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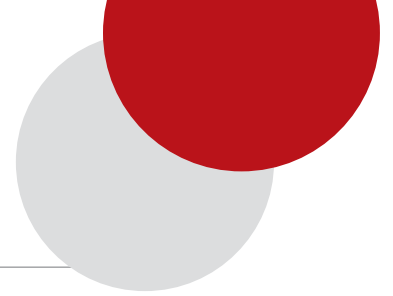
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*“The acquisition of Interwoven is a master stroke.”*

—Seymour Pierce, January 2009





The concept of knowledge management is simple. It's a way to make information accessible and active. Where KM becomes tricky is in the details.

Neophytes might think that KM is all about data storage and retrieval. That's the static, dead-end version of KM. It's true that data must be stored so that they can be retrieved, but if KM is not an active, growing bundle of synergy, then it fails in its primary function.

At ILTA, we're fortunate to have experts in the KM who know how to take the insights and experiences of one person and translate those data so that they are universally findable and understandable.

Many thanks to **Catherine Monte** of Fox Rothschild LLP, Vice President of ILTA's Knowledge Management Peer Group, and her steering committee, especially **Chris Boyd** of Wilson Sonsini Goodrich & Rosati, PC, for leading the effort in the production of this publication. These writers have come together to create a white paper that helps us understand that information is greater than the sum of its parts.

**Anne Flippin**  
Managing Editor

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### ABOUT ILTA

Providing technology solutions to law firms and legal departments gets more complex every day. Connecting with your peers to exchange ideas with those who have "been there done that" has never been more valuable. For over three decades, the International Legal Technology Association has led the way in sharing knowledge and experience for those faced with challenges in their firms and legal departments. ILTA members come from firms of all sizes and all areas of practice, all sharing a common need to have access to the latest information about products and support services that impact the legal profession.

### STATEMENT OF PURPOSE

**ILTA is the premier peer networking organization, providing information to members to maximize the value of technology in support of the legal profession.**



# The ABCs of KM

Only one in nine legal departments believes it has a knowledge management tool, according to ILTA's 2008 Law Department Survey. Yet most legal professionals would claim that knowledge is their stock in trade.

Legal professionals may not recognize how many KM tools they already have and use — Lexis-Nexis and Westlaw, Google and Yahoo, Wikipedia and even the Windows Vista Search tool on their hard drives. What's lacking in many legal departments is a system for tying these tools together.

Law firms are well ahead of many corporate legal departments in implementing KM solutions firms have always needed systems that would enable practitioners with different knowledge levels and backgrounds who were working on the same or similar matters. Some firms also had to provide client access to different types of documents and information.

## THE IMPORTANCE OF KNOWLEDGE MANAGEMENT

Knowledge, in the KM context, is the collection of information and data as well as experience and insight that can be put in a form usable by another. Knowledge Management is a systematic means of knowledge storage, retrieval and sharing. KM need not be computer-based; however, most existing, and all new KM systems, rely on computers.

KM can drive efficiency, consistency and information dissemination. Cisco, for example, uses KM to advance all three of these areas. Cisco General Counsel Mark Chandler says, "Our investment in knowledge management and other collaboration tools, like WebEx and TelePresence, has allowed us to build one global team. The knowledge of all is available to all 24x7."

## THE HIERARCHY OF KM SOLUTIONS

**Shoebbox.** Any practitioner with a computer has access to whatever he or his legal secretary created on it. Of course, hard disks die, and sometimes files get lost in computer upgrades. Until recently, those adept at filing had an advantage in finding their information. With the advent of full-disk indexed search, such as that built into Windows Vista, "pilars" join "filers" in being able to find documents or files they created.

Obviously, a shoebbox-level KM system is limited in that it allows practitioners to retrieve their own information. It doesn't provide them with access to the knowledge of others without manual intervention such as asking, "Hey, John, sorry to bother you, but do you have a good set of licensing clauses I can work from?"

**Internet.** Today, if you have a computer, you also have access to the Internet. Your access to information is largely limited only by your search skills, and the difference between what an average and highly competent "Googler" can access is dramatic. More and more material is available free online — from SCOTUS opinions to patent searches to draft agreements. Some sites are more valuable than others, but then not everything your firm or department has ever written is likely to meet all your needs either.

# WEST KM. KNOWLEDGE TO ACT.

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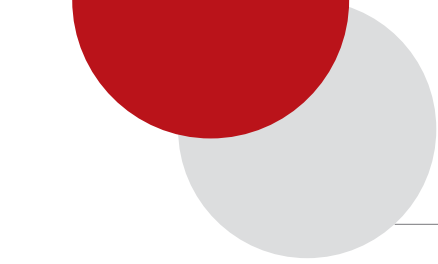
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**Intranet Search.** Collaboration and document management solutions such as SharePoint now make it easy to link together everyone's shoeboxes. They allow you to find and retrieve information created by others throughout your organization, and you can put security atop various entries to limit access to sensitive information. SharePoint offers a lot of high-end power, but simple implementations of SharePoint or other site-search tools can be set up quickly. Think of base-level SharePoint solutions as Google for your own department or firm.

These first three mechanisms provide little grouping of content. Intranet search reveals who saved an item, when it was saved, and sometimes, who created it. A few "semantic search" vendors allow you to find content with inconsistent spellings (McCormick, MacCormack, McCormack) or terminology with alternate meanings (the Supremes aren't just a '60s pop group). Intranet search increases efficiency and dissemination, but it doesn't do much for consistency.

**Knowledge Collections.** These provide richer categorization of information. Some systems require effort at the initial contribution to classify new entries; others do some categorization automatically. Such classification was called "metadata," although that word now calls to mind malicious hidden information.

Wikipedia is the best known knowledge collection. The metadata consists of structured entries, such as tables of contents; links to other entries or websites; disambiguation pages (type "Covington" into the search box, and a list of places and people with that name appear as options); redirection (type "Preston Gates" and a link to the main article about the firm appears at the top); and more. Some firms, such as Goodwin Proctor, are starting to build out internal wikis with substantive legal information.

Other knowledge collections contain content organized by themes for easy browsing. Legal OnRamp, for example, has thousands of articles and alerts written by attorneys for attorneys. Probono.net also has numerous legal entries tied to specific issues common to *pro bono* cases, and the associated LawHelp.org does the same for *pro se* litigants.

XMLAW takes a different tack, building a *post hoc* — and sometimes on-the-fly — structure around SharePoint's multiuser shoebox, integrating it with various structured solutions. Their tools gather information from multiple systems — including some external to an organization — into a virtual structured knowledge collection, delivering more efficient access to needed information. In terms of information gathering, these knowledge collections help firms do a lot more with less.

Knowledge collections score well in efficiency and dissemination, though consistency among practitioners

remains somewhat limited. Knowledge collections often have knowledge staff organizing and maintaining data and structure to enhance consistency.

**Formal KM Systems.** Westlaw and Lexis-Nexis are well known formal systems. Metadata ranges from head notes to reversals, and there are very large staffs who maintain and enhance these databases.

Firms and departments can also implement internal formal KM systems. Orrick, for example, uses RightAnswers as a "legal 411," according to User Services Manager Jacque Rowden. Orrick recognized that more than legal knowledge was worth sharing. Rowden notes that their system contains information as varied as "how to call a cab in New York" and "how to order pizza in San Francisco." Goodwin Proctor uses a wiki for similar purposes.

Orrick also uses Recommend — which falls somewhere between an on-the-fly knowledge collection and a formal system — to gather and organize legal knowledge. Autonomy is also a strong contender in this space, and the recent acquisition of Interwoven (iManage) will boost its legal-industry presence. Most products in this space, including those from Autonomy and Recommend, can leverage SharePoint to create an extremely rich KM environment.

Formal KM systems can contribute to firm or department consistency of taxonomy, but there is a cost in efficiency. Sometimes the price is paid by those entering the data when the system requires classification up front. Other times the price is hidden in the overhead costs of a knowledge department.

Many users of these systems say the benefits are substantial. Peter Krakaur, Orrick's Chief Knowledge Officer, says their systems "help us better understand client relationships and better manage our practice." A cost/benefit analysis may well land in favor of these systems, but be aware such systems generate ongoing costs beyond licensing and IT services.

Note that many of these systems allow for unplanned, even *post hoc* or on-the-fly classification of content. For organizations with limited knowledge staff, such systems may offer a reasonable balance between retrieval effectiveness and maintenance effort.

## THE PSYCHOLOGY OF KM

One of the hard problems in implementing KM is getting users to participate. The following are some things to consider about the psychology of KM that might affect your implementation:

- **Systems requiring contributors to enter metadata have lower compliance. A system at one financial company found over 60 percent of its entries assigned to the first name in the drop-down list.**
- **Incorrect or missing information diminishes user trust in the system. Most of us are impatient searchers; the more "forgiving" the search, the more the solution will be used.**

- **“Free riders” take but never give. If active contributors feel taken advantage of, their contributions will tail off quickly and the KM effort will fail, sometimes after years of apparent progress. Wikipedia has the scale to overcome this problem, but internal systems may not.**
- **Too busy to contribute? Effective KM systems generally reward contributors in some way. Wikipedia, for example, creates “rock stars” within its own community, where a small number of writers contribute most of the content. What recognition (including monetary) will your firm or department give top contributors?**
- **Knowledge hoarders fear sharing their secrets will cost them business (billable hours). Some also take pride in forcing others to seek them out for close-held wisdom.**
- **“Ethel Merman” syndrome afflicts potential reusers who enjoy reinventing wheels or want to bill for the time. (Merman sang, “Anything You Can Do, I Can Do Better.”) Rewarding reuse is as important as rewarding contribution.**

Some minor business process re-engineering can address these challenges. Appointing a Chief Knowledge Officer or equivalent may help if you properly empower the position. The CKO need not be an attorney, though Orrick CKO Krakaur notes, “Having practiced, I can engage in the dialog from an attorney’s perspective.”

### WHAT CAN WE DO THAT’S CHEAP?

Installing intranet search, if you don’t have it already, brings high, rapid return on investment. A “search appliance” that offers your firm an on-premises, universal search, such as Google’s, may be the least expensive option. Search appliances, however, have limited features and unproven fine-tuned access control over specific items.

SharePoint is a strong search and organizational tool with the needed access security. Licenses cost about one billable hour per user. SharePoint also serves as the platform for knowledge collection tools from XMLAW to Autonomy. Adding a knowledge collection tool brings considerable additional value with relatively low additional costs.

For a complete KM solution, you can adopt a formal system. The least expensive approach involves one of the self-organizing systems, such as Recommend or Autonomy. Self-organizing or *post hoc* systems minimize the amount of time spent organizing and classifying

existing information, work that may cost the firm or company more than the software licenses themselves.

Any search solution will also involve additional hardware and IT/consultant installation and maintenance costs. The solutions mentioned here, and many others, have a wide range of partners and consultants to support cost-effective implementations. In addition, once IT has installed the software, they are not burdened by content or presentation changes.

Better KM isn’t free. However, reinventing the wheel is increasingly expensive in an age where clients and firms alike seek to cut operational costs. Improving efficiency, consistency and information dissemination — the essence of KM — is a cost-effective response to today’s tougher economy. **ILTA**

## A Knowledge Management Checklist

The first lessons come from Wikipedia, *sui generis*, yet still a template for learning.

- Reward contributors.
- Keep content current and include the kitchen sink. (Synopses of every “Star Trek” episode remind users that they can find *anything* in Wikipedia, and so they turn to it first.)
- Encourage reusers to correct errors rather than abandon the system.
- Make search work. Not only does Wikipedia have redirection for alternate search terms, it’s often the top result in Google, Yahoo, and Live searches, which builds a positive feedback loop for users.

