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CA Bar Governance in the Public Interest Task

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Force Remarks



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On April 4, 2016, Rocket Lawyer General Counsel Alon Rotem spoke to the California State Bar **Governance of Public Interest Task Force** in San Francisco on how Rocket Lawyer's online platform has modernized the delivery of legal services and lowered the cost of legal services for millions of Americans. Alon also offered insights into the recently publicized **reactions** from bar associations regarding Rocket Lawyer's recent partnership with the American Bar Association. Specifically, Alon explained why unified mandatory state bar associations have had an easier time recognizing innovators like Rocket Lawyer in the effort to expand access to justice in California and the rest of the United States. The six member task force was re-established in March 2015 and is charged with improving the public protection function of the State Bar. The task force will be holding another public hearing in Los Angeles on April 25.

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Alon speaking to the Governance of Public Interest Task Force in San Francisco

Read Alon's entire remarks here:

PUBLIC REMARKS: ROCKET LAWYER

California State Bar's Governance of Public Interest Task Force
April 4, 2016

Rocket Lawyer was founded in 2008 by Charley Moore, a corporate attorney and entrepreneur. The founding team at Rocket Lawyer recognized what the ABA calls the justice gap — the fact that as much as 85% of the population is unable to afford the traditional cost of legal services.

At Rocket Lawyer, our mission is to make the law simple and affordable and we aim to accomplish our mission by leveraging technology to narrow this justice gap in access to legal services across the country.

Our patented technology serves as an online legal services platform where consumers and small businesses can customize legal documents, connect with attorneys to get legal advice and incorporate their businesses. Our software lets people edit, share and electronically sign thousands of legal documents. And all along they way, we encourage them to ask attorneys questions and schedule attorney consultations. Our legal plans offer online access to online Q&A tools, free live consultations and transparent, pre-negotiated rates from attorneys in our network. Attorneys can log on to their Rocket Lawyer dashboards to answer questions, review legal documents and publish blog posts.

This fusion of user friendly software and attorney-driven legal assistance empowers our customers – most of whom have never engaged an attorney before. By making legal services simple and affordable, Rocket Lawyer actually helps to expand the market for legal services to millions of individuals, families and small businesses.

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We also know that the world is changing and the way consumers are finding legal services is shifting. The old thick yellow phone book is gone. And that 85% we talked about – they don't already have an attorney on speed dial. For most folks, searching the web is the place to start their journey to solve their legal issues. In fact, most people who come to Rocket Lawyer often find us from a web search – whether they are searching for a legal document or even simply typing in their legal question into the address bar — web sites and apps are the starting point. Today's consumers like to do their research online. They like to learn about their issue in the privacy of their own homes. The internet is also the ultimate comparison shopping tool.

Some people know exactly what they want, while others are just trying to learn. Some folks want the tools to draft their own documents. Others want to talk to an attorney immediately and get advice from a professional.

The point is that people are looking for legal services online and they are finding that the online experience is a viable and affordable path to justice.

SHARE I'll share a personal story to help illustrate the point. Last year, my mother-in-law dealt with the unenviable task of managing her father's affairs while he was hospitalized with severe dementia. He was no longer able to take care of himself and was going to have to leave his home to a managed care facility. There were so many decisions to make – including the sale of his home and other assets as well as medical decisions and a host of family issues I won't get into. As the lawyer in the family, I wanted to help — but this was not my area of expertise.

So I encouraged her to use Rocket Lawyer to learn about the legal issues she was facing. We shared a few legal articles on this area of family law. She was able to quickly prepare a Durable Power of Attorney and get her father to sign it on an iPad at the hospital during a period of clear thinking. She also used our Q&A tool to get an answer from an attorney about how to seek a conservatorship. Today, her father is thriving in an assisted living home in San Rafael and the proceeds from the sale of his estate are covering his living expenses.

