Biography

Martin Farley is the Intellectual Property/Information Technology Librarian at Freshfields Bruckhaus Deringer in London. Before that he worked as an Information Officer at Linklaters for 3 years and as a Library Assistant in Edinburgh City Libraries for 3 years prior to that.

He has written about wikis before for the *Journal of Intellectual Property Law & Practice*, while also appearing on a radio discussion programme on wikis for the Legal Talk Network in the USA. Martin is currently working on a chapter on collaboration in law firms for the book, "*Blogging and other Social Media: Technology and the Law*", which, of course, is being written collaboratively on a wiki (see: http://humanlaw.pbwiki.com/).

Bird & Bird: Our Approach to Knowledge Management

Abstract: In her Conference presentation Kathryn Pearson discussed Bird & Bird's approach to Knowledge Management (KM). She considered the skills needed to become a legal knowledge manager and how these differ from those needed in Library and Information Services (LIS). She reviewed the merits of KM and the firm's approach to KM from three angles: people, process and technology, giving examples from recent KM projects.

Keywords: Knowledge management; law firms

From LIS to KM: what makes a (legal) knowledge manager?

Having made the move from information officer to knowledge manager relatively recently, I have spent some time considering the skills required to fulfil successfully the role of legal knowledge manager. Do they differ discernibly from the skills set necessary for an LIS role and, if so, in what way?

As an information officer at Freshfields I had a very well defined area of expertise. Principally, my knowledge of legal and business databases. I knew exactly which databases were available, what they covered and how best to search

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them. I also understood the pressures fee-earners were under and was able to respond promptly and efficiently to requests for information. I was the dedicated information officer for the competition practice group, which meant that I was able to build up a detailed knowledge of competition law sources and relevant sectors (such as the regulated industries: electricity, gas and water).

Dealing with research requests every day gave me an insight into the day-to-day business of the firm. I knew what deals the competition group were working on (as well as other practice groups), what types of legal issues the lawyers were researching, and also how they were using

the information resources available to them (assuming they were using them at all!). This kind of experience was very useful, as my role also included working on knowledge management initiatives, such as the development of a discussion forum for the competition group and the building of a new firm wide KM system.

So, does the skills set of a knowledge manager differ in any way?

The KM team at Bird & Bird recently held an internal KM conference. In one of the sessions we brainstormed on the skills needed to become a legal knowledge manager. It was interesting to me that at least half of the skills we identified were in fact fairly general rather than specific to KM. The obvious exception being the need to have a thorough understanding of core knowledge management principles and the legal professional services environment.

We divided up the skills into three sections (illustrated at Figure 1) to show the distinction between the general skills needed by a knowledge manager, and also those specific to a legal knowledge manager. In addition to an understanding and an interest in knowledge management theory (middle of diagram), we discussed how essential it is to develop a range of 'softer' skills (left-hand side of diagram), which are important to identify, plan and implement KM initiatives.

My experience at both Freshfields and Bird & Bird has shown that successful KM initiatives must have input from both lawyers and other departments (business development, finance, library). Consequently, the ability to build relationships within the firm would seem to be a pre-requisite for working in knowledge management.

Many of the skills listed on the left of the diagram are general skills, necessary in a multitude of roles. For a knowledge manager these skills are required to demonstrate the value of KM and to achieve buy-in to the KM strategy across the firm.

To work in *legal* knowledge management, however, adds a further element to the skills set. This is highlighted on the right of the diagram. Without experience of law firm culture, it is very difficult to appreciate what pressures a lawyer faces. Empathy with fee-earners is crucial, (as it was when I was an information officer). A knowledge manager who is unable to understand the pressures of fee-earning will not be able to address needs adequately, much less achieve fee earner buy-in.

So for me, this diagram goes some way to explaining what skills are needed to be a legal knowledge manager and at the same time highlights the challenge that goes with it. I no longer have a defined area of technical expertise, in the way I did when I was an information officer. Rather I need to broaden my range of skills to think strategically and encourage knowledge sharing across the firm.

Why do we do KM?

