



The New Business of Law
Attorney Outsourcing, Legal Service Companies & Commercial Litigation Funding
November 12, 2014

The business of law is undergoing the greatest changes it has seen in decades. Rapid technological, economic, and regulatory changes are rippling through the legal profession and moving from the pages of the legal press to offices of Tennessee clients and lawyers.

From litigation funding to contract lawyers to e-discovery suppliers to outsourced law departments, Tennessee lawyers and clients face an increasingly complex business environment.

For lawyers in private practice, in-house counsel, and clients, the questions are many: Who are these providers? What do they do? How can I use them? Can I (or my clients) compete more effectively if I use them (or join them)? What does this mean for the legal market? How do the rules of professional responsibility apply to my use (or provision) of these types of services?

Lawyers well-versed in the regulation of the profession, senior in-house and law firm attorneys, and leaders of Tennessee businesses that provide new-wave legal and law-related services will explore these questions in depth. Topics include: Conflicts of interest, fee sharing with non-lawyers, unauthorized practice of law, responsibility of supervision, informed consent and notice, work product protection, attorney-client privilege, and confidentiality.

Presenters

Moderator: Lucian T. Pera, Partner, Adams and Reese LLP
Presenters: Professor Brian Fitzpatrick, Vanderbilt Law School
Adin Lara, Esq., President, Lexford Capital
Ross Booher, Esq., Co-founder & CEO, Latitude
Candice Reed, VP, Chief Ethics Officer and Corporate Counsel, Comdata, Inc.
Tom Turner, President, DSI

Agenda

12:00 – 12:30 Registration and Lunch Included

12:30 – 1:00 The Context: The Times They Are A-Changin’
Professor Brian Fitzpatrick, Vanderbilt Law School
Professor Fitzpatrick will lead a tour of the changing legal and law-related services environment, setting the economic and legal context for the advent of new businesses and forms of delivery.

1:00 – 2:00

Litigating with Other People's Money

Lucian T. Pera, Partner, Adams and Reese LLP

Professor Brian Fitzpatrick, Vanderbilt Law School

Adin Lara, Esq., President, Lexford Capital

Over the last fifteen years, innovative financiers have developed new methods of funding lawsuits. Starting as direct funders of personal-injury plaintiffs, litigation finance has developed into a global market funneling financial support to plaintiff's lawyers and law firms, commercial litigation claimants, and even some defendants. What does this rapidly changing market look like? What funding is available? Is this ethical? Is it smart for clients and law firms? What are the risks? And what about champerty and maintenance – how is this legal? *Adin Lara*, President of Lexford Capital LLC, will focus the panel on how the litigation funding market works and what it means for Tennessee lawyers and clients. *Professor Fitzpatrick* and *Lucian Pera* will break down the ethics and legal issues.

2:00 – 2:15

Break

2:15 – 3:15

Alternative Legal Service Providers & Attorney Free Agency

Lucian T. Pera, Partner, Adams and Reese LLP

Professor Brian Fitzpatrick, Vanderbilt Law School

Ross Booher, Esq., Co-founder & CEO, Latitude

Candice Reed, VP, Chief Ethics Officer & Corporate Counsel, Comdata, Inc.

Tom Turner, President, DSi

The industry is so new that even naming it is difficult. An increasing number of companies that are not law firms are now providing attorneys and law-related services to law firms and corporate law departments. These companies now offer services ranging from providing a single contract attorney to serve as a part-time in-house counsel role, to a full team of partner-level attorneys to help a law firm or company handle a complex M&A transaction, investigation or litigation. And as e-discovery proliferates and the IT revolution continues, businesses other than law firms have multiplied to provide everything from software tools, to 24/7 facilities with hundreds of contract lawyers working in shifts, to offshore attorneys, to technical and forensic experts supervised by project management specialists, to outsourced law office administration. Who are these businesses? What do they do? How do they affect the ability of law firms to compete in the rapidly changing legal market? How are they affecting the ways that lawyers are practicing law? How do the rules of professional responsibility apply to attorneys utilizing and providing these services? *Ross Booher*, CEO of Latitude, *Candice Reed*, VP, Chief Ethics Officer and Corporate Counsel for Comdata, Inc., and *Tom Turner*, President of DSi will join the panel to discuss the latest developments in the

alternative legal services sector and the implications for the legal market. *Professor Fitzpatrick* and *Lucian Pera* will evaluate the ethics and legal issues.

3:15 – 3:45

The Undiscovered Country: Questions and Answers

Moderated by Lucian T. Pera, Partner, Adams and Reese LLP

What does the future hold for Tennessee lawyers? Our panelists will take a few minutes to predict how the economic landscape of the law business, and ways attorneys practice, will evolve over the next few years.