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Data-Driven Law: Data Analytics and the New Legal Services

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impression that a single author produced the book. The result of these efforts is a pleasure to read.

¶92 Careful organization lends academic heft and value to the volume. The authors are serious about increasing the utility of their product. They allocate more than 100 pages to a table of contents, appendices, endnotes, references, an index, and biographies for the three authors and six additional contributors. In all, approximately one-quarter of the book is comprised of features that make the contents transparent, accessible, and useful to both the casual, curious reader and the serious gender scholar.

¶93 This book is strongly recommended for academic and law libraries, attorneys with a civil rights practice, government and nonprofit leaders invested in greater equality, and anyone wishing to learn more about gender identity and the law.

Walters, Ed, ed. *Data-Driven Law: Data Analytics and the New Legal Services.* Boca Raton, Fla.: CRC Press, 2018. 210p. $99.95.

*Reviewed by Eve Ross**

¶94 *Data-Driven Law* is a collection of 10 essays that give real-world examples of how data analytics can enhance legal services. Here, the term "data analytics" encompasses such hot topics as big data, data mining, artificial intelligence, and machine learning. Essay authors demonstrate how data analytics can apply to contracts, criminal sentencing, e-discovery, employment law and, most of all, law firm decision making on how to market and provide legal services that are both affordable and profitable.

¶95 A great strength of *Data-Driven Law* is that the essay contributors are a dream team pulled from various intersections of law, technology, business, and education. They are innovators actually using data analytics to transform legal services, educators who know how to convey computational concepts, or both. For example, editor Ed Walters is both CEO of the legal research service Fastcase and an adjunct professor teaching a course titled "The Law of Robots"; contributor Maura Grossman is both a research professor in computer science and an e-discovery lawyer/consultant.

¶96 About half the chapters in *Data-Driven Law* are written in a scholarly style. These are chapters 2 and 9 on mining legal service providers' data, chapter 3 on contracts, chapter 6 on e-discovery, and chapter 10 on intrapreneurship. The remaining five chapters adopt a businesslike, practical style with occasional informality, such as "OK . . ." and "Well, I think . . ." (p.126) and cartoons. Although more vernacular, these chapters are supported by citations to sources such as blog posts, business websites, news and statistical sources, and primary legal documents.

¶97 Three chapters are acknowledged in footnotes to be available for free online and are included in the book by permission. Chapter 4 is adapted from a Littler Mendelson white paper, "The Big Move Toward Big Data in Employment."[3] Chap-

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3. Marko Mrkonich, "The Big Move Toward Big Data in Employment," Littler Rep. (Aug. 4, 2015), https://www.littler.com/publication-press/publication/big-move-toward-big-data-employment [perma.cc/5553-NA7Y].

ter 5 is based on Stephen Wolfram's October 12, 2016, blog post, "Computational Law, Symbolic Discourse, and the AI Constitution."[4] Chapter 8 is adapted from "Uncovering Big Bias with Big Data," published on *Lawyerist* by David Colarusso.[5] Changes from the online originals are very minor but not always for the better. For example, the Venn diagram in the conclusion of chapter 8 is in color on *Lawyerist*, while the print version shows every circle and intersection in similar shades of gray without clearly delineated borders.

¶98 While lacking the detailed instruction necessary to be a how-to guide, most chapters boil down to accounts of "here's what we did," including some gems of insight usually only discussed within a law firm, and "how about if you try," along with realistic considerations of risks and benefits. For example, readers aiming for legal analytics jobs would benefit from understanding the math behind taking a partner off the billable track to work full time on law firm technology. A partner may bring in $500 per hour times 2000 hours per year, totaling $1 million. One partner's change of role paid off where a single document automation project saved $500 in staff time per deal times 3000 closings per year for a savings of $1.5 million. This profitable equation is tempered by an explanation of why such a full-time commitment is "not easily" replicated: skill sets, personalities, and business models must align (p.208).

¶99 The tone of *Data-Driven Law* is optimistic and encouraging, which fits with its stated goal of convincing lawyers that they *should* and *can* increase their reliance on data. Occasional nods are made to privacy and security concerns, but only one chapter focuses in depth on a particular pitfall (chapter 8 on bias). If a collection needs more emphasis on the downsides of data analytics to balance the optimism of *Data-Driven Law*, a popular choice is *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* by Cathy O'Neil.

¶100 Anyone who has been cobbling together an understanding of legal data analytics by hearing a marketing pitch here and reading a tweet there will find that *Data-Driven Law* provides value. It could be the text for a timely, informative course on the state of legal data analytics. On the other hand, a more standard textbook choice might be *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age* by Kevin D. Ashley, which has a glossary, a bibliography, and a single author's style throughout.

¶101 *Data-Driven Law* is recommended for law firm libraries, including those at smaller firms where the profit models and available data may be quite different than at larger firms. The book is also recommended for academic law libraries where technology in law practice is emphasized. *Data-Driven Law* is part of a series titled "Data Analytics Applications," edited by Jay Liebowitz. The 12 other books currently in the series consider the effects of data analytics on fields other than law, including cybersecurity, education, knowledge management, and government. These may also be of interest, depending on a library's collection emphasis.

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4. Stephen Wolfram, "Computational Law, Symbolic Discourse, and the AI Constitution," Stephen Wolfram Blog (Oct. 12, 2016), https://blog.stephenwolfram.com/2016/10/computational -law-symbolic-discourse-and-the-ai-constitution/ [perma.cc/63EL-3P8K].

5. David Colarusso, "Uncovering Big Bias with Big Data," Lawyerist (May 31, 2016), https:// lawyerist.com/big-bias-big-data/ [perma.cc/Y58V-HNCJ].