Before going on to consider our approach to KM, it is worth briefly considering *why* we do KM. KM should not be done for its own sake. We do KM for the bottom line.
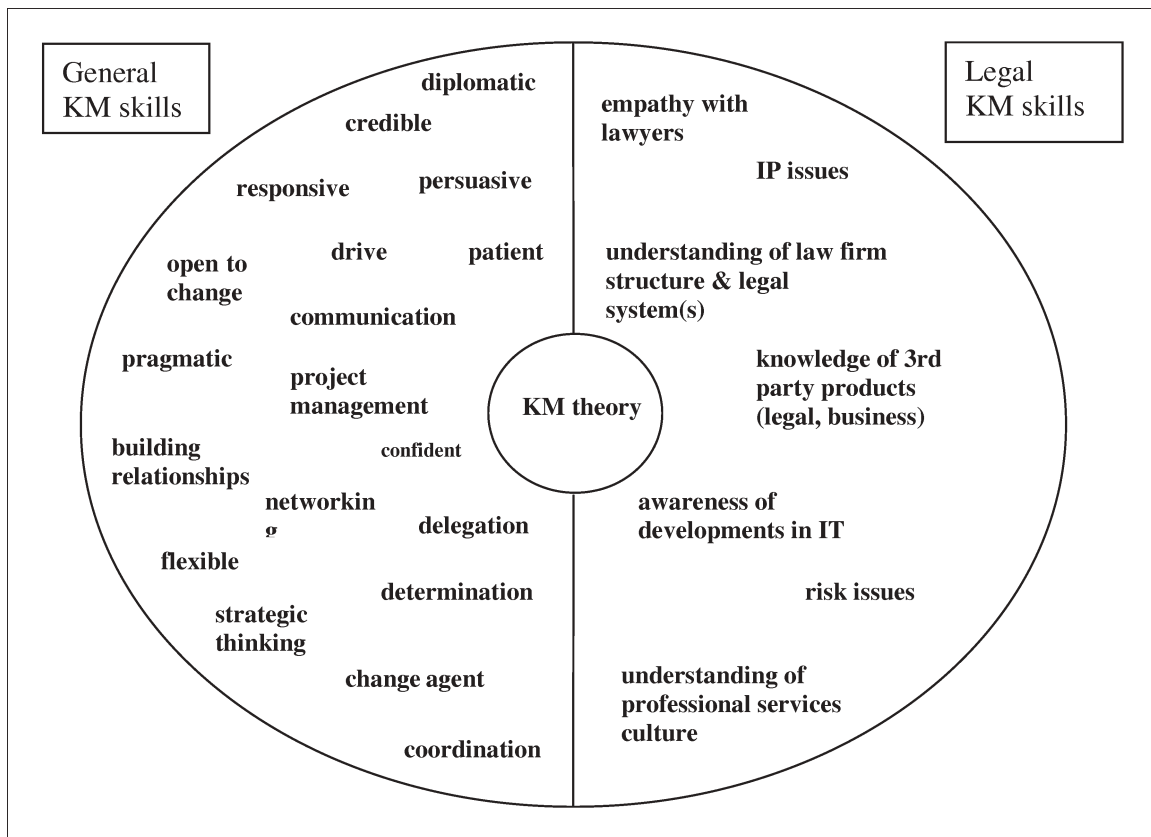

Figure 1: Skills needed to become a legal knowledge manager

Effective knowledge management can deliver many benefits. As well as saving time by preventing lawyers from having to 'reinvent the wheel', it can also help to minimise risk by ensuring that lawyers have access to the right information at the right time. Many clients (and lawyers) now demand a certain level of professional support, so KM can play an important part in both the business development and recruitment process by addressing this need.

The question of how you can actually measure the value of KM is one that is often debated. How do you work out the return on investment of a particular KM project? Whilst there are a number of articles that discuss how (or even if) law firms are able to measure the value of KM, my experience is that if you deliver a successful KM project, people tend not to ask detailed questions about return on investment.

How do we do KM?

People

Our KM team acts as a consultancy to find the best way for each practice group to achieve the firm-wide KM goals, which are developed in consultation with the lawyers and in line with the business strategy. This means that we:

i) Work closely with the practice groups and offices to implement KM strategy according to the culture of each group;

ii) Co-ordinate knowledge creation and sharing across the firm, and;

iii) Work with IT to identify and, if necessary, develop systems to support KM strategy.

This approach gives us the flexibility to tailor KM initiatives to specific groups within the firm, under the overall framework of the firm-wide KM strategy. We keep in mind 'scalability' when considering tailored KM solutions. Initiatives that are primarily aimed at a particular group may also be appropriate for other departments across the firm. Taking a broad view, and keeping in mind the needs of other groups, allows us to make the most of our resources.

We listen to our lawyers' ideas for knowledge sharing and respond accordingly. Flexibility and responsiveness are key to gaining the support of the lawyers. Meeting enthusiasm with enthusiasm also goes a long way to maintaining momentum for KM initiatives. KM departments which are too slow to respond to new ideas risk losing the support of those groups. Once lost, support and credibility is difficult to regain.

Challenges faced by knowledge management departments are fairly similar across the board: demonstrating the value of KM to busy lawyers and achieving buy-in to KM initiatives. This is where the skills outlined earlier are important. Knowledge managers who are able to build

relationships across the firm, listen to lawyers' ideas and respond accordingly are far more likely to be successful in their attempts to bring about knowledge sharing.

