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Winter 2004 Survey Report: Law Office Knowledge Management Programs

Introduction

Defining Knowledge Management

There is some disagreement about exactly what the term "knowledge management" means. We are among those who do not believe that it equates to an IT system, as powerful as such a system can be. It is necessarily much more than that.

For one thing, any content stored on computer is nothing more than *data* until a human being both accesses and understands it. At that point it becomes *information*: data with meaning, with the meaning necessarily being supplied by the human. (If, for example, the data is expressed in terms I do not understand, for me it will not be information.) Information becomes *knowledge* only when a human being internalizes it by learning it. In fact, a major purpose of most "knowledge" management systems is to spare humans the effort of learning and relearning constantly changing *information* (that is, of acquiring actual *knowledge*) by keeping that information easily accessible. And our deepest and most valuable knowledge, it seems, can only be learned through experience. (See Randy Christison's excellent discussions of Data, Information, and Knowledge, and of Tacit and Explicit Knowledge, in "Succession Planning and Knowledge Transfer" in the November issue, page 2.)

We do believe, however, that in today's world of organizations, projects, and knowledge bases that are large, multi-disciplinary, geographically dispersed, and constantly changing, technology is our best hope for keeping up with all the information that we must have to do high quality work. Just as important, it offers the best hope of filtering out the volumes of information we don't need. Technology also gives us some useful learning tools for those times when it is necessary to develop actual knowledge as opposed to just obtaining information.

For purposes of this survey, then, the introduction to our survey questionnaire defined a *law office knowledge management program* as "a program (a) that systematically provides valuable information, education, training, and other resources to knowledge workers in a law office so as to enable the workers and the office to regularly expand

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and update their expertise, (b) for which a significant portion of the knowledge content is internally generated, and (c) of which some components are computer-based."

The best professional development programs in law firms meet that definition, whether or not they are labeled "knowledge management" programs.¹ We have also seen some fine "knowledge management" programs evolve out of the best library systems. Our hope in providing the above definition, then, was that managers of what we would consider KM programs would recognize themselves as such and respond.

Some Ancient History: Our 1999 KM Survey

Our first knowledge management survey was conducted five years ago in spring 1999, a time when KM was very new to the legal profession. In a few short-essay-type questions, we in essence asked, "What's going on here?" Thirteen law firms in the US and UK that had new programs in place or under development responded to that

¹In November 1989, at a time when law offices were just starting to install e-mail communication and desktop PC's, Werner Polak and Stephen Armstrong gave a prescient talk on "Resources for Professional Development" at an ABA conference in New Orleans. In that talk they outlined their firm's expanded approach to professional development. They pointed out that live training sessions, then as now the focus of many PD programs, are not well suited to many types of learning tasks. They argued that the proper goal of professional development "is not a schedule [of training events], but an environment infused with many types of resources, all of them as easily accessible as the firm can make them." A number of us listened and took their ideas into our own programs. We subsequently learned to integrate technology into the mix as the technology tools became available. (Polak and Armstrong's presentation was reprinted in the manual for ALI-ABA's 1991 workshop, *Getting the Most from In-House Training: Practical Strategies for Lawyer Development*, at 110-129.)

first brief survey. A consistent theme in their responses was the pursuit of four major objectives:

1. **Creating a searchable on-line repository** of broad-based information resources that could be accessed at the desktop.
2. **Facilitating person-to-person contact and communication** via on-line and other distance media.
3. **Creating a single point of entry** to the on-line resources. (At the time, nine of the responding firms had intranets in place, and a few of those were considering or in the process of adding extranets with clients.)
4. **Promoting KM system participation and supporting system maintenance** through a wide range of strategies, including user training and support, user-friendly formats and search tools, financial and other incentives, quality control of content, creation of dedicated KM staff positions, continuous publicity, and steady pressure from top management.

While three of those four major issues are technology-related, the 1999 respondents said their toughest challenge was the fourth one: the human issue of getting the lawyers and other target personnel to contribute to and use the new resources.²

Five years later, we find "knowledge management" much more common in the law office setting. The technology is vastly more sophisticated, though still problematic. And the human issues are still very much with us.

It seemed the right time to ask again, "What's going on here?"

Respondents to the 2004 Survey

This year's survey went out by e-mail in early January. We received responses from 25 law offices: 24 private firms and one state agency. We are grateful to the professional development directors and knowledge management officers who took the time to provide those responses.³

²"Results of Our 1999 Knowledge Management Survey." *The Capital CLE Calendar*, June/July 1999, Vol. 5, No. 6, pp. 1-3.

³In particular we would like to thank the Professional Development Consortium, whose members provided the great majority of the survey responses, in some cases directly and in others indirectly by recruiting their KM officers to complete the questionnaire.

We were pleased to see that some of the same firms responded this time as in 1999. Besides their KM programs being more extensive, more sophisticated, and more deeply staffed, the firms themselves are bigger, with more lawyers and more offices in more countries than in 1999. So their KM programs appear to have been a good thing.

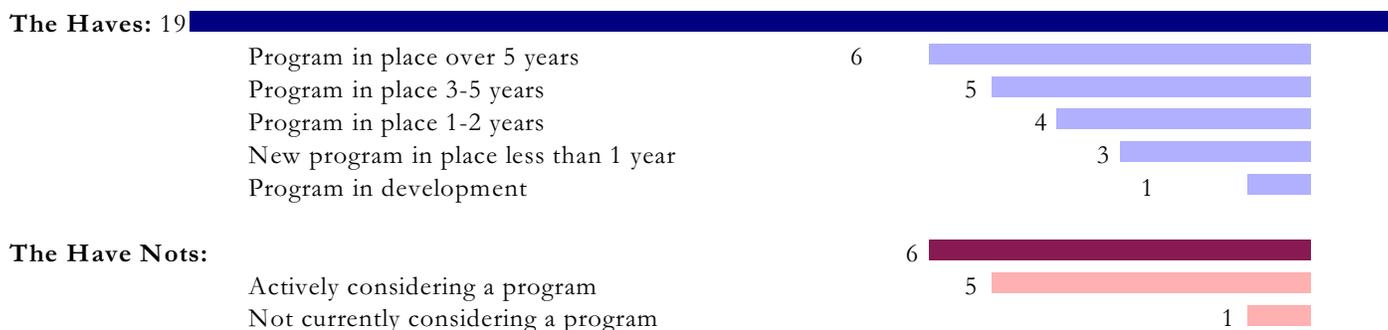
Characteristics of all 25 respondents:

Size. The respondents' organization size, in terms of the number of lawyers, ranges from a little over 100 to well over 2,000. In all, these 25 law offices employ some 15,000 lawyers.

Location. While some of the respondents are truly international, we might characterize them as historically based in the US (18), Canada (5), and the UK (2). Their geographic scope ranges from a single office to dozens of offices in close to 20 countries.

Status of KM Programs. Nineteen respondents, hereinafter referred to as the "Haves," have KM programs in place or under development. Six of them (the "Have Nots") do not presently have such a program, but 5 of the 6 are actively exploring the possibility. The status and longevity of KM in the 25 responding organizations is as follows:

Figure 1. Status of Knowledge Management Programs in 25 Responding Law Offices



Program longevity among the Haves is spread relatively evenly among the size categories. On average, those with under 400 and over 900 lawyers have the longest-standing programs; those in the 400-900 category have slightly newer programs. As noted earlier, these results may not be representative. But we might also speculate that KM is a virtual imperative to maintain cohesion and coordination in the very largest firms and is easiest to implement in smaller firms with only one or a few locations, whereas the firms in the middle may have the worst of both worlds.

Considering the Haves geographically, the UK firms have the oldest programs (both older than 5 years), the US respondents the next oldest (on average, in between 1-2 and 3-5 years), and the Canadian firms the newest (average 1-2 years).

