Law firms are knowledge-intensive organizations. Since the mid-1990s, there has been an explosion of information products that offer benefits to a variety of practice and management functions. “The Great Recession” of 2007 and the subsequent focus on alternative fee arrangements, as well as the enhancement of lawyer productivity, have also opened up new opportunities for information or “knowledge” professionals.

Law firm library departments have been the most impacted by technology, according to a recent ALM legal staffing report. As the responsibility for managing print resources has diminished due to technology advancements, librarians have been freed to focus on a wider variety of knowledge facilitating roles.

These two trends have led an increasing number of law firms to retitle their librarians as Chief Knowledge Officers (CKO). But even those without the CKO title often stand in a pivotal position to introduce transformative practice and management products. The 21st century information professional has moved out of the administrative shadows and into the forefront of introducing knowledge-enabled process enhancements.

Steve Jobs attributed the success of Apple to the fact that it existed at the intersection of technology and the humanities. Jobs was referring to the kind of multidisciplinary thinking, which librarians excel in. Information professionals connect technology and the law with a multitude of commercial, social, literary, technical, and scientific issues which stream through legislation, case law, and transactional activities. Information professionals are positioned to optimize both the management and practice of law because they live at the intersection of content, process, and technology.

Every facet of law firm practice and management requires high quality information. The 21st century challenge is driving knowledge into the enterprise at every step. The “last mile” is connecting knowledge with workflow, and information professionals can offer critical insights into matching content with process.

Innovation is not new to librarians. In fact, librarians have introduced many innovative technologies and initiatives to law firms, including the first
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**Measure Better to Manage Better**

By V. Mary Abraham

If you can identify and track the right metrics, you increase your ability to help law firm partners and managers better understand the value of KM operations. To do this, first stop asserting that KM cannot be measured and then find meaningful indicators of the health and usefulness of your KM programs. This article discusses four metrics that can help.
and opportunities that should be tracked to optimize professional understanding of issues. Development

Competitive Intelligence and Business

cause of action, party, or judge. A trial, likelihood of motion success, or damages by

provide insights into specific issues, such as time to documents. Tools for trial and motion analytics can improve the accuracy of proofreading on long transactional documents. Tools for trial and motion analytics can provide insights into specific issues, such as time to trial, likelihood of motion success, or damages by cause of action, party, or judge.

Pricing and Process Mapping. Several years ago Thomson Reuters announced it was no longer primarily an information provider but it had transformed itself into a “solutions” provider. Many of these “solutions” are new components of products, such as Westlaw or Westlaw Business and the Westlaw Intelligence Center. Products such as BriefTools, DealProof, WestKM, and Practical Law integrate with research products. Information professionals can work with practice groups and the pricing analysts to match standard processes identified with a specific type of work and with efficiency enhancing products to determine optimal Alternative Fee Arrangement pricing. Information professionals can introduce lawyers and the pricing team to sophisticated analytics tools that can provide benchmarks for competitor firm hourly rates. They can also help pricing professionals identify opportunities for streamlining standard workflows by leveraging hidden process improvement functions in existing resources. A product like DealProof (a component of Drafting Assistant) can dramatically reduce the time frame and improve the accuracy of proofreading on long transactional documents. Tools for trial and motion analytics can provide insights into specific issues, such as time to trial, likelihood of motion success, or damages by cause of action, party, or judge.

Competitive Intelligence and Business Development. Marketing and business development professionals have a keen understanding of issues and opportunities that should be tracked to optimize cross-selling and business development. In many firms, marketing and research teams have been developing a tight collaboration on competitive intelligence and monitoring projects. Professionals in these roles understand how to tame the daily stream of structured and unstructured data flowing across the Internet. With the use of aggregation platforms such as Ozmosys, Linex, and InfoNgen, or “listening platforms” such as Manzama, these teams can collaborate in developing highly curated alerts which deliver the most targeted and relevant stories to increase their awareness of client issues or generate new “touch points” for client outreach.

The information resources department normally oversees the selection and licensing of databases for competitive intelligence that provide company and executive profiles, financial profiles, competitor information, and litigation profiles for key client “dossiers.”

New tools providing transactional analytics can help a corporate lawyer gain insights into the competitive landscape, key competitors, and “what’s market” deal terms in advance of a pitch discussion. Litigators have new tools for developing litigation strategies, gleaning such insights as “time to trial,” a judge’s workload, or history adjudicating an issue. Information professionals can extract an adversary’s motion profile from the “big data” gleaned from Pacer, the federal docket system, using Thomson Reuters Intelligence Center or Lex Machina.

