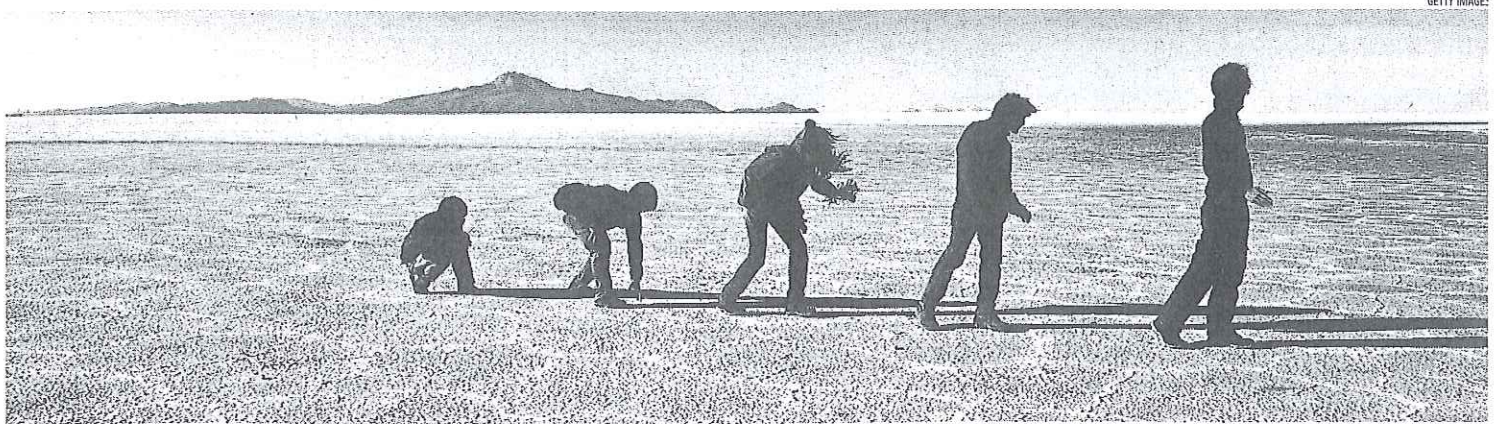


It's time to populate the online legal desert



New tools are needed: it is time for a second generation of online legal services in the UK — sound sources of legal help when otherwise none would be affordable

Non-lawyers need jargon-free, quick guidance. Richard Susskind looks at what could be offered

The Co-op is igniting a high street revolution this week, when for the first time its customers can access legal services through local banks. This is concrete evidence of fundamental change that is sweeping through the legal world. Ground-breaking though this may be, however, the Co-op's offering is not the endgame in the evolution of law. The next step, the real game-changer, is online legal service.

If citizens can go online and obtain reliable health advice from NHS Direct, why not have similar facilities for the provision of legal help?

This is not a call for internet-based collections of legislation and case law. We already have these. At no charge, users can retrieve UK legislation from its newish home at www.legislation.gov.uk, or from www.bailii.org, where British and Irish statutes and law reports are ingeniously linked together. These services are superb for lawyers. But they are of little direct use to citizens who are not generally familiar with legal terminology or with the interpretation of the law.

Non-lawyers need quick, affordable, practical and jargon-free guidance. In the past, this is what many lawyers gave their clients. Today, most individuals cannot afford lawyers' hourly rates. And cutbacks in legal aid may mean that even fewer citizens are able to pay for formal advice. The threat of inaccess to justice is clear.

There is a related problem with regulation for businesses, most of which have little hope of mastering and complying with the countless rules that apply to them. Even if we can jettison all absurd and otiose regulation, as the

Government hopes (www.redtapechallenge.cabinetoffice.gov.uk), we will still be left with complex bodies of rules that are hard to follow.

For citizens and businesses alike, new tools are needed; better and affordable ways of helping non-lawyers to cope with law and regulation. This is where online legal service can be invaluable by providing reliable guidance and legal documents that are easy to handle. Even if we are unable to eliminate the volume and complexity of legal rules, interactive systems can break down everyday law and tasks into more manageable bite-size chunks.

In this spirit, some online legal services have emerged in the UK (a useful list is maintained at www.venables.co.uk). From the Government, there is the well-intentioned but underdeveloped www.communitylegaladvice.org.uk, which helps users to find advisers and offers links to other sites; often to online help from Citizens Advice at www.adviceguide.org.uk.

More specialist sites are also in play. Some are entirely self-help, while others work alongside traditional legal service. To give a flavour: the TUC has developed www.worksmart.org.uk, which presents guidance on employment law issues; www.payplan.com provides help for people in financial difficulties; family law matters are addressed at www.resolution.org.uk; while there are tools to help to blend conventional advice with online service at www.epoq.co.uk.

In the US, a recent study valued their "self-help legal information services" market in 2010 at \$664 million (www.outsellinc.com). This includes legal self-help resources (www.nolo.com),

sites that help clients find and rate lawyers (www.avvo.com), and services that invite users to ask questions, the answers to which become publicly visible (www.lawguru.com). There is also web-enabled document drafting, as offered at www.legalzoom.com. Remarkably, LegalZoom is a better known brand in the US than any law firm.

Although these developments demonstrate what can be achieved, in the UK the services are piecemeal, their take-up is low, the services are not

and businesses should navigate the law as they do elsewhere online.

The content should relate directly to people's daily situations ("life events"), rather than legal textbook headings. Automated document production should be widely available. And we should build communities — social networks — where non-lawyers can share legal tips and experiences.

What is the role of government in developing this second generation? The state-funded NHS Direct model is not promising, if only because the public purse is empty. But this should not inhibit government from assuming a leadership role in helping to shape the vision of a society in which the law of the land (which everyone is presumed to know) is widely available and digestible, in catalysing and encouraging the development of relevant services, and perhaps in supporting a simple, strongly branded portal for online legal help.

One attractive possibility, if well coordinated, would be for the legal profession to help to build no-cost, Wiki-like resources for citizens. The leading legal publishers could provide the technical infrastructure, while law firms, large and small, could provide the legal content, on a pro bono basis.

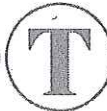
Beyond government and pro bono initiatives, the US experience suggests there will also be substantial private sector interest in online legal services. In England, alternative business structures, as permitted under the Legal Services Act 2007, could provide keenly priced internet-based solutions as part of their commercial offerings.

Tucked away here are several sources of competitive advantage for the UK.

The author recently succeeded Lord Saville of Newdigate as President of the Society for Computers and Law

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widely known, and they certainly fall short, comparatively, of the coherence and coverage of NHS Direct.

It is time for a second generation of online legal services in the UK — sound sources of legal help when otherwise none would be affordable.

These should be easier to use; not just text on screen, but interactive and multimedia. Using simple aids, such as flowcharts, decision trees and FAQs (frequently asked questions), citizens