

# Baking KM into Everyday Workflow



## An Analysis of Knowledge Management Survey Data

**K**nowledge management is now firmly established in many law firms. Even before the recent round of pervasive law firm cutbacks, many KM professionals had to fight hard for sufficient budget and staff. Creative KM professionals have sought ways to “bake KM into the system” by soliciting those in other departments to contribute to KM through small changes or enhancements to their colleagues’ work.

In June 2006, Chris Boyd, Senior Director of Professional Services at Wilson Sonsini Goodrich & Rosati, and I explored the idea of tapping into existing law firm processes in our article “Powering a KM Windmill,” published in the June 2006 ILTA white paper, *Knowledge Management — Collaborative Expertise*. Three years and one economic crisis later, the time seemed right to re-visit this topic. Rather than rely on anecdotal evidence of how law firms power their KM windmills, I thought that a survey would provide a better way to answer our fundamental question: Are law firms baking KM into their processes?

### ABOUT THE SURVEY INSTRUMENT

In March 2009, I drafted survey questions and received valuable feedback and suggestions on them from Catherine Monte, Chief Knowledge Officer of Fox Rothschild LLP and ILTA KM Peer Group Vice President. In April, ILTA promoted this survey internally to its members, and bloggers brought in some non-member responses, with a final tally of 80 firms participating.

KM is still, not surprisingly, more prevalent in larger firms where two-thirds have at least one KM full-time employee. It is impossible to know if “selection bias” affects these results. This survey was open to anyone; it was not administered to a representatively chosen panel. That means all respondents chose to answer. Typically, this type of self-selection attracts respondents with an interest in the topic.

Readers should understand that both the interpretation and analysis of the survey results reflect my own work. I wrote this as someone who has been involved in KM since 1989 when we called it “work product retrieval.” The data I have chosen to present reflect what I think KM professionals and law firm managers will find interesting. Interpreting dozens of free-form text answers necessarily involves subjective judgment.

## DEMOGRAPHIC PROFILE OF RESPONDENTS

### Size of Responding Law Firms by Number of Lawyers per Firm

Number of Lawyers	Respondents
Fewer than 100	13
101 - 300	20
More than 300	47

It is not surprising that the majority of firms replying have more than 300 lawyers. In my experience, KM is mainly a big firm activity.

Country of Firm	Respondents
U.S.	59
Canada	14
Other	4
U.K.	3

The country mix reflects, I think, more about ILTA's current membership than about KM. In my experience, U.K. firms "do more KM" than U.S. or Canadian firms.

## SNAPSHOT OF KM STAFFING AND TRENDS

### Number of Firms with at Least One Full-Time KM Professional, Stratified by Firm Size

Size of Firm	No	Yes
Fewer than 100	7	6
101 - 300	14	6
More than 300	13	34

Having at least one full-time KM professional strikes me as a good indicator of whether a firm is committed to KM. Across all of the answers, about 40 percent of firms have no full-time KM staff. For some of the analysis, I have stratified results based on the answer to this question.

### Average KM and Practice Support Lawyer Headcount in 45 Firms with at Least One Full-Time KM Professional, Stratified by Firm Size

Size of Firm	Full-Time KM Professionals	PSLs
Fewer than 100	1.5	0.3
101 - 300	3.7	2.3
More than 300	7.3	3.0

While the bad news might be that there are still too many firms not doing KM, the good news is that those that are committed are devoting a fairly large headcount to the task. Though we didn't ask this question five years ago, I strongly suspect that the equivalent data would have been much lower then.

### Average KM and PSL Headcount in 45 Firms with at Least One Full-Time KM Professional, Stratified by Country

Country	Full-Time KM Professionals	PSLs	Ratio
U.K.	11.0	8.5	1.3
Canada	6.5	3.0	2.2
U.S.	5.7	2.2	2.5

- KM is still more firmly established in the U.K. and Canada than in the U.S.
- PSLs still play a much bigger role in the U.K. than in North America.