Knowledge Management and Professional Development. Knowledge Management (KM) is a core competency of librarianship. Catalogs are often overlooked as KM products, which can be leveraged to direct lawyers to resources. This same core competency makes information professionals ideal leaders of Knowledge Management projects. They work with IT and lawyers to establish vetting rules, document profiles, and search criteria. Information professionals collaborate with practice leaders and KM lawyers in identifying the firm’s best models and templates, creating practice portals, and linking resources to other types of internal and external “know how.” Tools such as Drafting Assistant and Practical Law can supplement the firms internal “know how” with third party checklists and “what’s market” language. Information professionals keep the professional development department apprised of resources which can supplement formal training sessions with “just in time” desktop guidance resources.

All of these recent developments suggest to me the emergence of two new law firm management solutions:
The Process Catalog. Information professionals have historically cataloged information resources in a topical approach. Smarter search engines have made the identification of relevant documents and resources easier. The emergence of a host of new process improvement products and functions suggests that firms would benefit from having information professionals’ inventory and catalog processes, which can be improved using specific tools. This “how do I?” tool would enable a lawyer to query a “how to” catalog for process enhancing resources which can assist in needs such as computing damages, comparing underwriters deal history, or comparing a judge’s motion grant history.

The Universal Help Desk. The line between administrative functions has blurred, as law firm operations have become more complex and knowledge dependent. It may be time for firms to consider instituting a physical or virtual “genius bar.” As department lines blur and collaboration increases, it will be less obvious to lawyers which department or cross-functional team can provide guidance or resolve an issue. Firms may need to implement a central helpdesk, staffed by members of various departments who will vet, collaborate, and direct requests for assistance. For example, if a lawyer wants to create a client facing team site, including model documents and competitive information feeds, members of IT, marketing, and information resources would collaborate to deliver the end product.

Optimized knowledge flows and procedural best practices will be core to the management of all law firms. Products and practice needs will continue to evolve. The new generation of analytics and “big data” products has emerged and will undoubtedly displace some existing resources and impact workflow. The role of the law librarian/information strategist will be to continually reassess the balance of resources and capture and analyze the ROI of digital products. They will need to continue working with firm leadership, administration, and practice groups to assure that all functional areas have the right mix of resources and intuitive workflows to optimize both firm administration and client support.

Source
1 “Law firm support staff: how many are enough?,” ALM Legal Intelligence, April 2015
When I graduated from library school, my master’s was in Information and Library Studies. Later, my alma mater decided to change the name of both the school and the degree to merely Information, dropping the “library” altogether. This was a little more than 20 years ago, and ever since, library schools have been morphing and adapting to the needs of modern library school graduates and the institutions that hire them. Certain core skills still remain relevant, even if they are put to different uses—cataloging, indexing, and abstracting, conducting reference interviews—and many new courses have been added to address varying aspects of technology. Library students must navigate their school’s course offerings to create the right mix of educational opportunities for themselves, and to develop the right skill set for the 21st century information professional. But there is still something missing. Despite serving as leading indicators of career success and professional longevity, two sets of skills are uniformly not taught in library school: soft skills and business skills. Mastery of these skills is crucial for librarians who work with attorneys, faculty members, and judges who expect them to contribute to the bottom line of the organization in ways not previously required.

What the first category encompasses can vary, but consultant/coach Peggy Klaus defines soft skills as “personal, social, communication, and self-management behaviors.” Some of the most common—and universally crucial—soft skills include self-awareness, trustworthiness, adaptability, critical thinking, empathy, influence, risk taking, time management, problem solving, and leadership. Through her years of collecting stories about workplace successes and struggles, Klaus came to the conclusion that soft skills have a tremendous effect on just about everything that needs to be done to get ahead and progress professionally. “You can have all the technical expertise in the world,” writes Klaus, “but if you can’t sell your ideas, get along with others, or turn your work in on time, you’ll be going nowhere fast.”

Business skills are another area overlooked by library school offerings. According to the authors of The Librarian’s Skillbook: 51 Essential Career Skills for Information Professionals, business skills include marketing, strategic planning, financial/budget...
Developing the Right Skill Set for Legal Information Professionals of the Future: The State of Library School Education

management, communications, project management, and contract negotiations, to name a few. Although these skills have become even more crucial in the “new normal” we all function in now, the concept is by no means a new one to many information professionals. Oregon librarian Meredith Farkas was blogging about this very topic back in 2006, saying that “many [library] schools create this false dichotomy between ‘library work’ and ‘information science work.”’ She goes on to discuss the business skills she considers essential—what she calls “Higher Level Competencies”—and includes under that umbrella skills, such as the ability to question and evaluate library services, assess stakeholder needs, translate traditional library services into online media, and market and sell library ideas and services.

