

All leaders welcome.

Knowledge Management
Forum 2019 | Report

#TRKM19

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Thank you for attending.



Simon Smith
Senior Portfolio Producer,
Thomson Reuters Legal Europe

Dear Delegate,

Thank you once again for attending the 2019 Knowledge Management Forum. The following report offers key takeaways from the day, including insights from our speakers and results from the audience polls.

It's worth noting that the purpose of the audience polling was to act as a catalyst for discussion rather than providing an accurate representation of the conference delegation, but I do hope that the results offer value and helped make the day more enjoyable and interactive.

We continue to seek feedback for improvement, so feel free to contact me at **S.Smith@thomsonreuters.com** to make suggestions for new topics, formats and speakers. We have already received some helpful recommendations and will endeavour to include those in the planning for future forums.

If you have queries relating to market insights, please feel free to contact Samantha Steer, **Samantha.Steer@thomsonreuters.com** and Catherine Kidd, **Catherine.Kidd@thomsonreuters.com**

Thank you again for your support of this event. I look forward to meeting you all again soon.

Best wishes,

Simon

Leadership interview.



CHAIRPERSON

Ian Rodwell

Head of Client Knowledge and Learning, *Linklaters*



James Berkeley

General Counsel – Beauty and Personal Care Division, IP, Legal Excellence Centre, *Unilever*



Peter Duff

Chairman, *Shoosmiths*



Dan Kayne

General Counsel (Routes), *Network Rail Infrastructure*

A leadership panel discussion. Featuring industry leaders and chaired by Ian Rodwell, Head of Client Knowledge and Learning, Linklaters.

Topics covered, included:

- Where we see the value in knowledge management
- What we see as the future of knowledge management
- Direction of travel

Key Takeaways

Peter:

- “Start measuring” - KM is wider ranging and so hard to measure, but if you don’t at least start to measure inputs you will never get to the stage of being able to measure outputs
- “Make KM mainstream” – such as including them in pitches and feedback loops
- “Culture is king” – without a genuine culture that allows/promotes collaboration KM will always struggle

James:

I agree with Peter’s comments, and add these key takeaways:

- In parallel with building metrics, it is key to be an advocate, articulating to stakeholders the way in which KM brings qualitative benefits, such as speed in decision making.
- KM as an engine of collaboration and team development. Great content, through easily accessible channels can help build a culture of curiosity, always-on learning and engagement.

Ian:

- The enthusiasm, energy and engagement from those at the top is absolutely crucial in shaping the culture and making effective KM happen.

Proliferation of emerging technology and the challenge of data.



James Pilgrim
Senior Knowledge Systems
Manager, *Linklaters*



Joseph Raczynski
Manager, Technical Client
Management in Professional
& Consulting Services,
Thomson Reuters



Ruth Ward
Head of Knowledge and
Collaboration Technologies,
Allen & Overy



Richard Batstone
Knowledge Manager,
Slaughter and May

Leveraging legaltech for KM: how PSLs and KM teams can use emerging technology to improve their client and internal systems and services.

This interactive session focused on the current hot topics of contract automation; data extraction; legal workflow and, teams & expertise. Attendees heard from those leading the charge within their own businesses on current opportunities, what the future may hold, and how to steer clear of problem areas.

Key Takeaways

Joe:

- You are not alone. Many firms are still formulating their KM strategy for how to progress. Of those surveyed, 62 percent did not have KM at their firm.
- Times are rapidly evolving, so that while pure search and retrieval is still highly prized, the next evolution is workflow solutions that will bring about set process incorporating feeds of data and “know how” at the fingertips of users.
- Pushing is easier than pulling. That is, the gentle automated pushing of content to users will be a part of a well-rounded KM strategy going forward. Technology is enabling this curated content.

Ruth:

- We all know people need to be at the heart of every successful legal KM initiatives, yet initiatives focusing on people and their expertise are often the hardest to implement given prevailing law firm culture.
- Around half of our workshop delegates put better collaboration across and in teams at the top of their people-focused KM wishlist.
- It seems it's early days for 'robot PSLs', with little active focus among delegates on technologies such as chatbots, and dynamic expert guidance.

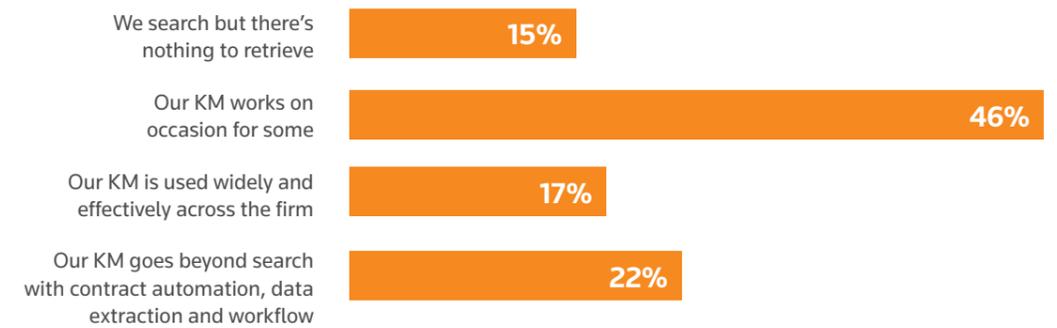
Richard:

- As a relatively mature legal technology, we can carry lessons learnt from the implementation of document automation across to our deployment of new legal technologies: to get good results takes people, time and energy.
- Despite its maturity, nearly half of the workshop delegates did not have a document automation system. Those who did largely use the data generated by users for reporting and ROI purposes.
- In our table groups, we discussed that it can be difficult to see applications for automation data within the teams that manage those systems: some of the opportunities arise from needs in other teams, such as business development / practice management. Again then, collaboration across teams is key to getting the most out of our systems.

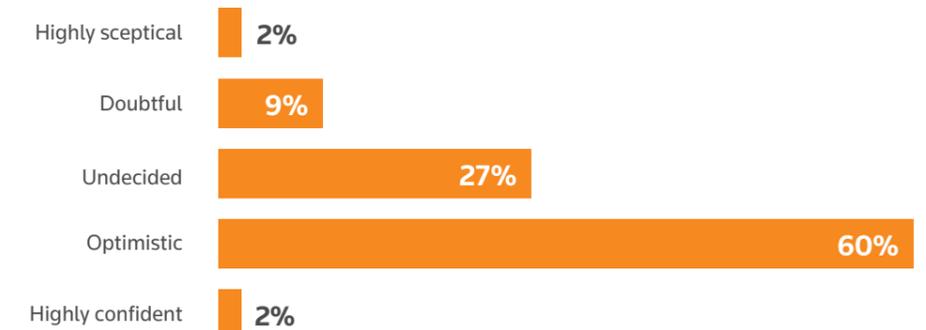
Jamie:

- Combining data from multiple sources can result in huge efficiencies (particularly if you link documents to structured data), but it requires careful preparation and design work at an early stage – particularly around the security model.
- For any system that needs users to add content, try to move the focus of from records / documents to people / groups—as this can provide more powerful incentives.
- It's easy to underestimate how much work is involved when using AI tools. Plan on spending as much time on developing tools for extracting data from a document as you would in automating its creation.

