



STATE BAR OF MICHIGAN
21st CENTURY
PRACTICE
TASK FORCE

Foreword

[reserved]

Contents

| | |
|-----|---|
| i | Foreword |
| ii | Table of Contents |
| iii | Letter from the Co-chairs |
| 1 | Background |
| 2 | Guiding Principles |
| 3 | Overview |
| 4 | Five Key Problems and How to Overcome Them |
| | <ul style="list-style-type: none">• a dysfunctional legal marketplace• crisis for new lawyers, challenges for experienced lawyers• inefficient legal processes• regulatory hurdles• cultural resistance to innovation |
| | What Comes Next |
| | Task Force Members (with bios) |
| | Committee Members |
| | Staff |
| | Process Timeline |
| | Acknowledgements |
| | The Future of Legal Services Forum Summary Report |
| | Glossary of Future Law Terms |
| | Bibliography |
| | Template for Use by Other Bars |
| | Appendices: Committee and Committee Work Group Reports* |
| | <ul style="list-style-type: none">• Access and Affordability (link)• Practice (link)• Regulatory (link) |

*for reading ease, the main body of the report is free of footnotes. Specific documentation and detail can be found in the online appendices.

Letter from the Co-Chairs

When the 21st Century Practice Task Force met for the first time in April, 2015, it faced a daunting challenge: to take an in-depth look at a precedent-based system, steeped in tradition and reliant on a model that, while possessing many redeeming virtues, in many ways did not reflect the modern world in which lawyers operate today. We were encouraged and challenged to “color outside the lines,” if necessary, to reinvent the manner in which justice is administered by and within our profession, and to get it all done in less than eleven months.

Our Task Force included the leaders of all the major agencies involved in legal services regulation in Michigan, the leaders of Michigan’s five law schools, and key policymakers. To our knowledge, no other legal futures initiative has started with such comprehensive, committed engagement. Over the course of the year, more than 150 lawyers and judges contributed thousands of hours of thoughtful work to the task at hand. As well as being visionary, their work, covering all facets of legal service delivery and the full range of a legal career, generated practical, immediate steps, that can (and we believe should) offer a clearer road map to our ultimate goal -- assuring that our profession will continue to serve as protectors of the Rule of Law and equal access to our system of justice, thereby guarding the liberty of all members of the public.

Ultimately, the Task Force identified five overarching issues facing our professions. In response to each issue, Task Force members proffered a wide-ranging set of recommendations, some of which can be implemented with little difficulty or fanfare, and some of which will require systemic change that may take years of additional study and regulatory or statutory changes prior to adoption. While it may be tempting to view these changes in isolation, we urge readers to resist that impulse, since we believe that many of these ideas are dependent on other recommendations to reach their full potential. The selective adoption of isolated recommendations without addressing ideas and issues raised in separate portions of these materials could undermine the ability to make the systemic changes required of our profession to serve its members and the public in the 21st century.

The Task Force has embraced the innovation underway in the legal profession as an opportunity for breaking through the barriers that for too long have denied access to legal services to too many. We believe that technology and new analytical tools offer the chance to deliver affordable, quality legal services on an unprecedented scale. But we recognize a darker possibility -- that the failure of the legal profession and its regulators to embrace change could rapidly undermine the relevance of the profession and erode the quality of legal services available to the public.

This work product is just the beginning.

Groundbreaking, sustainable progress in the quality of justice in Michigan requires shedding comfortable but antiquated habits and customs, embracing technology, and adopting rigorous business process thinking to legal practice and court operations. With a healthy mix of immediate, practical ideas within a visionary framework grounded in data, we believe that this work is an important step in that process of positive change. But sustainable progress also requires building and maintaining the engagement of a broad coalition beyond the legal community. Lawyers and judges bear the primary responsibility for the state of justice in Michigan, but we must acknowledge that we do not have all the answers. Success will require the active and ongoing participation of the public, the business community, and executive and legislative policymakers.

It is with honor, pride and a great deal of humility that we offer the innovative recommendations set forth in the pages to follow. We welcome everyone’s participation on this crucial journey toward access to justice for all.

Background

Guiding Principles

The expectations and needs of clients, potential clients and others who use the legal system should be at the center of the delivery of legal services and its regulation.

To meet client needs and facilitate access to justice, innovation should be encouraged in how legal services are ethically delivered and by whom.

The legal services delivery system should help clients find the kind of legal help and information they need when they need it.

Optimal access to justice for all requires that those who provide legal services reflect the diversity of the population they serve.

Mechanisms should be developed to assure ongoing identification of and effective responses to changes.

The rules upon which regulation of legal services rest should continue to be based on enduring principles of professional ethics and protection of the public but should provide practical guidance responsive to the changing environment and the emergence of nontraditional delivery methods and providers.

Legal education for lawyers and others authorized to provide legal assistance should include future-oriented skills, knowledge and experiential learning, and continue during the full career.

Overview of Recommendations

Development of Comprehensive Public Platform linked to Full Range of Legal Services and Information

- User-friendly, reliable, ethical information
- Triage system to guide those in need of legal services, assisted by technology and other navigation assistance, including from trained lay navigators and links to find a lawyer, help centers, related resources
- Collaboration across Michigan's three leading platforms
- Legal Help Centers in all circuits

Nurturing New Service Delivery Options

- Unbundling system (limited scope representation) to expand access
- Billable hour alternatives
- Limited multidisciplinary practice (MDP)
- Support for innovative law firm models
- Online pro bono opportunities
- Limited pilot projects to test expanded availability to counsel in certain civil cases and reporting of pro bono hours
- Coordination with Michigan Indigent Defense Commission innovations

Court Innovation, Simplification, Standardization

- Emphasis on mediation (early, automatic, draft pleadings)
- Civil process innovations to tailor pre-trial practice on case-by-case basis
- Expanded video conferencing
- Streamlined probate and research to identify types of cases appropriate to remove from judicial process
- Statewide specialty court venue; access through e-filing portal
- Promote appropriate application of problem-solving court principles to all courts
- Use business process analysis
- Expanded online dispute resolution

Dynamic, Data-driven New Lawyer Support

- Ongoing SBM assistance to variety of practice-readiness assistance options (incubators, internships, clinics, New Lawyer Institute, mentorship programs) to test effectiveness; collect data and do analysis, provide tools to lawyers/firms

New Model for Continuing Legal Education and Professional Development

- Emphasis on tech competency and ethics training, baseline competency training, and support as part of SBM membership benefit
- Innovative, customizable delivery methods for specific legal training
- Specialty certification
- Convenient self-testing, self-assessment tools for continuing legal education

Modernized Regulation

- Malpractice insurance disclosure; easy consumer access to that information
- Voluntary, innovative CLE, plus continuing professional development support for every practicing lawyer
- More transparency and uniformity
- Development of consensus on regulatory objectives, incorporating inclusion, diversity, and cultural competency
- Regulate non-J.D. legal service providers (e.g., paralegals and lay navigators)

Innovative Changes to Admissions

- Sequential admissions testing
- Foreign lawyer practice criteria

Strategies for Persistent, Value-Driven Change

- Permanent SBM-based 21st Century Legal Services Innovation Center
- Justice Innovations Guidelines

Five Key Problems and Our Keys to Solving Them

THE PROBLEM a dysfunctional legal marketplace

Although lawyers are ethically committed to access to justice for all and generously support legal aid programs for the poor, quality legal services have never been available to all those who need them. Today, quality legal services delivered in traditional ways are becoming more unaffordable for large segments of the population. Even people who can afford legal services are often afraid of the cost and confused about whether they need legal help, what kind of legal help they might need, and how to find it. Despite a significant percentage of trained lawyers who are unemployed or underemployed, we are falling further behind in our goal of access to justice for all.