When I attended library school at the University of Michigan, I had the unique opportunity to be accepted into the Residence Hall Libraries program as a Head Librarian. There were 12 Head Librarians in total, and we all were part of the housing staff, living in undergraduate dorms and running what were essentially embedded mini public libraries. For room, board, and a (nominal) stipend, we routinely performed all the tasks a librarian’s job would entail in the real world—acquisitions, cataloging, budgeting, hiring/firing/counseling, public speaking, event planning—but we got to hone our skills in a safe environment, where it was OK to fail and then learn from our mistakes. Unfortunately, this program was discontinued in 2005, and I don’t know of any similar opportunities in existence.

So, how can the information professional of the future gain the soft skills and business skills necessary to succeed in the legal industry today? If these skills are not being taught in library schools, what other avenues are available to develop them? Here are just a few strategies library students and recent library school graduates can employ:

• Capitalize on Association Membership - Joining a national, professional association, such as the American Association of Law Libraries, is a great first step. To take full advantage of the opportunity to develop soft skills, however, you need to take the next step and volunteer. Serving on committees or task forces can help develop many soft skills. Associations also provide ample opportunities to practice and perfect public speaking and writing skills. The power of association membership lies in what you are willing to put into it.

• Embrace Lifelong Learning - The most successful and influential leaders are also lifelong learners, mindful that a formal education is just the tip of the knowledge iceberg. Albert Einstein put it this way: “Intellectual growth should commence at birth and cease only at death.” The best way to develop your skills, as well as learn new ones, is to take advantage of educational opportunities, be they in person or virtual, free or not. For example, anyone aspiring to director-level positions or increased organizational responsibility could consider attending the upcoming inaugural AALL Business Skills Clinic. Also, be open to educational offerings from associations and providers outside the legal realm, as many groups care about and provide training around both business and soft skills.

• Maximize Your Mentor Experience - Never underestimate the importance of a great mentor. In addition to providing career guidance and advice, great mentors also serve as exemplars, modeling many business and soft skills. Take the time to observe your mentors and learn from their actions—do as they say and as they do.

No amount of formal education can ever possibly teach all that life experience can. In the words of Calvin, the rambunctious first-grader in the Calvin and Hobbes comic strip, “I go to school, but I never learn what I want to know.” A library school education is still the best solid foundation for future professional success. Taking advantage of every opportunity to develop both soft skills and business skills after graduation builds on that foundation to create an information professional poised for career-long success.

Sources
2 Supra, note 1.
5 Supra, note 4.
Developing highly skilled legal researchers becomes more complex in an environment where digital natives, though sophisticated Internet users, are somewhat narrow in their approach to developing a search strategy. Not only does the researcher have to grasp new search platforms and assess waterfalls of data, but managing spend has introduced yet another skill to develop, namely, optimizing the value of free and fixed rate sources.

Whether the institution is academic, governmental, or a private law library, information professionals must deliver training methods that yield optimal search results. Having spent years creating training systems focusing on tip sheets, transactional vs. hourly rates, key words, natural language, parenthetical values, truncation, and controlled vocabulary, when should a researcher be trained to use free and fixed rate resources, understanding that may or may not improve the outcome?

Training attorneys to “manage spend” may be costly and not necessarily increase the bottom line. The approach may also imply that “just Googling it” is an acceptable approach, despite the inherent risk. Is it a measurable payoff when you don’t know if the source can be trusted? Can you realistically take thousands of “hit” results and turn them into one actionable answer set? If redirecting or training attorneys initially to utilize free or fixed rate resources is an organizational commitment, what are the best models to achieve the stated goal? Linda-Jean Schneider highlights the necessity of crafting a balanced approach as specialized resources, predictable spend, and optimal productivity compete.

Historically, legal research via the traditional primary legal research sites necessitated crafting a broad search, and then using various filters and key words to narrow the results to manageable limits. Unless you had an agreement which somehow limited spend, the costs were unpredictable. Vast quantities of time were spent in training on the use of these complicated search systems and understanding the algorithms used to identify and retrieve relevant materials. Sophisticated researchers, able to focus their results, were the exception rather than the norm.
As the practice of law became more specialized, there was a corresponding evolution of increasingly specialized resources, such as those focused on corporate securities filings, court dockets, or intellectual property materials. Rather than trying to be all things to all legal researchers, these newer providers targeted the niched requirements of the specialized practice areas with success. Since these were targeted resources often with a single retrieval charge or a flat subscription rate, they could be more easily charged at a fixed rate, and researchers felt they had a better chance to produce relevant results. At the same time, with increasing use of Internet resources and free search engines which could locate at least some specifics some of the time, researchers felt comfortable they had found an answer, without bothering to fully vet it. In these cases, the danger of malpractice loomed.