This story is typical — and it shows how real people can benefit from services like Rocket Lawyer. In fact, many well-known legal organizations are intrigued by the success of Rocket Lawyer. As many of you know, last year the American Bar Association reached out to partner with Rocket Lawyer. The pilot project used Rocket Lawyer's platform to connect ABA lawyers with small businesses looking for affordable legal services.

In Charley Moore's words: *The fact is that a majority of American individuals and small businesses are priced out of legal representation. At the same time, many lawyers are underutilized. ABA Law Connect came about as a way for the American Bar Association to experiment with modern technology as a way to resolve this paradox.* The ABA thought it was a win-win — good for lawyers and good for consumers. Ultimately, the pilot was successful and we generated very useful data.

However, the reaction from all corners of the legal profession was rather illuminating. The mandatory unified bars — the State Bar of California, for example, cheered on the project. As a steward of the public interest, unified bars have an easier time recognizing the importance of solving the justice gap and appreciate the opportunity that technology can offer. The loudest critics, however, were local bars and the voluntary bars...the trade associations that depend on their own lawyer referral services for income. Instead of recognizing the partnership and pilot program as an opportunity for attorneys to attract new clients, they focused solely on price protection and fear of competition. As legal writer, Mark Cohen suggests, "It's important to recognize that there can be an inherent pressure on voluntary organizations to drive value to its membership (or to cower to the loudest voices within their membership), even if that comes at the expense of the public or to the profession."

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Read the remarks from @alonr at @StateBarCA Governance in the Public Interest Task Force mtg bit.ly/1UXreWE



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Read the story of how Michelle, a #SanFrancisco landlord, uses Rocket Lawyer to manage her rental property: bit.ly/1RYurV6



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So what does it mean for the organizational structure of a state bar? Without casting any aspersions on voluntary private association bars — we appreciate that unified mandatory bars are better able to balance the best interests of lawyers with the best interests of the public. Bars should be cognizant of the potential conflict of interest that exists when issues such as restraint of trade and monopoly power are present. Anti-competitive behavior stifles innovation and runs counter to the public's interest in accessing affordable legal services. In our experience, unified bars have demonstrated a more sophisticated ability to look at companies like Rocket Lawyer through a public interest lens and are increasingly well positioned to lead the profession through periods of change.

We recognize the changing legal landscape and the need to modernize the legal system. Rocket Lawyer believes it's important to have minimum standards for lawyer participation in online platforms. Consumer software companies are regulated by the FTC and state laws focusing on consumer protections. Lawyers are governed by the rules of professional responsibility in their state. Both types of regulations serve the public best when applied to the way lawyers and clients are actually interacting.

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At Rocket Lawyer, we appreciate the ethical responsibilities that lawyers must meet. Our platform was designed to uphold the independence of the lawyer's judgement, pricing transparency and disclosure regarding the nature of the lawyer's participation.

In addition to publishing lawyer fees, we believe that the guiding principle for professional responsibility is disclosure. Disclosure of financial relationships, disclosure of conflicts. These disclosures help consumers make the most informed decisions and offer lawyers the most flexible way to practice law — and take advantage of new services. Because the internet enables consumers to unlock so much information, they can easily comparison shop. Consumers also end up voting with their pocketbooks. They understand that if the service is transparent and demonstrates how it brings down their cost...and ultimately provides a better experience — then they will pay for it.

As I stated at the beginning of my comments, our goal at Rocket Lawyer is to make the law simple and affordable for millions of people — right here in California and elsewhere in the United States — where the law is simply out of reach for them.

People like my mother-in-law, working families, small businesses — these Rocket Lawyer customers have benefited from the access to justice that online legal services platforms offer. We are not only helping to close the justice gap, but we are also creating a platform for lawyers to connect with clients and modernize their practices.

We encourage the State Bar of California to take the time to learn more about our platform and work together with us to focus on the public interest, to enhance the profession, and to expand the market so that everyone can afford legal services.

Thank you again for taking the time to host me this morning. I appreciate your time and look forward to continue working with you to lead the effort to expand access to justice in California.