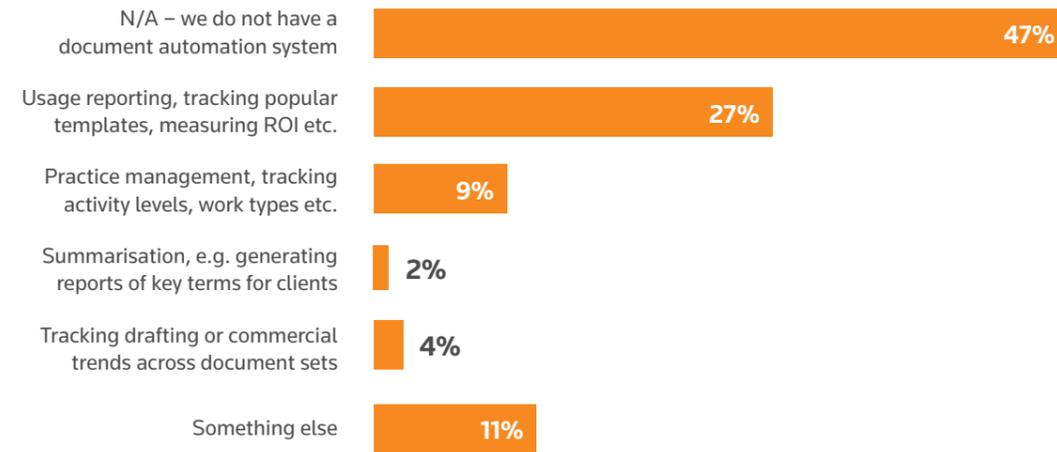
Beyond “search & retrieval” what is your firm doing with KM?



How confident are you in the ability of AI to usefully extract data for knowledge management purposes?



What are you doing with the data generated by users of your document automation system?



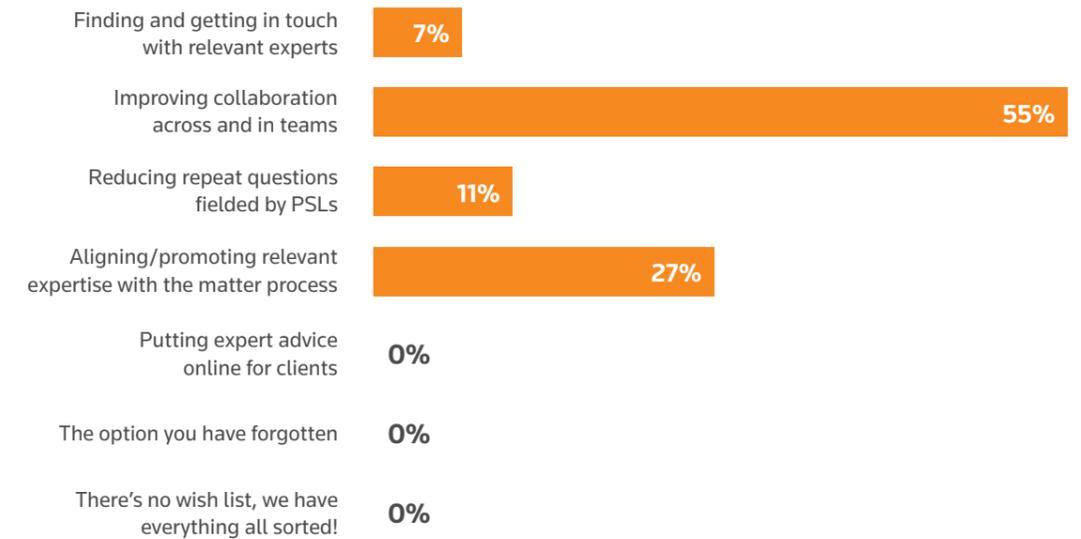
Have you created or customised a workflow within a KM tool to create a more efficient process?



Have you strung together two or more independent applications or services to create a workflow?



What's top of your current wish list for better tech-centered on people and expertise?



What is the current state of legal technology around the world?

WRITTEN BY JOE RACZYNSKI



Technology discussions once reserved solely for select Chief Information Officers (CIO), Chief Technology Officers (CTO), and technologists—are now commonplace for executive committees, partners, and associates at law firms. This transformative shift over the last four years is remarkable to witness. With wider audiences leaning into the conversation, the reality has surfaced that technology is becoming a differentiator with the business and practice of law.

Having met with over 500 law firms, corporations, government agencies, and startups in the legal space during the last thirteen years in the US, I have always wondered what is happening abroad, beyond what I read. Late last year a unique opportunity to travel to multiple international locations for work surfaced. This presented the chance to consider that as the technological revolution takes hold around us, is the legal technology world shifting at the same pace globally?

Traveling 37,000 miles, I started in Washington DC, and then went to New York, Grand Cayman, London, Dubai, Auckland, and finally Sydney. Before this trip, I visited with legal associations and legal industry personnel in Canada, Costa Rica, and Poland. These discussions included intimate gatherings of global law firm leaders, heads of startups, medium sized regional law firms, and leaders in the US and UAE government sectors.

The differences, similarities, and nuances of legal technology around the world

The legal industry around the world is pivoting and many are passionate about legal technology. Transitioning away from a niche world of a select few inside law firms caring—to a current world where the doors are being blown open to everyone tilting their head to listen. Partners, associates, internal support group, and the executive committees are all immersed in the conversation. Prompted by their clients inquiring about use of technology, and quite frankly, lawyers are also worried about their own jobs and the viability of their business as technology, such as document automation, is now able to handle some of the more repetitive legal tasks.

UK: My discussions and experiences have led me to believe that the UK legal market is on average ahead of the curve when it comes to the use and implementation of legal technology. I witnessed medium sized firms rapidly testing and using many of the latest artificial intelligence (AI) infused applications to seek efficiency. While they acknowledged no solution was perfect, they felt compelled to test these solutions to see where they could find competitive gains. Law firms in London, and the greater UK, endeavor to take more chances than any other part of the world. The business structure of how law firms are run is certainly a motivating factor. Another significant pressure for UK based firms are

the Big Four accounting firms taking business away, due to the legislative change from the Legal Services Act 2007 which added this model of 'alternative business structure' and permits non-lawyers to own a legal practice. In this scenario UK, law firms are first to truly experience this competitive pressure, but significant changes in market practices is increasingly becoming global, clearly edging into the US.

In addition, before the latest trend for law firms to link up with universities was in vogue, partnerships with universities was particularly robust in the UK. Upon meeting with the University College London, they echoed these same sentiments of active participation from law firms and corporations.

Supporting these firsthand accounts, is evidence from Acritas' Global Elite Law Firm Brand Index 2018. The firms producing the largest leap forward in brand recognition are clearly global, recently merged with a significant presence in the UK: including Clifford Chance, Linklaters, Allen & Overy, and Herbert Smith Freehills. Based on my conversations with these firms and the statistics, I believe their innovative strategic plans are pushing them further, faster.

The courts in the UK are also making advances through technology. In 2014, the Rolls Building, which is part of the Royal Courts of Justice (RCJ), began deploying an electronic filing solution—C-Track from Thomson Reuters. The system enables the UK legal profession to adopt more efficient and cost savings work practices by using digital technology for case management and e-filing. To date, the RCJ continues to expand the use of this digital technology into other courts in the system.

US: The US market is rather bifurcated. There are firms pushing the envelope along the same lines as what the progressives are doing in the UK, but still many firms stay on their traditional course. By firsthand account, a typical strategic plan remains similar to years past, if not decades ago with incremental change for many in the medium law firm space.

Investment in new tools and workflows come at a cost to the partners, who must commit to that investment for the future, and many are not inclined. I was asked to present to a US based firm with 200 attorneys recently by their Executive Director. He pleaded with me to describe to his committee about the impact of AI on the firm in the next five years, so they could prepare as he was near retirement. The committee dismissed the notion that AI would have any impact on the firm. This view is not an outlier.

The recent statistics in *Peer Monitor's 2019 State of the Legal Market*, supports this account of those who adopt legal technology or deny it. We see the Global 100, more

specifically the top 50 firms, growing while the rest stay below market averages. There are exceptions in niche markets who buck this trend and have seen upticks in their profitability. However, on the whole, those firms that have not evolved are stagnating.

