed

<http://www.floridabar.org/DIVCOM/JN/jnnews01.nsf/8c9f13012b96736985256aa900624829/1a23ec48c2ceb05585257e7a00448e40!OpenDocument>

The Florida Bar News, July 2015: With the support of new Bar President Ramón Abadin, the Rules of Judicial Administration Committee is recommending a rule change that would allow lawyers to provide “unbundled” services in civil cases – and perhaps in most other types of cases.

Limited scope representation helps lawyers expand practice

<http://www.americanbar.org/publications/youraba/2015/april-2015/limited-scope-representation-helps-lawyers-expand-practice.html>

YourABA e-news, April 2015: Limited scope representation, or “unbundling” legal services, is an alternative to the traditional full-service model where an attorney can limit the attorney-client relationship to a specific task such as document assistance or procedural advice, or for such things as custody or pension issues in family law. Limited scope is not for

every lawyer, nor for every client, nor for every legal issue. But it has proven to be cost-effective for the client, profitable for the attorney and transparent to the courts.

Unbundling Fact Sheet

http://www.americanbar.org/content/dam/aba/events/legal_aid_indigent_defendants/2012/05/national_meetingofstateaccessjusticechairs/ls_sclaid_atj_limited_scope.authcheckdam.pdf

American Bar Association, 2011: Unbundling refers to the practice of breaking legal representation into separate and distinct tasks. Think of unbundling as an a la carte option for legal services, where, instead of handling an entire case from start to finish, a lawyer may handle only certain parts. For instance, a lawyer may provide legal advice and prepare pleadings, while a client handles all other tasks in the case, including filing court documents and appearing at hearings.

Technology CLEs:

Recommendations emphasize technological competence

http://www.floridabar.org/DIVCOM/JN/jnnews01.nsf/cb53c80c8fabd49d85256b5900678f6c/c329fc9c6ec6249285257e1f004795c5!OpenDocument&Highlight=0,*

Florida Bar News, April 2015: The Florida Bar's Vision 2016 Technology Committee is:

- Recommending that the comment to the Bar rule on professional competence be changed to include competence with technology related to a lawyer's areas of practice.
- Planning to recommend that the Bar's CLE requirement be increased by 20 percent, with the extra time being devoted to technology courses.
- Recommending that the Special Committee on Technology become a permanent standing Bar committee.
- Recommending that a new board-level technology committee be created. It would be the first new board committee in years, perhaps decades.

Why It's More Important Than Ever for Lawyers to Get On Board with Technology

<http://www.lxbn.com/2015/05/13/important-ever-lawyers-get-board-technology/>

The Lexblog network, May 2015: Lawyers aren't always the fastest to understand new technology. But it's more important than ever for lawyers to get on board with cyber security, because if they aren't careful they could be the weak link in a very long, high-profile chain.

Podcast: Legal ethics expert Andrew Perlman on a lawyer's ethical duty of technological competence

http://www.abajournal.com/news/article/podcast_legal_ethics_expert_andrew_perlman_on_a_lawyers_ethical_duty/

ABA Journal, April 2015: In this podcast, recorded on site at ABA Techshow, Andrew Perlman speaks with Legal Talk Network's Laurence Colletti and the ABA Journal's Victor Li.

Non-lawyer ownership of law firms:

Should Non-Lawyers Own Firms? Do They Already?

<http://abovethelaw.com/2014/01/should-non-lawyers-own-firms-do-they-already/>

Above the Law, January 2014: With the rest of the world embracing new structures to permit nonlawyer ownership — and [empirical evidence](#) suggesting that those models raise *fewer* ethical concerns than the alternative — some argue that the U.S. firm model stifles innovation and cripples international competitiveness.

OK nonlawyer ownership of firms, says Canadian bar

http://www.abajournal.com/news/article/canada_nonlawyer_ownership_of_law_firms

ABA Journal, August 2014: The Canadian Bar Association has recommended that nonlawyers be able to own law firms. The CBA is a voluntary group, and the Canadian legal profession is regulated by various provincial and territorial law societies. "What lawyers do is as crucial as ever, but how we do it needs to be updated and quickly," said Fred Headon, an assistant general counsel at Air Canada and president of the Canadian Bar Association. The Law Society of England and Wales in 2007 opened up law firm ownership. It's also allowed in Australia. If the recommendation is implemented in Canada, lawyers and accountants could start businesses together, and large retailers could open storefront law offices. (The regulator of Ontario's legal profession says it will not have a position on whether non-lawyers can take equity ownership positions in law firms before 2016.)

Helping law schools adapt to a changing market:

Law schools fund firms to train recent graduates

<http://www.chron.com/news/us/article/Law-schools-fund-firms-to-train-recent-graduates-6326414.php>

The Associated Press, June 14, 2015: A tight job market for new lawyers and a push to make legal representation more affordable have prompted law schools in California and other states to fund startup law firms to provide recent law graduates with training opportunities to hone their skills. About two dozen "legal incubators" and fellowship programs have cropped up nationwide in recent years to teach a few select law graduates the basics of legal practice and expand services to people who otherwise couldn't afford a lawyer.

Apps for legal services:

20 apps to help provide easier access to legal help

http://www.abajournal.com/magazine/article/20_apps_providing_easier_access_to_legal_help

ABA Journal, April 2015: Which apps are aiming to help close the access-to-justice gap? Here's an overview.

The Florida Bar's Vision 2016 Commission:

Link: <https://www.floridabar.org/vision2016>

Results of the Vision 2016 Commission Survey on Legal Education and Bar Admissions:

[http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/340023700775998385257DD6005DE27A/\\$FILE/Vision%202016%20Commission%20Survey%20-%20Final%20Report.pdf?OpenElement](http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/340023700775998385257DD6005DE27A/$FILE/Vision%202016%20Commission%20Survey%20-%20Final%20Report.pdf?OpenElement)