



Unbundling Legal Services Roundtable

Tuesday, 25 May 2021, 14:30 to 16:30

Online

Agenda

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| 1. Welcome and introduction
<i>Sarah Chambers, LSCP Chair</i> | 14.30 - 14:35 |
| 2. Unbundling - a consumer perspective, plus Q&A
<i>Lisa Davis, LSCP Member</i> | 14.35 - 14.50 |
| 3. Lessons from the SRA, plus Q&A
<i>Tracy Vegro, Executive Director, Strategy and Innovation</i> | 14.50 -15.05 |
| 4. Complaints handling for unbundled services, plus Q&A
<i>Alex Moore, External Affairs Team Leader at the Legal Ombudsman</i> | 15:05 - 15.15 |
| 5. Unbundling using tech
<i>Guy Stern, CEO & Co-Founder of Legal Connection (Live demo)</i>
<i>Mark Edwards, Chief Product Officer at Rocket Lawyer (Presentation)</i> | 15.15 - 15.30 |
| 6. Open discussion: steps towards developing unbundling
<i>Sarah Chambers, LSCP Chair</i> | 15.30 - 16.30 |
| 7. Closing remarks
<i>Sarah Chambers, LSCP Chair</i> | 16.30 |

Summary notes – Roundtable on unbundling legal services



Background to the roundtable event

- In March 2021, the Legal Services Consumer Panel (the Panel) published a follow up discussion paper on unbundling (available [here](#)). The paper considered the progress made by the regulators and the Legal Ombudsman against the [recommendations](#) we made in 2015 following [research](#) on this topic.
- In the paper, we committed to host an online roundtable to discuss the proposed recommendations with the Legal Services Board and the regulatory community. The recommendations included providing support to law firms in assessing consumer capability, increased visibility of the option to unbundle and the use of technology in facilitating unbundling.
- On 25 May 2021, we hosted the roundtable with speakers from the Solicitors Regulatory Authority (SRA), the Legal Ombudsman (LeO), Rocket Lawyer and Legal Connection and others to share their expertise and experience on unbundling legal services.
- The speakers covered the aspects of guidance in minimising the risks for providers in unbundling legal services, lessons learned from complaints data in assessing consumer capability, and the use of technology in supporting both providers and consumers to unbundle.

Key points raised by the speakers

- The Chair opened the conversation by reiterating the conclusions of the two Panel reports, which suggested that unbundling was broadly useful for consumers but had nevertheless not expanded in recent years. The Chair proposed that the main purpose of the roundtable should be to elicit ideas into how its growth could be encouraged.
- The Chair also reiterated the central definition the Panel uses for unbundling, i.e. when a package of legal services is separated into tasks between the consumer and legal service provider. The two parties agree which tasks the provider will deliver, and those the consumer will undertake. Other varieties of unbundling, such as the division of services between two or more providers, were also apparent in the legal sector and could also bring benefits to consumers.
- The Panel undertook qualitative research in 2015 looking at the consumers', providers', and judges' experiences of unbundling. The Tracker Survey showed that there has been a consistent decrease in the use of unbundling as a percentage of legal services delivered from 19% in 2015 to 16% in 2020.
- Unbundling has delivered the following benefits to consumers: reduced costs up to two thirds, improved access to justice and a greater sense of control and

ownership. Consumers who had unbundled felt that it had improved the outcomes of their case as well.

