

Index

- Abel, R. 11, 63, 71, 84–5, 142
- Administration of Justice Act 71, 96, 118, 120–21
- adverse selection problem and
 minimum quality standards 13
- advertising restrictions 7, 26–8, 70, 95–6, 98–100
 see also branding
- advocates
 Finland (*asianjaja*) 78–9, 137–8, 141
 Scotland *vi*, 14–15, 20, 34, 42–3, 68–9, 72, 83–4, 102–5, 107–8, 146, 148
 Spain (*abogados*) 78
- agency costs 14–15, 17, 19, 36–7, 54, 117–18
- Alpa, G. 77, 85
- alternative business structures (ABSs) 13–15
 and cherry-picking 132–3
 emergence of since 2007 (UK) 138–41
 Legal Services Act (LSA) 111, 113, 115, 120–23
 non-legal professional services and partnerships with other professions 39–40
 owned by non-lawyers, UK 72
- Anglo-American law firms 128–31
- Arnauld, R. 30
- Arruñada, B. 21–2
- asymmetric information 13–16, 18–20, 54–5
- Atanasiu, I. 85
- Australia 34, 135–7
- Austria 26–7, 80
- Bahl, K. 56
- Bailey, S. 42, 70
- barristers
 Bar Council 9–10, 26, 58, 69, 107, 115, 119, 121–3
 Bar Standards Board (BSB) 121–4, 148
 courtroom pleaders, UK 14–15, 68, 72–3
 Legal Services Act (LSA) and promotion of regulatory competition 121–4
 rights of audience 68, 71
 solo practice 34–5, 102
- Baumol, W. 41, 84
- Belgium 24, 26, 80
- Benham, L. and A. 27–8, 41
- Bevan, G. 21
- Blacklaws, C. 139
- Boigeol, A. 75–6
- Bond, R. 107
- Boon, A. 120
- Bowles, R. 41
- Bradley, A. 126
- branding 117, 133–5
 see also advertising restrictions
- Brazier, M. 71
- Buchman, L. 75–6
- Burns, C. 41–2
- Canada 59
- Cape, E. 21
- Caron, A. 85
- Carr, J. 36–8, 43
- case complexity and fee levels 38
- certification and licensing 118, 120–22, 139
- Christie, D. 62
- Church, J. 41, 84
- Clarke, R. 83

- Clementi, D. 15, 54–8, 82, 111–15, 131–2
- Clermont, K. 42
- client
- care and fixed price effect 50
 - complaints 54–8, 112–13, 115
 - funds, holding of 123
 - profession size and consumers' quality perception 19
 - wealth, and price discrimination 29–30
- Co-operative Legal Services 132, 139
- co-regulation 18–19
- Coase, R. 134
- Cohen, H. 55–6
- Cohen, K. 107
- Collins, P. 118–19
- competition *see* regulatory competition
- complaints, client 54–8, 112–13, 115
- conditional fee arrangement (CFAs) 33
- conduct rules and restrictions 24
- Consumer Complaints Directorate (CCD) 56–7
- contingent fee contracts 31–4
- conveyancing 30–31, 71
- fees and advertising restrictions 99–100
 - licensed conveyancers and competitive self-regulation 120–21
 - monopoly studies (UK) 94–7 *see also* specialization
- Council of the Law Society 8–9, 11, 55
- Council of the Law Society of Scotland 8–10
- Council for Licensed Conveyancers (CLC) 118, 121–2, 139
- courtroom pleaders 14–15, 68, 72–3
- courts
- Courts and Legal Services Act (CLSA 1990) 114–15, 117–19
 - and deregulation *see* deregulation
 - judiciary role, diminishing 68–9
 - rights of audience in higher courts 68, 71–2, 102–3
- Cox, S. 21, 40–41, 107
- cracked trials and fixed price effect 46
- credence goods 13, 133
- Cumming, R. 34, 62
- Curran, C. 22, 40–41
- Currell, D. 131, 142
- Currivan, J. 42
- Cyert, R. 107
- Dana, J. 33, 42
- Danzon, P. 42
- Darby, M. 13
- de Soto, H. 16
- Demsetz, H. 86, 126
- Denys, N. 15
- deregulation
- and removal of mandatory scale fees 30
 - technological revolution in lawyering 130
 - see also* liberalization of legal markets; specialization
- deregulation effects, empirical methods 86–91
- 'controlled experiment' method 89–90
 - counterfactual, importance of well-specified 88, 90
 - criteria (dependent) variables 90–91
 - cross-sectional studies 89
 - matched pairs comparison 88
 - performance variable and policy variable comparison problems 86–7
 - regime shift identification 89
 - regulation intensity comparison 88–9
 - regulation study types 87–91
 - structural/simulation models 90
 - time-series approach 89
- deregulation effects, empirical methods, statistical studies 91–105
- advertising restrictions 98–100
 - advertising restrictions and conveyancing fees 99–100
 - advertising restrictions, market-wide effect 98
 - conveyancing monopoly rights (UK) and price discrimination measurement 96–7
 - conveyancing monopoly studies (UK) 94–7

