

# Client-facing knowledge management

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## 1. From product to client service as the differentiating factor

When knowledge management became a topic for law firms in the 1990s, the focus was on the products lawyers deliver. Consequently, knowledge management was mainly an inward facing function. KM's main objective was to support the lawyers in delivering their products: oral and written legal advice and legal documents – memos, contracts, submissions, claims etc.

As KM and supporting technology has evolved, the lawyers' products have become less of a differentiating factor. The Internet has revolutionised legal research and most of the larger firms now have a powerful search engine and a central repository for know-how where lawyers may find templates or good precedents. Know-how providers such as *Practical Law*<sup>1</sup> offer everything a lawyer needs to produce a document: practice notes, checklists, templates, even a peer review and legal query service. As a consequence of this development, legal products have become similar. Clients take it for granted that the documents lawyers deliver are of good quality. Documents and legal advice alone hardly make lawyers stand out anymore.

Instead, client service has become one of the most important differentiating factors in today's legal market.

This chapter discusses the role that knowledge management – the systematic and continuous collection, organisation, development and dissemination of all relevant knowledge<sup>2</sup> – may play in the context of client service. It further explores client-facing knowledge management in business development and marketing.

## 2. The core elements of client service: the playing field

Core elements of what clients perceive as service are:

- availability, responsiveness and speed; as well as
- a specific understanding of the client's needs and requirements, for its business and environment.

Other areas of increasing importance are ancillary services such as:

- supplying the client with information;

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1 <http://uk.practicallaw.com/>

2 This definition of knowledge management is based on Schulz/Klugmann, *Wissensmanagement für Anwälte* (Aufl, Köln 2006). See n 14.

- personnel support by providing the client with secondees;
- training and continuous education of the client's staff; and
- advice on organising the client's legal and compliance function, including advising on in-house contract and knowledge management.

In all these areas, KM may play an important role. Client service is a large and growing field for knowledge management.

## 2.1 Availability, responsiveness and speed

Good knowledge management is one of the most important driving factors for responsiveness and speed. Lawyers have to be able to quickly tap into the know-how relevant to the matter at hand, be it through accessing his or her own collection of precedents, a know-how system with templates and precedents, an intranet with wiki-style know-how or by asking the right specialist within or outside the firm. In the latter case, the 'know-who', the knowledge about the experts – the know-how carriers – combined with the availability and responsiveness of these experts, decides the reaction-time. A culture of sharing know-how,<sup>3</sup> referring work to better suited colleagues and willingness to support each other is a fertile ground for fast service delivery; silo mentality, reluctance to pass on work to more specialised colleagues and poor accessibility are inhibitors. Although knowledge management may, at first glance, not be perceived as client-facing in connection with availability, responsiveness and speed, a firm's approach to KM does have a direct and significant impact on these key elements of client service.

## 2.2 Understanding the client's demands and needs

Under this title, several elements with importance for KM may be distinguished.

### (a) *Monitoring the market for legal services*

Whereas businesses in other industries are constantly monitoring their respective markets, their competitors and the products and services offered by competitors, many law firms do not systematically observe developments in the legal industry and market trends, especially outside the jurisdictions they cover. Those who do might detect opportunities and risks earlier than their competitors and adapt their strategies accordingly, for example, vis-à-vis clients or with respect to recruiting talent. Knowledge about developments in other law firms may help to build up or expand relationships with these firms and increase referrals.

KM may be involved in gathering and processing such information, screening publications<sup>4</sup> and clients' guides<sup>5</sup> and passing on relevant information to those it concerns.

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3 On the importance of KM culture see Schulz's chapter on Getting lawyers to contribute content to KM systems and to use KM resources.

4 Eg, *The Lawyer*, *The American Lawyer*, *Legal Week*, *Legal Business*, or *JUVE*.

5 Eg, *Chambers*, *The Legal 500*, *IFLR 1000*.

**(b) Knowledge about the client's business and environment**

KM tools and personnel may also be deployed to improve the law firm's knowledge of the client's business and its specific environment. Smaller firms may have to be satisfied with an intranet page featuring industry know-how and linking to useful websites. KM in bigger firms may send regular industry updates to partners focusing on certain sectors, for example, in the form of an industry blog.

