

## QUESTIONS ABOUT THE FUTURE OF THE LEGAL PROFESSION

1. Given that equal access to justice is a fundamental core principle of the legal profession, what opportunities do the changes affecting the profession offer to help make that a reality?
2. Given that provision of legal services is no longer the sole domain of lawyers:
  - What is the role and relevancy of the organized bar?
  - What are the implications for our regulatory system?
  - What, if any, changes must occur in legal education to meet the changing reality of the profession?
3. Given that the law is not just another business or industry, but is the foundation on which society, the justice system and enlightened self-government are founded:
  - Can the legal profession on a global basis preserve its values and character in an increasingly borderless society?
  - Must lawyers continue their role as guardians of the justice system?
  - What is the lawyer's role in ensuring an independent bar and judiciary?
  - Does society care whether the profession provides factual support for its claim that without lawyers democracy would not exist?
4. Given that traditional barriers among the professions are falling because clients find them to be irrelevant, what are the essential elements of the practice of law that must not be ceded to others?
5. Given that society is moving away from a world where clients or users have no choice but to deal with a profession or specialty on the terms set out by that profession or specialty, are there outdated or historical premises that the legal profession must reconsider?
6. Given that law firms that emphasize the business dimensions of practice rather than the professional are shaping their cultures and the profession in a way that is different from the past:

- Can the profession benefit from the experiences of business while still maintaining its professional values?
  - How can the profession replace the eroding levels of pro bono that are driven by the business orientation?
7. Given that the general population is becoming less white and Euro-centric, is the legal profession, which can claim only 10 percent members of color, rendered less effectively and credible in relating to the general population?

## NEXT STEPS

In its first year of work, the Committee on Research About the Future of the Legal Profession took as its charge to develop a report on the current state of the profession to serve as a platform to examine the challenges and opportunities of change and how the legal profession can and should define its own future.

In the upcoming year, the Committee will work with legal futurist, Stuart Forsyth, to begin to define the preferred future of the legal profession, including proposed action steps that would foster that future. The Committee will:

- Scan extensively, particularly outside the profession, for major trends that will affect the future of the profession
- Seek widespread input from inside and outside the legal profession
- Develop alternative futures for the legal profession
- Choose the preferred future of the legal profession
- Engage in back-casting, focusing on a particular future and tracing back how it would have come to be and what changes must have occurred at each step to create that future
- Determine action steps that would foster the preferred future.

The members of the Committee are listed below.

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