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# Practice Innovations

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**AT A GLANCE:** This article argues that law firms should provide their associates with business development training and presents an overview of what such training might look like.

By Sharon Meit Abrahams, Director of Professional Development, McDermott Will & Emery LLP, Miami, FL

# Business Development Training for Associates

Due to high entry-level salaries that directly impact law firm profitability, progressive firms are beginning to cultivate associates' skills in business development as early as the second year of practice. Associates at all levels are becoming more involved in law firm marketing efforts. It is clearly in a firm's best interest to make as many of its lawyers, if not rainmakers, then certainly shower makers.

Management committees at law firms are setting aside funds to focus on business development as well as educating associates in client relations. Firms of all sizes should earmark a portion of their marketing budget to provide practical marketing training to their associates.

**"When involved in client development, young lawyers feel they are part of the firm, a part of the team that will help add to the financial health of the firm."**

## Why Do Business Development Training

Ambitious young lawyers are looking for opportunities to start their business development efforts because they see it as the ticket to partnership. Having appropriate business generation skills will also enhance confidence and success among associates in their client relationship efforts. Business development training teaches associates to listen and respond to client needs. The most important aspect of this kind of training is the ability to use the new knowledge and skills immediately, not only for business development but also with the firm's current client base.

When involved in client development, young lawyers feel they are part of the firm, a part of the team that will help add to the financial health of the firm. Business development training will also help firms determine an associate's progression toward the partnership track. In the past, firms were able to carry a competent attorney who billed considerable time; now success is measured through "professional excellence," which includes client development skills.

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### Topics for Training

Deciding what topics to teach in a comprehensive business development series should be directly related to the firm's culture and strategic plan. The following is a list to review to determine what might work in a particular situation, depending on the skill level of the audience and the firm's needs.

Level I programming is for the newest lawyers and those who have managed to avoid business development for most of their career. These programs build awareness and are knowledge based.

#### Level I

- The Business of Law 101: Fees, Retainers, Conflicts, and More
- Building a Reputation 101: With Your Internal Clients
- Networking 101: Mining Existing Contacts
- Successful Presentations for Lawyers: Making an Impact in the Boardroom, Courtroom, and Conference Room

The next group of programs progresses from knowing to doing. The goal of these sessions is to get the attorneys to commit to activities related to the topic. At the conclusion of the session, each attorney should make a written commitment to a series of tasks.

#### Level II

- Building a Reputation 201: Writing and Speaking
- Networking 201: The Art of Mingling
- Connecting with Clients: Growing Your Existing Clients
- Expanding the Client Relationship: Cross-Selling

As the skill level increases and the associates are gaining opportunities to actually pitch and bring in new clients, the topics change to firm procedures and resources. It is important for associates to identify who in their firm is available to assist them.

#### Level III

- Marketing Resources at Your Firm
- Proposal Drafting: I got an RFP. Now what do I do?
- How to Pitch a Client 101: Preparation
- Client Intake Procedures

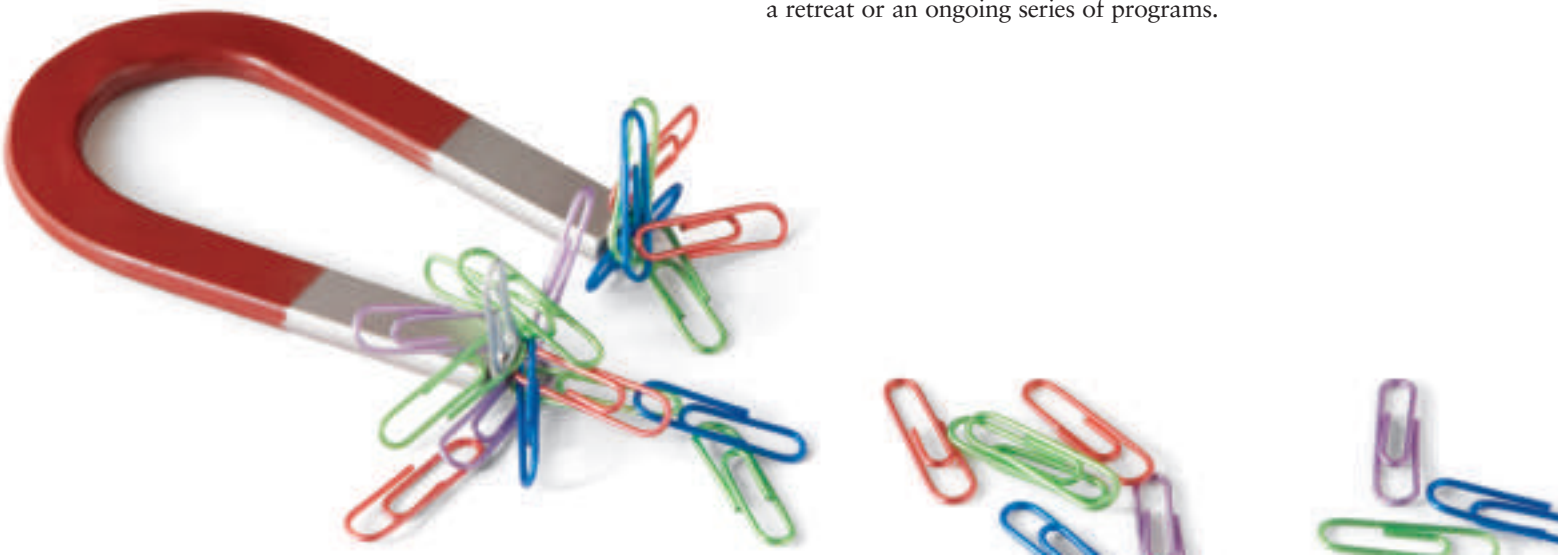
The final level of training is the most sophisticated and often reserved for partners. However, depending on the firm's size, the associates might be the ones who actually close the deal and bring in the work, so these topics are critical.