The Haves vs. The Have Nots. To permit more meaningful comparisons, this report groups the respondents in three size categories:

- over 900 lawyers (5 Haves, average size 1572),
- 400-900 lawyers (7 Haves, average size 591), and

- under 400 lawyers (13 respondents, including 7 Haves, average size 219, and all 6 of the Have Nots, average size 214)

As indicated, all 6 of the Have Nots have fewer than 400 lawyers. But clearly size is not the determining factor in program adoption; the 7 "under 400" respondents in the Have group have similar profiles to the Have Nots. The smallest Have firm, for example, has the same number of lawyers as the smallest Have Not, and both groups also contain single-office firms.

We will also consider the respondents in three country groups according to their historic geographic base: the US, Canada, and the UK. All 6 of the responding "Have Not" firms are US-based. Both UK firms are in the top size category (>900 lawyers), the 5 Canadian firms are divided between the two smaller size categories (400-900 and <400 lawyers), and the 12 US Haves (11 private firms plus one state agency) are spread through all three size categories.

Although no individual respondent matches either profile, the "average" Have has 714 lawyers organized in 14 practice groups and 9 offices in 4 countries, whereas the

"average" Have Not has 214 lawyers in 12 practice groups, 3 offices, and 1 country.

Confidentiality Issues. Several respondents expressed confidentiality concerns in responding to this survey, and even before deciding whether to respond at all. In designing the survey questions we took particular care to avoid competitively sensitive items. Given the continuing concerns about confidentiality, in reporting the survey results we have exercised extra care to protect anonymity in characterizing the respondents' organizations and quoting their comments.

Data Issues. A self-selected sample of only 25 law offices worldwide clearly lacks statistical validity. In fact, we believe that the responding organizations are not representative of the state of KM in law offices, but represent instead some of the leaders in the field. As such, we hope their programs will provide a useful benchmark for other law offices wanting to evaluate an existing program or start a new one.

Another area in which our respondents are leaders is the related field of professional development. Because our questionnaires were submitted through our professional development contacts, 100% of the survey respondents (many of them KM directors to whom the questionnaires were forwarded) indicate that "Regular in-house education and training" is a component of their KM programs. Particularly in smaller organizations this, too, may not be representative.

A further issue came out of the responses themselves, and that is that the elements identified by individual respondents as being part of their KM programs do not necessarily represent all of the knowledge-related activities of their organizations. For example, one respondent indicated that substantive legal knowledge and legal and regulatory research are not included in its KM program; since legal knowledge and legal research are fundamental to any law office, we conclude that they must be addressed by a different department or program. We also believe that mentor programs are more prevalent in these organizations than the survey results indicate, and again conclude that they exist but are simply not viewed as part of KM.

Those omissions, if they are that, raise concerns about firms' coordination and integration of their various knowledge initiatives. The IT/MIS Director, Professional Development Director, and Library/Information Services Director may all be in different departments, but certainly they should be talking to each other.

Program Scope

To get a picture of the scope of respondents' programs, we asked them to tell us:

1. What offices, practice groups, and staffs participate in the program,
2. What areas of knowledge the program addresses, and
3. What components are included in it.

1. Program Participation

Organizational Units Participating in the Program.

Fourteen of the 19 Haves (74%) include all practice groups or departments in the KM program, and 13 (68%) include all offices. One respondent whose program has been in place for only 1-2 years commented that, while "all groups are included, some have more active plans than others." Another with less than full participation in its 1-to-2-year-old program said that participation is "growing across ... departments."

On average, 89% of offices and 86% of practice groups/departments are included in these programs. Two firms that include all offices do not include all practice groups; one that includes all practice groups does not include all offices.

Office/group participation by size category:

>900: Four of the 5 firms (80%) in this category include all offices, and 3 of the 5 (60%) include all practice groups, in the KM program.

400-900: Five of 7 (71%) include all offices, and 5(71%) all practice groups. One of the 5 that includes all offices does not include all practice groups, and vice versa.

<400: Four of 7 (57%) include all offices, and 6 of 7 (86%) all practice groups.

Considered geographically, the UK firms are more inclusive than either the US or the Canadian respondents:

UK: Both UK firms include all offices and practice groups/departments in the program.

US: Eight of 12 respondents (67%) include all offices, and a slightly different 8 (67%) include all practice groups/departments.

Canada: Three of the 5 firms (60%) include all offices, and 4 of 5 (80%) all practice groups/departments.

People Participating in the Program. All 19 Haves include both partners (or other senior attorneys) and

associates (or other junior attorneys) as participants in the program. But the inclusion of other internal staffs and of client personnel varies. The overall breakdowns are shown in Table 1, along with comparisons by size and by geographic base:

Table 1. Personnel Participating in Respondents' KM Programs and % of Haves Who Include Each Personnel Category in the Program							
Personnel Categories	All Haves (19)	Haves by Size			Haves by Geographic Base		
		>900 (5)	400-900 (7)	<400 (7)	US (12)	CN (5)	UK (2)
Partners/senior lawyers	100%	100%	100%	100%	100%	100%	100%
Associates/junior lawyers	100%	100%	100%	100%	100%	100%	100%
Other legal staff	84%	80%	100%	71%	83%	80%	100%
Managers/administrators ⁴	74%	60%	86%	71%	83%	60%	50%
Other nonlegal staff	63%	40%	86%	57%	75%	40%	50%
Client personnel	42%	80%	57%	0%	42%	20%	100%

Interestingly, both UK firms (100%) include clients in their KM programs, whereas only 1 of the 5 Canadian firms (20%) does. US respondents are in the middle; 5 of the 12 US Haves (42%) include clients. Excluding the state agency, whose client is the public, raises client inclusion by the US firms to 45% (5 of 11).

Other noteworthy geographic patterns:

The US programs are the most inclusive of nonlegal staff: 83% (10 of 12) include managers and administrators and 75% (9 of 12) include other nonlegal staff. Non-lawyer legal staffs are included in 83% of the US programs, the same proportion as for managers/administrators.

The Canadian programs are the least inclusive of nonlegal staffs: Only 3 of 5 (60%) include managers and administrators, and 2 of 5 (40%) include other nonlegal staffs.

The UK programs are the most inclusive of legal staffs other than the lawyers; both firms include them.

Looking at personnel participation by organization size presents a mixed picture: The frequency of client inclusion in the program increases with organization size. Inclusion of non-lawyer personnel, however, is highest in the middle (400-900) size category and lower above and below that size. Noteworthy patterns in each category:

>900 lawyers: The five largest firms are the most inclusive of client participation: 4 (80%) include them. They are also the least inclusive of nonlegal personnel: only 3 (60%) include managers and administrators, and only 2 (40%) include other nonlegal staff. Four of the 5 (80%), however, include their non-lawyer legal staffs in the program.

400-900 lawyers: Four out of the 7 (57%) include clients in the program. All 7 (100%) include legal staffs other than

⁴Three of the five respondents whose managers and administrators do not participate in the KM program said in another section of the questionnaire that "Internal firm knowledge" is one of the knowledge areas addressed by the program. We are curious what sort of management contribution can be made by managers and administrators who do not participate in that information base.

the lawyers. Six of 7 (86%) include managers/administrators and other nonlegal staffs.

<400 lawyers: None of the 7 (0%) include clients. Five (71%) include non-lawyer legal staffs and managers/administrators. Four (57%) include other nonlegal staffs.

2. Knowledge Content Addressed by the Program

In descending order of frequency, the content areas that the 19 KM programs address are displayed in Table 2.

Table 2: Content Areas Covered by Respondents' KM Programs and the Percentage of Programs Addressing Each Area							
Content Area	All Haves (19)	Haves by Size			Haves by Geographic Base		
		>900 (5)	400-900 (7)	<400 (7)	US (12)	CN (5)	UK (2)
Substantive legal knowledge (legislation, case law, regulations, legal opinions, etc.) ⁵	95%	100%	86%	100%	92%	100%	100%
Internal firm knowledge (practice areas, personnel, finances, capabilities, etc.)	84%	100%	86%	71%	92%	60%	100%
Legal skills and work processes (contract drafting, trial advocacy, etc.)	79%	100%	71%	71%	83%	60%	100%
Law practice management (case/project management, client relations, etc.)	79%	80%	71%	86%	92%	40%	100%
Third party information (about courts, agencies, judges, regulators, experts, competitors, etc.)	68%	80%	71%	57%	67%	60%	100%
Client/industry knowledge (clients, potential clients, industry news, etc.)	63%	80%	57%	57%	75%	20%	100%
Other nonlegal knowledge/skills/information (business/finance, science/technology, countries/regions, languages, other special knowledge, skills or information)	63%	60%	57%	71%	83%	20%	50%

Only 7 of the 19 programs (37%) cover all seven knowledge areas. At the low end, a single respondent (5%) covers only one: "Substantive legal knowledge." The average number of knowledge areas covered by all 19 Haves is 5.3 out of the above 7.