THE VISION

Transparent and user-friendly Internet access to reliable legal information that encourages confidence in the value of legal services and provides connection to high quality, affordable legal services, plus on-the-ground resources that help those in need, extending a continuum of legal help to all who need it.

BASIC ELEMENTS OF THE PLAN

- Build a user-friendly online legal platform with multiple access points and a legal “triage” module to direct users to the kind of legal services or information they need when they need it. Build the platform through collaboration between the [State Bar and its sections](#), the [Supreme Court and State Court Administrative Office \(SCAO\)](#), the [Michigan State Bar Foundation \(MSBF\)](#), [Michigan Legal Help \(MLH\)](#), legal aid community, local bar associations, and businesses working in collaboration with these entities. Anchor to the pioneering platforms already underway – the [Michigan Legal Help](#) program and the [State Bar’s enhanced online directory](#), and Michigan’s [upcoming e-filing portal](#). Present basic information about the court system, legal problems, and possible solutions in clear, easily readable form in English and other major languages spoken in Michigan.
- Operate a “Legal Help Center” in every circuit, working in collaboration with legal aid and with social services offering resources for housing, family counseling, government assistance, and other programs for qualifying individuals. Explore supplementing this resource with collaborative efforts of law schools and bar-based programs for new lawyers.
- Develop an engaging, user-friendly “legal health check-up” tool to educate the public about legal problems, and link to assistance including online pro bono resources and remote legal advice from Michigan lawyers
- Standardize and simplify all court forms and practices, while preserving the ability for lawyers to provide supplemental information as needed to address particular clients’ needs
- Use lay navigators trained in finding and providing appropriate legal resources, but not legal advice, in both the online platform and circuit-based Legal Help Centers, to help connect the public to appropriate professional assistance, including assistance from other professions and from the government

- Design pilot projects to test the need and capacity for expanding the availability of counsel for indigent litigants in certain civil cases, especially those involving basic human needs such as shelter and safety
- Assure consistent treatment requests for fee waivers for indigency under MCR 2.002
- Explore feasibility and possible benefit of reporting of any pro bono activities on each active member's dues statement
- Work with and support the new Michigan Indigent Criminal Defense Commission on innovations in the delivery of indigent criminal defense services
- Develop specialty certification guiding principles that will advance ethical, quality legal representation in specialty law practices and help consumers in choosing a lawyer
- Make public whether a Michigan lawyer in private practice carries malpractice insurance

First Steps

- Establish technical development team and work plan for a comprehensive online platform
- Develop lay explanations of court system and legal services in collaboration with SCAO; build consensus on common explanations of legal problems and solutions through the State Bar and its sections, MSBF, and Michigan Legal Help, for use on all entry points to the platform
- Create SBM special committee to develop lay navigator standards and training
- Convene SBM sections and ICLE representatives to develop proposed specialty certification guiding principles, in collaboration with the Institute for Continuing Legal Education (ICLE)
- Test pilot certification programs to evaluate the features and standards for innovative approaches for certification
- Prepare a draft rule on public disclosure of malpractice coverage information for consideration by the Representative Assembly

Key Innovations

Unified online legal services platform with triage module

Legal Help Centers in all circuits

Lay navigator standards and training

Visualizing the Problem

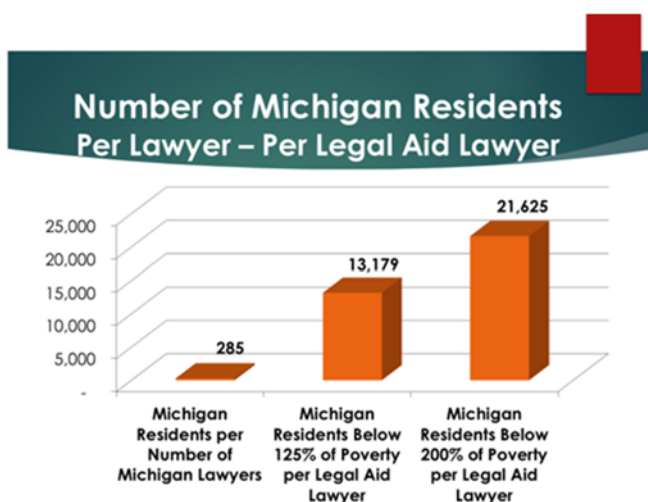
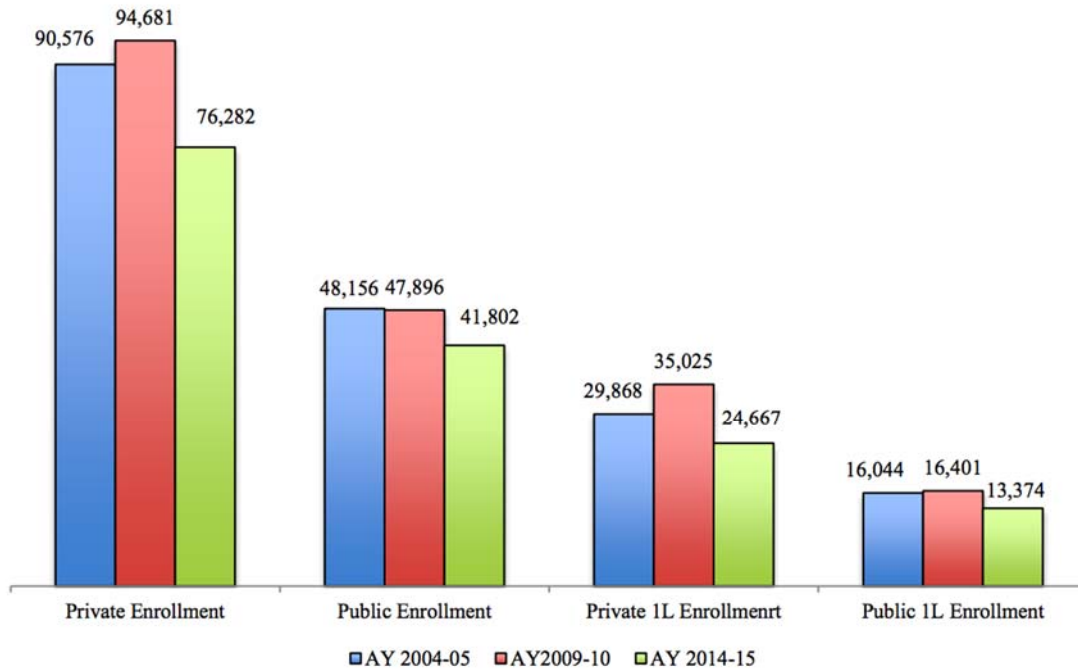


Figure 1. Declines in Law School Enrollment



[ABA Task Force on Financing Legal Education, 2015](#)

Add demographic SBM graphic. Other graphics, w/permission: B. Barton Figure 1.1 Glass Hall Full: The Decline and Rebirth of the Legal Profession, Figure 3.8 legal services as % of GDP, Figure 3.13 income Latent legal market.

Thinking the Problem Through

There is a glaring anomaly in the legal services market. Recent research confirms a yawning “justice gap” in the United States, with studies consistently estimating the percentage of legal needs that are going unmet at 80% or more. Some of this gap is attributable to the cost of legal services, some to a false perception about the unaffordability of legal services, some to people not realizing that their problems have a legal answer. While the need for legal services is enormous, surveys show that since 2008, at least 20% of new law school graduates are unable to find full-time employment as lawyers. Meanwhile, a different supply and demand dynamic is developing. Since 2013 there has been a sharp drop in the number of students entering law school, at the same time that the baby boomer lawyers who have swelled the ranks of the profession for four decades are beginning to exit the practice of law.