- cross-sectional studies of multiple professions across jurisdictions 93, 98
- entry restriction studies 93–7
- entry restriction studies, geographical restriction 94
- entry restriction studies, monopoly rights 94–6
- fee competition studies 100–101
- fee competition studies, discounting, effect of 101
- price discrimination 29–31, 96–7, 100, 106
- single deregulated jurisdiction with sub-jurisdiction variety 92
- single jurisdiction studies (event studies) 91–2
- deregulation effects, statistical studies, organizational form restriction (entity restriction) studies 101–5
- Faculty of Advocates (Scotland) fee income 104
- Faculty Services Limited (FSL) (support services) 103–5
- institutional structure 102–3
- risk-sharing mechanisms and economies of scale 103–4
- sole practitioners 102
- Dingwall, R. 16–17, 20–22
- Domberger, S. 30–31, 40–41, 94–5, 107
- duty to the court 9–10, 12

- economic rents 24–6
- economies of scale and scope 35–6, 39–40, 103–4, 132–3
- education levels 11, 25, 79, 129
- see also* knowledge
- Ehlermann, C. 85
- Emons, W. 32, 42
- empirical methods
 - deregulation effects *see* deregulation effects, empirical methods
 - incentives, legal aid contracts, responses to changes in 45–53
 - regulation methods 28, 34, 38
- entity regulation *see* law firms
- entry restrictions 23–6, 93–7
- EU
 - advertising restrictions 26–7
 - contingent fee contracts 32
 - Council of Bars and Law Societies of Europe (CCBE) 10, 130
 - deregulation and removal of mandatory scale fees 30
 - single market 151–2
 - Treaty of Lisbon 30, 79, 130
 - see also* individual countries
 - European Court of Justice, *Klopp* 74
 - Evans, R. 21–2, 40–41
 - event studies 91–2
 - external providers of legal services *see* alternative business structures (ABSs)
 - externalities 15–16, 26–30
 - see also under* regulation methods
 - Faculty of Advocates 69, 72–3, 103–5
 - Faculty Services Limited (FSL) 103–5
 - Fama, E. 19, 36–7
 - Faure, M. 10, 21–2, 40–42
 - Fazio, G. 45, 47–51
 - fees
 - client care and fixed price effect 50
 - commoditization issue and reduced fees 120
 - competition studies, deregulation effects 100–101
 - conditional fee arrangement (CFAs) 33
 - contingent fee contracts 31–4
 - conveyancing, and advertising restrictions 98–100
 - cracked trials and fixed price effect 46
 - deregulation and removal of mandatory scale fees 30
 - financial advantage concerns, self-regulation 17
 - fixed price effect, legal aid contracts 46–51
 - hourly, contingent and conditional fees, comparison of 32–3
 - hourly fee plus outlays versus standard fee at three levels 46
 - price advertising and quality levels 28
 - price discrimination 29–31, 96–7, 100, 106

