

Web Law Predictions for 2011

Steve Matthews | December 2010

This time last year I wrote a post making Web Law Predictions for 2010 <http://www.slaw.ca/2009/12/20/web-law-predictions-for-2010/>. My success rate was admittedly mixed – the idea of law firms jamming cell phone transmissions was, in hindsight, a little odd – while my predictions in other areas were surprisingly accurate of the way things played out. The rise of the mobile legal web, rapid mainstream adoption (and increased noise) of social media channels, the game-changing impact of tablet computing, and the ramped up production of “real time” spam were all favorable predictions, in my view. I found the process to be a fruitful one – so I’ve decided to put my batting average at risk, and haul out the crystal ball once more for 2011. So here we go:

The ‘Open Web’ Makes a Comeback: The Internet has always worked in cycles, with the popularity of proprietary networks like Facebook (or in the late 1990’s PointCast perpetually rising and falling (http://en.wikipedia.org/wiki/PointCast_%28dotcom%29)). Now to be clear, I don’t think Facebook is going away any time soon, but I do expect a big 2011 push for new tools based on Open Web standards. There are lots of factors at play here: HTML5 is looming on the horizon, the “early adopters” getting bored, and the historical sentiment that “no matter how big your business is, you can’t own the web”. Not that Apple, Google, Microsoft, and Amazon won’t keep trying!

Mobile Web Tools for Legal Extranets: The financial sector has broken ground for potential mobile innovations in the legal industry. If we’re willing to trust our banking information, or make e-payments http://www.interac.ca/consumers/productsandservices_ol_eTransfer.php, on a mobile phone or tablet – it’s just a matter of time before legal extranets make the same jump. I expect to see a handful of firms in 2011 announce their extranet applications are mobile ready, and more importantly, *interactive*. These applications will go beyond unidirectional reporting and deliver more substantive functionality.

Security Compromises for Law Firm Social Media Outposts: Law firms rapidly launched their Facebook, LinkedIn and Twitter outposts in 2010. How rapid? My suspicion is that more than a few firms were launching so quickly that they got sloppy about picking passwords. Dictionary or brute force attacks on law firm social media accounts aren’t a new phenomenon, but we can expect the pace of security compromises to pick up substantially in 2011.

Tablet Video Conferencing Makes a Huge Media Splash (BUT adoption will continue to struggle): Everyone’s sure that the next version of the iPad will have a front facing camera installed, along with Apple’s FaceTime <http://www.apple.com/mac/facetime/>. The easy prediction would be to say that mobile video conferencing is set for a huge uptake. And while that’s one possible outcome, **I don’t think it will happen in 2011**. My prediction is that human nature will trump technology in this instance. The

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majority of our population not only dislikes their picture being taken, but prefers the visual anonymity of verbal communication. There's an intrinsic value to each form of communication – textual, verbal and visual – and I don't expect people are ready for any technology to merge those together.

More “Law Firm – Key Client” Web Collaborations: In 2011, I expect to see a handful of smarter firms drawing their best client relationships closer by partnering with them on co-sponsored web publishing – initiatives such as industry blogs, web portals, think tanks, foundations or charitable entities. Publishing collaborations that deliver increased credibility because they aren't published by a single corporate entity.

Second Layer Security for Cloud Tools: Cloud tools are here to stay. The economic advantages for solos and smaller firms are impossible to ignore, but at the same time, relying on any vendor as the sole provider for your firm's data continuity doesn't seem prudent. Tools like dropbox <http://web.appstorm.net/roundups/data-management-roundups/the-ultimate-dropbox-toolkit-guide/> have gotten the ball rolling, but I suspect in 2011 we'll see a data backup offering that's dedicated to cloud data in the legal space. And no, I'm not working on insider knowledge here. It's just an industry gap that seems ripe for the taking.

Increased BI/CI Mining Opportunities from Social Media: More online voices can only mean more unintentional blunders public insights on the business information front. The good news is that business intelligence and competitive intelligence professionals will continue to have great opportunities to harvest business information. The bad news is that the noise-to-signal ratio is going to get worse in 2011.

A WikiLeaks Scenario for Lawyer Communication – WikiLeaks may be the biggest story of 2010; but could lawyer-client email exchanges be at risk of a similar public outing in 2011? If we consider the biggest security risk for any law firm is the people they employ; along with the handful of high-profile cases that have the potential to become the focus of public outrage – it's not inconceivable that lawyer-client communications will be at greater risk. For those firms working on high profile cases, the idea of *someone* – be it hacker or employee – leaking non-redacted communications online will be elevated security consideration for the future. It will happen at some point – the questions are “when?” and “in what form?”

Social Media Signals Merge with traditional SEO factors: Google undertook some radical changes in 2010, including Google Instant <http://www.stemlegal.com/strategyblog/2010/google-instant-and-legal-search/> and the merging of Google Places listings within the organic search results <http://searchengineland.com/new-place-search-shows-googles-commitment-to-local-53990>. Both changes were incredibly significant in my view, and only a sampling of what Google has prepared for us in 2011. Danny Sullivan's recap on the increased weight being given to social media endorsements <http://searchengineland.com/what-social-signals-do-google-bing-really-count-55389> is the starting point for my 2011 SEO prediction. As Sullivan notes, neither Google or Bing are using “ReTweets” or “Likes” as a major factor in their organic search rankings, yet. By the end of 2011, I expect one of the two major search engines (my guess: Bing) will turn SEO on its head significantly by increasing the ranking impact of social media endorsements within their ranking algorithm.

Happy holidays to all my friends at Slaw! Cheers, Steve