Other lessons that count:

- Champions matter. Cisco’s heavy usage of KM and other productivity systems was driven by Mark Chandler’s visible commitment to them.
- Don’t boil the ocean. If you don’t have intranet search yet, it might not be wise to leapfrog directly into formal KM.
- It’s not too late to start. If you have a computer, you already have shoebox KM. The journey of one thousand searches starts with one click.



# Web 2.0 Features in a KM World

**S**econd generation Web development and design concepts that aim to help communication, information sharing and encourage collaboration on Web 2.0 are having a profound effect on today's law firms. Numerous new Web 2.0 tools and features that we use regularly in our personal lives are entering the workplace. As these technologies gain traction within our user communities, knowledge leaders need to think carefully about how these technologies can and should be rolled out.

There has been much discussion recently about blogs, wikis, Facebook, Twitter and the impact that Generation Y will have in the office. Firms have to determine which of these applications are useful to the business, which are controllable in terms of implementation and management, and ultimately, which are of value in law firm settings, with the need to protect client data and confidences.

Given these challenges, knowing how and when these Web 2.0 features can be incorporated to enhance knowledge management will be crucial for the KM professional. We'll look at the implications of adding blogs, wikis, RSS, tagging, and ranking and commenting to a firm's search environment.

## **THE KM FOUNDATION — ENTERPRISE SEARCH**

While enterprise search and Web 2.0 applications were originally engineered to satisfy different requirements, there is now a degree of feature cross-pollination between these two sets of applications.

Enterprise search vendors have traditionally spent much of their development budget on improving the ability to find all results within always-expanding content, followed closely by the filtering of results to identify precise responses. The goal is not to miss crucial information and make the user experience as simple and enjoyable as possible.

A lower priority for search vendors has historically been features that provide the immediate social interaction within

that application that is sometimes found on Web apps. (Of course, the data being searched in a law firm environment is itself providing a more basic form of social interaction.) That historical prioritization is changing now that more fundamental requirements have been addressed and the use of Web 2.0 capabilities is better understood.

Web 2.0 features were first adopted on public websites because developers wanted features that enabled interaction between site users without an intervening authority. This approach is practical when data stores are small, information security is of little concern and there is no need to administer a “firm” position on an issue. Increased social interaction helps users prioritize information in a peer group. What social interaction doesn’t do for an application in and of itself, however, is provide the foundation upon which a prioritization can be made or allow for input from outside the peer group (as from a firm expert or knowledge manager).

As firms consider rolling out Web 2.0 functionality, careful thought is required to achieve the desired effect. Each application has a hierarchy of needs to be served, and each feature has a suitability to purpose that must reflect those needs. While peers sharing ratings with each other can be useful, those ratings can be counterproductive if they were intended for one use case but are being applied for a somewhat different use case. Similarly, while shared tagging of documents within a peer group can be useful for information sharing, it can put the firm in jeopardy if those tags reveal a highly confidential transaction. While members of Generation Y are the most likely users of Web 2.0 capabilities today, they are also the young associates and interns that might not be best qualified to guide their peers.

As you think about rolling out Web 2.0 in your firm, you need to ask what your needs are and what effects you desire.

In facilitating knowledge sharing and transfer, most of our clients tell us their users need:

- **Full information access, so that they have a toolbox to pull from for all potential situations, without having to rely on multiple applications (some of which they might not even realize are there!)**
- **Assistance in ensuring that security is not compromised in making information available**
- **Guidance on the firm template or position on a particular issue**
- **The ability to interact with each other as easily as possible**

This set of requirements describes almost exactly the capabilities of an enterprise search system. The need hierarchy at most firms, therefore, starts with the access to information and works its way down to interaction among peers.

Web 2.0 tools like blogs, wikis, and RSS feeds can all be valuable knowledge management tools when applied to the right problem. Enterprise search provides easy access to them and forms the basis of any sound KM strategy. Knowledge managers should take into account the requirements outlined above for both enterprise search and Web 2.0. In particular, when deploying these tools, careful attention must be paid to security: What information should be shared and how to manage the security of that information trump peer discussion. These criteria should be carefully considered not only in a search system, but also in the underlying applications themselves.

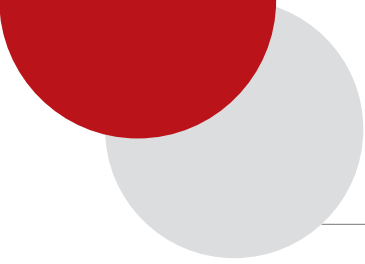
## **BLOGS AND WIKIS**

In the last few years, many articles and events have addressed blogs and wikis. Most authors or speakers have looked at how these Web 2.0 tools could be used for managing client/matter workspaces and transactions. Less discussion has been focused on using blogs and wikis for exposing and surfacing knowledge from within the firm. Recently, however, UK blogger and KM professional Mark Gould’s blog post “Cooking the Books” ([blog.tarn.org/2009/02/25/cooking-the-books/](http://blog.tarn.org/2009/02/25/cooking-the-books/)) sparked my interest.

Mark discusses the interesting concept of using blogs and wikis to give experienced lawyers (“chefs”) the ability to access, manipulate and use precedents (“recipes”), as opposed to the more traditional approach of accessing a precedent and using that, but without modification or customization (or at least no modifications passed back to the system for the benefit of future users). Wouldn’t it be nice to know how other chefs have modified that recipe to suit their taste or how they used what was available in the fridge?

Traditionally, documents and content within a firm have been thought of as formal, discrete units of knowledge and the “thought units” around which the firm’s body of knowledge is based. The thinking and experience that go into the manipulation and subsequent use of these documents is largely abstracted from the documents themselves. Thinking and experience often appear in the form of informal, handwritten notes or conversations between workers, both of which could be valuable sources of knowledge, but they could be lost in the long run due to a lack of an effective means to incorporate them.

Years of legacy knowledge can be lost overnight with the disappearance of a notebook or the departure of a veteran worker. The core knowledge — in the form of documents — remains, but the “knowledge about the knowledge” is gone. It is this “knowledge about the knowledge” that differentiates a beginner following a recipe book from a master chef. Without it, an organization is forced to consistently relearn recipes as it battles “knowledge attrition.”



With Web 2.0 tools now so easily available, much of an organization's thought processes can be expressed through the use of blog and wiki tools. Blogs and wikis represent an opportunity for an organization to share and simultaneously store "knowledge about the knowledge" in institutional memory. They are largely spontaneously created, however, and therefore are not always easily accessible and often not controlled. Enterprise search can help get this information to users; but, in doing so, we must always bear in mind the firm requirements for security and control. Once a lawyer has the ability to modify (or comment on) a precedent, then that information, appropriate or not, becomes widely available to any future lawyer.

### **REALLY SIMPLE SYNDICATION (RSS) FEEDS**

RSS is primarily used for the delivery of both internal and external news feeds to a lawyer's personal space on the intranet. RSS has other important uses within a law firm, however. RSS can provide users of an enterprise search system with an easy method of saving personal searches and monitoring them for new content, such as the creation of a new set of documents for a client transaction or the filing of a new brief. Similarly, RSS is being used by knowledge management and information professionals to create alerts for groups, teams or departments via enterprise search.

The presence of RSS enhances a knowledge worker's ability to keep up-to-date with the current state of a document, matter or piece of content. This increases a team of workers' awareness of changes in the state of the team's knowledge, making collaboration faster and easier. If built on a robust foundation, the search system delivering the syndicated content provides security and control.

### **TAGGING**

A key opportunity for Web 2.0 technology is to help fill the "knowledge attrition" gap by providing a means to conveniently capture some of the thoughts and discussion associated with a firm's documents. In this way, lawyers (the chefs) are able to share know-how (the recipes) with each other. Where blogs and wikis can provide a

lengthy recipe for peers, tagging can be used to indicate good ingredients or those that add a particular flavor (to stretch the analogy a little further).

A quick conversation between two knowledge workers regarding the usefulness of a document to a particular matter might be easily lost, but the ability to tag, rate and comment on documents could preserve much of this knowledge for other workers to build upon. Of course, the tags must be easily located and easily accessible with the appropriate degree of security and control, which is why they are best built upon an enterprise search foundation. As a pleasant side effect of such an implementation, the search engine itself can use tags to improve the quality of search results.

A lot of KM enthusiasts rightly see tagging as a logical addition to their firm's KM tool set. But how will lawyers really use it within the firm? The following are some of the issues that should be addressed before enabling user tagging:

- **What is the use case for tagging: personal KM, collaboration, firm-wide KM?**

Users will perceive the utility of tagging in different ways. Some will want to better organize their personal information; others will want to use tagging to share their knowledge with others in the firm. Tagging can be set up to resolve both scenarios, but where free tags are made available to other users they might not be easily comprehensible. Our clients are thinking carefully about their objectives in making tagging available.

**“Where blogs and wikis can provide a lengthy recipe for peers, tagging can be used to indicate good ingredients or those that add a particular flavor . . .”**

- **What content should be available for tagging: client/matter documents, KM documents, the intranet, etc.?**

This is determined on a firm-by-firm basis, but any information that can be retrieved via the search engine can be set up for tagging. Obviously, allowing the tagging of knowledge library documents is a very different matter than tagging documents used on a highly confidential matter. Again, security and control are central concerns of our customers. Ask what objective you are trying to achieve. Personal information tracking requires different documents to be tagged than general knowledge sharing.

- **What security model should be adopted: wide-open, group access, personal, etc.?**

Appropriate security is crucial for compliance with standards and regulation, in support of confidentiality and to avoid conflicts. Most tagging implementations do not take the

stringent security requirements of the legal market into account, so be careful!

- **Are all taggers given equal weight or should a partner's tag have more relevance than a junior assistants tag?**

If knowledge sharing is the objective, you might want to weight the experienced lawyers more highly than the junior lawyers. The secondary question on a search implementation of tagging is whether such tags should influence results. Most of our clients don't think so.

- **Do you want people to create their own tags or select from a controlled list?**

Without controlling the tag list, one user could tag a document with "M&A" while another tags the same document with "Mergers." While free-form tagging can work well in an Internet application with the statistical scale of thousands or tens of thousands of users, it might not work as well at your firm.

### RANKING AND COMMENTS

Ranking tools behave similarly to their tagging brethren. There are two broad forms of ranking:

- **Controlled and Centralized — where the KM team ranks content based on set criteria (Gold, Silver and Bronze).**

This kind of ranking can be used to affect the relevancy of results or be offered to users as a filter. They could then hone their result list down to show just a Gold standard result. As one would expect, this approach requires maintenance from the central KM or information services function, but it has the benefit of ensuring that users are exposed to "firm-blessed" documents.

- **Free and Decentralized — where the consumers (lawyers) rank the content.**

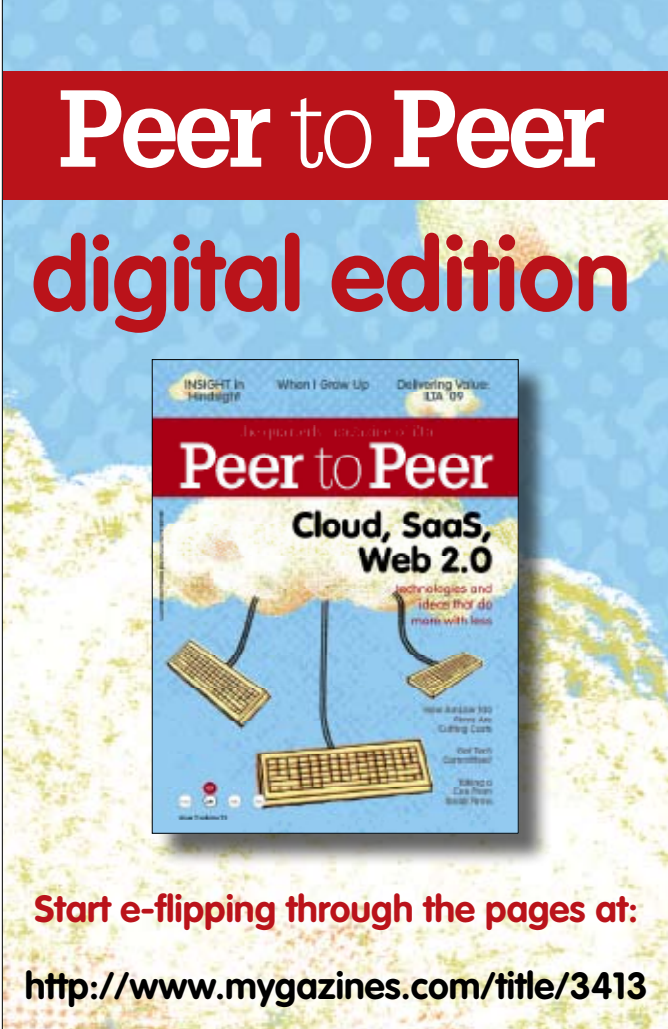
This kind of ranking enables users to communicate with their peers on quality, but it does not provide a "firm-blessed" opinion, which can be problematic when users are more junior. Our clients who have implemented this kind of ranking have tended to allow rankings by users but have not allowed these rankings to influence results. This approach can also be implemented with a centralized approach for certain documents, as well.

