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The changing nature of the legal services market and the implications for the qualifying law degree

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Summary

There are a number of factors influencing changes to the legal services market, (Mayson 2007), not least amongst them the Legal Services Act 2007 (LSA) and the advent of alternative business structures. Further influences include the disruptive legal technologies discussed by Richard Susskind in the *"The End of Lawyers?"* (Susskind 2008).

It is submitted that with the advent of increasing legal process outsourcing (LPO) that the legal services market is changing, stretching and polarizing with fewer expert fully qualified solicitors and barristers at one end of the scale, and, more "paralegals" with a range of different definitions at the other end of the scale. It is also suggested that private practice will look different; the range of careers open to those with knowledge of law and legal research will alter.

The market is being influenced by the disruptive legal technologies. We have closed legal communities with Legal OnRamp. (This is a collaboration system for in-house counsel and invited outside lawyers and third party service providers. There are lawyers participating from over 40 countries, and a rapidly growing collection of content and technology resources. Basic services are free, so all members are expected to contribute to the community as a whole. See <http://legalonramp.com/>). There are ever more sources of law to interpret and evaluate. The lawyers of the future, it is argued by Furlong (2009), will need an understanding of project management skills and web 2.0 technologies and ever greater research skills.

Should the potential changes being initiated by the LSA and mobile technologies be taken into account in learning and teaching strategies? Should the structure and content of the law degree alter? This article will discuss possible impacts of these initiators of change.

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Introduction

There has long been a debate, (see Bradney 2000, Cownie 2003, and Watt 2006 for a small taste of the discussion) over the principal aim of the law degree. Should we take account of the employment prospects of students, particularly within the legal profession, or should we provide an academic environment that equips the student with intellectual skills and a sense of moral values as an end in itself? There is strong demand for law degrees amongst students with law being the third most popular choice in last year's UCAS round of applications. However, since there is a choice, that demand is for a *qualifying* law degree and thus we are constrained by the requirements of the profession in order to satisfy what they consider should be part of the academic stage of training. We are free to offer non-qualifying law degrees shaped as we wish but that is not what the market apparently desires. With the Browne Review on funding just published and the Government White Paper awaited there will be considerable pressure from the market on all degrees. Universities are expected to set their new undergraduate fees in March 2011 and there is considerable uncertainty over student response to the increases.

With that thought in mind it might be worth mentioning the findings of a recent report, (Sullivan 2010), into the barriers of entry into the profession commissioned by the Legal Services Board. The major issues, as far as the aspiring applicant are concerned, are choosing the right A levels, gaining work experience, selecting the right university and applying to the right firm for training. All of these depend upon good advice and information and tends to prevent those from lower socio-economic backgrounds from joining Russell Group universities despite good academic results. Thereafter, according to Sullivan, who highlights research commissioned by the Law Society (Rolfe and Anderson 2003:22), the barriers are compounded by the cost of the LPC and by firms apparently willing to disregard academic achievement in favour of selecting those universities that the partners themselves attended. It is not possible to draw conclusions as to why university is more important than academic achievement. It may support the argument that content of the law degree is immaterial or it may support the argument in favour of the liberal law degree.

It is suggested that there should be no division between the ‘liberal’ or ‘academic’ degree and the ‘professional’ or ‘vocational’ training since all are concerned with instilling lasting and transferable skills in our students. Hepple’s inaugural lecture published in 1996 in the Cambridge Law Journal argues strongly for a merging of the academic with the vocational supporting the view of the First Report on Legal Education and Training by the Lord Chancellor’s Advisory Committee on Legal Education and Conduct (ACLEC).

