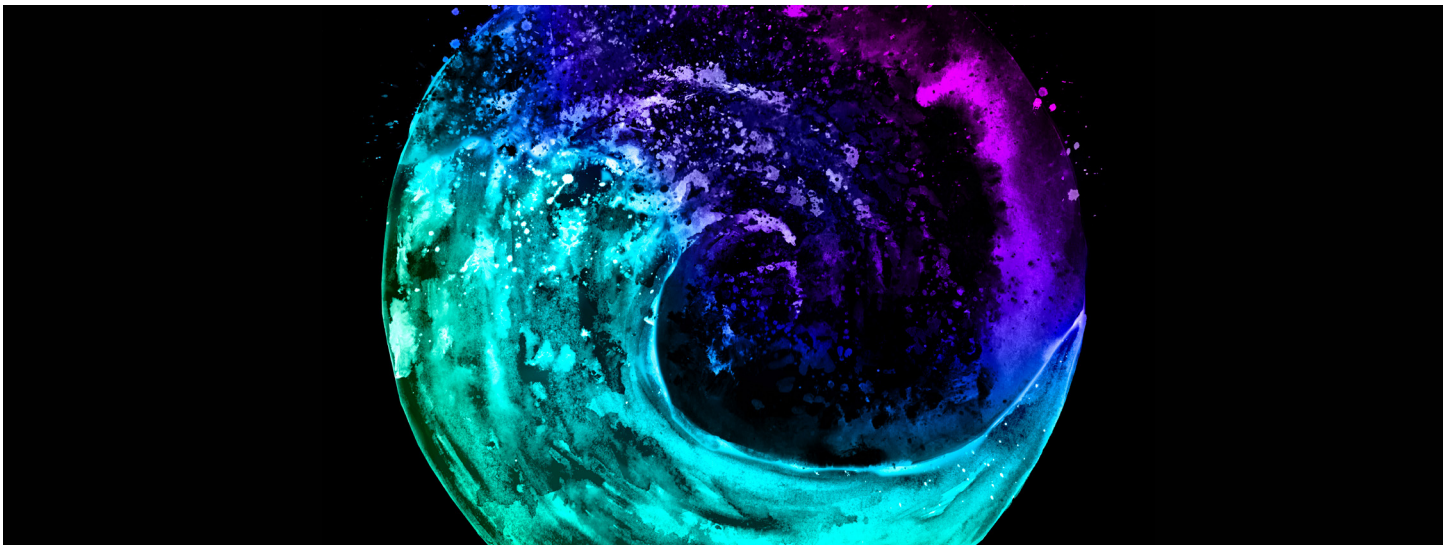

Resilient podcast series

Leading legal innovation in a changing technology landscape

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Guest:
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Don Fancher: Welcome to *Resilient*. I'm Don Fancher, a principal in Deloitte Financial Advisory Services' Regulatory, Risk, & Forensic practice, and the leader of Deloitte's Chief Legal Officer Program. I'm also your host for the Resilient podcast Chief Legal Officer track. What does it take to prepare the next generation of lawyers for a profession being reshaped in real time by emerging technology?

In today's episode, we're going to talk with Nicole Morris. Nicole is the professor of practice and director of the IP & Innovation Clinic and also the Technology Innovation: Generating Economic Results (TI:GER) Program at Emory Law.

She discusses innovation at the intersection of law, business, and emerging tech. Nicole takes us inside the evolution of Emory's TI:GER Program from its early roots in a lean startup thinking to a model that now reflects what is happening in the legal industry today. Nicole also shares her perspective on law students strengthening their critical thinking skills while learning to work strategically with AI tools, from law school classrooms to in-house legal departments and also outside counsel relationships.

She breaks down what's changing, where some of the biggest opportunities exist, and how leaders can take a more strategic approach to adoption.

Let's hear what Nicole has to say.

Well, Nicole, it is so exciting to have you here today. I have been looking forward to this for a long time.

You and I have had the pleasure of working together for well over a decade, and I just think this is going to be great because I really want to take advantage of all of your experiences from being in a law firm, in-house counsel, and now teaching the future lawyers of America at Emory.

I want to pick your brain on a lot of topics around technology, how technology is impacting all of the legal business, if you will. But let's just start a little bit and get a little bit of background on you, the things that we've done together, the things that you've done in all those different areas, and how that's led up to where you are right now at Emory University.

Nicole Morris: Thank you so much for having me, Don. It's a pleasure to be here and happy to share my thoughts. I started with Emory in 2015 as a full-time faculty member running our Technology Innovation program, which has been a program around for many years.

It actually was started in 2002 through an NSF [National Science Foundation] grant, and I've had the pleasure to sort of move it from our partnership with Georgia Tech, where we were really just exclusively focused on university technology and

helping PhD students think about how to build a startup with the technology that they were working on in their degree program, to now, we've partnered with the Department of Energy and we work with the National [Laboratories].

