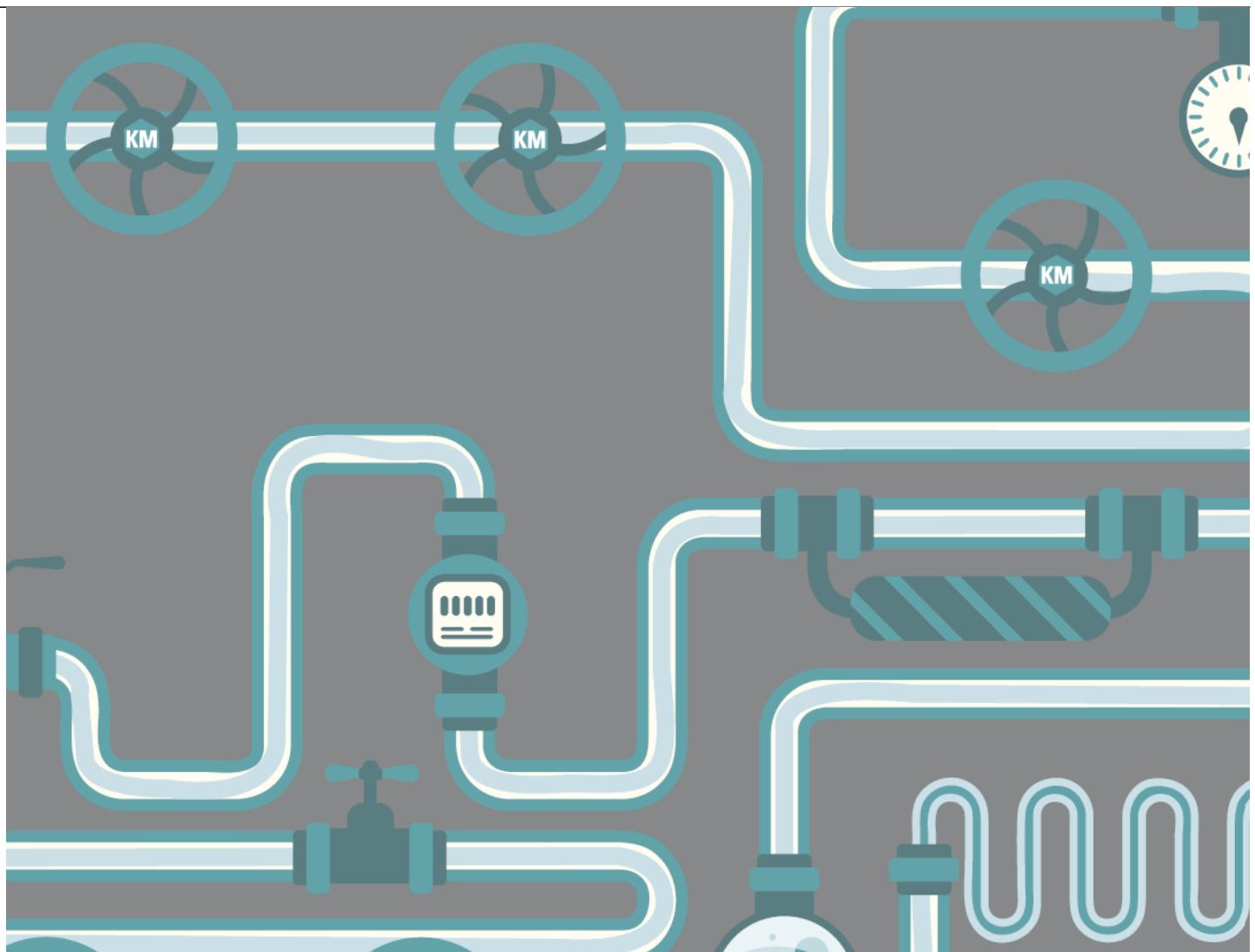
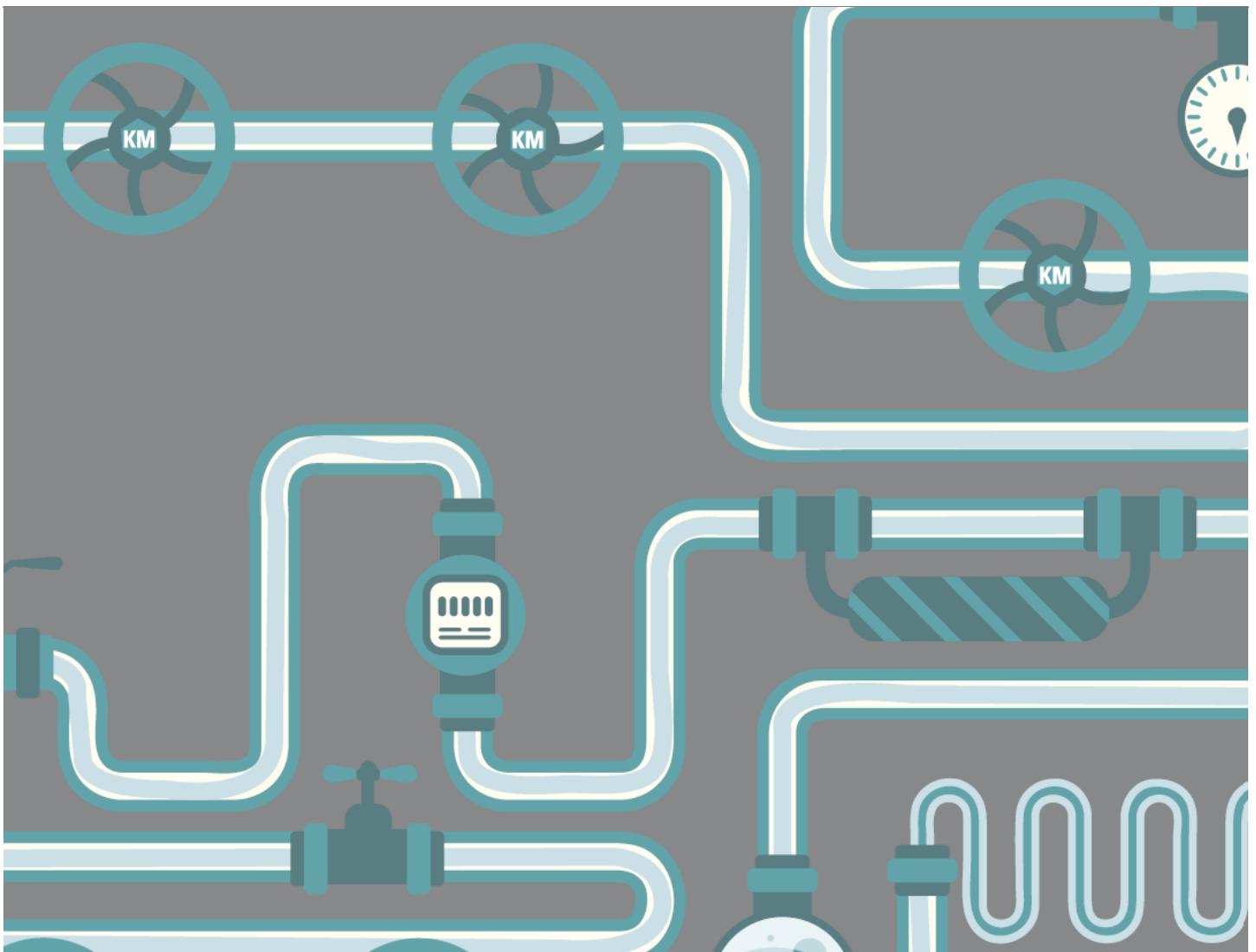

