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Technology, Knowledge Management, Your Law Department, and You

Law Department Management

Technology, Privacy, and eCommerce



Way back in 1957, Peter Drucker accurately predicted that “the most valuable asset of a 21st-century institution … will be its knowledge workers and their productivity.”¹ What is a knowledge worker? A knowledge worker is someone whose profession emphasizes “non-routine” problem-solving and requires creative thinking.² Lawyers clearly fit that definition.

Knowledge workers require a specialized kind of experience to do their jobs. As lawyers, we receive training in law school, in educational programs, in reference materials, and in the individual experiences that inform the work we do for our companies. A law department that collectively manages all of these assets as effectively and efficiently as possible will outperform a law department in which knowledge assets are leveraged only by individuals who have access to them.

Until recently, resources on law department knowledge management were limited to law libraries. This was very inefficient — prompting in-house counsel to search the physical books within a library without being sure they would find the information in question. Fortunately, this is becoming less true. Thanks to advancements in technology, we now have tools to help us manage and leverage our knowledge assets more effectively.

For instance, our reference tools have noticeably improved. I confess that I once had a love/hate relationship with physical law books and journals because it was so painstaking to find information. Digital reference materials are much better. The ability to search across multiple sources or to search within a webpage or document (using control+F on Windows or command+F on Mac) is an incredible time saver. Being able to copy and paste from one document to another makes things like creating white papers or wikis much simpler.

And it's not just reference materials. We also have better tools to help us access the knowledge locked within the minds of our colleagues. Just as social media sites help us find people who have tried restaurants in a particular city, we can use the same types of tools to help locate colleagues who are experts in a particular area of law. Setting up a forum for seeking and capturing information is easy on practically any kind of modern intranet platform.

We also have the ability to convey "how-to" knowledge more effectively than ever before. When you need to learn how to do a household repair, you can find plenty of web articles with helpful information on the subject; even better, you can watch an expert on YouTube perform the repair. By the same token, law departments can now easily create webcasts and screencasts to help members learn how to do things.

Furthermore, we can now build tools that actively leverage our knowledge assets by guiding users through complex legal issues. Smart guides using hyperlinked logic trees allow users reach the correct solutions to thorny questions like whether a transaction is permitted by sanctioned laws or how to build sophisticated contracts that not only get the work done quickly but also help its users learn along the way.

However, it isn't effective knowledge management if we don't do these things systematically. Law departments need to develop thoughtful programs to methodically identify, create, and update their valuable knowledge assets. This will not only help in-house counsel operate more effectively and efficiently, but will also maintain continuity as more experienced lawyers come and go.

Creating a knowledge management program is a collaborative activity that should engage all members of the department. Everyone has something to contribute, and everyone has a stake in making sure the program is a success. And if done right, knowledge management programs can be a lot of fun. The initial investment of time will pay enormous dividends for each individual lawyer, department, and company.

To engage with others focused on advancing knowledge management technology, tools, and systems, you might consider getting involved in the ACC Legal Operations section, which is dedicated to optimizing the function of the law department. And as always, feel free to contact me if you have any questions or comments.

NOTES

1 Drucker, P. F. (1959). *The Landmarks of Tomorrow* New York: Harper and Row.

2 Reinhardt, W.; Schmidt, B.; Sloep, P.; Drachsler, H. (2011). "Knowledge Worker Roles and Actions – Results of Two Empirical Studies." *Knowledge and Process Management*. 18 (3): 150–174. doi:10.1002/kpm.378.

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