Michigan’s experience is consistent with these national trends. There is no Michigan county that is not struggling to meet the legal needs of the poor – and many who do not fall beneath the federal government’s poverty threshold still cannot (or do not believe that they can) afford legal representation. The number of litigants who are coming to court without an attorney has exploded, creating logjams in court dockets. The graduates of all five law schools in Michigan face a very changed job market than their counterparts a decade ago. Whether the projected downturn in the lawyer population will brighten lawyer employment but worsen access to justice is an open question.

This Task Force did not attempt to take sides in the ongoing debate about whether the flattening of legal services as a percentage of GDP and the slowdown in lawyer income is a cyclical or structural phenomenon: we were looking for solutions that simultaneously will help to close the justice gap and engage the skills and talents of our struggling, underemployed lawyers today.

The large percentage of people who fail even to try to seek the help of a lawyer tells us that there are two things the legal profession must do urgently:

- Provide trusted, easy-to-find-and-use online resources about legal problems and how to find help
- Build trust about the profession's ethical standards and value

Closing the justice gap requires a variety of strategies, from making training for legal practice less costly, to the application of smarter business processes to law practice, to ensuring that the nonlawyers who assist in the legal process do not operate outside the norms and ethics of the profession, to the creative adaptation of technology in the delivery of legal services. The answers do not lie simply in matching up more people with more lawyers more cost-effectively to help them with their legal problems and through court processes. Closing the justice gap also requires helping people avoid legal problems in the first place.

Happily, Michigan has a head start in closing the justice gap. The Internet offers a powerful new tool to connect a wary and cost-conscious public with appropriate, quality legal services, and Michigan already has three dynamic and innovative points of entry from which to build a credible, and resource-rich platform: courts.mi.gov, [Michigan Legal Help online](#), and the [State Bar of Michigan's searchable, enhanced profile directory](#).

What 21st Century Task Force and Committee Members Had to Say

[this can be a repository of remarks from committee and TF members]

"Neque porro quisquam est qui dolorem ipsum quia dolor sit amet, consectetur, adipisci velit..." ____, Access and Affordability committee

"Nam libero tempore, cum soluta nobis est eligendi optio cumque nihil impedit quo minus id quod maxime placeat facere possimus, omnis voluptas assumenda est, omnis dolor repellendus. ____, Practice Committee

"Temporibus autem quibusdam et aut officiis debitis aut rerum necessitatibus saepe eveniet ut et voluptates repudiandae sint et molestiae non recusandae. Itaque earum rerum hic tenetur a sapiente delectus, ut aut reiciendis voluptatibus maiores alias consequatur aut perferendis doloribus asperiores repellat." ____, Regulatory Committee

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THE PROBLEM crisis for new lawyers, new challenges for experienced lawyers

Many new lawyers are saddled with huge debt, are unemployed or underemployed, and lack the crucial “practice-ready” skills they need to serve clients competently. Many veteran lawyers lack familiarity with technology needed to take advantage of tech tools and systems for delivering legal services more affordably. Current Michigan lawyer regulation does not stress the need for practice skills at the beginning of a legal career, nor effectively incentivize updating skills and knowledge throughout a legal career.

THE VISION

More affordable and practice-oriented legal training that gives graduates the skills they need to begin to earn a living and serve the public upon admission to the bar. More opportunities for new lawyers to initiate their practices through service to low-income and “modest means” clients. More training and resources for all lawyers on the ethical, appropriate application of technology to the delivery and marketing of legal services. A post-admission continuing education system that encourages professional development throughout each lawyer’s career through innovative delivery and incentives.

BASIC ELEMENTS OF THE PLAN

- Support law schools’ efforts to expand clinical and skills-based training opportunities, exploring opportunities to locate law schools’ incubator law firms near Legal Help Centers
- Revamp admissions testing to better and more fully test relevant Michigan legal knowledge and practice-readiness, starting earlier in the law school education process
- Couple new lawyer skills training with service to indigent and lower income populations
- Evaluate the relative effectiveness of the various support program models (clinics, mentorships, internships) for new lawyers through analysis of existing programs, pilots
- Support, encourage and develop programs that connect new lawyers with low-income clients, under the supervision of experienced lawyers
- Implement robust package of high quality continuing legal education innovations and incentives
- Promote and support technology competence as an important element of legal practice
- Enhance training for judges and lawyers on the ethical use of technology

First Steps

- Develop State Bar resources to promote and support each active member’s development and maintenance of a continuing professional development plan
- Prepare a white paper on a phased-in or sequential bar admissions process for consideration by the Representative Assembly. Elements:
 - Multistate Professional Responsibility Exam (MPRE) offered at end of the first year of law school
 - A doctrinal multi-state test offered after the relevant black letter law courses are completed
 - Practice-ready and Michigan law testing after the J.D. as the final admissions test
 - Requirement for the completion of a certain number of hours of supervised experience in law practice activities through law schools or through a separate BLE-approved program as a condition of admission

- Develop guidelines for individualized law school financial planning, advising law students prior to the beginning of the first year and after the first and second years
- Expand court rule authority for preadmission practice to include more options for representation of low income clients
- Support law school curricular reform to expand training, including experiential learning, and actively support granting academic credit for compensated field placement

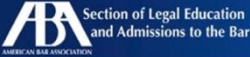
Key Innovations

Modernized admissions testing

Creation of a pro bono culture within the law student community through the use of SBM social media and member directory platforms

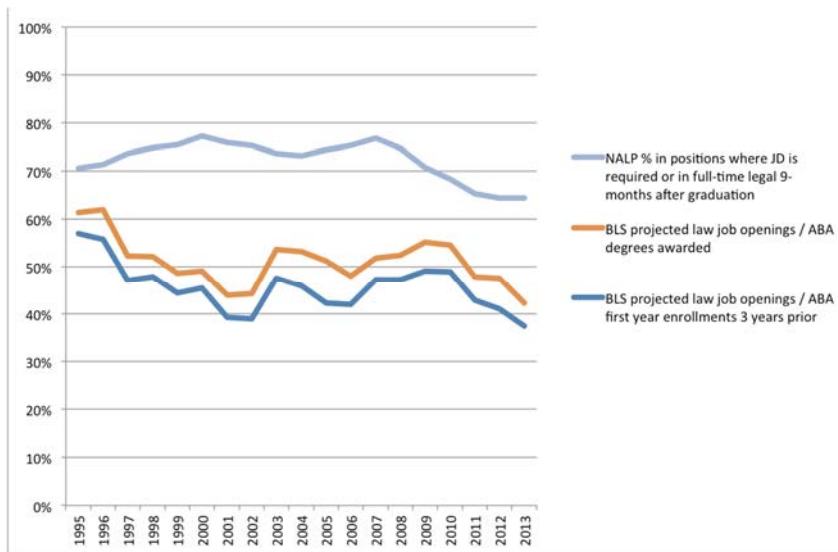
Support for individualized professional development and specialty certification in lieu of MCLE