DOCKET

INFORMED. INDISPENSABLE. IN-HOUSE.

Knowledge Management Improves Business Flow

Law Department Management





CHEAT SHEET

- **Trail your knowledge anchor.** Consider a role like RBC's "Knowledge Anchors" — subject matter experts assigned to ensure broad adoption of knowledge services.
- **Realize global connectivity.** Social media tools like "RBC Connect" enable collaboration and knowledge-sharing through disparate wings of the enterprise.
- **Upgrade your processes.** Useful KM involves pulling information rather than pushing it to the organization at random intervals.
- **Minimize duplication.** Integrate organizational knowledge through centralization.
- **Professionalize KM.** A long-term commitment to knowledge management requires a dedicated KM team.

(KM) is the process of capturing, developing, sharing, and effectively using organizational knowledge. KM cuts across all legal practice areas. It can and should be relevant to the individual employee, the

legal practice team, and the entire organization.

Our most valuable resource is the legal knowledge that underpins the service we deliver. All lawyers are expected to bring their expertise to the table, but the demands of a modern legal department require more. Clients are challenging lawyers to be more innovative, more creative, more economical, and more proactive than ever before.

RBC General Counsel Group approaches knowledge management through six main services:

1. Document and matter management
2. Precedent management
3. Legal research
4. Professional development
5. Current awareness
6. Global connectivity

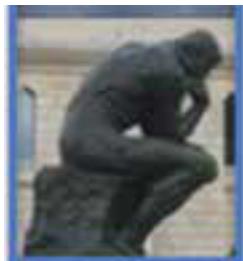
The degree to which each service applies to individuals and teams will vary, but the right mix can increase productivity across the board.