So we work with career scientists who have cutting-edge innovations, cutting across all industry sectors, and we help them think about value proposition, ways to monetize, and essentially provide recommendations for them to find licensing targets.

Don Fancher: Is that something that you're doing with law school students and business school students?

Nicole Morris: We used to partner with Georgia Tech and their business school, and that partnership ended in 2022. So now I'm exclusively doing that with the JD students, and the JD students honestly, to me, the strength of law school—and most people don't think of it this way—is your ability to think critically and to research and write deeply.

So we just give them a topic. I steer them to, you are in front of ***Shark Tank*** and Mr. Wonderful, but you're the lawyer, and you need to explain how your technology is protected. But more importantly, who will buy this? Why will people care about this? What industries are working on similar technologies? The market analysis, industry analysis, the legal research is really around IP protection.

So I tell them patents really are a proxy for innovation and who is really thinking about the next innovation in that area and that subject matter. So we use patents as a proxy for licensing targets, and the students are phenomenal.

These are just law students—some with business backgrounds, some with engineering or science backgrounds, and some with political science or sociology [backgrounds]. My thing is you have to care and want to learn about technology, and I think we'll talk about AI eventually. It's way easier for them to do this work with some of the AI tools that are available.

But even before then, the databases that we have access to at the law school, that are common in the legal industry, provide lots of industry reports and white papers, so they can do their research there too.

Don Fancher: So I'm going to take a quick aside and react to that with my own experience, and I'd love to get your thoughts on what I'm about to say.

But you make the comment about the law students and just how incredibly capable they are and how innovative they are in the way they look at these problems. And I had the same experience. I'm a graduate of Texas A&M, as you know, and I was back on campus last fall because Deloitte was sponsoring, with the Mays Business School, a national AI competition for undergraduate and graduate school students.

But most of the students were undergrads, and it's generally more business or statistics or supply chain-related students—so not legal. Basically, I was able to participate or watch the final 12 teams from over 100 teams nationally, and they presented these amazing findings.

It was again, a similar ***Shark Tank*** style—as you talked about—and the innovation and the way they're thinking about the impact of AI technology and how to improve everyday but very, very real business problems. It gives you a lot of hope that our future is actually in good hands.

And sometimes Gen Z, for example, gets a pretty negative rap. There's been a lot of articles about Gen Z, and it may be hard for those of us that are a little more mature generationally to understand how they think, but they're crazy smart and they're really innovative in the way that they view the future of applying technology to problems.

Nicole Morris: I co-sign a hundred percent. I think it's hard for our generation because we didn't grow up with social media and the mobile phone access, you know, we were still very analog.

But it's a digital world, and outside of people getting down a wormhole and not finding really productive ways to use these digital tools, most of the undergrad—and even professional school—students are very comfortable with these tools and are now using them in ways that enhance their productivity and creativity, and they're allowed or are able to sort of come up with really innovative ways of doing things.

One of my students yesterday stopped me and told me he's using a pretty popular LLM [large language model] that dropped some model framing for legal work. He's using it to better create legal citations.

I will tell you, for most lawyers, and if there're lawyers on this podcast, we hate dealing with citations. It's the bane of legal writing. [sighs] I say that, and then let me come back. So, he's using it as a way to check citations—law review journal students have to do this work a lot—and taking the tedious nature of that process out. Again, he doesn't code, but he is using this tool to help build the code.

Don Fancher: It's amazing. So, I want to take a little bit of a step back, because I do want to see, or have you talk a little bit about how you got from where you were to where you are now. I won't say it's an unusual transition, but I think it's a very complete transition because you really...

Nicole Morris: It is unusual.

Don Fancher: Well, maybe it is unusual. Not so unusual to go from private practice into in-house, but I think all three: private practice, in-house, and then to the law school. What drove you to follow that path and especially take this opportunity where you're dealing so much with the TI:GER Program at Emory, which is all around the things you've already talked about—innovation and developing it from both a legal perspective, but working with really smart scientists and researchers on their products and designs.

Nicole Morris: I've been fortunate. I just follow the opportunities, I think, would be the best way I could describe this or summarize how I've arrived to where I have arrived today. When I came out [of law school], I was part of a legal practice. You're told to go work at the law firms. So I did that for a number of years. I was fortunate to be able to transition to an in-house role with a company here in town and did that for a number of years.

While I was in-house, I started teaching. So, I became an adjunct at Emory Law, while I was an in-house lawyer. When the company was eliminated, I really was sort of scrambling trying to figure out what would be next, and I happened to talk with one of the faculty members, one of my future colleagues, about a role that just opened up at the law school. So, I applied for that position and fortunately was the successful candidate, and that's what landed me over at Emory Law.

So, I loved the role because it really was an opportunity to take what I learned in-house, what I knew as a practicing lawyer doing patent litigation work and representing companies and representing inventors, doing patent prosecution work, and kind of roll that all up in working with students—initially, both MBA students and law students and PhD students—to help them think about their technology.