When economic imperatives required changes in how new lawyers were trained in research, a few firms such as Drinker Biddle & Reath and Howrey Simon, responded by adopting extensive training programs offering a form of apprenticeship, to develop the research and practice skills they identified as requirements for new lawyers. The Drinker Biddle curriculum included courses on taking depositions, writing briefs, and meeting client needs. Instructors included attorneys, professional development professionals, research staff, and firm clients. Investing in training programs that build efficiency through the management of spend, as well as understanding critical productivity measures, requires careful planning, testing, feedback, and evaluation for success. Linda-Jean balanced each of the following learning models toward success:

1. **Apprenticeship Model**—Orienting the researcher in real-world contexts to reinforce attorney learning. This system is remarkably teachable because the scenarios are real and flexible.

2. **Proactive Knowledge Responses**—Simulation models with a set of learning experiences for a range of legal challenges and levels of competency.

3. **Guided Research**—Technology-driven platforms relying on a customized redirect system where the researcher may be directed to a more appropriate source.

Research instruction sessions concentrated on cost-effective time management spent time analyzing research results and included sessions on using free resources on the web, primarily to retrieve background information on clients, potential experts, and witnesses. This portion of the curriculum allowed for practice sessions and compulsory exercises, some of which were built on actual client issues and real-life scenarios. The intent was to become proficient in using these tools—even free resources when applicable—that provide the most relevant, practice-specific, targeted research resources. The feedback from surveys and assessment results demonstrated that new lawyers found the presentations on effective searching via Internet sources to be tremendously eye-opening and beneficial. Participants worked through scenarios and exercises on their own, demonstrating that the time required to use “free” non-targeted resources can translate into hidden costs, whereas the relevant targeted resources can provide answers more quickly and efficiently.

Many top firms have adopted a variation of this type of research training focused on proactive, knowledgeable responses to client requests. A primary concern is that new practitioners be proficient in identifying the best resources for the topic, and/or identifying research tasks which could be delegated to appropriate lower-cost professional staff who are considered “experts” in that subject area. The AALL Special Committee on Legal Research Competency, as well as previous task forces, emphasized that “A successful legal researcher gathers information through effective and efficient research strategies ... and critically evaluates information.”

Knowledge Management tools have also evolved to assist firms in building both internal expertise and vetted external sample documents to provide a valuable framework for crafting relevant practice-specific results. A few AmLaw 100 firms have dedicated personnel within the practice group structure to identify and vet recommended sources lawyers should access first, and they ensure the necessary training is available. Other firms have knowledge services staff help to develop these tools as part of internal training programs, to provide more efficient and cost-effective ways to respond to clients. One of the more frequent requests from clients is for 50-state surveys and checklists in specific areas of law. A knowledgeable researcher will know where and how this type of resource can be located, from a fixed-fee resource. If the firm has practice group-specific intranet pages, links can direct researchers to the most relevant, and often fixed cost, sources. Something as simple as a group of targeted practice-specific research links on an intranet site can efficiently streamline the research process.
Another way technology contributes to the development of research strategies is through “guided research” via resource monitoring applications. Most of these platforms offer an option to block access to expensive, limited-license resources, and provide an annotation recommending other relevant, fixed-cost resources. Usage reports from these products can also track successful or frustrating research, important for evaluating if costly systems are worthwhile, and whether they are providing relevant information. Once the issue is identified, a better solution can be proposed. As these capabilities become increasingly sophisticated, there will be a tangible benefit to the bottom line.

No matter the approach taken to educating attorneys about when to use which source, as well as how to use those research sources effectively, and when to rely on others to do portions of specialized research for them, any firm that wishes to thrive in the current cost-containment environment should build a strategy to address this and develop a training regimen to support the defined strategy.

Source

1 American Association of Law Libraries, Principles and Standards for Legal Research Competency, July 11, 2013
It is more than 50 years since the ABA witnessed a demonstration of a prototype online legal information retrieval system using a mainframe computer searching a small collection of health law resources. Since that time, law firms have witnessed a parade of increasingly sophisticated technologies delivering full text legal and business content, including proprietary software, CD-ROMs, web-based products, eBooks, electronic newsletters, custom RSS feeds, and apps.

