



“Hold on. Let Me Text My Lawyer Real Quick.”

Are Pocket-Sized Legal Services a Sustainable Way to Meet Legal Needs?

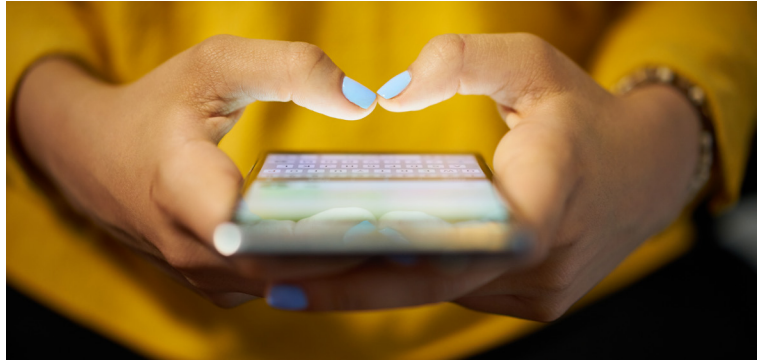
In access-to-justice circles, it is well known that [80 percent of legal needs](#) go unmet, meaning that every lawyer in the U.S. [only services](#) one out of five legal issues they are presented; the rest go unresolved and can end poorly for those who go unrepresented. Many people with moderate-to-low incomes [assume](#) that lawyers are out of reach due the reputation attorneys have for charging high fees. After all, the [hourly rate](#) of many lawyers is 20 to 30 times the salary of working-class Americans. So, it's no wonder many don't even entertain the idea of hiring a lawyer when legal problems arise in their lives. But the legal community is well aware of the issue, solutions are on the rise—and with any luck, that 80 percent statistic will decline drastically over the next decade.

In recent years, entrepreneurs have created various legal apps in an attempt to meet this vast need. From [legal template and document preparation services](#) to [notary services](#) to [instant legal library access](#), legal apps are becoming more popular among consumers. More recently, and to the shock (and horror) of some, up has sprouted [Text A Lawyer](#), a service that allows consumers to have instant access to real attorneys who can answer their questions via text. Though still in its beta phase, the [mission](#) of Text A Lawyer is to benefit both the lower 50 percent of America's income bracket who traditionally can't afford to hire an attorney and lawyers who wish to break free from traditional firm life and work from home.

A POSSIBLE SOLUTION

The service works via two mobile apps, one for lawyers and another for customers. Customers are able to hire lawyers 24 hours a day, 7 days a week from their smartphones for only \$20 for the first question and \$9 for subsequent questions per session. The lawyers answer questions and get paid. Though other “e-lawyer” websites exist, Text A Lawyer’s founder Kevin Gillespie says they “[try to do too much](#).” In other words, the array of options and services is too overwhelming for people in the middle of a legal issue. He believes that what people want is simple: instant access to a lawyer who can answer their questions in real time.

After creating an account, the Text A Lawyer customer selects a state and legal category, and then is instantly connected to a real lawyer who can answer their questions. At the end of the interaction, customers can rate the lawyer and, if desired, have the transcript of the interaction emailed to them. The app [always chooses the highest rated lawyer available](#) to answer the customer’s question—a system designed to weed out poorly rated lawyers by making sure they never get business and eventually quit using the app.



So how would a lawyer make a “lawyer’s salary” just by answering questions via an app? Theoretically, if enough customers sign up, the lawyer earns \$15 of the initial \$20 and \$8 for each additional question. Text A Lawyer takes \$5 of the initial fee—\$4 for a connection fee and \$1 for a software licensing fee. Based on these numbers, a lawyer who participates in the service could earn \$150 an hour or more working from home. The customer has access to affordable, instant legal advice, and the lawyer gets the flexibility of working from home and a customized schedule: it truly seems like a win-win for everyone.

Yet, despite the fact that the Text a Lawyer app [runs through conflicts checks](#) and includes the necessary disclosures for limited-scope attorneys, some have serious concerns about these types of “pocket lawyer” services in general.

One such concern is the ethical issue of [fee splitting with non-lawyers](#). The attorney’s portion goes directly to the attorney and the \$5 fee goes directly to the service, and no money is collected until the attorney-client interaction is closed. Even though the payment is split up, [some have argued](#) that this still counts as fee splitting. Past ethics opinions have condemned a similar payment structure used by [Avvo](#), a service in which the client pays the attorney 100 percent of the fee, and the attorney then turns around [and separately pays the service its fee](#).

As an example, in April 2018, the Indiana Supreme Court Disciplinary Commission gave an advisory opinion that found the Avvo lawyer-referral service and its “marketing fee” for said service [violates](#) “several Indiana ethics rules.”

Another concern regarding the Text A Lawyer model (though this one is likely logistic and not ethical), is the fact that Text-A-Lawyer does not retain copies of conversations between attorneys and clients. Both the client and the lawyer have the option to have the transcript emailed to them at the end of the exchange, but at the end of every day the app [erases this data](#) as a privacy safeguard. The service is designed for one-off questions; so at first thought, this lack of a paper trail seems ideal. But what about the client who repeatedly has issues with an ex not paying child support? Or a tenant that continues to have run-ins with a landlord? In both of these situations, past history would inform any current legal advice an attorney might give—and the lack of a paper trail and its history suddenly becomes a problem. Of course, when dealing with repeat legal conflicts, one might wise up and begin saving the transcripts, but it still makes things more complicated and leaves more room for error when communicating via an app messenger vs. email.

Still, overall, apps offering legal services seem to do more good than harm by expanding access. And while traditional legal advice (and fees) are not going anywhere, this new-age format of quick, DIY legal services is likely not going away, either. The concept of highly specialized—and traditionally expensive—services being offered via mobile apps is not

limited to the legal world; it's also happening in many specialized service industries, including the medical field. For example, counseling is now available via mobile apps such as [Talkspace](#). There are [even mental health apps](#) designed to help users manage addictions or specific forms of mental illness, such as schizophrenia, obsessive compulsive disorder and post-traumatic stress disorder. Then, there's [Roman](#)—an app that allows users to get men's health medications prescribed online and delivered without an in-person doctor's visit—and [Maven](#), a medical app for women that not only offers prescriptions, but also video appointments and practitioner messaging.

In short, apps offering traditional in-person specialized services in a remote form are here to stay. As far as the legal industry is concerned, it may soon need to adapt legal regulations to meet the demand for instant legal services via mobile apps (e.g., ethics codes may need to be adjusted to account for services like Avvo and Text A Lawyer). It would seem that a good chunk of the consumer population would appreciate the gesture.

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