In addition to teaching some doctrinal courses in the prep for this, where you are talking about patent litigation, I'm teaching that this semester. So, I still stay abreast on the legal issues, while dealing with this innovation and technology program and frameworks for how to commercialize technology.

Don Fancher: And when you think about the timing, when you had the opportunity, was TI:GER always originally a part of your mandate, or was it just teaching and then the TI:GER, the innovation program came after?

Nicole Morris: No, I was hired to direct the TI:GER Program. So it was TI:GER, and there's teaching within the program. And then as time went on, I started teaching in the doctrinal classes as well. I think it was probably like a year after I started, they were like, "Hey, would you be interested in teaching IP survey?" And I'm like, "Sure."

So I taught that for like six years, and then this semester, like I mentioned, I'm teaching patent litigation.

In 2025, the law school stood up a patent clinic through the USPTO [United States Patent and Trademark Office]. So this year, I took over as director—it's our IP and innovation clinic. We've branded it broadly, maybe with the opportunity to expand, thinking about like an entrepreneurship pillar or doing trademark work or something like that, but right now we're just doing patent work.

Don Fancher: Thinking about when you started 2015, hard to believe it was that long ago, I can't believe it was that long ago. But so much has changed from 2015 to today. I mean, so much has changed from six months ago to today, but when you start looking at over a decade since you started, in the way that the TI:GER Program was at that point in time to where it is now, how would you say it's changed?

And not just to describe the changes in the program itself, but the impact on your law students—what they're learning today that they weren't learning a decade ago? And because one of the things I want to talk about as we kind of get into technology, and the impact of technology, is also thinking more about what we need to be doing with our law school students in the future to make sure they're prepared for all these changes.

But let's go back in time and kind of look at the transition from 2015 to today as a start to that.

Nicole Morris: Top of mind, you know, because we were partnered with another institution, it was very academic. It's interesting as I think about the evolution, it was very academic in the sense that we were really grounded with a lot of business school principles, a lot of doctrinal, intellectual property and legal thoughts, and I've kept some of those core aspects of the academic learnings. I know business school folks hate to think of this term—they don't like it anymore—but I think it's still applicable: lean startup. What it means now, Agile—I don't even know if they use Agile anymore. But those principles are consistent, whether you want to brand it with some new shiny term. I've kept some of those teachings. Obviously, the legal teachings around intellectual property, licensing, tech transactions—super important. But we've evolved in the sense of, I bring in a lot of guest speakers to kind of talk about, "What are we doing now?"

In the last three years, the disruption to the legal industry with AI has been so pronounced that we can't ignore how legal work will change and is changing. And then in terms of when you think about commercializing technology, I remind them that some things are still constant. Like, the technology that's most successful is technology that's focused on solving a problem.

So, what problem are you solving? Really thinking through that question—that never gets old. That has not lost its value over time, because that really grounds your work in the sense that, are you doing the things that are most valuable to your potential consumer, buyer, customer—however you want to think of them. And then, are you doing it the best?

So, there's a proliferation of tools right now, but is your tool any different than the current or existing solution? Because if you're not, you're not going to necessarily move the needle or be able to move people off of what they're currently doing. So I try to frame how we evaluate the technology with the students with those questions, but we see a lot more.

So we're doing a lot more stuff with climate—that never would've happened, you know, based on our previous track. So we've evolved with the current technology hot areas, I should say. I've been able to include some of those evolutions into what we're doing and what we're learning and teaching.

Don Fancher: Well, that's a great segue into, given the role you're playing, what do you see from a legal perspective with all the changes in technology and the advent of AI? Let's start at overarching perspective that you might have around trends you're seeing and the impact. We'll get back to the law school students, but let's kind of shift just to the profession as a whole right now.

Nicole Morris: I think of it as like forces on the profession. The legal profession is fairly static. If you think about the process of enforcing rights, you know, you're going to go file a lawsuit, you're going to appear before a judge, you're going to argue your case. All of those things are kind of the same, but how we do that…very different, you know, much faster.

You went from paper library to, you know, these legal databases, and now we have AI in place within those databases and then stand up new vendors helping lawyers do their work.

I think the main catalyst that I'm seeing in terms of how all of this will get done is actually the people. So you mentioned students that you saw down in Texas. The students that go from undergrad to law school or undergrad to business school, just any sort of students coming through, they just have a perspective on how to get things done.

And I think as you think about that as like a force multiplier, you're just going to see the legal industry shift because people won't be doing the work that they did when I was a young lawyer.

So the issue for legal education is how do you train students when certain aspects of the work—they will never see again. They won't touch, they won't know what any of this means. And I think part of the challenge with that, you know, if I want to say the quiet part out loud, we don't have a lot of faculty who are keeping up with the technology.

So you've got students coming in. At some point, it's going to be given that the undergrad students are using some Generative AI tool to write papers. But then they go to law school and they're not allowed to use Generative AI tools to do legal writing. At some point, that's going to hit a wall.

