

Case Study #3—[draft work in process. Copyright Earl H. Nemser@6/1/20] Disintermediation Of The Legal Process 2020 And Beyond—Elements to Eliminate And What It Can Learn From Other Industries (This Case Study Is Not Funded.)

Syllabus: *This Case Study examines disintermediation in the Legal Process and how developed tools and techniques can be used to reduce cost and provide efficiencies to burdens for those who must engage the process to resolve disputes. It will concentrate on its impact in litigated matters from the selection of lawyers through discovery and case closure.*

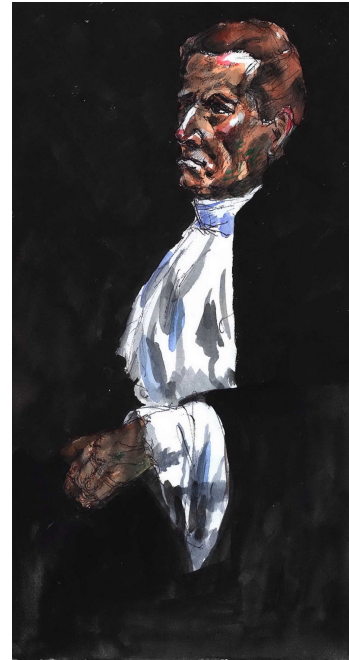
It will consider how Disintermediated Solutions driven by technology might assist in the client's initial decision to seek legal advice. It will explore methods to achieve early termination of disputes and to move unresolved matters more efficiently through the legal process to conclusion.

Disintermediation has not been exploited in the Legal Process, and this piece will explore the reasons for this by comparing its status to that of other industries and attempting to identify the impediments that may be modified so Disintermediated Solutions may more freely be embraced.

The study will begin with an examination of the professionals, the lawyers and judges, who are on the front line. It will also examine their support systems, the Middlemen, including the Vendors, such as the Electronic Discovery Industry and the Litigation Finance Industry, to determine why cases, big and small, tend to grow beyond what should be reasonable bounds. It will consider the motivations of those involved in the Legal Process and the extent to which they drive the way the process has developed. And, it will conclude with a set of Disintermediated Solutions that might change the direction of the process, so it is less burdensome and more available for clients who need it.

*This case study is in its initial stages and **Comments** with directional thoughts about topics that it should examine and other ideas, including resources to be consulted, are welcome at the outset and throughout its development.*

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Disintermediation — Middlemen
Are Unnecessary