- Some of the challenges mentioned are that not all consumers find it easy to unbundle due to their vulnerable circumstances and consumers in general are not aware this option is available.
- Other challenges are for providers to assess the risks and consumers' capability to unbundle; this has generally led them to be risk averse and avoid presenting unbundling as an option.
- Unbundling has been harder to access due to the pandemic. Guidance would help to:
 - Support providers to deliver more unbundled services by formalising the process and increasing its promotion.
 - Prompt continuous improvement from understanding the use of unbundling from LeO's complaints thematic review.
 - Promote the use of technology and case management systems to streamline the process.
- The SRA accepted the potential to provide fuller guidance or a stronger steer in this space. The starting point should be a better understanding of what the barriers are currently, and the SRA offered to facilitate a pilot on unbundled legal services in collaboration with other regulators, including service providers where feasible to build an evidence base. The SRA also said it would be helpful to consider any learnings from other sectors in running the pilot.
- The SRA noted the importance of understanding consumers' needs and expectations, including the role of new technology to further facilitate unbundling.
- LeO said that currently they do not actively collect data on unbundling and emphasized the importance of providers outlining a clear agreement of what consumers are expected to do.
- LeO also noted the importance of consumers being supported to carry out their portion of the work to have a successful outcome.
- Attendees noted that:
 - The barriers to unbundling go beyond regulatory guidance, they can be related to insurance and the importance of testing and approval of standardised products.
 - Public legal education can play a positive role in raising awareness on the side of the consumer.
 - The decline in the use of unbundled services may be due to a rise of self-delivery in some areas of law.
 - It could be useful to develop a new focus on how unbundling could be extended in family law.

Unbundling using tech

- Legal Connection provided a live demo in the use of unbundling of legal services where consumers can have a follow up chat with the provider, access the same documents and are assigned tasks with clear deadlines.

- This helps consumers to have a greater overview of the process, raise questions and be in direct contact with the provider regarding their tasks or about the wider provision of the service.
- Rocker Lawyer provided a real case study on unbundling that showed how they can make legal service more affordable, where the consumer saved between 40-50% in legal fees.
- Rocket Lawyer focuses mainly on individual consumers and SMEs, and they have noticed a sharp increase in the delivery of legal services during the pandemic.

Points made during the wider group discussion

- To increase the use of unbundling the Panel recommended the use of case studies and templates for transactions that are easy to replicate. The Panel also advised of the need to undertake research and to analyse and test the demand side, before expanding beyond the pilot project.
- The Panel said that Her Majesty Courts and Tribunals Services is transforming court and tribunal processes. This will provide additional opportunities for unbundling because some consumers will be able to navigate legal administrative processes more easily. The development of unbundling should take account of continually developing court processes.
- Lawyers need support to assess consumers' capability and here regulators could play a role in offering that support.
- Rocket Lawyer said that most areas of law can be unbundled. Legal Connection raised the importance of educating lawyers to expand their services via self-service portals to reduce administrative tasks and focus on delivering the analytic part of the service.
- The Law Society welcomed the increased use of unbundling and to create a supportive space for it in the legal service market. Its members are likely to see unbundling as positive because it offers great commercial incentives, and it frees lawyers from administrative tasks.
- Law for Life shared a positive experience with users in unbundling legal services and called for family law to be an area of focus due to increased unmet need.
- The Ministry of Justice said it would consider how it could support the unbundling of services to increase access to justice.
- The Cost Lawyers Standards Board said it was important to identify where legal support is needed the most, and that in their area of work consumers have an appetite for new and innovative ways of working.
- BSB said on the SRA's proposal to run a pilot, they would be interested in having discussions with the SRA on how the latter plan to scope it and take it forward.

Summary and action points

- There was consensus about untapped potential of unbundled legal services in the market and that regulators could do more to support providers and consumers access this type of service.

- Attendees agreed that there is a need for more information for consumers and providers on unbundling of services, and that one size fits all solutions should be avoided.
- There was a strong consensus that the SRA's offer to convene a group for the purposes of exploring a pilot was a positive move forward.

Roundtable on Unbundling of Legal Services



List of attendees

Organisation	Attendance
LSCP	Chair
LSCP	Speaker
Solicitors Regulation Authority	Speaker
Legal Ombudsman	Speaker
Rocket Lawyer	Speaker
Legal Connection	Speaker
Bar Standards Board	Attendee
Bar Council	Attendee
Council for Licensed Conveyancers	Attendee
CILEx Regulation	Attendee
CLSB	Attendee
The Faculty Office	Attendee
Law for Life	Attendee
Law Society	Attendee
Law Society	Attendee
Legal Services Board	Attendee
Ministry of Justice	Attendee
ICAEW	Attendee
Intellectual Property Regulation Board	Attendee
Solicitors Regulation Authority	Attendee
LSCP	Attendee
LSCP	Attendee
LSCP	Attendee
LSCP	Attendee
LSCP	Attendee