“The Report suggests that all stages of legal education and training should aim to achieve intellectual integrity and independence of mind, knowledge of general principles, nature and development of law and of the analytical and conceptual skills required by lawyers, an appreciation of the law’s social, economic, philosophical, moral and cultural contexts, as well as a commitment to legal values.” (Hepple 1996: 479)

A historic accident caused the original division (See Gower 1950 and Ashford 2006). More recently Professor Jonathan Shepherd has called for a merging of law research, practice, and professional training following the example of the medical profession who have practitioner academics in medical schools. (Shepherd 2010) It may be that the current strong demand for qualifying law degrees, despite the reduction in training opportunities, will diminish and trigger a new debate.

The Legal Services Act and its possible impact on the market

According to Law Society research published in 2009 the gross annual fees from private practice as at 31st July 2009 amounted to £19,379 million (The Law Society 2009). The publicly funded legal services market is under threat from government cuts and this may cause the profession to withdraw from this market allowing the third sector to move in behind it.

We have increased methods of virtual delivery of legal services (see Venables 2010 for a list of firms selling legal services directly from their website) but it can be surmised from the limited growth in virtual firms discussed regularly by Delia Venables in her online journal, Internet Newsletter for Lawyers (<http://www.venables.co.uk/newslett.htm>) that few high street firms have looked into the new options. The demand for virtual delivery, however, is supply led since research commissioned by the Ministry of Justice in March 2010 shows that clients choose solicitors by reputation (Finch, Ferguson, Gilby, Law 2010). In this survey, conducted by the Dept. of Innovation and Skills, of 939 interviews 34 per cent used legal services in the last 3 years, of which 50 per cent used conveyancing, 21 per cent wills, 17 per cent probate, 15 per cent family and 11 per cent personal injury. Of these 75 per cent found providers in 3 ways: recommendation, past experience, and referral (see p.12). Only 5 per cent solicitors were found through advertising and 5 per cent by searching (p.12). Thus, despite widespread use of IT, word of mouth is the most important factor and this report comments that it may be difficult for new entrants to break into market (p.13). It remains to be seen how big brands, discussed below, will enter the market and generate demand.

The Legal Services Act 2007 (LSA) will permit alternative business structures after October 2011. We are awaiting the publication of regulations for the detail but we know the framework. Furthermore, the Act has established the Legal Services Board (LSB) which has been hard at work setting out its objectives in both the short and long term. It has published its 2010/11 research priorities and these include assessing the appropriateness of legal services qualifications (para 82 Final Business Plan 2010/11). One of the eight regulatory objectives, as established in section 1 LSA, is “encouraging an independent, strong, diverse and effective legal profession”. Thus it is concerned both with outcomes focused regulation and also the education and training of the legal profession.

Alternative Business Structures – the basics

The major innovation of the LSA is to allow external ownership of legal services. Part 5 LSA provides that any business wishing to structure itself as an ABS must apply to the relevant licensing body for a license. Schedule 13 Para 1 provides that a fitness to own test must be applied where non-authorized persons will have a material or controlling interest. Section 18 LSA provides a definition of authorised person (a person authorised by an approved regulator or a body that has been granted a license). The Act further provides (in s14) that it is an offence for a person to carry on a reserved legal activity unless authorised. Section 12 Schedule 2 LSA defines reserved activities as: rights of audience, conduct of litigation, reserved instrument activities (conveyancing), probate, notarial activities and administration of oaths.

Professor Mayson has written a strategic discussion paper for the Policy Institute (Mayson 2010c) on the history and rationale of reserved activities. This is likely to spark a new debate upon the nature of regulation of legal services because very few of the most common and financially rewarding legal services (those based upon transactions such as mergers and acquisitions) are regulated. It is because solicitors offer both reserved and other legal services that everything they provide has the safeguard of professional oversight. However, it is unlikely that the public has a true understanding of which legal services are currently regulated and which can be offered freely in the market (such as will writing or claims management) and this is perhaps something that the legal profession should address in order to secure their market share.