Visualizing the Problem

|  | | | | | |
|---|---------------|---------------------|---------------|---------------------|-----------------|
| 2014 LAW GRADUATE EMPLOYMENT DATA | | | | | |
| | CLASS OF 2014 | | CLASS OF 2013 | | Change |
| Total Graduates | 43,832 | | 46,776 | | -2,944 (-6.50%) |
| | CLASS OF 2014 | | CLASS OF 2013 | | Change in |
| | Total | %age of Total Grads | Total | %age of Total Grads | %age point |
| Employment Status Known | 42,931 | 97.9% | 45,695 | 97.7% | +0.2 |
| EMPLOYMENT STATUS, EMPLOYMENT TYPE | CLASS OF 2014 | | CLASS OF 2013 | | Change in |
| <i>definitions on next page</i> | Total | %age of Total Grads | Total | %age of Total Grads | %age point |
| Bar Passage Required | 28,113 | 64.1% | 29,109 | 62.2% | +1.9 |
| Long-Term/Full-Time | 26,248 | 59.9% | 26,653 | 57.0% | +2.9 |
| Long-Term/Part-Time | 620 | 1.4 | 732 | 1.6% | -0.2 |
| Short-Term/Full-Time | 822 | 1.9% | 1,082 | 2.3% | -0.4 |
| Short-Term/Part-Time | 423 | 1.0% | 642 | 1.4% | -0.4 |
| JD Advantage | 6,360 | 14.5% | 6,348 | 13.6% | +0.9 |
| Long-Term/Full-Time | 4,912 | 11.2% | 4,715 | 10.1% | +1.1 |
| Long-Term/Part-Time | 515 | 1.2% | 544 | 1.2% | No Change |
| Short-Term/Full-Time | 546 | 1.2% | 554 | 1.2% | No Change |
| Short-Term/Part-Time | 387 | 0.9% | 535 | 1.1% | -0.2 |
| Unemployed/Seeking | 4,295 | 9.8% | 5,229 | 11.2% | -1.4 |
| Law School Funded Positions | 1,583 | 3.6% | 1,884 | 4.0% | -0.4 |
| Solo Practitioners | 936 | 2.1% | 1,068 | 2.3% | -0.2 |
| Law Firm Positions (2-500+ Lawyers) | 17,856 | 40.7% | 18,545 | 39.6% | +1.1 |
| Business & Industry | 6,723 | 15.3% | 7,130 | 15.2% | +0.1 |
| Government | 5,102 | 11.6% | 4,953 | 10.6% | +1.0 |
| Public Interest | 2,170 | 5.0% | 2,227 | 4.8% | +0.2 |
| Clerkships (Federal, State, Other) | 3,379 | 7.7% | 3,447 | 7.4% | +0.3 |
| Education | 784 | 1.8% | 973 | 2.1% | -0.3 |

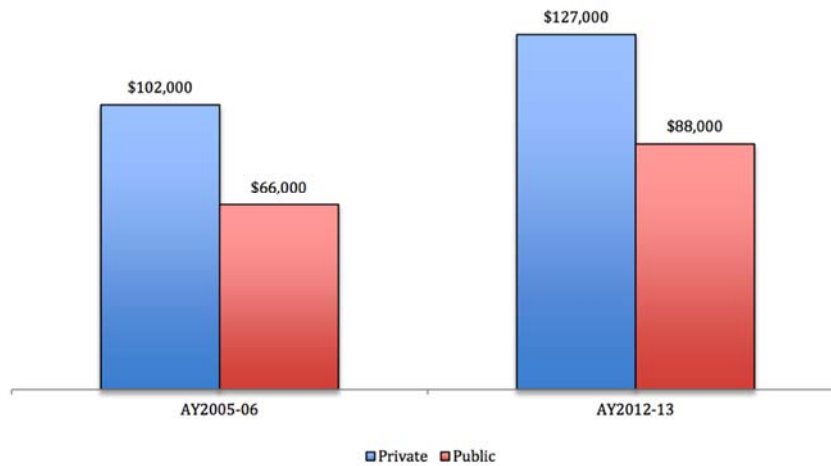
This data sheet was compiled on April 28th, 2015 from school reports of the class of 2014 employment as of March 15th, 2015, and class of 2013 employment statistics as of February 15th, 2014

Law School Graduate Employment 1995-2013

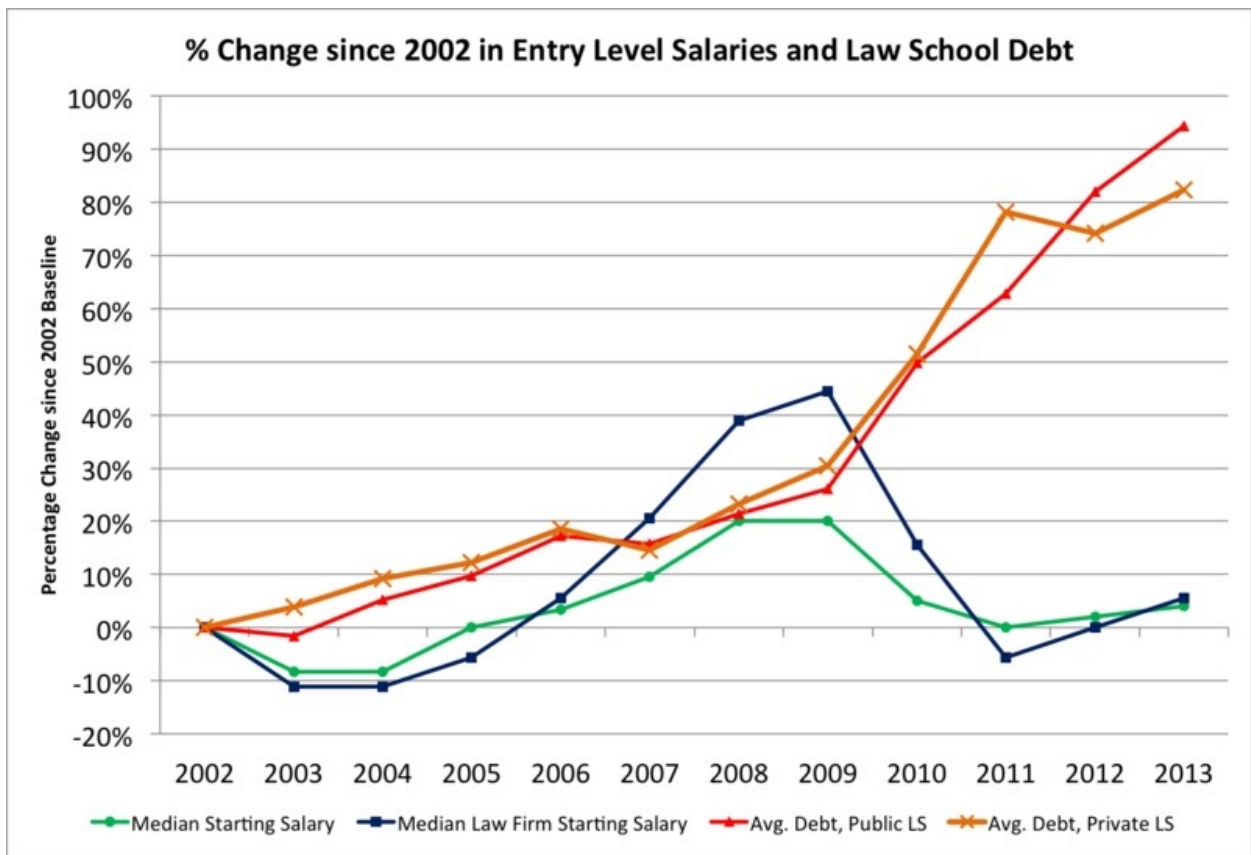


[Michael Simkovic, Brian Leiter's Law School Reports Feb. 9, 2016](#)

Figure 9. Trends in Student Debt in Inflation-Adjusted Dollars (2014\$)



ABA Task Force on Financing Legal Education, 2015



Bill Henderson, Legal Whiteboard, Wednesday, July 22, 2015



Thinking the Problem Through

The Challenge of Practice-Readiness Very few veteran lawyers will lay claim to being “practice-ready” on the day they were admitted to the bar. Except for the few who worked their way through law school clerking in a law firm, most learned their trade in the months and years *after* being admitted by working within the nurturing structure of a law firm, legal aid office, prosecutor’s office, or, by being taken under the wing of an experienced lawyer through bar association or family connections. The economic downturn in legal services has made these traditional pathways to proficiency less available to many of today’s graduates. In response, law schools have been expanding their clinical practice options and are developing a variety of new approaches to develop practical legal skills training as part of law school education, and bar associations have been exploring ways to make mentoring a more reliable and effective source of skills development. These efforts can be enhanced through more strategic collaboration between law schools and state and local bar associations.

