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Law Schools' Tech-Training Conundrum: If We Teach Them, Will They Get Jobs?

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Dan Katz, associate professor of law at IIT Chicago-Kent College of Law, speaks at the Janders Dean & Chicago-Kent College of Law Legal Horizons conference on Thursday, July 14, 2016.

On a stage in Chicago in front of about 250 tech-minded legal professionals, Nina Kilbride last week lamented how her company that is drafting "smart contracts" struggles to find talented, tech-focused lawyers.

Everyone she knows who wants to harness technology to "disrupt the business of law," as the saying goes, came to the niche legal-tech arena through happenstance or their own curiosity, Kilbride said, speaking at the Janders Dean & Chicago-Kent College of Law Legal Horizons Conference.

That may be changing. A growing number of law schools are offering students a curriculum or training around project management, automation and analytics, hoping to create a pipeline of talent that would quicken innovations that could challenge the current Big Law model.

The Illinois Institute of Technology's Chicago-Kent College of Law became the latest school with such a program, announced on the same stage where Kilbride spoke last week. It joins legal technology certificate programs at Suffolk University Law School, a multischool program called Law Without Walls and Michigan State University College of Law, where the professor running Chicago-Kent's new "The Law Lab," Dan Katz, started a similar program. About a dozen other schools, including Columbia Law School and the University of Pennsylvania Law School, offer legal-tech clinics or seminars, professors in the area said.

But even as one slow gear in the legal market begins to turn, forward-thinking law professors still face a dilemma related to the pace of change among those around them. Namely, is the industry evolving fast enough to create demand for these tech-savvy graduates?

"All we're looking for is a set of partners that will hire our graduates because they will learn things like project management as part of their legal education, and they're going to learn how to use tech to be a better lawyer," Katz said. "That's our argument."

Gabe Teninbaum, director of the Law Practice Technology Concentration at Suffolk, said his students are already proving that to be a winning argument. Last year, he had five students complete the full concentration, and about 50 other students took a portion of the core classes, which were all oversubscribed.

All five students are employed full-time in nontraditional legal jobs. Two now work at the research and development arm of Am Law 200 firm Davis Wright Tremaine, whose website proclaims: "The ways in which clients purchase and use legal services has changed permanently." Another works for document automation company Exari.

"If I had 10 more students in my program, I think they'd all still be employed," Teninbaum said. "As it stands now, I anticipate there will be more of these jobs than qualified graduates for the next few years."

Eris Industries' Kilbride was not the only potential employer who said there were not enough law schools teaching students skills to solve legal problems using technology.

"Law schools, for the most part, have been woefully inadequate. They've been asleep at the switch because the skills are changing," said William Painter, a partner at Baker, Donelson, Bearman, Caldwell & Berkowitz.

Painter has helped his Am Law 100 firm with more than $330 million in revenue last year make moves into a tech-focused legal practice. The firm's internal development of a project management software called BakerManage has led to an entire new revenue stream. The firm now licenses the software to clients through a partnership with law firm consultancy Legal Shift.

Baker Donelson employs more than 25 people, many of whom are lawyers, in areas like knowledge management and process management.

"We've hired young lawyers coming out of law school that for whatever reason had a focus in law school on this," Painter said.

Suffolk's Teninbaum said law schools struggle to offer legal technology courses for a simple reason: They don't have members on their faculty who have the knowledge to teach it. Legal technology has never before been a tenure-track position.

Michele DeStefano's Law Without Walls program may help law school deans offer this area of teaching even if they don't have the faculty to develop the courses.

In its seventh year, Law Without Walls partners with schools to offer students credit for a 16-week program aimed at solving a real-life legal problem using technology. The program, a collaboration with University of Miami School of Law, creates a team of three students from law or business school with two lawyer mentors and the team spends four months developing solutions to real-world problems brought to the program from companies such as Microsoft Corp. or Lockheed Martin. Nearly 30 law schools and business schools send students to Law Without Walls.

"Everyone says legal educators can't change and aren't, but some of us really are," said DeStefano, a visiting professor at Harvard Law School.

Conventional legal hiring is also beginning to change.

Take Joe Otterstetter, for instance. The managing counsel for the nearly 500-employee 3M legal department, Otterstetter expects in the future that he will hire students directly from law school who are trained in process management or legal analytics. Like most in-house departments, Otterstetter's typically has not hired directly from law school.

As an example of the skillset he's seeking, he pointed to Andrew Baker, a 2007 Chicago-Kent graduate and the former director of Seyfarth Shaw's legal technology office. Baker is now a consultant at Janders Dean, where he helps law firms and legal departments, including 3M's, use technology to drive more efficient spending.

"That combination of skills is so rare right now that it's incredibly demanded," Otterstetter said. "I think that as more and more law firms and companies like mine get a taste of the value those people can deliver, the more they'll want to do that inside."

While those tech-focused legal jobs are becoming more common, some believe there is even greater demand for technically proficient lawyers at the more fundamental level of everyday lawyering. Keeping up to speed on new technology is now even codified into the American Bar Association's Model Rules of Professional Conduct.

"The real integration pressure point is on the day-to-day job of being a lawyer," said Conrad Johnson, a professor at Columbia Law School who has run the school's technology legal clinic for more than a decade. "I don't see how lawyers get their work done, for the most part, these days without having some facility with technology."