Take Your Practice to the Next Level:
Use Knowledge Management to Maximize Your Productivity and Business Intelligence

October 14, 2016

Visit the ABA Legal Career Central Job Board to:

• Search and apply for more than 450 high-quality legal jobs nationwide,
• Upload your resume for review by hundreds of potential employers,
• Receive email alerts when new jobs are posted that meet your search criteria,
• Or post a job if you have an open position to fill.

Moderator Bio

Catherine Sanders Reach is Director, Law Practice Management and Technology for the Chicago Bar Association. She was the Director of the American Bar Association’s Legal Technology Resource Center, providing practice technology assistance to lawyers for over ten years. Prior to her work at the CBA and ABA she worked in library and information science environments for a number of years, working at Ross and Hardies as a librarian. She received a master’s degree in Library and Information Studies from the University of Alabama, Tuscaloosa in 1997.

Ms. Reach’s professional activities include articles published in Law Practice magazine, Law Technology News and GPSolo magazine. She has given presentations on the use of technology in law firms for national bar conferences, state and local bar associations and organizations such as the National Association of Bar Council and the Association of American Law Schools. In 2011 she was selected as one of the inaugural Fastcase 50, celebrating 50 innovators, leaders, visionaries, and trailblazers in the field of law. In 2013 she was nominated for the Committee of 100, 2014, sponsored by the Chicago Bar Foundation and the Chicago Bar Association. In 2015 she was appointed to the ABA TECHSHOW Board from 2015-2016 and is editorial advisory board member for Law Technology News.

Follow her @catherinereach or connect at www.linkedin.com/in/catherinereach
Use Knowledge Management to Maximize Your Productivity and Business Intelligence

Speaker Bio
Jack Bostelman is the president and principal consultant of KM/JD Consulting LLC, based in San Francisco. His firm renders impartial practice management advice to law firms on improving productivity and collaboration, especially at the practice group level. Jack has assisted leaders of law firms ranging from 200 to 1,000+ lawyers on a wide variety of practice management initiatives, including practice group leadership and knowledge strategy – the latter being a management-led function to improve how lawyers share what they know about client work, about clients, about markets for their services, and about their firms as businesses. The result is improved efficiency and quality.


Jack can be reached at jack.bostelman@kmjdconsulting.com, 415-738-8230. He blogs at www.kmjdconsulting.com/blog.

Program Agenda
- What is knowledge management and why is it important?
- KM for individuals – solos or in a law firm setting
- KM for small firms and collaborative groups
- KM careers for large firm practitioners
- Where to learn more

What is knowledge management and why is it important?
Use Knowledge Management to Maximize Your Productivity and Business Intelligence

Knowledge Management – What is it?

- Effectively retrieving and sharing what we know about
  - Work product
  - Clients
  - Firm as a business
  - Markets for services
- Examples:
  - Checklist of provisions needed for an agreement
  - Playbook of steps to do a task

Why is KM important?

- Be more efficient
  - Deliver same value to client using
    - Fewer hours
    - Less expensive timekeepers
- Greater consistency and higher quality
- Collaborate better
  - Work together more smoothly
  - Deliver work faster to client
- Improved morale

Why become efficient when billing hourly?

- Reduce write-downs and write-offs
  - This is work you did but can’t collect
  - Redeploy your saved time to fee-paying work or prospecting
- If no write-offs, fees for clients go down
  - But taking on new paid work with saved time keeps you whole
  - Lower fees make you more competitive
- Even if no new work, competitors will be reducing fees and you’ll need to match
  - If become more efficient, use saved time for prospecting
Other efficiency considerations

- For flat fees, efficiency savings go straight to bottom line
  - Same fee from client
  - More time to take on other paid work
- This is process, not technology
  - Automate only after process is proven
  - Employ cost-benefit analysis. Tech can be costly.
  - Existing tools can do a lot: Word docs, Excel spreadsheets, PDFs, Outlook

KM for individuals – Solos or in a law firm setting

Checklists and more checklists

- Outline an agreement, with links to samples
  - Easier to produce than standard form/template
  - Easier to update
  - Prevents leaving things out
  - Helpful for reviewing docs drafted by others
- Playbook – steps to complete a task
  - Prevents forgetting to do what’s important
  - Malpractice insurers like them
  - Empowers others to do the task
  - Annotate with status to update client
Checklists and more checklists (cont’d)