There are promising new efforts already underway. Law school incubators in Michigan and around the country are getting good reviews for developing practice and business skills, often while bringing legal help to underserved populations. Coordination of these efforts with



WMU Cooley law students from Project Innocence clinic with client



Legal Help Centers could be one way to further the “continuum of assistance” and triage system envisioned as one necessary remedy for the dysfunctional legal market. Another promising way to lawyer “boots on the ground” training while bringing new resources to bear on the “justice gap” is to expand the court rule (MCR 8.120) that now permits law students and new grads who have not yet

passed the bar to do supervised legal work in legal training programs in the offices of prosecuting attorneys, county corporation counsel, city attorneys, the Attorney Grievance Commission, the Attorney General, and in legal aid clinics. Expanding the rule to cover legal work in other settings targeted to underserved populations under the supervision of lawyers specially trained in such work would spread the benefit of the rule further. An added advantage of such efforts is that they will help the participants internalize the ethical obligation of pro bono, a process that bar associations can further promote through its online tools, including social media.

Advancing “practice-ready” new lawyers also requires re-envisioning bar admissions as



the most direct and consequential way to encourage the acquisition of such skills is to make their testing part of the admissions process. Like almost all other jurisdictions, Michigan’s two-day multistate bar exam and essay writing process does not test a law student’s acquisition of practical skills, nor are there any other admissions requirements related to practical lawyering skills. Moving toward that goal will



UDM law students at Project Salute clinic.

expand law student and new



THE MEDICAL-LEGAL PARTNERSHIP MODEL

involve building consensus on what basic skills all lawyers need and how best to measure entry-level competency, drawing on the experience of the jurisdictions that have instituted practice-skills testing as part of their admissions testing. The shift toward more practiced-focused testing reflects fundamental changes in the way law is practiced in the 21st century. As technology offers ever more powerful ways for lawyers to research the breadth and depth of a changing body of law, the multi-state bar exam and essay exam's traditional emphasis on memorization of black letter law likely overrates the importance of memorization to the exclusion of the demonstration of more relevant knowledge and skills.

A More Meaningful Entry into the Profession In considering the changing demands of the practice of law in the 21st century and recent research in reliable and effective testing, as well as the economic stresses of today's law students, the members of the Task Force's Regulatory Committee reached what in the staid world of legal regulation qualifies as a radical conclusion: that the bar exam would serve its purpose more effectively if it were carried out in stages rather than in one two-day marathon test session after graduation. Instead, the committee proposed, and the Task Force recommends, a novel restructuring of Michigan's admissions process. Under the new approach, law students could complete the black letter law portion of the bar exam as soon as they had successfully passed the relevant courses in law school, typically at the end of the first year. Provisional character and fitness clearance could also be accomplished at this early stage. This restructuring would allow law students to be able to concentrate on practice-ready knowledge and skills in the second and third years of law school. Testing on Michigan law and practice skills testing would take place after law school graduation.

The proposed change would not reduce the rigor of the bar examination process. Instead, it would add elements that are crucial to success as a lawyer in the 21st century. The change is also responsive to the problem of law school debt. Through this change, applicants who encountered serious difficulties with the black letter law test or character and fitness could evaluate earlier in the law school process whether to continue with the expense of law school.

More Effective Post-Admission Education Law students and new lawyers are not alone in suffering from the forces roiling the legal services industry. Every lawyer faces the challenge of rapidly adapting to changes in the legal marketplace and the disruption created by technology. There is no dispute that lawyers in active practice require regular updating of their skills and knowledge. The modern 20th century way for lawyers to keep current was through continuing legal education administered in classroom-type lecture or seminar settings. This model became institutionalized in 1986 when the American Bar Association adopted a resolution encouraging states to adopt mandatory continuing legal education as a condition of annual licensure, spurring a multi-million dollar industry that now delivers legal education content in a variety of formats.

Michigan is one of only four states that do not have some form of mandatory continuing legal education (MCLE). (Massachusetts, Maryland, and South Dakota are the others.) Nevertheless, or perhaps as a result, Michigan's Institute of Continuing Legal Education has maintained a strong national reputation as a leader in the quality of its educational content and in pedagogical innovation.

There are two salient reasons to stick with a non-mandatory approach in the 21st century. First, there is a conspicuous absence of empirical data to support the proposition that the current mandatory continuing legal education model enhances attorney competence. Indeed, no jurisdiction predicates satisfying MCLE requirements upon a showing of mastery of the material. Second, a large percentage of the practicing bar in Michigan engages in voluntary continuing legal

education, many well beyond the typical mandatory continuing legal education hours-based requirements.

But it is not good enough to simply maintain our voluntary continuing legal education model as is. The need for lawyers to stay abreast of changes in the law in the areas of their practice and in the application of ethical rules in a technological environment is more urgent than ever given the accelerating pace of change in the 21st century. The mandatory model has bureaucratized continuing legal education but there is not evidence that it has advanced its acculturation. By the same token, although a large percentage of Michigan's practicing bar voluntarily engages in continuing legal education, there is no evidence that the voluntary model has successfully nurtured a profession-wide ethic of individual accountability for keeping one's skills and knowledge current. The Task Force vision is to embed that ethic in everyday practice by having the state's bar association promote and provide effective, convenient online tools for assessing and maintaining competence, in partnership with ICLE.



Michigan is in a unique position to develop a new 21st Century model of continuing professional education that recognizes that each practicing lawyer's learning needs and goals are unique and takes advantage of the role of the State Bar in collaboration with local bars in supporting members' professional development, as well as advances in awareness of the most effective forms of adult learning. Without charge, every active member of the State Bar can be provided with a basic package of professional development tools, including access to quick, up-to-the-minute online self-testing and assessment in the areas the member has identified as relevant to his or her practice and career goals.

Recognizing Specialization The development of a new model for voluntary continuing legal education and professional development works in concert with the recommendation for the development of voluntary specialty certification in Michigan. A specialty certification infrastructure developed collaboratively by practitioners within the specialty (bar sections are expected to play a central role), legal education experts, and regulators provides a valuable framework for the professional development, help, and support of the practicing legal community. Not only can specialty certification serve the public by elevating and advancing the quality of legal practice, it also provides an important consumer service. Along with information about a lawyer's recommendations and experience, specialty certification gives prospective clients one more piece of relevant piece of information to use in evaluating their choices.

The Task Force recognizes that there must be more than one path to achieving specialty certification for lawyers who choose to seek it. One avenue, completion of a specialty certificate program, gives new lawyers seeking entry into a specialty market a way to validate readiness to practice in that area. Further, the development of specialty certification need not pose a threat to Michigan's general practitioners. Indeed, like primary care medical practice, a general legal practice is its own type of specialized work, with its own particularized set of best practices and standards, for which expertise could be demonstrated.

What 21st Century Task Force and Committee Members Had to Say

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"Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur. Excepteur sint occaecat cupidatat non proident, sunt in culpa qui officia deserunt mollit anim id est laborum." Maria Montessori, Access and Affordability Committee

"At vero eos et accusamus et iusto odio dignissimos ducimus qui blanditiis praesentium laborum et dolorum fuga. Et harum quidem rerum facilis est et expedita distinctio." Mother Teresa, Practice Committee

"Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip" Chris Langdell, Regulatory Committee



THE PROBLEM inefficient legal processes

The legal profession's focus on precedent has contributed to an institutional resistance to innovating litigation processes, court rules, and business practices that could deliver solutions to legal problems more efficiently and inexpensively. Better systems, technology-based procedures, and business process tools already exist that can cut costs for clients, lawyers, and taxpayers, but U.S. bar associations and regulators on the whole have not yet taken up the challenge of evaluating, testing, and implementing changes that could benefit the public and the legal profession.

