

11 Ways PD and KM Can Join Forces to Enhance Lawyer Performance

by Chris Boyd and Mara Nickerson

Whether your firm is just launching formal KM or PD programs or already has extensive offerings, adopting one or more of these suggestions can help your lawyers deliver more value to clients.

In 2006, we wrote an article on how law firms could blend knowledge management (KM) with professional development (PD) to turbocharge attorney performance (“Turbocharging Attorney Performance: The Power of Integrated Professional Development and Knowledge Management,” *Managing Partner*, November 2006). The article illustrated the concept with three scenarios: getting a junior associate up to full productivity, integrating a lateral associate, and preparing for a client pitch.

Nine years later, we continue to find ways to combine KM and PD to help attorneys deliver more value to clients. We wrote this article to highlight [eleven](#) different ways to do just this. We have designed the eleven approaches we discuss in this article to appeal to a range of firms, from those just starting with formal KM or PD programs to those with extensive offerings.

1. Integrate KM Resources into Training

While this may seem an obvious step, it is often overlooked: Include the KM team early on in the development of a training program. The PD team may not know which resources are the most relevant for each practice area, while senior attorneys — who often teach PD sessions — may fall back on sample documents or resources in their own collections. The KM team can identify the key firm-wide resources on the topic. These should influence the design of the program, particularly at the more junior levels.

If the resources include:

- **A model or template agreement** — Design the program around the template so that participants learn to use the model and understand how to customize it. At more senior levels, focus on particular clauses and more complex issues that come up in connection with them.
- **A practice guide on a type of transaction or matter** — Keep the legal process and the resources outlined in the guide central to the design. For example, create a case study that walks participants through the matter based on the processes in the guide.
- **No existing resources** — Programs can also be used to help create KM resources. Have the participants work in small groups to identify issues to be considered or clauses to be included in a particular type of agreement. The KM team can turn the outcome into a checklist.

Whenever possible, ensure the participants know what KM resources are available on the topic and where to find them. Consider starting or ending each program by calling up the KM system and showing participants what is available and how to access it, or by having the KM system open on the screen when people are coming in for the program.

The KM team should also sit in on the PD program so they can hear all the best practices, knowledge, and tips that come out of it and ensure that all of that tacit knowledge is embedded back into the KM resources.

2. Train New Employees on KM Resources

A well-executed orientation helps new hires accelerate to full productivity more quickly and aligns them with the firm's values and best practices. A firm's PD team typically coordinates the orientation curriculum and combines its teaching expertise with content input from the firm's practice groups and the IT, HR, and other support departments to make the experience as effective as possible.

The first way to combine KM and PD is for those two teams to collaborate to ensure that each new hire learns how to use the firm's KM resources, such as the enterprise search engine, form and sample document collections, matter and referral databases, and so forth. Ways to do this include:

- **Group trainings of summer associates and first-year associates.** These attorneys typically all start on the same dates and have roughly the same experience levels, which makes group trainings logistically feasible and pedagogically appropriate. The KM and PD teams can co-deliver practice-specific trainings on how to use the firm's KM resources to accomplish typical summer or first-year associate tasks.
- **Individual practice-specific trainings for lateral partners and associates.** Lateral partners and associates typically start throughout the year, with a small number of lateral associates starting each week and lateral partners starting much less frequently, with the exact pace depending on the firm's business model. The KM and PD teams should combine to teach each new lateral attorney how KM resources can support her or his specific practice, again with a focus on tasks rather than resource silos. For partners, the training should emphasize how KM resources can support business development and client relationship management as well as service delivery.
- **Online guided tours of resources.** For those instances when PD and KM teams cannot train new attorneys individually or in groups, the teams can create recorded online tours of how

to use the KM resources to accomplish specific tasks. The PD or technical training teams usually know how to create these recordings, and KM can provide them with the screenshots and commentary.

Note that the KM orientation should ideally be directed not only to new attorneys but also to new paralegals, secretaries, and other legal support personnel. These professionals frequently act as proxies for attorneys in tapping KM resources and can serve those attorneys more effectively if they know how to use the resources well.

3. Embed Internal Training Resources into KM Pages

When attorneys search or browse KM resources, they are often seeking guidance and instruction in addition to documents or information. While some guidance can be baked into KM resources, such as matter checklists or annotations in form documents, the firm's best guidance is usually delivered via formal training. So PD and KM teams should partner to make sure the best internal and external training resources are embedded in the firm's KM pages, and that attorneys can easily find these training resources via browsing or searching. Enabling attorneys to find topic-specific KM and PD resources at the same time, and saving them from the trouble of searching for the same thing twice, will make both offerings that much more valuable.

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For example, a KM page on public company reporting could include links to recordings of the firm's internal training classes on the topic along with the forms, checklists, guidance memos, and other KM resources. Recordings should include the slides or other handouts, along with speaker notes and record-

ing transcripts if possible. If the firm subscribes to external resources such as Practical Law Company (PLC) or Intelligize, the KM team can link to PLC's overall search screen as well as to specific guidance on public company representation, or to Intelligize's search screens for SEC filings. Similarly, if the firm has a privileged membership with Practising Law Institute (PLI), the firm can insert topic-specific links to PLI classes, handouts, and treatises. While curating such links takes time, providing jumping-off points in context can help attorneys find useful answers, deepen their expertise, and maximize the value to the firm of all-you-can-eat database subscriptions.