But the problem is a lot of the faculty members are not using AI tools, so they can't teach you what they don't know. So I think that sort of shift, in terms of as we transition to being able to use everything that the students are doing outside of the law school in law school, will be an important part of how legal education will eventually have to evolve. Because it is just work that they won't see when they hit the law firms, when they go to in-house jobs, that used to be there for decades and decades.

Don Fancher: Nicole, what you're talking about there, I mean, my wife works in a high school, and high school students are using Generative AI and the teachers are having to figure out how much do we let them use it, how much do we not? What is the perspective right now in the law schools around that? Because here's something, any listeners to this podcast that have heard the podcast I did with Janene Asgeirsson some months ago. I asked her this question about AI impacting, and her statement is not something that you would never have heard before.

Most people have heard it, but I still think it's very apropos, whether you're talking about legal or any other profession. At least for now, AI is not going to replace lawyers, but it will replace lawyers that don't learn how to use the AI. And so, if that's a perspective many of us believe in, how are the law firms going to think about addressing that going forward?

Nicole Morris: I share that perspective. I encourage my students to use it. I allow them to use it, particularly in my innovation class. I tell them it's almost required, but the general perspective among law schools is that for legal writing, they cannot. Some courses forbid it outright as well, like doctrinal courses, and it's really up to the discretion of the faculty, whether it's permitted or there's some limited permitted use or not.

I mean, and that's sort of the elephant in the room. How do we strategize about incorporating this technology and embedding it throughout our curriculum? So my corporate days, I'm struggling. Sometimes academics aren't really strategists; they're pinpoint experts. But this particular tech evolution, tech disruption, however you want to think about it, requires a strategic approach.

Because there's every aspect of the legal work that's impacted. I went to a conference at the beginning of the month, ***Women in AI***, and the National Association of Arbitrators—there's AI arbitrators. So the courts are dealing with it in terms of pro se, litigants bringing in fake AI-generated images or whatever.

So it's everywhere. Let's put it this way, I don't have an answer to how we solve this problem, but I do know that how we get there is having a strategic, sort of, holistic approach to doing a curriculum map, looking at ways to embed it—maybe not the first day of class. Right, I get that there's maybe let's teach students how to do things in the old ways, so to speak, or evolve with our use. But not allowing it to be taught at all in the first-year curriculum, in my mind, it's like, hmm, I don't see us winning with that strategy.

Don Fancher: I've had more and more of this conversation myself, and I know others are as well, that if we don't find that balance, and I think what you're talking about is a balance, which is true for so many things in life. But you do run the risk, the more and more you become reliant upon the use of these Generative AI tools, you made the earlier point, one of the benefits of law school is complex thinking and solving complex problems.

Well, if you just turn to an LLM all the time, are you going to have those capabilities as you mature? And yet, if you're not using the tools, you're going to fall behind others who are using them that what might take you 10 hours they can get done in an hour.

And so, any perspective on that risk of people not learning those skill sets or frankly just learning at all because they're becoming too reliant and the balance that we need to, again, be teaching our students in that regard?

Nicole Morris: I don't think we run the risk of not being able to teach critical thinking or how to solve complex problems. I think the tools are productivity enhancers, not a replacement for how to do that kind of work. Now, with that being said, there's certain foundational aspects. So, for example, how do you know when an LLM gives you a really crappy argument or it's not correct? You've got to know the foundational subject matter to begin with.

So, teaching the foundational subject matter and then checking it against an LLM. So kind of a hybrid approach is what I'm thinking, but it gets at that balance point. So, not all of the learning has to be used with LLM technology, but I think moving it closer to part of your first-year curriculum, in my mind, is almost going to be a requirement.

Now, because law schools are also governed by the ABA [American Bar Association]. I know there's people who are listening, "Well, you can't just do that because the ABA is not going to let us, blah, blah, blah."

Yep, yep. I know. I know. But there's schools that are solving for that today. You've got some schools in Boston, you've got some schools in Palo Alto.

So there's schools that are solving for that today. So you can't tell me that we can't do it because the ABA is going to come and shake their finger at us when we already know the schools that are doing that today.

Don Fancher: That's pretty new, and that's exciting. And it's good to hear that certain universities and certain law schools are starting to think about it in that way.

Now moving into the professional rank: They're out of law school, they go into, let's start with law firms and we'll also talk in-house. You made the comment earlier, what you did as a young lawyer sitting inside that Atlanta-based law firm, the things you did aren't going to be done anymore.

And we all know what those things are, whether it's doc review or it's reviewing citations, case law review, all this other stuff. Is that critical thinking skill and the understanding of how to apply all these great learnings from law school into business problems, serving clients, serving other stakeholders? How's that going to get accomplished?

Nicole Morris: I had some guest speakers this week and I was actually encouraged to hear the guest talk that one of the critical things that you do as a young lawyer is reviewing documents. Now, how we review documents is slightly different than when I was at the law firm. But that process is still critical for understanding the nature of your case and what pieces of information you have in terms of being able to introduce evidence at trial, prepare your witnesses, whether they're fact witnesses or expert witnesses.