Another statistic from Acritas surrounds the support for innovation in this space. They draw a direct correlation between those firms that have established plans around innovation and growth. Their report cites, "Innovation can spark increased client advocacy and budget spend, so that when clients view firms as innovative, client advocacy almost doubled and share of spend was 50 percent higher than non-innovative firms." While this exists across jurisdictional lines, medium sized law firms in the US could have the most to gain from these learnings.

UAE: What stood out the most for me in Dubai was the commitment from the government to advance the ease of legal access to the people. If you were to turn the US government on its head, you might get some of the innovation that the Emirati are advocating. All forms, requests, and even initial court filings will be completed online. The response times are slated to be rapid. By 2022 the Dubai government will have most of their public information moved onto a blockchain, for redundancy and security. Likely in this upgrade will be company records and public records—think deeds, corporate filings, as well as birth or death certificates.

As for law firms, one of the biggest in the UAE that I met with is pushing what they can do with all currently available technology tools on the market. Law firms in the UAE seem to reflect a lighter version of what is happening with legal technology in the UK, typically with a direct connect into those firms for direction and strategy.

New Zealand: Outside of the top eight firms in the region, several other firms I spoke with were crafting their portfolio of technology tools to assist their practitioners be more efficient. One firm was building a workflow automation tool on the transactional side with a bevy of coders onsite as well as in India to support the development. They were embracing an Agile method, in which they frequently discussed these tools with their clients. This collaboration further solidified the relationship and were an integral part of increasing the efficiency for work completed on the client's behalf. Of the advancements in operational practice, one area that surprised me was the slow acceptance of alternative fee arrangements by firms as each firm awaiting the results of early adopters.

Australia: What most impressed me in Sydney was both an adventurous spirit when it came to legal technology, but surprising a generally cautious nature toward adopting new

ways of doing things. After spending time with numerous managing partners and innovation officers, it seems that Australian firms have the potential to lead the way into newer technologies. That said they sat similarly to their neighbors in New Zealand. Fixed fee arrangements have been around for years, but are not used frequently yet. One managing partner told me that Australian firms have leaders that can make bold decisions, but are testing the waters with newer forms of legal technology in their marketplace and looking for someone to jump first on the boldly visions.

Legal Tech startups are thriving in Australia. This is certainly supported by the most recent **Tech and the Law 2018 Wrap Up** guide by Thomson Reuters. "In 2018 more than \$1 billion was invested in legal technology, three times more than the previous year", globally. In Australia alone, there are currently 93 legal startups with legs in the country. The Australian Legal Technology Association continues to thrive with interactions from both the startup community as well as traditional lawyers with curiosity.

In a recent conversation with Stevie Ghiassi of Legaler based in Sydney, who specializes in blockchain enabled legal solutions and scheduling, he described this community with gusto. What he is trying to do is bring the latest tools available to the legal industry. In doing so, it is likely that they will disrupt many of the current law firm functions and he is happy with that philosophy—as are many of his peers.

Technology journeys

After hitting 98,000 miles for the year in total travel, I am witness to a significant shift in the way that law firms look at technology. Changes evolving from the back-office support centric views of yesteryear, to the front and center underpinnings of how new tools can alter business and practice legal workflows. The shift is here, though each country seems to have various degrees of acceptance of this new reality and more importantly the practice of it. What creates the distinction are outside factors which either push or pull a firm to accept this new norm. The progressive state of the legal system in the UAE and UK has legal technology at the forefront, and it will be interesting to see what adjustments will occur around the world as a result. I do believe that while our legal technology community is large and expanding, the collective will continue to converge, eventually reaching the point of an e pluribus unum around the world.

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Culture Culture CULTURE!



Alicia Hardy
Director of Professional Support,
White & Case



Rupert Lescott
Knowledge Management
Specialist, *Ex-Military*



Clare Semple
Head of Knowledge &
Commercial Litigation and
Regulatory, *DLA Piper*



Caroline White-Robinson
MBA, Head of Knowledge
Management and Learning &
Development, *Shoosmiths*

The way in which your organisation works and views knowledge, and its real and perceived value, is essential in the efficacy of your knowledge initiatives. This interactive breakout session delved into culture and how knowledge managers can get themselves heard.

Key Takeaways

Rupert:

- Cultures change as people's attitudes change. KM pilot projects can help this to happen. Focusing such pilots on discrete business challenges or opportunities creates quick value and helps to 'sell the concept' by creating success stories.
- Cultures change through word of mouth and overt leadership. Pilot projects win the necessary senior support by creating value and addressing pain points.
- We each need to be the change that we want to see.
- Legal KM would do well to learn from other sectors and stop pretending that there are valid reasons for excluding non-lawyers from non-lawyer roles.

Alicia:

For effective collaboration;

- Be really clear on intended outcomes.
- Employ a diversity of skills and experience; put people to their highest and best use and make them accountable by employing an agreed process around the collaboration.
- Celebrate success together.

Caroline:

My take home points are;

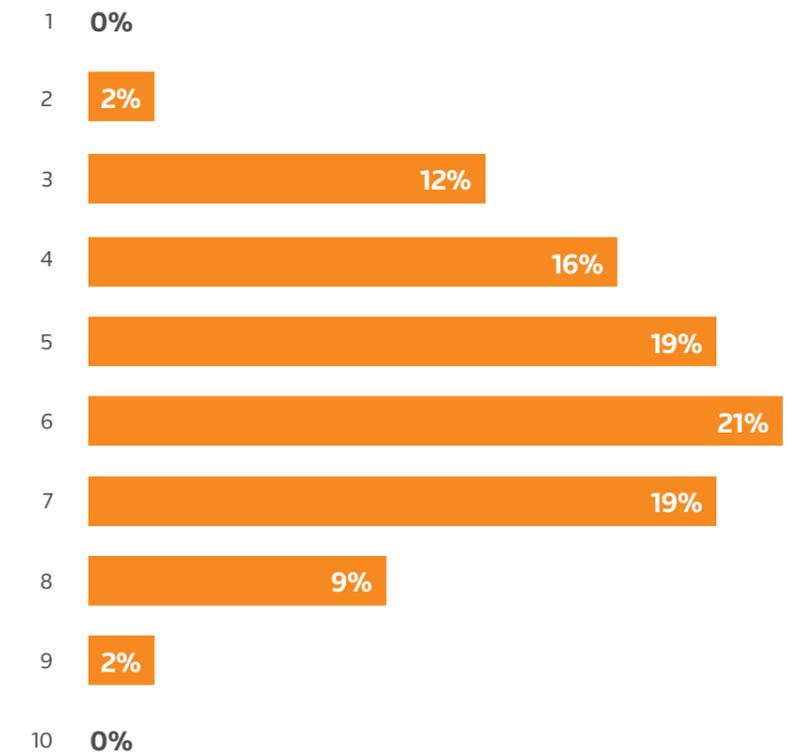
- Your heroes won't always come out fighting for you but you learn to stand on your own two feet
- Your villains provide an opportunity for you thinking to be challenged and expanded. It is very rarely personal.

Clare:

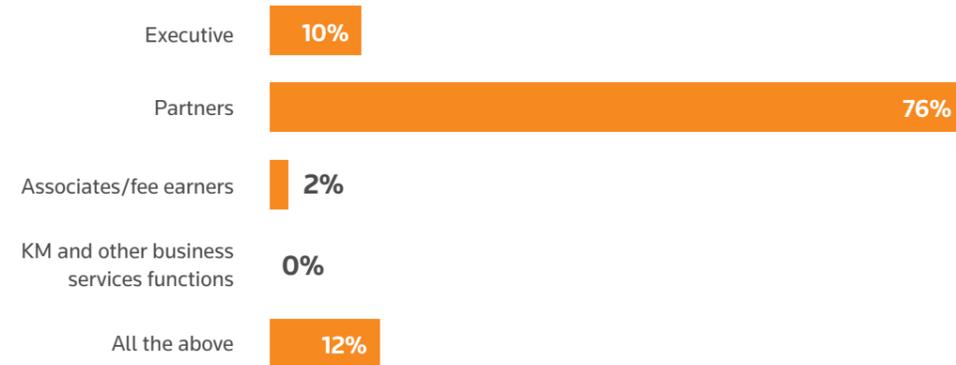
Think my key points to sum up are:

- Culture may not be homogenous. Identify the (knowledge) culture in the part of the business you are working in and any particular challenges or opportunities this may present.
- Be clear where you are aiming for and assess whether you can get there by working with the existing culture and if not if you can change/influence it.
- Identify your key players.
- Eat the elephant one bite at a time.