4. Embed Training Resources into Enterprise Search

If your firm has some form of enterprise search, e.g., Recommend or Fast, that enables your attorneys to search the document management system, databases, and other resources, then ensure that your training resources are included and optimized to be found along with the related KM resources:

- **Taxonomy** — The KM team may have developed a taxonomy that identifies, for each piece of content, such things as the legal department the content relates to, the role, legal topic, type of matter, industry, and perhaps key words. The training resources should be organized and tagged with the same taxonomy. If the search engine is just going on the title of the training resources, then it may be hit or miss as to whether they turn up when they should.
- **Acronyms** — The KM team may also have developed a set of acronyms for different legal topics or types of matters that help content turn up when attorneys use alternative phrases to search for content. For example, the KM content relating to private M&A transactions might also be tagged with such phrases as asset purchase, stock purchase, purchase, and sale of a business. Training can also add these phrases to their related training content.
- **Filters** — Determine whether your firm's search engine has

been set up to filter content based on role or office. If so, then PD will want to ensure that the training content identifies the role and offices the content relates to.

- **Relevancy rankings** — What makes content get to the top of your firm's search results? Every search engine will have a complex way of ranking various criteria to determine the order in which to display search results. Ask the KM or IS/IT team to explain how your firm's search engine works and adjust your tagging accordingly.

5. Develop Practice Guides

One of the most powerful ways to combine PD and KM in legal practice is via a practice guide for a specific type of transaction or other major piece of legal work. A guide should provide the attorney with a checklist of every step in the process along with an explanation of the reason for the step and how to do it, and links to relevant model or sample work product. For each step, the guides can also refer the attorney to internal or external experts to consult with should unusually complex situations or esoteric questions arise.

To complement the written instructions, the guides should also link to short video or web conference modules that teach the attorney how to do the specific step. These modules can be especially effective in pointing out common potential errors or other pitfalls that the attorney should guard against. Should the attorney desire deeper instruction, the guides can point her or him to external resources such as PLC or PLI, or other treatises, articles, or course books.

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The guides can further support efficiency by linking in appropriate places to the firm's matter databases, to remind the attorney to search for relevant precedent that can be repurposed

for the current matter.

One challenge for practice guides, as with all checklists for complex processes, is that they can end up being very lengthy and somewhat unwieldy for use in the day-to-day fray of a deal or case. One way to make a long practice guide more usable and useful is to embed the content into a task management system that helps attorneys plan matters, update and monitor task status, focus on critical path items, and bring legal matters in on time and on budget.

6. Mini-Tutorials with Embedded KM Resources

A mini-tutorial could be any kind of “how to” guide. Consider identifying common tasks that new associates or summer students are asked to do and creating a tutorial on how to do them. The tutorial could be a podcast or a video — or could just be written up in text — but should include links to checklists, pathfinders, guides, or whatever else is available to support the task on a real-time basis. Look at tools such as Panopto to embed video or audio recordings with slides, search, and clickable menus. Also look at Camtasia Studio, or Articulate Storyline if you want to include interactive elements. You can embed links to resources in the PowerPoint slides.

Work with the KM team to identify common tasks and existing resources. The KM team may also be able to help identify how best to make these mini-tutorials available to the attorneys or students.

7. Use Process Improvement Projects as a Learning Tool and a KM Resource Generator

Many firms are undertaking legal process improvement (LPI) initiatives to analyze how legal work is currently being done and how it should be done more efficiently. (We use the generic term “legal process improvement” to encompass any variation on Lean or Six Sigma. For a high-level view of Lean Six Sigma for law firms see [Gimbal Canada’s website](#), or see how Clifford

Chance has used it in their operations from their [white paper on Continuous Improvement](#)). Think of LPI as a case study at a very granular level.

A process map is created for a particular type of legal work, or a component of a larger piece of work.

A common starting point is process mapping. All legal work fundamentally involves a process: It starts when the client calls and ends when the last piece of advice is given, the last document signed and filed, the last task completed. The process may take days or years. But in all circumstances, for all types of legal work, it has a first step, a last step, and many steps in between, usually taken by various players.

A process map is created for a particular type of legal work, or a component of a larger piece of work. For example, the firm might process map the incorporation of a company, the filing of — or response to — an injunction, or a loan transaction.

A process mapping exercise should include representatives from all of the different roles involved in doing the work — the most junior to the most senior, including paralegals and legal assistants. A facilitator will have the participants walk through every step and every task involved in doing the work. Through the exercise, the group will identify all of the challenges and inefficiencies that often occur. The team will also identify the existing tools they use to do the work — e.g., template agreements, checklists, and databases, as well as those they might need to do the work more efficiently.

At the end of the exercise, the firm should have a map that sets out all of the steps/tasks to be done, who does them, and what tools are available to help them — with best practices embedded throughout. This map should then form the basis for future training programs.