So there's a certain aspect of that particular part of the legal work, the term that was used this week is grunt work. The grunt work is still there. We do it a little differently, but that work cannot be ignored. And one of the things that the guest speaker mentioned was, if you know your client's documents really well, your partner or senior attorney, or even within the consulting world, a senior person on your team may not have time to go through the information the way you do, but if you know it well and can answer a lot of questions, you'll be going to trial. Because you are the person on the team who has command of the information.

So, as we incorporate AI into this world, I think it's not there to replace your manual process of understanding it, whatever that looks like. That could be AI assisted as well.

So it's not mutually exclusive. So it's not either/or; it's like, why don't we do both? Hopefully, it makes it a little bit more efficient if we incorporate some AI assistance. But the rote understanding of that information is still a critical factor with preparing for trial or really preparing any contract you might be drafting. You still have to review all the terms. All of the necessary pieces of legal work or business work will not be replaced.

Don Fancher: We talk about these large language models, AI, and even the way organizations are able to use AI. What's super important that's getting talked about a lot more now, but wasn't talked about initially, is just the data. You've got to have the right data to train it. You've got to have the post-training with the data, but then if you're an organization and you're going to use the data or use the AI, you have to have the right data, you have to have access to the data. But when you take that to a professional perspective, it's no different.

We as professionals, we need to have the data. How we acquire the data may change the way that the processes or tools we use to gather the data, but we still have got to have the data. Because if you're in an outside law firm, that's what your clients are paying for. If you're an in-house attorney, that's what your business stakeholders are paying you for. That's what they need you to do, is to protect them, but also help them be innovative and be strategic, bringing all the legal knowledge you have within the legal department and all the...I mean, so much data passes through the legal department anyway.

It's a huge opportunity for in-house departments to create even more value for their stakeholders, but you've got to have the data and you've got to know the data.

Nicole Morris: That's spot on.

Don Fancher: So let's take a shift. We are talking law firms, and I love your thinking on how they can incorporate the technology, but still make sure their young attorneys are able to grow with the knowledge and the data necessary to be successful.

From an in-house counsel perspective, what are you seeing right now as far as impacts to in-house counsel, again from this technology, how they operate and how in-house counsel and outside counsel need to work together to take advantage of the technology?

Nicole Morris: In-house lawyers, they don't have a lot of time. So the tools are super helpful for them in terms of reviewing contracts and agreements rather quickly, getting up to speed on any conflicts or issues that might present themselves. Some in-house lawyers equate it to, I don't have to hire a law firm to do some of this work because I can do it now at my desktop.

Or if I do hire the firm, I want them to understand that the billing for this matter needs to be adjusted if they can use an AI tool to reduce the number of hours spent. So there's definitely a lot of how we quantify legal work and expectation on timing.

There's like tech evangelists everywhere. So you've got tech evangelists in academia, you've got tech evangelists in-house as well, where there'll be a few people who just kind of go down the rabbit hole and they just enjoy learning about all the different tools. They'll have vendors that can come in and introduce things. And they're just going to sort of use it as a replacement for maybe hiring within the in-house department or the amount of outside work that they send out.

I'd say the majority of in-house lawyers are still really wearing a lot of the business lawyer hat for their company, and they may not have the time. So, they're still managing if it's compliance issues or regulatory questions.

So they want their outside counsel to be a really good partner for them to help either educate on what's available and/or incorporate some of these tools to make the work more efficient and less costly. So if you're honest about, look, we've now incorporated, X tool in our practice and this is able to save us some time on your matters, and we're going to be transparent about making sure those cost reductions get transferred through on the work that we do for you.

I don't see anybody in-house going, "That's a bad thing. I'm not going to send you new work." So I think the outside counsel should think of themselves as a partner for the in-house lawyer and just be honest about how you're able to be more efficient with AI.

Don Fancher: On the flip side of that, and whether you're, again, a law firm, professional services, or anybody that's driving solutions for clients, there's also efficiencies and value that's generated by these technologies. And so I agree with your statement a hundred percent. We all have to partner with our clients, with our stakeholders—that's an imperative.

And most of us are doing that anyway in some way, shape, or form. But I think the level of communication and the level of recognition on the value propositions on both sides are more important now than ever. But there is value. If I can get you something in two days, that would've taken two weeks before. You've got data more quickly. You can go operate in the marketplace more efficiently. Your speed to market is improved, whether you're in-house counsel or an outside law firm. There's value to that. And AI is not free. I mean, that's one of the things too.

Tokens are expensive and the way that you're utilizing technology, whether you're paying seat licenses or whatever else might be. I do think this is going to impact the hourly rate. Hourly rate's probably not going to go away for a long time, and certainly for certain types of solutions.

But I do think we're going to have to find a way to price differently for other value-driven solutions that we're bringing that really aren't even based upon time anymore because time's not as much of the relevant factor. It's the value proposition on the back end that really matters.

