

Pioneers and Pathfinders: Marlene Gebauer Returns

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Steve Poor

Hi. This is Steve Poor, and you're listening to Pioneers and Pathfinders.

Today we're delighted to welcome back Marlene Gebauer—self-described “Legal Innovation Heroine,” co-host of *The Geek In Review*, and one of the most thoughtful voices in the legal innovation community. Since she last joined us in 2022, Marlene has stepped into a new role: she is now practice support attorney at K&L Gates.

In our conversation, Marlene shares her perspective on the blending of roles across knowledge management, practice support, and innovation—and how AI is reshaping not just the delivery of legal services, but how that work is valued. We also explore why, even in an era of accelerating technology, human connection remains the essential differentiator. As always, Marlene brings both candor and clarity along with practical advice for legal organizations navigating technological transformation. Thanks for taking a listen.

Marlene, it's so great to see you again. It's been way too long since you've been on the pod.

Marlene Gebauer

I know. It's so nice to see you, Steven. How are you?

Steve Poor

I'm good. How have you been?

Marlene Gebauer

I am very good. I'm very good. Lots of change since we last talked, so it'll be nice to catch up.

Steve Poor

Yeah, so tell me about that. You had a lot of evolutions in your it's been three years or so. You've had a lot of evolution, sort of walk us through it, and sort of what prompted some of those shifts.

Marlene Gebauer

Well, I'm trying to think, Where did, where did we leave off?

Steve Poor

We left off about three years ago.

Marlene Gebauer

Three years ago. So I guess, you know, I moved into and it like, really was cool. Had the opportunity to do a lot of different but adjacent type of roles from the things that I had been doing before. And, you know, some of the things I got exposure to records and got exposure to eDiscovery and litigation support, you know, as well as knowledge management and library and innovation. And then, you know, moved more towards innovation, and got the opportunity to be doing some building as well as buying, which was a new area for me, and then landed in this role. It's almost like it's full circle, you know, I started, I started as a lawyer, right? And now I'm a practice support lawyer, but it kind of brings all of the

things that I've been doing before, you know, into this space to support a litigation group at, you know, a large law firm. So doing innovation, doing KM, testing new tools, you know, working on builds anything and everything that supports that group. And it's, it's great, love it.

Steve Poor

That seems to be the way the business is going. Those putting together, those various skill sets. We're no longer KM people over here, the innovation people over there, the tech people in yet, a third corner. Do you see it the same way?

Marlene Gebauer

I do. You know, I do think there's a lot of blend in some of the roles, and you're seeing a lot of new roles as well. And the need for, you know, all of the, you know, departments, if you will, that basically there's this blend, and you need to either, you know, work together, or, you know, just some of these, these types of job roles just, you know, just sort of become, you know, they sort of blend into one so, and I think it's a great thing because, you know, we always talk about silos, and silos are not a good thing ever for business. And so I think the business need, coupled with the technology has really kind of forced that, that issue. Just, you know, in order to get work done.

Steve Poor

You've been in innovation in one term or another for a long time. What do you think that term means these days, as opposed to 20 years ago, when it was just a marketing buzzword?

Marlene Gebauer

Well, I mean, it, it's a good question. I got to think about it. What is it? What did it mean then versus now? Then? I think, you know, it was just a lot slower, I mean, and it was different technology, and it was still very separated. You know, you had certain tools, did certain things, and you still kind of had that separation, kind of that understanding that if I get this tool, this is what I use it for. Now, of course, with generative AI, you know, all those walls are kind of broken, and these tools do lots of different things, and can do lots of different things. And, you know, I've heard sort of the blank sheet of paper, you know, dilemma that people kind of see it and be like, what? Okay, this is great, but what do I use it for? Because it is so able to do different things. So I think innovation now means, certainly, you know, understanding the powers of these tools, you know, but also helping others kind of understand, you know, what are the ways that you can use this in a really effective way and in a very value driven way?

Steve Poor

Do you think organizations have it more tied to strategy now than they did 20 years ago. Talking, I mean, you're in a role now practice support lawyer where you're bringing these tools to bear, I presume, to benefit clients of the organization, as opposed to just shiny toys, which is what we use to create, which I assume is more tied to firm strategy. Have you seen that sort of develop more over the last few years, that strategic implementation of innovation?

