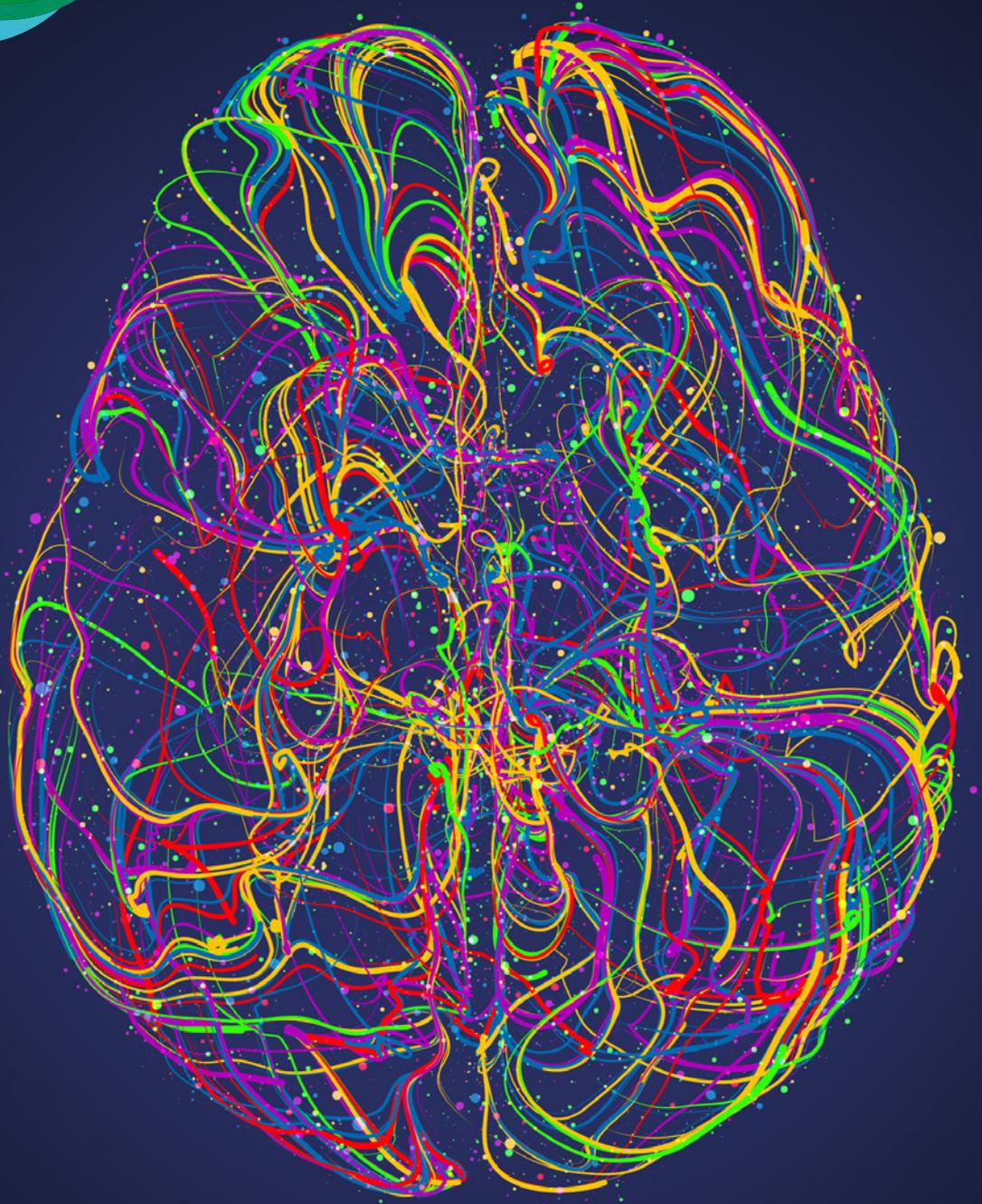




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Which way to know?