### A KM FRAMEWORK FOR WEB 2.0

Keep in mind that in 2009, none of the technologies mentioned here are thoroughly new concepts. Blogs and wikis have been available for 10 years, and the ability to tag, rate and comment on content has been around since the birth of the online store concept (e.g. Amazon).

What has been missing, however, is a framework or system that ties these technologies together in a cohesive way. An organization does not necessarily have the ability to control the competing, diverging and often confusing plethora of Web 2.0 technologies that lie outside of its firewalls, but it does have the ability to harness these technologies effectively in-house. By using a single source for information — such as a unified search platform — to harness these technologies, an organization will be able to better tap into the collective wisdom of its resources (both people and content) while providing the security, control and focus that central access administration enables.

Ultimately, we see the current Web 2.0 collection of technologies as a powerful means to fully capture all the latent knowledge and experience within an organization. But, we also recognize that the mere presence of these tools alone is not sufficient to boost a firm's effectiveness. Web 2.0 needs to be incorporated noninvasively into the firm's existing way of doing business, and it needs to be made available without adding further distraction to its knowledge workers. **ILTA**

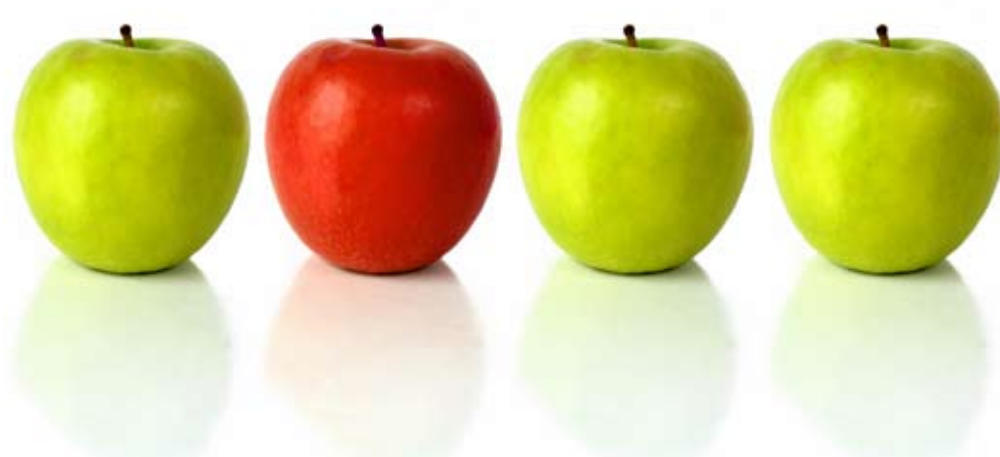


The image shows the cover of a magazine titled "Peer to Peer digital edition". The cover features a blue background with a white cloud and several computer keyboards connected by lines, symbolizing a network or cloud computing. The main title "Peer to Peer" is in large white letters on a red banner, with "digital edition" in red below it. The subtitle "Cloud, SaaS, Web 2.0" is in black. Other text on the cover includes "INSIGHT In Perspective", "When I Grow Up", "Delivering Value: ILTA '09", "The Impact of Cloud Computing on the", "Technologies and ideas that do more with less", "How to Avoid 100+ Hours and Cutting Costs", "What Tech Companies", and "Willing to Cut Their Social Ties".

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# How to Create a Learning Organization

## Gaining the “Edge” in Knowledge Management



**W**hen DuPont Legal faced collaboration challenges with outside counsel, we began searching for a knowledge management solution. The primary issue was that we no longer used the Knowledge Base because it no longer met our needs and seemed to be the root cause of collaboration gaps.

### **IN THE BEGINNING: KNOWING WHAT WE DIDN'T KNOW**

Our new program, which began as a Six Sigma project, was intended to provide searchable and easy access to reusable work product and best practices. We also wanted to reduce outside counsel fees by minimizing duplication of effort. When we did our analysis, we found that while improvements to the tool are critical to gain the edge that technology-enabled collaboration provides, it was equally important that organizational structures support the ongoing creation, maintenance and reuse of information in the system. Ultimately, to support the sustainability of the technology, our project infrastructure required governance, maintenance, policies and processes.

The end result of that work is a program known as “The EDGE.” Made up of three essential elements — technology, KM and governance — this was the beginning of our realization that KM is much more than the tools that support it. If we did not have the organizational culture that fosters knowledge sharing, the choice of tools would be irrelevant. That’s why the DuPont Engineering KM leader has often said that she could support the KM program with index cards so long as there was value in what she was trying to accomplish and the engineers saw the connection between KM and their role in the organization. While initially finding this statement humorous, I soon came to understand the wisdom of her words. After all, it is not the technology that makes or breaks the program.

### **EVOLUTION: LEARNING TO LEARN**

Recognizing this, DuPont Legal’s Knowledge Manager ensured the program evolved into a comprehensive initiative designed to transform the legal department into a learning organization, which has been defined as “one that is able to change its behaviors and mindsets as a result of experience.”<sup>1</sup> The ability to learn as a group provides a significant competitive advantage for any organization. The challenge is to figure out how to accomplish this.

DuPont Legal recognized the value of KM for its global corporate law department knowing that a KM initiative would provide benefits to an organization that depends on information for its success.

While few people would admit out loud that they are against KM as a concept, how do we get our minds around the potential scope and breadth of such an initiative? And though it is not difficult to imagine how much easier our lives would be if everyone in the organization had access to the right information at the right time, how do we determine the unique needs of our law department and initiate valuable undertakings which would require capital investment, key resources and time? How do we quantify the potential results to determine the appropriate level of investment? DuPont Legal's management team was concerned with the fundamental question: Where do we begin and how do we prioritize our resources?

It came down to fully understanding the current knowledge-sharing environment and developing a list of requirements. Patience is a virtue throughout this disciplined, time-consuming process. When we realized a shift in mindset was in order above all else, we began to view KM as an ongoing program and not a project with a defined beginning and end. To facilitate communications and to ensure buy-in across the organization, the DuPont Legal Knowledge Management Council was created.

## **EDUCATION: CREATING AND SUSTAINING THE VISION**

The Knowledge Management Council is the authority on KM for DuPont Legal. It is a decision-making body led by the knowledge manager, reporting to the global legal leadership team. The purpose of the council is to act as a global advisory board, which creates and sustains the vision for KM and prioritizes the initiatives. The council is composed of individuals representing specific practice areas defined by expertise or region.

One of the first tasks of the council was to draft a KM mission statement for the legal department. Drafting such an important statement collectively had to be done using an iterative process. We had to ask ourselves repeatedly, "What are we trying to accomplish through KM?" If it did not ultimately support our clients, we decided, it was not worth doing.

Our KM mission is to: "Develop the people, processes, relationships and technological infrastructure to allow information (both explicit and tacit) to flow freely across organizational boundaries in a way that creates and preserves valuable options for our businesses." Essentially, the mission emphasizes the comprehensive view of KM and that

good discipline and practices should enable legal to better serve our client, the DuPont Company. It also promotes the concept that we need to behave as a unified, global organization in order to adequately serve our businesses. Additionally, relationships are critical elements that cannot be overlooked.

The council commissioned the use of knowledge inventories for each practice area<sup>2</sup> and region<sup>3</sup> to begin to define the global organizational needs and requirements. The purpose of the "knowledge inventory" was to develop a baseline understanding of the knowledge-sharing practices of each of these groups.

The process for the inventories began with an educational presentation to the particular group on the key concepts of KM and the potential benefits of becoming a true learning organization. It also included an online survey and follow-up interviews of almost everyone in the legal department.<sup>4</sup> From the data collected and analyzed during this process, critical KM requirements were captured, gaps identified and projects prioritized.

From the surveys and interviews, we also learned the key to KM is how we communicate, build relationships and connect with other people. Breaking down geographical, cultural, functional, hierarchical and psychological barriers that prevent people from connecting is imperative to creating the foundation of a knowledge-sharing organization.

Law departments are quite different from law firms in the way they perceive the value of KM. Based on numerous discussions with KM professionals from law firms, it is easy for the decision-makers to quantify the value of the knowledge in the firm. Most firms naturally view knowledge as an asset because it is the outcome of the service they provide. If something is viewed as an asset, it is usually managed that way. Firms might not struggle with developing the culture if the partners support an initiative as a means to grow the bottom line, and the other members of the firm will eventually adopt the practices without too much resistance.

This process is not necessarily as straightforward in a corporate law department. For example, law firm KM professionals might be surprised to know that many corporate law departments do not have any type of content management system in place. It is up to the individual to determine how the information they create and receive will be stored and managed (hard drive, shared drive, hard copies in their personal file cabinets, e-mail inbox, etc.). Standardized document naming conventions and file taxonomy can be difficult to implement and, even if adopted, could be done so in isolated pockets. Lessons learned are not necessarily shared, and people might not be aware of others' experiences. Law department professionals are outwardly valued for the legal results they provide to the company but not necessarily rewarded for the knowledge they share within the department.