Marlene Gebauer

Over the last few years, definitely, I would say, you know, 10 years ago or whatever, I don't know that we were tracking the same kind of way in order to use those analytics to tie it back into strategy. Like, I think it was just starting. We were just sort of delving into that a little bit. The last few years, yes, for sure, you know, AI kind of caught everybody by storm. And I think there was a period of time where there was a lot of experimentation just kind of getting it up and running, getting it in a position where we had policies and governance, and we could communicate that to clients. So a lot of that we have gotten through, I mean, there's, there's still some issues, I think, in terms of, you know, getting client approvals, but I think that there's a lot more openness to this than there was a few years ago. And I

think now people are starting to say, clients are starting to say this, firms are starting to say this. Okay, well, how is this impacting the delivery? How is this impacting the cost? And those are interesting conversations because I don't think there's, you know, one answer to this, and I think a lot depends on the firm and where they are in their sort of maturity, and what the clients are finding valuable. So is it, you know, I feel it's not just time savings that, you know, time savings has an impact on other things, and we should be looking at those as well from both sides.

Steve Poor

Yeah, you raise a really interesting point where I think when we talked a few years ago, generative AI bubble had just popped, and we're sort of around a fear component, fear of missing out, fear of the technology, fear of disclosure, and it's now become more how do I operationalize this? How do I get value? What does it mean for the relationship? It sounds like you're seeing more of those in depth conversations occurring between clients and their service providers.

Marlene Gebauer

Yeah, I mean, I think that that is definitely the case. You know, you see things that that are out there, on, on in the news, and, you know, even what some of the vendors are talking about that, you know, they're getting these types of questions too. It's like, how are other clients doing this? How are we doing it? So, I really do think that that is, that is sort of a driving factor right now.

Steve Poor

And of course, the conversation never really catches up to the technology. It doesn't seem like...

Marlene Gebauer

Well, I don't know. I think the technology might be going a little faster than the conversation

Steve Poor

now we've now we've got, now we've got agents talking to one another and plotting against us.

Marlene Gebauer

Yeah, I know. I know it's like, like, I like, I didn't have enough to keep me up at night.

Steve Poor

Absolutely. You've worked inside global firms, you've done consulting, you've you've had this variety of of experiences that give you sort of an interestingly nuanced view of the way lawyers respond based on your experience. What's the struggle firms have to make AI stick in a meaningful way, because there's all sorts of discussion out there about what the adoption curve is, how many people are actually using it, versus what's the hype? I don't really hide my own beliefs as to what reality is, but I don't know it. Sort of where are you seeing this struggle to transform the way people think and operate in an age of this technology?

Marlene Gebauer

I think it's just a multi part answer. I think, again, it's the speed of the technology and that blank page, understanding what it can actually do and what it doesn't do, I think, is also very important and what the rules are for using it. We still continue to see cases out there of people getting sanctioned for, you know, submitting things to court that have hallucinations in them. So there's still kind of that, that hurdle to get over in terms of, like, understanding that, and I also think pricing is still in this sort of value question is still a consideration. So how if the time spent is going down, how do we address that? If, you know, we have an hourly billing model, like, how do people, I think, want to understand that? Because it looks, you know, on a very basic level, looks like, okay, well, if the hours go down, then you

know, profits go down. And, of course, that is not acceptable. And, you know, in a law firm, so, like, that's, that's not the end goal, and it's a complex question, because we've been using this for so long, and it's, it's a relatively easy way to understand, you know, how things are built, you know, time ... We all understand that, but we're talking different types of models. If we're talking, you know, AFAS or subscription models, or, you know, looking at what clients find valuable and what the impacts been on their side. Like, those are more complex types of evaluations and conversations. And so I think people need to feel more comfortable with that too.

Steve Poor

We've struggled as a profession for a long time trying to reach an agreed definition of value, haven't we? We tend to measure inputs, but we don't tend to value the outputs. Is this pressure on the existing pricing structure going to force that sort of discussion in a more in depth way? You think?

Marlene Gebauer

I think so. I'm not sure how it won't I mean, again, you have clients asking about this and in ways that they haven't before, I don't think.

Steve Poor

Well, how are they? How are they asking for it? Because the clients I've talked to are asking at a sort of obvious level, what's this going to do to our cost? You should be spending less time, therefore our bills ought to go down, which is, that's how I would approach it were I on that side? Very straightforward, you know, we're on that side. That's how I'd approach it. But as you say, the actual conversation is far more complex than that.