#### Level IV

- How to Pitch a Client 201: Execution
- The Business of Law 201: Handling Fees, Retainers, Collections, and Write-Offs
- Being a Client Service Manager
- Expanding Your Practice: Asking for Referrals

### Sources for Business Development Training

The market is flooded with a variety of options for conducting marketing and client development training. The key is to establish what the firm's commitment is to the training, what the expectations of the training are, and how success will be measured. This will help to determine if the program should be a one-shot deal at a retreat or an ongoing series of programs.



### Prepackaged Materials

Training materials that have been designed and prepackaged are available for immediate use. These off-the-shelf materials merely require someone in-house to administer the program, and typically they are facilitated by the marketing department. The materials should be reviewed by someone with an education background to determine quality, ease of use, and application.

### Outside Consultant

There are a number of individuals, both lawyers and nonlawyers, who offer their services as business development trainers. Firms should interview these individuals carefully, check their references thoroughly, and review their course outlines fully. Determine, among other factors, whether the consultant's program content can be customized and whether the materials are appropriate for the firm's type of legal practice.

### In-House Program

The benefit of designing an in-house marketing program is that it will be the most meaningful to the participants. Unfortunately, a quality program can take months to design and few attorneys are willing to spend hours in the design process. In-house programs can use client case studies, which add more realism and allow the associates to see how marketing efforts pay off.

### Training Delivery Options

Educators might debate the best format to use for training; however, the key is to determine which format works best for the intended audience. Lawyers have a personality and demeanor all their own, so the training format chosen must fit the firm. The type of practice area and the time allotted for the training are also factors in deciding which format would be most effective.

### Behavior Modeling

In behavior modeling an individual watches another person perform a behavior and then copies that behavior. Effective business development training incorporates videos or actors who role-model behaviors. For example, a scene can demonstrate how to make an effective pitch and a program participant can then repeat that behavior. The key is that when the behavior is being repeated, some form of feedback is given by a facilitator. To be most effective, the facilitator should be trained in the art of giving performance-enhancing feedback.

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## Sample program objectives from each level:

### Level I Building a Reputation 101: With Your Internal Clients

This program discusses the ways in which an individual can build his/her reputation inside the firm. The attorney will learn

- > what it takes to be an effective team player and build internal working relationships in his/her department/practice group
- > what partners and senior colleagues want
- > how to get known at the firm and which activities to get involved in
- > how to gain exposure to the subject areas comprising the attorney's practice area and identify resources relevant thereto

### Level II Building a Reputation 201: Writing and Speaking

This program will introduce the attorney to the ways s/he can begin to market his/her developing expertise and reputation outside the firm in the legal community through writing and speaking. The attorney will

- > identify topics of interest to write or speak about
- > identify possible publications and places to speak
- > learn the internal resources available to assist in writing and speaking
- > discuss who in the firm to work with on topics of interest
- > identify whether a niche practice area will work for your career

### Level III How to Pitch a Client 101: Preparation

This program takes the participants from the beginning of planning a pitch up to the point of executing the pitch. The participant will learn

- > the role that the marketing department plays in the pitch process
- > about the resources available for designing the content of a pitch
- > how and what to write for the content of a pitch
- > how to identify who should participate in a pitch

### Level IV Expanding Your Practice: Asking for Referrals

This program discusses why it's important to communicate with clients, colleagues, and friends about referrals. The attorney will

- > identify which client or new matters have come through a referral
- > identify who the referral source was for the client or new matter
- > identify all individuals who could be a referral source
- > design a plan to engage all the above individuals in a conversation about quality work, other services, other resources the firm has to offer, and possible referrals
- > list three ways to appropriately thank referral sources





**AT A GLANCE:** Law firms find advantages in pursuing work-flow projects using both technical and nontechnical staff, depending on project requirements and with a variety of work-flow products.

By Tom Baldwin, Chief Knowledge Officer, Reed Smith LLP, Pittsburgh, PA, and Regional Vice President, International Legal Technology Association (ILTA)

# Rethinking Work Flow

In the last year, more firms seem interested in pursuing work flow projects to address issues such as new business intake and lateral hire integration. The frenzy to address this need is evident in the number of work-flow entrants, ranging from stalwart legal vendors like Elite® and Aderant, along with a myriad of lesser-known vendors entering the mix. Additionally, Microsoft® has now entered the work-flow market in full force, which is making some firms give the software giant a strong look when evaluating work-flow products. There are not only productivity gains for firms implementing work flow, but also some serious risk avoidance issues at stake.

## Getting Started – The Challenges

Gathering, and agreeing on, requirements can be the biggest challenge. Unlike other technology projects, implementing work flow means dealing with business people who

- have little or no background with technology
- are very comfortable with the processes they have in place, and, in most cases,
- are being asked to totally change the way they do things.

The first challenge is getting over the initial reaction of the business users who want to carry over the existing, paper-based processes. This can be harder to do than one might realize. Often people have invested a lot of time in coming up with an informal work-flow process that meets their needs but does not always translate well into an automated work-flow application.

## Work-Flow Opportunities

Automating processes can create a number of interesting opportunities for a law firm and address some potential areas of risk. In addition, there are usually areas for improvement, so this is the perfect time to reevaluate firm processes.

**Competitive Advantage** - More and more firms are looking at work-flow solutions as a way to gain a competitive edge over peer firms. With the breakneck pace of growth and the turnstile at the door, being able to bring lawyers and staff on board more efficiently and quickly is becoming strategically important for firms in growth mode. As clients look to consolidate the number of firms they use, being able to approve a matter quickly is becoming increasingly important as well.

