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The Billable Time Revolution

by

Jordan Furlong

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The Billable Time Revolution

By Jordan Furlong

Gen AI will bring an end to the era when lawyers' value hinged on informing billable work. Grab the coming opportunity to re-prioritize your daily activities and redefine your professional purpose.

Ever since ChatGPT-4 showed us the future of legal work in March 2023, lawyers have grappled with a vexing question: “If AI makes the performance of legal tasks much faster, what will we do with all the time that opens up for us?” It’s been a consistent theme in many legal articles and reports for the last couple of years.

I’ve contributed my fair share (possibly more than that) to this conversation, including a recurring concern with the idea that lawyers will dedicate any “freed-up” time to higher-level, higher-value client work. That seems to rest on quite a few unexamined assumptions, including such favourites as “There will be plenty of high-value work to go around” and “People will only want to get strategic legal advice from a human.” I’m not yet convinced on either of those counts.

But the hard truth is that nobody, myself very much included, knows for sure what Generative AI will do to lawyers’ livelihoods. For one thing, this is a technology that won’t stand still long enough for us to take an accurate picture of it. Just when we think we have a handle on Large Language Models, another new version from another platform gets released, and we have to start test-driving this tech all over again.

In addition, “lawyers’ livelihoods” is an unhelpfully broad term that doesn’t reflect the deep fragmentation of this profession. There are as many different business plans, workplace incentives, and daily working realities as there are lawyers. We’re years away from a Grand Unified Theory Of AI’s Impact On The Law, if such a thing is even possible. Let’s not get too far ahead of ourselves.

With all of that said, however, I do think there’s one important point we can add to that “freed up to do higher-level work” conversation. Suppose all those underlying assumptions about the post-AI legal sector prove to be correct: There will be plenty of high-level work, and clients will get it exclusively from humans. That would be terrific.

But why do we assume that lawyers’ freed-up time has to be put towards “legal work” at all? Why can’t we envision a legal profession that has evolved beyond task performance as its primary function — one that rethinks the possibilities and priorities of life as a lawyer?

Admittedly, that's a lot harder than it might sound. Over the years, I've noticed that many lawyers in private practice, when they talk about their jobs, tend to frame any activity related to the big picture of law practice — managing people, overseeing operations, maintaining relationships, etc. — almost as a distraction from what they really want to do, which is billable legal work. They often speak of business duties as a kind of intrusion into their time, an annoyance that takes them out of their flow, costs them billing opportunities, and keeps them from their real work.

Most lawyers I know are very task-based people. They thrive when given a task to do and live for the satisfaction of accomplishment and the praise (verbal and financial) for a job well done. The legal profession's self-image as hard-working problem-solvers is exemplified through doing legal work. Navigating the law, analyzing issues, coming up with solutions, drafting great arguments, winning big cases — legal tasks like these are fundamentally what lawyers do. I've met many lawyers who would be blissfully happy if their entire workdays consisted of nothing but these kinds of activities.

But of course, that's not how their entire workday goes. In practice, all these Golden Activities constitute a fraction of lawyers' daily affairs. Clio's 2025 Legal Trends Report noted that "lawyers bill just 2.9 hours (37%) of an 8-hour day … [which suggests] that many lawyers either have fewer clients or struggle with inefficiencies." Now, I'll be the first to agree that inefficiency is a defining hallmark of most law practices. But it's still an interesting way to frame the issue — essentially, that lawyers should be spending more of their time on activities that can be billed to clients.

Well, maybe. But this profession has some weird ideas about the value of time. There's a doctoral thesis to be written on the whole subject of "non-billable hours," a common term in legal business that is, when you stop and think about it, kind of a sad way to look at your life.

Complaining about or denigrating "non-billable time," as many lawyers tend to do, means they've made "billable time" their default setting, the most valuable use of the hours they've been given today. That is neither a happy nor a healthy perspective. I've argued previously that there's no such thing as non-billable time, as I think the whole concept is kind of messed up. But this neurosis has dug its claws deep into the lawyer psyche.

Very soon now, we're going to have to get those claws extracted. We don't know exactly what Gen AI will do to the legal sector, but it seems safe to assume that many tasks lawyers have performed in the past will in future be carried out, in whole or in part, by machines. Lawyers will still be busy, but not with the things they used to do or, often, the things they loved to do.
So this is more than a business model shift coming our way; it's also a professional identity crisis. What will happen to lawyers when their defining feature of "legal task performer" starts to fade away? How they will adjust to a world where "billable time" isn't king?

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Lawyers could start, I think, by rejecting the unarticulated mantra of the modern legal profession: “You’re not really lawyering unless you’re doing something a client will pay you for.”

That belief is at the heart of many law firms’ cultures and drives many lawyers’ personal definitions of self-worth. It’s also, of course, wrong. How wisely you run your practice, how thoughtfully you manage people, how much effort you put into staying close to your clients — these are integral aspects of being a good lawyer. Just because someone’s not paying you directly for something doesn’t make the activity worthless. The value of your time does not hinge on whether you did something “billable.”

Because of Generative AI, lawyers will perform fewer “billable” tasks in future; but why is that a bad thing? Why not devote that incoming “freed-up” time to operating, upgrading, and flourishing your law practice? Because this is what you do now: You run a legal business. You deliver good outcomes, good experiences, and good relationships to clients. Humans do some of the work and machines do some of the work and the distinction that matters is not billable/non-billable, it’s which type of work is best suited to which type of performer.

And I’ll tell you what, a law practice whose owner takes proper care of it, nurturing and supporting and spending time growing it, is going to be every bit as profitable — probably much more so — than a law practice whose owner chases billable work at the expense of any other activity. You want to make more money? Stop thinking of attentive business management as a second-tier way to spend your day.

Lawyers’ time and effort won’t be the legal sector’s benchmark currency in future. Legal services won’t be the volume business it used to be. This will be good news, in the long run, for everyone. But it only starts being good news once you, as a lawyer, accept that “performance of legal tasks” won’t be your primary function anymore, and that putting “billable activity” ahead of everything else is a bear trap you set in your own path.

What will you do with your “freed-up” time? A great way to start would be freeing yourself from the chains of legal work that are holding you down.

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About the Author

Joran Furlong
For more than 25 years, Jordan has served as a lawyer, legal journalist, law firm consultant, and globally acclaimed keynote speaker. He is based in Ottawa, Ontario.