Marlene Gebauer

Well, you know, people that I've talked to in the business, I think what I'm hearing is that the questions are more sophisticated. Yes, it's, it's, it's about cost, you know, it's about cost reduction, but it's also about, what are you using? You know, very specific. Back in the day when I used to answer RFPs for for things, it was very general and and, you know, you didn't have to go into specifics or specific types of tools. And from what I'm hearing from my peers, it's like now that is, is definitely something that is happening. And I think that's a good thing, actually, because you can really get down to it in terms of explaining. You can be more transparent about explaining what you know your toolkit is and why you've chosen this toolkit, and what you're doing with the toolkit, and why that should be important to the client. You know, why? How is this going to be benefiting you? And, I mean, I think it's so much better than just being very general and very vague. And people having to guess.

Steve Poor

Yeah, I guess I'll be interested to see over the next few years how this pricing conversation changes, because I've been in this a very long time, and I remember people talking about how the billable hour was dead 30 years ago.

Marlene Gebauer

I keep saying it, it's never happening.

Steve Poor

And it's still running marathons. I don't understand. I want to pick up on something else you said earlier, where you're talking about pricing and you're also talking about the human side of adoption. Have you seen firms begin to get more focused on the change management component of innovation and of technology in light of the challenges of adoption, of this?

Marlene Gebauer

You know, again, talking to peers like, that's exactly what what people are talking about. And I think, you know, change management has always been a challenge. I mean, whatever it is we're doing, you know, if it's sort of a large kind of change, it's always difficult to sort of get a large group of people to kind of move in that same in, you know, all in one direction. But I think there really is, you know, a lot of push to really get the culture of firms behind this change of how we're going to do business. And, you know, just, I was just on, you know, conversation today with again, other peers, and you know, this, this kind of came up, and people were talking about, still hard, but this seems to be something very strategic that, you know, from the top down as well as the bottom up.

Steve Poor

Yeah, you know, there's an interesting discussion going around in the in the industry, or at least people in the innovation world, talking about whether the native AI firms, those entities that are popping up that are law firms built from AI to begin with, have an advantage over pre existing law firms who have to go through this change process. I have an opinion on that, but I'd be interested in...

Marlene Gebauer

Well, let's hear what your opinion is.

Steve Poor

My opinion is you look at and go back to Clearspire and see sort of this theme being drugged through over the years. And it's logical to say that if you build something with a foundation based in AI, the people you bring in will already be adapting to it, and you won't have that change process. But I think that underestimates the power of a legacy law firm, the reputation, the relationships, the adaptation to AI is important, but it's not as important as a relationship to the clients are so do I think they have an advantage short term? Yeah. Long term? Remains to be seen, but I'm doubtful.

Marlene Gebauer

It's funny, because I was going to say relationships like, you know, there's still that human connection, and that's hard to break. I mean, there's, there's a trust factor that AI can't necessarily impact. I mean, if you, you know, if you trust your counselor, then it's going to be very hard to kind of break that bond.

Steve Poor

You don't have an emotional attachment to your Claud? I mean, come on.

Marlene Gebauer

Well, I certainly talk to it like it's a person, but no seriously, and, you know, unless, unless there's some real driving factor, you know, in terms of cost, or, you know, really something dramatic, then, yeah, I think that that is a hurdle for some of these newer places to overcome. Now granted, some of those places, they have people who have moved from big law and have relationships with clients. So, you know, they already have kind of that book of business, so that's that's a leg up for them, and they can build upon that.

Steve Poor

I agree with you on the relationship part obviously. I think the practice is about to become more human than it's ever been in an age of technology. I guess that's a weird thing to say.

Marlene Gebauer

Thank goodness, right?

Steve Poor

But I think that's right. And to me, the question out there that I know there's been chatter about is we've developed that human capability by basically having an apprenticeship system where people age out, they go to depositions with somebody, or they do a deal and watch the lead partner, watch her do her thing, whatever it may be that dynamic is changing and will change. That's going to be done by technology. So how do you train and develop people to be relationship, sort of that human side, if it's not going to be through just sheer time and grade? I don't know that I've seen anybody have an answer for that?

Marlene Gebauer

Well, I think that is something that we are definitely grappling with as an industry. But, you know, there are some some interesting points. I was just at the women plus AI conference that is held at Vanderbilt University a couple of weeks ago.

Steve Poor

Cat does a great job with that, doesn't she?