**Risk Avoidance** - While many firms look at gaining a competitive edge or saving money as motivations for implementing work flow, there are also some real areas of risk avoidance that can be addressed with work flow.

As fast as lawyers and staff join a firm, there are often nearly equal numbers leaving the firm. For obvious reasons, more emphasis is focused on the integration of new lawyers, with less focus on properly exiting lawyers or staff from the firm. Many steps should be taken when an individual leaves the firm, and there are real examples of firms being compromised because of not following these types of protocols consistently.

Additionally, firms can better control the matter intake process, including conflict

checking and company background checks, with automated work flow.

**Cost Savings** - Probably the most obvious and commonly noted benefit is the cost reduction derived from implementing a work-flow system. In most law firm processes, there is lot of manual entry and reentry of data. This takes more staff and more time and increases the likelihood of error. These problems can go away or be reduced dramatically with work flow.

**Employee Satisfaction** - While not the leading driver for work flow, one of the ancillary benefits derived from work flow is the heightened satisfaction of employees after work flow is implemented. New hires come aboard and they have all the computer equipment, business cards, office supplies, and tools needed to make their first day go smoothly. Vacation requests are routed and approved more quickly and expense reimbursements are paid with greater ease and speed.

## Microsoft Has Work Flow?

Firms wanting to leverage their existing investment in SharePoint 2007 and other Microsoft technologies are now looking at the work-flow tools available from Microsoft. Windows® Workflow Foundation (WWF), coupled with SharePoint and InfoPath, has the potential to meet many firms' work flow needs. The up-front cost for this suite is minimal, as many firms are already licensed for everything but InfoPath. While cost is certainly a factor, there are more compelling reasons to go down this path.

WWF is the underlying work-flow engine that drives the flow, logic, and sequence of work flow. While SharePoint has some linear, basic work flow capabilities, it is best used to act as the place people go to initiate, view, update, and report on work-flow tasks.

Microsoft has provided the core framework and tools to build work flow. Because it is an open architecture, you can put skilled .NET developers into the work-flow project without formal training on the *product*, as one just needs to know .NET and Visual Studio to be able to program work flow. This allows greater flexibility in finding qualified developers to build work flow and not a proprietary work-flow product. Moreover, because it is a more open platform for development, there is really not much that cannot be accomplished.

While developers are working on building the work flow back end, the business people closest to the work flow can develop the forms using InfoPath. By offloading the form development task to nondevelopers, a firm can focus skilled

**"There are not only productivity gains for firms implementing work flow, but also some serious risk avoidance issues at stake."**

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**AT A GLANCE:** Four people whose contributions earned them a seat at the “C table” share their experience to help you find your own upward path to successful law firm leadership.

By **Janet Accardo**, Director of Library Services, Skadden, Arps, Slate, Meagher & Flom L.L.P., New York, NY, and **Elaine Egan**, Legal Information Manager, Mayer Brown, New York, NY

# Taking a Seat at the C Table

Just as corporations have reorganized management to complement global strategies, law firms are also redefining their firm governance and structure. This structure, in some instances, bears little resemblance to the former law firm hierarchical system that divided legal staff (partners, associates, and general counsel) and nonlegal staff (support staff, supervisors, managers, and directors).

The expectation that a law firm manager will gradually be promoted to a position of increased responsibility is not in step with the current pattern or future expectation of law firm growth and economics. Today's law firm library leaders must become their own scouts and position themselves for the next leadership opportunity. How do they accomplish this? That question is better answered by four law librarian leaders who have taken a seat at the “C Table.” Each one has achieved a *chief* designation in his or her firm. Though they have all traveled their own professional journeys, there are some striking similarities in what led them to this level of success.

## How Long Have You Been at the C Table?



**Bob Oaks**, chief library and records officer of Latham & Watkins LLP, has spent the last 20 years at his firm. In 1988 he started as the firm's librarian in Washington, D.C., during a time when the firm had only six offices. His *chief* designation occurred in 2004, when the firm was reaching the 2,000-lawyer level and had more than 20 offices. This growth was key to prompting the firm to redefine its organizational and reporting structure, moving from a traditional executive director to a chief operating officer level. Each of the seven departmental directors then became a *chief* of his or her operational or administrative department.



**Austin Doherty** has been at his current firm for 30 years. During his tenure at Hogan & Hartson in Washington, D.C., Austin's role has evolved into one of a general manager for a large and diverse practice support operation. Austin became chief knowledge officer (CKO) at Hogan in April 2007, when the firm adopted “C” nomenclature for a number of principal administrators. He has two deputy CKOs assisting him and a staff of 110 people distributed over 24 offices on four continents.



**Catherine Monte**, CKO of Fox Rothschild LLP, has also seen exponential growth during her eight years with the firm. In 2007, an executive evaluation identified the need for a C level in key departments. This was driven by a need to hire and retain the right people in operational, administrative, and information divisions.





**Bill Scarbrough**, chief operating officer of the Michigan firm Smith Haughey Rice & Roegge, first took his seat at the C Table in 1996 when Kirkland & Ellis appointed him as chief information officer over technology services as well as library, conflicts, records, and docketing. In the mid-'90's, firms were migrating from DOS

to Windows, then to Windows 95 and to Windows NT, and networks were shifting from Novell to Microsoft. Kirkland needed Bill's knowledge and skills to help implement the changes.

### **Define the Scope of Your Work and the Opportunities You Encountered**

Beyond the changes in firm structure and governance, all four of these leaders clearly positioned themselves to take on additional responsibilities as they recognized opportunities. They sought diverse assignments and were willing to respond to the entire organization's needs.