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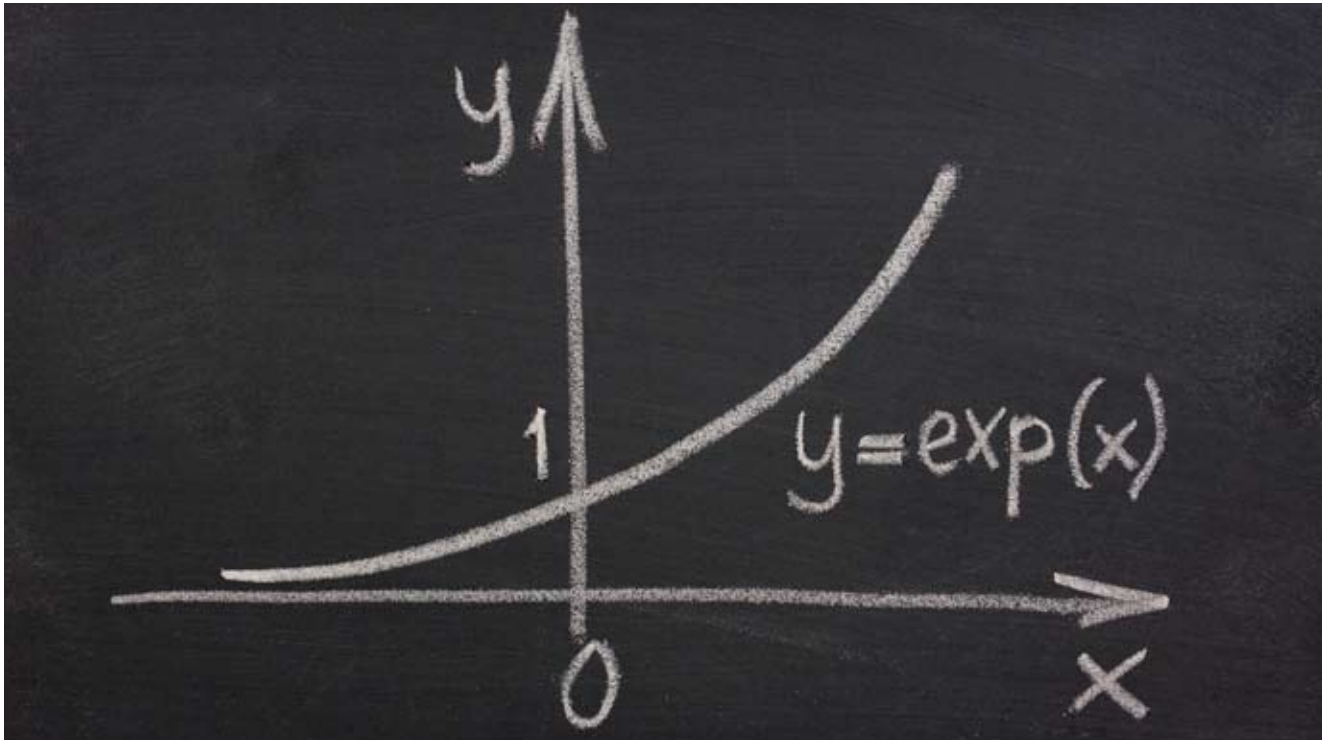
- Blogs: A Discussion of Current Trends, Benefits and Pitfalls
- Creative Adoption Techniques for KM Initiatives
- Crossing the Chasm: How KM Can Work with IT and Others to Develop Resources that Deliver More Value to Internal and External Clients
- Enterprise 2.0: What It Is and Why You Should Care
- Harnessing Matter-Centricity to Maximize Knowledge Sharing
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## HOW TO CREATE A LEARNING ORGANIZATION: GAINING THE “EDGE” IN KNOWLEDGE MANAGEMENT



So what has worked in our case? Several key factors have contributed to the growth of our KM program:

- Management support
- A change-management plan to assist with the culture shift that needs to occur
- Technology
- A core team to drive the program
- Constant communication

Critical resources are tapped specifically through our records management and IT organizations and the legal Six Sigma team. Interestingly, our current economic climate has proved helpful, in that the focus has shifted from throwing money at the problem with new tools to analyzing the root causes of a siloed organization.

### STRATEGIC PLANNING: ASK THE RIGHT QUESTIONS

If you are beginning a KM program or refreshing an existing one, our experience shows that you need to begin by asking some questions:

- Does an element of knowledge sharing exist naturally within your organization?

- Are there appropriate incentives for people to share information?
- Is collaboration and sharing rewarded?
- Do people treat what they create and what they know as a knowledge asset?
- Do they stop to think about its value for someone else?
- Do they take the time to centralize key information for others to access?

If the answer to any of these questions is “no,” it might be that you have some strategic work to do to lay the proper groundwork before implementing new technology and KM processes. A knowledge-sharing culture is an essential foundation for any KM initiative. **ILTA**

#### ENDNOTES:

1. “What are the Characteristics of a Learning Organization?” article by Prof. Eve Mitleton-Kelly, London School of Economics
2. Our legal department is broken down by functional practice areas (*i.e.* Commercial, Patents, Litigation)
3. DuPont Legal has professionals in four global regions: North America; Latin America; Asia Pacific and Europe, Middle East, Africa.
4. The process had to be slightly altered for our regions as travel to these locations was not an option.

# Doing More KM for Less with Microsoft SharePoint

by Rob Saccone of XMLAW

The days of specialized knowledge management systems are over. It's no longer acceptable to add large budget line items for separate enterprise search, business intelligence, expertise tracking and other KM systems that support only a part of a KM strategy. The licensing costs of these systems, along with the cost and effort to deploy and then integrate these systems, undermine the ROI that KM should be delivering.

KM professionals should focus on delivering KM capabilities to their firms through a set of integrated and reusable tools and applications designed to be flexible and adaptable to the different needs of their firms' practice groups, partners and attorneys. In order to deliver these capabilities, KM leaders need a solid platform that provides the technology plumbing and tool set required to deliver such capabilities in a cohesive and supportable way.

Enter Microsoft SharePoint, a robust, yet affordable, platform for powering a wide variety of information and KM initiatives.

Firms today are using SharePoint to deliver a host of connected tools, applications and collaborative capabilities that incrementally build on each other. After working with more than 80 law firms globally, we've found there are almost limitless ways in which firms think about their information and knowledge assets and how they can be used together. We also found that most firms start from a common set of practical applications. These often include the following:

- **Internal Facebooks and Attorney Directories.** Beyond a simple phone list or photo book, these applications can bring together biographical and professional backgrounds, client and matter history, work product and other searchable data that serve as a key source of a firm's collective experience and expertise.

- **Client and Matter Portals.** As a portal framework, SharePoint does an excellent job of organizing and delivering all the information a firm has about individual clients and matters. These applications also can provide value to marketing and business development efforts.
- **Enterprise Search.** SharePoint provides a powerful enterprise search engine, and with some additional investment, it can present a rich search experience across systems at a fraction of the cost of other specialized search systems.
- **Wikis, Blogs and More.** SharePoint includes built-in support for basic wikis, blogs, discussion threads, and other "social" applications. These are often used within other applications, such as integrating blog capabilities with the attorney directory or providing client or practice wikis within intranet sites.

## THE BOTTOM LINE

With tight budgets and limited resources, many firms are being forced to cut their planned KM and technology projects. By leveraging SharePoint, it's possible to keep your KM initiatives moving forward by providing a foundation that can grow and change with your firm's needs. Firms can do more with less instead of putting KM efforts on hold. **ILTA**



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# Creative Adoption Techniques for Knowledge Management Initiatives



Last fall, our firm was planning the rollout of our SharePoint portal. Though we believed we had taken all the right steps to get user input and to test usability, we knew we hadn't scratched the surface in terms of engaging all users.

Because of this, we decided to design a launch program that would grab users' attention and aid adoption. We wondered what other firms were doing to promote user adoption of their knowledge management initiatives. After doing some research, what we found is that many very creative people are engaged in KM.

Most firms we talked to are using a variety of combinations of the activities described below.

## DEMOS: IF YOU HOLD THEM, WILL THEY COME?

While there is no substitute for users seeing a system firsthand and engaging directly with it, we all know it's not easy to get lawyers or staff to leave their desks. So what is a creative KM professional to do?

It's a good idea to avoid using the term "training" to describe a demo. While staff and legal assistants might be open to training, most lawyers don't think they need it and see it as a distraction from their primary focus on billable work. Make sure that the invitation clearly identifies the benefit to the participant.

Demos need to be relevant. They should be task-based and focused on a particular user, by role and

practice area. If you are unveiling an initiative across multiple offices, try to conduct demos in each office. Each group and role will use the system differently and come to it with different needs and expectations, which you must address in your demo. You should also anticipate that there might be objections or concerns from users, so be prepared to address those, too.

Hold demos at meetings lawyers would attend anyway, such as regularly scheduled practice group meetings. Try to hold demos at meetings where something else of substantive legal interest is on the agenda, and don't list the demo on the agenda. At my firm, our legal assistants also have quarterly "all hands" meetings and we use those to launch initiatives with them.

It's also important to hold demos in person. When Baker, Donelson, Bearman, Caldwell & Berkowitz, PC was rolling out its new portal, Meredith Williams, Director of Knowledge Management, and a member of her KM team spent a week in each office conducting demos of the new system and connecting with firm members.

Meredith's presence in the office highlighted the importance of the initiative to office members and enabled her to target launch activities to meet the unique practices of each office. While videoconference and live meeting technology are now commonplace for holding multi-office meetings at many firms, they fall short for demonstrating new tools to large groups.

## LURING TO LEARN, LEARNING TO LURE

Remember that it's also possible to get them to come to you. That's what the KM team at Canadian firm Stikeman Elliott LLP did when it set up kiosks on each floor when introducing its KM portal. Each kiosk was manned by a member of the KM team, and lawyers passing by would stop to find out what the kiosk was all about, at which point they were given a personal tour of the new system and could try it out for themselves. Not only did this raise the profile of the new system, but it also provided valuable feedback to the KM team.

Another tool Stikeman Elliott uses is a lawyers' lounge, which has snacks, a bar and a big screen TV. Andrea Alliston, Director of Knowledge Management, set up in the lounge and hooked the new portal up to the TV. When lawyers dropped in, she was able to give them a personal demo of the new system. Andrea found this to be a particularly effective way to reach partners who were always too busy for personal tours when she dropped by their offices.

Never underestimate the effectiveness of door prizes and giveaways. Coffee cards and gift certificates for book and music stores are compelling rewards for staff and legal assistants who attend demos. Of course, lawyers need something more to lure them away from their desks, and iPods and memory sticks seem to have had some success with associates.

At Baker Donelson, Meredith has Westlaw sponsor many of her demos. Westlaw donates a free day pass to the Westlaw system for any lawyer who attends the demo session. If your firm is an accredited provider of mandatory continuing legal education, work with your professional development team to give your lawyers credit for attending a session.

## MAXIMIZE ONLINE RESOURCES

Adobe Captivate, Camtasia Studio and Viewletbuilder by Qarbon are inexpensive, easy-to-use tools for e-learning. They can help create short, online demos or advertisements for a new initiative. When my firm launched its portal, we used Captivate to create three short — each under three minutes — online messages that used voiceover visuals of the new portal.

The first segment focused on why we developed the new portal (*i.e.*, the challenges users faced with the old intranet and the benefits of the new portal). The second segment focused on the new information architecture of the portal, and the third focused on key features of the new homepage. The segments were made accessible pre-launch through the homepage of the old intranet. We also sent an e-mail announcement to everyone about the new portal with links to the three segments.

Morrison & Foerster uses viewlets extensively for training and demonstrating its Answerbase system, which you can see at [www.mofo.com/answerbase/](http://www.mofo.com/answerbase/). They often include a viewlet in the invitation to live demos to give users a sneak peek of what they will learn at the session.

## ENTERTAIN AND ENLIGHTEN

Try not to be limited by online technology.

My firm planned to launch our portal the same week as our celebrity look-alike themed holiday party. It turned out that one of the members of the portal team looked a lot like David Caruso, so we sent him out to do some video interviews and “celebrity endorsements” of the portal with the firm's other high profile look-alikes. Each “celebrity” highlighted a different feature of the new system. Our David Caruso look-alike starred in a scene featuring a “dead” body in our lobby, which he quickly abandoned to investigate what this new portal buzz was all about. We produced the video entirely in-house with the help of our AV team. The timing was right, and the project garnered a lot of attention and was watched by a broad audience across the firm.

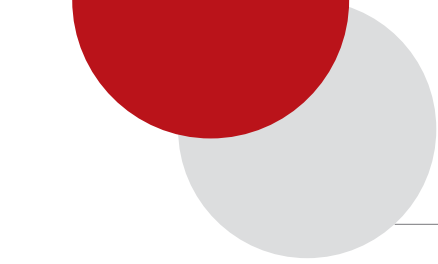
Now we are planning the rollout of Autonomy iManage's matter-centric DMS. While we are already an iManage shop, we want to ensure that this move is not seen as simply a technology upgrade. Many firms have been using online learning to support their move to matter-centricity, and we want to provide as much incentive as possible to get lawyers to participate in online training. To do this, we are planning a campaign based on the “I'm a MAC, I'm a PC” ad series. We have a willing partner to play Autonomy iManage and an information systems manager to take on the old iManage role. Although our campaign is still in its early days, we believe we can develop an online series using these two characters that will both entertain and enlighten.