THE VISION

Simplify unnecessarily complex legal processes and court procedures, adopt appropriate cost-saving technology, apply business process analysis, and make effective resources like problem-solving courts more available statewide.

BASIC ELEMENTS OF THE PLAN

- Modify court rules of civil discovery to reduce the expense and burden of civil discovery
- Research whether the amount of pre-trial discovery and practice should be tailored on a case-by-case basis, considering parties' financial resources and other relevant factors
- Modify court rules and administrative procedures to further promote mediation and alternative dispute resolution
- Promote business process analysis and problem-solving court principles and best practices, to courts, law firms, legal aid agencies and other justice system entities
- Make problem-solving courts and specially trained judges available to all through statewide venue provisions, more flexible assignment provisions

- Streamline probate and entry of consent divorces; identify types of cases that might be successfully removed from judicial process

First Steps

- Develop a strategy for promoting an expectation and culture of regular business process analysis for ongoing improvements in legal services delivery and court processes
- Create an SBM special committee to make recommendations on pre-trial practice innovations and whether some types of cases might be removed from judicial process
- Establish a special committee to develop comprehensive amendments to court rules concerning mediation, promoting the use of a properly trained mediator or special master in a quick, shorter discovery process
- Develop member understanding of new and successful innovative law practice forms, such as the primary care, sliding scale, and not-for-profit law firm models, that can improve the economic viability of solo and small firm practices and also expand service to underserved geographic areas and populations.

Key Innovations

Creation of a culture of business process analysis for continuous improvement in legal practices and courts

Civil process innovations, focusing on pre-trial reform and the removal of appropriate cases from the judicial process

Online dispute resolution pilots

Statewide venue specialty courts

Tech-assisted remote legal services delivery

Visualizing the Problem

[need input]

Thinking the Problem Through

Technology offers tantalizing opportunities to make the justice system and legal services less costly, more convenient, less mystifying and more accessible. [Statistics on cost-savings.] But technology alone does not guarantee improvement and in fact can even complicate service delivery and add expense. Without thoughtful process analysis, automation can be the equivalent of paving a cow path rather than building an efficient superhighway.

Encouragingly, Michigan is well-positioned to realize the vision of a more efficient, accessible and affordable justice system through the smart application of technology, standardization, and business process analysis. With the strong support of the bar, Michigan’s judiciary has already started taking innovative, data-driven steps to make Michigan’s court system more accountable and effective, to implement technology to increase efficiency and convenience, improve access, and reduce costs, and to re-engineer courts to streamline operations and target scarce resources more effectively. Our Supreme Court, working with the State Bar and recently with Michigan Legal Help, has already simplified and



Need compelling video story of how a court business process analysis has improved service to the public.

standardized a wide variety of forms. The changes underway have begun to pay dividends. Public satisfaction with every court in Michigan is now solicited uniformly and regularly. In the 2015 survey, 87 percent of respondents said they were able to get their business done in a reasonable amount of time, 93 percent said they were treated with courtesy and respect by court staff, and 83 percent said the way their case was handled was fair.

Just as problem-solving courts have dramatically improved outcomes in many Michigan courts and should be replicated throughout the system as expeditiously as possible, business process and project management analysis being used by to improve value to individual clients and has entered the law school curriculum. The State Bar can play a role in the understanding and dissemination of the successful techniques. [insert story here of successful business process analysis office turnaround in Michigan?]



Continued and expanded collaboration among all components of the legal system is necessary to establish a culture of continuous improvement based on business process analysis, reliable data, and creative innovation. The Task Force process was itself an exercise of collaboration. In the course of their work, the three Task Force committees identified several specific areas as ripe for

Insert video of participant explaining the 55th District Court Project

business process analysis reform and court rule amendment: pre-trial processes, civil discovery, mediation, alternative dispute resolution, probate procedures, and entry of consent divorces.

What 21st Century Task Force and Committee Members Had to Say

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"At vero eos et accusamus et iusto odio dignissimos ducimus qui blanditiis praesentium laborum et dolorum fug." , Access and Affordability Committee

"Et harum quidem rerum facilis est et expedita distinctio. non proident, sunt in culpa qui officia deserunt mollit anim id est laborum."



THE PROBLEM regulatory hurdles
Technology and the changes it is creating in the global legal marketplace threaten to make traditional law firm business models, lawyer regulation, and some of the rules regulation is based

on, insufficient to meet these new challenges. Clients' legal problems are often intertwined with other problems beyond a lawyer's or law firm's expertise. There is a new recognition that the value of many types of legal services can be enhanced by collaboration with other non-J.D. professionals. The need for smarter regulation is urgent. Nationally, non-lawyers operating outside of the official regulation of any jurisdiction are becoming major players in the online legal services marketplace. Their freedom from the rules that govern the legal profession perversely provides them a competitive advantage, but presents new risks to the public.

THE VISION

Modernized, more transparent, nimble, and accountable regulation of the legal profession that is responsive to both the risks and benefits of lawyers' use of technology and of new business models for legal service delivery. Modernized rules of professional conduct whose application to the use of technology and the evolving marketplace is clear, coherent, and consistent. A state bar association that members can count on to help them negotiate the rapidly-changing legal marketplace and deliver services to their clients most cost-effectively, consistent with long-standing ethical standards that serve and protect the public.

BASIC ELEMENTS OF THE PLAN

- Create a quicker, more responsive system for ethical rules guidance as technology poses new questions about the application of the rules of professional conduct
- Continuously review ethical rules and regulations and where needed adapt them to eliminate unnecessary barriers to innovation, consistent with the highest standards of ethical obligations to clients and the public
- Reorient State Bar resources from traditional bar association service delivery toward greater focus on technological expertise and excellence
- Develop proactive, preventative, and client-focused policies and strategies aimed at promotion of ethical conduct, prevention of misconduct, and improvement in client satisfaction, using state and national data on grievances and misconduct
- Encourage and support interpretations of the current rules of professional conduct and the development of new rules that promote new models of service delivery (e.g., limited scope representation) and improve accountability (e.g., guidance on fee agreements).

First Steps

- Implement a high-quality, comprehensive limited scope representation system, including guidelines, attorney and client education, rules and commentary, and court forms focusing on civil cases
- Include certified LSR training component on both the SBM directory and MLH, and ultimately on the unified online legal services platform
- Create a quick, responsive SBM system for advisory, prospective review of fee arrangements, in collaboration with ADS; increase education of members on existing ethics opinions about fee arrangements and options
- Draft amendments to MRPC 1.5 to include a definitional section on alternative fee arrangements and to clarify obligations for fee explanations in engagement letters, for consideration by the Representative Assembly

- Develop clearer ethical guidance concerning online marketing
- Amend commentary to MRPC 1.1 to promote tech competence in legal practice for consideration by the Representative Assembly
- Develop and evaluate multidisciplinary (MDP) business models for family, probate, real property for consideration by the Representative Assembly
- Prepare amendment to BLE Rule 5 to authorize foreign lawyers to practice without examination in ADR matters, representing organizational clients, and handling federal law matters, for consideration by the Representative Assembly
- Consideration of proactive management based regulatory measures
- Create an arbitration program to resolve attorney-client fee disputes
- Create a client fee dispute mediation program, except significant MRPC 8.3 violations
- Develop SBM Tech Advisor or SBM department to assist in complying with MRPC 1.1
- Identify essential technological competencies by practice type, develop and update curricula, including, cybersecurity, cloud computing, e-discovery, internet-based investigations and marketing, and “new law” technology, and encourage ongoing training on the use of existing and emerging technologies and court systems
- Determine the practicality of a rule-based definition of the practice of law
- Determine the practicality and usefulness of regulating all legal service providers (from simple registration to full licensing)

Key Innovations

Comprehensive LSR system with LSR standards, coordinated with referral network

Reallocation of state bar resources to provide better technology practice support for members

Proactive, preventive focus of disciplinary system

Visualizing the Problem

[input needed]

Thinking the Problem Through

The modern era of lawyer regulation began about a century ago, at a time when most lawyers were solo general practitioners, advertising was primarily what was on the lawyer’s shingle, the telephone was the latest new technology, and most lawyers practiced law in just one jurisdiction -- typically the same jurisdiction in which they were born, raised, and studied law. The raw material of legal practice – court opinions, statutes, and court rules – was locked inside law offices and law libraries. And most significantly, there was little question in the law and in the public’s mind about what constituted the practice of law and who was entitled to do it.