When Bill began his career in 1988 as a library research specialist at Kirkland with library school computer science courses under his belt, he was well positioned to tackle the challenges of library automation. His boss, a champion and mentor, developed Bill's skills in records, docketing, and conflicts automation. In 1990, when Kirkland opened a Los Angeles office, Bill was tapped to set up the new office and library. He made effective use of space by maximizing online resources and minimizing the book collection, a formula he repeated in later assignments and positions at Jenner & Block and at Kirkland. His ability to move into different areas positioned him to take on greater responsibility. His successes at Jenner and at Kirkland equipped him to eventually become an

office administrator at Kirkland's London office, then executive director of its Washington office, which was followed by a New York assignment. While Bill moved beyond the library in his career path, he stayed involved. While at Baker & McKenzie, he was instrumental in organizing their libraries by region with a national director.

Austin's career has remained in the information management arena, but the scope of his responsibilities has grown enormously. He describes how 20 years ago he seized a critical opportunity at Hogan when he assigned a research librarian to assist an intellectual property partner in developing a trademark practice. Today, the IP support unit of Hogan & Hartson's Information Resource Center is its largest component. Librarians and legal assistants provide research for domestic and international patent and trademark prosecution. In addition, Austin and his staff collaborate with the chiefs of technology and information to identify and develop new applications for information delivery and practice support. They are constantly adapting to the firm's changing needs and technology, seeing opportunities and applying their skills.

Catherine recounts her eight years with Fox Rothschild as having developed from being the library director focusing on the two traditional library teams (research and acquisitions and collection development) to a team structure. These knowledge management (KM) project teams consist of: competitive intelligence, risk mitigation, knowledge services, and training and development. During these last several years, Catherine positioned herself with practice area leaders, spoke with them about their pain points, and identified their information needs. Catherine also weighed in with decision makers, explained her prior experience with a U.K.-based firm with a strong KM commitment, and demonstrated how KM

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**AT A GLANCE:** Law firms need to use their intranets to connect users to the information they need exactly when they need it. Firms should evaluate the relevance of their intranets to individual practice areas, offices, and departments, and take advantage of new technology as it emerges to filter content accordingly.

By Julie Bozzell, Deputy Chief Knowledge Officer,  
Hogan & Hartson L.L.P., Washington, D.C.

# Using Our Intranets<sup>to</sup> Overcome Information Overload

More productive lawyers equal more profitable lawyers. This should be a key consideration for those involved in the development and ongoing support of firm intranets. Attorneys and other firm employees don't have spare working hours to scour intranets for valuable nuggets of information, or (even worse) for the information they may be missing.

Morale is an issue also. Unsuccessful searches can be very frustrating and actually discourage people from using a resource again. This could result in time loss, if the resources people need are right there on our intranets, but they choose instead to turn to less efficient channels to track down that same information.

Today more than ever before, our challenge is to connect users to the information they need, at the exact point in time when they need it. Sounds pretty simple, doesn't it? Of course not, but we can't walk away from this challenge. Just making a dent in these problems can save hours and hours of time for users in the course of a year and ideally provide more revenue-generating time.

## **Not All Intranet Users Are the Same**

First- and even second-generation law firm intranets often focus on the needs of the entire firm. Now is an ideal time to think about intranets at a more grass-roots level. Let's examine the relevance of our intranets to our individual practice, office, and departmental audiences. We should inspect each group's specific information needs with an eye on why they would use an intranet to access that information. Our intranets can be more than an information store; they can become practitioner tools. Technology advances in the last 10 years easily allow us to direct different user communities to more meaningful views of our intranets based on who they are.

The tough part of this user-focused suggestion is unearthing the most relevant content and tools that would benefit the disparate firm audiences. Uncovering these appropriate resources and applications can, and will, take time. In that time we must hope that our users will become more motivated to participate in the identification and fine-tuning of this intranet tool that they've come to rely on. This model could also be more easily exploited to connect our users to great resources and tools that they may not have



otherwise  
found or sought out.

Instead of hearing something like this, “I rarely find what I need on the intranet; there’s just too much there,” you could instead hear, “Wow, I found just what I needed. What else is here?”

### **“Help, I’m Drowning in News”**

Are you struggling to stay in the know on more things than you will ever have time to keep up with? Many professionals in the legal industry sign up for alerts, updates, newsletters, and journals etc. in all areas of interest to them, but lack the time to read and digest this never-ending flow of information. For attorneys this problem can have dire consequences if they miss a significant regulatory change or court decision that will affect their clients. Managing and filtering key resources through intranets, so that these busy professionals see more of what they need to see, could be a major time-saver and provide real value. We should sort intranet firm news by the users and their specific practice area, showing their

practice-related news first. Filtered views of external practice or industry-related news on our intranets could be just as valuable to our attorneys.

We should encourage online information providers to pick up on our growing need to be more user- and group-oriented in the delivery of information. Unfortunately, the tools available from information vendors today are relatively crude and sparse. Of those that are currently available, several require programming expertise to integrate them in the ways we require. Bringing together content from varied sources into a single useful landing point will make a world of difference for our users who are struggling to keep track of which database to use to find what they need in their work. The vendors who first provide these tools with some level of filtering sophistication may someday offer the products that we find we can’t live without.

### **Great Ideas to Steal from the World Wide Web**

What external sites do our users visit most and why? The first part of that question is probably easy to answer, but the second is likely not. External Web sites should be recognized as the competitors of intranets. They have many winning ideas that we can replicate. How many times do you review or take into consideration the comments or ratings that others have given to items you are unfamiliar with on shopping sites, like Amazon.com? We could also use ratings to help guide users to top news or key documents that our intranets contain. Other World Wide Web ideas that we could

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**AT A GLANCE:** A case study in how one law firm established a competitive intelligence (CI) program that involved 25 offices across the globe, more than 1,000 lawyers, and a plethora of legacy systems and departments, and how they did it without a dedicated budget.