**There is No Universal Solution.** The law firms that had the foresight to invest in strategic thinking information professionals are most likely to have a substantial infrastructure for a full digital library in place today. Many firms are running parallel digital and print libraries because they are supporting both the last of the “baby boomer partners” and lawyers who were “born digital.” The tipping point from print to digital for most firms will be the relocation to new offices. The phasing out of the physical collection will be the last step in a long and carefully laid plan.

Every law firm has a different mix of needs depending on its practice groups, the number of lawyers, the number of offices, and the number of jurisdictions where the lawyers practice. There is no “plug and play” digital library solution. It takes the insights and expertise of an information professional to craft the right strategy for each organization.

To build a digital library the most fundamental questions to be addressed are:

- Has the content been digitized?
- Do the digital resources offer format and functionality the lawyers are willing to use?
- Is the resource available at the price the firm is willing to pay?

Answering these questions is just the beginning. This is an analysis that needs to be applied to hundreds, and possibly thousands, of resources.

**Building Blocks of a Digital Library Strategic Information Professionals.** Information professionals are the most important prerequisite in designing a digital library strategy. They often have an MLS and/or a JD degree, plus years of working with lawyers and legal materials. They need to have sufficient experience to assess the products and the lawyer workflows and to be able to reimagine new solutions that unify and seamlessly authenticate resources in a digital desktop environment.
Collection Analysis. The inventory of the firm’s print resources must be compared with the digital offerings available from a wide range of publishers, including government agencies, major legal vendors, regional publishers, bar associations, and CLE publishers.

Finding Tools. Traditional catalogs can be transformed into portals by adding web-enabled links which will bring the lawyer directly into the full text resource. Enterprise search can also be used to identify resources and documents.

Practice Portals. Information professionals can develop intranet pages and portals where links to digital practice resources such as treatises, statutes, and databases can be organized and integrated with internal resources and other workflow tools.

Leveraging Flat Fee Contracts. Many firms have unlimited contracts with Lexis and Westlaw. An information professional will determine how these contracts can be leveraged to deliver IP authenticated access to selected content such as “treatise eLibraries,” cases, and statutes. All the major publishers will work with customers to create “custom user interfaces” and “one click gadgets,” such as a “find and print” tool which will retrieve and print cases identified with a citation.

eBooks. Both large and small legal publishers offer hundreds of titles in eBook format. eBooks have the same content as print but offer additional functionality such as highlighting and linking to primary source citations.

Mobile Apps. Most of the major legal publishers have apps which provide all or some of their content to existing subscribers who wish to access content on a mobile device.

Licensing. Licensing is one of the most complex and important risk management components of a digital library strategy. Legal information professionals will map the workflow and determine the scope of the licenses, which will protect the firm from copyright and licensing violations.

Electronic Newsletters and Custom Alerts. One of the most tangible benefits of the digital library is the elimination of the dreaded “routing” slip, which determines the order of newsletter delivery. The lawyers at the bottom of these lists often receive newsletters weeks or even months after publication. Electronic newsletter delivery puts everyone “at the top of the routing list.” A new generation of aggregation platforms offers lawyers a custom newsletter which consolidates the contents of multiple newsletters and news sources. Curated news services provide custom alerts targeted to a specific lawyer, practice group, or client. Tools for curating custom newsletters include Linex, Ozmosys, InfoNgen, Manzama, and Attensa.

Analytics. A host of new products offering custom analytics for both the business and practice of law have appeared in the market in the past two years. The savings from print resources can be redirected toward the investment in more strategic analytics platforms.

Academic and Bar Library Memberships. Information professionals identify local bar and academic libraries that can supplement the firm’s digital collection with document retrieval and “just in time” interlibrary loan. One very innovative program from the New York Law Institute loans eBooks to member law firms.

Training. Converting lawyers from print to digital requires training. Webinars offered by the firm’s information professionals or vendors can smooth the transition. Concierge-style “in office” training or roving trainers equipped with iPads can be leveraged to facilitate the digital library transition. Microsoft Lync allows information professionals to virtually visit lawyers’ desktops and walk them through the use of a new resource.

Continuous Resource Assessment ROI. The digital library is a work in progress and requires continuous assessment to confirm return on investment (ROI.) New products need to be trialed and compared with existing resources. Products such as OneLog, Research Monitor, Lookup Precision, or Quattrove collect usage data for determining the cost/benefit of each product and data that can be used in contract negotiations.

