

feature

Freedom of legal choice

Plans to publish law firms' complaints records is further evidence that information to help consumers choose their lawyers is emerging online. **Neil Rose** investigates the implications

Could American website Avvo.com be a glimpse into the future of how the UK public will choose its lawyers?

Say you need a personal injury lawyer in Chicago – the website offers a long list, at the top of which is a small number of attorneys it ranks as ten out of ten, using a mathematical algorithm. At the other end of the scale is a lawyer who scores just one out of ten, and who consumers should exercise 'extreme caution' in instructing.

Avvo, which set up last year, generates its score from multiple sources, including state bar associations, court records, lawyer websites and information that lawyers choose to provide to Avvo. Our 'extreme caution' lawyer appears to have achieved that label because he has recently been disciplined. The site does add, however, that the score is just one factor consumers should take into account when selecting a lawyer.

Though the concept of lawyers selling their wares online is not a new one, thus far it has largely been through marketing portals whose own marketing can be somewhat random. But as the web develops, so does this small corner of it as the power begins to shift away from lawyers and to the consumer as information starts to flood online.

Out in public

The Solicitors Regulation Authority now has a 'Solicitor record check' section on its website, in which it publishes

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disciplinary decisions that hitherto were kept confidential. In the past, only decisions of the Solicitors Disciplinary Tribunal were in the public domain, while you could call to ask if a particular solicitor had conditions on their practising certificate. Now a wide range of decisions short of a tribunal finding are published, although they are not terribly consumer-friendly – the reason given for imposing a condition refers baldly to section 12(1) of the Solicitors Act 1974.

Meanwhile, the Legal Complaints Service (LCS) will shortly decide

whether to take forward its plan to publish law firms' complaints records, which is strongly opposed by the Law Society but cautiously supported by ILEX (see page 2). One of the given reasons for publication is to help consumers when choosing solicitors.

LCS chief executive Deborah Evans explains: 'The LCS is a public interest regulator. We see real value to the consumer in publishing complaints information. Our extensive consultation is now complete and we have received a wide range of responses; many positive commending us on our consumer focus and our approach to transparency.'

'However, we encourage challenge in our policy making, and will not take the decision to publish lightly without examining the consequences – this is not a gesture. We are not surprised that the Law Society oppose publication. They have made many valid points that reflect the views of the profession. A full analysis of the consultation will be undertaken and the board will give due consideration to all views, both positive and negative, before reaching a decision.'

If the LCS does press on, it is not hard to imagine some budding Internet entrepreneur looking to bring all this information together, as Avvo is doing in the US. Speaking recently at a roundtable debate hosted by Rapoport's Directory – a new online register of lawyers' professional experience, which is also evidence of the new thinking in this area – leading commentator Professor Richard