By **Brooke Haughey**, Manager, Competitive Intelligence and Market Research, Hogan & Hartson L.L.P., Washington, D.C.

# Competitive Intelligence Reports: A Methodology

As the race among law firms to establish institutionalized competitive intelligence (CI) programs continues to accelerate, it is becoming clear with equal speed that one size will not fit all when it comes to CI program design and methodology.

In Hogan & Hartson's case, the challenges we faced when establishing our first formally dedicated CI function involved uniting 25 global offices, more than 1,000 lawyers, and a plethora of legacy systems and departments in an efficient and effective manner—all without a dedicated budget. In order to tackle such a complex number of variables, we began with a measured diagnostic approach before developing a framework expressly designed to unite and integrate all of the firm's resources in a useful manner.

## Step One: Identifying the Specific Challenges

Although many firms struggle with the information collection process itself, Hogan fortunately has a very sophisticated library team (known as the Information Resource Center or IRC) that is completely committed to staying on the cutting edge of available resources and information-gathering techniques, so we knew we could trust in the quality of information and tools being used for CI purposes.

Our challenge, rather, was to determine the best practices for the transformation of that information into highly usable intelligence that could then be easily incorporated into the firm's existing business development and strategic planning processes.

We knew at the outset that the program would face two other significant hurdles: educating key stakeholders about CI and its potential, and anticipating and overcoming the perennial time constraints that plague all law firms.

### Step Two: Assessment of End-User Needs

Considering Hogan's vast scope, it would be virtually impossible to reach and educate every attorney at the inception of our first formal CI program—and moreover, quite impractical—as we only have one full-time staff member dedicated to the function.

However, the firm's practice-based and office-based marketing teams serve as the primary attorney interface for a broad array of germane responsibilities, including business development, profile raising, and strategic planning. These responsibilities made the marketing teams the ideal target for actionable CI deliveries. As the teams work one-on-one with the lawyers to identify and achieve their practice goals, they can effectively identify CI needs, integrate the intelligence into work products being developed in the pursuit of business goals, and seamlessly share the CI with the lawyers, thus keeping the process efficient and communication open in all directions.

As an added bonus, having the intelligence presented by a team member already known to and trusted by the attorneys helps with the credibility of the function in the attorneys' perception, and, therefore, makes the intelligence more likely to be utilized. In order to ensure that the marketing teams would maximally benefit from the new function, both interviews and written questionnaires were utilized to pinpoint their greatest CI needs and challenges.

### Step Three: Designing the Program

Once the full scope of user needs was identified, the next step was to design a CI program that would mitigate the challenges identified and address all parties' needs. To accomplish this, the following steps were taken:

> **Creation of a reports menu.** After assessing all reported user needs, most could readily be categorized into a series of functional reports. Once those categories had been created, the marketing of CI itself came into play. To overcome any user unfamiliarity, an easily comprehensible *menu* format was adapted.

For each report presented on the menu, the following are identified: the scenario in which a team member would use the report; its goals, contents, complexity level, access, and turn-around time; and recommended sample reports to review. Using this familiar format allows marketing team members making a request to understand exactly the level of analysis and type of information they will receive, no matter their personal level of familiarity with CI.

> **Automating and integrating information collection.** Once the reports menu had been finalized, Hogan's IRC created an automated request form whose categories corresponded to the reports available on the menu, as well as a hard-copy binder with samples of each report for the marketing department to keep locally.

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**“[O]ne size will not fit all when it comes to CI program design and methodology.”**

This streamlined form permits the end user a high degree of self-sufficiency by integrating a series of text hyperlinks, which provide additional information about each resource, including detailed information about its scope, pros and cons, and estimated turnaround time.

As such, marketing team members requesting the information can collect the raw data from the IRC with full understanding of exactly what they will receive and how to use it. Alternatively, the dedicated CI team member can provide the exact report as described on the menu with all the analysis and recommendations already complete and ready to be shared with the attorneys.

- > **Creating a 24-hour remote platform.** The Hogan marketing department utilizes an intranet site whose access is restricted to team members to allow its globally diverse team to efficiently share information. From this main page, a link was created to host the dedicated Competitive Intelligence intranet site, a self-service portal for CI needs and education.

The regularly updated reports menu is a key feature of the CI site, as are links to the IRC form, internal customer relationship management and conflicts databases, and other useful Web sites. Additionally, the site serves as a repository for all non-confidential CI reports developed to date, so a user can easily cross-reference the menu and the finished work products as needed. This feature also facilitates worldwide information sharing, as some key data points unearthed in the reports are frequently useful for a number of purposes.

### **Step Four: Implementation, Training, and Measurement**

With the CI site complete and all IRC analysts trained to respond to the CI form, the program was rolled out to the global marketing staff, with ad hoc updates and training occurring as needed. Currently, the menu framework is successfully supporting most of the reactive, day-to-day CI

needs, which frees up more time to focus the program on top-level strategic initiatives of value to management.

To date, attorney feedback has been uniformly enthusiastic, and marketing team members are consistently increasing intelligence requests. The one-year anniversary of the initial rollout will occur in March 2009, and plans are underway for a benchmarking survey to determine the program's return on investment (ROI) and potential areas for improvement.

### **Growing the Function**

Although Hogan & Hartson's program would not work for all firms, certain elements would be effective across the board: tapping into and uniting talents of team members throughout the firm; creating a framework that provides definition and demystifies the function; keeping the focus on intelligence, not just information; and adapting the technology and resources your firm already has to aid in the achievement of CI goals.