Whether just starting out, or a veteran in the legal trenches, the tools and processes of knowledge management drive effective performance. Seeking guidance from well-designed information sources leads to insights that can often be applied immediately to the problem at hand or at least stored for use in future. Help can come in many forms and often combines elements of people, process, and technology — the foundations of knowledge management.

RBC Law Group's KM journey

The knowledge management journey for RBC Law Group started in a very traditional manner.* Management recognized that a more disciplined approach to the collection and sharing of legal knowledge might benefit everyone — lawyers, staff, and business colleagues. The general counsel launched a project to identify legal precedents and make them more accessible, which included developing answers to frequently asked questions (FAQs). The project also tracked legal research that was repeatedly used to determine cost savings.

Following the successful project, the Law Group appointed a fulltime legal knowledge manager. The manager conducted an information audit that included interviews with over 100 members of the Law Group. The assessment identified pain points relating to the access and flow of knowledge. Three main focus areas resulted: 1. building knowledge; 2. connecting people, and 3. searching and streamlining. Following the assessment, we developed a succinct vision:



Knowledge:

- **Sought efficiently**
- **Found easily**
- **Used effectively**

The KM team has taken steps through precedent collections, expertise locators, intranet communities of practice, internal and external educational services, RSS feeds, and collaborative technology. New

initiatives are always underway, but the underlying KM concepts are nothing new. Sometimes the mix of substantive content, ground resources, technology, psychology, management support, communications, politics, promotion, and prayers don't hit the mark, and we have to reassess and alter the work.

The more KM initiatives involve elements that are "baked in" to everyday work, the more likely they are to succeed. Some commentators have described this as being "in the flow." We need knowledge processes in the daily flow and we need individuals in the KM flow to be accountable for knowledge within their area of expertise.

"Knowledge Anchors" are subject matter experts accountable for team knowledge

While we look to all our lawyers for their specific legal knowledge, getting beyond the silos of knowledge requires a discipline that will only come with assigned roles and accountabilities at the team level. As a KM expert opined:

"Knowledge management will not succeed if there are no workers and managers whose primary duties involve gathering and editing knowledge from those who have it, paving the work for the operation of knowledge networks, and setting up and managing knowledge technology infrastructures."

Davenport, Thomas H. (1997). "Common pitfalls of knowledge management," CIO Magazine, 1997.

We have recognized this need for knowledge accountability at the team level by creating a new role called "Knowledge Anchor," which we are piloting among various legal practice teams. A knowledge anchor is a subject matter expert assigned to ensure the relevance and adoption of knowledge services at the team level and the promotion of a culture of knowledge best practices. The Knowledge Anchor's overall responsibilities are to serve as:

- the main point of contact and accountability for identification and elevation of key team knowledge; and
- a liaison between their own team and the KM team on matters of knowledge service awareness and deployment.

You can improve process and project management. But, the legal knowledge we create is the fuel that keeps the whole engine running — it's also the hardest to regulate. Our KM team has challenged the Knowledge Anchors to promote key team knowledge and to post it in relevant places (e.g., team folders in the document management system and in "Knowledge Hubs" established in our enterprise-wide collaborative tech platform called "RBC Connect"). There are no limits to the direction the Knowledge Anchors might take. The KM team recommends that they focus on developing team onboarding resources, promoting relevant legal and business education, and maintaining a regular spot on team meeting agendas.

Attaining knowledge accountability at the team level is no easy feat. The KM team is operating under no illusions. Many attempts along these lines have failed in law firms and law departments when busy lawyers succumb to their "day jobs" and, despite best intentions, allow key knowledge to grow stale and wither. It will be a challenge for the KM team to ride herd on a volunteer group, but there are

reasons for optimism starting with a new collaborative technology platform.

Global connectivity and collaboration

In the past our efforts at sharing posted information within the department, and beyond to our business partners, were limited to a traditional website. We were using a static tool that had little traction with our business partners. With the recent introduction of Jive social media technology, we have an enterprise-wide collaborative technology platform called “RBC Connect.”

New social media tools, like RBC Connect, promise a much more interactive experience. In effect, we are harnessing social media features and applying them to our business. We created private communities that focused on particular legal practice areas that serve our businesses: banking, capital markets, wealth management, insurance, and investor and treasury services. In each case, several “Community Managers” were appointed to keep their sites active and posted with relevant information. Everyone is challenged to think of ways the new technology can be applied to open communities that will contribute to direct dialogues with our business colleagues.