The LSA opens up the possibility for these reserved legal services to be offered by businesses in which non-lawyers are either managers or hold an interest. The business will set out in its licensing application what legal services it proposes to conduct and is not limited by what other business it also will undertake. However those other activities will not be regulated. The regulator will be keen to avoid combinations of business that produce a conflict of interest or harm “access to justice” since this would result in a breach of the regulatory principles enshrined in LSA and may prejudice consumer protection. Anyone who is considered “fit and proper”, according to Young (2009 p1444), can be involved in an ABS. Schedule 11 LSA provides that each ABS must have a head of legal practice that must be a lawyer and a head of finance and administration that can be the same person but does not need to be and also does not need to be a lawyer. (For the latest suggestion see SRA consultation document at <http://www.sra.org.uk/sra/consultations/OFR-handbook-October.page>) Young suggests a number of other regulatory roles in his article

including head of regulatory affairs, risk and compliance and “an officer responsible for ethical issues such as training, client care and conflicts” (Young 2009; 1445). Legal disciplinary practices which include non-lawyers as owners will be encompassed by this regime.

There has been much discussion as to the likely consequences of this “Big Bang”. It has been suggested by Khiara (2010 p.167) that there will be three key issues: external investment in legal businesses, direct licensing by the Legal Services Board (LSB) if current regulators fail to put frameworks in place, and in order to preserve a level playing field, “a wholesale review and amendment of the profession will be required”. If external investment is sought then the external investor will look for an element of control and to have a means to remove their equity. This, according to Khiara (p.168), does not fit with the current models of the “tenancy partnership” (“a high income return throughout the partnership but no capital return – you leave with what you put in”) and the “goodwill partnership” (“in which participants receive equity incentives, separate from their income rights, and where mechanisms are put in place for capital value to be accumulated in the business”). An external investor, Khiara suggests (p.168), would wish to become a “fixed share partner” (“the so-called marzipan layer”) that is repaid before the equity partners. Thus it is likely that the traditional business model will change and practitioners will need to acquire professional business management skills.

The Legal Services Board has published a series of articles that they commissioned “to help us understand the variety of challenges facing legal services” entitled ‘The Future of Legal Services: Emergent Thinking’. Tony Williams, Jomati Consultants LLP, suggests (The Future of Legal Services p.12) that “a ‘business as usual’ approach is unlikely to produce a sufficiently high level of future return to satisfy outside investors”. Young considers that changes to internal management will be required including a continuous examination of “pricing models, cash flows and profitability forecasts”(The Future of Legal Services p.13) together with “non-executive representation on the board” (p.13) by investors. It is Williams’ view that these changes will be required regardless of plans for external capital investment in order to survive in a market where competitors do have this option and may use it to persuade your most profitable partner and his team to join them (p.14). Professor Stephen Mayson confirms these thoughts. He suggests that there will be a change of business model from the traditional partnership to one that has a variety of aspects that can deliver four things: value for clients, resources both internal and external to the firm in order to meet its objectives, a mind set and process to obtain investment, and a plan to sustain profits (Mayson 2010a p.4).

Not only is it likely that there be changes to structure but also to the services offered by the legal profession. Jon Trigg, formerly of A4e, (a business consultancy that offers “a broad portfolio of employment, welfare, education, training, and business support” to private and public companies), advocates the benefits of integrated services allowing consumers a one-stop experience. It is this benefit that the big brands, such as Tesco and Which?, will have and is one that consumers want. (The Future of Legal Services p.17). This view of a survival strategy is supported by both Nicholas Green QC, former Chairman of the Bar Council, with his procurement companies by barristers (Baksi 2010 p.12), and by Khiara who suggests that the high street will find opportunities in satisfying consumer demand by collaboration with

other local businesses. Carolyn Regan, former Chief Executive of the Legal Services Commission, suggests in her essay for the LSB (*The Future of Legal Services* p.53), that legal aid services of the future will use “virtual networks of providers” and that solicitors should be “more flexible” and provide services in “different ways, with many more partnerships across different professions.”