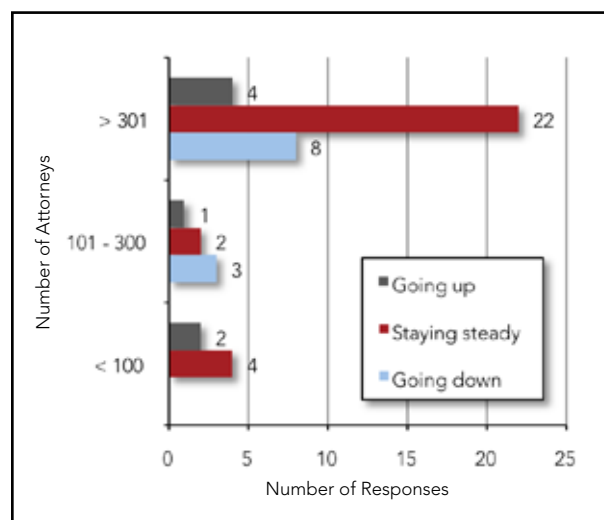
### Firms with at Least One PSL, Stratified by Whether Firm Has at Least One Full-Time KM Professional

Firm has at least one full-time KM Person	No PSL	One or more PSL	Total
No Full-Time KM	33	1	34
Yes Full-Time KM	16	30	46

- Not surprisingly, firms without a full-time KM person do not have PSLs.

- Among firms with a full-time KM person, two-thirds have at least one PSL. This surprised me, at least for the U.S., where PSLs have been slow to take root.
- Of the 46 firms with at least one KM full-timer, the total KM headcount is 273 and the total PSL headcount is 111.

### Budget Direction for Firms with at Least One Full-Time KM Professional



- It is more interesting to look at firms with at least one full-time KM professional as this is a proxy for commitment to KM.
- The survey asked about both headcount and budget. Because the answers to both questions were similar, I reported only budget here.
- The firms represented here that have committed to KM seem, for the most part, to view it as important. With the current state of law firm cutbacks, this is a notable bit of information.

### INGREDIENTS OF BAKING-IN KM

The survey asked two sets of questions about “baking-in KM.” One set asked about processes where a firm regularly captures KM information. The choices here were “yes” or “no” (*i.e.*, check the answer or leave blank). The other set of questions asking how firms bake-in KM were open-ended. These required that I categorize and interpret the responses.

### Does your firm have “processes” where it regularly captures KM information?

Docketing	17
Opening New Matters and/or Conflicts Clearance	30
Preparing Deal Books or League Tables	26
Professional Development	22
Any Others?	27

- The survey asked firms if they capture KM information in several fairly standard firm processes.
- Not surprisingly, the process that most frequently captures KM information is opening new matters and/or conflicts clearance. Over the last few years, I have had many discussions with KM professionals about the potential role of new matter intake to contribute to KM. Specifically, many KM professionals agree that capturing matter information such as industry and area of law at the point of intake can be very valuable for KM efforts.

### LIBRARY

KM Support Provided by Library, Stratified by Whether Firm Has at Least One Full-Time KM Professional (Number of Respondents and Percent of Row Total)

### Type of Support Library Provides for KM

	Firm does not have at least one full-time KM person		Firm does have at least one full-time KM person	
	#	%	#	%
Significant Support	4	12%	9	20%
Research	4	12%	14	30%
Some Support	13	38%	9	20%
Intranet/Portal	1	3%	2	4%
No Answer or Unclear	12	35%	12	26%

- The data here illustrate significant differences in firms with and without a full-time KM person (which lends support to the analysis above that uses this distinction as a proxy for KM commitment). The table shows — in both absolute numbers

and as a percentage — the role the library plays in KM in firms with and without a full-time person. In firms with a KM commitment, the library offers significant support or research in support of KM 50 percent of the time versus just 24 percent for firms without a commitment.

- The table above summarized text answers and so loses nuance. One of the individual answers struck me. Only a couple of firms indicate that the library is involved with precedent databases. Given that only 30 of 80 firms responding have at least one PSL, I found this surprising. Maintaining a precedent database is usually a high priority. This might suggest that the firm’s full-time KM staff support precedents on their own.