Password Management. IP authentication is the ideal access solution because it eliminates individual passwords and allows anyone in the organization to automatically access a resource in a single click. When this is not possible, the management of individual passwords for lawyers can be a massive headache. The monitoring products mentioned above all have the ability to save passwords and facilitate access while minimizing lawyer inconvenience and administrative overhead.

Cost Savings and Reengineering Workflow. Firms often focus on the obvious real estate savings from reducing the footprint of the library. The reduction/elimination of print resources also reduces costs associated with the maintenance and upkeep of print. These costs include headcount as well as loose-leaf filing, serials check in, routing, labeling, and maintenance of print.
**Climbing the Value Ladder.** The implementation of a digital library eliminates a host of lower value administrative activities that are required to maintain a print collection. Digital libraries liberate information professionals to focus on higher value and transformative client support, as well as business development work, such as competitive intelligence and custom analytics.

**Partners Hold the Key.** Even when the digital infrastructure is in place, the disposal of the books cannot be a success without partner support. Practice group leaders need to encourage lawyers to develop the skills associated with using digital resources and mandate the training necessary to migrate away from print.

**The Digital Library is a Journey, Not a Destination.** Products and practice needs will continue to evolve. A new generation of analytics and “big data” products has begun to emerge and these will no doubt displace some existing resources. The role of the 21st century law librarian/information strategist will be to continually reassess the balance of resources, capture, and analyze the ROI of digital products and work with the practice groups to assure that they have the right mix of desktop resources to optimize client support, firm management, and business development.
First quarter reports for 2015 have been released, and a key indicator the legal marketplace is improving is that lateral hiring is at an all-time high. Law firms are once again in growth mode, and competition for legal talent is fierce. However, recruiting in 2015 is different from past years. This can be attributed in part to recent reports which discuss the costs associated with lateral hiring and, in particular, the costly mistakes associated with making the wrong hire. Legal recruiting involves more than simply attracting legal talent. A major component of the recruitment process is integrating laterals through an onboarding plan. In other words, successful recruiting doesn’t end when the lateral accepts the job offer. Though the information professional’s role in the recruiting process is limited, she plays an important part in onboarding and integration.

The recruiting process involves a significant investment of time and resources. It is important to make the right hiring decisions, because the costs to the firm are substantial when a lateral departs after a short period of employment. On average, a company loses three times the salary of a new hire that doesn’t stay with the organization. According to Mark Levin, co-author of Assessing Lawyer Traits & Finding a Fit for Success, hiring mistakes that end with an attorney departure can cost from $400,000 to more than $800,000 for experienced attorneys. This expense might seem outrageous, but there are direct and indirect costs associated with a bad hire, such as the recruiter’s time as well as the accumulated time of the attorneys who participated in the interviewing process. In addition to the lost time and expenses associated with the recruiting process, a bad hire has the potential to damage the firm’s brand as well as have a negative impact on staff morale and productivity. According to Amar Sarwal, vice president and chief legal strategist for the Association of Corporate Counsel, “While lateral moves are understandable for the lawyer looking for a bigger payday or a safer bet, general counsel are certainly frustrated by the amount of movement that’s occurred over the last 10 to 15 years.”

In order for law firms to recruit more successful lateral associates, it has been suggested that the recruiting process itself needs to change. William Henderson and Christopher Zorn make several recommendations for improving lateral hiring:

- Assess the laterals you already have. Understand which characteristics contribute to their success or failure.
• Educate the stakeholders. Inform all involved in the hiring process of a move towards a valid process for lateral hiring and of the basis for that decision.

• Evaluate why laterals would want to join your firm. Examine what the firm’s needs are and how the lateral hire will enhance the firm’s future value.

• Build lateral partner scorecards. The purpose of the scorecard is to provide a measurement tool to evaluate business logic and the skills and attributes of a high quality lawyer.

• Design the interview process. Determine the structure of the interview and who will conduct the interview.

• Interview laterals using the due diligence process.

• Evaluate the effectiveness of the hiring process.

Henderson and Zorn’s first point is spot on. One way law firms can evaluate a lateral candidate’s qualities and the likelihood of succeeding in the firm is to take an inside look at their most successful attorneys. Excellent grades and attending the “right” law school are important qualities, but they are not necessarily the attributes that will determine if a lateral candidate will be a successful hire. Jim Lebovitz, chairman of Dechert LLP’s firm-wide lawyer hiring committee says, “We do a lot of studies, formal and informal, looking back on what are the characteristics of our most successful associates.” Tim Law, Reed Smith’s vice chairman of the hiring committee, elaborates by saying academic credentials are one of several critical areas. “In addition to showing they are capable of doing the work required of them at the firm, candidates must also show they are willing to do the work and that they will be good colleagues.” For this reason, behavior-based interview questions will help reveal the lateral’s personality and may in fact be a more valid indicator as to whether the lateral will be a successful hire.