The map (and the process of creating it) gives everyone a better

view of the whole process, the tasks they are responsible for, and how their work fits into the big picture. It is a particularly excellent learning opportunity for the more junior members of the team.

It can often be valuable for a representative of the PD team to sit in on a mapping exercise. The exercise will uncover training needs and training deficiencies.

8. Use KM to Enhance Informal Training

Depending on the structure, capabilities, and roles of the PD and KM teams, KM professionals can also supplement the formal training program with informal substantive learning opportunities in several ways:

- **Direct real-time coaching on how to do specific tasks, particularly at the junior level.** KM professionals are frequently attorneys who have practiced in a field and generally work with the attorneys in that field. They can help junior associates get work done. For example, a corporate and securities KM attorney who drafts model forms can coach associates on language to use in tricky drafting situations; a litigation KM attorney can teach junior associates how to efficiently search for appropriate internal precedent.
- **Organizing practice group lunch-and-learn meetings.** KM professionals usually both know the experts in the practice groups they serve and also keep abreast of legal developments in their fields. As appropriate, they can organize practice group meetings, often at lunchtime, to discuss recent case law, deal trends, or other legal developments that practice group attorneys should all know.

9. Project Management and Pricing

Project management and pricing are among the hottest topics in the legal industry. Many firms are doing some training in this area or are planning some. When designing training in project management or pricing, involve KM. Find out what

they are doing to support the attorneys on a day-to-day basis in this area.

When designing a workshop on budgeting and pricing, consider making it practice group-specific and focused on a case study for a relevant matter type. KM can help develop the case studies and create some tools for doing a budget in the workshop — e.g., an Excel spreadsheet with the main phases of the matter. The KM team can also act as facilitators. And, if there is enough interest, KM can work with the attorneys after the workshop to complete the development of budget templates. Creating real budget templates they can use in their practices is an excellent way for attorneys to learn how to scope work and identify risks, tasks, timelines, and responsible roles.

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After formal training, KM may be able to provide hands-on support to attorneys to make them aware of firm resources and even help them understand how to use the resources.

Also, PD can work with KM to develop an integrated resource page on project management and pricing, including materials from internal training programs, external resources, budget templates groups may have developed, sample budgets KM can collect, and any other related practice resources, tips, and best practices the firm has created.

10. Use Client-focused PD for KM

Law firms spend significant time and effort educating their clients on developments in the law. Firms send email client alerts and newsletters, host live training sessions, and provide clients with access to online recordings of those sessions. While client PD is typically led by the firm's marketing and PD functions, KM teams can contribute to programs and use the resulting

work product in several ways.

On the contribution side, KM attorneys typically attend practice group meetings and often help with client alerts, so they know both where the law and practice are evolving and what the likely implications for clients are. KM attorneys also usually know which attorneys are the leading experts on these topics and are the best presenters. The training and marketing groups can thus maximize the potential value of client-focused PD by consulting with the KM team.

On the re-use side, client-focused PD is usually leading-edge and high-quality, so the KM team should seek to re-use the content whenever possible — for example, by posting links to the recordings and materials in the relevant KM topical collections.

11. Social Learning

With current web 2.0 tools, teamsites, [wikis](#), blogs, and discussion forums, PD teams can make learning an ongoing, interactive dialogue. (A teamsite is just an online page or site that may include any combination of components such as a document library, a wiki, a calendar, a task list, or a blog; these can be customized to include the components a team needs.) All of these web tools can be used as forums to engage attorneys in sharing knowledge and building expertise. These tools can be added to existing practice or topic guides or as stand-alone tools for more general sharing.

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Consider setting up a discussion forum on a new legal development that a practice group wants to follow. Encourage everyone to post what they learn from the work they do in the area, or discussions they have with regulators, on a real-time basis. They can add links to internal and external resources.

Attorneys can be alerted when new posts are made so they are engaging in ongoing learning — or access the forum when they are working on something that involves the new development so the forum can be used as a resource.

To raise the level of knowledge in the firm about risk management policies and common risk issues, a KM team can set up a blog for the firm's general counsel, if there is one, or other risk partner.

A subject matter expert might be willing to embed their knowledge on a topic in a wiki that they continually add to and share with others. And others could add content also.

All of these tools will get more traction if you have some attorneys championing their use and committed to posting content.

The KM team can help you determine which tool is right for the topic and the extent of participation expected. They can help post relevant content and encourage attorneys to post. They can also curate the content and ensure it is the best information.

Conclusion

As the examples above show, KM and PD teams can collaborate in many different ways to strengthen attorneys' skills and provide them with ready access to usable knowledge. Teams can start right away on those methods that just better publicize existing materials, such as integrating KM resources into training and training new employees on KM resources. Those methods that create new resources, such as practice guides and process improvement projects, will require working with practice groups and thus take longer. Because KM and PD teams obviously can't do everything at once, they may want to develop a joint work plan that combines some shorter-term projects with some longer-term ones.

We hope these examples prove useful to KM and PD teams seeking to join forces to better support their firms' attorneys and help them deliver more value to clients. We would be happy

to continue the conversation with any interested readers, and would be particularly delighted to hear about successes derived from using these methods.

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