**(c) Obtaining client feedback**

Many law firms offer 'solutions and services tailored to our clients' needs', at least on their marketing material. The number of law firms that ask their clients for feedback in a systematic and structured way may be significantly lower. This is surprising: client feedback makes it easier to take measure, to fully understand the clients' needs and to optimise client service. KM lawyers are well positioned to take part in obtaining client feedback. They understand the products and services offered by law firms and are well suited to put themselves in the perspective of clients. As an additional advantage, KM lawyers, as opposed to partners, do not have to develop their own business and may therefore be more neutral and less biased. Law firms may ask clients for feedback as part of an After Action Review (AAR),<sup>6</sup> after completing a matter, upon reaching certain milestones or as part of high level relationship meetings, or both.

Technically, CRM solutions (see below) may be used to process client feedback.

**2.3 Supplying clients with information, intelligence and thought leadership**

Adapting Wayne Gretzky's famous quote:<sup>7</sup> Clients wish to know where the puck is going to be and from where body or cross-checking will come. Law firms that earn the reputation of supplying clients with such information and intelligence will have a decisive competitive advantage. These firms may become the trusted early detector of (legal) risks and opportunities and become almost irreplaceable. To be able to achieve this position, the firm must be 'close to the client'. What does this – slightly overused – term mean?

**(a) 'Close to the client' – what it means and how to get there**

As a principle, the more a law firm works for a client, the closer to the client it will get. The more work a client allocates to a law firm, the more attention the firm will give this client. As a consequence, law firms with clients that generate recurring work should rather focus on a limited number of key clients than spread themselves too thinly. Clients on the other hand are well advised to reduce the number of their external legal advisers to a panel of law firms. Not only will the panel firms be more willing to agree on discounts, provide support by dispatching secondees and by rendering ancillary services (as discussed below), the panel firms will also get closer

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6 A structured review or de-brief process (originally developed by the US military) for analysing 'what' happened, 'why' it happened and 'how' it can be done better by the participants and those responsible for the project or event (see [https://en.wikipedia.org/wiki/After-action\\_review](https://en.wikipedia.org/wiki/After-action_review)).

7 "I skate to where the puck is going to be, not where it has been." The Canadian Wayne Gretzky, active in the NHL from 1979–1999, is regarded as the greatest ice hockey player ever ("The Great One").

to the client. With every matter or transaction a law firm advises on, its specific client know-how increases. The better the law firm's specific client know-how is, the more efficient its services for this client should become – a virtuous cycle for the client and the law firm.

What can law firms do to increase their chances of being in the circle of a client's chosen law firms? The simple answer is, they should sharpen their profile. As trivial as this may sound, many law firms don't seem to give their strategic positioning much thought. Sharpening the profile typically means reducing the scope, focusing on a limited number of practice areas, industries or on a special type of client and increasing the quality of client service, strengthening their presence and building on the reputation within the chosen scope. Less is more.

Once firms have achieved a preferred position, regularly aligning their profile and business strategy<sup>8</sup> with the specific needs of key clients is paramount. As shown above, asking key clients for feedback should be an institutionalised element in continuously fine tuning the firm's strategy.

**(b) *How KM may contribute***

Supplying clients with information and intelligence is an obvious field of (client-facing) knowledge management. In many law firms, KM personnel is involved in preparing client briefings and newsletters. To stand out and provide value to clients, these briefings and newsletters should be more than backward looking summaries of recent legislation or court decisions. They should contain forward looking elements, making clients aware of opportunities and risks, pointing out possible practical implications of legislation and judicature. Clients expect thought leadership, not merely chewing the cud. Only lawyers with broad and current experience and a deep understanding for the business of their clients are able to provide such contents. Consequently, KM lawyers that are expected to write valuable client briefings and newsletters have to be embedded in the practice teams. In larger firms, they may collect and develop specific industry or client know-how.