Process

Davenport & Short (1990) define business process as "…a set of logically related tasks performed to achieve a defined business outcome." If a law firm's greatest asset is its knowledge, then it follows that a knowledge manager needs to be able to evaluate any process which can enable the sharing, and ultimately leverage, of that knowledge. At its best, good (KM) business process can improve service levels and quality of work for clients by improving the efficiency of lawyers and ensuring they have access to the right information, or the right person to contact for such information. It also helps to manage risk by building in procedures to ensure that lawyers are complying with policies such as copyright and anonymisation.

When considering how to implement process initiatives, it can be helpful to differentiate between 'process improvement' and 'process innovation', as outlined by Davenport (1992). Davenport focuses on the difference between initiatives that improve existing work processes ('process improvement'), as opposed to radical projects that aim to introduce an entirely new way of working ('process innovation'). Understanding what type of process you are dealing with helps with planning and resourcing, because process innovation requires a quite different skill set from process improvement.

Process improvement	Process innovation
. existing process	. "clean slate"
. incremental	. radical
. short time-frame	. long time-frame
. one time/continuous	. one time
. bottom-up	. top-down
. moderate risk	. high risk

Figure 2: Davenport & Short – Differences between process improvement & process innovation

My experience so far is that most process-related KM work in a law firm is 'process improvement'. That is not to say that we do not have some 'process innovations' in the pipeline!

A recent example of improved process is the way our lawyers submit content to our internal know-how system, Solutions Lab. Our primary objective in evaluating the existing submissions process was to increase knowledge sharing across the firm. We aimed to do this by simplifying, speeding up and automating, where appropriate, the submission process. We were also keen to look at how we could empower lawyers to increase their sense of ownership of Solutions Lab. Often, know-how repositories are seen as something static, administered by a 'back office' function, i.e. something that is someone else's responsibility. A process that enables lawyers to contribute their knowledge easily directly to

the system, is likely to encourage them to feel part of the knowledge sharing process.

To improve the submissions process, we first had to break it down into separate steps to identify redundancies and to consider where automation was appropriate. Looking at each step in detail also gave us the opportunity to re-assess risk issues, such as copyright and anonymisation, and ensure that the measures in place were still adequate and appropriate. Although (at the time of writing) we are still in the pilot testing stage, we have already had good feedback from the lawyers, including suggestions for future improvements. What is clear is that the new submission process is much more user-friendly than the previous manual process.

Technology

We work on the principle that IT should enable our KM strategy, and not dictate it. What does this mean in practice? Simply that just because technology makes something possible does not mean that it is appropriate. We consult with the lawyers to understand fully their needs and ensure that, where used, technology fits our needs rather than fitting our needs to technology.

When we plan any KM initiative we identify the business need and the benefiting user group, and then scope out requirements. It does not always follow that the same business need across different groups results in the same solution.

For example, a cross-border practice group may identify the need for informal knowledge sharing and capture, which in this context may be the type of information typically shared in group emails (e.g. 'Who has experience of …?'). A potential solution may be a blog or discussion forum with email alerts. By contrast, technology may not be an appropriate solution for a small national practice group in the same office. In this case, it may be more better to locate the practice group on the same floor with an informal meeting area.

If we think a technological solution is appropriate, we first evaluate any 'off the shelf' products on the market. Where there is a suitable product, we go with that. Where there is nothing 'off the shelf' that suits our needs, we take the decision, in conjunction with IT, to build in-house. In both cases we involve lawyers in testing any products we consider.

In response to lawyers' requests, we recently incorporated a new search into our bespoke firm wide KM system. The KM and IT teams looked initially at a number of search engines. Once we had decided on the best product for our needs, we asked the lawyers to test the search and give us their feedback. We continued to work with lawyers across the offices to consult on the design of the search interface and functionality.

This experience demonstrated to me that it is crucial to get end user input early on in the project. Talking to the lawyers at the preliminary stages enabled us to ensure that nothing was overlooked. Continued consultation throughout the project also gave our lawyers a sense of ownership, and means they will use the system. Initial feedback on the new search is extremely positive and we are now looking at requirements (based on business need of course!) for phase two.

Looking ahead

So what skills will a legal knowledge manager need in the future? All of those identified above. However I think the ability to stay close to the business is key. A knowledge manager who fully understands the culture of the firm, and who is able to successfully liaise with lawyers and business support departments across the firm, is most likely to bring about improvements in knowledge sharing.

References

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Biography

Kathryn Pearson joined Bird & Bird's central knowledge management team in December 2006. She has an M.Sc. in Information Management from Sheffield University and is also a chartered member of CILIP (Chartered Institute of Library and Information Professionals). She started her career at Freshfields Bruckhaus Deringer where she gained experience of legal and business research, and worked on KM initiatives such as setting up a practice group intranet and discussion forum, before moving on to work in the research team at KPMG. Kathryn now helps to oversee the implementation of the firm's knowledge strategy in Bird & Bird's London office and most recently she worked on the development and roll-out of the firm's new know-how and know-who (expertise locator) system.