Remember, even for KM initiatives, cute sells. When PricewaterhouseCoopers Canada launched its new internal portal, it created a one-minute video starring the children of IT staff to publicize it. They talked about what the benefits of the system would be when they grew up and what it could be used for. The video was a hit and is still widely watched throughout the firm.

## MIX IT UP

Nothing says you can't combine approaches, so feel free to use videos and online training segments in live demonstrations. At O'Melveny & Myers LLP, the KM team developed a five-minute Apple-like “commercial” to demonstrate their new intranet's scope and power. Each live training or demo session for the new site — including at a firm-wide partner meeting — began with the video.

Additionally, in their live training sessions, they were able to compare their site's search performance with well-known consumer websites such as Amazon or Best Buy. Through this comparison, they reduced the uncertainty of using the new site.



Don't be afraid to have some fun. Candian firm Goodmans LLP helped launch its portal using a variation on the treasure hunt. They held a contest to “Find Eddie,” or Edwin (Eddie) Goodman, the firm’s founding partner. Each day a different picture of Eddie, shown at different stages of his life and legal career, was hidden on a page of the new portal. Clues were posted on the homepage, and when users found the picture and clicked on it, they were entered in a drawing. Because a description of the picture and its context also popped up, users got a bit of firm history along with learning how to navigate the new system. It just goes to show that making something fun is always a good idea.

### **THE PERSUASIVENESS OF BRANDING**

At Baker Donelson, Meredith says the key to any successful adoption campaign is branding. The BakerKM logo is well-known throughout the firm and helps support the rollout of any KM initiative. It's a brand the lawyers trust.

Giveaways are a common way to help raise brand awareness. To be effective, giveaways must reflect the brand and have the logo on it. Popular and relatively inexpensive giveaways include mouse pads, coasters, sticky notes, telephone pads and chocolate bars with branded wrappers. (For many KM initiatives, Smarties® are a great tie-in with a branded message on an added wrapper.) Memory sticks are slightly more expensive and not as visible sitting on people's desks, but well appreciated nonetheless.

When Baker Donelson rolled out its new portal, Meredith had the firm's marketing department create a new BakerNet logo. This logo was used throughout the launch campaign on communications and on giveaways. Around the time of the portal launch, the firm was also working on a “green” initiative that included doing away with plastic and styrofoam cups in office serveries. To further this initiative, everyone at the firm got a new travel mug that featured the BakerNet logo. Because the firm was going to provide employees with some form of mug anyway, there was minimal marginal cost, and now the mugs with the BakerNet logo are used extensively.

Andrea Alliston at Stikeman Elliott even branded her KM team.

She had black T-shirts made up for each of them, with the firm's new StellaKM logo on the front; “Simple, Fast, New on Stella” written on the back. Her team wore them at all pre-launch demos and as they walked the floors and dropped into lawyers' offices on the day of the launch.

Another effective branding tool to consider is posters. Get your marketing department to help create them. Make them colourful with a simple message and

large enough to notice. When we launched our enterprise search engine, it was called FindIt! and our poster largely consisted of our OslerNet logo and the slogan, “Need It! Find It! Use It!” Andrea took posters one step further and created tall, trade-show sized poster boards. These were tall enough to include the KM branding and provide basic marketing information about the new system. The boards were placed in lobbies through the firm, clearly visible not only to firm members but also to clients — a great way to make clients aware of innovative efficiency initiatives going on in the firm.

### **ADOPTION IS AN ONGOING ACTIVITY**

Accept that for most initiatives, adoption will take time and represent an ongoing creative effort. At the Canadian arm of PricewaterhouseCoopers, Natalie Irwin is the Adoption Coordinator for the firm's portal, and she spends approximately three quarters of her time on adoption efforts. Natalie treats the portal like a product she is selling and tries to build a relationship with the users so she can ensure the system is meeting their needs. She also tries to partner with groups so that they take ownership for their sites and content.

Evaluating the success of your initiative means you must be able to measure adoption. For instance, PwC's portal metrics are connected to its HR system so metrics can include use by office, role, geography and practice group. This allows Natalie to engage in specifically targeted adoption activities. Additionally, the firm can run periodic adoption campaigns to target specific groups, such as new hires, administrative assistants in a particular practice group or professionals in an industry practice.

While a treasure hunt is often used as a launch activity, it can also be used on an ongoing basis.

PwC holds regular treasure hunts to raise awareness of specific pages and resources. Each week-long hunt is conducted by hiding a treasure chest image on the highlighted page, with clues posted on the portal homepage. Those who click on the treasure chest are automatically entered into a drawing for small daily prizes and a larger weekly prize, such as an iPod. The treasure hunt is extremely popular, and the number of participants almost doubles each time this game is played.

Natalie has also created a portal club, which started one year before the portal was relaunched, to get user input and feedback. Roughly 20 percent of the Canadian firms are now members.

As is often the case, membership does have its privileges. Members receive a monthly newsletter that contains upcoming adoption campaign notices and user tips. Members who submit tips get a coffee card, and when there are demos of portal-related initiatives, club members get an extra entry for door prizes if they bring a guest.

### **DON'T FORGET THE FUNDAMENTALS**

When talking to Scott Rechtschaffen, Managing Shareholder of KM at Littler Mendelson, about his adoption techniques, he

emphasized the fundamentals of any successful initiative — make sure the product is useful to lawyers and easy to use.

No matter how creative the marketing campaign, if the product doesn't meet the customer's basic needs, it won't be adopted. Scott has a team of eight KM lawyers embedded in the practice groups across the firm to help ensure that any KM initiative reflects the needs of the lawyers and how the lawyers practice. Additionally, these KM professionals can also help evangelize any new initiative.

Scott also focuses on initiatives that are client-facing, since it is much easier to get a KM initiative funded and adopted if the lawyers believe it will directly help them develop client relationships. If you are promoting something that doesn't directly impact the client, try to emphasize how the initiative will indirectly benefit the client and how the lawyers can use this as a firm-selling feature.

Another way to encourage adoption is to provide lawyers with a solution to a problem they have brought to you. KM professionals often have a long list of initiatives we think the firm or a practice group needs. While it's tempting to set our own priorities or push our own vision, if you let the lawyers come to you with a problem, they are much more likely to adopt the solution you provide and then tell others about it.

### **BOTTOM LINE: INVOLVEMENT MAXIMIZES ADOPTION**

Whatever your KM initiative, adoption comes down to involvement. Make sure to involve users at all stages of development, because users who help define the problem and design the solution will be your champions once the solution is launched.

Remember to consult experts. Most of us work in firms that have a marketing department with marketing professionals. When planning an adoption initiative, get them involved. They can help you design and produce professional-looking logos, communications and posters.

Finally, don't be afraid to unleash your creative side. If you're interested in the initiative, chances are others will be, too. **ILTA**

### ***We're talking about knowledge management online right now.***

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# Where's the Peanut Butter?

## Excellent Client Service Is Simple — Just Remember Your Latest Supermarket Visit



**T**he last time you were searching for something at the supermarket, you probably asked a supermarket employee to help you, right? When you asked for the object of your desire — peanut butter — did the supermarket employee respond with, “Over by the cereal aisle,” and then scurry in the opposite direction? Or did he look you straight in the eye, smile, and ask, “Do you want regular or organic?” and then offer to lead the way?

Though the difference between transmitting knowledge and providing customer service seems crystal clear when you are the customer, when it comes to legal services — where even transmitting knowledge can be a complex process — deeper levels of client service can often be forgotten or abandoned. A key point to remember is that in the competitive legal services world, where information can be found at a variety of places and prices, our clients’ choice to patronize us is often based on our client service and not simply on our knowledge.

### KNOW YOUR CLIENTS’ NEEDS

Solidifying client relationships is conceptually simple. Understand not only what your clients say they *want* (the location of the peanut butter), but also what they *need* (our help finding the peanut butter and our recognition that different peanut butter varieties might be found in different locations). What your clients need might not be peanut butter at all, but a quick healthy lunch. Good client service demands that we know enough to figure this out.

In practice, of course, understanding and giving your clients what they need can be challenging, but a variety of knowledge management strategies can narrow the effort gap between simply passing knowledge to your clients and leveraging that knowledge to help them reach their goals.

Here are six strategies, ranging from simple, low-tech options to complex, multi-resource projects. Find the strategies that complement your organization and mold them to your clients’ needs.

### FOSTERING CLIENT SERVICE FROM THE INSIDE

The following are strategies for empowering practitioners within your organization to provide superior client service:

### Centralize and ease access to client and matter information.

Legal practitioners create partnerships for a reason: The integrated whole of a partnership's knowledge produces far better business development and legal service results than any individual alone. Your role as knowledge manager (whether in title or function) is to grease the wheels of knowledge exchange across the enterprise and to ensure that everyone in your organization knows how to find what they need when they need it.

Streamlining client and matter information processes will go a long way in helping you reach this goal and will ultimately help to revitalize your client relationships. Make the best impression you can on a client by tailoring your service to the client's unique business and legal needs. On the flip side, the worst blunder you can make is revealing your ignorance about key information, such as a client's industry position or past legal challenges. For example, why would a client trust you to protect its patents if you know nothing about its recent patent infringement suit?

When evaluating how to centralize your client and matter information, consider integrating anything and everything related to the client that sheds light on its business and legal operations:

- **The client's contact information, employees, and affiliates**
- **Your marketing and business development activities and relationships with the client**
- **Client documents and related internal contacts**
- **Client e-mail messages and related e-mail parties**
- **Matter details**
- **Financial information**
- **Your own internal employee information for relationship context**

For example, Morrison & Foerster LLP's Knowledge Management Group built an enterprise search system called AnswerBase (based on Recommind, Inc.'s MindServer product) that draws information from a host of different data sources. The system allows practitioners to find client and matter information by full-text searching documents, time notes and other metadata, and by refining results using a variety of categories, such as industry and type of law. The system also provides dashboards for each client — presenting on a single page

a snapshot of client information ranging from relationships to documents to matter types of law, allowing practitioners to delve deeper into each section. A sample client dashboard can be seen below:



To create these dashboards, AnswerBase integrates firm data housed in a variety of sources: the firm's document management system, e-mail repository, client relationship management system, billing system and more. To see a full demonstration of AnswerBase and to read a report evaluating its benefits, go to Morrison & Foerster's AnswerBase site at: [www.mofo.com/answerbase](http://www.mofo.com/answerbase).

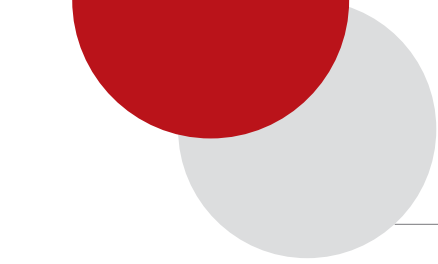
Regardless of how you choose to centralize your client and matter information, the key is to centralize it: Pave the way for your practitioners to understand what clients really need and provide personalized professional service.

Getting started:

- **KM Strategy** — Centralize information from across legal, financial and marketing departments and from across geographic locations; categorize and retain as much client work product as possible.
- **Collaboration** — Practice Support, Marketing, Finance, IT
- **Tools** — Content management systems, client relationship management, financial and billing systems, conflicts and new business systems, personnel data system, document autocategorization, e-mail autofiling, enterprise search

### Foster the exchange of business development and relationship information.

One of the greatest differences you can make to your organization's client service is to create a collaborative culture



across the enterprise, one in which attorneys and staff actively share client and matter information. Achieving this collaborative culture can be challenging, but you can help nurture it by automating the capture and exchange of client and matter information, and by weaving client and matter information sharing processes into existing workflows.

If you have an underutilized client relationship management (CRM) system, revisit its functionality for processes that may undermine users' sense of ownership over the data, and be sure you can answer the "What's in it for me?" question for each individual you hope will submit information.