Smaller firms with a minimal number of central KM staff should not rely on KM to provide the contents of client briefings and newsletters. A central KM function won't be immersed in practice enough to provide thought leadership. It may, however, contribute to the quality of client briefings and newsletters by supporting the authors with research and by reviewing and proofreading.

**2.4 Providing clients with secondees**

**(a) *A great opportunity to foster relationships with clients***

Law firms are normally not overly enthusiastic when clients ask them<sup>9</sup> to second lawyers to cover peak periods or support with special projects. The seconded lawyer will be missed by his team which has to cope with the additional workload,

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<sup>8</sup> See Schulz/Kuth's chapter on Organising KM in a law firm.

<sup>9</sup> In panel review processes of large corporations, the availability of (free!) secondees may be a criterion, see Tabby Kinder, "Exclusive: Shell slashes global panel from 250 firms to six", *The Lawyer*, April 19 2016.

profitability takes a hit and the seconded lawyer might like the new job too much and jump ship. Against this backdrop, law firms may be tempted to send underperforming lawyers. However, if the client is not satisfied with the secondee this strategy will backfire.

With a more positive approach and accompanying measures, a secondment is a great opportunity to get closer to the client, deepen the relationship and to increase client and industry know-how. Again, KM is well suited to play an active role.

**(b) Success factors**

To make the most out of a secondment, the secondee should be carefully chosen, prepared for the task and ‘monitored’ during the stage with the client. Apt secondees are good project managers, good communicators, have above average people and networking skills, a genuine interest for the client, its business and its people and generally make a good impression. Technical skills should be sound but are not the prime prerequisite.

Can KM lawyers make good secondees? The answer is definitely ‘yes’ if KM lawyers embedded in practice – or industry – teams are seconded. Know-how lawyers that manage and structure know-how rather than produce contents will typically be less suited, unless, of course, they are seconded to the client to advance projects that require their specific skills and experience. As an example, a client’s legal department may want to introduce knowledge management, reorganise a contract database, create structures and platforms for know-how exchange or build a special training program for top talents. For such projects, KM lawyers in central functions may be the best possible fit.

From a law firm’s perspective, an advantage of sending KM lawyers as secondees is the fact that their temporary absence typically matters less than the absence of a fee earner – financially as well as in terms of coping with the daily work load. KM work and KM projects may be postponed more easily than client work. Another advantage may be that KM lawyers have a more sensitive eye for client know-how that the law firm could benefit from, know-how about the client but also know-how regarding how the client has developed.

As a preparation, the secondee should – in cooperation with the law firm:

- find out as much as possible about the client, its business and the secondee’s future team;
- define the objectives of the secondment; and
- develop an action list: for example, people to meet, connections to make, tasks to fulfil, know-how and specific information to obtain.

During the secondment, the law firm should be in regular contact with the secondee track progress towards the objectives and items of the action list. After the secondment, the secondee may add to the firm’s client and industry know-how by making an internal presentation and by contributing to written knowledge, for example, on the intranet.

## 2.5 Supporting clients in risk detection and management, compliance and training

Within the large realm of supporting clients in organising knowledge and expertise, risk management and compliance are fields where knowledge management is of particular importance. The knowledge relevant for the risk management and compliance function includes knowing and understanding applicable laws, regulations and official instructions and relevant news. Also included is the knowledge about risk carriers such as states, regions and individuals.

To support risk management and compliance, this knowledge, the relevant experience within the organisation and know-how regarding the knowledge bearers and their environment needs to be systematically and continuously collected, organised, developed and spread.

### (a) Possible measures

The following measures may make a significant positive impact on the client's risk management, compliance or in-house legal function:

- identify suitable sources of information;
- standardisation and automation of processes and documents;
- debriefings, after action reviews, sharing worst practices (admitting and discussing mistakes);
- technology, for example for document automation, intranet, blogging;
- exit interviews;
- 'master-apprentice' relationships;
- know-how exchange platforms on different levels, for example on roundtables; and
- improvement of the on-boarding process and of the basic training of new joiners.

As far as these measures are closely linked to client-facing KM, they are discussed below.