Nicole Morris: That's exactly right. I mean, I think the importance of that time variable, we're seeing go away. So it's more project-based, value-based, impact-based, however you want to think about it.

Don Fancher: In that regard, any thoughts that you might have on the newest trend of AI-native law firms? So law firms that are essentially starting their process with AI as the baseline expectation and really bringing in attorneys. I've even heard the term legal engineer, which is not an engineering degree, like you have an engineering degree—two of them actually—but an engineer that understands the law and can oversee the process of the Generative AI and the agents that are effectively driving solutions that lawyers would've driven before.

Any thoughts on that and how that might be received by the market? The regulators? I mean, there are so many questions there.

Nicole Morris: There was a startup, an AI-native law firm startup, started by two guys from big law here, and I haven't caught up with them. So I think it's great. So because I'm an engineer, I'm always open to experiments.

Maybe this is a chemist, it's the hybrid. So I think it's fantastic. I think that there are tremendous opportunities to, well, I hate being focused on cost only, but definitely cut cost. But I think it's faster. I think it's the time getting value quicker to your clients, things like that.

One of the things, I did talk to them a few years back, and what they were doing actually was advising clients how to use AI. So it was partly using AI for legal work. Partly: here's how if you bought this tool to manage your contracts, it could help you create greater insight about your agreements.

And it was really like consulting and less legal matter kind of work, but more consulting in the legal industry for in-house clients, how to use the AI tool. So it was a different approach, which you don't get to do if you're in big law.

Like no big law associate, senior, or otherwise would be able to tell their client, "You know, instead of hiring us, you should actually..." Like, you would not be there long.

So, I think for these guys it was exciting. The shackles were lifted from their law firms where they could really give end-to-end kind of advice on how to use various tools. They were also building some things in-house. So I don't know, I find it exciting. Like everything else, it's purely driven by market forces and what the consumer is willing to pay.

So if you're just a feature, and one of these ginormous sort of AI conglomerative businesses sort of swallows you up or says, "Oh, that's a great idea. I'm just going to incorporate that in my existing toolbox." It'll be interesting to see if these firms survive.

There's a patent application drafting AI tool started by a local lawyer. It's really phenomenal actually. So there are some really cool things happening that are purely AI native, so I'm cautiously optimistic. That's where I'll end.

Don Fancher: I think there's a lot of applicability to that. Anytime you can take a process, you can take continual solutions that have a consistency to them. You can build the agents that can go execute on all that.

And frankly, because you can build multiple agents that do different things and they're able to talk to one another, they're actually able to execute on a lot of tasks. The goal for that is, as a lawyer or as a professional such as myself, it allows you to elevate to a higher capability, bringing even more value to your stakeholders, your clients, whomever it might be.

But again, it's finding that balance. And obviously there's going to be regulatory pressures that are already trying to impact that, saying that's not really the practice of law or it's the unauthorized practice of law because you've got agents doing it, you don't really have lawyers doing it, or it's not even sitting inside of a law firm.

So there's all these challenges that I think will be dealt with. But I believe your point is absolutely right, and it should be something we're cautiously optimistic about because it can create a lot of value allowing us as professionals then to enhance the value even further. Because as we've already talked about, you're still going to have the data, you still have to have the knowledge, you still have to be able to apply that to varying business solutions or legal solutions, whatever they might be.

So I think it's an exciting time. It's a trepidatious time for many as well, because we don't know where it's going to be. And what it's going to do to impact us. But all the more reason for these kind of conversations and for all of us to be talking about this and thinking about the future and how we make that future.

Nicole Morris: There've been evolutions and disruptive kinds of technology drops all along. I think that it will free us to do more complex strategic thinking, which we should be doing and we're not because we're kind of caught up with some of the drudgery of aspects.

The unauthorized practice of law is kind of interesting. We've had this weird, artificial sort of monopoly stronghold on that question for a while. I think AI's going to disrupt our thinking about what that means, which I'm here for, actually. I know if you talk to any in-house person off the record, they will tell you how much legal work their paralegal does.

Is that the unauthorized practice of law? I'm like, I've met many a paralegal that was really just as good as a second- or third-year associate. Is that the unauthorized practice of law? So I think we just need to free our minds about this sort of very stagnant thinking on this.

I mean, there's some good reason for why that system was set up like that. We've had some people scammed, for many years about people who don't have a law license doing wild, wild things. But I think we're far away from that now, and we should actually think about how technology can help rather than putting these roadblocks up under pretenses of what's important.

Don Fancher: I think it's the opportunity for all of us, especially in-house, maybe even more so than outside, but even outside counsel. Moving from always reacting to actually being able to proactively view opportunities, proactively assess risk situations. Not that that doesn't happen now, but you don't have as much time.

You've already made that point: In-house counsel doesn't have the time. They're just hit with so many different things, and they're getting a lot of pressure from their CFO, their CEO.

