

Big Data Deal
ReInvent Law London
June 20, 2014

MORE ON **TECHNOLOGY**

Technology: Why Big Data is a Big Deal for lawyers

Big data is really about data analytics — sophisticated algorithms that are being applied to incomprehensibly large volumes of data

BY DAVID J. WALTON
FEBRUARY 14, 2014

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Big data has consumed our technology-driven world.

Source:
<http://www.insidecounsel.com/2014/02/14/technology-why-big-data-is-a-big-deal-for-lawyers>

NOW . . .

- ✓ CASE PREDICTION
- ✓ FIRM SPENDING ANALYSIS
- ✓ E-DISCOVERY
- ✓ LITIGATION STRATEGY

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Today, data analytics are used for case prediction, firm spending analysis, e-discovery, and litigation strategy.

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BUT DATA IS SO MUCH MORE . . .

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But big data is so much more.



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Google, Amazon, Target, Facebook, and even the Obama Presidential campaign have figured out how to mine the massive amounts of consumer data to benefit their business ventures.

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From determining brand preferences to predicting pregnancy, stores like Target have become known for their targeted advertising and couponing. From public records to those little loyalty cards on our keychains, stores are constantly collecting consumer data.

Source:
<http://www.forbes.com/sites/kashmirhill/2012/02/16/how-target-figured-out-a-teen-girl-was-pregnant-before-her-father-did/>



In 2012, U.S. President Barack Obama's re-election campaign figured out how to use consumer data and voter records to identify American voters who identified with his campaign goals and began to build meaningful relationships with those individuals.

THE QUESTION IS . . .

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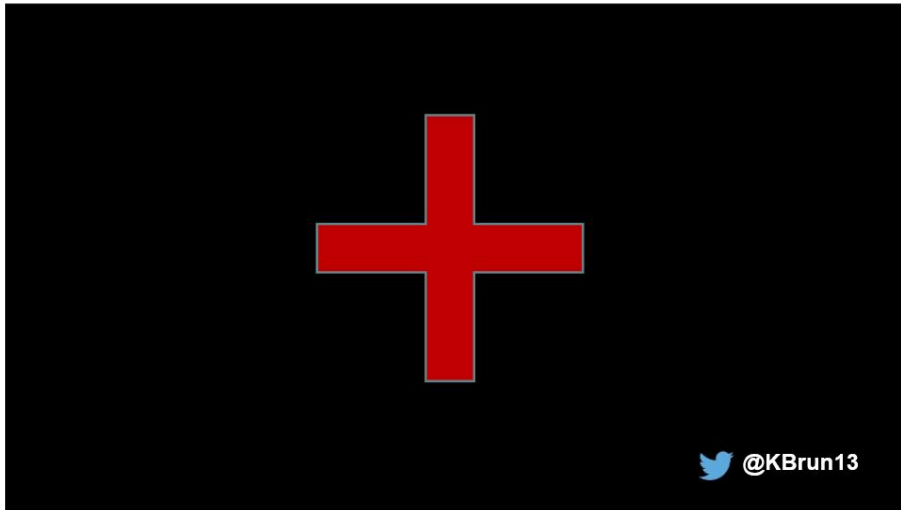
The real big data question we face as lawyers is:



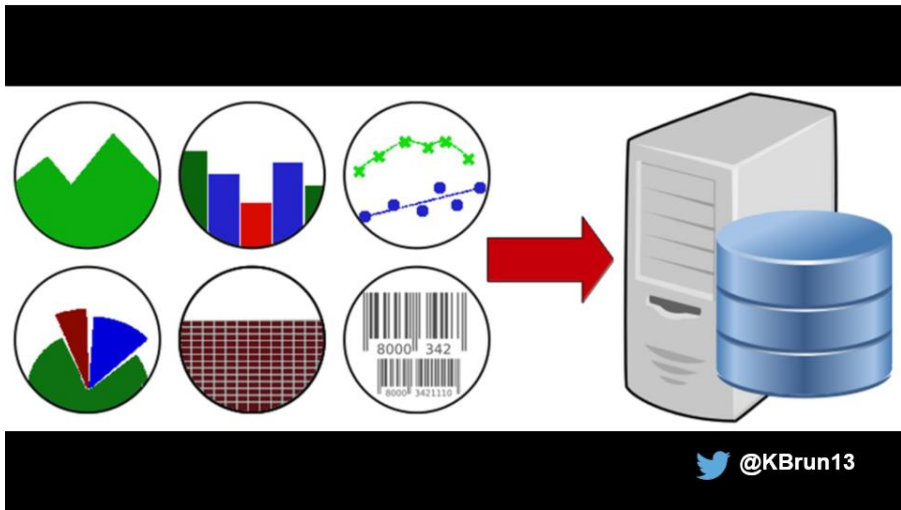
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How do we take the Big Data of law (i.e. court records, judicial opinions, and centuries of legal knowledge)