- restrictions, and regulation methods 29–31
 scale, publication of... 9
see also transaction costs
 Fenn, P. 16–17, 20–21, 33–4, 45–6, 48, 51
 Fink, M. 22, 26–7, 34, 41, 74, 76, 78–81, 106
 Finland 25–6, 78–80, 137–8, 141
 Finsinger, J. 22, 40–41
 Fisher, J. 42
 Forrester, I. 7
 France 24, 75–7, 80
- Galanter, M. 131, 142
 Garicano, L. 36, 39, 43
 Garoupa, N. 32, 42
 Germany
 accounting and consulting firms in legal service market 128–9
 Act Against Restraints on Competition (GWB) 75
 advertising restrictions 74
 Anglo-American and German law firm mergers 128–31
 Anwälte independent practice 74
 competition law effects 74
 Federal Regulation on Fees (BRAGO) 73
 Federal Regulations for Lawyers (BROA) 73
 joint practices 34
 liberalization of legal markets 73–5, 80
 multidisciplinary practices (MDPs) 40
 organizational changes 74
 partnerships and mergers 74
 Professional Regulation for Lawyers 73–4
 Restraints of Competition (GWB) Act 73
 rights of audience restrictions 24
 self-regulation 73–4
 Gillanders, D. 37
 Gilson, R. 36, 38–9, 43
 Glanville Davies Affair 55–6
 government involvement *see* deregulation; lawyer regulation, reasons for; regulatory competition; regulatory methods
 Gravelle, H. 32–3, 42, 44
 Gray, A. 21, 45–6, 48, 51
 Greece 26–7, 82
 Griffiths, A. 134
 Grout, P. 21
 Gunn, M. 42, 70
- Hadfield, G. 26, 129, 131
 Halpern, P. 42
 Hay, B. 42
 Hay, D. 84, 141
 Helland, E. 62
 Helligman, K. 21–2, 41–2
 Henderson, M. 131, 142
 Henssler, M. 74, 85
 Herrmann, H. 21–2, 41–2, 74, 85
 Hockman, S. 122
 Holen, A. 41
 housing law 132–3
 Hubbard, T. 36, 39, 43
 Hudec, A. 21
 Hungary 80
- inadequate professional service (IPS) complaints 57
 incentive contract restrictions 31–4
 incentives, legal aid contracts, responses to changes in 45–53
 agency costs 36–7, 54
 client care and fixed price effect 50
 cracked trials and fixed price effect 46
 empirical methods 45–53
 fixed price effect 46–51
 guilty pleas and pleading practices 48–50
 hourly fee plus outlays versus standard fee at three levels 46
 preognition reduction and fixed price effect 51–3
 specialist and non-specialist firms comparison 49
 switching effect 46, 48–9, 51–3
 threshold effect 46, 48
 volume effect 47–9

- incentives, self-regulation 53–62
 Consumer Complaints Directorate (CCD) 56–7
 Glanville Davies Affair 55–6
 inadequate professional service (IPS) complaints 57
 information asymmetry 54–5
 Law Society handling of client complaints against solicitors 54–8, 112–13, 115
 Law Society of Scotland's Master Policy and Guarantee Fund 35, 58–61
 Legal Services Ombudsman (LSO) 57
 Office of Legal Complaints (OLC) 57–8
 Office for the Supervision of Solicitors (OSS) 56–7
 professional negligence cases 57
 information asymmetry 13–16, 18–20, 54–5
 innovation in legal services, technological revolution 128–31
 institutional structure, deregulation effects 102–3
 insurance subsidiaries 140
 Ireland
 advertising restrictions 27
 cartel behaviour and scale fees 31
 conveyancing and fee competition 101
 deregulation 91
 legal advice for gain 26
 Legal Services Regulation Bill 82
 solo practice 34
 Italy 26–7, 77, 80, 83
 Jackson, Lord Justice 33–4
 Jensen, M. 19, 36–7
 Johnson, E. 42
 joint partnerships 69–70
 Joskow, P. 87–91
 judiciary role, diminishing 68–9
see also courts
 Karni, E. 13
 Kay, J. 116
 Kentridge report 121–2
 Kilian, M. 75
 Klein, B. 19–20
 Kleiner, M. 41
 knowledge
 limited, and generalist solicitors 15
 transfer and opportunistic behaviour 129–30
see also education levels
 Kobayashi, B. 130–31
 Kritzer, H. 21, 33, 42
 Kwoka, J. 98
 law firms *see* alternative business structures (ABSs); lawyer regulation, reasons for; liberalization of legal markets; markets; organizational form restrictions; regulation methods
 Law Reform (Miscellaneous Provisions) (Scotland) Act 71–2, 103
 Law Society 8–11, 54–8, 112–13, 115
 Law Society complaints system 54–8, 112–13, 115
 Law Society of Scotland 35, 58–61, 70
 lawyer regulation, reasons for 7–22
 adverse selection problem and minimum quality standards 13
 agency and service functions 14–15, 17, 19
 courtroom pleader choice and information asymmetry 14–15
 dignity of the profession, requirement to uphold 10
 duty to the court 9–10, 12
 economic case 12
 external providers of legal services 13–15, 75
 externalities and market failure 15–16
 fee scale publication 9
 generalist solicitors and limited knowledge problems 15
 information asymmetry problems 13–16, 18–20
 legal certainty 15–16

