

Starting with the basics: KM for lawyers

By Judith Lamont

Lawyers can now select from a growing number of technologies that help them serve clients and enhance their own skills. Firms are developing enterprise architectures and content management systems that pave the way for knowledge management, while e-learning and high-tech courtroom training allow lawyers to boost their expertise in specialty areas of the law and in using computer technology to present their cases.

Foundation for KM

Law firms wondering where to begin their knowledge management initiatives should start with the basics, according to [Hubbard One](#) co-founder John Fish. "Every attorney should be able to access highly reliable information on its attorneys and staff, clients, billing, customer relationship management and news items delivered in a consistent view," advises Fish. It may seem surprising, but such consistency is still the exception. As in other organizations, information silos are often the rule at law firms. A client may inform an attorney about an address change, for example, without routing the notification through the law firm's front desk.

No one would contend that a good address database constitutes a knowledge management system, but rationalizing basic client information is a mandatory step for building one. The same principle applies to in-house information such as attorney expertise. A company should have one authoritative source on employees, beginning with name and phone number as well as a description of each individual's areas of expertise. When changes are made, they only need to be made once, and when the information is presented in different environments--intranet, extranet or Web site--it will always be the same. Inconsistent information at the front end generally reflects poor integration of back-end systems. In fact, much of the information needed to populate KM initiatives is already present in databases, but these databases must be integrated with each other. [Kirkland & Ellis](#), a law firm of more than 800 attorneys in five geographic locations, wanted a platform to communicate both within and outside of the company.

"We wanted to build a rich system that profiles the expertise of our lawyers," says Karen Braun, chief marketing officer, "as well as to establish a way for our lawyers, staff and clients to communicate effectively."

Kirkland & Ellis chose Hubbard One's H4 technology to establish an application framework within which a variety of enterprise systems could be leveraged. H4 is a software tool that structures and integrates data from existing systems and provides an application development environment. "The ability to use what we already had was appealing," notes Braun.

Kirkland & Ellis began by integrating its HR information into its Web architecture and reconciling 10 different attorney and staff lists into a single one maintained in a centralized database. Now, the company can instantly locate an attorney with experience in a specific practice area, an affiliation with an academic institution, proficiency in a foreign language or any other characteristic. In conjunction with the launching of the first phase of the intranet, Kirkland will deploy a fully integrated, firmwide document management system. For example, the library staff is identifying research sources that are most critical in supporting the attorneys' activities. Attorneys will be able to link to relevant documents and databases regardless of their location. Later phases of the Web architecture implementation will incorporate extranets that provide clients with access to information relating to their cases.

"The overall goal is not only to provide accurate content," points out Kent Zimmermann, VP of Hubbard One, "but to allow the creation of meaningful relationships among different elements of that content." For

example, if a CRM system is integrated, business development can be driven by information derived from the CRM that reflects clients' needs and priorities.

"Good knowledge management could also prompt certain positive actions by triggering business rules," suggests Zimmermann. "For example, a client who reaches a particular threshold of revenue might get an additional level of care, such as an automatic news clipping service." The KM initiative may begin with simple steps such as a database of client information, but can move dynamically to a much more sophisticated level.

Hubbard One's approach is to provide a road map for a KM vision, and then implement the system in small steps that allow validation of the investment as the client moves ahead. Zimmermann believes that such an approach can achieve significant results in a cost-effective manner. A recent study by [Curve Consulting](#) indicates that although leading law firms identify KM as a key business driver, most do not provide sufficient management support to achieve the desired objectives. Providing a steady sequence of recognizable improvements can help significantly in ongoing management support.

DM to CM

Law firms were early adopters of document management (DM), but some products did not become Web-enabled quickly enough to meet the growing need to share content over the Internet. [iManage](#) capitalized on that need by developing WorkSite, a Web-based collaborative content management solution that has captured 90% of the legal market for new DM systems purchased by top law firms over the past three years. WorkSite includes traditional DM capabilities such as version control and archiving, but also provides collaboration and business process automation via a portal interface.

[Winthrop & Weinstine](#), a Minnesota-based law firm with a significant practice in legislative lobbying, implemented iManage to provide its clients with responsive, timely service. An important part of the company's activities is to keep clients up to date on legislative developments, but faxing hard-copy documents of the bills was expensive and slow.

Craig Wilson, IT manager for Winthrop & Weinstine, says, "We reduced the time to provide vital information from two weeks to an hour or less." Clients are notified by e-mail when a new development has occurred, and can link immediately via an extranet to the new content. "Security is a critical issue for us," adds Wilson, "and we have found iManage to be robust in this respect, with each user seeing only what their access rights allow."