Other patterns by size:

>900: The programs of the five largest firms cover more of the above areas of knowledge than do the programs of other respondents: on average, 6 out of the 7 areas. However, only one firm in this size category covers all 7 areas.

400-900: This group of 7 respondents covers the lowest average number of knowledge areas, 5 out of the 7. Two

⁵The sole firm that indicated its program does not address substantive legal knowledge also indicated in the next section that the program does not include "Legal and regulatory research/updates." Undoubtedly both areas are covered at the firm, just not under the "knowledge management" umbrella.

firms (29%) in this size category cover all 7 areas of knowledge, while at the low end one firm (14%) covers only 2 of them.

<400: On average these 7 respondents cover 5.14 of the 7 knowledge areas, slightly more than firms of 400-900 lawyers. Four firms (57%) in this size range cover all 7 areas.

All 7 areas of knowledge are covered by one of the two UK respondents (50%), 5 of the 12 US respondents (42%), and 1 of the 5 Canadian respondents (20%).

3. Program Components

We asked the Haves to tell us which of 13 typical components are included in their KM programs, and to identify any additional components in their programs that were not on our list. Table 3 on the next page lists the program components in rank order of their inclusion in the Haves' programs (the last 4 items are respondents' additions to our initial list) and also shows the breakdowns by size and geography.

Individual respondents added the following items to our list:

- "Client Relationship Management"/"relationship management database" (2),
- "Closing books" library (2),
- "Client communications" (1),
- "Customized professional development" (1),
- "Information/knowledge location" (1)
- "Knowledge portal" (1)
- "Sponsored KM website ... on the Internet" (1).

On average, the 19 Haves include 9.7 of the 13 components on our original list, ranging from a low of 5 components to a high of 13. Only one respondent (5%) includes all 13. Ten respondents (53%) include 10 or more of them. Three respondents (16%) include 7 or fewer.

Other breakdowns by size categories:

>900: The 5 largest firms include 10.4 of the 13 components in their KM programs, the highest average of the three groups. No firm in this group includes all 13 components, however; the range is from a high of 12 to a low of 9.

400-900: The 7 firms in this group average the lowest number of program components: 9.1. No firm includes all 13 components; the range is from a high of 12 to a low of 6 components.

<400: These 7 firms average 9.9 components, ranging from a low of 5 to a high of 13.

Program Ratings

We asked the respondents to provide some evaluative data about their programs:

1. What is the current level of user participation in the program?

We also asked which of the 13 program components:

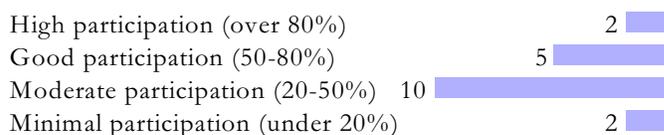
2. Does the most to support critical areas of competence?
3. Attracts the greatest user participation?
4. Receives the strongest support from top management?
5. Most needs improvement?
6. Could be eliminated?
7. Would they most like to add to their program?

Their answers to each of those questions appear in the following sections.

1. Level of Program Participation

The level of user participation in the KM programs of all 19 Haves are as follows:

Figure 2. Levels of User Participation in the Haves' KM Programs



Note that 12 of the 19 Haves (63%, almost two-thirds) report participation levels below 50%.

Breaking down the ratings by size shows no marked difference by size of organization. There are, however,

**Table 3: Components Included in Respondents' KM Programs
and the Percentage of Programs Including Each Component**

Program Component	All Haves (19)	Haves by Size			Haves by Geographic Base		
		>900 (5)	400-900 (7)	<400 (7)	US (12)	CN (5)	UK (2)
Organized collection of prior work product	100%	100%	100%	100%	100%	100%	100%
Document templates for drafting new work product	100%	100%	100%	100%	100%	100%	100%
Regular in-house education and training	100%	100%	100%	100%	100%	100%	100%
Legal and regulatory research/updates	89%	100%	71%	100%	92%	80%	100%
Process templates/guides/checklists for key tasks and work processes	89%	100%	71%	100%	100%	60%	100%
Regular practice group meetings	84%	100%	86%	71%	83%	80%	100%
Communities of practice/interest ⁶	84%	100%	71%	86%	100%	40%	100%
Knowledge map/expertise locator ⁷	79%	60%	100%	71%	83%	80%	50%
Case/project database	74%	60%	86%	71%	75%	60%	100%
Client and industry research/updates	68%	100%	57%	57%	83%	20%	100%
Formal mentor program	58%	40%	57%	71%	67%	60%	0%
Case/project post-mortems or debriefings	32%	60%	0%	43%	25%	20%	100%
Formal coaching program	16%	20%	14%	14%	17%	0%	50%

marked differences by geographic base. The two UK firms get the highest participation, well above 50% on average (one "good," one "high"), and the Canadian firms the lowest (both of the "minimals" are Canadian, plus two "moderates" and one "good"). As in several other areas, the U.S. firms are in the middle with 8 "moderates," 3 "goods," and 1 "high".

One US respondent's comments indicate that the geographic differences may have a cultural basis: "Our London office has its own typical English KM program (knowledge database, PSL's and a culture). This has not been easy to import [here]."

We have seen the cultural difficulties in U.S. law offices. Our survey results suggest they are even more pronounced in Canadian firms.

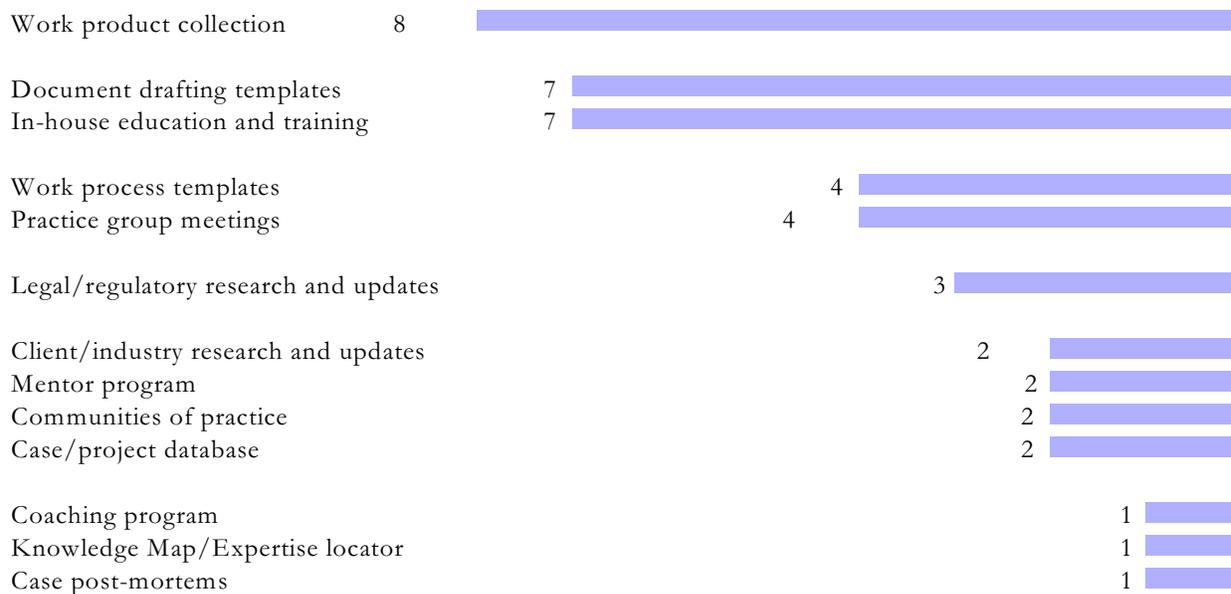
2. Program Components That Best Support Critical Competencies

In descending order, the program components that respondents say "do the most to support critical areas of competence" are the following (several respondents listed more than one):

⁶Defined in the survey questionnaire as "groups sharing knowledge/information on a common case or project, client, area of law, industry, region, etc."