- legal services as credence goods 13, 133
- “lemons” problem 13
- market failure in legal service markets 12–16
- moral hazard problem 13–14
- private interest/capture theory of regulation 12
- profession size and consumers’ quality perception 19
- public goods’ regulation 13, 15
- public interest theory of regulation 12–13
- quality competition, history of 11
- quality control and training of new entrants 11
- quality of lawyers and maintaining rule of law 7–12
- repeat purchase gains 13–14
- reputation sources 11
- solicitor-advocates, impact of 14–15
- specialization 14–15, 36, 38–9, 49, 52, 104, 122, 132
- supplier-induced demand and moral hazard 14
- traditional case 7–12
- welfare issues 15–16, 19, 28, 94, 96, 132–3
- see also* Legal Services Act (LSA); regulation methods
- lawyer regulation, reasons for, self-regulation 16–20
- co-regulation 18–19
- financial advantage concerns 17
- information and expertise advantage 17
- para-professions 19, 71, 94, 106
- regulatory competition 18
- Lees, D. 22
- Leffler, K. 19–20
- legal advice, restrictions on supplying 26
- legal aid
 - and cherry picking 132–3
 - contract changes *see* incentives, legal aid contracts, responses to changes in
 - see also* specialization
- legal certainty 15–16
- legal disciplinary practices (LDPs) 122, 139–40
- legal professions 68
- Legal Service Market in Scotland report 102
- Legal Services Act (LSA) 40, 54–5, 58, 70, 72, 130
 - emergence of ABS firms since 2007 (UK) 138–41
 - technological revolution in lawyering 131–4
- Legal Services Act (LSA) and promotion of regulatory competition 111–26
 - ‘alternative business structures’ (ABSs) 111, 113, 115, 120–23
 - Bar Council 9–10, 26, 58, 69, 107, 115, 119, 121–3, 139
 - Bar Standards Board (BSB) 121–4, 148
 - and branding 117
 - business structure, earlier 112
 - independent agency-assisted competition (second-tier) 117–18
 - market competition as self-regulation 117
 - oversight and front-line regulators, tension between 115
 - prelude to 111–16
 - and quality standards 117–21
 - as regulatory monopoly solution 116–17
 - self-regulation and self-interest 116
- Legal Services Act (LSA) and promotion of regulatory competition, regulatory framework
 - competition development 111–15
 - earlier 112–13
 - entity regulation 113, 123
 - front-line regulators, retention of 114
 - oversight regulator proposal (Legal Services Board) 113, 115, 118–19
 - single regulator proposal (Legal Services Authority) 113–15

