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I want to pick up on a subject that I broached in my earlier post, [Why You Must Understand that the Law is Not Necessarily Your Reality](#), the subject being “the law”, and the specific point being that I challenge you to change your perception of how you can use it.

Let’s start by touching on the definition of “the law”, as a system of rules, principles, and standards established by a governing authority to regulate behavior within a society.

Some laws derive from morality (murder is illegal) and others are purely the result of politicking and protectionism (you need a license to braid hair). You might not like the latter sort (or, I fear, the former), but that’s how it is.

That being the case, most people and many business entities, even large ones, have a limited view of the way the law can be used.

At the lowest level of realization, they see the law as something to be used *against* them, for example, because most of the audience consists of medical group and facility leaders, being prosecuted under the federal Anti-Kickback Statute.

For those slightly more realized, they know that the law can be *understood*, meaning that they obtain counsel in planning relationships and transactions, and to document their obligations and rights. Related to this, of course, is using counsel to enforce rights.

But that’s generally the horizon in terms of their view of dealing with, and being dealt with by, the law. And, I’m certainly not saying that that’s wasted, in fact, it’s necessary, both in terms of defending oneself and in terms of steering clear of legal land mines and in obtaining the deal that you bargain for.

But over that horizon, a far bit more obscure, is an entirely different realm of “the law” in which, as opposed to the notion of it being applied to limit or constrain action, the concept, what I call Generative Law™, is to affirmatively find the folds, the gaps, the hidden places, in the law, between the laws, and beyond the laws, and to engineer arrangements and deals within those narrow spaces.

This is far more complicated and far, far, more expensive. But if you look around you, there is ample evidence that this strategy can lead to significant returns.

Think for example, of the birth of Uber in terms of leveraging the folds of taxi regulation.

Of course, there are significant risks of uncertainty in employing the law as a generative tool, that is, in using Generative Law™ to *generate* business models and deal structures, not merely to analyze them or apply them in a pedestrian manner. And, there are no guarantees. But my assumption is that you’re an adult.

Reach out if and when you’re ready.



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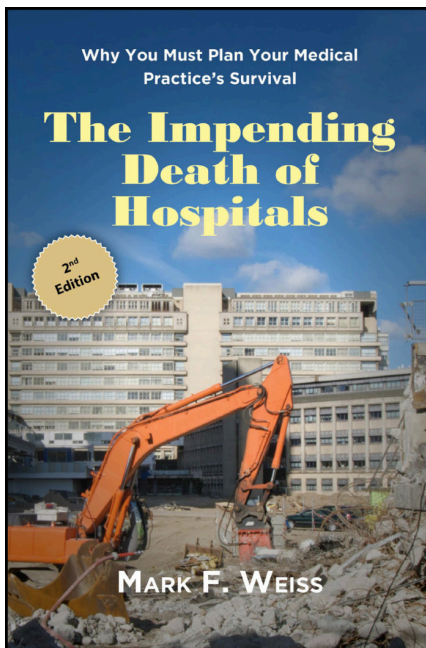


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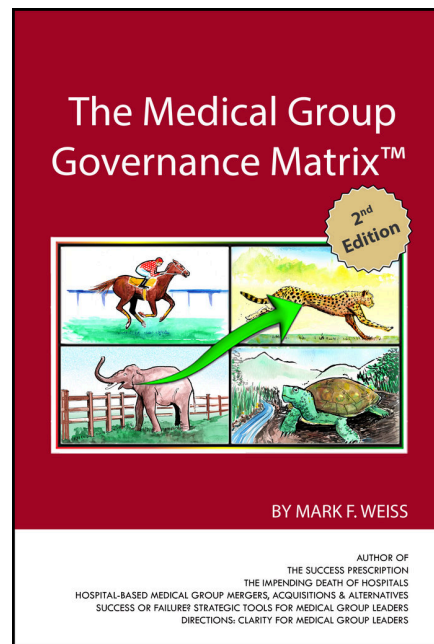
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