

The Evolving Lawyer

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I had the chance recently to complete a childhood dream of mine and see a duckbilled platypus up close at the Healesville Sanctuary in the Yarra Valley of Australia. It truly is a strange creature — it's a warm-blooded mammal, yet it has a beak, webbed feet and lays eggs. I learned from the zookeeper that the male platypus can excrete a poisonous venom from its claws potent enough to kill another male platypus. The duckbilled platypus is the only platypus we know of (which raises the question: Why isn't it referred to simply as "platypus?") The platypus is truly a mysterious anomaly of nature.

So what does this have to do with lawyers?

The word "lawyer" has for years been classified by stereotypes: intelligent, well educated, confrontational and expensive. This is in part what makes lawyer jokes so funny — or not funny, depending on your perspective. The duck-billed platypus is classified in the "mammal" box, but it has had to "think outside of the square," as they say in Australia. The harsh and changing environment of Australia facilitated the platypus becoming the truly unique creature that it is. Lawyers could learn a lot from the duckbilled platypus. Our legal marketplace is evolving into a harsher place, and lawyers need to adapt (although I wouldn't recommend poisonous venom glands.)

Evolutionary changes don't happen in the wild unless there are pretty strong environmental forces at play and survival hangs in the balance. Changes in the way lawyers behave won't come unless their situation becomes similarly bleak. Pundits have been claiming for years now that the billable hour must go, that data must move to clouds and that law firm practice management must be streamlined. These warnings fall on deaf ears for many of the biggest firms, where profits are still relatively strong and the existing model is keeping the partners fat and happy. This is not the recipe for a revolution — at least not for the kind of revolution that produces major change.

Instead, what we see is innovation on the fringes. The solo and small lawyers are the new innovators, not because they have extra money to invest, but because they are fighting for survival. They can't rely on the big institutional clients or the old ways. They

are competing with the likes of Legal Zoom and free legal information found online. Boutique law firms are springing up that are incredibly specialized. Although many of these adaptations are largely ignored by the big firms, we are starting to see the emergence of an evolved lawyer who is a far more effective, more efficient and highly capable.

A New Zealand lawyer by the name of Waldo Kuipers ,who works in-house for Microsoft, recently shared with me that he hires the lawyer, not the law firm, and often sends major work to these new boutique firms with highly specialized experience. He mentioned that Microsoft has enough work to justify bringing in another attorney in-house, but he can't see the point. The department is doing quite well finding outside specialists for the different issues that arise. Microsoft is hiring platypuses, not conventional mammals.

You may have plenty of food now, but watch out: There is an evolving lawyer gunning for you, and this lawyer will have abilities and technological advantages that you can't imagine. Your competitors are changing and your food supply may soon be in jeopardy. Time to start thinking like a platypus.

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