The knowledge department has always had responsibility for ensuring that its firm's most valuable, performance-improving information is reliably identified, captured, shared, enhanced and really learned from – and that it can then be found again, in useful form, at the right time. It has also long tried to make all of that happen as efficiently as possible with a combination of process improvement and potentially game-changing technology.

But this mission has perhaps never been as forcefully underlined as in the past year. The loss of the watercooler – and corridor, coffee queue, collaboration space – for much of that time has clearly pushed all to turn to a head-spinning array of digital alternatives. And as video and chat use soars, there's ever more potentially meaningful content to reel in and 'noise' to reduce. Decisions about just how far to control those working from home, and how best to maintain aspects of culture, only add to the complexity.

In this special focus – following intriguing roundtables co-hosted with **iManage** – our **Briefing** knowledge leaders at firms of all sizes compare their top considerations and priorities after a year of uncharted territory.



RICHARD BRENT **EDITOR-IN-CHIEF**

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Knowhow to change

Content, culture, and process consistency – how do the priorities of KM leaders at law firms of all sizes compare one year into a global pandemic? Richard Brent reports on a taste of the conversation at **Briefing** Knowledge Leaders 2021

M anual processes are only as good as the frequency with which they're followed by people. That's true whether you've just activated your business continuity plan in an unprecedented period for all organisations, or are leading in a more business-as-usual environment. And it's a concern as relevant to the knowledge-management work at a leading law firm as to any other area of a complex organisation. In the context of working through the pandemic, moreover – where those people potentially both have more to do, and enjoy some more autonomy over precisely how they do it – it's not surprising to hear it's edging up the agenda.

At the most fundamental level, knowledge leaders need lawyers to find and share the right information for delivering work effectively, but also in order to continuously improve the business – whether that's internal workings or the key

outcome of gold-standard client service. Even where people may be naturally inclined to share to help others and the wider effort, however, other activities can appear to take priority.

Ruth Musgrave, global head of knowledge, global transactions, at Freshfields Bruckhaus Deringer, says: “When lawyers are really busy, they can all too often be in a mode of moving straight from one transaction onto the next. They aren't necessarily thinking about extracting the insights, sharing documents on, or coming forward for a presentation.”

Esther Johnson, a knowledge development lawyer at Bird & Bird, says that this needs structure, and never more so than during a period of such dispersed working. “Culturally, there has always been a great deal of informal knowledge sharing. It's also often our lawyers who are responsible for anonymising and uploading

their own legal content onto the central knowledge platform; however, there can be bottlenecks waiting for partner approval.” She has seen increased demand for finding new ways to share legal knowhow more centrally during the pandemic.

There’s also an element of risk, it’s pointed out, where people may be turning to more sources of information to help them at home, and even managing those sources locally. Deborah Swarts, knowledge manager at Mills & Reeve, explains: “Proliferation of technologies can lead to proliferation of silos, and you need to find a way to limit that.” Helen Watson, knowledge and information manager at Michelmores, adds: “There also needs to be the sense-checking that you’re using the right applications for the content in question, and can push and pull between those platforms.”

Many, meanwhile, have been focused on striking the right balance when it comes to the collaborative mindset KM should help to drive – trying not to “overload people” with sharing duties, for example, says Jenni Tellyn, head of knowledge management at Stephenson Harwood, but managing to replicate the lost “watercooler moments” of the office past. “People can need help, in particular, to expand networks beyond immediate teams and projects,” she says. Tellyn recently took this challenge on with the ‘randomised coffee trial’ concept, inviting any two people at the firm to ‘SHare-a-ccino’ online.

And Carol Aldridge, head of knowledge management at Burges Salmon, says the clear need for committed responses such as this has really changed perception of the work’s “corporate legitimacy” in the past year. “KM is certainly even more clearly marked on the map now,” agrees Claire McNamara, who heads it up at Farrer & Co.

