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Alternative billing? Not in my lifetime!

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For all the hype regarding alternative billing mechanisms, Australian lawyers are still cynical about the so-called demise of the billable hour.

According to a *Lawyers Weekly* online poll conducted earlier this year, when asked if law firm billing trends are really changing 65 per cent of the 359 respondents polled reported that "no, it's all just hype", a further 19 percent stating "maybe, but not at my firm," while 17 percent were a little more confident about such changes responding with "yes, slowly but surely".

Given the simplicity of the poll - and its single question nature - it's difficult to judge from such a poll alone just how certain Australian lawyers are about the future of the billable hour. But despite some law firms boosting their credentials around alternative billing opportunities, this poll does suggest a level of cynicism on just how far such trends extend.

Still, some alternative billing trailblazers are leaving some lasting impressions on the industry. Recently, the managing partners of Australia's largest law firms gathered at the Managing Partners Forum in Queensland. One session that particularly raised the interests of delegates was a session entitled *Making a square peg round - Innovation as a differentiator for change and success*. There, Christian Hyland, co-founder of Optim Legal, John Knox, managing director of Advent Lawyers and Michael Bradley, managing partner of Marque Lawyers together presented on the alternatives to traditional forms of billing that they are offering in the marketplace. All three firms individually carry a unique offering, and all three have in their own right earned some considerable industry attention for their desires to lead change in the industry

Still, Freehills managing partner for clients Mark Rigotti recently told *Lawyers Weekly* that such firms do not hold enough leverage as yet to offer a real threat to a top-tier's place in the market. "I think they are a useful supplement," he said. "Sometimes they can provide things that we can't because they have a lower cost base ... I don't see that we need to catch up with them."

Advent's Knox even agreed, noting that while large law firms are definitely interested in hearing what they have to offer, his firm is not of a size that will worry the big firms just yet. "We see ourselves as quite complementary because the types of things we do, law firms don't want to do. We do everything on fixed-fee. There is not a timesheet in sight and we don't entertain hourly rates. Big law firms hate that because it goes against the way the whole firm is built and structured."

Ultimately though, such firms are at least offering an alternative to the legal status quo - even despite the fact that the average lawyer does not believe such alternatives will make much difference in the future.

The *Lawyers Weekly* editorial team will continue to share their thoughts on innovation in the legal profession each day in line with the launch of our new "Box-Breakers" website next week. Check back with www.lawyersweekly.com.au for more information, and email angela.priestley@lexisnexis.com.au to share your own views.

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