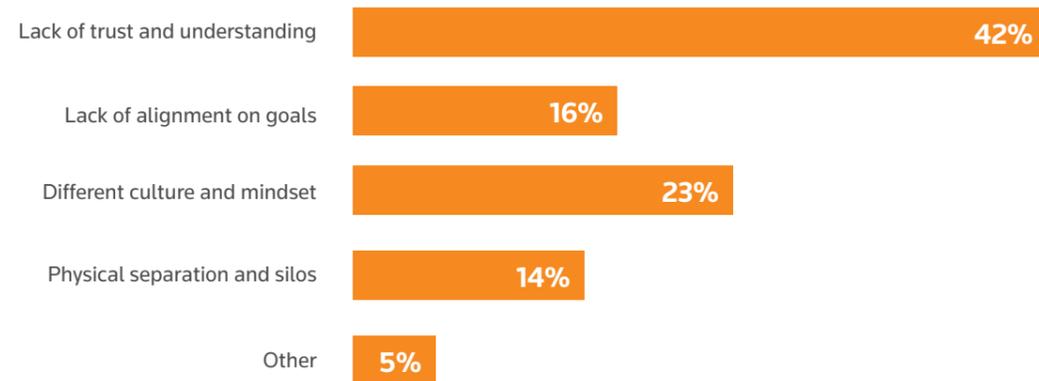
On this scale where do you fit where 1 represents Outsourced KM and 10 a Learning Organisation?



Who had the biggest influence on law firm culture?



What would you consider to be the greatest Barrier to effective collaboration?



An international standard for knowledge.



Carol Aldridge
Head of Knowledge Management,
Burgess Salmon



Karen Battersby
Director of Knowledge,
Freeths



Paul Corney
Managing Partner,
Knowledge et al

This breakout session focused on helping attendees understand more about the recently published ISO Management System Standard for Knowledge management and offered insights from organisations implementing the system.

Key Takeaways

Carol:

- Work with an effective assessor/auditor to ensure objectivity
- Look for opportunities (e.g. client demand)
- Plan any implementation – ideally with support from PM
- General alignment appears pragmatic for now
- Familiarity with ISA 30401 may help but don't trade KM for ISO admin
- Assess how/when to use it in your organisation

Who is considering introducing the new ISO KM systems standard within their organisation?



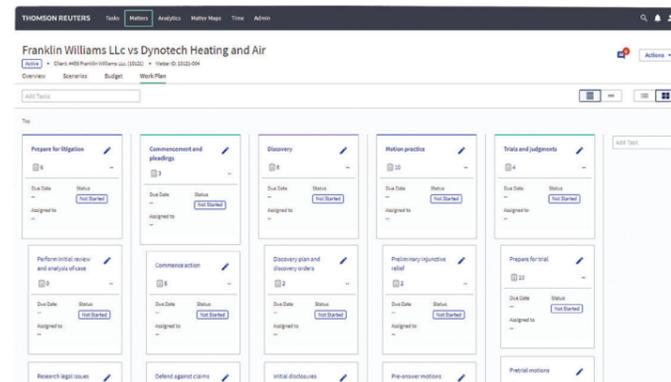
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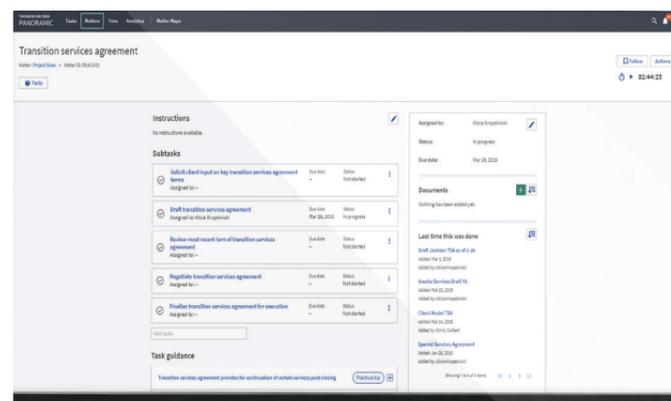
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Prepare for litigation / add billing code			80.00	70,000.00			
Commencement and pleadings / add billing code			100.00	75,000.00			
Discovery / add billing code			50.00	35,000.00			
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What can we expect and when?



Catherine Kidd
Large Law, Market
Development Lead,
Thomson Reuters Legal



Chris Hendry
Director, Product Management,
Thomson Reuters Legal



David Rawson
Director, Global Legal Workflow
in Product Management,
Thomson Reuters Legal



Ellery Sutanto
Co-Founder, *INTELLEX*

A natural progression from hearing more about emerging technology is understanding when it will arrive and more about how technology will help with efficiency and extracting greater value from knowledge. This session covered moving from from pull to push, and knowledge at the point of need within workflows.

Key Takeaways

David:

- “What” to expect for the future of KM is not just about new technology or products. It’s about adapting the culture of KM to be more receptive to the value that technology can bring - preparing the ground for lawyers to be the masters of their technological tools, not their servants.
- “When” is less about technological advance, but how quickly lawyers shift their way of working to more readily adopt the technology that’s out there already. Cultural shifts are unpredictable, but lawyers tend to support moves that are allied to helping them know what they need to know, when they need to know it, so KM is at the heart of leading that change.
- The next shift in thinking is likely to be around the creation of standardised approaches to defining what work is and how knowledge connects to that work. The ultimate endpoint will be the marriage of human analysis with machine learning technology.

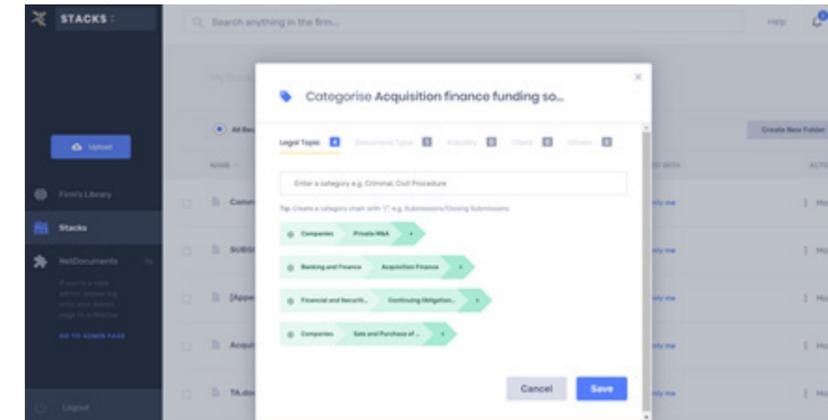


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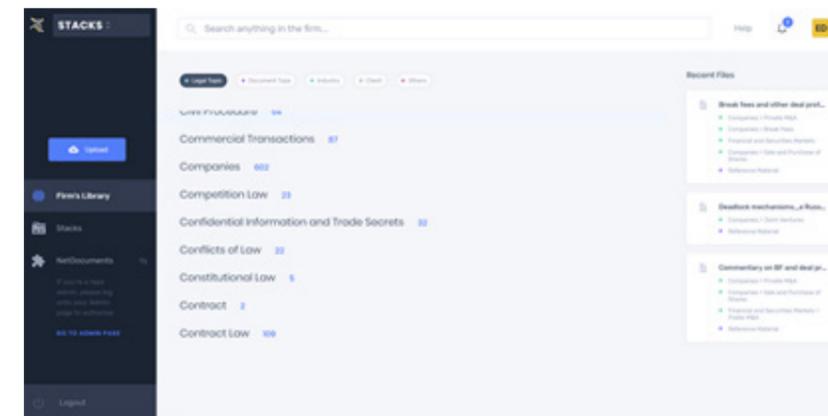
A smarter practice: Beyond legal project management