While doubtlessly our model will change as the function and the systems we have established thus far continue to develop, these changes are challenges we are eager to meet.

### Self-Study

Materials that are prepared to be used in a self-study mode must be well researched and well designed. Because there is no interaction among program participants, a learner is likely to learn only the point of view presented in the materials. Therefore, self-study materials should be meticulous in their attempt to provide all points of view on a given topic. Self-study materials are often augmented with videos, CD-ROMs, and DVDs.

### Case Study

Because case studies used as learning tools are similar to teaching techniques used in law school, many attorneys are comfortable with this type of training. In teaching business development skills, the case study method is very effective because participants can review real situations and determine a plan of action to develop business. This technique can also be valuable in client relationship and management training.

### Informational Sessions

Otherwise known as *talking-head* sessions, informational sessions are advantageous in disbursing information quickly to a large group. This does not give the participants an opportunity to

process or use this information in an organized manner. Therefore, these sessions should be limited to topics that are quickly absorbed without an application component.

### Cost/Benefits of Training

It is difficult to measure an intangible learning experience. The benefits of attending a training program may not manifest themselves until the participants find themselves in the exact situation that was discussed during the session. Hopefully at that point, the skills learned are implemented and the desired outcome is the result. It is almost impossible to measure what that is worth. In the area of business development training, however, it is possible to try to measure revenues as a result of learned skills. A systematic and financial approach will have to be devised prior to training and participants will need to be informed. The costs of training can range from the intangible loss of billable hours for an attorney who designs and conducts programs to the very tangible fees of consultants and materials. The benefits will be noted in increased revenue—though be warned that the benefits may not materialize for a couple of years.

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## Rethinking Workflow

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development resources on the more complex challenges of work flow, which opens up the pool of resources significantly. In addition, being able to divvy up the workload allows firms to build multiple work-flow applications concurrently without having a large development staff solely devoted to work flow.

In a July 11, 2008, Law.com article, “SharePoint Workflow Boosts Firm Efficiency,” Mark Gerow writes about the use of SharePoint Workflow in law firms. He states:

*There are three levels at which you can take advantage of workflow within SharePoint. ... Of these three options, the*

*second has the greatest potential to bring value to firms both large and small because it strikes a balance between the predefined, out-of-the-box workflows which [sic] are too simplistic, and custom applications which [sic] require advanced .NET programming skills. With Office SharePoint Designer, an individual (such as a business analyst or middle manager) having a firm grasp of the business process to be automated can author moderately complex workflows.*

He also outlines the process for new business intake:

- Check for conflicts,
- Review and approve the client,

- Open the new matter, and
- Send notifications.

Demonstrate how SharePoint work flow can take someone through the process.

Many solutions for work flow are available from enterprise system vendors and by vendors who focus strictly on work flow, regardless of which products are used within a firm. SharePoint is an interesting tool to add to the mix of products available because of its increase in use in law firms. Regardless of which work-flow application a firm opts to purchase, it will be a challenging project but also one of the most rewarding.

snatch might be allowing users to create a favorite intranet links list, form a top documents list, save their search trails, or color-code priority content.

We should also bring in more of the Web to our intranets as opposed to providing links out to that Web content. Through use of RSS feeds, intranet search engines, data mashups, and other Web content applications, it is easier to bring in more of the Web, where and how we want it. We can't, however, let ourselves get carried away with this and lose sight of our audience. Otherwise we will only make the problem of information overload

**“We shouldn't have firm intranets in place just for the sake of having an intranet.”**

worse. Reviewing the logs of top external sites visited by users will help you find some of that external content to target for your intranet.

### **Focus on the Right Information**

We shouldn't have firm intranets in place just for the sake of having an intranet. It

has to be more than that. They can be a waste of time to develop and support if a purpose for them is not established and followed. Not all information is going to make sense on intranets. The wrong information can actually be a distraction from the right information. Be realistic here about what works and what does not and what time and resources you have to support it. Some information may be so timely that it is only appropriate for e-mail. Other information that is less important may be cluttering those same in-boxes and distracting our users from the critical stuff.

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## Taking a Seat at the C Table

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initiatives would benefit Fox Rothschild. This former experience was her platform to take on this much-needed KM role.

During Bob's tenure at Latham & Watkins, he has taken on a staff of 230 individuals grouped in five divisions operating in 18 of the firm's 25 offices. These divisions consist of library, records, conflicts, dockets, and knowledge management. Shortly after Bob joined Latham, his local library management responsibility began to shift toward records management and docketing. Bob sees the information resources department as an asset and launchpad to fold in additional information-based reporting lines.

Bob also credits mentors who shared their skill sets in areas to which he had limited exposure. Those mentors were specialists in managing people, particularly the director of human resources. The ability to have a coaching relationship with an executive or peer manager can help to prepare for future responsibilities.

### **What Are the Expectations for the Future?**

Increased responsibility and career growth come with a price, as we all know. To move up in the organization, one has to let go, delegate, and move out of one's comfort zone. Bill is an example of someone who left the familiar library world for overall firm management.

A leader also has to have the foresight to assemble an excellent management team to meet the unexpected challenges of the future. In Austin's case, he has two deputy CKOs—one specializing in systems, the other in operations. They provide the firm with succession planning, should Austin decide to take on new challenges.

Catherine credits her two managers with being her biggest support system. She specifically cites the change in management's approach to working through administrative initiatives and strategies. “The most significant change in the last few years is the holistic approach to administration by working with cross departmental teams,” she says.

continued on next page

Bob's current focus is on the growth of conflicts in a global environment. Since 2001, this departmental responsibility has grown from 10 people in one location to 40 people in five locations. Evaluation of risk and legal compliance was not as prevalent several years ago and currently harnesses a great number of firm resources. Bob finds the better part of his time is spent managing people, negotiating licenses, and evaluating contract language. In other words, one can't be primarily a librarian.