- Legal Services Act (LSA) and
 promotion of regulatory
 competition, service
 characteristics and competitive
 self-regulation 119–24
 client funds, holding of 123
 commoditization issue and reduced
 fees 120
 conveyancing by licensed
 conveyancers 120–21
 Kentridge report 121–2
 Legal Disciplinary Practices (LDPs)
 122
 race to the bottom fears 121
 service differentiation 120
 solicitor-advocates and barristers
 121–4
 Legal Services Ombudsman (LSO) 57
 legal title restrictions 26
 “lemons” problem 13
 Levmore, S. 21
 liability, limited and unlimited 34, 37–9
 liberalization of legal markets 67–85,
 130
 European Commission role 79–82
 European Commission role, and
 cross-jurisdictional comparisons
 79–81
 European Commission role, and
 cross-jurisdictional
 comparisons, *Report on
 Competition in Professional
 Services* 81–2
 European Commission role, IMF, EU
 and ECB memoranda of
 agreement 82, 83
 Finland 25–6, 78–80, 137–8
 France 24, 75–7, 80
 Germany *see* Germany
 Italy 26–7, 77, 80, 83
 Spain 26–7, 78, 80
 UK *see* UK
see also deregulation; markets
 licensing and certification 118, 120–22,
 139
see also para-professions
 London’s ‘magic circle’ firms 131, 142
 Lord Chancellor 42, 71, 111–12, 139
 Lovdahl Gormsen, L. 83
 Love, J. 14, 19, 21, 28, 33, 41, 95–9,
 107, 118, 126
 Lueck, D. 24–5, 41
 Luxembourg 26
 Lynk, W. 33, 42
 Mackay, Lord, of Clashfern 71, 85
 Marcos, F. 22, 78
 Mark, S. 136–7
 markets
 advertising restrictions, market-wide
 effect 98
 competition as self-regulation 117
 externalities and market failure
 15–16
 failure in legal service markets 12–16
 market economy effects (1980s) 71
 power *see* liberalization of legal
 markets
 Mathewson, G. 36–8, 43
 Matthews, R. 12, 21, 62
 Melville, A. 15, 35, 58–9, 84, 102–5
 mergers, technological revolution in
 lawyering 136
 Miceli, T. 33, 42
 Miller, J. 42
 Minister of Justice 69, 72
 Mitchell, D. 42
 Mnookin, R. 36, 38–9
 mobility restrictions and lack of
 reciprocity 24–5
 monopoly
 Monopolies Commission and
 Monopolies and Mergers
 Commission 8–11, 29–30,
 69–70
 regulatory monopoly solution and
 promotion of regulatory
 competition 116–17
 rights 25–6, 31, 69–71, 94–7
 Montagnie, Y. 15–16, 22
 Moody, S. 62
 Moorhead, R. 15, 21–2, 34, 56, 62, 133
 moral hazard problem 13–14
 Morris, D. 84, 141
 multidisciplinary practices (MDPs) 40,
 78, 103–4, 123, 129

- multi-lawyer practices 35–6, 39, 125, 148
- Netherlands 26, 80
- Neumann, M. 41, 83
- Noll, R. 21
- non-legal professional services and partnerships with other professions 39–40
see also alternative business structures (ABSs)
- Office of Fair Trading (OFT) 58, 72, 102–3, 105
- Office of Legal Complaints (OLC) 57–8
- Office for the Supervision of Solicitors (OSS) 56–7
- Ogus, A. 18, 22, 26–7, 34, 41, 74, 76, 78–81, 106, 116–18, 125–6, 133
- opportunism, and knowledge transfer 129–30
- organizational form restrictions
deregulation effects *see* deregulation effects, statistical studies, organizational form restriction (entity restriction) studies
innovation restrictions and technological revolution 129–31
regulation methods 34–40
- oversight regulator proposal 113, 115, 118–19
- Pagliari, M. 25, 90
- para-professions 19, 71, 94, 106
see also licensing and certification
- Parker, C. 136–7, 142
- Pashgian, B. 22
- Paterson, A. 19–22, 26–8, 34, 41, 74, 76, 78–81, 95–7, 99, 106–7, 126
- Penrose, E. 134
- pleading practices, legal aid contracts 48–50
- Portugal 26–7, 82
- precognition reduction and fixed price effect 51–3
- prices *see* fees
- principal–agent problem 37
- private interest/capture theory of regulation 12
- professional negligence cases 57
- property rights, absence of, and legal information 130
- public goods and regulation 13, 15
- public interest theory of regulation 12–13
- quality
adverse selection problem and minimum quality standards 13
competition, history of 11
control and training of new entrants 11
of lawyers and maintaining rule of law 7–12
price advertising and quality levels 28
profession size and consumers' quality perception 19
standards and Legal Services Act (LSA) 117–21
- Quinn, J. 14
- race to the bottom fears 121
- regime shift identification 89
- regulation intensity comparison 88–9
- regulation methods 23–43
advertising restrictions 26–8
advertising restrictions, and economics of information 27–8
cartel behaviour and scale fees 31
case complexity and fee levels 38
conditional fee arrangement (CFAs) 33
conduct rules and restrictions 24
contingent fee contracts 31–4
contingent fee contracts, and litigation volume 33
deregulation and removal of mandatory scale fees 30
economic rents, effects on 24–6
economies of scope 35–6, 39–40, 133
empirical methods 28, 34, 38–9
entry restrictions 23–6
fee restrictions 29–31