⁷Defined as a "guide to personnel skills/experience/qualifications/contact information."

Figure 3: Program Components That Best Support Critical Competencies



Three respondents departed from our list and designated their intranets as their firms' most valuable program component.

Note that every one of the components on our list got at least one vote. And given how few respondents have implemented *Coaching programs* (3 firms) and *Case post-mortems* (6), the positive impact of those components is higher than some others in proportion to their utilization. That suggests that other firms might consider adopting these programs.

Patterns by size. Firms of over 900 cited only two "most valuable" components: *Work product collection* (by 2 respondents) and *Document drafting templates* (1 respondent). (The remaining two firms cited their intranets.) The firms of 400-900 found *Practice group meetings* much more valuable than did the other two groups, and listed 9 other items as well. Respondents of under 400 found *In-house education and training* more valuable than any other program component. The latter group's "most valuable" list is also the most diverse; it includes all 13 program components.

Patterns by geography. Move *In-house education and training* from third place to first on the list in Figure 3 and you have the US rankings. Six of the 7 votes for training were from US firms, and the two second-place items on the US list received only 4 votes each. The Canadian firms found *Work product collections* and *Document drafting templates*, each with 2 votes, most valuable, followed by *Legal/regulatory research and updates*, *Work process templates*, and *In-house education and training* with 1 vote apiece. The UK-based firms named *Work product collections* and *Intranets*, with 1 vote each, as their top components.

3. Components That Attract Highest User Participation

This list looks similar to the one in Figure 3, which makes good sense considering that competency is most likely to be developed by the program components that actually get used. The overall rankings appear in Figure 4 on the next page.

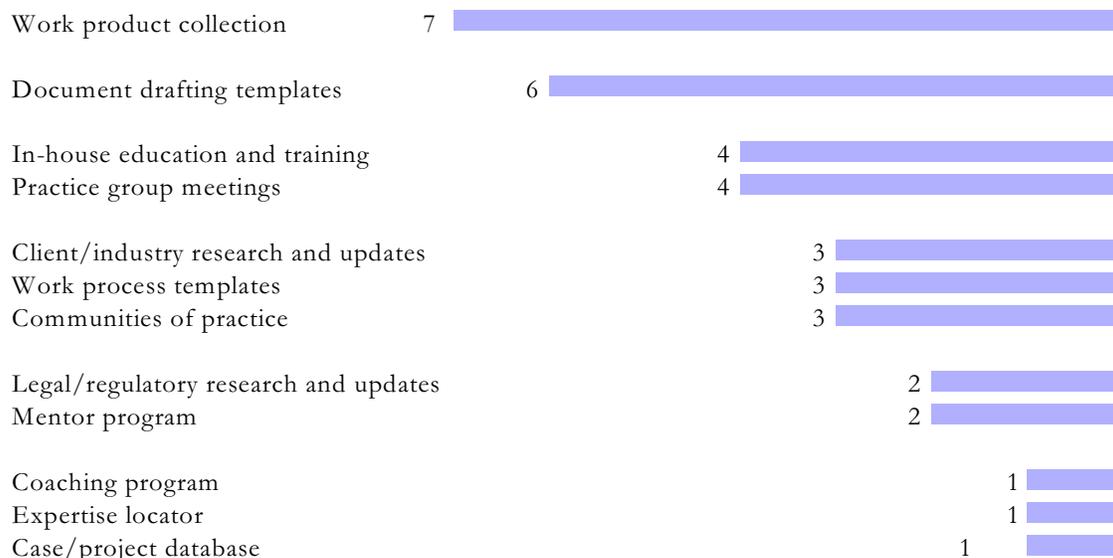
Case post-mortems, however, received no votes. Evidently even where the exercise is known to be valuable, it's hard to persuade people to stop and reflect on their lessons learned from a case.

Adding to our list of programmatic components, two respondents again mentioned their intranets, one mentioned its client extranet, and one each its relationship management, iManage, and Closing Books technology tools.

The only marked differences we observed were that

- *Work product collections* are not highly utilized at any of the >900 firms.
- *In-house education and training* participation is higher in the US and UK firms than Canadian firms, which gave no votes for that component.
- High participation in *Communities of practice* and *Mentor programs* appears to be uniquely a US phenomenon.

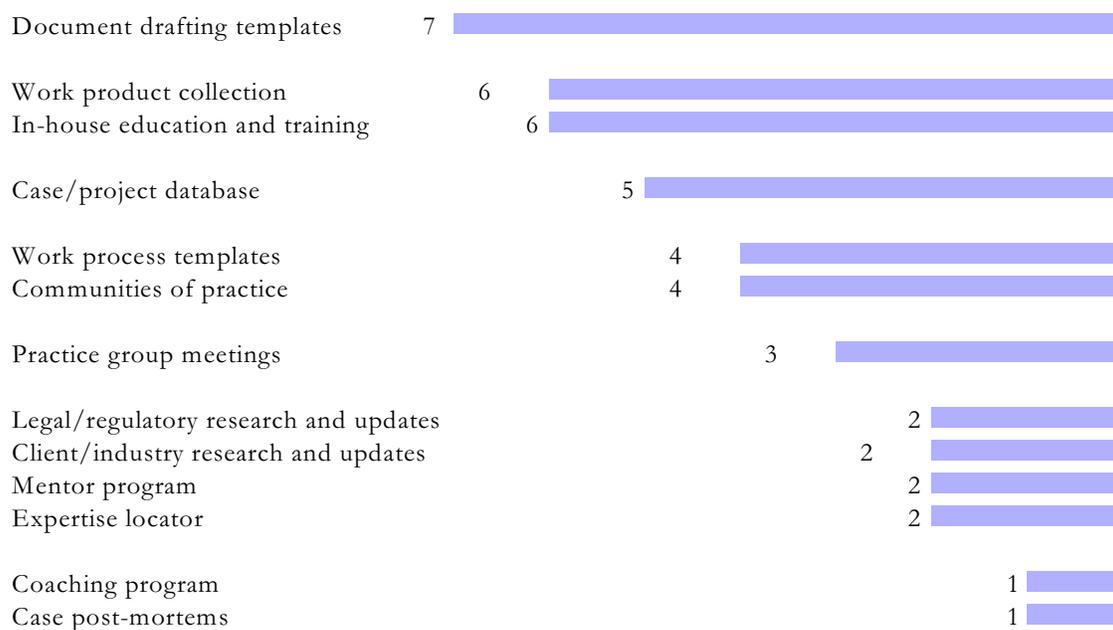
Figure 4: Program Components with Highest User Participation



4. Components with Strongest Top Management Support

The rankings are:

Figure 5. Components with Strongest Support from Top Management



As in the previous categories, a lot of write-in votes were cast for intranets (4) and other technology tools.

Document drafting templates enjoy the broadest-based management support in firms of all sizes and geographic locations.

Case/project databases rank much higher on this list than on the previous two. That suggests that management is pushing them, but without much result so far in terms of either impact or utilization.

5. Components That Most Need Improvement

This question elicited markedly fewer answers than the previous ones, and five respondents gave no answer at all. The rankings:

Figure 6. Components That Most Need Improvement



One respondent said she designated *Case post-mortems* for improvement because "We should have them!"

Here again two respondents added their intranets, and one its Knowledge Portal.

Evidently *In-house education and training* and *Coaching* programs need little or no improvement, since no one mentioned either.