To do this, create processes like these:

- **Those who submit contacts can become required approvers for data changes to those contacts**
- **Clients can only be added to firm newsletter mailings if they are submitted to the CRM system**
- **Only those who submit contacts can see others' communications and business development activities with those contacts**

Contact information is just the tip of the iceberg, however, when it comes to client information. Foster the exchange of business development activity information and reimburse expenses only when activity details have been entered into your CRM system, ensure that business development discussions are incorporated into cross-practice meetings, and include information sharing efforts in annual evaluations and compensation decisions.

Generating any level of cultural change is no small feat. The key to success lies not only in demonstrating the benefits of the change, but also in identifying and addressing explicit and implicit fears. For example, you might garner management support by demonstrating the increased revenue to be gained by a successful cross-selling approach to client work. Additionally, you can allay concerns over relationship and data ownership changes by demonstrating that the increased exchange of client information improves each individual's ability to impress a client and win business. Keeping each individual's client relationship information siloed limits the ability to provide full service and runs the risk of embarrassing the organization. (For example, when conflicting information is given to a client or multiple copies of identical marketing distributions are sent to a client.)

The fostering of knowledge exchange is not merely a standalone strategy, but one that should be woven into each of your KM approaches. As you design any new process or tool, you can support a culture of business development collaboration by automating the capture and exchange of data when possible and integrating collaboration workflows into existing processes.

Getting started:

- **KM Strategy** — Weave information sharing into existing workflows and automate data capture and exchange when possible.
- **Collaboration** — Management, Practice Support, Marketing, Professional Development
- **Tools** — Client relationship management, enterprise relationship management
- **Processes** — Expense reimbursements, evaluations and compensation decisions, cross-practice meetings

#### **Ease attorneys' access to client news and related industry updates.**

Understanding a client's organization means understanding its business and its business climate. Is the client in an industry where business is affected by weather? Is it tied to global financial shifts? Is the client a top-10 player who risks losing their coveted ranking with even the smallest misstep, or is it a new kid on the block willing to take a few risks to get noticed?

You can ensure that your practitioners are up-to-date on your clients' latest business successes and challenges by bringing specific client and general industry news directly to their desktops. Collaborate with your library to collect and distribute news to each practitioner, taking care to avoid newsletter glut and to distribute only information relevant to each practitioner. Depending on the size and resources of your organization, consider whether more targeted, manually-vetted newsletters are appropriate, or whether more automated, but less targeted, distributions suffice. Targeted newsletters are much more likely to be reviewed by practitioners with limited time, but automation can be helpful in the absence of viable alternatives.

Getting started:

- **KM Strategy** — Ensure that practitioners are notified of client and industry news on a regular basis.
- **Collaboration** — Library
- **Tools** — Practice-specific newsletters, RSS feeds

### ENHANCING CLIENT SERVICE FROM THE OUTSIDE

The following are strategies for inviting clients to rely on your service as well as your knowledge:

#### Share legal KM tools and content with the client.

Why not support your client's KM efforts along with your own? Clients typically have small legal departments with far fewer human and technological resources than law firms. Offering even a simple content management tool — such as an extranet — can often provide your client with a much-needed and much-appreciated information management tool. Keep the value to clients high by offering them strong search functionality, the ability to modify security settings and the chance to add a variety of content to the site.

In addition to providing KM tools, share your KM content with your client in order to ease the legal process. Offering your own forms and legal reference materials to clients deepens your relationship, creates an opportunity for them to return to you for updates, motivates them to share their legal challenges and opportunities in areas where you do not currently represent them and markets the breadth and depth of your firm's experience — especially in areas where you have not yet represented them but could in the future. Enrich this content even further by publicizing complementary continuing legal education training and by tying those events to the shared documents.

Getting started:

- **KM Strategy** — Discover the gaps in your clients' information management processes, and create and collect legal forms, memoranda and articles relevant to your clients.
- **Collaboration** — Client Teams, Marketing
- **Tools** — Extranets
- **Processes** — Hours credit for KM time, evaluations and compensation recognition for KM efforts

#### Collate and distribute business-related news to the client.

Find out what information your clients need to run their business, and provide it to them. Do your clients need to be kept abreast of their industry and competitors' news, of legal issues affecting their business decisions, of local industry events? Take a load off their shoulders — and strengthen your relationship with them — by

managing their business-related content for them. Be careful that your high-maintenance newsletters do not turn into their spam: Include only content they value, and allow them to modify preferences such as frequency and format.

Getting started:

- **KM Strategy** — Find out what information your clients need and provide it for them, ensuring your distributions can be adjusted for content, format, and frequency.
- **Collaboration** — Marketing, Library
- **Tools** — Industry-specific and practice-specific newsletters

#### Provide legal and business referrals for work your organization does not perform.

Become a trusted colleague in addition to a reliable advisor — invite your clients to reach out to you not just for your services, but also for your connections. When your clients need legal or business services that your organization does not perform, provide them with high-quality referrals that will encourage them to contact you again when they need other professional services.

Getting started:

- **KM Strategy** — Find out what services your clients need, in addition to the ones your organization performs.
- **Collaboration** — Practice groups
- **Process** — Centralize referrals used and distributed within the firm by adding to a contact management system accessible to all practitioners.

### PUT THE CONTEXT IN CLIENT SERVICE

Legal services, like all professional services, require human understanding and analysis. Clients choose us not simply for our breadth of legal knowledge, but also for our depth of understanding of their unique challenges.

Client-focused KM strategies can therefore enrich your business development processes by adding vital context to each client relationship and providing you the tools to offer well-tailored client service. Skillfully manage what you know, and you will deliver what your clients need, be it the “peanut butter” or something else entirely. **ILTA**

# Legal Matter Management



**F**irms must grasp key matter management principles and challenges in order to handle matters well. Those with sound matter management will see more effective project coordination during the course of a matter.

They also will see improved internal business intelligence and better consolidation of information from the firm's critical business systems. Better matter management can open up new ways of doing business.

We need to know about matters from a knowledge management perspective for two reasons. First, matters constitute the individual components of ongoing work and past legal experience, and they provide a handle for us to access and organize it. Second, matters and matter numbers are unifying elements across the many information sources (or "silos") typically present in a law firm or legal department. Through matters, IT and KM teams can improve searches, risk management, business intelligence, matter tracking and trending analysis, work efficiency and much more.

## THE LEGAL MATTER

Is it a project? A process? A bucket?

Simply stated, a matter is a piece of work for which a client is willing to pay. More abstractly, a matter is constrained and organized by ethical, administrative and

technical systems, and serves as the primary organizational tool for practically all of a law firm's client-facing work and many of its internal processes. Matters are similarly significant for law departments in that they constitute the ongoing litigations and legal projects of a business.

Law firm marketing departments find matter management especially valuable as it has the potential to deepen marketers' understanding of their firms' strengths as well as help them identify the match between firm experience and the needs of potential clients.

## THE MATTER LIFE CYCLE

A matter progresses from opened, to active, to closed; hence, practitioners speak of the "matter life cycle."

Firms need to know a variety of information about their matters and can leverage this information differently at a number of points in the matter life cycle.

### • Opening Matters

Matter opening is a key point both for processes such as conflict checks, and for information-gathering that might not pay dividends until much later in the matter life cycle.

A matter normally has its origins when a client seeks assistance or advice on a type of work, such as a deal, merger, investigation or litigation. Before a matter can be opened, law firms need to ensure that the representation of that party

or witness in that instance does not pose an ethical conflict for the firm, and also does not get in the way of the development of the firm's business in the strategic direction that it wishes to take. An ethical conflict could arise, for instance, if a firm was asked by a corporation to investigate possible embezzlement by its now-former chief financial officer (CFO), and was also asked by the CFO to defend him. A business conflict, by contrast might arise if a firm typically represents one point of view, and not the opposing viewpoint, in an ongoing series of disputes between factions or industries.

From the perspective of the law firm as a whole, and that of the staff trying to collect information about matters, a major advantage of the matter opening process is leverage. Attorneys need that matter number open so that they can start billing time, generating expenses and, in general, get to work. They are willing to provide information, within reason, in order to obtain that number. At my firm, we collect information about the type of legal work we are providing, matter descriptions, the underlying business activity, litigation forum and more. Such data is collected "in the flow" as part of the normal, expected business process for opening a matter.

- **Active Matters**

With active matters, the work is in progress; time is billed, documents are generated, the client's needs are addressed and so forth.

The active matter period is the primary opportunity to leverage your matter system to organize firm work and knowledge. Some firms use intranet portals to display information associated with the matter from a broad range of sources. Quick access to hours billed, documents, finances, pleadings and deal documents can greatly benefit the matter teams. This is only possible, however, if the matter number initially generated in the matter opening process is used in different firm systems.

Cross-silo use of matter numbers is common in professional services firms but is rare in the corporate world because different business units do not have common processes in the same way that firms do.

While one can obtain a great deal of information about an active matter, for instance, through the matter documents, categorization of the matter for purposes of identifying firm experience might have to wait until the matter is closed or no longer active.

- **Closed Matters**

A matter is closed for all practical purposes when time is no longer being billed to it. The main use of matters at that point is as a pool of experience and as a way to locate exemplars, samples and precedents.

The closing event is often an opportunity to collect critical information about the matter, such as the size of the deal, the disposition of the case (jury trial or summary judgment), and so forth. Attorneys like to see the results of their efforts acknowledged, even if only inside the firm, and accordingly might be more willing to share information at the close of matter life cycle than when the matter is ongoing.

Matter analysis can be very useful to practice area and firm leaders. Specifically, matching the firm's most directly relevant experience with the experience needed by a client or prospective client is critical to law firm marketing and business development efforts.

## **MATTER MANAGEMENT**

Matter management is the sum total of the collection, organization, display and reporting capabilities at an organization. Ideally matter management is addressed from "cradle to grave" and is tightly integrated with the strategic, knowledge management and administrative requirements of a firm or legal department.

As we've seen, a broad variety of information can be collected about a matter from the normal ethical and business processes that take place in a law firm. With a little strategic intervention, some firms can identify and leverage other highly valuable aspects of their matters.

A basic example is the type of work the firm is doing. My firm uses a "legal service code" taxonomy. Another might be the type of business activity that the matter addresses, indicated through an industry or Standard Industrial Classification (SIC) code.

Another example is identifying "marketability" or which matters can be trumpeted to potential clients.

## **PRINCIPLES OF MATTER MANAGEMENT**

As with KM in general, keeping in mind a few key principles can help you organize your matter management activities.

- **Enter Once; Use Everywhere**

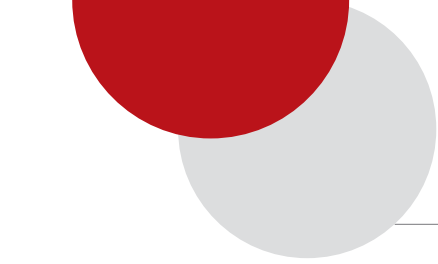
If information is entered only one time in one place, there are fewer chances to get it wrong, and less effort is required. The more places a piece of data is maintained, the more likely it is that inconsistencies will creep in.

- **Transparency Provides Accuracy**

Exposing matter information in more than one system or interface will provide more value and opportunity to fix data errors.

- **Aggregate Client and Matter Information**

Try to get as much information about a given client or matter into one place as possible. People need different types of information (documents, hours and people) about their work, and having it in one place makes it easier to find. At a certain point, people could develop a habit of looking for information



about a matter in that location, even if they don't know exactly how to get to it.

- **Different Groups Need Different Information**

Lawyers do many different kinds of work, and their work is measured in many different ways. For example, litigation expertise might be measured in trials, forums or brand-name clients, and private equity work might be measured by size or number of deals. Ideally, matter management systems will sort and measure matters in the way that lawyers think about their matters. This means collecting different types of information for different types of matters. It also could mean providing different ways for groups to view their matter information.

- **Structured and Unstructured Data**

Some aspects of matters are best captured through an organized taxonomy. For instance, lawyers need to be able to find work product according to a particular type of legal work. Searching in this way can be greatly enhanced if there is a common, controlled vocabulary in place to describe the different categories of work. (Just ask a librarian.)