[“Where KM has added greatest value in organizations, it has been through the cultural realization that knowledge lives in communities, not in individuals.”](#)

But how will we ensure that the communities are aligned with business objectives and focused on the right priorities? Formal networks harness the advantages of informal ones and give management more control over networking across the organization. The steps needed to formalize a network include giving it a “leader,” focusing interactions on specific topics, and building an infrastructure that stimulates the ongoing exchange of ideas. The KM team looks for opportunities to formalize networks around legal practice areas, legal projects, geographic hubs, or special purposes, such as regulatory oversight for some industries. Leadership of our virtual communities is a shared proposition between the subject matter experts who “own” specific knowledge and those who are tasked with keeping the sites vibrant and engaging. The potential for overlap and collaboration between the Knowledge Anchors and the Community Managers is obvious and something we encourage. Knowledge Anchors can be the inspiration and source of new legal research, precedents, or checklists and Community Managers can provide highly visible places to post that information. The reverse can also occur with Community Managers first becoming aware of important exchanges of knowledge (or requests for information) that our Knowledge Anchors can act upon.

KM on the delivery of proactive legal service

At RBC Law Group we promote proactive service and look for ways to keep current. The KM team recommends the following best practices for conveying emerging legal issues to business colleagues.

Best practices for conveying emerging legal issues to internal business partners:

MEET

Best practice: Connect frequently with key business partners and decision makers.

Recommendations: The nature and opportunities for “face time” with key business partners varies,

but it is a best practice for lawyers to maintain frequent contact with the business. Regardless of how they communicate with their business units, legal departments in more frequent contact should achieve higher overall effectiveness.

REPORT

Best practice: Deliver written legal reports in a form and frequency that satisfies needs (with practical advice to act upon, where applicable).

Recommendations: Some of the best bonding and exchanges of information take place in informal settings over coffee, but creating a written record of any key advice serves a number of purposes: it serves as a reminder of what was said and who was in the loop; provides a roadmap for others to follow; states a consistent message that can be distributed to a wider audience; and provides orientation for those who are new.

EDUCATE

Best practice: Educate business partners on emerging legal issues — ideally leveraging internal and external expertise.

Recommendations:

- Lawyers should determine what resources their business partners read and subscribe to those same resources.
- Lawyers should take direction from senior management and the KM team on one or two key sources of internal and external legal and industry intelligence to tap collectively as a global department.
- External counsel could be used more extensively to educate us and our business partners
- There is also an opportunity for Law to provide legal education to inexperienced business partners taking on new roles.

COLLABORATE

Best practice: Overcome operational silos and obstacles to access and flow of information.

Recommendations: By building bridges, we can minimize duplication of advice (or worse, the delivery of conflicting advice) so that advisors speak with “one voice.” Developing a network of cooperative contacts within key functions will pay dividends if information is exchanged on a prompt and regular basis.

SHAPE AND INFLUENCE

Best practice: Seek early influence in key changes in the legal and regulatory environment.

Recommendations: Our lawyers have a tradition of participating in law reform and industry committees that allow us to get ahead of potential issues that can affect our businesses. As key lawyers change roles, we need to ensure that their positions on external committees are filled with others who can continue to shape the future and help review, comment and draft regulation.

Optimal knowledge behaviours

Early efforts at collecting precedents and managing documents did not achieve the desired results. Lawyers can devise the most intricate personal taxonomies and filing systems for their own unique precedents, but they don't mix well with others. As a consequence, lawyers may be brilliant at retrieving their own content but then seek out other subject matter experts when confronted with the unknown.

Expertise directories can help to identify subject matter experts within an organization, and RBC Law Group is well represented in a "Find the Expert" tool that launched a few years ago, covering a variety of businesses and functions within the enterprise. But, the retrieval of existing personal and group information from stored resources is a more daunting challenge.

Finding knowledge in a timely and efficient manner is everyone's KM nirvana. Barriers to knowledge, especially those induced by our own bad habits, are to be avoided at all cost. "It's not what you know, and it's not even who you know. It's how much knowledge you give away. Hoarding knowledge diminishes your power because it diminishes your presence." This is very good advice for lawyers to digest. Despite some negative observations about lawyers' collaborative instincts, the truth is that most lawyers love to share work that is polished and in which they have confidence. Most of us are genuinely helpful when asked for information. But we have formed certain habits around the way we save — and stay in control — of our knowledge. We are challenged today to think outside the box and render our knowledge ever more useful and accessible to our immediate team, our business partners, and the organization as a whole. One writer sees hope in the behaviour now modeled by social media:

"With the popularity and proliferation of social media and social networking, we are seeing a change in the way people interact and behave. People are becoming more collaborative and willing to share. People are more forthcoming with information that, in a bygone era, was once considered better kept confidential. Helping others and sharing information is becoming the new default behavior. This new mindset, characterized by collaborating, cooperating, and sharing information and ideas, is the breeding ground on which knowledge management thrives and grows. This cultural shift, on a societal scale, is a factor that will predispose younger generations (some of whom are already law students and in the workforce) to embrace knowledge management."