- Playbook examples
  - Conflicts check
  - New business intake
  - Steps when client is sued

- ABA book:
  - Checklists for Lawyers (2014) by Dan Siegal et al.
  - Aimed at small firms and solos
    - http://shop.americanbar.org/ebus/default.jsp?TabID=1578&productid=1370

Document naming convention

- 4-6 pieces of info for doc name
  - For example, client name, matter name, year, type of matter, type of document
  - Enables keyword searching
  - Standardized keywords & abbreviations are essential
    - Merger Agreement / Agreement of Merger / Plan and Agreement of Merger and Reorganization ➔ Merger Agreement

- Applies to local drive, shared network drive or document management system
- Convention can be varied by matter type

Folder naming convention

- Standard list of subfolders for each matter type
  - Top folder is client, then matter
  - 4-6 standardized subfolders, such as
    - Discovery
    - Filings
    - Legal Analysis
    - Correspondence

- Applies to disk drive folders or matter centric document management system
- Post a cheat-sheet for doc & folder conventions
Subject matter folder system

- Establish index of main and secondary subjects
  - For docs in client files, create clones (pointers) not copies
    - When client doc changes, subject matter doc “changes” automatically
  - For example, good precedents
- Include also other substantive material – CLE material, current events articles
  - Invest in a scanner and create searchable PDFs having an OCR layer
- Update subjects
- Keep a copy of index handy for reference

Matter experience database

- List of all matters work on, with information to find “similar” matters
  - Type of matter, names of parties, industry, amount involved
  - Include client/matter names, to find precedent docs
  - Consult to produce experience list when pitching
  - Use list for fee benchmarking
- In firms, consult list to find experts

KM for small firms and collaborative groups
Establish remote access to files that’s secure

- Requirements
  - Automatic synchronization across devices
  - Encryption with key controlled by user not vendor
  - Back-up
  - Local copies (in case vendor defaults)
  - Collaboration
- Many products to consider
  - Dropbox by itself is not secure – vendor can access
- Not KM but does improve efficiency

Manage e-mail and contacts

- E-mail
  - Separate folders for each client-matter
  - Automatic color coding for clients or internal colleagues
  - Meaningful subject lines
    - Change subject when replying to chain with a new topic – or start a new chain
  - Put conclusion or requested action first
  - Software for archiving and sharing
    - Auto-learns client matter numbers
    - Easy button to “file”
    - Examples
  - Break down e-mail issues and fix each smaller problem

Manage e-mail and contacts (cont’d)

- Contacts
  - Use Outlook’s categorization feature to categorize clients
  - Add notes to each contact
  - Software to share contacts or connect to firm mailing list
Stay current

- Regular meetings of lawyers who practice in same area
  - Discuss legal and business developments
  - Discuss active matters
- Group e-mails alerting about new developments
- Attend bar association meetings, then circulate materials & notes to colleagues
- Subscribe to targeted electronic newsletters or consider news aggregator software

Lessons learned sessions - Advanced

- What did we learn on this matter that we should do / not do in the next one?
  - Substantive outcome
  - Schedule
  - Staffing decisions
  - Budget
  - Client satisfaction
- Share learning with full firm or group of colleagues (anonymized)
Job responsibilities

• Promote and assist with KM techniques discussed today and large firm-specific initiatives, such as major software
  – Generally assist several practice areas, or even whole department or firm
  – Not necessarily a subject matter expert
• Called “knowledge management attorney” or “practice support lawyer”
• Staff position with regular hours and commensurate compensation. No client work.

Experience requirements

• Practice law for 1-5 years at a large firm
• Take initiative, communicate well with lawyers, outgoing personality
• Subject matter expertise in one of the supported areas is generally expected, but not in all
  – For example, a former IP litigator who supports entire Litigation Dept.
  – A former real estate lawyer who supports all transactional practices
• Often, KMA/PSL was a former associate at same firm

Where to learn more
Join our ABA Committee

- Productivity and Knowledge Strategy Committee in the ABA Law Practice Division


Join our ABA Committee (cont’d)

- Watch archives of our free webinar series: [www.kmwebinars.org](http://www.kmwebinars.org)
  - No ABA membership required
  - Schedule for Season 2 to be posted soon

Audience Questions?
Use Knowledge Management to Maximize Your Productivity and Business Intelligence