Ellery:

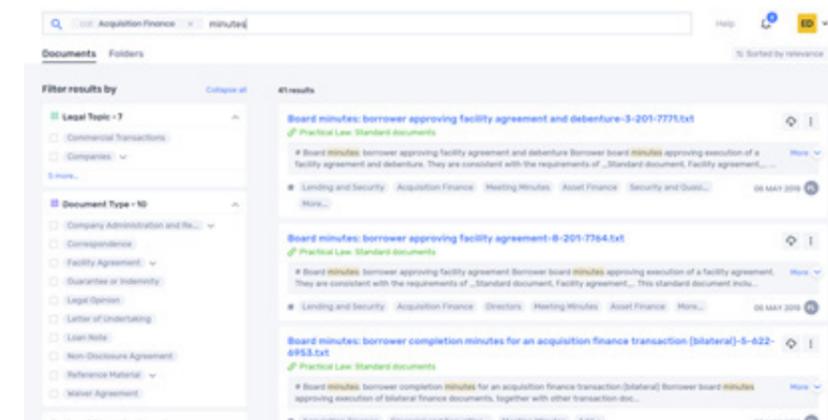
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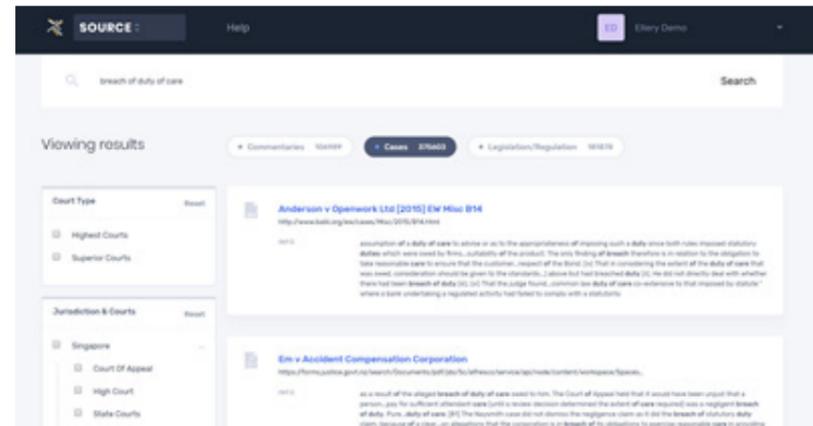
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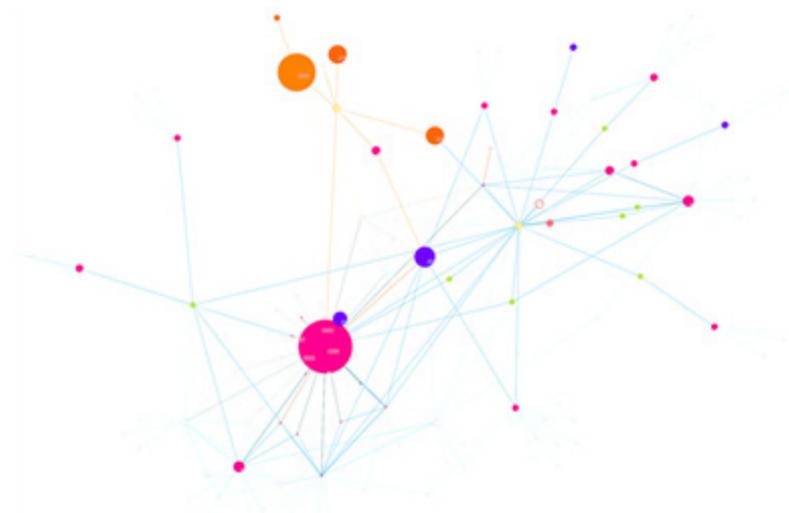
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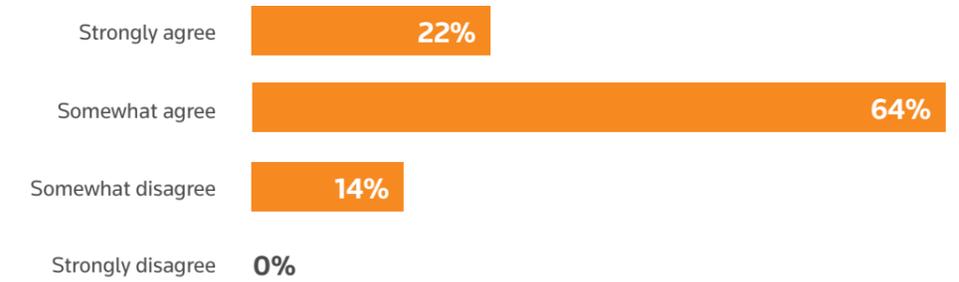
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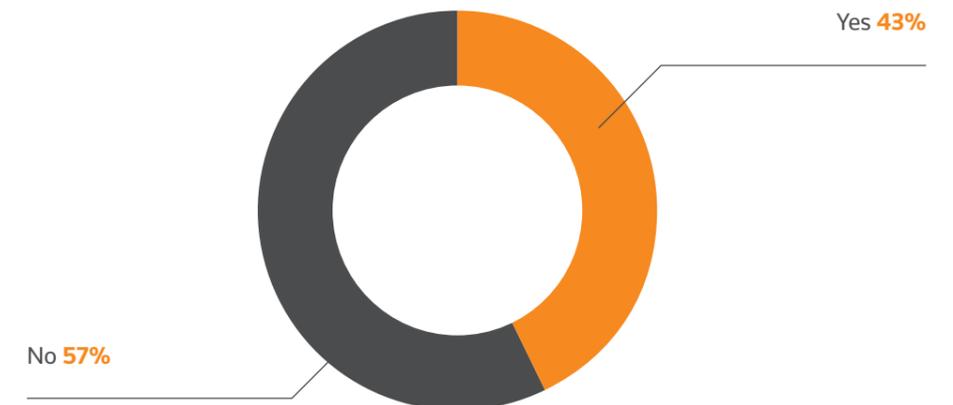
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“The way you share knowledge internally and externally is how you create competitive advantage. Much of the rest is simply must have and doesn’t differentiate you!” (Suskind, 2018)

Do you agree with this statement?



Does your firm recognise this in its strategy?



What advancements in information and technology are you most excited about?

ai led efficiencies **linking**
information search improvements
workflow data analytics data **analysis**
machine learning
linked **predictive** content document automation
au led efficiencies aggregating data **aggregation**

What emerging technologies are the most over-hyped and offer little potential in the next 5 years?

machine learning **cms** data analytics
blockchain
block chain **expert systems**

Resourcing knowledge.



Paul Byfield
Legal Knowledge Manager,
*European Bank for Reconstruction
and Development (EBRD)*



Sarah Pullin
Director of Knowledge Operations,
Baker & McKenzie



Rebecca Rogers
Global Legal Knowledge and
Training Lawyer, *HSBC*



John Hovell
PMP, CKM, Chief Executive
Officer & Co-Founder,
STRATactical International

The breakout session investigated the reoccurring challenge of resourcing for knowledge professionals. Attendees explored the advantages and disadvantages of moving some functions out of main locations, and shared solutions to those in-house knowledge challenges. Topics covered, included; off-shoring and near-shoring knowledge functions; outsourcing; technology and tools; in-house challenges; and, rewards and recognition.