DiDomenico, Patrick. *Knowledge Management for Lawyers*. Chicago: American Bar Association, 2015, pp. 258-9. RBC Law Group is part of RBC General Counsel Group, which also includes the Corporate Secretariat, Subsidiary Governance Office, and Corporate Archive.

Case study – Legal FAQs

1. The KM team identified high impact legal knowledge that really matters to the business colleagues we serve.
2. RBC Legal FAQs were a great success when originally introduced several years ago as a result of an initiative led by the legal team serving Canadian Banking. There are more than 800 FAQs that are relied upon by front line customer service representatives — especially in RBC bank branches across Canada. The FAQ content has gradually expanded to include

other substantive content (e.g., intellectual property, insurance, etc.) and, more recently, a new geographic focus with Caribbean content.

3. At the outset, the FAQs were posted in the Law Group website, which is accessible to the whole enterprise and which has served us well.
4. But the KM team recognized that times are changing and the website is no longer the communication channel of choice for many of our target business audience. A new digital collaboration technology branded “RBC Connect” now serves most of the RBC workforce of more than 80,000 employees and enjoys widespread adoption among business units.
5. Our KM team led by our librarians combined forces with technology experts supporting RBC Connect to migrate the FAQs from the website to RBC Connect. In doing so, the working group was challenged to leverage all the advantages of the new platform, including its superior search capability, without sacrificing the familiarity of the old website. Our end users in the bank branches were accustomed to familiar browsable categories of topics and many had bookmarked specific Q&A webpages.
6. The working group organized a focus group of business colleagues to see how user-friendly they found the first test environment. Several features were adjusted as a result of the feedback. In the end, the good news was that focus group members were easily able to navigate to answers using the new search features. At the same time, users who preferred the traditional browsing methods were provided with a “classic view” of familiar browsable lists of topics that mirrored the old website. In effect, we were creating the best of both worlds for a period of user transition.
7. A “soft launch” followed that opened the new site with a minimum of fanfare to allow for the inevitable bugs to be worked out. For example, we learned the composition of our focus group was not diverse enough to alert us to a “toggle switch” in the old website that allowed our colleagues in Montreal and other French-speaking colleagues to flip quickly back and forth between translations of the legal content. That feature was missing in the new platform and remedial work was completed to fix the oversight.
8. More formal communications followed to advise the whole RBC enterprise of the new facility in RBC Connect. Users were encouraged to bookmark the site and any specific Q&As that they referenced frequently.
9. Legal content of this nature is dynamic and requires proper maintenance to ensure ongoing relevance and currency. New procedures were established for the KM team to monitor the main site and for certain members of the Law Group to channel requests for the posting of new FAQs or revisions to existing ones. Through our Knowledge Anchors we encourage the entire Law Group to seek out new opportunities to build on the success of our Legal FAQs by working with their business colleagues to identify new content across different legal practice areas and different jurisdictions.
10. It is still in its early days, but RBC Connect provides excellent metrics and the early returns are promising for user adoption of the new site for legal FAQs.

Knowledge professionals – a continuing need

The new technology and the skills of the upcoming generation of lawyers are reasons for optimism. However, none of this is a substitute for technical training and knowledge curation. Given current access to digital information, we expect our information needs to be instantly gratified. But knowing how to access efficiently what you need, when you need it — and how to teach this — is still very much the domain of information professionals.

Recently the KM team tackled the education challenge by introducing a series of Knowledge Primers which are now posted in a private site in RBC Connect that provides a communication channel for the entire global General Counsel Group. The primers range from instructions on RSS feeds for current awareness through naming conventions for the document management system and best practices for successful committee meetings. We expect to get particular benefit from the recently posted list of all electronic resources, subscriptions, and memberships — both internal and external — that are available to the members of our group.

As part of the KM team, RBC enjoys the services of a law library, and a corporate archive, serving the entire organization. The information professionals in these functions delight busy lawyers by producing elusive legal research and business records on demand. But our information professionals go further and now apply their skills in compiling knowledge in creative new ways to help end users find answers more quickly and efficiently. With that end in mind, the accompanying case study recounts our law library's involvement in migrating legal content from a website environment to a new social media platform. Our library and archive are also assisting in the digitization of decades of paper legal memos and business records, tagging them with metadata and uploading them in more searchable environments.

The KM team works closely with our tech support team to succeed. Together KM and technology support people and process and identify technology gaps (more often gaps in individual training) that need to be addressed before the full technology potential is realized. Our knowledge professionals bridge the divide between technology features that our tech team understand intimately and the work realities experienced by our lawyers and staff when it is time to bring new technology into the daily flow.