- **Capture Information in the Flow**

Expecting voluntary contributions of information about matters outside the normal work that attorneys do is not wise. As with other KM initiatives, matter managers must show that sharing matter information is in the attorney's interest. This is easy at matter onset, when the attorney needs the matter number and the firm can expect some information in return. During the course of the matter, attorneys and staff will assign matter numbers to work product when it will help them or others on the team find it again more readily. And at the conclusion of a matter, matter information could be more readily obtained if it is clearly identified as part of an effort to market the firm or the individual attorney.

Understanding what information is already captured in the workflow can be challenging. For example, do you really know how that small remote office is tracking its matter information?

- **Data Gardeners**

Matter information systems, as with other information management systems, can be greatly aided in execution by getting the right kind of person to maintain it. Not all people have the necessary attention to detail, quantitative and technical skills, and desire to "get all the ducks in a row" that is required for maintaining matter information.

Along with having the right people, organizations need to identify who has responsibility for collecting

and maintaining the pieces of matter information at the various stages of the matter life cycle.

## **MATTER INFORMATION STORAGE**

Some firms with matter-centric document management systems might want to maintain matter information as part of a matter workspace profile. Despite the importance of documents to matter work, this approach can be too limiting and makes reporting and information access very challenging.

Another possibility might be a billing system. Because billing numbers and information from this system are continually exposed to clients and timekeepers, the billing system should be the place where the definitive list of matters is kept. As for other matter information, while the information architecture will be secure and robust, it might not have the flexibility needed to adapt to changing information needs. Another potential issue with maintaining matter information is the scope of access. Large firms could be (appropriately) unwilling to grant access to a broad range of people entering data in the billing system.

## **LEVERAGING MATTER INFORMATION**

Matter information can be leveraged in a very broad range of firm technology and management systems.

- **Matter Portal:** User-specific matters can be listed, allowing ready access to other types of information about matters to which users have billed.
- **Client Portal:** User-specific client information can be presented in the same manner, with each set of client information including a list of all matters for that client.
- **Document Management System:** Matter information can be attached to information in a DMS, most importantly documents, but also folders or workspaces, so long as matter numbers are properly assigned. Your DMS might be able to handle some key pieces of matter information; for these purposes, only the most broadly applicable matter facets should be chosen.
- **Pleadings or Dockets:** Final or as-filed litigation documents can be linked to a matter.
- **Closing Binders:** Signed copies of deal documents can be housed in a database organized by matters.
- **Reportable Database:** A rich database without a decent reporting tool is like a violin without a bow. Some important features of a good reporting tool include the choice of displaying or filtering on a particular field, generation of canned reports on particular criteria, and export to Microsoft Word or Excel.

- **Experience System:** A matters database can be an important part of a database or search of attorney experience.
- **Billing System:** Billing systems are often integrated with, or constitute the matter information systems in, law departments. In law firms, a billing system is an important source of matter data, but it might not be sufficiently flexible to serve as the primary source of matter data. Demands related to monthly and yearly billing processes could interfere with access to matter information if the billing system was the primary source.
- **Extranet:** Some firms are beginning to experiment with making some client-specific matter information available to those clients. An Internet-based matter information system could more readily function in this manner.

## POSSIBLE CHALLENGES IN MATTER MANAGEMENT

Two matter management problems are organically tied to a matter's origin as a piece of work for which the client will pay. A third relates to the disconnect between a firm's matters (which should reflect the work done at that firm) and a firm's collective experience (which reflects work done by all attorneys currently at a particular firm.)

- **Too Many Projects in One Matter**

Some clients need to group projects, cases or deals under one matter number, for simpler handling and processing of bills, or for business reasons. For instance, a client might require that a whole string of litigation case costs be billed under one matter number, because for that client those costs are written off against the profits of a business unit, or because a set of matters is under a particular insurance policy.

In these instances, matter management is a challenge for both the firm and the department. While there could be common aspects to such matters (their underlying business activity and the legal work are probably similar, if not identical), other matter facets such as forum, disposition or amount of deal will vary but cannot be reflected in a unified matter management system.

- **Too Many Matters for One Project**

The opposite problem can arise where a single matter only reflects a part of the work done on a case or project. For example, it is common for a product liability case to have two matter numbers, one for pre-discovery and discovery work and another for work carried out in preparation for or during trial.

Here both matters will be indistinguishable in terms of the information attached to them, but use of the matter number to find documents or other information will be compromised. Two numbers and two sets of information will have to be perused.

- **Previous Experience**

It is no longer the case that lawyers stay at one firm for their entire careers. Lateral partner movement is increasingly common. With increasing talent transfer and growth of the larger firms comes more complexity in assessing a firm's collective experience.

A firm could retain information about a departing partner's matters but no longer have in its arsenal the corresponding experience. Conversely, a new partner might bring in a wealth of trial or deal experience that is not reflected in a firm's legacy systems.

## DETERMINING THE BUSINESS BENEFIT OF MATTER MANAGEMENT FOR YOUR FIRM

Effective legal matter management has the potential to open up new ways of doing business and can reduce some of the cross-office and cross-practice area communication challenges that can expand as the size of a firm grows. Through better awareness and an improved ability to find the type of work being done, partners can more readily cross-sell other practices. Associates might find that a particular type of work they are interested in is being carried out in another office.

Combining rich matter information with an enterprise search tool that has federated search and guided navigation has great potential for improving search capability. Imagine searching for a motion for summary judgment. From the (presumably overwhelming) result list, the user would see which documents were most like his own in terms of the type of work, forum and industry. The user could "drill down" into a particular set of documents through the matter information.

If a firm can be confident that its matter management system accurately identifies the extent and scope of work that it does, it might be able to more accurately assess the level of effort that a matter will entail. In addition, it could start to have enough information to quantify the risk of various types of outcomes. With this information in hand, the firm is better prepared to move away from the billable hour as a business model and, in turn, share more of the risk and reward of the particular deal or case with the client. **ILTA**

**David Hobbie is Litigation Knowledge Manager at Goodwin Procter LLP. Opinions expressed in this article are those of the author and not those of his firm. No legal advice is intended or implied in this article.**

# Knowledge Management: An Australian Perspective



**F**ive years ago, knowledge management in Australian law firms experienced an identity crisis. The dilemma was whether KM's goal was to support legal excellence or to enhance firms' legal practices. At Mallesons Stephen Jaques, we concluded that we were in the business of enhancing the practice. The competitive pressure of the Australian legal market determined our position. This shift in focus to support the practice has resulted in real enthusiasm for projects across our firm. The projects are no longer driven by Know How (our KM team), or a committee, but by our clients and the particular needs of our lawyers to enhance their relationships with these clients.

## THE MARKET IS DIFFERENT “DOWN UNDER.”

Australian firms don't have the revenue or the size of the market that the large United States firms and the United Kingdom's Magic Circle firms have. They don't have access to the work emanating from major financial centres such as New York or London.

The market for legal services in Australia is fiercely competitive and has been a buyer's market since the mid 1990s. There are six major national firms. Of these,

Freehills, Mallesons and Allens Arthur Robinson are the top three firms by revenue and size. We have seen the market at the top end become increasingly segmented with a widening gap between the leading three or four firms and the remaining ones. Mallesons is the largest by revenue and profit per equity partner. According to the Legal Services In Australia Industry Report, IBIS, February 2009, the six large firms account for approximately 13.3 percent of legal industry revenue (corporate, private and government). The major firms also face competition from strongly performing niche and specialist firms. Some firms have expanded into Asia where, until recently, they experienced strong growth.

## WHAT DOES THIS MEAN FOR KM “DOWN UNDER?”

For Australian firms developing and implementing key business strategies, these market conditions limit our capacity to make large capital investments in technology, projects and in headcount. Any investment in KM needs to target those initiatives that directly improve how firms service their clients.

Over the last decade, most of the large Australian firms followed the U.K. model and employed some practice support lawyers (PSLs) or precedent lawyers as part of their KM teams. In discussions with my colleagues from other firms, it seems that the practices were not systematically managing their PSLs

or precedent lawyers for a commercial outcome. While KM was making some contributions to firms' practices, it often did not directly support deepening client relationships. There was almost a disconnect between clients and law firm KM strategy. Given the competitive pressure of the Australian market, this strategy was not sustainable, and many firms have reviewed their strategies and their KM spending.

## AN AUSTRALIAN LAW FIRM PERSPECTIVE

Mallesons has approximately 2,100 employees in Australia and China, including 1,200 legal staff. We focus on advising major corporations and financial institutions. Our strategy is to create sustainable and observable service differences. Everything we do has to contribute to client relationships. We focus on very specific outcomes, and, as a rule, we only do those things that are measurable and cost-effective. We are judicious in our approach to KM, and we do more with less.

We do this by:

- Making the most of existing technologies
- Leveraging our technology for clients
- Engaging our people

## MAKING THE MOST OF EXISTING TECHNOLOGIES

We have not made large investments in KM tools. Instead, we have largely used existing technology within the firm and extended the functionality of this technology. We have integrated data from different systems (mash-ups) to give a richer and more meaningful view of the data. Where appropriate, we have used open source software as a solution for our information needs.

Following are some examples of where we have used existing technology. Some of these tools have been in place for some time and illustrate the journey we have taken.

**Poolroom** was launched in 2003. It is a collection of our best quality advice, precedents and deal books. We worked with a very small technology consulting company to have this database incorporated into our document management system.

**Decisiv** is our next generation of content management. Launched in 2006, it is our matter-centric automated filing system accessible from Outlook. Decisiv was developed in-house, and its objective is to capture and securely deliver all e-mail correspondence and associated documents to our clients with minimal effort required of our lawyers. It has context-sensitive filing and

search capability, so it will "predict" based on usage where an e-mail message should be filed. There is a "key folder" under each project where the quality or final documents can be filed.

## INTEGRATING DATA — MASH-UPS

Another way we extend our technology resources is by pulling data from different systems and presenting it in a new way that assists in decision-making, triggers a response or presents concepts in an easier form.

Our **PeopleFinder** tool is a mash-up of corporate data. PeopleFinder provides "presence" information (delivered in real time through our intranet) enabling people to connect more efficiently. Users can view someone's calendar for the week, which assists in scheduling meetings or phone calls; can see someone's location in the floor plan and whether they are active on their computer; can "camp-on" if the person they are trying to reach is on the phone; or open a Communicator chat.

Search results can be filtered by practice team, location or role. The next release of PeopleFinder will also include details about the matters that people are working on such as instructing solicitor, matter description, responsible partner, team members, financials and the most active matters.

PeopleFinder integrates data from many systems into a simple interface. These systems include Microsoft Exchange, Microsoft Active Directory, Cisco CallManager, PeopleSoft, Metastorm workflows (leave, training, secondments and ADERANT's Keystone practice management system).

## OPEN SOURCE

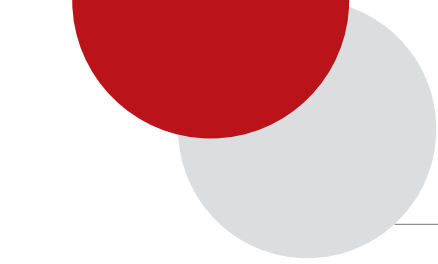
We use open source software to build systems. An example is **Scotty**, our news and current awareness tool. Scotty is an RSS aggregator which pulls in hundreds of RSS feeds.