A novel approach to determining whether a new hire will be the best fit is underway at Reed Smith’s office in London where the firm has recently announced a move to a strengths-based assessment for the trainee recruitment process. Designed in collaboration with Capp, a specialist in strengths-based assessment and products, trainee candidates will complete a “situational strengths test” after they have submitted an application. The test includes a number of scenario-based questions which reflect situations they might encounter as a trainee. According to Lucy Crittenden, the firm’s graduate recruitment manager, “Strengths-based assessment focuses on what students enjoy doing and what energizes them, rather than on simply what they can do, as the competency model does …” Training principal and partner Peter Hardy states that “In creating this process, we have looked at the skills needed for our future talent so that we can best serve the changing needs of our clients … Responses cannot be rehearsed … This will make it easier to ensure the candidates are a good fit for us and the role, while also providing the opportunity to make sure the firm is right for them.” As this process is new and in place only since January 2015, it will be interesting to monitor the program and to see if other firms, especially those in the U.S., begin to adopt this method.

As a librarian with more than 25 years of experience, I can’t help but reflect on the ways law firm recruiting has changed, as well as the role the librarian has played in the recruitment process. Gone are the days when the librarian simply provided copies of a candidate’s entry in Martindale-Hubbell. When describing her firm’s librarian and her role in recruiting, one recruiter said “The firm’s librarian is an amazing data miner who pulls information on prospective candidates, groups and firms, and helps evaluate the candidates.” At many firms, the information professional is tasked with locating potential hires using research tools that were acquired for different purposes. For example, the Thomson Reuters Monitor Suite is used to vet lawyers in a specific jurisdiction with experience in a particular industry. In order to gain a broader picture of a lateral candidate, additional information can be located using social media products, such as smiAware. Librarians are experienced expert witness researchers, and with this skillset, librarians provide support by verifying information included on the lateral’s CV as well as locating client names the lateral has done work for. This information is useful as part of the due diligence process and demonstrates another way in which the information professional collaborates with the human resources, recruiting, and risk management departments.

While the library department is most likely not the reason a lateral decides to join a firm, the support the lateral receives from the library team can be a crucial factor in whether the lateral has a positive onboarding experience. Library orientations include much more than handing out passwords to legal research databases. As part of the orientation, information professionals demonstrate the level of support the new joiner can expect to receive. By expanding the onboarding checklist to include examples of the various services the research team provides, such as new case filing alerts on clients the lateral represents,
or a litigation or deal report on the lateral’s trial or transactional history, librarians validate the important contribution they make to the lateral’s success. Inside knowledge about other attorneys at the firm, such as who subscribes to various alerts and publications, can also be used to acclimate the lateral about what all is available.

During the economic downturn, librarians demonstrated traits such as accountability, creative thinking, and a genuine desire for collaboration within the firm. In addition to these qualities, librarians possess valuable knowledge about their firm and the legal industry. This expertise has enabled them to be effective members of the administrative team that supports the recruiting process and the successful integration of lateral hires.

**Sources**

6. Informal study conducted by the author and Jennifer Ross, Senior Legal Recruiting Manager, Reed Smith LLP
For years, there was primarily one number that mattered for law firms: profits per partner. While that remains an important measure of the financial health of the firm, law firms are discovering that other indicators can be important in assessing their health and guiding their development.

As law firm managers have become increasingly sophisticated in identifying useful performance metrics for the firm as a whole, my conversations with law firm knowledge managers suggest that there may not be a correspondingly nuanced view of performance metrics for knowledge management (KM). To be honest, some elements of KM work may seem very hard to quantify. (For example, do you know the actual impact of a model document on time saved, knowledge transferred, or risk averted?) Consequently, many KM professionals and their firms have taken the stance that not only is it impossible to identify meaningful performance metrics for KM, but it may not even be worth the effort to try.

However, heightened cost management by clients and firms means that using KM because it just makes sense no longer cuts the mustard. Now we need to provide evidence not only of activity, but of impact as well. We must take a closer look at the available types of metrics and think harder about how they might shed light on our KM activities. At the end of the day, the point of using metrics is to help tell a story that enables law firm partners and managers to understand better the value of KM operations, and to do so in a way that is firmly grounded in verifiable data.