Top 10 ideal KM states

1. A KM culture exists of knowledge creation, capture, and re-use and proactive current awareness where everyone understands “what’s in it for me”
2. Senior management “walks the talk” and engages in KM governance
3. Accountability for knowledge creation, promotion and maintenance is owned by individuals with appropriate expertise and passion
4. The focus is on high value knowledge which drives key business objectives
5. New tools and innovative processes are “in the flow” of everyday work activity
6. Knowledge is “pulled” when needed rather than “pushed” at random
7. Lessons of the past are captured and applied
8. A consistent, overarching KM approach still accommodates local customization
9. Multiple communication channels are used to repeat key messages in novel ways
10. Knowledge stays behind when people leave the building

KM and outside counsel

Due to the continued increase in the quality and technical systems of in house departments like RBC Connect, the role of outside counsel is rapidly changing. While corporate clients vary, both among and within themselves, the role of strategic advisor is now firmly moving into the hands of in house lawyers. Outside counsel provide specialized high intensity tasks that are inefficient for corporation to

staff. From investigations to regulatory advice and transactions, outside counsel are more specialized than generalized advisors. In-house departments must constantly assess whether and when legal tasks are sufficiently required to more efficiently transfer them inside. KM systems and processes that integrate outside counsel's assignments and expertise with in house teams leads to efficient interaction and timely decision making on projects and staffing. Other approaches that can better integrate outside counsel include:

- Secondments;
- Collaborative technologies, portals and extranets;
- Joint CLE panels and programs and training initiatives; and
- Insights into the nature of the business.

Knowledge management – onward and upward

Knowledge management strives for a permanent state of knowledge enhancement — a permanence outlasting fads that merely tinker at the edges and wither when project leaders leave. Behavioural change is required and that calls for open minds and collaborative spirits willing to apply different approaches to legal knowledge.

No one has a magic bullet — not the law firms, not the law departments, and not the KM consultants. It all boils down to how well the ground has been prepared in terms of culture and change management and how well the strategy is executed. It takes initiatives with true impact on end users, teamwork, learning from mistakes, senior support, resources, accountability, and that rarest of virtues — patience.