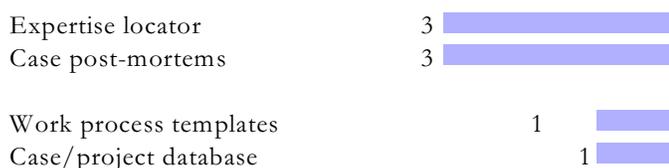
6. Components That Could Be Eliminated

The short answer: None.

7. New Components Most Desired to Be Added

Evidently most respondents are pretty satisfied with the composition of their current programs, because there were very few answers to this one. The rankings:

Figure 7. Most Wanted New Components



There were almost as many write-in votes. All but one of them related to technology integration and functionality:

- "Better technological integration ... a portal system to better organize the different initiatives"
- "Database/process to capture information about outside experts, judges, mediators"
- "More sophisticated extranet and intranet/portal technology"
- "Portal and content management for the intranet"
- "Robust skills and experience locator"

The sole non-technology write-in was:

- "Time commitments from attorneys to develop 'know how.'"

The only noticeable pattern was that the wish lists of the largest (>900) firms consist solely of technology improvements. That leads us to the next topic.

Technology Resources and Their Performance

We asked the respondents to tell us three things about their technology support for the KM program:

1. Which components of their KM programs are supported by technology, and what specific technology tools support each component?
2. Which of those tools are performing especially well, and which not so well?
3. How effectively do their technology systems perform overall?

1. Technology Tools Supporting Program Components

The variety of tools, and especially the variety of commercial products, that the respondents are using is mind-boggling. The variety even within individual organizations is extraordinary. In the largest law offices, mergers and/or independent initiatives by practice groups or offices seem to have produced some huge patchwork systems that must pose extraordinary challenges to those responsible for managing them. As one KM Director commented, "[M]anagement ... may not even be aware of all the stopgap programs and rogue databases that currently exist."

The various tools the Haves told us they are using appear in Table 4 on this page and the next.

Table 4: Technology Tools Supporting KM Program Components		
Program Components	Supporting Technology Tools (and # respondents mentioning each)	
	Internally Developed or Vendor Not Identified	Vendor Products
1. Organized collection of prior work product	Internal databases (4) Intranet(s) (4) Extranet (2) Portal (1)	iManage (4) - including DeskSite, WorkSite and WorkKnowledge DocsOpen (2) Hummingbird (2) - including DM5 and Powerdocs 1 each: DB Text, Folio InfoBase, Lotus Notes, PC Docs, Portal by Plumtree, West KM pilot
2. Document templates for drafting new work product	Intranet(s) (3) Databases (2) Portal (1)	iManage (4) - including DeskSite, WorkSite and WorkKnowledge HotDocs (3) (1 pilot) MS Word/Word macros (3) DocsOpen (2) 1 each: DB Text, Hummingbird DM 5, Inforware, Jurivox, Lotus Notes, MacPac, PCDocs, Portal by Plumtree
3. Regular in-house education and training	Course-tracking databases (1) Intranet(s) (1) Online courses (1) Videoconferencing (1)	Powerpoint (2) DocsOpen (1) E-2 train (1) iManage (1) Lotus Notes database for schedule & materials (1)
4. Legal and regulatory research/updates	“Various” online services/databases/publications /CD-ROMS (6) Intranet (3) 1 each: Email, Extranet web sites, Portal	Lexis (4) Westlaw (3) 1 each: CCH Securities Online, Carswell Insolvency Partner, DocsOpen, iManage WorkSite Intranet, Lotus Notes, MS Word, Ozmosys, Portal by Plumtree, West KM, WordPerfect
5. Process templates/guides/check-lists for key tasks and work processes	Intranet(s) (5) Databases (2) 1 each: Extranet web sites, Recording of trainings	iManage (4) - including DeskSite DocsOpen (2) Lotus Notes (2) 1 each: DB Text, Hummingbird DM 5, MacPac, MS Word, PCDocs
6. Regular practice group meetings	Videoconferencing (3) 1 each: Audio recordings and conference, intranet, portal	Microsoft Office

Table 4: Technology Tools Supporting KM Program Components

Program Components	Supporting Technology Tools (and # respondents mentioning each)	
	Internally Developed or Vendor Not Identified	Vendor Products
7. Communities of practice/interest	Intranet(s) (7) - including practice group pages Group meeting, various (2) 1 each - email, eRooms, portal, videoconferencing	1 each - Hummingbird DM5, iManage WorkSite Intranet, Lotus Notes
8. Knowledge map/expertise locator	Intranet (5) 1 each - internally developed applications, HRIS	1 each - DB Text, Digital Self, Interaction, Lotus Notes database
9. Case/project database	Extranet (2) Internal databases, applications (2) Intranet (1) SQL database	Lotus Notes (3) CaseMap (2) Summation (2) 1 each - Acrobat, Applied Discovery, Aria Case Management, CaseVault, Chicago Daily Law Bulletin DM 2000, Concordance, DataDex, Daticon, DOAR, Folio Views, Iconnect, Introspect, JFS Litigator's Notebook, LiveNote, Sanction, Steelpoint, TimeMap, Trial Director
10. Client and industry research/updates	Various external web sites, news feeds, trade publications (4) 1 each - email, Extranet web sites, intranet,	Lexis (4) Westlaw (3) Factiva news service (2) OneSource (2) 1 each - Dow Jones, iManage WorkSite Intranet, Live Edgar, Lotus Notes, NewsEdge, Nexis, Ozmosys, Relegenece, Vrisko
11. Formal mentor program	Checklist (1)	
12. Case/project post-mortems or debriefings	Personalized databases per attorney (1)	
13. Formal coaching program	Intranet guidelines (1)	
14. Other: Client relationship management	Relationship management database (1)	Aptus CRM (1)
15. Other: Closing books library		DB Text (1), iManage DeskSite, WorkSite and WorkKnowledge (1)
16. Other: Client communication	Client extranets (1)	
17. Other: Information/knowledge location	Search engine planned	
18. Other: Knowledge Portal		Lotus Notes (1)

2. Tool Performance, Good and Not So Good

Asking which technology tools are performing well, and which not so well, gave further proof of the old “different strokes for different folks” rule; you’ll note that certain products appear on both lists. In a few cases individual respondents also listed the same products in both categories, as being strong in some respects but weak in others.

Strong Performers. Our question asking which of the supporting technology products are performing especially well produced a few shrugs:

- “No technology is perfect.”
- “Nothing really impresses me, but as I said we are evaluating what platform we should be moving to...”
- “None, however several in pilot.”

It also produced two short lists. Respondents appreciate the following **commercial products** (each was cited by only one respondent):

- “DB Text for some uses (eg precedents)”
- E-2 train
- “All components of iManage”
- “Lotus Notes, especially for client extranet web sites (Case/project databases). Gives us the flexibility to quickly develop applications that are highly customized for our clients.”
- PowerDocs

Internally developed tools that one respondent each says are working well are the following:

- Customized trial databases
- Intranets
- “[A] couple of knowledge based practice tools ... are performing well, but are at their infancy with respect to adoption.”
- “Overall Portal, with some continued feedback and enhancements still necessary.”

Weak Performers. One respondent said that all of its technology tools need improvement, and another said that none of them do. Other respondents identified the following tools that “are not performing as well as they should”:

Commercial products

- PCDocs (2) (One respondent added, “We need to upgrade.”)
- “DB Text for certain uses (eg expertise)”
- “DocsOpen performs reasonably well, but its search ability is not as reliable as is needed.”
- “We are moving away from Lotus Notes; currently replacing several products.”

Internal or unspecified applications

- Intranet (3) (One firm plans to replace its intranet with a “commercial portal product”)
- “Bespoke [custom] database”
- Extranet
- “Portal, specifically search engine and site authoring tools. Part of this can be attributed to continued training, learning and the need for further enhancements.”

3. Overall Technology Performance

We asked the respondents to rate the overall performance of their KM technology resources on nine dimensions, against a 3-point scale with 3 representing the highest rating.⁸ One dimension, the 24 by 7 accessibility of the system, got a near-perfect rating. The scores on all nine dimensions are shown in Table 5 on the next page, with the dimensions listed in descending order of the average score for each.