Key Takeaways

Sarah

My key takeaways I summarised at the end of the session were:

- Given there are restrictions on budget and headcount that most people don't see changing, there seems to be significant opportunity for resourcing Knowledge by third party products and services as well as tech, for which people expressed quite some enthusiasm; and,
- In the light of the perceived rapidly changing context of Knowledge, people expressed some anxiousness about committing to a way of resourcing that would too quickly become sub optimal. It was recognised therefore any approach would need to be 'future proofed' and agile enough to cope with change.

Rebecca

- I would like to reiterate the point on getting your advisors to collaborate and look for solutions that work for all. Budget is tight and future proofing is essential so many minds on a problem helps to mitigate this.
- Ensuring knowledge management is part of the day to day rather than an add on 'task' is something that really resonated with me. Fits with the culture focus.

Paul

- 'KM isn't just managing knowledge' – more to it than that, it's about changing mind-sets and workplace culture
- There is a clear difference between in-house and private practice – some things can work in one environment but not the other.....
- You have to build a culture of trust in order to succeed in a 'change project' like KM

John

Be sure to note culture when considering how to resource knowledge and knowledge management – and possibly re-frame culture as 'group dynamic' to see if that spurs conversation

Break the machine!



Kathy Jacob
Head of Knowledge and Information Services, *Financial Ombudsman Service*



Rosemary Nunn
Founder and Managing Director, *I&K - The Innovation and Knowledge Agency*



Maddy Webster
Knowledge Partner, *Financial Ombudsman Service*



Chang Zi Qian
Co-Founder, *INTELLEX*

If you could destroy the knowledge machine and rebuild it, how would you do it?

It is often hard to re-imagine a process whilst in the office, so this session got attendees to think about what really gets on their goat, and what they could do to change it.

Key Takeaways

Rosemary:

- The main thought that really went through my mind after the event was that the "model" for enabling and valuing knowledge flows in Professional Services Firms really needs to change.
- The fee-earner, non fee-earner split was still very evident and the non billable hours status of knowledge contribution and curation was still seen to have a significant impact on knowledge outcomes. We touched on so many issues during the overall session, which was excellent, however, to really break the machine, I would propose that we rethink the model!
- Another key takeaway from my table was very much around the vision that Knowledge should be a shared asset. It does not "belong" to those in Knowledge roles, but to everyone in the firm, and Knowledge should be seen as intellectual capital, a valued shared asset. There were many values and actions which the delegates felt would be needed to generate this outcome.
- The final takeaway for me however was around the age old question of, how do you measure the ROI and assign value. As a takeaway, I suppose I am highlighting here the thing that I think needs to change, even if the whole model didn't/couldn't change, if you could only change one thing, do this. Ideally this would be part of the overall change in the model for facilitating knowledge flows in Professional Services, however, this could also be done in isolation. I have some nascent ideas here, but won't ramble on any further.

Kathy

My overall impression was that this year the conference tackled big issues like culture and demonstrating value. Also there was great similarity in the issues coming up from attendees

- Knowledge professionals - change in approach to stakeholders
- Encouragement to be braver (asking for forgiveness rather than permission) and not being afraid to challenge the status quo. This was highlighted in Ruth Ward's career reflection of her career and echoed in the workshops. The need for knowledge professionals to promote the knowledge brand and themselves especially about what they've delivered/impacts.
- Making time for reflection to aid continuous improvement – especially using lessons learned to drive change.

KM – IM – OD, OK?



Alison Devlin
Head of Knowledge Management,
Eversheds Sutherland



John Hovell
PMP, CKM, Chief Executive
Officer & Co-Founder,
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Lawyer (England & Wales),
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Knowledge Management is often blended with Information Management. Organisation Development is often blended with Organisation Design. This interactive session provided an opportunity to raise our awareness and understanding of these similar disciplines.

Key Takeaways

Alison:

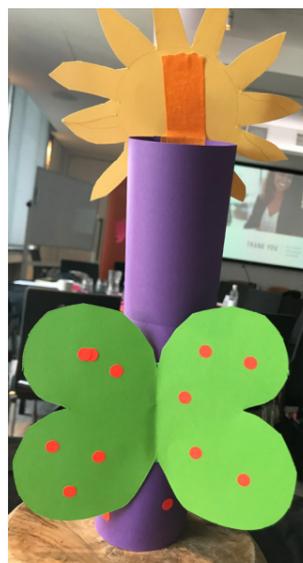
My takeaways are;

- Remember group task versus group maintenance. When working as a team it's important not always to focus solely on the task in hand. Taking time to get to know the team members as individuals and observing their preferences in terms of communication style and approach can mean that you reach a more successful outcome by playing to each person's strengths.
- Improving group dynamic doesn't need to take lots of time. You could repeat a similar task-based exercise in a relatively short team meeting and walk out with each person having a better understanding of what makes the team click.
- As KM'ers in the legal profession we have always been curious and at the forefront of innovation. Be bold and take some of the learning around OD back to your firms and you may unleash hitherto unknown productivity!

John:

My key takeaway is:

- If you're interested to learn more about organisation development, here are two book recommendations NTL Handbook for OD & Change by Brenda B Jones and OD: A Practitioner's Guide by Dr Mee Yan Cheung Judge.



What next for clients?



Sarah Chambers
COO, *Ashurst Digital Ventures (EMEA)*



Catherine Kidd
Large Law, Market Development Lead, *Thomson Reuters Legal*



Claire McNamara
Director, Knowledge Management, *HFW*



Paula Reid
Partner – Knowledge, *A&L Goodbody*

One of the forces that helps shape a firm's knowledge capabilities is the expectations placed on the firm by clients. This breakout session had attendees explore common requests and new, novel approaches to working with clients.

Key Takeaways

Paula:

My key takeaways are;

- The best way to understand what clients want is to ask them. These conversations are most usefully conducted by the relevant knowledge lawyer and other relevant resource from the knowledge team. Clients may want help from your library team or guidance on how to work with their own IT function in developing a KM solution.
- Sometimes client legal teams welcome a knowledge lawyer acting as a filter in an environment where everyone is struggling with the scale and pace of legal and regulatory change – giving them a clear message about the impact of a new or pipeline development. A conversation with a knowledge lawyer may be much more helpful than another email or alert.
- Generic client knowledge offerings need to be agreed with the management team and relevant practice groups and clearly communicated and understood by fee earners. This ensures a consistent message by the firm's lawyers and is the best way to manage client expectation. More bespoke client offerings need the involvement of fee earners and therefore need to be approached cautiously with a clear understanding of the resources required and level of fee earner input required.

Claire:

I would echo Paula's takeaways and add by saying that for me key messages that came out of our session included:

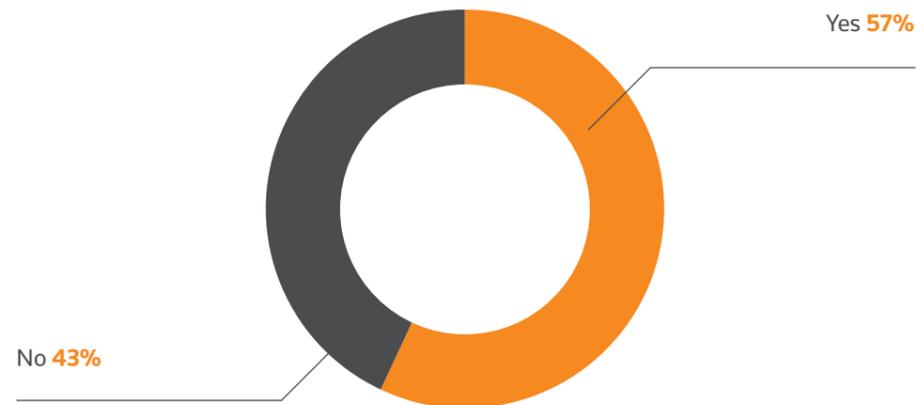
- The importance of the KM conversation with clients and that this is best undertaken by someone from KM not the Client Partner.
- Any new product or offering will only work if it is developed collaboratively with KM, IT, the fee-earners and most importantly the user client base. Even then you need to make sure you scope out the nature of the problem you are trying to solve first and see if there is the desire and appetite for the solution and the necessary time and money to invest in it both from a set up and importantly an ongoing maintenance perspective.
- We can charge clients for solutions. Key to this is doing the initial research, partnering with clients from the outset as per above points to make sure the product you are offering meets the need/adds the value but even then it is difficult to price appropriately.