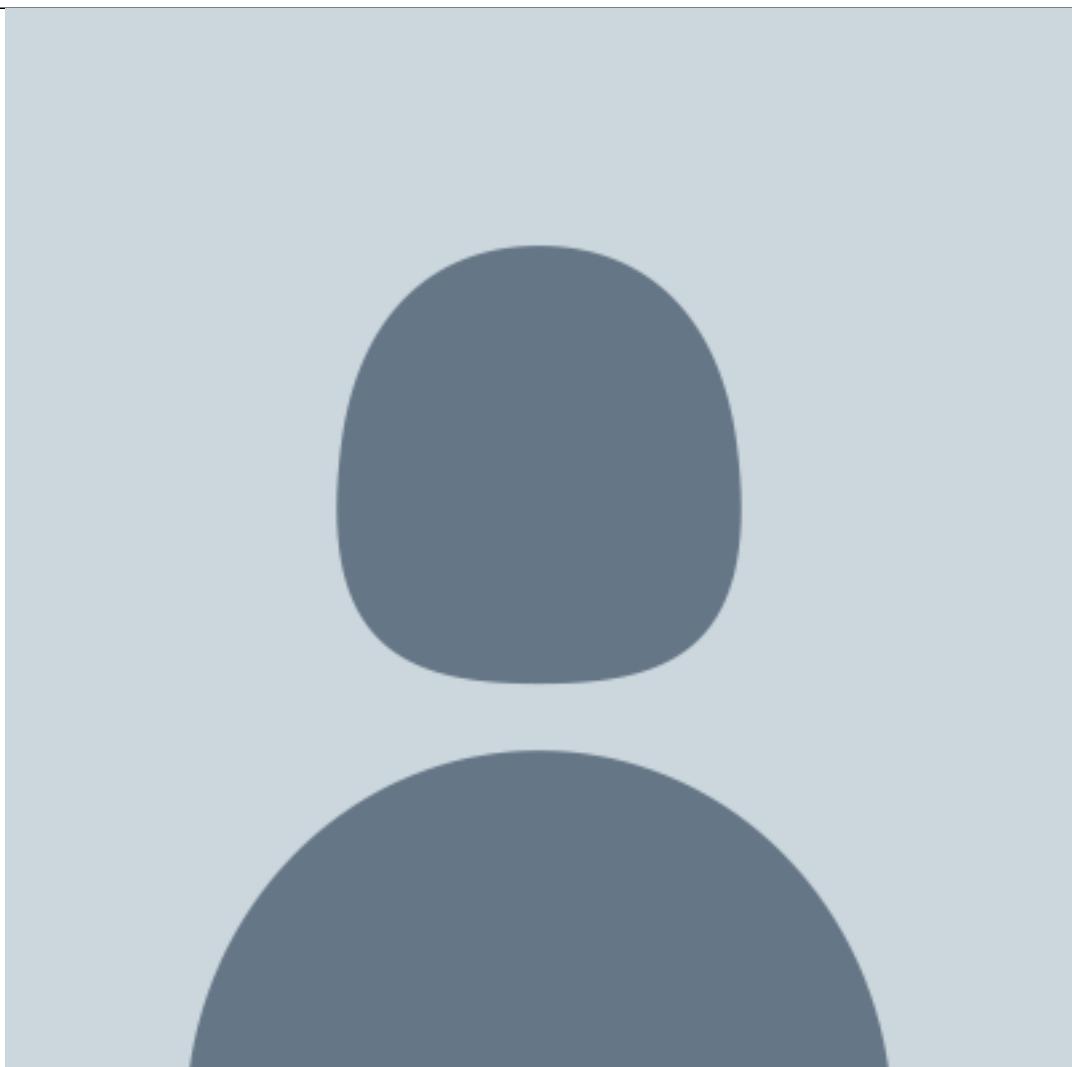
Further Reading

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[Robert W. Bell](#)

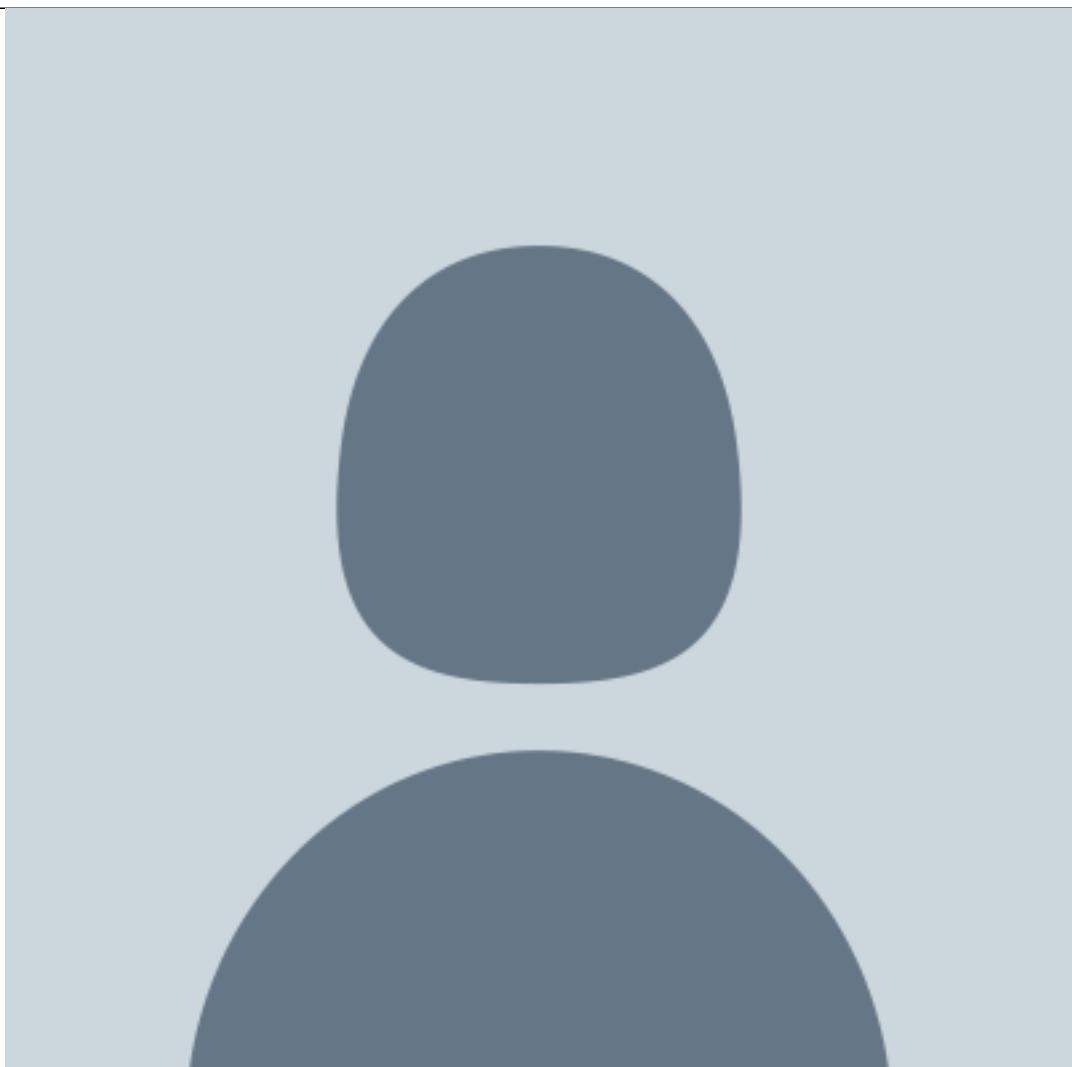


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RBC General Counsel Group at Royal Bank of Canada in Toronto

He oversees the RBC Corporate Archive, the Law Library, and the law group's knowledge management and professional development programs.