My workload's increasing. The data is increasing. Our litigation profile is increasing. We're expanding all these different issues that we have to be available to. So it doesn't mean I need to be cutting people because of AI, but it could mean I don't have to hire as many going forward. I can reduce costs in other ways. I create more efficiency, and most importantly, I bring more value to my stakeholders.

Nicole Morris: And I think that if you—look, there's lots of roles opening up for AI governance, AI product counsel, where there's a recognition that we're going to have lawyers who are using AI, but managing and advising how to smartly use some of these tools.

I think that's kind of the new hiring frontier. At least people should be thinking about that, where it's like, OK, there'll be a reduction in some types of tasks. But we do need to think about do we have the right set of personnel able to handle and enable some of these AI-assisted tasks?

Don Fancher: As we wrap up, let's turn our attention to the future. Where are things going? I'm going to start back into law school. You've actually covered a lot already. Anything else in your mind that over the next five-plus years, law schools need to be thinking about, beyond what you've already addressed, on shifting and changing the way they train the lawyers of the future?

Nicole Morris: I think the only thing I would add, because I don't know if I said it explicitly, would be we need to think about the incoming 1L [first-year law student]. That persona will be very different in the upcoming five years.

Don Fancher: What do you mean by that? And how will it be different?

Nicole Morris: So you've got to complete an undergraduate degree program coming into law school. I think there'll be a lot more opportunities for the undergrads to learn and use AI.

They may not have the writing skills—so law school, heavy on the writing. They may not have those skills. There was a time where,

during the COVID years, students obviously did a lot of learning at home, so that learning wasn't as good. I mean, everyone, if you're an educator, you recognize that.

So there were just some gaps in people's either skill sets, handling in-person interactions, interpersonal skills, speaking, but then writing. So do we need to sort of think about how do we level-set on if there's a gap in writing skills or at least look at the undergraduate curriculums sort of across the board to understand what may need to be supplemented?

Don Fancher: But Professor Morris, I can just write this on a GenAI tool. Why do I need to learn how to write?

Nicole Morris: Garbage in, garbage out. Like that rule still applies.

Don Fancher: Absolutely. No, that's exactly right. No, I think that's a really great point. I see that in our young students as well, is learning how to write, teaching them how to write, teaching them how to write professionally, getting the point across not being too verbose, but covering the topic effectively.

Those things aren't going to change.

Nicole Morris: Writing emails, something as simple as writing emails. It's like, can you write a professional communication? What does that mean to you? So, yeah.

Don Fancher: But I tell you what they do because I just had this, I had dinner last night with some of my team and they were talking about how they use tools being embedded in the email system that they're using to take basically what they write a text and they tell it, "OK, turn this into a professional email." So yeah, I think that's a great point.

Let's talk a little bit about innovation in the law firms. Again, we've talked a lot about this. What excites you about some of the innovation that law firms are able to utilize now? And what do you see over the next few years that law firms themselves will really need to do to embrace that even more so?

Nicole Morris: I'm really excited that so many firms are building internal tools. You've been mentioning the data, like they have the data. So build a tool that focuses on your data. It's a closed-loop system. It's safe. You can trust it, and it just enhances how you're able to extract value from your data set. So I'm excited about that.

I'm excited that there are firms that are not burying their heads in the sand. So they're working with vendors, they're allowing their lawyers to experiment a bit. I think that's also positive. There was a push where the Big 4 accounting firms might start to absorb legal practice.

In my mind, that's still a possibility. I don't see it as being awful. That might be controversial, but I think there's synergy there that we should, now that we're using AI more powerfully, that we should really revisit that conversation. So that would be on my list. If I had a top five list, how could we manage these things better? I'd put that on my list.

Don Fancher: I'm going to just make the statement you're saying that not just because you're on a Big 4 podcast with a Big 4 partner?

Nicole Morris: No, I'm not. I was actually hoping we'd make traction with that before now. There's more traction in Europe than there is here in the States, but yeah. Honestly, I think it's not on the chopping block in my mind.

Don Fancher: I'm excited to hear you say that, and I do see that as a real opportunity. And the investment is just expand it even further between what we're doing with AI, what law firms are doing with AI, and then when you take it to the corporate side in-house, there's huge benefits there as well.

Let's talk about that really quickly: in-house counsel. What excites you about some of the opportunities for in-house counsel in the way that they use technology and AI?

Nicole Morris: It's going to free you up. So that's the first comment. You are overworked. So, trying to do things efficiently should be well embraced. But your business units are either deploying AI or using AI-assisted tools in their practice. So, as you're coming up to speed with how the business is using it, I think being supportive and sort of learning how this could help you support the business is only a win-win.

I used to keep track of the different vendor tools and I just gave up. Because it feels like every week, every week there's something new. So it is overwhelming.

I always say find a trusted outside, whether it's Substack, podcast, or a vendor that you're currently working with, to sort of give you sort of like, "Hey, who's doing what now? And what should I be thinking about?"

