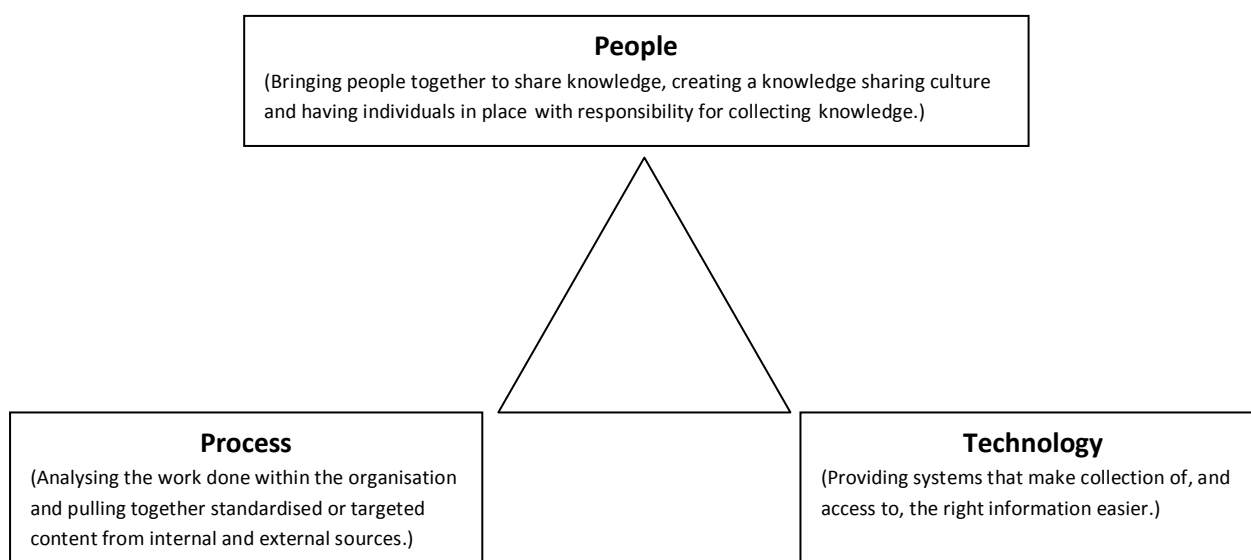


Know How Systems – Is Technology the Answer?

Melanie Farquharson, 3Kites Consulting.

This article first appeared in the KM Systems supplement of Managing Partner (www.mpmagazine.com) magazine, January 2008.

Much ink has been split in trying to analyse the way in which lawyers should approach knowledge management (KM). The theory is one thing, but its application in practice is often quite another. In our experience there are three fundamental angles to KM in a professional organisation:



Whilst there is a degree of overlap between these angles, different firms have concentrated on different corners of the triangle. Historically the American firms have been less interested in the people aspect and more in the technology aspect, in some cases hoping for the 'killer app' that will solve the problems of KM in a single bound. However, increasingly firms on both sides of the Atlantic are viewing all three angles as important.

People

However good the processes and technology may be, people still remain the key to successful KM. Unless people engage with the systems put in place, those systems will make little difference. This is why it is so important that knowledge management initiatives are business-led and based on a strategy that delivers value to the professionals in the context of their work. This is very easily said, but in practice it is commonly overlooked resulting in systems being implemented which do not take account of the way the users work and a lack of take up of those systems.

Some of the most effective means of knowledge sharing rely only on very simple forms of human interaction: group meetings where recent matters and lessons learnt are discussed, close mentoring and coaching of junior staff, a willingness to respond when a colleague needs to talk through a difficult issue. Knowledge Management initiatives can build on these interactions to ensure that the knowledge is spread more widely, but unless individuals are willing in principle to share their intellectual capital it is hard to deliver real success. It requires the people at the top of an organisation to endorse a culture of knowledge sharing – and indeed of technical excellence, for which knowledge sharing is a pre-requisite – if others are going to adopt the required approach.

It is a mistake to think that the mere fact of employing a KM team, such as a team of information professionals and Professional Support Lawyers in a law firm, is sufficient to ensure proper knowledge management in an organisation. Both the general culture and the management and leadership of the KM team must be right if they are to be effective.

Process

When one looks at the general literature on knowledge management, there is much talk of ‘processising’ the way in which people work. Call centres where operators can deal with different types of query or transaction by systems that interactively provide them with on-screen prompts and questions are often cited as shining examples. Whilst lawyers are unlikely to see immediate parallels between their work and that of call centre operators, those call centres are merely examples of gathering key information together and making it accessible to the user at the right time. Many of the case management systems used in firms handling bulk work such as personal injury operate along similar lines.

In the legal context, gathering together the right kind of material (both internally generated and external) so that it is accessible to the lawyers when they need it is a key aim. Processes to ensure that this happens are therefore important. This may involve individuals spending time writing or collating material (such as standard form documents), or organising and applying metadata (“tags”) to key items of content so that they can be found easily when needed. The devil is in the detail here. Maintaining the right tags and using them consistently requires constant attention. In addition, drafting a standard document is one thing, but having it endorsed and used by all the members of the relevant practice comes back to the people issues again.

The firm’s wider administrative processes have a bearing here too. The client and matter inception process can help to categorise information, so that a lawyer needing to provide an estimate for a licensing matter in the pharmaceutical sector can readily identify previous similar matters, see how much was charged for them, contact the lawyers who worked on those matters and even have access to the documents generated, which may provide useful precedents for the new job. Further, the firm’s appraisal process will have a significant bearing on the knowledge sharing culture within the organisation, depending on the extent to which those who share knowledge are rewarded (and perhaps more significantly, those who don’t are not).

Technology

Technology advances constantly and in recent years the advances in search technology have made an enormous difference to the way that IT can contribute to knowledge management. Whereas ten or even five years ago most lawyers focused on databases and metadata, now search tools such as Autonomy, Reconnind and Concept Searching can help lawyers to find relevant material spread across a variety of different sources within the firm and can identify common themes across the sources. This is an area that many law firms are investing in, and the arrival on the market of Interwoven's new search tool, Vivisimo, is an interesting development which is provoking a lot of comment (although Open Text can claim to have had an enterprise search tool embedded in DM for many years).

This does not mean that tagging is no longer important. The better the firm's ability to tag or categorise information, the more powerful the search tools will be in linking relevant information from different sources. Again technology can now help. If the firm's matter inception process identifies the type of work each matter relates to then every document in the document management system filed under that matter can inherit a 'tag' of the relevant work type. If the client's industry sector is also identified at the inception stage, then you already have some powerful tools in finding useful know how for the lawyer at the point of need.

In addition, the newer breed of search tools can help in suggesting appropriate tags for materials identified as having particular know how value. Their sophisticated linguistic analysis can extract key concepts from the text and suggest topic tags, either in free form, or from a controlled vocabulary of terms used within the particular organisation.

The Way Forward

Developments in technology are inclined to generate a lot of interest and discussion, and the latest software tools can help lawyers take real strides forward in managing knowledge. However, our warning would be not to neglect the people or the process angles, if technology investment is going to deliver an adequate return.

Melanie Farquharson was a lawyer for 20 years and is now an independent consultant with 3Kites Consulting Limited (www.3kites.com).