⁸Note to survey respondents: In charting these ratings we decided to reverse the rating scale you used on the survey questionnaire, in which “1” was the top rating, to avoid confusion for readers of this report (because most readers intuitively interpret a higher number as being a better “grade” than a lower one). So we converted your 1's to 3's and vice versa.

Table 5. Ratings of Overall KM Technology Performance
(Rating Scale: 1=not true, 2=somewhat or sometimes true, 3=true)

Performance Dimensions	All Haves (19)	Haves by Size			Haves by Geographic Base		
		>900 (5)	400-900 (7)	<400 (7)	US (12)	CN (5)	UK (2)
1. Users can access the resources 24 hours a day, 7 days a week.	2.9	2.8	3	3	3	3	2.5
2. Effective instructions/training and user support are available as needed.	2.7	2.6	2.7	2.9	2.4	2.8	3
3. Users can access the resources from office, home, or travel.	2.7	2.6	2.7	2.7	2.6	2.8	2.5
4. The internally-created resources are of consistently high quality.	2.5	2.6	2.2	2.7	2.5	2.4	2.5
5. The resources are easy to understand and to use.	2.3	2.4	2	2.6	2.4	2	2.5
6. The internally-created resources are consistently up to date.	2	2	1.7	2.3	2.1	1.8	2
7. All the resources can be searched either by key word or by category.	1.9	2	1.3	2.3	1.8	2.2	2.5
8. Users can search and access all the resources from a single interface or portal	1.7	1.4	1.2	2.3	1.8	1.6	1
9. The category terms used to search internally-created resources are pre-defined and are the same across all the resources	1.6	1.8	1.2	1.9	1.7	1.4	1.5
Averages on all 9 performance dimensions	2.3	2.2	2	2.5	2.3	2.2	2.2

The ratings reveal some interesting patterns. Overall:

1. The three top-rated dimensions have to do with enabling people to get into and use the system. In the great majority of responding organizations, users can access the system around the clock, can get good instructions and support for using it, and can access it from anywhere. The law offices in our survey appear to be managing these access issues very well. Note that the systems of the smaller firms (<400) and the Canadian firms are especially strong in this regard.

2. The next-ranked group of three (items 4-6) mainly go to the quality of system content: whether the resources are of high quality, easy to understand and use, and consistently up to date. Performance on these dimensions is not as strong, which suggests that although people can readily

access the resources, what the resources contain may not always meet their needs. Here again, the <400 respondents are the strong performers by size; but by geography, it is the US and UK respondents who are in the lead.

3. The three lowest-ranked dimensions, items 7-9, all support the efficiency and effectiveness of the search process: Can the user go to a single point of entry (without having to know about and separately search multiple systems), key in a single search term (without having to know many alternative terms which the responsive material might contain or under which it might be indexed), and generate results that are complete and on point with a minimum of extraneous material? Apparently the answer to that question is, Not very often. And again it appears that the <400 law offices are the ones best supporting their KM technology users in this area.

Unfortunately, the lowest-ranked triad is the link between the previous two. To a great extent people in the responding organizations can, and know how to, access the system whenever and wherever they are, and to some extent the system contains the information they need. The most serious system shortfall, it appears, lies in people's ability to find their way to the right information reliably and efficiently.

Several respondents are zeroing in on the problem. Most of those initiatives address item 8, with integration of the various resources into a single system and creation of a single point of entry to that system as a high current priority. Things some respondents' comments say they are seeking:

- "Better technological integration (in the process of setting up a portal system to better organize the different initiatives)."
- "We do not have a unified search capability but it is something we are looking into...."
- "One goal for 2004 is to integrate KM tools and litigation support tools to offer more comprehensive and cohesive technology...."

Human and Policy Resources for KM

We asked four further questions about program resources:

1. How are the Haves' KM programs led and staffed?
2. What are the greatest strengths of those human assets, and what further capabilities would respondents like to add?
3. In what areas have the respondents added or changed policies or programs to support the KM program? How effective have those changes proved to be?
4. How adequate is the staffing and other support available to the program?

1. Human Assets Dedicated to KM

The survey questionnaire asked (1) what positions are responsible for the KM program, (2) at what organizational level those positions are placed, and

(3) whether the positions' commitment to KM is full-time or part-time. The answers to the third part of the question, about full- or part-time commitment, may reveal as much about how the respondents define knowledge management as about the time dedicated to it. For example, some respondents see the Library/Information Services function as unrelated to knowledge management and some see it as playing a part-time role, but the majority view it, in the words of one respondent, as "F[ull-]T[ime] if you consider all Library activities KM, which we do." A slightly larger number, though still a minority, do not see the Professional Development function as related to KM.

Table 6 on the next two pages shows the various position titles supporting KM, the percentage of Haves in which the position exists (in the "Yes" column), whether the positions are firm wide ("FW") or at the practice group/department level ("PG"), whether they are full time ("FT") or part time ("PT"), and to whom these positions report ("Reports to").

Note that some percentages in the FW/PG or FT/PT columns may not add to the total in the "Yes" column because of rounding, or in some cases because multiple responses or partial responses were supplied. Also note that in many cases these positions report to more than one of the positions listed in the "Reports to" column.

The respondents added many more positions to our list. Except for the Project Manager position, each of the following was listed by only one respondent:

- Project Manager (2). In one firm, reports to the CKO.
- Contact Information System Administrator, reports to Secretarial Manager
- CRM [we believe this means Client Relationship Manager]
- Designated lawyer(s) in each PG, report to no one
- Developers
- Information Officers, report to PG Leaders
- Intranet Specialist, reports to Library Director
- KM and PD Partner
- KM Assistants, report to Head of PG and KM Committee Chair
- KM Coordinator, reports to KM Director.
- KM Leader, reports to Group Head and KM/PD Partner
- Knowledge Analysts
- Lawyers working on special projects, report to CKO
- PD Coordinators, report to KM/PD Partner

Table 6. KM Leadership and Staffing

Position Title	Yes	Level		Time		Reports to
		FW	PG	FT	PT	
a. KM Partner/KM and Professional Development Partner/Head of KM Committee	47%	37%	11%	11%	32%	Managing Partner or Chief Executive (3) Management/Executive Committee or Team (3) Practice Group Management (1)
b. KM Director/Chief Knowledge Officer ⁹	53%	53%		53%		Executive Director/COO (4) Administrative or Managing Partner (2) CIO (2) Chairman and Practice Group heads (1) Technology Committee (1)
c. KM Committee/KM Steering Committee ¹⁰	53%	53%		5%	37%	Executive Committee/Management Team/firm management (3) CKO (1) Partnership (1) Professional Development Director (1)
d. Professional Development Director	79%	74%	5%	58%	16%	Executive Director/COO (4) Chairman/Chief Exec/General Counsel (3) Managing Partner (3) First Assistant (1) KM Partner (1) Management Team (1) Office Co-Heads (1) PD Partner (1)
e. Information Technology/MIS Director	100%	100%		74%	21%	Executive Director/COO/Director of Operations/VP Admin (8) Managing Partner (3) CIO (2) “Firm management” (1)
f. Library/Information Services Director	84%	74% ¹¹		79%	5%	Executive Director /COO (4) KM Partner (2) Directors of Administration in each office (1) “Firm management” (1) Managing Partner (1) PD Director (1)

⁹One respondent has both a KM Director and a CKO.

¹⁰One respondent has two KM Committees, one of them a Steering Committee. Several respondents did not indicate that their KM Committees report to anyone.

¹¹One respondent commented that the firm’s library professionals are positioned at the office level rather than at either the firm-wide or practice-group level.

