



## Summary

The legal world changed in 2009 and 2010 and the profession is entering a new era where the old business model is moot and a new business model is taking over. Law firms need to anticipate those changes and adjust. The old business model of “hours time rate equals value added” is gone. Disintermediation is at work. Disintermediation means that the middle level of information providers is disappearing. The Internet and expert systems have replaced those people. Clients are looking for expertise and advisers. As I’m fond of saying, “What the

printing press did to the monopoly a priest or rabbi had over the interpretation of the Bible, the Internet will do to the monopoly the lawyers have over the information in the law.”



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## WEATHERING THE STORM TEXAS LAWYERS AND THE ECONOMY

# Regional Perspectives: East Texas

BY JENNIFER PARKER AINSWORTH

**A**s in many other areas of our state, the practice of law in East Texas is always evolving. Over the last 10 years, we have seen ups and downs in a number of practice areas “behind the Pine Curtain.” There are four trends in particular that have affected the practice of law in East Texas.

Since the passage of tort reform, many lawyers have seen a decline in tort litigation. Plaintiffs’ lawyers seem to be filing fewer cases and many firms that had standard insurance defense practices for decades have seen this practice dwindle, with many insurers consolidating their cases with fewer defense firms or relying more heavily on “captive” counsel.

An area of strong practice growth in the East Texas area has been oil and gas. Following the rise in oil prices in the last five years, as well as improvements in technology, we have seen significant increases in exploration in East Texas. In particular, the development of the Haynesville Shale and other East Texas formations has reinvigorated the oil and gas practice and has attracted newer attorneys to the field. The increase in exploration has resulted in increased demands for title work and opinions, contract negotiations, and condemnation work, as well as litigation.

The recent economic downturn has affected many real estate and business practices over the past three years. Although traditional residential and commercial real estate practices may be slower, foreclosures offer steady work.

The Eastern District of Texas federal courts are considered “rocket dockets” for intellectual property litigation, attracting litigants from all over the country. As a result, we have seen significant growth in this field over the past 10 years. This challenging new practice area has sent many local attorneys to their law libraries to learn new areas of law while our federal district judges now preside over one of the busiest intellectual property dockets in the nation.

When I joined Wilson, Robertson & Cornelius, P.C. 10 years ago after moving back to East Texas, the majority of our income was derived from insurance defense litigation, real estate work, and general business practice for our local clients. One partner, who is a skilled, board certified oil and gas attorney, had not touched a title opinion in several years and was doing business litigation and appeals. Ten years later, our insurance defense litigation has significantly reduced, but our oil and gas partner is so busy with title work that we have hired additional lawyers to help him. Real estate has declined but is still active.

Despite these changes, the overall volume of civil case filings has risen in our area over the past 10 years. With its vital, active legal community providing services in a variety of areas, East Texas remains full of opportunity.

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