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## Knowledge Management: Finishing Right

By **Matthew Parsons**

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Most firms have invested in document management systems (DMS) to manage electronic documents. The software frees users from keeping track of where a particular document is stored within the digital labyrinth of computers and servers.

However, most firms treat their DMS as little more than a document access system. Little management is performed at all — wasting an opportunity to enhance efficiency, quality and consistency, and to reduce risk.

Consider the number of documents created at your firm. Assume that each lawyer creates (directly or via secretarial or support staff) an average of 10 documents a day, including letters of advice, file notes, legal agreements, research memoranda, bills, presentations, matter-related correspondence, and other materials.

This means that on average, each lawyer produces some 2,400 documents during a 48-week year. A firm with 500 lawyers produces more than 1.2 million documents annually.

With this flood of documents, your DMS addresses:

1. Physical storage (allocating a reference number and attending to the storage of the document on your servers).
2. Storage and access of various versions (enabling successive versions of documents to be retained and controlled).
3. Security and access control (allocating various rights, and keeping a log of who did what when with each document).
4. Search and retrieval of all documents (allowing full-text searching, and also searching using the information about the document that was entered into the document profile, or metadata).

In other words, your DMS is a catalog. But, unlike a library catalog where every item is carefully acquired and classified, a DMS is more like a detailed catalog of a junkyard. There is a range of items of various qualities, ages and values. There is worthless junk. There is dangerous or toxic junk. And there is the treasure buried under a layer of dust waiting to be discovered. There are draft documents, personal documents, finished documents, abandoned documents and internal documents — everything the firm creates.

Good News, bad news

The good news is that all of the firm's best work and the output of its best intellectual effort is stored there — a wealth of all of the firm's advice and documents since the DMS was introduced.

The bad news is that every document must be regarded as unfinished and unsafe to be relied upon. Documents finished by the best partners sit beside documents those partners abandoned, which sit beside documents created by the worst hire the firm ever made.

With the junk littered in the DMS it is simply unsafe to rely on any document found there unless you wrote it, and you know it is the finished version. The variable nature of the quality of the documents in the DMS, and the fact that the good are not separable from the bad and the ugly, means that most firms use a DMS to control access to working documents, and then have a separate system to deal with knowledge management.

The trouble is that these knowledge management databases have a notorious history of failure and poor contribution rates. Even worse, modern DMS search abilities and "hit highlighting" are often better than the search functions in the firm's separate brief banks, further discouraging use and contribution.

What can be done?

So what can be done? It's like a gold miner who owns a valuable mine — but the gold is so melded with other materials that the cost of extraction exceeds the value of the gold. It is simply cheaper, more efficient, and less risky for lawyers to re-invent the wheel rather than mine and validate the knowledge currently contained in the DMS.

But an unproductive mine can become cost-effective when a new technique lowers the cost of extraction and processing. So too with a DMS. What that requires is a change of lawyer behavior. Firms must reduce the number of documents retrieved in searches, eliminating everything other than finished advice and final versions of completed transaction documents.

Only the gold should be retrieved — only the documents that are safe to rely upon. It's not difficult to achieve. It simply requires that lawyers identify work product that is complete and final — finished advice, finished research and finished transaction documents. That's it. That is all it takes is for lawyers to finish right — to take that final quick step to mark the document as finished.

### Review Policy

Most firms already have a policy that completed documents must be reviewed for potential reuse and submission to knowledge management systems, but the rate of compliance usually is pathetically low.

Waiting until the matter is finished is simply too late. But if lawyers finish right, they develop a complete, searchable database of advice without spending money on additional software or systems. This helps both the firm and the attorney, because it increases the quality and efficiency of the firm's legal work, and supports better personal learning and knowledge management.

It may sound simple, but many I.T. administrators know from harsh experience how difficult it is to change lawyer behavior. And the success of KM programs rises and falls on lawyer behaviors.

Will lawyers make the effort, even if it is small? The answer is that lawyers will only finish right if partners do it, partners direct their lawyers to do it, and it becomes part of the way that people at the firm are expected to



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practice.

For example, "Peter" was a finance partner at a global law firm. His firm had never been able to get the full-text search engine working. However, in the document profile for every advice document Peter created he made sure that the word "PCAdvice" was typed in the comments field in the document profile.

He instructed every lawyer who worked for him to do the same, which they did. He knew that at some point the firm would get full-text working, and when a new DMS was installed, suddenly he had a full-text searchable resource of all his advice for the last five years.

The easiest way to start this process is to mark finished advice and transaction documents in your DMS by dedicating a field of the document profile to hold the information.

The field would either be blank, or hold words such as "Advice" for completed advice or "Agreement" for a completed agreement.

To make it easy for lawyers to mark documents in this way, add a button to the toolbar in the firm's word processor to automate the process. When the button is pressed, a dialog box would offer these options:

- √ Mark the document as completed advice and close the document.
- √ Mark the document as completed advice and leave the document open.
- √ Mark the document as a finalized agreement and close the document.
- √ Mark the document as a finalized agreement and leave the document open.

#### Additional Sophistication

Additional sophistication is easily included:

- √ Mark finished documents as "read only" to prevent them being inadvertently changed. Nominate a person as being able to edit these completed documents for administration purposes.
- √ Add the practice area of the author to the document profile when it is marked as finished to permit more focused searching.
- √ Add the name of the partner that authorized the work in the document profile for subsequent information and searching.
- √ Classify issues in documents (manually or automatically).

Of course, before adding more sophisticated features, determine whether the additional investment is sound. Several of these elements would be relatively inexpensive to put in place.

This simple system can help your firm better manage risk, improve knowledge management and client service, and reduce investment in separate KM systems.

Attorney Matthew Parsons, based in Cleveland, is the former "director of know-how and online products" at Mallesons Stephen Jaques, and the author of the forthcoming Effective Knowledge Management for Law Firms: How law firms can get KM right at last. (Oxford University Press).  
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