Table 6. KM Leadership and Staffing

Position Title	Yes	Level		Time		Reports to
		FW	PG	FT	PT	
g. KM Systems Developer ¹²	47%	47%		32%	11%	CKO (1) Director of IS (1) Director of Operations (1) IT/MIS Director (1) KM Director (1) PD Director (1)
h. Professional Support Lawyer	37%	11%	26%	26%	11%	PG Leader(s)/Dept. Head/Group Head (5) KM Director (2) PD Director (2)
i. KM Manager	11%	5%	5%	11%		PG Head/Group Head (2) Chair, KM Committee (1) KM and PD Partner (1)

- PD Leader, reports to Group Head and KM/PD Partner
- Practice Support Director, reports to Executive Director
- Transactional Training and KM Expert, reports to PG leaders
- Web Designer

As these results indicate, the Haves' staffing arrangements are quite varied. The most common profile uses the following positions to lead and staff the KM program:

- A firm-wide Director of Knowledge Management or Chief Knowledge Officer dedicated full-time to the program.
- A firm-wide Knowledge Management Committee whose members give part-time attention to the program.
- An Information Technology Director, Professional Development Director, and Library Director, all firm wide and full time.
- A full-time, firm-wide Knowledge Management Systems Developer.

Another pattern we observed was that Professional Support Lawyers, who typically develop knowledge

resources at the practice group level, are employed at both UK firms (100%) and at 4 of the 5 Canadian firms (80%), but at only one US firm (8%). As indicated in the next section, however, this position is now at the top of several US firms' wish lists.

In contrast to our survey of professional development budgets in November 2002, this one did not give a clear picture of per-lawyer KM staffing ratios. The one respondent who endeavored to give us a precise accounting of his firm's KM positions at all levels shows a ratio of one full-time KM staff member for every 41 lawyers, plus a part-time KM partner and KM committee.

2. Current Strengths and Further Needs

The Haves viewed the following as the greatest strengths of their KM personnel:

- *Energy, enthusiasm and commitment* (9): "Energy and enthusiasm." "Energy, desire to expand program." "Dedicated." "Commitment to knowledge management." "Motivation and thoroughness." "Commitment." "Belief in KM." "Enthusiasm for the project." "Tenacity."
- *Understanding of lawyers and/or law firms* (7): "An understanding of how lawyers work." "Understanding of needs of the lawyers." "Experience and knowledge

¹²One of these positions is held by a contract consultant.

of the firm.” “Recognize the legal user constraints.” “Committee comprised of partners with the ability to assist attorneys with professional development issues at all stages of their career.” “All have significant law firm experience. Director and PSL are both lawyers.” “The PD Director’s years of experience as a practicing lawyer.”

- *Intelligence, vision, and creativity* (5): “Intelligence.” “Forward thinking.” “Innovation.” “Understand the strategic value of creating, collecting, organizing and leveraging intellectual capital.” “Vision.”
- *Technology expertise* (4): “Deep understanding of technology.” “Grasp of information technology.” “Ability to transfer knowledge among applications to create a new project.” “Understand importance of getting platform down first.”
- *Teamwork* (2): “Team orientation.” “Ability to work as a team.”
- *Customer orientation* (1): “Flexible, customer service oriented; solution oriented.”
- *Leadership and communication skills* (1): “Ability to mobilize people and lead change. Communication and organizational skills.”

It seems remarkable that attitudes and so-called “soft” skills far outpace technology skills on the above list.

Respondents would like to add the following personnel and capabilities to their KM organizations:

- *Practice Group support* (6): “PSLs in the US operation.” “Professional Support Lawyer.” “Professional support lawyers.” “More people dedicated to the production and review of material for the program.” “People in practice group available to support KM.” “More practice level KM Coordinators.”
- *Technology support* (4): “More technical support.” “IT capability focussed on KM initiatives.” “A full-time KM Systems IT Developer.” “Intranet Communication Manager.”
- *KM Leadership positions and capabilities* (3): “Full time KM Director.” “KM Director/CKO, KM managers.” “Continued improvement in ability to coordinate individual KM initiatives across the firm.”
- *Professional Development support* (2): “Full time Professional Development Coordinators.” “Increased staffing for additional training and development.”
- *Library support* (1): “Coordinated library function working hand in hand with KM team.”

3. Policy Support

The Haves have made surprisingly few policy accommodations to promote their KM programs, as indicated below in Table 7.

Table 7. Policy/Program Changes in Support of KM and Percentage of Haves Implementing Each Change							
Changes in Support of KM	All Haves (19)	Haves by Size			Haves by Geographic Base		
		>900 (5)	400-900 (7)	<400 (7)	US (12)	CN (5)	UK (2)
Performance appraisal criteria	37%	60%	14%	43%	25%	40%	50%
Associate compensation system	32%	60%	14%	29%	25%	40%	50%
Partnership admission criteria	5%	0	0	14%	8%	0	0
Partner compensation system	0	0	0	0	0	0	0

Seven of the 19 Haves made no policy or program changes at all. Only 4 of the 12 who did make changes made more than one change.

Some additional changes respondents say they have implemented are:

- “Special projects, billable.”
- “Recently changed KM structure.”
- “New policies to support Client Relationship Management system.”

Ten of the 12 respondents who made changes rated the effectiveness of those changes as follows:

Figure 8. Effectiveness of Policy/Program Changes



As indicated, the few changes respondents have made have typically proven to be only somewhat effective. It appears, however, that the greater the number of these changes, the higher their effectiveness. The sole Have for whom the changes were “highly effective” was the only organization that had implemented policy changes in three areas: performance appraisal, associate compensation, and partnership admission. And all three of the Haves who implemented changes in two areas rated the changes as “somewhat effective.”

The two Haves whose changes were “not very effective” had changed only their performance appraisal criteria.

Note that in none of the Haves’ organizations, apparently, does participation in the KM system (or lack of it) affect partner compensation. What few policy incentives have been established are directed to associates, affecting their compensation, their appraisals, and their opportunity to progress to partnership. Yet one respondent commented that “Mostly associates are motivated to contribute, because of the benefit to them.”

4. Adequacy of Program Support

We asked respondents to rate the level of staffing and other support committed to the KM program on a 3-point scale. The results were as follows:

Figure 3. Adequacy of Program Support



Two respondents whose level of support is “about right” made the following comments:

- “I believe this firm has exceptionally good support from the KM Partner and firm leadership [who] truly understand the value proposition and go beyond expectations.”
- “Culture will be slow to adopt, but is changing and ultimately use of [the] tools will become [a] routine part of doing work. It’s less important attorneys know it’s KM, but that the tools/processes are assisting them in getting their job done....”

The respondent referred to on page 18, whose staffing ratio is one full-time KM staffer for every 41 lawyers, is one of the five who rated the level of support for the program as “About right.”

Comments from those with “less than needed” support ranged from highly optimistic to extremely discouraged:

- “[T]he program needs to be developed and filled with a better critical mass. Then the buy in will be easier and we will need more people to maintain quality and timeliness.”
- “Visible support from firm chairman and other senior partners is critical to success.”
- “We just created a KM Committee of partners ... to provide credibility and leadership support for KM.”
- “Due to firm growth we are looking to increase our KM efforts.”
- “Management pays lip service, but does nothing to help the program. Lawyers, for the most part, won’t get involved.”

Benefits, Challenges, and Most-Wanted Changes

Finally, we asked the respondents to tell us:

1. In what significant ways do you believe KM contributes to an organization? What significant results can it achieve?
2. What do you believe are the major challenges posed by a KM program?
3. If you could change just one thing about your KM program overall, what would it be?

We invited the 6 Have Nots as well as the 19 Haves to answer the first two questions, because we were curious to see whether the latter's experience with the program validated the expectations of the former.

1. The Benefits of Knowledge Management

The respondents with the longest standing KM programs (of 3-5 years and over 5 years) have similar views as to the benefits such a program confers:

- "Improvement of quality, greater efficiency, improved job satisfaction, aids in recruiting and business development, reduces impact of attrition."
- "Prevents reinventing the wheel, saves time and money, ensures a consistent high standard of work, prevents knowledge leaving the firm when personnel change."
- "Allows lawyers & staff to work more efficiently and effectively. Ensures quality of work product."
- "Retention of attorneys, less attrition; professional satisfaction and client satisfaction."
- "Efficiency, highest quality service, expedited professional development, collegiality, career satisfaction."
- "It improves the speed at which inexperienced staff can undertake projects for the first time and improves the quality and consistency of work product."
- "Improved client service, lawyer productivity, recruiting, training and retaining employees."
- "Provides lawyers ready access to trustworthy materials, tools and services they need to provide highest quality services to clients."