And it could just be a top three. "Give me your top three things you're excited about and you think it would be worth my time over the weekend to just spend an hour looking at." Because the technology is evolving superfast.

I've been an engineer all my life. I've not seen a tech evolution the way we are now with Generative AI tools.

I mean, usually even in pharma [pharmaceuticals], you get this new molecule, but you've got to test it. You've got this regulatory window, like there's a slowing to the technology commercialization process.

But with software, you can build it, you can launch it, and then it's available. So it could be days, could be weeks, but it's really quick. And the Big 4 companies building AI tools, they are not slowing down.

So the regulatory scheme in the US is go fast, break things. Don't care about what you break, just keep going. So if that's our thematic guidance, people are doing that. So the models keep improving. Things are just constantly going to get better.

So, I think if you're in-house, try to get on that wave somehow where you're able to sort of keep abreast, but be mindful that your business people would love for you to

be sort of well-informed on these issues because they're looking at finding ways to incorporate these tools in their own business world and practice.

Don Fancher: So I'll add something to that before we wrap it up. The use of AI to learn about AI, I think is really important. I was doing a lab with a chief legal officer and her direct reports. Now, this was months ago, so lots changed, but I just asked the question: How many of you have your own personal LLM bot that you're using? Would you name your favorite one? It doesn't matter.

And there were 12 people in the room and only two people actually raised their hand and said, "Yeah, I'm actually paying $20 a month to have my own access to this LLM that I utilize." That's 10 people too few.

Every single one of those attorneys needs to be working with an AI, whether it's for their business purposes and they're using their corporate access to whatever bot you have that has all your security protocols and the like embedded in it, or you're using it even for your own personal life.

Don't use it like a search engine; actually use it to solve problems and to understand situations. But one of the things, to your point just now, where I was getting with all of that, use it to actually tell the AI every week, "Give me the top five articles or the top five blogs." You can play around with it to whatever is ultimately going to bring you value that cover these specific topics around AI, technology, the law, whatever you might want it to be. And it'll produce it for you.

And then you can play around with it. Over time, you say, "No, that really wasn't helpful. Oh, this is very helpful. Oh, let's expand here." So even using the AI to help you learn about AI and stay abreast of it is one way to go about that.

Nicole Morris: That's a great way to close. Use the AI to learn about AI. Actually, I'm going to do that prompt. Set it up for myself right now.

Don Fancher: Well, Nicole, this has been a joy. I mean, I just think that your perspective is so unique because you have had, as I said at the outset, the law firm experience, the in-house experience with a major corporation, and now you're teaching at a law school and not just teaching law, but teaching innovation technology in conjunction with the law.

You bring a perspective, and I think this conversation has been just a lot of fun as our conversations always are, but really, really valuable, important, and informative. So thank you so much for the time. I really appreciate it.

Nicole Morris: Thank you for having me.

Don Fancher: Nicole. I am so energized by hearing how you have followed opportunities through private practice, in-house, and academia, and how that path has shaped the way you think about innovation and the future of legal work.

A big takeaway from today is that legal innovation isn't just about adopting the newest tool. It's about being able to explain the value of technology, understand how it's protected, and pressure test how it fits in the market.

I also really love your practical perspective on Generative AI. It can be a powerful productivity enhancer for everything from research to drafting, but it's most effective when lawyers bring strong foundational knowledge and critical thinking to the table.

And your point about partnership really landed. Whether you're in-house or at a firm, the teams that will stand out are the ones that are transparent about where AI can create efficiencies and remain focused on delivering value and impact.

We really covered a lot on today's episode, and if you want to know more about the chief legal officer's role and many perspectives across legal leadership, visit us on deloitte.com and search chief legal officer.

Before we close, I want to share that this is my final episode as the Chief Legal Officer track host, as I am retiring from Deloitte after more than 28 years at this great firm.

Deloitte has been a place where I've had the privilege to learn, grow, and truly work alongside extraordinary people. And the Chief Legal Officer Program has been a very meaningful part of that journey.

Getting to sit down with leaders like Nicole and so many other legal professionals, hear their stories, their perspectives, and the lessons learned has been a true highlight of my career.

I am grateful to our guests for trusting us with their time and their insights, and to the team behind the scenes that makes every episode possible, and mostly to you, our listeners, for being a part of this community. I hope these conversations have been as valuable for you as they've been for me.

And on a side note, while I'm retiring from Deloitte, I won't be retiring, so look for me on LinkedIn and know that I will continue to be active in this community with legal technology and all that's happening ahead.

Also know that while this chapter's closing for me, the podcast will continue. So keep your eye out for the next Chief Legal Officer track program, as it'll be coming soon. And I can't wait for you to hear what's ahead.

Do you want to hear from other legal leaders on this podcast? What can we bring you next? Please share your feedback because we really want to hear from you about topics and leaders of interest.

Reach out to me on LinkedIn and share your ideas. And for more insights from many iconic and resilient leaders, just go to deloitte.com/us/resilient.

Until next time, remain resilient.