Marlene Gebauer

She does. It was great. And so there was a presentation by two professors at Suffolk, and they kind of took the position they they had. They were sort of opposing one another, you know, just playing in the presentation. And the outcome was, it's like you don't have to have either or. You don't have to just teach the human skills and just teach the AI skills, like there are ways to do that in combination. And in one instance, they built a simulator. And we've heard about these in the news. There's vendors that have these things in terms of how to take depositions, or how to negotiate an M&A and they did one for their clinic about how to represent clients. So I see that's going to be a real, real important development. I think that you're going to see a lot more of that, that type of training. And then the other professor, you know, came at it more like, okay, you can use all the AI tools, like the, you know, the folks in the other one couldn't use it, couldn't use AI tools, but they could practice using AI. In this scenario, you could use all the AI tools you want to get your your materials together, but then you basically had to do, you know, present as a human and as a person. And so I thought that was a really great juxtaposition, and sort of how you would do it. And one other thing too, you know, we talk about not being able to do the apprentice model. But you hear about things like Digital Twins, or you hear about things like Wendy Jephson's tool that, Let's Think. That's it. That basically you you can.

Steve Poor

It's a great tool, isn't it?

Marlene Gebauer

Isn't it? Yeah, and that type of tool can capture knowledge of an expert, an SME, and you can use that later. So it's, it's as a knowledge management person, it's kind of like it's one step beyond the knowledge management of documents. You know, it's actually getting the this is not just what I wrote, but this is why I wrote it the way I did. So I think that that's going to be kind of another area where we can tap in as well. I mean that and the Digital Twins, where you can just ask somebody questions, you know, even though they might not be available.

Steve Poor

Yeah, the Let's Think model is so interesting to me, because if you listen to Wendy talk about it, she'll talk about it in terms of the underlying sociological statistics and studies in terms of how you actually create these personas, and talk about the firefighters and how they use it to train and firefighters, she's got the spiel down great. It'll be interesting to see whether that can translate into the legal profession,

particularly in big law firms. I remember when I started, you had to kind of know the partner you were working for to be able to produce the kind of work he or she was looking for. Because everybody had their individual foibles. And you did it by sort of walking around to the more senior associates and saying, Okay, I've got to do something for John. Well, put in a lot of exclamation points.

Marlene Gebauer

Exactly, exactly, sort of, you know what, what are the, what what are the, what are the characteristics of this particular individual? What do they like, and what do they don't like, right?

Steve Poor

And whether we can create that type of nuance, system will be fascinating to see, won't it?

Marlene Gebauer

I did see a tool, and it's for deposition simulators, and they do have different personas. And it was, it was really fun to watch. You know, it's like, you know, here's the cranky, you know, person who's being deposed, or here's the one who talks too much or the one who doesn't and, you know, it was, they did a pretty good job, I thought.

Steve Poor

That's interesting. How do the people using system get connected emotionally with this? They're looking at a screen, I presume. And so the first reaction is, this is going to be some computer game or, you know, I'm playing Halo or something. But then do they then get connected, they get lost in the in the communication, in the in the interplay with the persona.

Marlene Gebauer

I don't really know, you know, I haven't, I, you know, I've looked at it, but I mean, I can't, I can't give you any insights as to, like, how other people feel about it. But I look at it like we are so used to kind of interaction like we're doing right now by a camera and, you know, webinars and things like that, that seems fairly normal now. That kind of having, you know, interactions with somebody, whether it's live or whether it's recorded. And you know, the technology is getting so good, you know, you think about the video games and just sort of the interactions that, you know, even have with the characters. I think about my kids, and sort of watch what they're playing and, you know, I mean, we just know, there's all kinds of studies, like people get involved, and so I don't, I don't see, I mean, this topical matter is a little drier, maybe, than Halo, but I can see people forgetting that this is just, you know, this is a simulation.

Steve Poor

You mean, you don't get to parachute into an island with a dog and a backpack, you know?

Marlene Gebauer

They should just work that in. They should just work that in.

Steve Poor

It was the greatest thing. It was the greatest thing. You're one of the founders of one of the great legal industry podcasts that's been going on for...

Marlene Gebauer

I think, oh, gosh, I always forget. And Greg always reminds me, like, I think, is it eight years, seven years, seven years or eight years? So, yeah.

Steve Poor

Somewhere, somewhere in that range. How have you seen the discussions? And you have all kinds of really interesting people on. You guys do really interesting stuff. It's a model for the rest of us. Thank you. How have you seen the themes of your guests sort of evolve over the last seven or eight years? Has it become more tech focused now than it was seven or eight years ago? The themes remain the same.