**Identify suitable sources of information:** In helping clients to identify suitable sources of information for risk management and compliance purposes, KM lawyers are on their home turf. Publicly available overviews of the regulatory environment in various jurisdictions,<sup>10</sup> often in Q&A format, written by law firms<sup>11</sup> may give compliance officers and in-house lawyers of international corporations a good sense of what is important and where the risks are. From a marketing perspective, pointing out these free sources of information to clients makes particular sense if the law firm is among the contributors, that is, has written the chapter(s) pertaining the jurisdiction(s) it operates.

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10 Such as ICLG – International Comparative Legal Guides (<https://www.iclg.co.uk/>), or *Practical Law's* global guides (<http://uk.practicallaw.com/resources/global-guides>); access to Getting The Deal Through (<https://www.gettingthedealthrough.com/>) is restricted (in-house lawyers may get free access but have to login nevertheless).

11 The contributing law firms pay to provide the contents. This is counter-intuitive for many lawyers, but makes sense if the publication is frequently visited by clients and potential clients (it is equivalent to paying for a shop window on a prominent location).

**Standardisation and automation:** Standardised processes and documents reduce the room for errors. That's why professionals dealing with high risks or risks with potentially catastrophic consequences such as pilots follow very strict standard procedures. KM may help to determine standard processes. Standardising documents (producing templates) is one of the oldest fields of knowledge management. If standardised documents are used, the room for uncontrolled drafting and adventurous own production of documents is reduced.

Document automation takes it one step further: rather than using templates and filling in gaps, users of automated document assembly systems answer a set of questions. As the questionnaire is completed, a document – or a set of documents – is produced automatically. There is no margin for errors. For those responsible to review, the task gets much easier: rather than reviewing documents they may review the answers on which the documents are based.

It is obvious that automation has great potential on various levels.<sup>12</sup> However, the software does not automate documents itself. Buying the software is only the first, easy step. The actual programming of the documents to be automated is complex and time-consuming. It can only be done by lawyers that are automating on a regular basis, at least once a week. If fee earners are responsible for automation, chances are high that they will not have enough time to do it and that the effect of the investment will evaporate. Document automation is thus an ideal field and additional skill set for KM lawyers.

Document automation may also be client-facing.<sup>13</sup> Law firms may offer to automate documents which are often used by the client, either using their in-house lawyers or other staff such as the salesforce. The automated documents may be stored within the clients' or the law firm's sphere. As attractive as it may seem for law firms to be able to offer automation services for clients, it may be sensitive for the clients to make use of these services: if they rely on a law firm to do the automation (and to maintain the automated documents), they have placed themselves in a situation of dependence, especially if the documents are stored within the sphere of the law firm. As a consequence, clients may decide to automate their documents themselves or to rely on specialised providers rather than on law firms.

**Debriefings and after action reviews:** In debriefings or after action reviews with the client, KM lawyers may assume the role of moderators and, if need be, minute-takers. They are also ideally positioned to feed the outcome into the law firm's central know-how repositories, for example the intranet, and to advise the client as to the conclusions of debriefings that may be processed on the client's side.

**Technology:** If KM lawyers are experienced in using technology that the client uses

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12 A leading provider of legal document assembly software claims to offer "a variety of solutions for law firms that want to drive efficiency for fixed fee work, retain key clients with better quality and consistency of documents and win new clients with innovative client services", [www.contractexpress.com/document-automation-solutions/Law%20Firms/?gclid=CIOEloHjocwCFQtAGwodjp4H-A](http://www.contractexpress.com/document-automation-solutions/Law%20Firms/?gclid=CIOEloHjocwCFQtAGwodjp4H-A).

13 As indicated in the provider's claim quoted in n 12 above: "win new clients with innovative client services".

too, or considers purchasing, they may support the client in evaluating the technology and, if purchased, in making the best use of the technology. As KM lawyers consult the client, they have an opportunity to demonstrate that their law firm has a modern approach and cultivates knowledge sharing and developing. If the client manages a major project which draws a lot of resources (such as the introduction of document automation, see above), KM lawyers are well positioned to help make the project a success. For this purpose, KM lawyers may be seconded to the client (see above).