Keeping up with curation

Several larger firms have seen this as an opportune moment to revitalise their

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Ruth Musgrave, global head of knowledge, global transactions, Freshfields Bruckhaus Deringer

knowledge banks – but at the same time as the pressures increase, the shape of the content is changing.

James Pilgrim, a senior knowledge systems manager at Linklaters, says: “We’ve seen some minor curation changes, such as tagging and creating specialised intranet pages for certain materials.” More challenging, however, is considering the relatively rapid proliferation of chat channels from a knowledge perspective and the rise of video. “That isn’t as easily searchable as text content,” he says. And law firms will have content governance decisions to make when it comes to working and sharing on platforms such as Microsoft Teams.

Carol Aldridge at Burges Salmon also sees opportunity in video. She says: “Client webinars, for example, can be a wealth of applied content for juniors, without creating new silos.”

Alex Smith, global AI product lead at iManage, adds that more effective search requires contextual metadata, “whether that metadata is expertly curated by domain experts like lawyers, accountants and support professionals, or metadata from the ‘digital exhaust’ of how search is being used.” Tellyn, however, highlights that any poorly-managed metadata in different systems makes the work of bringing them together much more arduous.

Smith also agrees with Pilgrim at Linklaters that the ideal ‘magic wand’ outcome for KM would be rapidly to transform documents, or data – an email perhaps – into knowledge structure. “The

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Catherine Cadman, head of knowledge, Bedell Cristin

lawyer simply says ‘this is knowhow’, and we can make it accessible, searchable and tie that knowledge into other systems.” In time, he says, that will be for ‘the machines’, but there is curation process to follow in the meantime even to be able to train them.

How do you find it?

Ruth Musgrave at Freshfields agrees that pointing a search at multiple sources is important. But she adds: “We also need to allow for people to browse through curated collections, whether it’s knowledge of a particular type – standard forms or practice notes – or knowledge organised by topic that’s easily accessed in one place.” Her team’s approach considers both activities.

Richard Gaston, head of knowledge and research at Addleshaw Goddard, highlights that firms may need to give some thought to their ‘search culture’ in navigating this landscape. How do a firm’s people ‘automatically’ try to find things in a system? And are they prepared to change? Some larger firms have carried out behaviour-based exercises and interviews on the topic.

One knowledge leader says elements of Amazon-era search personalisation can be introduced to help people find certain things faster, and at the same time as changes to governance potentially crack down on the process of ‘going off grid’.

Leaders also stress that although protecting ‘single source of truth’ is important, different demographics – or just different people – may prefer different routes to it.

Emily Tearle, senior knowledge manager at Travers Smith, says: “People can arrive at knowledge in different ways – search, signposting or perhaps through a news post of interest.” The intranet can effectively serve as the gateway, she adds.

“An enterprise solution can sometimes be seen as ‘too much,’” adds Aldridge. “We like to provide slightly more localised views alongside enterprise search facilities.” PSLs at Burges Salmon each help to curate a ‘home page’ feature for their team, clearly directing to process guides and webinars specific to the area, as well as a set of key transaction maps linked to knowledge assets relevant at each stage. “For junior lawyers it becomes an almost pastoral resource, and they are also developing broader awareness,” she explains. Travers Smith has built practice area-based landing pages each with their own news feed, but actually discourages thinking of those as the ‘default’ home page to ensure firm-wide views aren’t missed, says Tearle.

In control of the conversation

While the challenges are clearly plenty, many (not all) firms – of all sizes – agree enthusiasm for knowledge-based meetings and training has also increased in the past year. Collaboration platforms and video have proved a leveller for sharing information this way, even increasing the quality of results – and the mooted ‘Zoom fatigue’ aside, feedback finds it has been a welcome break from hours of isolation.

Catherine Cadman, head of knowledge at offshore law firm Bedell Cristin, says: “Virtual collaboration platforms offer a more egalitarian experience for attendees based around the world, so we plan to continue even when we return to the office. There’s also the added business benefit of expanding the breadth and depth of explicitly captured and curated content for future use.”