- fee restrictions, regulatory and mandatory differentiation 30–31
- geographical restrictions 24–5
- hourly, contingent and conditional fees, comparison of 32–3
- incentive contract restrictions 31–4
- legal advice, restrictions on supplying 26
- limited liability partnerships 38
- mobility restrictions and lack of reciprocity 24–5
- monopoly rights 25–6
- multi-lawyer entities, specialization opportunities 36
- multi-lawyer and multi-disciplinary practices (MDPs) 35–6, 39–40, 78, 103–4, 123
- non-legal professional services and partnerships with other professions 39–40
- organizational form restrictions (entity restriction) 34–40
- organizational form restrictions (entity restriction), ownership and control factors 37
- partnership with unlimited liability 34, 37
- price advertising and quality levels 28
- price discrimination and wealth of client 29–30
- principal–agent problem 37
- rights of audience restrictions 24–5, 68, 71–2, 102–3
- self-regulation instruments 23–40
- sharing and marginal productivity remuneration models 38–9
- solo practices 34–8
- specialization 14–15, 36, 38–9, 49, 52, 104, 122, 132
- Structure–Conduct–Performance (SCP) paradigm 37
- support services, sharing 39–40
- title restrictions 26
- unlimited liability 34, 37–9
 - see also* lawyer regulation, reasons for; Legal Services Act (LSA)
- regulatory competition
 - conveyancing *see* conveyancing
 - information asymmetry 13–16, 18–20, 54–5
 - and Legal Services Act (LSA) *see* Legal Services Act (LSA) and promotion of regulatory competition
 - self-regulation *see* self-regulation
 - technological revolution 132–5
 - welfare benefits 94, 96
 - see also* deregulation; liberalization of legal markets
- regulatory instruments *see* lawyer regulation, reasons for; Legal Services Act (LSA); regulatory methods
- rents, economic 24–6
- repeat purchase gains 13–14
- Ribstein, L. 130–31
- Rickman, N. 14, 21, 33–4, 42, 45–6, 48, 51
- rights of audience restrictions 24–5, 68, 71–2, 102–3
- risk, spreading, and multi-lawyer entities 35–6, 39, 103–4
- Rizzo, J. 28, 107
- Roberts, S. 131, 142
- Rogerson, W. 28
- Rose, N. 87–91
- Rosti, H. 138
- Royal Commissions on Legal Services 70
- Rubinfeld, D. 42
- scale fees *see* fees
- Schroeter, J. 98
- Schultz, U. 73–4
- Schwartz, M. 42
- Scotchmer, S. 42
- Scots Law of Delict 59
- Scott, A. 83–4
- Scottish Legal Aid Board (SLAB) 46–9, 51–3
- search costs *see* advertising restrictions; branding; fees
- Segerson, K. 42
- self-regulation 69–73
 - competitive *see* Legal Services Act (LSA) and promotion of