Sarah:

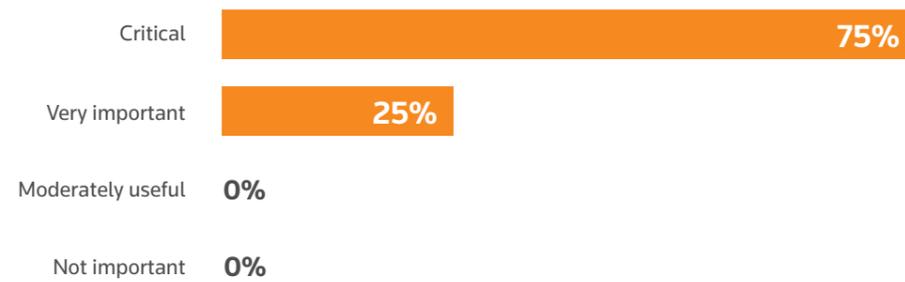
My key takeaway is:

- If a firm/department expects the KM team to be client facing/ produce client facing content then KM needs a seat at the table: to be in the right conversations at the right time - before the project, during the project and, importantly, after the project to log the lessons learnt.

Does your KM team have a direct client facing role?



How important is support from fee earners in driving KM client initiatives?



Have you requested training for your firm from your clients?



Do your clients request current awareness alerts?



Tech adoption challenges in corporate legal departments

WRITTEN BY NAYEEM SYED



Nayeem Syed is a senior technology lawyer, currently working at Refinitiv, a global provider of financial markets information and infrastructure. Each month he writes about innovation, technology and regulatory issues in the legal industry for Thomson Reuters Legal Insights Europe.

In-house lawyers today face significant challenges with increased regulatory risk, such as GDPR and business uncertainty, which has been exacerbated by Brexit. At the same time, they hear constantly about emerging technologies such as AI disrupting the tasks typically done by lawyers. This article explores how the landscape has changed for in-house legal teams and how easy it is to adopt new technology offerings to produce improved outcomes.

Changing landscape

Regulatory risk can upturn otherwise compelling business plans. Organisations are compelled more than before to be brave and take risks, but also face many new complex and overlapping regulatory and compliance questions. As leaders search out new revenues and enter many new markets, either through cross-border sales efforts or expanded operations, lawyers who are trained in one jurisdiction are expected to navigate all those foreign frameworks and still manage counterparty risks.

Additionally, there is an expectation to do more with less. Chief Finance Officers are relentlessly seeking savings, year on year. They therefore task all functional leaders to be more forensic and validate all spending. Meanwhile, law firm rates are rising and, as a result, in-house teams are required to be much more self-reliant and become even more generalist. Internal clients want immediate answers and grimace at memos. Boards are more aware of compliance hazards, and are requiring that new plans secure legal sign-off, but that puts pressure on lawyers to quickly assess risk and develop solutions to move ahead.

Technology enablers are changing risk profiles, but not evenly. It enables costs to be reduced and firms to compete more effectively. However, it also creates many new challenges (cloud security) which need to be understood to be mitigated.

Challenges to adoption

The demands on in-house teams have transformed, and the tools available to them have improved especially in relation to technology solutions over the last few years. However, there are practical adoption challenges.

Chris Fowler, General Counsel Technology and Transformation at BT, explains that a key challenge with technology adoption is interoperability: the danger with adopting a series of small or isolated or narrow solutions is that they often cannot connect with each other or with future solutions. Or, they aren't scalable as a result. According to Fowler, interoperability is one of the biggest challenges with emerging technology, in particular. For example, there might be a discrete solution to a problem (like contract management) which is great, but will it connect well or easily enough with the overall corporate infrastructure / IT roadmap to gain sufficient value. If not, there is a risk that data is stranded or not utilised as well as it could be.

“Contract automation has rapidly moved from novelty toward commodity status”

For many organisations, adopting new legal technologies is perplexing. This is tied to the challenges of legacy processes and systems as well as competing priorities and budgets. To adopt a new approach to something as important and subjective as legal support and risk management requires many stakeholders to accept the business case for change and cost.

The benefits must be capable of being internally measured, as well as being risk managed, which are both critical to staff acceptance. It also requires being able to assure leadership of stable, smooth and predictable transition. Smaller in-house legal departments with more autonomy can invariably afford to take more risks and in this way, be more experimental. However, large, matrixed organisations require many different groups to be consulted and embrace the innovation journey. Institutionally, it can be difficult for various diverse and equally important teams to agree requirements and select the best solution.

When considering how to adopt new technology, there are three factors to consider: (a) the actual total cost to the organisation (including opportunity cost), (b) the range of desired organisational outcomes (not just the legal team) and, (c) tolerance for adoption risk which is comprised of timing, uncertainty, and ability to remediate.

Further, when considering which in-house legal solutions could lend itself to technology assistance or where to experiment with alternative technology-assisted support models, legal teams should consider which types of work they currently undertake and what parts of the underlying processes are most suitable to technology enhancement or automation.

Fowler explains that a holistic review is often required, adding: “After a series of good but tactical solutions, we decided that we needed to develop an overall global strategy in order to drive genuine digital transformation. At the end of last year, we developed a strategy we're pretty happy with, but it will still take 18 to 24 months before we completely see the full realisation of the vision as we must fit within other BT wide deployments and strategies”.

Contracts automation

One of the main day to day activities of a corporate legal team is managing the review, negotiation and drafting of commercial contracts. Contract drafting is therefore one of the key areas that legal technology innovators have successfully addressed.

Over the past few years a number of products and services have entered in the market with strong acceptance. This is not surprising as it has a clear and compelling business rationale for legal teams: by improving their ability to manage, store and produce contract documents they can help their organisations operate more efficiently. If sales or procurement teams are relied on to draft documents, they are freed to spend even more time securing clients or achieving tangible savings.

The key measure is speed to signing, but the path to doing this safely is a deep understanding of legal risk allocation in order to effectively standardise processes. It should enable organisations to efficiently maintain

consistency with internal policies and allow various stakeholders a common interface to track changes and progress, understand what is outstanding and what has been approved for deviation.

While few doubt that much contract work can be substantially displaced, we must recall the extent to which wider teams are ready and willing to adapt in order to adopt. While there are already many established offerings in the market, with many law firms successfully deploying this to their associates, there are still internal challenges for in-house teams.

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I'm a small/medium-sized firm/in-house team and I'm trying to.../How do I...?



Christine Astaniou
Knowledge & Learning
Lead, Enforcement & Market
Oversight Division, **FCA**



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and Legal Services, **HMRC**



Nancy Jones
Senior Professional
Support Lawyer at Orrick,
Herrington & Sutcliffe



Jenni Tellyn
Head of Knowledge Management,
Stephenson Harwood

Not everyone is out to develop the next HAL. The session facilitators explore the steps people would like to take in their knowledge capabilities. Whether it is upgrading a sharepoint system or looking at more effective starters-leavers interviews, this session aimed to help attendees find some best practice advice for their next steps.

