

Trends in law firm knowledge management - the next generation

We are not out of the woods yet. Although law firms felt the impact of the economic downturn severely during 2009 and 2010, many hoped that sooner or later everything would 'get back to normal'. In my view this is not going to happen. Although the last two periods of downturn saw legal work in the commercial sector drying up, this time the lack of work has been accompanied by even greater pressure on charging rates than before. The chances of clients suddenly being willing to pay pre-recession rates again seem slim. Moreover, clients are focusing increasingly on how efficiently their law firms operate. So firms are having to take very seriously the notion that profit margins will remain under pressure and this is causing many of them to look very closely at how they deliver legal services, identifying inefficiencies and taking steps to eliminate them. Knowledge management has a key role to play here not only in ensuring that lawyers are not 'reinventing the wheel' but also enabling work to be delegated to less qualified staff whilst managing risk.

Clearly knowledge management at this level is about more than just systems and technology. It often demands some fundamental changes to the way legal work is staffed and delivered. However, technology has a role to play. Whilst law firms have for a long time relied on databases and search engines as part of the KM toolbox, the technologies that are now available can assist knowledge management in increasingly sophisticated ways.

From know how databases to search

In the nineties and noughties many law firms invested in the creation of know how systems which were essentially databases of material collected from around the practice and, to a greater or lesser extent (depending on resources), categorised and cleaned up for reuse. The risk was that these systems became an industry in themselves, with increasingly complex taxonomies of categories and subcategories and disconcerting enquiry functions, such that the lawyers at the front line struggled to find anything useful from them. Google became more and more attractive as a simple way of finding answers, often with little regard for the reliability or currency of the information found.

Many of the KM systems implemented during this time remain in place, often unloved and unused (one client told us how their system was down for a month and nobody noticed). However, in the last five years, such systems have been joined, and sometimes replaced by, search products like Autonomy, Reconnind and Solcara which are able to provide an alternative approach. Rather than gathering documents together in specific know how databases with complex taxonomies, search engines are able to seek out information from any internal repository, in some cases along with external resources such as LexisNexis, Westlaw and PLC. Search tools can now perform sophisticated functions, retrieving information in a user friendly way, and enabling lawyers to refine their search results by reference the properties of the items retrieved (date, author, document type etc). Not only can search tools match the precise words searched, some can also identify related concepts and people within the results list and allow these to be used to refine results further. When these features were first available lawyers were understandably sceptical as to whether software could analyse information with the degree of sophistication they require. That scepticism is now diminishing as the software gets better, and the scope for it to generate real efficiencies in law firms increases dramatically.

What's more, the ability to use a search engine across a number of different information sources opens up new possibilities. No longer does the lawyer need to know their way around a large number of sources and applications – and let's be honest, most practising lawyers have little patience with the intricacies of systems they don't use very often. Pockets of information that have

previously been a black hole somewhere in the firm can now be opened up - and joined up in a coherent way. Furthermore, certain time consuming processes, like the maintenance of expertise databases and the manual categorisation of material, can be made more efficient – not necessarily to exclude human intervention, but to give that intervention a head start. Search engines are most effective, however, when accompanied by carefully managed categorisations, not only in terms of practice areas and legal topics, but also in terms of document types, industry sectors etc. Careful mapping of these categorisations between and across systems pays dividends in terms of the user's ability to slice and dice their search results.

A firm's document repository (which will often be a document management system, or DMS, such as Autonomy iManage or Open Text DM) is the most obvious place to store know how items such as cleaned up model forms, articles, and the like. Here, they will sit alongside a firm's working documents, enabling lawyers to access both from one place. Often the most sensible approach is to create a library within the DMS, with the capacity to hold know how specific categorisations. A topic taxonomy can be created to hold know how items such that lawyers can navigate through a known (and hopefully simple) structure to find what the firm has identified as know how and best practice in relation to a specific topic. This taxonomy might be lifted from an existing KM system on the basis that it is already known and understood (unless that taxonomy was overly complex, such that a lack of comprehension was part of this system's failing).

In addition, submission of items for consideration as know how can be supported with a simple tick box on the DMS profile form. Searching for items marked in this way will highlight any new submissions, allowing knowledge professionals to assess each item accordingly.

Knowledge Management in the teens

Knowledge management is unlikely to move back to the isolated systems of the last 10-15 years whilst all else is moving towards integration. On the contrary, KM should be seen as the key component that will form the backbone of future systems as it helps to tie the previously disparate systems together. This will help to bring a more consistent, best practice approach to a sector that will need to gear up in order to match the changing expectations of a client base that requires lower costs without impacting on quality.

As search is embedded into the way firms operate, the social networking revolution is now starting to have an impact on the way firms manage knowledge, with collaborative tools such as wikis providing the mechanism to capture those informal 'water cooler conversations' which can be so valuable. The next challenge will be managing the body of knowledge collected in this way and presenting it to a search engine so that its content can be made available easily alongside more traditional items such as precedents and research notes.

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