The basic elements of lawyer regulation today remain the same as a century ago: state-jurisdiction locus, an admissions process requiring passage of an examination of character and fitness and a single-sitting post-graduate bar exam primarily testing knowledge of black letter law, a disciplinary system based on prosecuting violations of rules of professional conduct, and enforcement of a prohibition on the unauthorized practice of law. This system has weathered disrepute (the ABA’s 1970 Clark Committee called the state of professional attorney discipline "scandalous"), the culture shock of the massive infusion of obstreperous baby boomers into the professional bloodstream, the overturning of bans on lawyer advertising, and decades of enfeeblement of the enforcement of the unauthorized practice of law by court rulings. As

consumers flock online to find and procure services, however, there is good reason to wonder whether the challenge presented by a 21st century proliferation of nonlawyers offering various forms of legal services online, coupled with lack of consensus about what constitutes the practice of law, will be the straw that breaks the 20th century regulatory model's back.

Regulatory Objectives The need for consensus about what to regulate and how underlies the Task Force recommendation for the adoption of regulatory objectives to address the fundamental question, why? In discussions about regulatory objectives, Task Force participants agreed that regulatory objectives are beneficial and should address inclusion, diversity, and cultural competency, but went back and forth on the value of advocating for specific regulatory objectives, such as the model regulatory objectives recently adopted by the American Bar Association, ahead of adoption of the full package of Task Force recommendations. In the end, the importance of developing a broad consensus on objectives led to the recommendation for the use of regulatory objectives consistent with the overall recommendations of the Task Force, rather than the endorsement of specific objectives.

The trend lines on the proliferation of online purveyors of legal services suggest the need for urgency. Hundreds of millions of dollars in venture capital are being invested in unlocking the "latent legal market" of potential modest and moderate means consumers who are now sitting on their hands out of ignorance of their legal needs or fear of the cost, or both. This market has been estimated at \$45 billion or higher. There are promising models developing for reaching the latent legal market in ways that don't compromise quality or ethics. Unfortunately, one way to lure potential consumers into the legal marketplace is to offer fixed-cost, cut-rate "services" that may or may not meet quality standards and may even exacerbate legal problems. To date, the regulatory structure has not figured out how to respond effectively to that challenge. Where the boundaries lie between authorized and unauthorized practice of law is unclear, and timely ethical guidance about emerging market developments and new technology has not been a habit or priority of the regulatory system.

Regulatory objectives are a start. Without consensus on objectives, decisions about whether and how to regulate non-lawyer service providers (e.g., paralegals, lay navigators, project managers, etc.) are premature. While that consensus is developed, there are immediate areas that are ripe for action, such as limited scope representation, fee agreements, and admissions changes concerning foreign lawyers to better position Michigan within global business markets. Building help and guidance for lawyers about the competent, ethical use of technology can also be undertaken immediately.

Ethical Guidance in the Face of Rapid Change Market research confirms that consumers want a clear understanding of value and as much certainty on expense as possible. The dominant billable hour pricing model and many standard fee agreements provide neither. Limited scope representation has been shown in other jurisdictions to be an effective tool to expand service to underserved populations. Its use in Michigan is ready for advancement and offers an opportunity for all parts of the regulatory structure – the Supreme Court, disciplinary system, and State Bar of Michigan – to develop coordinated strategies for making the regulatory structure more quickly and effectively responsive to innovative service delivery ideas. A suite of ideas to improve clarity concerning fee arrangements and engagement letters and to boost consumer confidence can also be teed up for quick action.

Beyond these specific areas, the rules of professional conduct, traditional legal practice, traditional regulatory culture, and new technologies have not made for a comfortable fit. The

paces clash and new questions proliferate. Does email pose a particular threat to preserving client confidentiality? Are there new risks to ethical behavior created by particular technologies? What is a lawyer's liability for a particular technology's failure? What constitutes technological competency in the practice of law, and how does competency relate to professional ethics? The Task Force proposes a proactive response by the State Bar in response to these questions.

Although the Task Force does not make a general recommendation concerning lifting the ban on nonlawyer ownership interests in law firms, we do recommend moving forward on a limited test of the value of fee-sharing in any area where evidence shows that consumer needs are often best met through a team of professionals working together, such as service to elderly clients, whose legal needs are often bound together with other needs that lawyers are not trained to address.

In the end, the goal of regulation in the 21st century is the same as what it was in the 20th: preserving, protecting, and as much as possible perfecting the operation of the justice system. But achieving that goal requires new tools and a new orientation to change.

What 21st Century Task Force and Committee Members Had to Say

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THE PROBLEM cultural resistance to innovation

The legal system does not have an innovative orientation. In a time when technological innovations are transforming the marketplace, the absence of an innovative culture puts the legal profession and quality legal services at risk. This Task Force was created to address that problem by developing a comprehensive set of changes, from the practical and immediately achievable to cutting edge ideas. But staying ahead of changes to create the best possible future requires an ongoing, permanent commitment. The changes on the horizon are profound, particularly with the advent of artificial intelligence applications to legal processes. The rules and processes of the legal system will need to adapt at a much faster pace to take advantage of the new efficiencies while preserving quality. Jurisdictions that embrace the need for change and are most adept at adapting their rules and processes will not only be leaders in enhancing access to justice for their citizens but will also provide advantages to their business community and the jurisdiction's economic competitiveness.

THE VISION

Continue the momentum for innovation already underway in Michigan, expanding the ongoing transformation of the court system through increased use of functional, working technology, triage, mediation, alternative dispute resolution, and eventually online dispute resolution. Accelerate changes in court rules and the rules of professional conduct to take advantage of technological developments. Establish Michigan as a U.S. leader in modernizing the delivery of legal services.

BASIC ELEMENTS OF THE PLAN

- Develop Justice Innovations Guidelines for adoption by SBM and other interested stakeholders for use in identifying and promoting justice system efficiencies and innovations. The guidelines will help all stakeholders, including private vendors, communicate through a common vocabulary and shared goals, such as preserving fundamental rights, due process, and procedural fairness; transparency; adequate oversight; and appropriate application of human judgment
- Create a non-profit Justice Innovations Center housed and staffed in the State Bar with an advisory board drawn from the SBM, MSBF (MLH), SCAO, ADS, legal aid, law schools, ADS, practice management experts, HHS, the business community, and universities. The JIC would help advance the Task Force recommendations beyond the First Steps, evaluate the most innovative ideas from other jurisdictions, develop ideas and applications for consideration by stakeholders, design pilots, identify redundancies and obsolescence in the court system and practice of law, and seek grant funding. Board members would include a legal futurist and an economist.