[Martin B. Halpern](#)

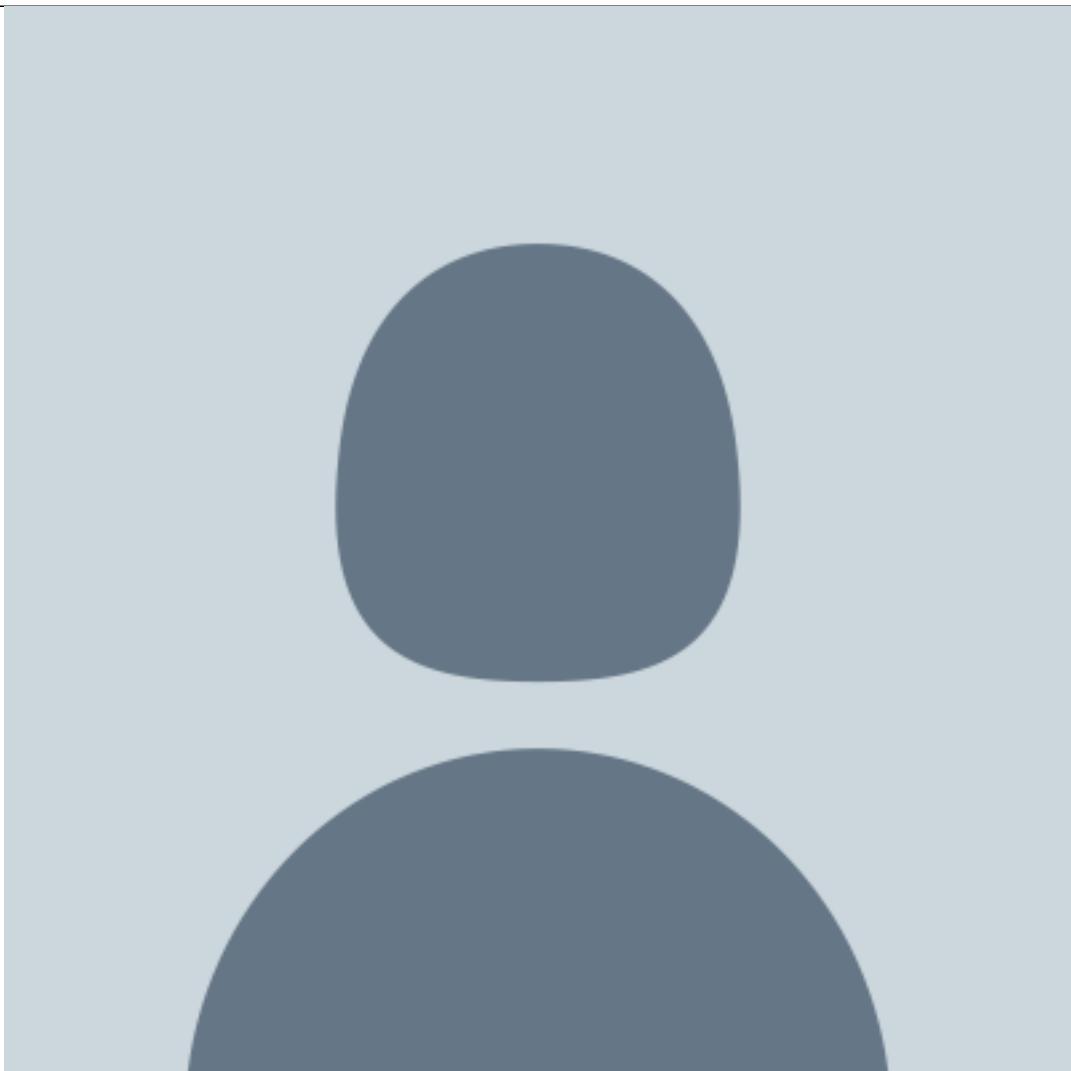


Senior Counsel

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An experienced knowledge management lawyer, Halpern draws on over two decades of practice experience, leveraging knowledge assets to improve the quality, efficiency, and precision of legal processes.

[Edward O'Keefe](#)



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He advises and represents financial institutions