As Bob states, "It would be unusual for a firm to create a chief librarian position by itself. Considering budget size, number of personnel, or scope of responsibilities, it would not compare to a chief information/technology officer (CIO/CTO) or chief financial officer (CFO)." The *chief* title denotes a wide level of responsibility and an impact on the intellectual product of the firm. It involves a closer business relationship with the lawyers and partnership with the firm.

#### What Is Next at the C Table?

According to Bob, the future is globalization and risk management. As Latham expands its offices in time zones around the world, it has become a 24/7 firm. With that worldview, conflicts also needs to be a 24/7 operation. Library research is also trending in that direction. Risk management requires adopting a view and promoting it throughout each department so that everything we do may have an impact on the firm's continuity. It is vital to be aware and supportive of risk mitigation in all firm initiatives and activities.

Catherine also sees risk management initiatives and continuing to understand "where you are in the mix" of the firm as guiding her future. Is the firm open to you taking on more responsibility? They have relied on you for the tactical solutions, but will they rely on you for the strategic solutions? Catherine thinks that getting out of your comfort zone by networking and joining professional associations beyond the traditional library associations is vital. One association particularly helpful to Catherine is the International Legal Technology Association (ILTA).

Influential in supporting risk mitigation is working with your firm's general counsel (GC). Team with your GC in developing communications that focus on risk solutions. Get to know your practice support teams and their functions. Be prepared for elevator talk: communicate the value of KM, training, and risk management with each personal opportunity.

Austin stresses the imperative of communicating value to the firm, which he does with a quarterly newsletter, periodic presentations to partners and management, and benchmarking annual goals to the firm's advantage. His advice to colleagues who want a seat at the table is to demonstrate a sense of leadership, speak and write well, be passionate about the worthiness of what you do, and aggressively seek opportunities to convey your right to be at the table.

Bill notes that the common thread in his career development has been a focus on a bigger and better picture of law firm management and added value. He moved from library research, to library management, to information services management, to information/technology management, to office management, to firm-wide project management, to firm-wide management. Bill feels that it is critical to look for new ways to leverage skills and experience to the benefit of the firm's lawyers and particularly to the benefit of the firm's partners/owners. New horizons for Bill include a greater emphasis on strategic lateral recruiting, analysis of potential acquisitions or mergers, strategic business development support, and continued efforts to enhance firm profitability.

#### What Do These C-Level Successes Have in Common?

It is obvious that each of these C-level professionals have developed in a variety of settings. Some held long-tenured positions in one firm; others have leaped to new challenges. In each case, however, there are some common threads based on strategy and leadership. It is clear that each of our subjects

- was proactive in developing skills and leveraging what they knew with what they were willing to learn.
- sought out mentors and networked outside their scope of knowledge and comfort zone.
- sought diverse opportunities by taking on projects and new challenges.
- built teams and developed creative solutions for information-based resources.
- communicated at the C and leadership level.

These four leaders followed a self-directed and versatile career path within their firms and beyond. They recognized and embraced leadership opportunities to add value to their organizations. Their contributions earned them a seat at the C Table. They have set a great example. Following their paths is a good start to creating your own.

**"Today's law firm library leaders must become their own scouts and position themselves for the next leadership opportunity."**



## Book Review:

# *Blog Rules: A Business Guide to Managing Policy, Public Relations, and Legal Issues*

by Nancy Flynn, New York, AMACOM American Management Association, 2006

A blog is simply “a first-person journal that is posted on the Web.” (p. 7) A business blog is operated by a business or nonprofit or other organization to promote its business or other objectives.

Even organizations that choose not to blog, says Nancy Flynn, cannot afford to ignore this “electronic communications powerhouse,” (p. 4) because their employees are doubtless already blogging with or without the organization’s knowledge or approval. The risks that this unmanaged and unregulated commentary poses to employers run from loss of control of your message and image to liability for copyright infringement, invasion of privacy, sexual harassment, and creation of a hostile work environment. Your employee bloggers could disclose trade secrets and intellectual property (yours or your business partners’), leaving you liable for suits for breach of contract or misappropriation; they could disclose confidential information (yours or your customers’), opening you to invasion of privacy claims.

Publicly held corporations also have to avoid violation by employee bloggers of Securities and Exchange Commission rules against securities fraud and selective disclosure of inside information, as well as Sarbanes-Oxley violations. Healthcare providers and financial service companies also need to avoid violating the Health

Insurance Portability and Accountability Act or the Gramm-Leach-Bliley Act by disclosing patient or customer information.

Your business blog, if you have one, and your employee bloggers are, like it or not, creating business records, which you are obligated



to store and produce in response to subpoenas.

You need to establish a litigation response team to stop data destruction procedures as soon as litigation becomes likely and to produce records in the required format.

Every employer, whether or not it operates a business blog, needs a strategic management plan. The first essential step is to write a blog policy for employee bloggers. Emphasize that the policy applies to on-the-job and at-home blogging. Require appropriate language and a professional tone. Prohibit defamatory content, sexual and other harassment, use of copyrighted material without permission, disclosure of confidential information, and blogging anonymously. Point out that employees have no expectation of privacy while using employer-provided equipment and that you will be monitoring the blogosphere (i.e., the universe of blogs and blogging), including employees’ private blogs. Reinforce the written policy with education and with discipline for violators, up to and including termination.