Key Takeaways

Nancy:

"How do you incentivise employees to contribute their knowledge?"

- Time code for know-how work with hours target and acknowledgement in appraisal.
- Allocation of topic areas to individual lawyers with regular slot for update reports.
- Team wide acknowledgement of contributions, reinforced by leadership.

"How work efficiently with KM colleagues in overseas or other UK offices?"

- Aim for an early face to face meeting to make future virtual meetings more useful.
- Communicate on KM matters via a separate channel outside Outlook (e.g. Teams) so easier to track particular workstreams.
- Respect language and cultural issues and share local customs (and cake recipes) to encourage better understanding - "mind the gap".

Jenni:

"How to establish a data strategy"

- Many firms have not got their arms around this topic yet (don't yet have specific "data" roles (such as Chief Data Officer or data analysts/scientists) but having a data strategy hits all of the areas on the classic KM lifecycle (capture, create, find, enrich, apply, share, discard).
- Why create a data strategy? GDPR/regulatory/client information security requirements were a catalyst for lots of firms to start focusing on this.
- Key steps to creating a data strategy could be: Identify (conduct a bottom up review of what data you have and where it is stored), Store (create a knowledge map of how data storage systems speak to each other), Provision (package data so it can be reused and shared, and provide rules and access guidelines for the data), Process (move and combine data residing in disparate systems, and provide a unified, consistent data view), Govern (establish, manage and communicate information policies and mechanisms for effective data usage).

"Working effectively with other teams"

- The very nature of KM is that the "knowledge" being managed could be anything and KM sits at the heart of what is done around firms so KM-ers interface with many other teams (mostly IT, BD, HR, Records/Archiving, Innovation, L&D, Risk/Compliance). Sometimes other teams are doing KM without realising it!
- We often need to explain what KM is and how we expect to work together with the other teams (this may need to be reiterated often and at any opportunity if collaborating across business services groups is a new idea at your firm – eg go to other team meetings/events, evangelise in the lift, and develop your profile in the firm).
- Having a seat at the management table means KM projects are visible and on the agenda but we also add value/should seize the opportunity to ensure the KM angle is seen on other non-KM-led projects (NB budgets often get given to project leaders!)

Zoe:

"What are tactics for retaining intellectual capital when people leave the firm?"

- Try not to get to that point – start early with your KM.
- Put into place KM transfer of knowledge sessions beginning with moving in interviews, interim transfer of knowledge sessions and moving on interviews – therefore it becomes the "norm" to capture this knowledge."
- Be practical – does everyone need the knowledge of the person leaving or could you do 1:1's.
- Don't just download information and lose it – download a crib sheet of things like "who do I ask if I don't know the answer" and put them on the knowledge folder.

"How do I ensure knowledge gets a seat at the table?"

- Make sure that you know what "table" you need a seat at.
- Work through others and even if you can't sit on the relevant table find someone who does who can be your advocate.
- Communicate what you are doing and point out when something "good" has been done that it is KM.
- Work with others on their priorities rather than yours!

Christine:

“How do I maintain and curate our knowledge to ensure it is relevant and up-to date?”

- Delegates discussed two contrasting approaches: one where knowledge managers play an active role in the governance, curation and maintenance of knowhow; and the other where they take a more hands-off approach and encourage ownership and proactive curation and updating by staff. Both approaches can be useful depending on the nature of the knowledge. Where knowledge is critical, a centralised and more governed approach can be most effective. Where it is not, health warnings may simply suffice. Knowledge managers play a key role in determining which approach is appropriate.

“Where do you even start if you start from the very beginning in this day-and-age?”

- Getting key stakeholders involved at an early stage of any knowhow initiative, is a key starting point – in particular support functions and management. This will help to ensure there is a sense of a collective effort, rather than a unilateral push from knowledge managers. This approach will ultimately will help embed the project and ensure stakeholders have bought into the project from the start.

How can knowledge management support equality and diversity?



Carol Aldridge
Head of Knowledge Management,
Burgess Salmon



Lucinda Case
Lead, *Thomson Reuters*
Legal Europe



Jenni Tellyn
Head of Knowledge Management,
Stephenson Harwood



Michelle Bramley
Knowledge Professional

The final session of the day offered attendees updates and outcomes from the 2019 Thomson Reuters Transforming Women's Leadership in the Law (TWLL) conference. The panel also discussed key challenges moving forward with diversity, equality, and raising awareness of mental health awareness within the legal industry.

Key Takeaways

Carol:

By way of my own takeaways for this session, these are around helping those leading the D&I charge within our firms by sharing the lessons we have learned in our many years' experience of KM, for example:

- Requirement for top level leadership – including ensuring KM/D&I are on the Board level agenda.
- Helping our Boards to understand the business benefits of intangibles such as KM and D&I – i.e. supporting our work environment and service/product delivery.
- Listening to and leveraging the client voice/demand – particularly where in-house teams are ahead of us.
- Recognising the need for collaboration beyond the standard law firm/legal team hierarchy – e.g. respecting, valuing and leveraging wider connections with BD, PM and IT colleagues.
- Monitoring, measuring and showing progress – using anecdotal evidence (including storytelling) where hard measures are ineffective/incomplete and using stats to maximum effect where they do exist.
- Being 'unignorable agents for change', always remembering that 'change is never inevitable' and that 'culture eats strategy for breakfast'.

Michelle:

- A call to action for KM to become champions for change both in relation to diversity and inclusion and mental health.

Jenni:

KM-ers are “doers” not “talkers” and the ultimate collaborators so can bring people together to improve inclusion and can make implement practical ideas to provide real-life support for D&I initiatives, such as:

- Consider moving to gender neutral drafting (replacing Dear Sirs with Dear all or at the very least Dear Sir/Madam) by engaging with PSLs/house style committee/PAs or IT to change letterheads – see Law Society Gazette article.
- On mental health, PSLs are often well-placed to spot people struggling with workload or stress in their mentoring role and can provide an open forum to support a culture of admitting mistakes (especially among trainees).
- Good KM makes you happy! – effective organisation of know-how and enterprise search can help reduce stress by making work product/expertise easier to find for busy lawyers.

Lucinda:

- In the current climate of clients encouraging their law firms to adopt best practices in D&I and to promote diversity within their teams, there is an opportunity for KM groups within firms to be more vocal about the role they play in delivering legal services. As the KM group is likely to be more diverse than some of the client departments, they can help firms show a more diverse organisation. This is in no way meant to let firms off the hook in striving for more diversity in their partnership and leadership ranks, but perhaps firms are more diverse than they think if they look hard.
- I also feel KM plays a vital role in retaining hard won talent as do other areas of business services in law firms.
- I am pleased to say about five firms came forward after the event to offer to take part in the Acritas research on effective levers to improve retention of diverse talent.

Final thoughts.



CHAIRPERSON

Ian Rodwell

Head of Client Knowledge
and Learning, *Linklaters*

The most striking thing the conference taught me:

...that KM is an increasingly broad discipline that cross-pollinates with organisational development, learning and development, project management, innovation and creativity, continuous improvement and diversity and inclusion... so, as a consequence, we need to increase our conversations with those outside the traditional KM field as it's on those marginal edgelands that the most creative thinking occurs and the conference demonstrated that there is immense enthusiasm, energy and appetite to do just that.

From the emerging tech and breaking the KM machine, through to tips on improving culture, diversity and inclusion, we hope that this post-forum report has provided valuable information and actionable insights that you can take back to your organisation.

The KM world is constantly evolving, so make sure you regularly check back and visit our legal solutions website, which will feature regularly updated industry insights, expert opinions and case studies.

Thank you again for attending and we look forward to seeing you at one of our next legal conferences or events.

Visit: legal-solutions.co.uk/KMForum2019

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