To assist in this goal, this article seeks to expand the reader’s knowledge about possible metrics and how they might best be used to tell the story of the efficacy of KM work in a law firm.

Before delving into the details, it is important to state some caveats:

- This article is not a recommendation for management by metrics above all else. Rather, it advocates using a variety of metrics to shed more light on KM operations.
Measure Better to Manage Better

- Metrics flow from goals. In other words, if you do not know what you want to achieve operationally, you run the risk of choosing an inappropriate metric.

- Metrics alone are insufficient. If you want metrics to be useful within your KM operations, you must clearly communicate to your team what your goals are and how particular metrics further those goals. Without this context, people tend to work blindly towards the short-term numbers and, in the process, may miss the long-term goals. For example, you may have staff trying to maximize the number of requests handled without realizing the real goal is to maximize the level of internal client satisfaction.

- Measurement changes behavior. This is known as the Hawthorne Effect, in which the fact of being observed (or measured) changed the behavior of the people being observed. In some cases, it has been found to contribute to a short-term increase in productivity. Therefore, be careful about how you collect and communicate metrics.

- Secure your baseline. If you are going to measure anything, start by establishing the baseline. Otherwise, it will be hard to prove the before and after case.

**Expand Your Toolkit**

There is no single metric that tells the whole story of your KM work. Different projects may require different metrics. Different outcomes will certainly require different metrics. Therefore, KM professionals should expand their toolkit by developing an understanding of a range of metrics. For each metric, the KM professional must learn what that metric does, how it is collected, and how it is most safely interpreted. With these new tools in hand, it becomes much easier to select an available metric that is suited to the task of showing whether or not you have achieved a specific outcome.

There are four types of metrics that should be in each KM professional’s toolkit, namely:

- Activity metrics
- Operational metrics
- Behavior metrics, and
- Outcome metrics.

**Activity Metrics**

Of these, activity metrics are the easiest to identify and collect. For that reason, they are often the first metric people think of to measure KM impact. What does an activity metric do? It tells you how many users and uses there are of your KM products and services.

Many online systems now automatically provide backend statistics that give a sense of activity. For example, backend data in an intranet or portal would tell you (among other things) number of visitors, length of visits, and number of page views.

The single biggest drawback to activity metrics is that while they may tell you what is happening, they rarely can tell you why it is happening. Without knowing why, the other data are not terribly helpful — unless, of course, you have unsophisticated firm management who are willing to settle for activity rather than impact.

Nonetheless, there are times when activity metrics are meaningful and perfectly appropriate. For example, during pilot phases or launch phases, activity metrics may be indicators of early adoption.

**Operational Metrics**

If activity metrics show usage at a particular time, operational metrics show usage over a span of time. In other words, operational metrics show trends. The data underlying the operational trends are likely to be the same backend statistics used for activity metrics. Since the set of data required is collected over several time periods, this is not a metric that can be displayed at the very beginning of a project. However, it is important to track and graph these sets of data over time to see what patterns emerge.

Like activity metrics, operational metrics can tell you what is happening, but they cannot tell you why. Consequently, they serve as a launching pad for further inquiry when interesting trends emerge on your graph.

**Behavior Metrics**

Behavior metrics show how and why KM efforts are changing behaviors. While activity and operational metrics may point to possible behavior change, the best way of obtaining evidence and an explanation of behavior change is to conduct interviews or surveys, or to shadow internal clients. The key question to ask is: What are you doing differently now?

**Outcome Metrics**

Outcome metrics are the most meaningful of all these metrics because they demonstrate the actual impact a particular KM initiative is having. While some outcomes may be inferred from activity and operational metrics, the more direct way of identifying outcomes is to conduct interviews. If the question for behavior metrics was “What are you doing differently now?” the question
for outcome metrics is “What difference does this new behavior make?” In other words, “What new result are you achieving?”

Once you have the interview responses, the key question for senior KM professionals and law firm management is: How do these results contribute to operational excellence? Once you have established a link between a KM initiative and operational excellence, and based that link on verifiable data, then you finally have a useful story to tell about your KM efforts.

**Conclusion**

Provided you do not fall into the trap of management by metrics (where the sole goal is to hit specific targets), you will find that a wider range of metrics thoughtfully chosen, tracked, and interpreted can give you a better understanding of the impact of your KM efforts on firm excellence. This is a prerequisite to educating firm management on the value of KM efforts. When you can affirm that KM is the right thing to do, and then show that you are doing KM right, then you will have delivered something of value to your firm.