External investment means not only changes to the structure of existing firms but also new entrants to the market. According to *The Times Raconteur* (2010) and the *Law Society Gazette* (17/6/10) the current front-runners appear to be the Which?, Co-op, Halifax and DAS and also the AA and the RAC. Any legal work that can be commoditised will be including conveyancing and personal injury. The *Gazette* reported in April 2010 (Dean 2010) Richard Langton of Russell Jones & Walker as stating that small ‘pure play’ PI firms will become extinct once ‘big brands’ can offer legal services. Despite these predictions a report commissioned by the Law Society by consultants Oxera concluded (Rothwell 2010) that small firms believed that they were likely to be resilient despite the impact of ABS by concentrating on specializing on “face-to-face contact such as elderly, disabled or high-net-worth individuals or more bespoke advice such as child custody or divorce” (Rothwell 2010 p.2).

Research conducted by Pleasence, Balmer and Reimers at the request of the LSB indicates (*The Future of Legal Services. Emergent Thinking* p.42) that consumers are more likely to seek advice from a solicitor where they see a problem as being legal (such as divorce and personal injury). They were more likely to use the advice sector if they considered the problem to be non-legal. However there was no evidence to show why a problem was labelled as legal or not and the answer to this of course has important consequences (p.42). It may be that solicitors should market themselves in a different way and it may also be that public legal education will have an important impact for the legal service market.

The Bar is under pressure, according to Nicholas Green QC (Baksi 2010), as a result of changes to Legal Aid funding, the Crown Prosecution Service policy of expansion into advocacy, and the growth in competition from solicitors with rights to higher court advocacy. It is his view, that despite being permitted (as from 1st April 2010) to enter LDPs and an ability to maintain self-employed status at the bar whilst practicing in an LDP, most barristers will not consider partnerships. There is concern that conflicts will overrun the cab-rank rule. The answer, he suggests, is for barristers to form procurement companies and provide a direct and more complete service to clients who could instruct them at an earlier stage in the legal issue. Thus the tables could be turned with barristers instructing solicitors. Barristers already have the right to public access and chambers such as Argent Direct have taken this approach. The Bar Council has supported this movement by the publication of guidance notes and model documents on its website.

A new industry in legal outsourcing has arisen as another potential threat to the legal services market. Part of the LSB’s research includes a commentary by Orijit Das of Genpact. (Genpact is a global provider of business processes. According to its own homepage www.genpact.com: “Putting process in the forefront—coupling deep process knowledge and insights with focused IT capabilities, targeted analytics and pragmatic reengineering—the Company delivers a comprehensive client solution.”) Das provides a useful definition of LPO: “LPO now refers to the practice of a law

firm or multi-national corporation obtaining legal support services from either its own captive law department or an external firm or legal support services company.”(The Future of Legal Services p.23) This is often conducted in lower cost countries such as India, South Africa and the Philippines. He gives examples of the type of work and then cites some instances of outsourcing recently in the news: Lovells outsourcing document review to India for a case; Clifford Chance establishing its own centre in India; and Eversheds acquiring Routledge Modise in South Africa to provide LPO for its clients. It remains his view that “no one should think for a second that big players will continue to do routine, commoditised legal work in a high cost jurisdiction.” (Future of Legal Services p.27)

There is a difference in philosophy between law as a profession and law as a business in the view of Professor Stephen Mayson. If it is a business then we are concerned with free market and competition and with value, price efficiency, and greater access by the consumer, consolidation of providers and economies of scale. A profession has a different ethos in that it places protection of the public interest above that of consumer interest. Mayson argues cogently in his essay concerning alternative business structures (Mayson 2010b) that it is on this basis that the legal profession can argue for different safeguards to be put in place for regulatory purposes. “There are things that lawyers protect and preserve: the very legal system itself, the things that underpin the rule of law, the effective and efficient administration of justice, and access to justice” (p.5). There is no doubt that there are questions to be asked about whether the new regulatory regime proposed by the LSA will provide the consumer with choice and will improve access to justice.