- regulatory competition, service characteristics and competitive self-regulation
- incentives *see* incentives, self-regulation
- reasons for *see* lawyer regulation, reasons for, self-regulation
- Shaked, A. 19
- Sherr, A. 15, 21–2, 30–31, 40–41, 56, 63, 94–5, 107, 133
- Shinnick, E. 31, 41, 100–101
- single jurisdiction studies 91–2
- single regulator proposal 113–15
- size, profession size and consumers' quality perception 19
- Smedley, N. 126
- Smith, B. 42
- Smith, J. 21
- social welfare issues 15–16, 19, 28, 94, 96, 132–3
- sole practitioners 34–5, 36–8, 102–4
- solicitor-advocates 14–15, 26
 - England and Wales 68, 84, 119–22, 124–5, 146
 - Legal Services Act (LSA) and promotion of regulatory competition 121–4
 - rights of audience 68, 72, 102–3
 - Scotland 15, 68, 72, 84, 103, 146
 - sole-trading advocate risks 105
 - see also* advocates
- Solicitors' Practice Rules 27
- Solicitors Regulation Authority (SRA) 122, 124, 139–40
- Solicitors (Scotland) Act 58
- Solicitors (Scotland) Professional Indemnity Insurance Rules 58
- Spain 26–7, 78, 80
- specialization 14–15, 36, 38–9, 49, 52, 104, 122, 132
 - see also* conveyancing; deregulation; legal aid
- Spier, K. 33, 42
- statistical studies *see* deregulation effects, empirical methods, statistical studies
- Stigler, G. 27, 98–9
- Stone, M. 27–8
- Structure–Conduct–Performance (SCP) paradigm 37
- supplier-induced demand and moral hazard 14
- Sutton, J. 19
- Swanson, T. 33, 42
- Sweden 26
- switching effect, incentives, legal aid contracts 46, 48–9, 51–3
- Switzerland 24, 34
- Sykes, A. 21
- Tabarrok, A. 62
- Tata, C. 45–52, 62
- technological revolution in lawyering 127–43
 - Australia 135–7
 - experiences in other jurisdictions 135–8
 - Finland 137–8
 - and legal service provision by non-lawyers 127, 131, 133–8
 - Legal Services Act (LSA) 2007 effect 131–4
 - Legal Services Act (LSA), emergence of ABS firms since 2007 (UK) 138–41
 - mergers 136
- technological revolution in lawyering, technology of lawyering 128–35
 - accounting and consulting firms in German legal service market 128–9
 - 'alternative business structures' (ABSs), and cherry-picking 132–3
 - Anglo-American and German law firm mergers 128–31
 - brand-name capital in legal services 133–5
 - innovation in legal services 128–31
 - knowledge transfer and opportunistic behaviour 129–30
 - legal information and absence of property rights 130
 - liberalization of legal service 130
 - organizational form limitations and innovation restrictions 129–31

- regulatory competition issues 132–5
- social welfare law provision 132–3
- territorial restrictions 74
- Terry, L. 74, 85
- Tesco Law 139
- Thatcher government, effects of 71
 - see also* deregulation
- Thomason, T. 42
- Thornton, M. 42
- threshold effect, incentives, legal aid
 - contracts 46, 48
- time-series approach, deregulation
 - effects 89
- title restrictions, regulation methods 26
- Torrance, M. 70
- training and education levels 11, 25, 79, 129
 - see also* knowledge
- transaction costs 15–17, 29–30, 40, 134
 - see also* fees
- Trebilcock, M. 21–2, 40–41
- Turnbull, S. 42
- US
 - advertising restrictions 27, 98
 - Anglo-American and German law
 - firm mergers 128–31
 - attorney education 25, 129
 - bar exam pass rates and attorney fees
 - 25
 - Bates v. State Bar of Arizona* 27
 - Central Hudson Gas & Electric Corp. v. Public Service Commission of New York* 27
 - contingent fee contracts 31, 33
 - mobility restrictions and lack of reciprocity 24–5
 - organizational form limitations and innovation restrictions 129
 - rights of audience restrictions 24
 - Van den Bergh, R. 10, 15–16, 18–19, 21–2, 41, 73, 77, 85
 - Viscusi, W. 21
 - volume effect, incentives, legal aid
 - contracts 47–9
 - Wallman, R. 15
 - Ware, R. 41, 84
 - Waterson, M. 32–3, 42, 44
 - Watts, A. 42
 - Webley, L. 63
 - welfare issues 15–16, 19, 28, 94, 96, 132–3
 - Willemez, L. 75–6
 - Williamson, O. 134
 - Winston, C. 90
 - Wolfram, C. 21
 - Zeckhauser, R. 28, 107

