

KM Legal 2011

Thoughts on the themes emerging from the conference

It was good to have the opportunity to attend KM Legal this year and to facilitate one of the breakout sessions on social networking tools. The conference agenda was heavy, but there were many interesting sessions and lively discussions. Here are some thoughts on a few of the themes emerging.

Legal Process and Efficiency

It's not a new theme, but it did seem that more firms were now taking the issue of efficiency (both in the legal process and in support functions, including KM) seriously. The knowledge function has an important role to play in reviewing the legal process as do clients, who can provide a different perspective on whether the efforts of law firms are being directed properly to activities that the clients perceive as valuable.

Several of the presenters started with a background slide describing an environment of pressure on fees, client demands and the reforms being brought about by the Legal Services Act by way of background to the initiatives being undertaken within their firms. And at least one of the presenters dared to confess that the result of a process review was likely to be a change to the shape of the pyramid structure within law firms.

Of course this has to be right – if a review of the way in which a type of legal work is handled results in the conclusion that parts of it (maybe large parts) could be delegated down to a more cost-effective, and possibly not legally qualified level, the logical consequence is that fewer qualified lawyers are needed, unless the firm can dramatically increase the amount of work it brings in. This is an unpalatable conclusion which firms have shied away from, and in some ways it ties in with another theme discussed at the conference, namely,

The role and structure of the KM team

There were some interesting discussions about the traditional law firm KM structure, with PSLs being managed within practice groups, but possibly with a dotted line report to a central KM function. This structure has allowed the situation to prevail where KM is seen as a 'nice to have' and in an era of cost cutting, practice areas have been inclined to consider whether they can afford the luxury of a PSL. To my mind this indicates that we as KM professionals have failed to convince our colleagues that knowledge management is at the heart of legal practice. In many ways this is probably because we have not always moved with the times sufficiently, and have been too happy in our comfort zone, writing bulletins and standard documents, rather than trying to challenge and transform the way in which legal services are delivered. Getting out there, diving into the detail of exactly who is doing what in the context of particular matter types (and how long they are spending doing it), as well as suggesting ways in which delivery could be improved should be key parts of the role.

Interesting and contrasting comments came from a UK based international firm which does not have PSLs, but manages to achieve a level of fee earner engagement with knowledge management which many firms would envy, and also from an American firm seeing a distinct rise in the number of PSLs in New York.

No doubt in many firms fee earners subconsciously think they needn't worry about knowledge because there is a KM team to do that. However, some firms seem to be getting a better level of engagement with the use of social networking tools, which was another key theme of the conference.

Social networking tools to transform KM

Some dramatic examples of the use of social networking in the KM context were presented, as well as some more modest inroads. For me the interesting question was how these tools had impacted the traditional know how database tools that were in place. When KM teams have spent years trying, and largely failing, to persuade fee earners to contribute to a knowledge bank, it seems that in the right context, using a wiki to share knowledge on a particular topic garners engagement much more easily. Although there will still be many lawyers for whom the idea of online collaboration is alien, there are a growing number who are very willing to engage.

This presents such a contrast of approach that many people steeped in KM for decades find it hard to adjust. The traditional approach – at its extreme involving building complex databases around an all-singing, all-dancing worldwide legal taxonomy – has been heavily labour intensive and, even where it has produced tools that lawyers can work with, has created substantial barriers to adding new material. That approach has started from a desire to create structure, to organize and categorise, whereas the ethos of social networking tools is to create something just because you can, even if it doesn't encompass every problem and every situation. I share the concern that these social tools may be creating a monster which will be hard to tame, and without some careful management and clever search tools we will find our lawyers unable to find the right nuggets of knowledge when we need them. However, we can no longer push a 'one size fits all' approach and the role of the KM team is to ensure that the firm gets the greatest possible benefit from the multiple approaches that may work for different lawyers.

There were many other interesting topics discussed – and because several were in parallel sessions it was not possible to be involved in all of them. I have not named any of the speakers in the discussions above, for fear of missing someone out, but it should be said that there were some excellent and insightful presentations. The conference agenda can be found [here](#).

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