**Know-how development and training:** Providing technical training about certain legal topics to the client, for example to its in-house legal team, to compliance personnel, to the sales force or to management, is a traditional ancillary service law firms may render. The presenters hope to sharpen their profile as legal experts and lawyers of choice. The preparation for such appearances should not be taken lightly: if presentation skills are below the expectations of the audience and the lawyers leave a mixed impression, even technically brilliant lawyers may remove themselves from the reckoning. Consequently, law firms should send lawyers who have good presentation skills. They don't necessarily have to be partners: an associate with a flair to teach makes a much better impression than a partner with deplorable presentation skills. Obviously, talented presenters among a law firm's KM lawyers may also be perfectly suited to train clients' personnel.

Apart from supporting clients in training their staff in technical legal matters, law firms may also advise clients on setting up or improving and expanding an internal education and training system. KM lawyers are well positioned to render such structural and organisational advice. Master-apprentice relationship, know-how exchange platforms, training of new joiners: even simple organisational measures may have a significant positive impact. Allocating a senior team member to each junior new joiner as a coach and mentor, making an effort to take junior team members to meetings and involving them in discussions enables learning by watching and listening: the traditional master-apprentice relationship is an extremely effective teaching and training model. Roundtables are forums in which participants may share their experience without much preparation. Experience shows that such roundtables work best if participation is not compulsory, not associated with major efforts and if participants use it to share know-how rather than war stories (mainly trying to impress). Whereas roundtables with participants of different seniority and experience are particularly interesting and educational for juniors, experienced participants often find expert roundtables more worthwhile.

### **3. Knowledge management in business development and marketing**

The systematic and continuous collection, organisation, development and dissemination of all relevant knowledge<sup>14</sup> not only increases the efficiency and quality of legal products and services but also facilitates and professionalises marketing and business development.

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14 See n 2 above for a definition of knowledge management based on Schulz/Klugmann.

### 3.1 CRM – the KM tool for business development

Customer Relationship Management (CRM) tools are essentially KM tools for business development. They typically support lawyers in collecting, organizing, categorising and developing contacts, prospects and leads and in sharing the knowledge with others for the benefit of the law firm. Through a CRM tool, lawyers may maintain the quality of client data centrally and in a coordinated way, log their client related activities, register future events and appointments, set reminders, or create lists for marketing purposes. A culture of sharing contacts and information about these contacts creates a fertile ground for cross-selling, extending business and for acquiring new business. It also enables law firms to interact with clients and other business partners in a coordinated, structured way. From a client's perspective, in an ideal law firm all lawyers would share all know-how without constraints and egoistic considerations, be it related to products and services or be it related to clients. In this Unicorn LLP all lawyers would refer all work for which one of his or her colleagues is better suited to this colleague. A client would always get the best possible service and could always count on fully benefiting from the firm's size.

### 3.2 Possible roles of KM lawyers in business development and marketing

KM lawyers with a focus on knowledge management processes and structures may also apply their specific knowledge management know-how in the field of business development and marketing. With the purpose of supporting business development and marketing they may focus on industry know-how, client intelligence (as managed with a CRM tool) or on the legal market and its developments. As experts of finding the right sources of information, efficiently using information and making information accessible within the firm, such KM lawyers may easily switch their field of practice from law to business development and marketing. This does not mean that they are business development and marketing experts but, relying on their knowledge management skills, they are capable of supporting these experts.

#### (a) *Detecting business development opportunities*

In defining and adapting their strategy, law firms should continuously be on the lookout for new business development opportunities. What practice areas are evolving? What are the implications of technical, economic, social and political trends, developments, events and incidents on legal advice? KM lawyers may help monitor the environment in which law firms do business. They may, for example, regularly do research on competitors or law firms in other jurisdictions and analyse what they offer. KM may also be responsible for reading publications that cover the legal services market, screening them for new practice areas or new ways of practising in established fields.

