Big data:

Navigating the future

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Forecasting the future can also shape and clarify it. Eric Hunter of Bradford & Barthel and Spherical Models presents his eight-fold predictive path – not to spiritual enlightenment, but towards re-engineering the law firm of the future.
The future of legal technology has many faces. In many ways our perception of what is to come shapes our decision making processes. I’ve used a lens focused on consumerisation, consumer search and analytics deriving from search. There are many lenses to look through, but for me, these are the clearest. Reasons for this vary, and are at times contradictory. I’ve heard predictions around 3D printing forecasting the end of intellectual property – and predictions around cloud integration through every device suggesting a boom for intellectual property. I’ve heard strong assertions within the medical industry regarding health, longevity and the inevitable Darwinian joining of health and technology through biotechnology. Will the corporations targeting social consumerism, search, advertising and big data analytics capitalize on biotechnology and wearable technology to better target their consumer base and ensure biotechnology integration? Absolutely. But the focus on technology is not as important as the evolution in consumer behaviour, collaboration, analytics, business opportunities and the business model shifts on the horizon for our industry.

I heard a fascinating discussion on a panel in Hong Kong earlier this year around whether information policies within regional economies affect their economic output – for example, economies promoting free-flowing information-sharing corporations like Google and Facebook, as opposed to economies that guard their information flowing boundaries (restrictive workflow). When social or search shares are regional specific, particularly for enterprise driven applications, are the free-flowing information economies at an advantage, disadvantage, or is it immaterial?

**The Snowden effect**

A compelling example along these lines occurred this past year from a privacy standpoint I dub ‘The Snowden Effect’. After Edward Snowden released information on activities for the US-based National Security Agency (NSA), I thought back to the regional boundaries and guidelines discussed at the Hong Kong panel. Aside from the invasion of privacy alarms, how are these regional guidelines shifting towards information sharing working? If the NSA is able to hack into any country, (and some experts are quite certain other regions are doing exactly the same thing with their intelligence gathering apparatus), can any one country claim that by allowing information free flow only within that country, without crossing borders, it is truly protecting its data? I would argue no. If the NSA has shown us anything other than the privacy violations it’s endeavoured on, it is that no system or region is ultimately immune from another.

I would also argue that some of the biggest corporations in the world that are affected by these NSA privacy aspects (Google, Yahoo, Facebook, Microsoft, and others) must continually clean up their privacy implications as their shortfalls play so large within the public domain. In other words, some of our largest corporations need to continually adapt to emerging privacy invasions by the NSA and future evolutions of organizations like the NSA. The question to ask, then, is which economies are most in tune with these corporations’ free flowing information workflow. Another question – isn’t it the very nature of these same companies’ forward investment into big data analytics, artificial intelligence, communications evolutions, and evolving business models targeted directly at consumer behaviour and preferences that makes what the NSA does possible. Absolutely! But this is just the beginning.

**Big data and predictive analytics**

The forward investments into targeted analytics, search and social search by these companies alter personal behaviour, consumer behaviour, and business behaviours in tandem. As a result, the way we communicate with one another, do business with one another, and organize our staffing and client models continues to evolve as technology evolves. Examples of this are present within the news, advertising, sports, and entertainment industries. In the advertising, news and sports mediums information is distributed via social media. Through companies like Instagram, Twitter, and others, access to personalities and the ability to self-create online persona and share our own status globally is greater than ever before. Instead of “I’m going to search and go get it”, often we simply open our social networks, and “it’s brought to us” through targeted predictive analytics. Taking this a step further, how different will “it’s brought to us” become in this scenario?

**Velocity billing and spherical models**

The realities of what we’re looking to capture are only just beginning. The entire concept we base our industry revenue structure on – time – is impacted. Our billable structures, staffing structures and management strategies must continue to evolve in ways that embrace our ability to analyse, predict, streamline, tie together and negotiate evolving business structures through time. I call this concept ‘Velocity Billing’.

Visual analytics are produced by taking a standard linear workflow visualized from a flat surface, and bending this
workflow until a three-dimensional sphere, graph, or interaction is formed. This reorganizes the workflow to accommodate shorter distances between two points, creating alternative paths and multiple collaboration points possible through newly created communication points. Following this thinking, applying big data predictive analytics through executive teams, project teams, and clients becomes possible, accessible and tangible to the business. I call this process ‘Spherical Models’.