Ethics in the curriculum has become a current debate as a result of the LSA presaging new entrants into the legal services market. A clear way to consolidate the position of solicitors in a market offering new choices to consumers is to promote the public’s faith in the profession through their ethical stance.

In 2009 the Law Society commissioned a report from Kim Economidies and Justine Rogers which concluded as far as the academic stage is concerned:

“The report outlines arguments for and against mandatory teaching of ethics and professional responsibility in undergraduate legal (and other) studies. It sets out various approaches (formal, theoretical, clinical and humanistic) and options for change. If tripartite discussions between TLS/SRA, the Bar and the community of legal scholars fail to reach a consensus in favour of renegotiating the Joint Announcement to include an ACLEC-type ‘outcomes statement’ covering legal values and the moral context of law, the report advises TLS/SRA unilaterally to require ethical awareness at the point of admission to the vocational stage, following the Australian model.”

The debate on ethics will be included in the planned review of academic legal education by the Joint Academic Stage Bard in 2011. The Law Society Education and Training Committee has established an Academic Stage Working Group whose minutes from a meeting on 6th July 2010 include:

- 1) Company law and ethics should be included as Foundation subjects.

- 2) The Joint Statement should include a prescribed and structured syllabus to ensure commonality in educational content, while allowing flexibility in the teaching approach.
- 3) Quality assurance mechanisms, including validation and monitoring, should be improved.
- 4) All Foundation subjects should be assessed at Honours graduate level and marked to a common standard.
- 5) The QLD should include analytical skills such as fact management, critical thinking, writing skills, problem solving, case analysis and drafting.

The implementation of ethics as a Foundation subject has been debated at a conference on ethics hosted by UKCLE in May 2010 but there was no consensus, only discussion. Is there space in the curriculum and sufficient resources to teach ethics? Would it be a subject to be taught discretely or pervasively? Is the outcome required an understanding of ethical principles or a mindset embracing an ethical stance and if so how would this be assessed? There has been much argument concerning the purpose of the law degree and the inclusion of moral values within the curriculum (see Cownie 2003 and 2008, and Burrige and Webb 2007).

The Economides-Rogers report and its recommendations has been clearly supported by Lord Hunt in his review of Legal Services commissioned by the Law Society in 2008. He also advocates that “the SRA should take a far more active and ongoing interest in the standards being demanded of law students in higher education and continuously assess how effective, relevant and practical their education is.” Lengthy and heated debate is anticipated over what should be included in the curriculum at the academic stage.

Thus there are many influences that will change the landscape for new entrants into the profession. But before discussing the impact of these for the law degree there is another influence at work that will open up new employment possibilities and this is the influence of information technology.

Disruptive Legal technologies

“Disruptive legal technologies” is a term of art adopted by Professor Richard Susskind and discussed at length in chapter 4 of his recent book ‘The End of Lawyers?’ The book explains (p.93) that Professor Clayton Christensen from Harvard Business School originally coined the term in order to make a distinction from sustaining technologies. Disruptive technologies were not those sought by clients, and often caused underperformance in the short term. However those with entrepreneurial flair developed them in terms of size and sophistication until they became the founder of market leaders. Susskind argues that

“[t]he systems that are increasingly causing a stir and attracting the greatest attention among clients are not conventional sustaining uses of IT that bolster the business of law firms; instead they are applications of technology that challenge the old ways and in so doing, bring great cost savings and new imaginative ways of managing risk. If we combine this with the predicted exponential growth in technology, the steady increase in information satisfaction, the emergence of online community, the expectations of the Net

Generation, and the growing preference for clicks over mortals, then the road to disruption seems fairly clear.” (Susskind 2010: 98)

Disruptive legal technologies comprise:-

Document assembly; Relentless connectivity; Electronic legal market place (where clients use the internet to select lawyers, using and posting feedback rather as websites are rated) ; E-learning ; On-line legal guidance (interactive advisory systems); Legal open sourcing – repositories of legal know how built up as per wikis by clients and users; Closed legal communities such as Legal OnRamp; Workflow and project management systems which permit replacement of the billable hour; and Embedded legal knowledge that permits compliance without knowledge of legal principle.