First Steps

- Monitor and evaluate other regulatory models on an ongoing basis, including entity and outcomes-based regulation and licensing/regulation of non-JDs, and advise on the desirability of adapting elements of those models to the regulation of legal services in Michigan
- Evaluate the feasibility and desirability of adopting a rule-based definition of the practice of law in light of recent U.S. Supreme Court decisions

- Create a taxonomy of legal services and how they are delivered. Determine the practicality and value of creating standards for those services, and of regulating the individuals and entities that provide them (from simple registration to full licensing).
- Develop performance measures for delivery of legal services by lawyers, staff to aid lawyers in self-evaluation
- Develop standards for online dispute resolution
- Develop a blueprint for migrating low-level, non-jail offense negotiation to an online process, and for small claims and low-level commercial cases provided there are no collateral consequences
- Explore partnerships in the development and evaluation of ethics-based alternative business structure (ABS) models
- Research the feasibility of using non-judicial officers to enter consent divorce decrees based on signed notarized forms

Key Innovations

Justice Innovations Guidelines

Justice Innovations Center

Visualizing the Problem

Thinking the Problem Through

This one is easy to think through: positive change requires persistence. The Justice Innovations Center can be the critical engine for persistent innovation.

Among the ideas generated by the Task Force process are dozens that need further vetting, incubation, socializing, mapping, testing, refinement, or development before they are ready for the decision-makers. A prime example is the creation of a New Lawyer Institute. There are several models in operation today, with varying degrees of success and cost. The Justice Innovations Center would be the ideal place to evaluate the various models and how they fit into Michigan’s needs and requirements and the Task Force’s other recommendations.

The Task Force notably did not come to a definitive conclusion about a big question under intense debate in the legal community—is it necessary to loosen or lift the rule banning nonlawyer ownership of law in order to compete with the new legal market “disrupters” and promote desirable, ethical innovation in legal services? The evidence on the answer is mixed, but it is accumulating rapidly, particularly from Australia and the United Kingdom, and suggests that the answer must take into consideration the entire regulatory structure and support for access to justice. Meanwhile, market forces or legal challenges may quickly call the question. States whose regulators fail to think through the pros and cons and have an evidence-based action plan ready to implement risk missing opportunities for greater access to quality legal services, as well as potential competitive advantages to the state’s business climate. The Justice Innovations Center can be an important resource for developing such a plan.

What 21st Century Task Force and Committee Members Had to Say

"Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat." _____, Practice Committee

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"Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Time to stop ducking and get our ducks in a row, instead. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat." _____, Regulatory Committee



What Comes Next

Unlike many task force assignments, our Task Force was not charged with completing or perfecting the work of our predecessors. Instead, we were asked to help our profession step out into the unknown. And predicting what comes next when your work is an attempt to write on the clouds of the future can be a fool's errand.

We acknowledge up front that many of the ideas generated by this Task Force are unlikely to take hold exactly as we have described them. The more ambitious and promising they are the more they will be tumbled and shaped by new ideas and information and forces we cannot envision today.

But we send these ideas into the future with this hope and blessing: that they will not fail because the work is too hard. We are confident in the commitment of our profession to access to justice. If our ideas fail to come to fruition, may it be because they have yielded to better data and better ideas.

For today, these are the primary authorities to which we send our ideas out into the world:

The State Bar of Michigan has created this Task Force and has ownership of its work product. The State Bar has two distinct decision-making bodies: the **Board of Commissioners** and the **Representative Assembly**. As the final policy-making body of State Bar, the Representative Assembly has authority to make the broad policy recommendations of the Task Force, in particular those concerning rule and statutory changes, the policy recommendations of the State Bar. In its role overseeing the operation of the State Bar and its budget, the Board of Commissioners will determine whether and how to use the committee infrastructure of the organization and its staff to advance Task Force recommendations.

The Michigan Supreme Court has ultimate authority over changes to the Michigan Rules of Professional Conduct, the Michigan Court Rules (including the rules governing Professional Disciplinary Proceedings), and the Rules For the Board of Law Examiners, as well as appointment authority and oversight over the **Board of Law Examiners** and the two bodies of the attorney discipline system, the **Attorney Grievance Commission** and the **Attorney Discipline Board**.

The **Michigan Legislature** created the Board of Law Examiners and has established some of the conditions of admission, as well as the prohibition of the unauthorized practice of law.

Task Force Members

shell] [include short bios]

Rhoades McKee
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Institute for Continuing Legal Education
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14th Circuit Court
15th District Court
University of Michigan Law School
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The Nichols Law Firm
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Committee Members

[shell] [include city]

Acknowledgements

President, Canadian Bar Association 2013-14
President, American Bar Association 2014-15
Justice, Michigan Supreme Court
Chief Justice, Michigan Supreme Court

Reporter, Practice Committee
Reporter, Regulatory Committee
Reporter, Access and Affordability Committee

Law Student Reporter
Law Student Extern

Future of the Profession in Alabama
Commission on the Financing of Legal Education
Access to Justice Task Force
Task Force on the Future of the Profession
Task Force on Admissions Regulation Reform
CBA Legal Futures Initiative
Report on the Impact of Law School Debt on Delivery of Legal Services
Consultation on Compliance-Based Entity Regulation
Legal Service Providers Task Force Final Report
Task Force on the Future of Legal Education
Rural Practice Initiative
Report on the Future of the Legal Profession
Regulatory Objectives
Future of the Profession Study
Vision 2016:
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Alabama State Bar
American Bar Association
Arizona State Bar Association
Boston Bar Association
California Bar Association
Canadian Bar Association
Illinois State Bar Association
Law Society of Upper Canada
Law Society of British Columbia
Minnesota State Bar Association
Nebraska State Bar Association
New York State Bar Association
Nova Scotia Barristers' Society
Ohio State Bar Association
The Florida Bar
Utah State Bar

State Bar Staff

Access and Affordability

Practice

Regulatory

Town Hall Production

General Services

Task Force Reporters

Candace Crowley
Danon Goodrum-Garland
Janet K. Welch

Timeline

Work of the Task Force

| | |
|-------------------|----------------|
| March 5, 2015 | Appointment |
| April 27, 2015 | First Meeting |
| November 12, 2015 | Second Meeting |
| March 1, 2015 | Final Meeting |

Work of Committees

Access and Affordability

Practice

Regulatory

January 29, 2016 **Town Hall**

Future of Legal Services Forum Summary Report

Glossary of Future Law Terms

Bibliography

Template for Use by Other Bars

Preparation

- Identify Key Staff Team
- Research and Gather materials (e.g., bibliography of resources, glossary)
- Familiarize Leadership, Staff with basic legal futures ideas
- Formulate Task Force goals
- Identify Key Stakeholders
- Set Timeline, Steps toward endpoint

Creation

- Identify and Solicit Leadership of Task Force
- Finalize Structure, Composition, Process and Timeline in consultation with task force leaders
- Solicit Leaders of Committees
- Finalize Committee Composition, Process and Timeline in consultation with committee leaders
- Announce Task Force

The Work

- Orientation of Task Force Members
- Keynote by Futures Leader
- Development of Consensus on
 - Principles
 - Key Problems
 - Solutions
 - Strategy
- Outreach to Membership and Beyond
 - Email, blogs
 - Town Hall

The Ending and New Beginning

- Final Task Force Meeting
- Media Outreach
- Stakeholder Outreach
- Implementation
- Rinse, Repeat

Note: Throughout our Task Force work we have borrowed heavily from the impressive work of other bars and law societies (see acknowledgements) but we were unable to locate a basic template to use as our starting point. This template is an attempt to “give back” to the bar and law society community. It is based on what we did but is improved to reflect what we learned we should have done.