

Comments on: Bricks-and-Mortar Offices in the Modern Digital Age

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Comments to the

**New Jersey Supreme
Court**

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Consumers for a Responsive Legal System (“Responsive Law”) thanks the Court for the opportunity to present its comments on rules amendments proposed by the Professional Responsibility Rules Committee. Responsive Law is a national nonprofit organization working to make the civil legal system more affordable, accessible, and accountable. **Responsive Law supports the amendments to Rule 1:21-1(a) proposed by the Committee, and believes that the amended rule will continue to provide strong protection to clients while expanding the choices available to them.**

It is important for lawyers to be accessible to their customers, as part of their duty to maintain communication with clients. It is also important for lawyers to be accessible to regulatory authorities, whether for service or process or for the maintenance of attorney registration and the disciplinary process. Until recently, having a physical office where a lawyer practices served as a reasonable proxy for access by clients, adversaries, courts, and the bar. However, modern communication has severed this correlation. With email, cell phones, and other technology, lawyers can maintain communication with other parties from any location. On the flip side, a physical office location does not guarantee the accessibility of a lawyer, as the lawyer may be out of the office for business reasons for much of the day. The proposed new rule focuses on the need for accessibility and prompt communication, rather than the proxy of an office. These hallmarks of service, not a bricks-and-mortar location, are what consumers seek, particularly in a modern, internet-based economy.

In addition to modernizing the requirements for access and communication, the new rule will benefit clients by allowing them access to more lawyers. Without the requirement of a physical office

and its accompanying overhead, more lawyers will be able to provide services to New Jersey customers, and will be able to provide those services at lower cost. In addition, eliminating the requirement of a physical office will make it easier for law firms to provide multijurisdictional practice that could benefit clients. For example, out-of-state lawyers admitted to practice in New Jersey will more easily be able to provide service to an individual client with legal needs across multiple states. Furthermore, national, on-line firms targeting middle-class customers will be able to provide affordable attorney-prepared documents such as simple wills and no-fault divorces.

Overall, the proposed new Rule 1:21-1(a) will provide tremendous benefits to consumers of legal services, while maintaining the level of protection that they currently enjoy. **We urge the Court to adopt this rule.**