The effect of ‘disruptive legal technologies’ can be seen as either an opportunity or a challenge and the possible impacts are discussed at length in Professor Susskind’s book. An opportunity to become more efficient and increase profits, and to meet client needs or a challenge in that commoditisable work will move to the new entrants to the market.

The Internet Newsletter for Lawyers has long been celebrating technological advances and how lawyers are using them. There are regular articles on how firms are operating in novel ways making use of innovative software. The latest edition cites 34 legal firms and their online legal services of differing varieties (Venables 2010). Lucy Scott-Moncrieff , who has also written an essay for the LSB (The Future of legal services: Emergent Thinking p.48), runs her firm using information technology to allow a unique structure whereby staff are self employed and are paid 70 per cent fees charged and “we can run a firm of over 60 people from an office less than 3 meters by 4 which we rent by the month.”(p.50) However these new methods of practice remain the exception and preserve of those with strong interests in and knowledge of information technology.

Relentless connectivity is demonstrated by the way large firms have embraced new technologies as they emerge. For example, according to Cross (2010) Eversheds appear to be adopting the ipad as a tool for integrated work and play to support its increasingly mobile workforce. Gould (2010) has written about Addleshaw Goddard’s experiments with the use of social software in its business using wikis and blogs to share knowledge in house. Further discussion can be found in publications such as Legal Futures and the legal press.

Behind all these new ways of working lie systems and processes that require knowledge of the law and legal research to ensure the law is current. Thus considerable new opportunities are opening up for law graduates.

Impacts of these factors for change and a suggestion of how universities offering qualifying law degrees should respond

There are a number of possible impacts of this diverse array of factors affecting the profession. Will there be a continuing demand for qualifying lawyers? It appears from the growth of the LPO industry that the growth area is in paralegals and that solicitors will more commonly be supervising their work rather than performing the legal

services themselves. This would also imply that these lawyers would need project management, governance, and other quality assurance and management knowledge. The number of qualified lawyers required will also be affected by the big brands entering the legal services market as alternative business structures. Commoditized work taken by new entrants to the market may close many small high street firms. The demand for fully qualified solicitors may fall.

In the event of growth in the numbers of paralegals, it is likely as a result that common standards of qualification of paralegal will emerge but these paralegals may not be law graduates. The Institute of Paralegals is developing competencies following consultation with market stakeholders (as evidenced on their website at <http://www.theiop.org>). These are based on experience of practice and not intellectual skills.

In place of the profession, there may be new demand for those with law degrees from businesses such as Epoq who operate Directlaw (a client facing online services for large firms and in-house legal departments), Desktolawyer (offering online legal services), and MyLawyer (offering online legal document creation). Another new career opportunity for those with law degrees lies in electronic document management. The Jackson report foretells the introduction of electronic disclosure and warns that necessary measures be taken to ensure costs of disclosure are not disproportionate (Jackson Report Chapter 37 Para 2.8). Khalilizadeh (2010) writing in The Times reported that a number of companies including Trilantic and Autonomy iManage are growing “as companies face an exponential surge of electronic data, tighter disclosure requirements and pressures to mitigate litigation costs.” (Raconteur on Outsourcing Business 10/8/2010 p.11)

There is already a call for the point of qualification to be brought forward to post LPC. Professor Mayson has argued (2009) that most legal work is transactional and that entitlement to conduct the reserved legal activities should be subject to separate accreditation. This would overcome the training contract shortage issue but it may not suit all parts of the legal profession, for example the high street and smaller firms, whose main source of income remains reserved activities as the Law Society statistics demonstrate. It would however overcome some of the barriers to the profession mentioned above.