Gaston adds: “There’s a certain emotional driver at work, the securing of

human contact,” – while Johnson at Bird & Bird says people are offered the opportunity to record updates rather than deliver in-person presentations virtually if that’s more comfortable – a model that has also proved good for consumption.

Tom Matusiak, legal director at Stewarts, agrees: “Lawyers like that they can watch ‘on demand’, and, as thoughts now turn to the future of hybrid-working, we need to ensure we keep capturing all relevant knowledge generated.” He says Stewarts is also channelling article and social media content – something people have produced more prolifically in the lockdown world – through a centrally-managed app for consistency, risk management and analytics into effectiveness.

Alison Devlin, head of knowledge at Eversheds Sutherland, highlights there has also been some benefit in the form of more focused international exchange – first, regions pulling together to create global ‘guide’ content for clients as the pandemic descended, and more recently training junior lawyers in multiple time zones online at the same time.

Culture changing?

This last point brings us right back to the potentially unifying impact of culture – key whether it’s contributing, sharing, searching or security up for discussion.

Jenni Tellyn at Stephenson Harwood points out there is no process improvement at all without changed behaviour. People need continuously directing to any new ways of working that aren’t sticking until they become second nature. And Catherine Cadman at Bedell Cristin has found collaboration and collective responsibility have both improved since her firm stopped defining change projects as ‘belonging’ to any one department. Tearle at Travers Smith agrees: “The hierarchy of a complex project with firm-wide impact can easily be flattened, instead simply ensuring that the

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Tom Matusiak, legal director, Stewarts

right players are involved.”

So, has knowledge culture ultimately benefited or suffered from the 2020 experience?

Travers Smith launched a new intranet during the first lockdown – Tearle pushed for that – and people were encouraged to “share personal stories of highs and lows as much as knowhow,” she says. “That has drawn engagement in ways we never have before. And now we have intranet ambassadors across the firm, including in business services, engaging with the KM team about where to take it, maintenance and best practice.”

And Paula Reid, head of knowledge at A&L Goodbody, says that her firm recently selected a very simple knowledge system, very specifically, so there was “absolutely no excuse” for people not to contribute. “We also took time to demonstrate the difference in client-response time when knowledge is effectively curated and disseminated. It was a happy coincidence that we had these things in place when the pandemic struck, but we saw a higher level of knowledge contributions in the period that followed than ever before.”

Traditional principles of managing data and knowhow have clearly been accentuated during Covid-19. There’s more demand than ever for clearer starting points, templates, and for knowledge itself. But while firms have looked at transforming process for knowledge submission, new media such as recorded video sessions have also brought legal content firmly into the Spotify era, with all the associated benefits for users but fresh challenges to manage. ▀



Test of knowledge

Alex Smith, global AI product lead at iManage, outlines what the last year has revealed about the importance of knowledge curation at law firms

Knowledge work didn't grind to a halt when the Covid-19 pandemic hit. In fact, much of the knowledge work in places like legal organisations – typically large, complex projects involving multiple people and requiring a healthy dose of critical-analysis skills and non-routine problem solving – was able to continue in full swing after professionals went remote.

During this period, knowledge workers have been under pressure to continue to create high-value work product, provide differentiated insight and advice, and produce actionable documents like expertly written contracts – all while keeping an eye on time and cost pressures, client demands and other concerns.

In the face of these pressures, no one – not even the high-powered knowledge worker whose work requires them to “think for a living” – wants to start from a blank piece of paper. And this is where knowledge assets come into play: they are the outputs that help to drive the business outcomes knowledge workers are seeking.

Necessity is the mother of invention

These outputs are more in need than ever because the past year has greatly changed the dynamics surrounding knowledge management.