Employers who decide to start a business blog should have something important to contribute or a need to communicate with a particular audience. The most successful business blogs are narrowly focused on a particular message and audience. You may need multiple blogs if you want to reach different audiences. Establish a blog management team and name a blog czar. The best blogs are written by a single individual who is not a marketing or public relations professional, and who writes in a compelling, conversational, and honest



style. However, legal or public relations personnel should review content before posting to remove inappropriate or actionable comments, correct grammar and spelling errors, and improve readability. For similar reasons, you should either not accept readers' comments, or, if you do, review them before posting. Whether or not you accept comments, be responsive and gracious to readers who take the trouble to contact you.

Your chief executive officer (CEO) can be a particularly effective blogger. By the same token, the CEO's ill-conceived or inappropriate posts can do even more damage to your organization. To be successful, the CEO blogger needs to make the time commitment to research and write a new post at least once a week. Just like any other employee, the CEO should undergo blog training, agree to abide by the organization's blog policy, and submit to pre-post screening.

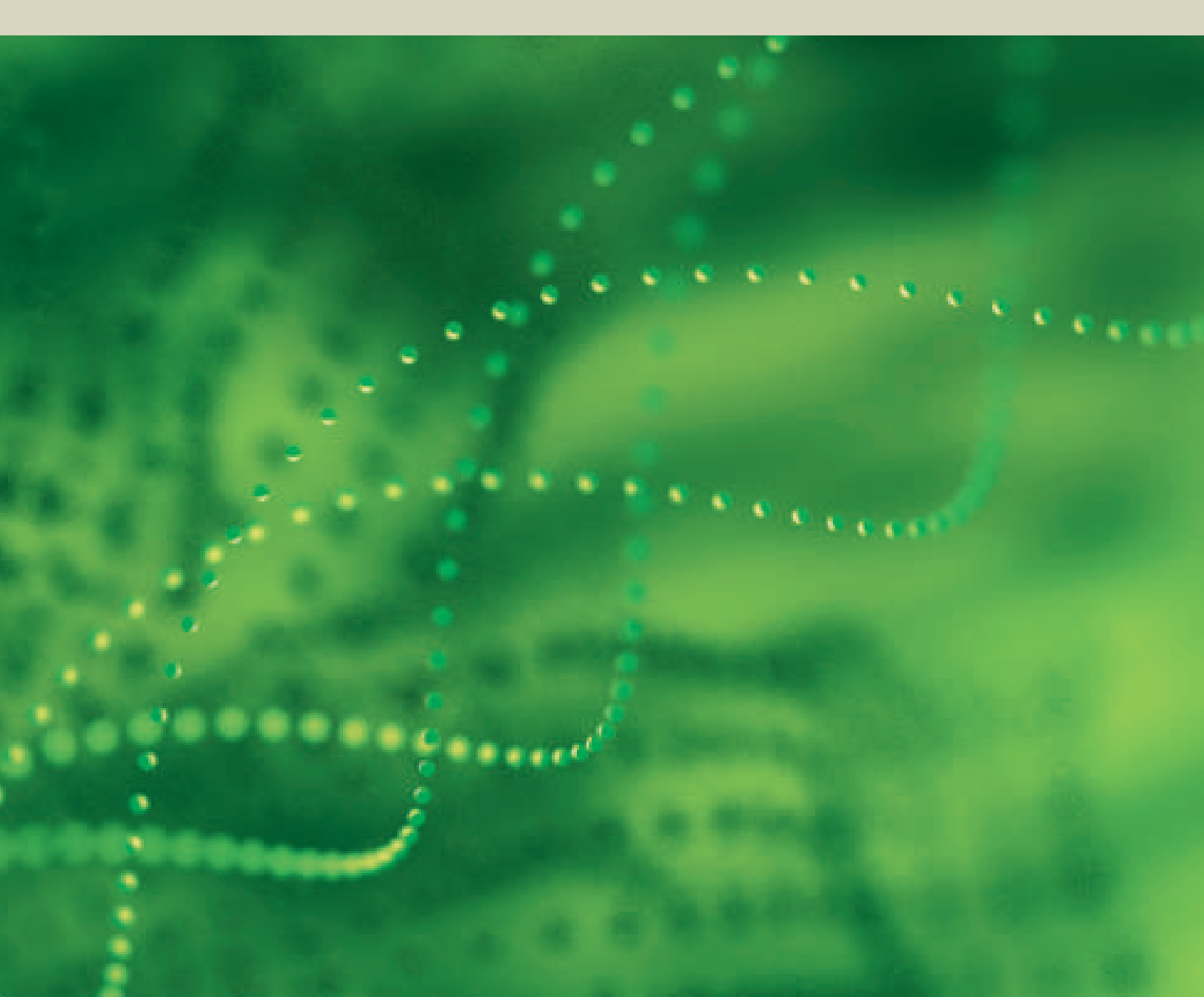
Whether or not your company blogs, you need to identify and establish relationships with influential bloggers in your industry,

just as public relations personnel have always done with the established media. Recruit customer evangelists and brand bloggers who like and are already blogging about your company and its products.

Flynn also offers some tips for individual employee bloggers to avoid being fired. Don't write about your boss or your job, even on your personal blog. Follow your employer's blog policy. Remember that the First Amendment limits only the government, not private employers. Don't write in anger or for therapy. Instead, be discreet and professional.

One of the biggest dangers for any business is a mass blog attack. Some bloggers accept fees from competitors to launch attacks. As many as half or more blog storms are launched in this way. Defenses include monitoring the blogosphere; proactively building relationships with influential bloggers, customer evangelists, and brand bloggers before attacks; being transparent and trustworthy; and calmly telling the truth.

**"Every employer, whether or not it operates a business blog, needs a strategic management plan [to manage blogging]."**



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