A recent move toward matter-centric collaboration has added new value to content management in the legal profession. Although traditional DM systems allowed sharing of content from a central repository, the material was not organized to reflect an attorney's project-oriented approach.

"Lawyers organize matter in a very standardized way," says Keith Lipman, director of legal industry solutions at iManage. "By presenting all the relevant material for each client—including word processing documents, e-mail, billing information and images—in a single view, WorkSite mirrors the way that attorneys typically work." Authorized individuals can enter the workspace and read or contribute content. Thus, everyone on the team has easy access to a common set of materials.

Online education for lawyers

Although many continuing education courses for lawyers are available online from such organizations as Law.com (law.com), no law schools accredited by the American Bar Association (ABA) offer an online JD degree. A few ABA-accredited schools are offering master's degrees. St. Thomas University School of Law, for example, will offer a master's in International and Offshore Tax Planning this fall. Six of the courses to be included in the program were developed by International Business Law Services (IBLS,

ibls.edu.com), which provides information and counsel on legal issues relating to the Internet. Law schools have been hard pressed to meet the demand for courses on Internet issues, just as regulatory groups have struggled to keep pace with technology in promulgating new laws and interpreting old ones for a new environment. The course content developed by IBLS will be available to other law schools, and additional Internet-related courses also are planned.

Some of the content for those courses is drawn from a database that was the original core business of IBLS on Internet law. IBLS has taken an innovative approach to developing the database. First, the summaries are in nonlegal language.

“We believe that information legal issues will increasingly be delivered in business language rather than in a traditional legal format,” says Ana Penn, CEO of IBLS. In addition, the source of the summaries is a group of partners in law firms from 30 countries around the world. “The companies contribute content as a way of demonstrating their expertise in their fields,” says Penn, “which attracts clients who need their services.”

The subscription service is aimed at legal professionals, or business professionals whose firms have an e-commerce presence. Since the summaries are generated specifically for the database, they represent the capture of tacit knowledge that would otherwise exist only in the minds of the expert attorneys. Users of the service can link directly to the originator of the summary for further information or services. The database also links to laws and regulations dealing with the Internet. The information is organized by both legal category, such as intellectual property, and by country

As new summaries are prepared, the database that feeds into the courses also can be updated. Penn points out that many areas of law practice have evolved because of the Internet, such as cyber crime and e-commerce. With new developments emerging on a daily basis, having a mechanism to keep courseware current is both challenging and important.

Hands-on training in court technology

When an attorney presents a case in court, he or she presents the jury with a substantial amount of information that must eventually be converted into a decision by the jurors. Increasingly, computer technology is being used to support such presentations, sometimes in very sophisticated ways. Use of such technology can provide a more integrated view of information related to a trial and a clearer presentation of timelines, crime scenes and scientific information. According to a report by the [Federal Judicial Center](#), use of electronic information can reduce court time by 30% or more. On the other hand, jurors may be inappropriately affected by slick presentations, and care must be taken to ensure that animations accurately reflect the facts.

A new facility designed by [DOAR](#) allows attorneys to get hands-on experience in a high-tech courtroom. Located in Lynbrook, NY, the Digital Court Facility is designed for education and research as well as trial preparation. Funded by the town, the facility offers secure Web-casting, digital video capture of courtroom proceedings and videoconferencing. In addition to providing a training site for attorneys, the Digital Court Facility will provide a venue in which research can be conducted on the effect of technology on juror understanding and decision-making.

DOAR specializes in technology-based systems and services for judicial courts, litigation and alternative dispute resolution (ADR) markets. Its Court Division provides integrated technology for evidence presentation and courtroom communications in federal and state courtrooms. Systems developed by the division have been implemented in over 500 federal and state courtrooms, and are also being installed in law schools, law firms and government agencies. The Litigation Support and Trial Services division offers consulting services on the use of those systems and support services such as document imaging and management, graphics and animation for litigation, and electronic evidence management.

“Today’s jurors are too sophisticated to be taken in by slick technology,” maintains Samuel Solomon, CEO of DOAR, “but they can be put off by a trial lawyer who has not mastered the use of computer technology.”

The problem, he says, is that lawyers cannot easily hone those skills while on a case, so the Digital Court Facility provides a much-needed practice environment. Proficiency in the use of digital information is essential because the trial environment is highly dynamic. By the time closing arguments are presented, key issues may need to be reframed and information displayed with a different emphasis. A comprehensive plan for managing digital information is required in order to respond effectively in a fast-paced court environment.

Judith Lamont is a research analyst with Zentek Corp., e-mail jlamont@sprintmail.com.

KMWorld, September 2002, Volume 11, Issue 8