#### (b) *Pitches and beauty contests*

In many practice areas, law firms regularly have to participate in pitch processes to win new business. Legal departments of large clients have made it standard to select a panel of law firms through rigorous 'beauty contests'. Whether pitching for a specific transaction or aspiring to become a panel firm of an attractive client: the

(non-billable) work related to such exercises is significant. Since producing pitch presentations, filling out questionnaires and writing fee quotes is often repetitive, good KM is essential for an efficient use of resources. KM lawyers embedded in practice teams are well suited to create the specific contents of pitch presentations, central KM functions may help answer questions and give an overview of the firm's services.

(c) ***Submissions for client directories and awards***

If KM lawyers have a broad overview of the firm, its practice areas, services and key players they are well positioned to draw up submissions for client directories such as *Chambers & Partners*, *Legal 500* or *IFLR 1000*, be it for rankings or for awards. Their legal background and their detailed understanding of a law firm's business makes it easier for them to succinctly describe work highlights and differentiating factors in submissions, without using platitudes.<sup>15</sup> They may also support researchers – often non-lawyers – in identifying the relevant interview partners and in making sense of their answers to the researchers' questions.

Since KM lawyers don't have their own business to nurture, they are not prone to pouring grit into their own mill. Without self-interests it is easier to defend the interests of the firm and of all its lawyers equally.

(d) ***Finding the right lawyer within a firm***

For the reasons described above, KM lawyers with business development responsibilities are also well suited to advise existing or potential clients, but also other firms referring work, from a neutral point of view as to what lawyer or what team is best suited to attend a matter. If the scope of a potential new matter is unclear, KM lawyers in business development functions may attend the first meeting or call to make an initial assessment of the issues at hand and to involve the right lawyers. Depending on the matter or request, such a preliminary triage may be more efficient than using fee earners' time as from the very beginning.

(e) ***Creating contents on the law firm's website***

Based on their legal background and understanding of the law firm's business, KM lawyers may contribute to the contents of the law firm's website, for example by helping to draw up the description of the services and practice areas, by drafting press releases and feeding the deal ticker or by listing publications.

(f) ***Knowledge management related to publications and their distribution***

Lawyers are offered endless opportunities to participate in publications, contribute to global guides, and to place firm and individual profiles or advertisements. To separate the wheat from the chaff and to know which publications are serious and which are worthless, specific knowledge management is needed. The organisations selling these

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15 As Chambers & Partners phrase it on their submission template: "Be specific. Avoid generalities such as 'client service' or 'breadth of expertise'. Give us a focus on what is special or unique about this department."

‘unique opportunities’ play on the vanity of lawyers, the lack of specific know-how and on the often astonishingly uncoordinated approach of law firms to these topics.

Law firms are well advised to centralise everything connected to sponsored publications and to placing profiles and advertisements. Sponsored publications, publications the authors pay for, are counterintuitive to many lawyers (“what do you mean: I have to pay for the article I write?”) but if the distribution platform is right it may make just as much sense as it may to pay for a shop window on 5th Avenue or Oxford Street. Certain publishers and platforms are distribution machines, receive millions of clicks a year and give detailed feedback on reader stats. Participating may leverage the effect of a law firm’s publications significantly and allow targeted marketing. Other publications and platforms may claim to be read by ‘decision makers’ but prove shallow and implausible. To generate the respective know-how and to decide on a strategy, careful and time consuming research and a certain amount of experience is essential. Personal, long-lasting relationships with key personnel of the publishers help to get good deals and to keep up to date with industry developments. Only law firms with a competent central contact for publishers have a chance to stop their business developers from contacting lawyers directly. The efficiency gains of dealing with all the publications only centrally are considerable. Publications that prove to be worthless but still contact lawyers should be prevented from emailing anyone in the law firm by blocking their URL.

Again, KM lawyers with their topical understanding and their know-how as to what may be interesting to readers are well suited to being central contacts for publications. KM lawyers with special writing skills may also review articles before they are published to ensure a certain level of uniformity and quality.