Historically, your typical knowledge worker could just pop his head into someone's office to ask a question about how best to proceed with a task, and get a quick response to the tune of ‘Here's one I did earlier – have a look’ or ‘Go chat to so-and-so down the hall – she just worked on one of these’.

Can today's knowledge workers ask these types of questions on Slack or Teams? Of

course they can – but they often don't. The asynchronous nature of these platforms can make it hard to get a quick answer, and the information exchange isn't always as rich as oral communication.

This hybrid-working environment, where people are physically in a variety of locations, has led to increased demand for curated knowledge assets. There is a hunger for knowhow.

The knowledge content in demand includes traditional templates and precedents, as well as ‘how to’ and example advice. Think of a detailed template that provides a solid starting point for the first draft of a contract. With better processes, easier submission, and more of a focus on capturing the outcomes of past deals, knowledge management teams are creating and maintaining better starting points for their knowledge workers. It may not seem that ‘sexy’, but it's also the basis for legal tech and innovation projects involving document automation, which are accelerating practice innovation remotely.

Of course, you need to have an actual place to store these assets and deliver them to knowledge workers at the point of need. As a result, there is increased importance around empowering knowledge management and domain experts with easy tools, such as a secure and intuitive document management system, to manage this sharing and publishing process. The idea is for those assets then to be easily accessible from that central location through intuitive search and browse systems, rather than having to field emails from knowledge workers asking, ‘Can you point me to the best example of a precedent document for area X?’

There is also growing demand for easily

In an asynchronous world, without the physical handholding of an office setting, picking up tasks from a checklist is a reassuring resource to let you know you're doing the right things – even for the most experienced of knowledge workers

actionable content like checklists that can drive consistent process and actions for teams. These checklists standardise processes at a time of increased risk and pressure on fees, but there is also a focus on them because they act as key gateways to access information otherwise hidden away. They guide matter teams along the right steps and 'signpost' lawyers to key resources for each particular stage and task in a matter.

In other words, sometimes a checklist is more than just a checklist. It's a knowledge management resource. In an asynchronous world, without the physical handholding of an office setting, picking up tasks from a checklist is a reassuring resource to let you know you're doing the right things – even for the most experienced of knowledge workers.

Alongside these staples, more digital content like recorded Zoom meetings, learning presentations, and team sessions have bloomed in the past year. The emergence of transcription AI behind these services means a new slew of searchable assets is suddenly part of the knowledge content stack. Additionally, communication channels like Slack and Teams present opportunities to move conversations out of thin air and into a form that can be structured and collected. With the proper tagging and curation efforts of the knowledge management team, these are all assets that can be shared to knowledge systems, enriching the variety of content available.

Knowledge in action

There have been impressive recent moves by the knowledge management teams at several firms to support their knowledge workers.

Transatlantic law firm Womble Bond Dickinson, for instance, has implemented a new knowledge management application to provide universal search capabilities, quickly locate the materials the knowledge team curates within an easy workflow and, in turn, make that knowledge actionable.

At Canadian law firm Bennett Jones, search is an essential way to discover knowledge proactively curated and enriched with structured metadata, and that curation is completely foundational to surfacing the assets that drive the business outcomes sought.

Ultimately then, what we see is curation of content transforming it into reusable knowhow, process maps, checklists, shared experience, example advice, and templates that provide knowledge workers with wayfinders, starting points, consistent firm standards, and shared insights to work from.

Far from curation being an afterthought in a world of AI, we're seeing a renaissance in the value of curation – from Spotify, to Microsoft, and now into the legal world. Curators in law firms – from legal operations professionals, to knowledge lawyers and information professionals – see their efforts supported by modern 'knowledge publishing' interfaces. Their outputs are in-demand with knowledge workers who are looking for contextual starting points within the digital tools they use every day.

These outputs help to produce efficient knowledge work outcomes that show the collective firm's expertise and a consistent brand, all while signaling the healthy culture of knowledge-sharing clients expect from their professional services firms – not just during a pandemic, but, in truth, at any time at all. ▴



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