This would make the four-year exempting degree an attractive proposition to Law Schools who may wish to adopt the model pioneered by the University of Northumbria. At present only four institutions offer an exempting degree (Huddersfield, Northumbria, Nottingham and Westminster according to the SRA website), probably because it is expensive to run in view of the resources required to deliver the vocational stage and the current cap on fees. However the lifting of the fee cap means that Law Schools could decide to fund the heavy teaching burden with higher fees but maintain student demand in the light of the accreditation gained. Northumbria is now offering a five year degree (M Law Solicitors) that encompasses the work-based learning pilot project that the Solicitors Regulation Authority are currently evaluating. The objective of the pilot is to develop, test and evaluate WBL as a model for improving the quality assurance of, and access to, the vocational training stage of qualification as a solicitor. Further analysis was expected in October

2010. Certainly Law Schools could be looking at a variety of professional accreditation to boost the employability of their graduates.

Another alternative is to offer a mix of law and other knowledge and skills to meet the changing market needs. Thus we might see LLB Law and Project management or LLB Law and Quality assurance.

It is also likely that we will be promoting our law degrees to those who will have new careers within the legal services market not as solicitors or barristers but as Legal infomediaries. These might be intermediaries that assist clients in selecting lawyers as anticipated by Professor Susskind within the new electronic legal market. There are already players in this emerging market who gain tenders for work in a format designed for ease of comparison eg firstlaw.co and takelegaladvice.com. Susskind suggests that legal infomediaries will help clients to know the scope and nature of their legal problems, decompose them and suggest the best source of help for each. Looking at the range of disruptive legal technologies it is not difficult to think of a variety of new businesses that would value employees with a knowledge of law and the skills to update it and analyse legal issues. Students thinking of these careers might benefit from degrees that combine law with information technology so that law students are able to deliver legal advice using new technologies with an understanding of the building blocks of those technologies. Alternatively, the major focus could be changed to business with law becoming secondary. However the traditional legal skills of research, analysis and synthesis would remain vital.

An alternative area of expansion for the legal services market could be E-learning in which entrepreneurs with legal knowledge and skills teach clients in order that they avoid many legal pitfalls or manage their own legal processes and transactions. This, too, is already happening. LRN, a US company, offers a wide range of e-learning based legal risk management tools. There are many benefits of E Learning in which simulation technology can be used to ensure that learners are participants rather than recipients. Professor Paul Maharg is an expert in simulation and his ideas are being disseminated and adopted by many Universities using open resources such as Simshare. There are obvious benefits for the legal profession in training its own and wider career opportunities for legal support staff.

Conclusion

There is a great deal of uncertainty ahead for those offering qualifying law degrees. The academic stage is subject to review. The Solicitors Regulation Authority (SRA), the Bar Standards Board (BSB) and the Institute of Legal Executives Professional Standards (IPS) have announced plans to review legal services education and training in the regulated legal sector. The point of qualification may be altered. The outcome of the work based learning project is unknown. The Bar is considering moving into territory traditionally considered to be that of the solicitor. The Government spending review has targeted public funding of legal services. Alternative Business Structures will force a change in the way law firms are run and professional lawyers will have to become professional businessmen and women. A knowledge and understanding of and an entrepreneurial flair for using the new technologies will be sought after.

It is possible that there will be a reducing demand for qualified lawyers and hence the qualifying law degree. The way in which solicitors will operate their practice is likely to change with both use of new technologies and with new partnerships with other professions and a more holistic approach to clients' problems. A range of new employment opportunities will develop for those with knowledge of law and legal skills.

Thus it can be seen that there are many possible impacts driven by the LSA and the advent of ABSs and 'disruptive technologies'. What seems certain is that universities will have to plan carefully how to attract undergraduate students. Those universities who consider the employability of their graduates to be paramount would be well advised to consider developing products to rival the qualifying law degree. Just as solicitors will have to contend with big brands so, it is suggested, Law Schools will have to consider their own brand of law degree.

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