



# DeStefano, Innovation: A New Key Discipline for Lawyers and Legal Education

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Michele Beardslee DeStefano, University of Miami School of Law, has made available for download her article, Innovation: A New Key Discipline for Lawyers and Legal Education, published in New Suits: Appetite for Disruption in the Legal World co-curated by Michele DeStefano and Dr. Guenther Dobrauz (Stämpfli Verlag 2019). The Abstract is as follows:

Over the past two years, I have interviewed hundreds of in-house and law firm lawyers from around the globe to explore the changing legal marketplace, expectations of clients, and innovation in law. One of my main conclusions is that we are experiencing an Innovation Tournament in Law and almost everyone is playing in it. As I explain in more detail in my book, *Legal Upheaval: A Guide to Creativity, Collaboration, and Innovation in Law*, driven by a combination of technology, socio-economics, and globality, we are witnessing innovation on almost every legal dimension, including how legal services are priced, packaged, sourced, and delivered. Importantly, this innovation is not only coming from legal tech startups and new law companies. Law firms, the Big Four, and corporate legal departments are creating innovations of their own including new services, products, tools, and, importantly, new processes. Even those that aren't creating innovations are playing in the Innovation Tournament by utilizing the innovations (or exapting them) to become more efficient and deliver better service. Although we are not yet seeing disruption in the law marketplace in the Clayton Christensen sense, all lawyers should care about the Innovation Tournament regardless and here's why:

Lawyers of all types, from big law to small and mid-size firms, from government to in-house, and even solo lawyers, are being challenged to change the way they work. Clients are asking their lawyers to innovate (and often with others outside their organization or departments). However, lawyers don't know what their clients are asking for when they ask for innovation or how to do it—or both. The good news is, however, that my interviews and my experience working with over 210 teams of lawyers and their clients on innovation journeys, indicate that what clients are really asking for with “the call to innovate” is a new type and level of collaboration and client service. The evidence suggests that our clients' call for us to innovate is actually a call for service transformation in disguise. Whether they want an innovation in and of itself or not, our clients want lawyers to hone the mindset, skillset, and behavior of innovators. The problem with this is that many lawyers are ill-equipped to meet these new demands. Some combination of our temperament, training, and professional identity seems to work against us when we try to espouse the DNA of innovators. This is why the new discipline for practicing and aspiring lawyers needs to be innovation.

This chapter was first published by Stämpfli Verlag in the book: *New Suits: Appetite for Disruption in the Legal World*, co-curated by me and Dr. Guenther Dobrauz. It begins by demonstrating that clients' call for innovation is really a call for transformation in service from their lawyers. It then explores why answering this call can be problematic for lawyers. It seeks to show that lawyers' professional identity, training, and temperament (along with extrinsic and intrinsic motivation) make it difficult for lawyers to adopt the collaborative, creative mindset and skillset of innovators. This chapter recommends that innovation be incorporated as a new key discipline at both the law school and executive education (continuing education) level because in the process of learning how to innovate, lawyers hone the mindset, skillset, and behaviors that clients desire. In support of this contention, it reveals that, as an added benefit, by honing the innovator's DNA, lawyers also grow into inclusive leaders our society needs us to be. The chapter concludes with some suggestions for lawyers to help them better collaborate towards innovation along with a pie-in-the-sky call to the legal universe to make innovation the new key discipline for practicing and aspiring lawyers.

DeStefano, Michele, *Innovation: A New Key Discipline for Lawyers and Legal Education* (June 27, 2019). *New Suits: Appetite for Disruption in the Legal World* co-curated by Michele DeStefano and Dr. Guenther Dobrauz (Stämpfli Verlag 2019). Available at SSRN: <https://ssrn.com/abstract=3411020> (<https://ssrn.com/abstract=3411020>) or <http://dx.doi.org/10.2139/ssrn.3411020> (<https://dx.doi.org/10.2139/ssrn.3411020>)

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