## SECRETARIES

### Secretarial Support for KM

None	57
Submit / Manage Docs	8
Help with Intake	4
Support KM Staff	4
Data Entry	3
Ad Hoc	1
Content Managers	1
CRM	1
Research	1

- In the 80 responding law firms, respondents for the most part answered that secretaries do not play a significant role.
- When Chris Boyd and I wrote “Powering a KM Windmill,” we discussed the potential role that secretaries could play in supporting KM efforts. Chris explained at a private legal KM meeting in early 2009 that secretaries at Wilson Sonsini do contribute significantly to the firm’s KM work. That seems to be the exception. In talking to other firms at that same meeting and in reviewing the survey results, it is clear that secretaries generally do little to support KM. Of course, whether that reflects work loads, a decision by firm management, skill mismatches or other factors is unclear.
- My own view is that law firms need to re-think the role of the secretary. Starting around 1991 when I was in a practice support function in a firm that had adopted

PCs for lawyers very early, it was clear to me that the role of secretaries had changed without any explicit guidance and that both firms and secretaries would benefit by consciously re-thinking what secretaries do. With most lawyers typing and with modern telecommunications, it was clear that the old role of secretaries had changed. Yet my firm — and none that I know of — reacted to this change in any meaningful way. In the last few years, I do see signs of firms grappling with secretarial roles, but much remains to be done. It’s not clear that KM professionals, or indeed IT professionals, can drive these changes, but forward-thinking managers who have a seat at their firm’s management table should — for the sake of their firms, lawyers, and secretaries — put on the agenda a re-think of what secretaries do and how other firms have handled the changing KM scene.

## INFORMATION TECHNOLOGY (IT)

For the most part, responses to the question of how IT supports KM are as one would expect: IT supports the tools and infrastructure for KM departments. I did find a few surprises:

- Some respondents left this answer blank or answered “none.” I assume that in these firms, KM controls its own IT resources, or that KM requires no support beyond that which IT would provide to any user.
- One firm’s IT department provides KM with business analysts; another one provides an “information architect.”

## MARKETING

### Marketing Department Support for KM

None	31
Some Support	31
Tag Matters	5
CRM	3
Expertise Database	6
Client Intake Overlaps	2
Integrated	2

- Starting about five years ago, the topic of KM working more closely with marketing came up frequently at KM meetings. We discussed the two departments working together on tagging matters, client relations management, expertise databases or competitive intelligence. The surprise for me here is the relatively few marketing departments that help in this way.

- About 40 percent of marketing departments provide no support and another 40 percent provide only some support. I classified a wide range of answers as “some support” and, overall, I assess “some” to mean “not much.” Examples of text answers I classified as “some support” include:

- Work together to support client and industry team
- Contribute marketing publications to KM department
- Marketing is on the KM committee
- Deal database support
- Logo design and announcement of new portal

## NEW MATTER INTAKE

### New Matter Intake Support for KM

None	50
Blank	10
Somewhat	9
Yes	11

As discussed above, new matter intake is a key process for KM. Only 20 responses indicate a contribution to KM. Astute readers will observe that the questions about processes indicated 30 firms capture KM information in new matter intake **or** conflict checks.

## CONCLUSION

The legal market does not appear to have reached “KM convergence,” that is, a shared and generally accepted answer as to what KM is. Answers to specific questions vary considerably, even accounting for how phrasing varies in open-ended questions. It appears that both what KM is and how to do it will vary significantly across firms.

I think one could say the same about law firm marketing. To some extent, this variance is true even for IT and finance. Some IT departments provide consulting and manage electronic data discovery, others do not. And some finance departments support business intelligence and others do not. My view is that KM inherently has “so many flavors” that it will never have the same degree of convergence we see across firms for IT or finance.

Though KM has not converged, it has taken root. A subtext of many KM meetings I have attended over the years is self-doubt about the role and value of KM. Self-doubt might still be there, but the survey results show that KM is well-established, more so than I would have guessed before I saw the results.

On the “baking-in” question, I am disappointed. Perhaps I am overly optimistic about how easy it is to work cross-departmentally, but I think firms are not doing as much as they could to take advantage of well-established firm processes. My read of the detailed analysis above suggests that many firms have an opportunity to enlist other departments to help with KM. I understand, however, the challenges of changing any firm process. Moreover, in these times, managers could be concerned about “making waves.” Even when better times return, it is not clear that firms will expand KM functions significantly. KM professionals who want to do more with the limited direct resources they control will have but little choice than to find ways to bake KM into law firm processes. **ILTA**

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