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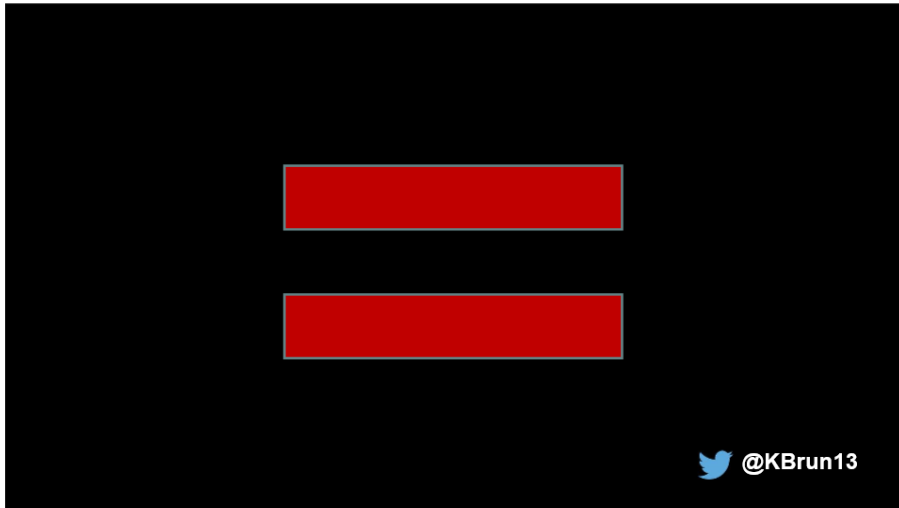


and add it with

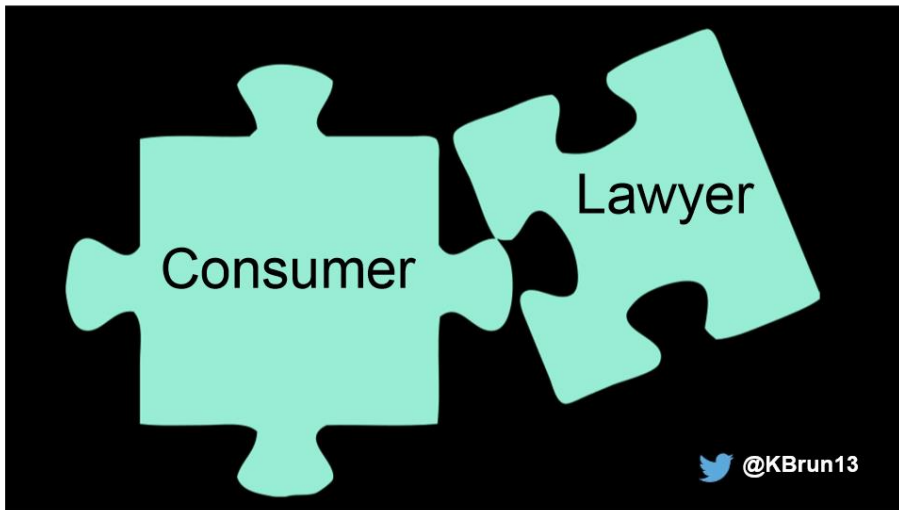


computer-assisted
analytical tools and
statistical modelling

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to solve

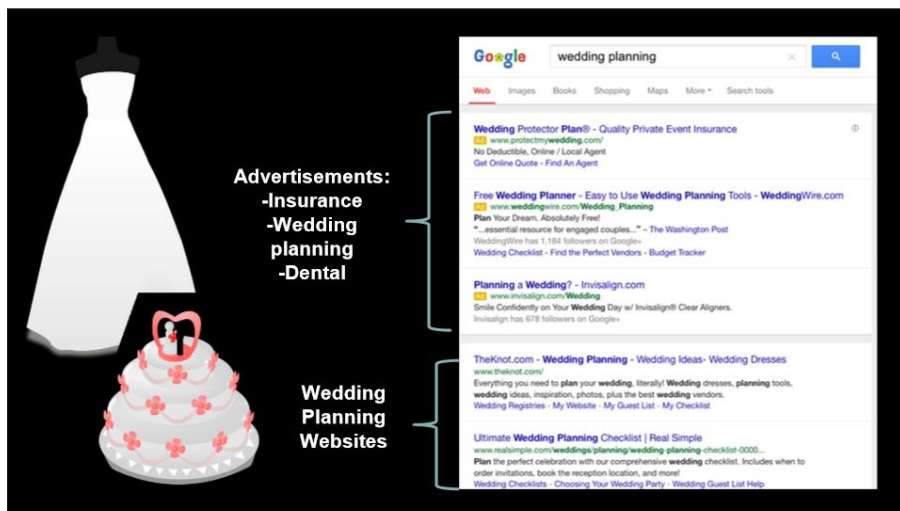


One of the biggest justice gap issues of the 21st Century--The numerous individuals who go without legal help because they don't know they have a legal problem and that they need information and help.