Our clients cover all regions, all walks of life and include some of the largest employers and corporations in the world. As the evolutions in big data, cloud and predictive analytics become reality, virtual realities become all the more common place; and our every day, moment, and aspect of doing business is an analytics driven, behavioural tracked and driven, cloud connected, social search integrated world; whether through living biotech within our bloodstreams, Google tattoos/glasses, what have you. The way our industry approaches time, the way our clients approach time, and the way our industry reacts to the evolutions in intellectual property within new practices areas, specializations and virtual realities and mediums will affect law firms the globe over.

The eight-fold predictive path for law firms
So what does a law firm re-engineered through predictive analytics look like? The structure changes, the workflow changes, the internal thinking changes, the client share changes, and the billing scenario changes. Big Law, boutique practices and international law firms, vendors, consultants with varying regional implications when looking at big data, predictive and visual analytics can apply the principles of Velocity Billing and Spherical Models by following ‘The Eight-Fold Predictive Path’. This is not related to Buddhism, but develops questions and concepts for law firms evolving forward through predictive analytics.

1. How do we reflect and integrate velocity big data analytics and subsequently Velocity Billing and Spherical Models within evolving communication mediums in an era where everything will be online, and is both searchable and archival? Considerable geographical and regional implications come into play, particularly for innovators that focus on ways to combat and disrupt our ability to be tracked. Examples are innovations that disrupt our web preferences and behaviour, and that scramble wearable facial recognition and video capture technology. Innovations like these must be on the horizon for corporations, governments and law firms to ensure the evolution of privacy.

2. What is the fallout from ‘The Snowden Effect’ on privacy, leveraging information free flow between regions, economies, corporations, virtual realities and mediums, legislation, law firms, client data share, predictive analytics and in developing Velocity Billing, new technology innovations, and intellectual property integration?

3. Does law firm size matter in this scenario? Why are we one of the few industries that focus on the number of professionals (attorneys)? If law firms of the future will “run their law firms as businesses” (as many speculate), then why as an industry do we focus on the question, “How many attorneys does your firm have?” Can you imagine asking Oracle or Intel the number of engineers working for them as one of the first questions to define their company? Of course not! Their focus is on the product, what they do, how they deliver it, and their vision for their future. Their engineers are seamlessly incorporated into this vision. Our industry can evolve forward similarly.

4. How should law firms rethink their position and focus as we move forward? A mantra in some high-tech corporate structures is the need to re-create their position and focus every 18 to 36 months. That focus is evident in the products they release to their customers, and in the fact the more interconnected we become through search and social media, the more accelerated that time frame becomes. As law firms, we can adapt this mantra organizationally, and leverage predictive analytics as a tool to do so the same way consumer system corporations do in targeting their users’ behaviour.

5. How can we leverage legal IT vendors to get the job done? Which are available, which are ready? How can law firms band together to demand product-side innovation? Law firms of the future must look at vendors that integrate with the evolving social consumerism at large and the integrating predictive big data analytics our clients are using on budget analysis, rates, margins, and so forth.

6. How will billing models change? We integrate predictive analytics across all practice areas, organisational focus areas, client-side interaction – and generate real growth while focusing on pricing and profitability. The focus must be on the practical integration aspects, and how we communicate and organise around executive leadership.
Whether it’s Europe, the US, China, Japan, emerging economies and the corporations doing business within and throughout all regions, one aspect is tying these regions and corporations together:

that is the evolution forward in predictive analytics, big data and the ramifications of social search and consumerism within every business, on our staffing models, our communication models, our perception of time, billables, profit and transparency. Evolutions in artificial intelligence will drive these innovations forward.

Corporations focused on the consumer will leverage analytics based on consumer behaviour to better target their audiences and further bring analytics into our homes – in what we watch, what we surf on the web, where we shop, and where our preferences take us. We’re facing a world where everything is online; social sharing - videos, pictures, and our very identities. But there’s something more. As we evolve forward through our eight-fold predictive path, we are evolving towards a state of identity shaping that becomes an aspect of who we are. The ability to shape perception of who we are, what we do, what we practice, where we practice and how our clients, co-workers, friends, and associates see not only our personal and professional lives, but how it all weaves together will become as necessary to hone on a daily basis as is our choices of the clothes and products we wear. There will be no separating the personal identity with the professional identity any longer. There

And forward
We’re facing an incredible time of change the globe over and across multiple industries and economies.

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– Eric Hunter

Eric Hunter is the Director of Knowledge, Innovation & Technology Strategies at Bradford & Barthel, LLP and Executive Director of Spherical Models, LLC. Eric speaks and writes on competitive strategy, evolving business models, big data, predictive analytics and collaborative cloud solutions globally and is the recipient of ILTA’s 2010 ‘Knowledge Management Champion’ Distinguished Peer and ILTA’s 2010 ‘Innovative Member’ awards. Follow Eric @thelihunter.