#### 4. **KM principles of universal validity**

Whether KM faces clients or serves the business development or marketing function, the following key principles apply to all KM projects:

- Analysis of needs and definition of objectives first – no size fits all.
- Always ask first: what does really add value?
- Content<sup>16</sup> is just as important as good technology.
- Keep it simple and start small (quick wins).
- Involve internal experts and listen to them.<sup>17</sup>
- Experienced, higher ranking experts should be responsible for KM in the field of their speciality.
- Analyse what’s already there first (IT, know-how) and use it wherever possible.
- Allocate enough resources (particularly time) to drive KM projects, appoint or hire a dedicated knowledge manager.<sup>18</sup>
- Cultivate a tolerant culture in which mistakes may be addressed frankly and constructively.<sup>19</sup>

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16 See Schulz’s chapter on Getting lawyers to contribute content to KM systems and to use KM resources.

17 See Schulz/Kuth’s chapter on Organising KM in a law firm.

18 See Schulz/Kuth’s chapter on Organising KM in a law firm.

19 See Schulz/Kuth’s chapter on Organising KM in a law firm.

- Focus on less experienced team members – they will benefit the most.
- Vary the intensity of your KM efforts, for example by periodically organising know-how competitions.

These principles are interrelated: KM initiatives will only be successful if there is a real need for them and it is clear what they aim to achieve. Internal experts have to be involved when exploring needs and defining objectives, not only because they have crucial insights and experience but also because the likelihood that they will support KM initiatives is much higher if they have shaped them. As a consequence, centrally devised KM measures are doomed to fail: in knowledge management, no size fits all. What may make sense for one jurisdiction, one industry, one practice area, one culture or one team may not make sense to others. KM solutions should not be off the shelf but tailor made.

KM has to deal with one ubiquitous counterforce: the lack of time (and often enthusiasm) of those that should be involved and drive KM initiatives and an unfavourable position on the priority list. In view of this counterforce, KM projects should be as simple and easy as possible. They should start small, for example in cooperation with a few enthusiasts, and provide quick wins. Large, ambitious projects to be rolled out in the entire organisation are bound to fail. Since everybody's capacity and patience for KM work is limited, it is crucial to focus on what really adds value, such as measures that support new joiners or junior team members to get up to speed and avoid mistakes. It's much easier to win senior team members over for knowledge management initiatives if they see a direct benefit,<sup>20</sup> as a result of the KM initiative, they will have to spend less time training and supervising juniors.

In a tolerant culture in which mistakes, insufficiencies and possibilities for improvement are addressed and discussed openly, KM finds fertile ground. By contrast, finger-pointing, face-saving or self-marketing is counterproductive.

Last but not least: as important as technology may be for certain KM initiatives, it will never alone contribute to success. As an example, even the most powerful search engine will only be able to find contents, not to create it. Spending a lot for technology raises the stakes: the costlier a KM initiative, the greater the frustration if it does not fulfill expectations.

## 5. Conclusion

Client service, business development and marketing offers are a wide playing field for KM.

Well-developed knowledge management has a direct positive impact on client service by:

- making it easier for lawyers to react quickly and deliver speedily; and
- supporting the lawyers in their understanding of their clients' needs and business.

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<sup>20</sup> Lawyers will typically ask themselves "what is in it for me?", see Schulz's chapter on Getting lawyers to contribute content to KM systems and to use KM resources.

KM staff may also play an important role in rendering ancillary services to clients, such as supplying them with information and supporting them in risk detection and management, compliance and training. KM lawyers are well suited to advise clients on the organisation of knowledge sharing, on standardising and automating document production and on implementing IT tools for know-how purposes.

Business development and marketing are also part of the wide playing field for KM. KM staff may be involved in CRM and in detecting business opportunities and pursuing them. Due to their legal background and understanding of a law firm's business, KM lawyers are well suited to 'sell' the firm, for example by:

- creating pitch documents;
- writing submissions for rankings and awards; and
- contributing contents for the firm's website.

Furthermore, KM lawyers may play a central role in marketing by publishing legal articles or chapters of commentaries and guides.

Whether in the traditional realm of legal knowledge management or in the client-facing field, in business development and marketing, to avoid failures, the fundamental KM principles should be observed.

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