With Scotty we are able to:

- Filter content to a very granular level resulting in highly targeted information delivery
- Determine a "default" set of feeds by practice area while allowing users to select content by subject or source
- Incorporate Web 2.0 capabilities such as commenting, "digging" and sharing so people can cherry pick content that others have found interesting or worthwhile
- Tag feeds, so users can pull up all feeds related to a particular tag

## LEVERAGING THESE TOOLS FOR OUR CLIENTS — INFORMATION AGGREGATION AND COMMUNICATION: MALLESONS CONNECT

Mallesons Connect went into pilot in December 2008 with a small number of our key clients. Mallesons Connect is a Web-based



tool that provides corporate counsel with a window into their matters. By aggregating all of the information on their matters, it provides a unified view of the relationship that allows counsel to coordinate work and more easily manage projects with their team and with Mallesons.

The structure and content of Mallesons Connect largely came out of client and partner focus sessions. We discovered it was often the simple things that the clients wanted most, such as the copy of an invoice or a contact sheet for the team working on a matter.

For Mallesons Connect we extract data from PeopleFinder, our internal presence tool, Decisiv, our content filing tool, and Keystone; and present it in a more meaningful way for our clients.

The client has the ability to see key details of a matter such as financials, invoices, the partner responsible and client team. “Feeds” can be pushed to the dashboard including publications, current awareness and Mallesons events information. Mallesons Connect displays presence information enabling clients to connect more easily to our lawyers.

A fundamental prerequisite for the development of the product was to deliver the service without adding to the lawyers’ workloads as our experience has shown that those systems requiring input from lawyers are less successful.

The Mallesons Connect project crosses all aspects of management: Marketing, Human Resources, Technology and Know How. The ease with which we have been able to work with the different Shared Services teams contributed to the success of the project. At Mallesons, we follow a more corporate approach to management than a partnership approach. This approach allows us the freedom to innovate and, on the flip side, to accommodate failed projects as part of the process.

## BACKGROUND TO MALLESONS CONNECT

In line with our strategy, the principle driver for this project was the firm’s clientele. We were conscious that many of our clients were demanding a new approach. We were looking at new ways to work with our clients. It was becoming critical that we link dynamically with our clients because:

- **Many of our clients are geographically dispersed and extremely mobile**
- **Their business methods are rapidly changing in response to this new environment**
- **Traditional client relationship management approaches are not suited to these changing business methods**

Our clients are demanding more transparency, and we hope Mallesons Connect helps address these needs.

It is interesting to note that the barriers to implementing this project would have been too high if we had contemplated it even a year or two prior. We needed to have the two major elements in place — our people and our technology.

## OUR PEOPLE

Given the level of transparency to be given to some of our key clients, considerable cultural change was required. During the scoping phase of the project, we determined that our people were ready. Fifty percent of our firm is Generation Y, and generally speaking, Gen Y workers value networks, expect a high level of collaboration and networking and want to be involved in all aspects of their team’s work.

The partners are also much more receptive to change. This is probably due to a number of factors such as our clients’ demands, a changing industry and new technologies we are using internally, such as PeopleFinder.

## OUR TECHNOLOGY

We needed to be able to pull the data from our systems. Our technology was ready; in particular, the foundation technologies were in place. Our Australian and global infrastructure now supports collaborative, networked services. The building blocks were there to enable us to begin the project.

## ENGAGING OUR PEOPLE MORE FULLY

People are critical to the success of KM. Given the size of Australian firms, it is difficult to justify funding large numbers of PSLs or large know how teams, so in order to achieve what we need to, we engage our people more fully. We extend the roles of our Know How team beyond just research. They are co-located with their respective practice teams to enable them to get a deeper understanding of the team’s practice and the industry and clients with whom they work. We only use our precedent lawyers for specialised legal roles such as drafting legal content. They are actively managed by the heads of practice and only produce specific precedents that have a commercial return.

The Know How team comprises both former lawyers and information professionals. This mix works well, as the team members learn from each other and draw upon both the legal and industry knowledge and the information science skill base. They enjoy a high level of respect from the practice teams and partners with whom they work.

As a team, we feel good that we are contributing to client relationships in the same way as other teams. There is a real sense that it is all worthwhile.

It’s too early to say definitively what the outcomes are of our approach to KM at Mallesons, but the first signs are very encouraging.

**THE FUTURE**

I believe this is just the beginning of the KM road. As clients become more cost-conscious in the current climate, KM strategies can play an important role in ensuring lawyers are able to produce quality work. This ranges from initiatives that assist our lawyers in managing their matters better, to deepening client relationships by making it easy to do business with the firm. KM provides access to information and open communication

channels. We have seen KM become further embedded within the business process and become an integral part of the way in which our lawyers work.

It would be fair to say that KM is in a state of transition, as Australian firms move to adopt Web 2.0 technologies and the global financial crisis plays out. The next “big thing” for KM will be project management. KM will be the enabler for better project management of matters and client relationships utilising Web 2.0 technologies and KM teams. **ILTA**

**ILTA KM  
SURVEY RESULTS  
ONLINE NOW**

Eighty firms completed ILTA’s Knowledge Management Survey that was distributed in 2009, and here are a few of the responses.

**CLICK HERE TO ACCESS  
THE COMPLETE RESULTS**

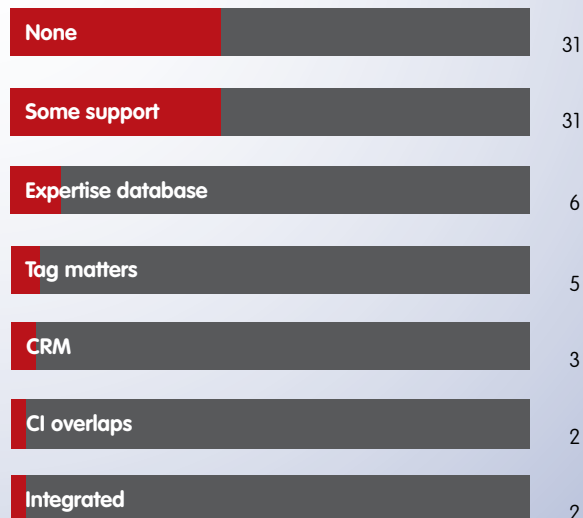
Does your firm have “processes” where it regularly captures KM information? (multiple responses allowed)



Not surprisingly, the process that most frequently captures KM information is opening new matters and/or conflicts clearance. Specifically, many KM professionals agree that capturing matter information such as industry and area of law at the point of intake can be very valuable for KM efforts.

In 2006, ILTA published a survey that focused on how knowledge management tapped into existing law firm processes. Three years and one economic crisis later, Ron Friedmann, Senior Vice President at Integreon, revisits the issue to see how legal colleagues contribute to KM.

Does the Marketing Department provide support for KM at your firm?



# Top Ten KM Projects of the Year

by Catherine M. Monte, Fox Rothschild LLP

In these financially challenged times of “doing more with less,” what projects are knowledge management practitioners focusing on this year? This Top Ten List is based on comments from a KM gathering earlier in the year and has been confirmed in subsequent conversations with colleagues and vendors since.

1. **Adoption / Awareness / Education of Existing Projects**
2. **Enterprise Search Selection / Implementation**
3. **Client / Business Development-Focused KM**
4. **Fixed Fee / Financial Transparency to Clients**
5. **Matter Management Projects**
6. **Strategic Planning for Following Year**
7. **Intranet / SharePoint Implementations**
8. **RSS Feed / News Management Projects**
9. **Changes to DMS**
10. **Focus on Demonstrating ROI / Value of KM to Management**

It probably comes as no surprise that adoption, awareness and education of KM projects top the list. Who hasn't struggled with these challenges? Perhaps this is the ideal time to “get the word out.” If you have any tips or success stories, please share them on the ILTA KM Peer Group E-Group.

Also included in the top five is Enterprise Search — perhaps the “holy grail” of KM and matter management — two topics that will be covered at conference in

several tracks: KM, Enterprise 2.0 and Information Management. Client-focused KM has been discussed in recent years and now has a broader context and greater impact in a legal marketplace that is more seriously focusing on the options of fixed fee and alternative billing arrangements.

Perhaps slightly surprising (at least to some) is the notion of synching with businesses development and marketing initiatives. This has become a natural synergy to many U.K.-based firms who employ Professional Support Lawyers (PSLs). The role of a PSL includes drafting know how, precedents and standard forms. They work on IT-specific projects such as setting up internet dealrooms and developing a firm's information/knowledge base and intranet. In addition to these projects, PSLs also engage in marketing and business development activities for their assigned practice groups such as producing newsletters for clients, assisting in marketing events, arranging client seminars, and building relationships with speakers.

Apropos of the synergies with our marketing colleagues, we are co-hosting a lunch with the Marketing Technologies Peer Group. Stay tuned to the e-group and the ILTA website for more information so you can join in the conversation.

Where does your firm/legal department fit in? Does this accurately reflect your projects this year? Please let us know. You can find members of the steering committee or post a message on the e-group at [iltanet.org](http://iltanet.org). And we hope to see you at the ILTA '09 conference. **ILTA**

*Note: Many thanks to Matt Todd at SV Technologies for his conversation and insight.*

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## ABOUT THE AUTHORS

**KATE EGINTON** is the Director, Know How, at Mallesons Stephen Jaques and has been involved in the development of the department and the various knowledge tools that support the firm's lawyers. Her current focus is on leveraging internal knowledge management tools for the firm's clients. Kate also has a background in education which she says has assisted her in both the change management and communications aspects of her role. Kate can be reached at [kate.eginton@malleasons.com](mailto:kate.eginton@malleasons.com).

**DAVID HOBBIE** is the Litigation Knowledge Manager at Goodwin Procter LLP, where he helps trial lawyers find and share information about matters, work product and people. David also evaluates new technology potentially of use to the Litigation Department (though not e-discovery). He is a member of the Massachusetts Bar, and was a practicing litigator for eight years. Opinions expressed are his own and do not reflect the official position of Goodwin Procter LLP. He can be reached at [dhobbie@goodwinprocter.com](mailto:dhobbie@goodwinprocter.com).

**STEVEN LEVY** has been part of the high-tech industry for almost 30 years. He currently heads Lexician, where he helps law firms and law departments get return on investment from their technology and their projects. During his 17 years at Microsoft, Steven headed the legal technology team and was a Principal Consultant in Microsoft Consulting Services. He also managed development of Microsoft's largest IT systems and ran multiple Microsoft product groups. Steven is the author of the forthcoming book, *The Ten Laws of IT: How IT 3.0 Can Deliver Happier Users, Successful Projects, and Fiscal Sanity*. He can be reached at [steven.levy@lexician.com](mailto:steven.levy@lexician.com).

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**MARA NICKERSON** is responsible for Professional Development, Knowledge Management and the library at Osler, Hoskin & Harcourt LLP in Toronto. She can be reached at [mnickerson@osler.com](mailto:mnickerson@osler.com).

**AYELETTE ROBINSON** is the Practice Resources Attorney at Morrison & Foerster LLP in Palo Alto, California. She is responsible for the development and implementation of the firm's knowledge management and practice resources systems. She is ILTA's Silicon Valley City Representative and can be reached at [ayeletterobinson@mof.com](mailto:ayeletterobinson@mof.com).

**LYNN SIMPSON** is the Knowledge Manager for DuPont Legal and Six Sigma Master Black Belt. In her role, she is responsible for maximizing the use of available tools and developing sustainable processes for getting "the right information to the right people at the right time." Lynn has been trained as a Master Black Belt with hopes to be certified soon. She can be reached at [lynn.a.simpson@usa.dupont.com](mailto:lynn.a.simpson@usa.dupont.com).

**BOB TENNANT** is the Chief Executive Officer at Recommend, where he is responsible for all operational and strategic business initiatives. Prior to joining Recommend he served as the managing director of Swiftsure Capital and in senior positions in the Java Software division of Sun Microsystems, where he led the marketing of the Java platform into consumer electronics. Bob came to Sun through the acquisition of Beduin Communications, "one of Canada's hottest start-ups" in the Fall of 1998. Bob was a co-founder of Beduin and served as CEO and President until its acquisition. He can be reached at [bob.tennant@recommend.com](mailto:bob.tennant@recommend.com).

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