

"DISRUPTIVE" LEGAL TECHNOLOGIES

DISRUPTIVE TECHNOLOGY IN GENERAL

Yes, I know that Wikipedia is not necessarily correct on some issues, but this definition is built from multiple sources and is one of the best I've seen of the general term "disruptive technology":

"Disruptive technology and disruptive innovation are terms used in business and technology literature to describe innovations that improves a product or service in ways that the market does not expect, typically by being lower priced or designed for a different set of consumers.

...

Disruptive technologies are particularly threatening to the leaders of an existing market, because they are competition coming from an unexpected direction. A disruptive technology can come to dominate an existing market by either filling a role in a new market that the older technology could not fill (as cheaper, lower capacity but smaller-sized flash memory is doing for personal data storage in the 2000s) or by successively moving up-market through performance improvements until finally displacing the market incumbents (as digital photography has largely replaced film photography)."¹

A few examples:

Disruptive Technology	Displaced Technology
Desktop publishing	Traditional publishing
Steamships	Sailing ships
Telephones	Telegraphs
Word processor	Typewriter
Semiconductors	Vacuum tubes
Contact lenses	Eye glasses
Refractive eye surgery	Contact lenses
Accommodating lens implants	Refractive eye surgery
Internet store	Bricks & mortar store

DISRUPTIVE LEGAL TECHNOLOGY DEFINITION

As it relates to law, an excellent and brief discussion of this term comes from Richard Susskind:

"My experience of working with law firms and in-house legal departments leads me to claim that there is remarkable scope for greater and beneficial deployment of technology. I also contend that for some lawyers there are existing and emerging technologies whose widespread adoption will effectively render them redundant. (Much the same has happened in many other sectors; lawyers are not immune from the destructive effects of the internet and IT revolutions.)

¹ See http://en.wikipedia.org/wiki/Disruptive_technology.

I call technologies that threaten the work of today's lawyers and law firms 'disruptive legal technologies'. They do not support or complement current legal practices. They challenge and replace them, in whole or in part."²

DOCUMENT ASSEMBLY IS DISRUPTING THE LEGAL MARKET

Document Assembly is disruptive because it significantly reduces the amount of time that lawyers spend drafting documents. For lawyers who only bill hours, this obviously reduces the amount they can charge (one of the big reasons Document Assembly isn't a standard drafting method for all private law firms). For lawyers who adopt a flat-fee billing approach, Document Assembly can push their effective hourly rates into the stratosphere. For in-house or corporate lawyers, the revenue penalty is avoided while cost savings are achieved; so it is positive on all fronts. It is still disruptive technology to in-house lawyers because it will fundamentally change the way documents are generated.

² Susskind, Richard, "Only A Foolhardy Lawyer Will Fail To Embrace Change, In the final part of The End of Lawyers?, The Author Addresses His Critics And Says They Have Missed The Point." Times Online, November 26, 2007, <https://www.thetimes.co.uk/article/only-a-foolhardy-lawyer-will-fail-to-embrace-change-9rmlgx6plpj>.