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Imagine a 21-year-old who just got engaged . . .




She's excited to plan her big day, searching the internet for dresses, rings, cake, and more.

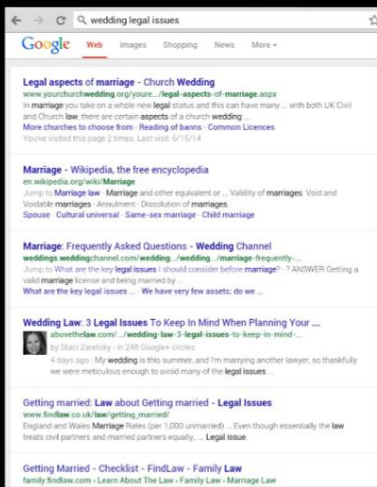
Insurance companies, wedding planners, and even dentists are advertising to get her attention. But where are the lawyers?

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An explicit search for “wedding legal issues”:




Thomson Reuter's FindLaw



Even if we explicitly search for “wedding legal issues,” we won’t find any lawyer advertising, and there are only a few results for legal information.



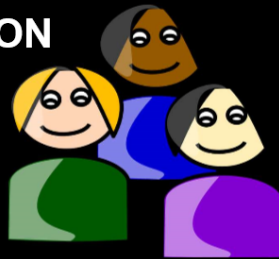
- MARRIAGE LICENSE
- NAME CHANGE
- PRENUPTIAL AGREEMENT
- LIFE INSURANCE
- BUYING A HOUSE
- JOINT TAX-RETURNS

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But in reality, this 21-year-old has many upcoming life events that involved legal issues.

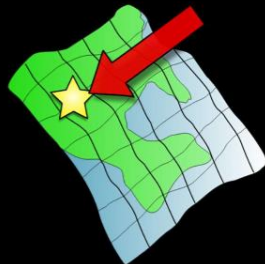
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USING DATA ANALYTICS, WE CAN IDENTIFY INDIVIDUALS WHO NEED LEGAL INFORMATION AND SERVICES.



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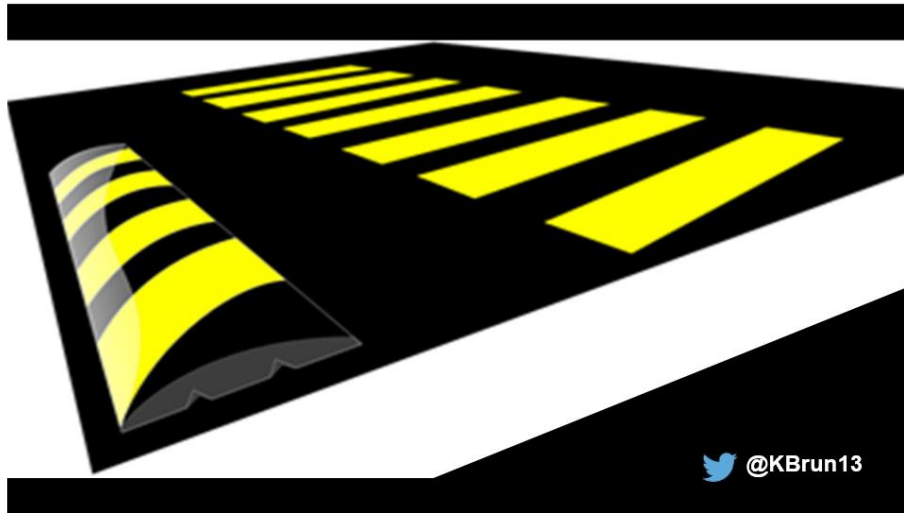
Using data analytics, we can do just that. We can identify clients in need of legal information and services.



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We can also identify the when, where, and how to best provide her with these services. Google Ads? Pinterest? Facebook? Direct mail? Text messages? Phone calls?

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But using big data to reach individuals and market legal information and services produces some significant ethical questions.



How do we straddle the right to privacy fence? How do we effectively protect the right to justice AND the right to privacy?

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If we use targeted marketing practices, are we engaging in solicitation that violates ethics rules in many jurisdictions?



Either way, Big Data is a Big Deal and we, as lawyers, need to be a part of the movement.