Marlene Gebauer

I think the themes have basically remained the same, you know. And we deliberately kind of kept this as, you know, innovation and creativity, because, you know, we knew these, this could go in a lot of different directions, and so we wanted to keep it broad, you know, for that purpose. But you know, we've always wanted to keep access to justice as part of it. We've always tried to keep, you know, the courts, you know, vendor positions as well as firm positions. You know, we're trying to keep it balanced in terms of sort of what we're bringing and, you know, yeah, I think, you know, a lot of we might lean a little more towards big law, just because that's both Greg and my background. But, you know, we make it a point to say, okay, you know, we're going to step out, we're going to talk to the educators or the courts. You know, we had judge Scott Schlegel on beginning of the year, and...

Steve Poor

That was a really interesting discussion.

Marlene Gebauer

It was a big coup. Because, like, that's the second judge, I think it's the second judge we've had on and, you know, because they're really hard to get, you know, just because of their position. So, you know, but we try and do that to just so different perspectives. And, you know, in terms of the technology, the technology changes, and that that has certainly changed, I would say maybe two or three, no, maybe it's more than that. Maybe four or five years ago, all we were doing was like contract review. And I remember we were saying, it's like, we got to get something besides contract review. And, you know, then generative AI started. And after that, then, then, like a lot of it has obviously been focused on Gen AI, but Gen AI is a means to an end, I mean, and you can put it, you can use it for different things. And so I think that's, you know, that's what we're trying to do. It might be Gen AI, but it might be something that's for litigation. It might be something that's for transactional it just kind of depends.

Steve Poor

As you sort of look down the road, sort of the development of the technology and the evolution of Gen AI, and where it's going is you have law firms looking out over the next couple of years, what should they be doing to prepare for this technological transformation, both organizationally as well as technically?

Marlene Gebauer

That's a big question. I don't know I'm the one to answer it, but I'll give you. I'll give you my best shot. I think you know, firms really have to start understanding that impact and understanding that what the use of AI, how that's impacting the workflow that they have, and not only how it impacts it, but how it can transform it and start doing that as soon as possible. And sort of tie that back into what does that look like from a cost perspective, and how do we need to have conversations with our clients about that. So that's one area. I think it's very important, not just for law firms, but I think just in general business in general, we have to prepare our people for what's happening, and because we're already starting to see it in the news. Couple years ago, I saw this cycle. It's like, okay, it's starting, and in a couple more years, you're going to start seeing layoffs at one point, and then you're going to see it at another point. I mean, I don't mean to sound like scary gloom and doom, because I'm not. I do think there's going to be other jobs, but there's going to be this period of time where there's just a lot of flux.

Until that sort of settles and sort of people sort of figure out what they're doing. It's so important to just get these tools in front of people in a safe way, so that they understand how to use them, and that they have what they need, actually, to do the work like it works for them, so they're not kind of running off and using some shadow AI or whatever, but getting them set so that when these transitions happen, people are prepared, regardless of where they end up. And I'll put in a plug, because again, at women in AI, some of the statistics were there that. The statistics say that, like women use it a whole lot less than men. And you know, if women build with it, it's, you know, sort of seen as more negative. So I think that that's kind of an important area to focus on too, like we need to get, you know, women and other populations that may not be using this as much to be using it.

Steve Poor

That's so interesting. I don't know that that's what I would have expected. But then a lot of the tech people I hang around with are women, so maybe I've got a distorted view of it. What societal pressures are causing that dynamic, do you think?

Marlene Gebauer

And that's a good question, and I really can't answer it for you. I think you're kind of looking at these stats, and it's like, you know, is it a false narrative? Is it true? And either way, it's bad. So we just have to, you know, make sure that we are getting these tools in the hands of, you know, these populations, you know, to make sure that they, you know, they are prepared.

Steve Poor

Well, we're at a fascinating point in both society and history, yeah, and profession. So it'll be fascinating to watch it go forward. Marlene, thanks so much for the time. I really appreciate the conversation.

Marlene Gebauer

Thank you. It's been great as usual. I really appreciate you letting me on the show.

Steve Poor

Thanks for listening to *Pioneers and Pathfinders*. Be sure to visit thepioneerpodcast.com for show notes and more episodes, and don't forget to subscribe to our podcast on your favorite platform.