One respondent with a brand-new program adds, "Some parts of the program contribute, others are still fledgling. Associates are all thrilled to be handed a book on what and where all the internal (and some external) resources lie. Associates are the primary beneficiaries."

Another respondent with a program 1-2 years old points out, "Competitive Advantage: many law firms have or are establishing more formal Knowledge Management practices. Most successful professional services firms such as consulting firms have been practicing KM for years. Today it is a matter of survival."

The Have Nots' perception of the potential benefits is largely in line with the Haves' experience. Their comments likewise refer to improvements in efficiency and productivity, internal cooperation and communication, client service and satisfaction, and morale and retention. One respondent who is trying to build interest in a program argues, "It shows a commitment to the individuals of the organization." Another Have Not sees KM as, among other things, "solving the eternal issue of a 'brief' bank."

Based on the Haves' comments, besides reduced attrition one more thing the Have Nots can expect is the reduced impact of attrition because much of the knowledge of the departing professionals stays at the firm.

2. The Challenges to Overcome

The major challenges haven't changed much since our 1999 survey. Our 2004 respondents indicate that the human issues are still the most difficult ones. Thirteen of the 17 Haves who answered this question pointed to problems with individual participation and organization culture. A sampling of their comments:

- "Resistance to change.... Lack of trust that the firm values investment in KM."
- "Getting past the cultural barriers to sharing."
- "Buy-in and participation by the lawyers."
- "Get more management buy-in and understanding of why it's critically important to provide."
- "Most of the challenges involve changing the culture and processes of the firm. We have all the technology we need, but people must be rewarded for participating, or at least see that participation is the expectation of the firm because they see partners modeling that behavior."

Resource maintenance is a related issue for six respondents:

- "Getting people to use the system by contributing/reviewing work product...."
- "Committing the personnel/time to keeping KM resources current and expanding."
- "Keeping it updated with most recent practice developments."
- "Keeping document submissions up to date."

- “Getting lawyers to take the time to contribute as well as to use the documents.”
- “Insuring that content is relevant and of high value to the lawyers.”

Technology issues are a distant third, mentioned by two respondents:

- “Complexity of technology.”
- “Usability, providing a flexible system that responds to different users and needs in terms of the way it behaves and the know-how it provides.”

Finally, one respondent is frustrated by KM’s low position in the IT queue:

- “Our projects, at times, are bumped for projects considered more urgent.”

Again, the Haves’ expectations are similar to the Have Nots’ experience. Four of the 6 Have Nots see the human and cultural challenges as dominant. Another would anticipate difficulty with the firm’s financial and other priorities. The sixth stresses technology issues: system usability and data capture.

3. Most-Wanted Change

Many of the changes the Haves would most like to see in their programs relate back to fixing the problems identified in the previous section. The complete list:

Higher user participation, and incentives for same (5):

- “I would like to see more incentives put in place to encourage the sharing of information as well as more support in the practice groups to help managing the sharing and supporting it.”
- “Mandatory hours devoted to drafting precedents by all lawyers.”
- “To create better financial incentives for people to participate, including providing billable level credit for KM activities when considering compensation adjustments.”
- “Increased partner buy-in.”
- “Getting lawyers motivated to contribute.”

More resources dedicated to the program (4):

- “To have an active liaison from each practice group to the KM program.”
- “FTE, Professional Support Lawyer.”
- “Add an information technology professional to the department dedicated 100% to KM.”
- “Increase resources allocated to it.”

Better technology (3):

- “The technology.”
- “Better usage tracking and reporting tools.”
- “Good KM technology infrastructure. Although technology is not the answer to all of the people problems, it would help promote usage if easily [accessible] and easy to use.”

Better maintenance of content (1):

- “Keeping it updated with most recent practice developments.”

Other changes wanted:

- “More internationalised.”
- “A better way to demonstrate return on investment and results.”

Summary and Conclusion

As in our 1999 survey, the people issues are paramount in KM programs. Almost two-thirds of the Haves say that participation in their KM programs by eligible users is below 50%, and fully two-thirds say that human and cultural issues are their greatest challenges.

We believe that the technology emphasis of most KM programs is both their great strength and their great weakness. Technology is superb at harvesting and organizing data, and certainly there is a tremendous volume of data available externally on the Internet and internally on firms’ IT networks. For example, the personal start pages of lawyers in some firms are continuously updated with new information in their areas of interest by web-trolling software. As soon as there is a new development on a web site that a lawyer has designated, information about it pops up on his or her start page. This gives a tremendous advantage to lawyers in the firms that have such systems.

The problems with user participation do not relate to data and information, however, but to the sharing of knowledge – that is, the sharing of what exists inside people’s heads and not on any computer network. There are two huge deterrents to knowledge sharing in most organizations:

1. It takes a lot of time for a person to distill what he or she knows into a form in which another person can understand and use it. And unfortunately the people who know the most are usually the ones who have the least time to engage in such an exercise.
2. People with valuable special knowledge are inclined to be extremely selective in sharing it. For one thing, they have legitimate concerns that the knowledge could be misused, either intentionally or out of ignorance. For another, in a competitive organization where having special knowledge confers an advantage, to give that knowledge away wholesale, to anyone who wants to look it up on his or her PC, gives up the advantage.

An interesting opinion piece in the October 2003 issue of *Harvard Business Review* (David Gilmour, “How to Fix Knowledge Management,” at pp. 16-17) argues that organizations should give up trying to capture their internal knowledge in databases, and move from what the author calls the “publishing” model of KM to the “brokerage” model. In the “brokerage” model, the organization simply facilitates contact between workers who have special knowledge and others who need that

knowledge, and the sharing of the knowledge is entirely at the option of the worker who possesses it.

Gilmour’s proposed solution is technology-based; his company sells a software package to major corporations that scans e-mails and other computer-based documents to reveal likely connections in information needs. But we think better solutions already exist in law offices and simply need to be better integrated:

- Communities of practice and knowledge maps/expertise locators to support “just-in-time” connections between those who need information and those who have it.
- In-house training and mentor programs for the teaching and learning of deeper knowledge. (Other critical learning pieces are assignments, supervision, and performance feedback, which typically are not associated with KM programs but which develop the deepest knowledge of all.)
- Other formal and informal opportunities for people to meet, build mutual understanding and trust, and share information and knowledge: practice group meetings, firm retreats and other gatherings, open floor plans and open door policies, real and virtual places to chat, and a culture and policies that strongly encourage everyone to participate in these things.

Only a program that integrates and supports all the important ways in which humans communicate with and learn from each other can properly call itself a *knowledge* management program.

– Gaye Mara

Book Review:

Knowledge Management for Lawyers

Randall B. Christison

Gretta Rusanow, *Knowledge Management and the Smarter Lawyer*. New York: ALM Publishing 2003 (484 pages, \$49.95).

Rusanow, a Sydney and New York-based consultant and lawyer, begins, “Law is a knowledge-based business. Knowledge management is the key to leveraging that knowledge—enabling you to work efficiently, confidently and profitably.” This book may well be the definitive lawyer’s manual on KM: What it is, what it means, and, most important, how to make it work in a law firm setting.

If there is another book which begins to address the practical challenges of selling and developing law firm KM, as this book has, I am not aware of it.

The book’s structure follows the logic of someone, say a managing partner, who wants to learn what KM is, wants enough business reasons to satisfy the management committee and the bean counters, and then, having cleared those hurdles, needs a detailed how-to manual on establishing and running a KM operation. The chapter titles, listed below, describe the contents well.

Of particular interest is Rusanow's insight into what works and what doesn't in KM, and where the dangers lurk. Early in the book she describes the hazards of the typical law firm approach, which emphasizes capturing explicit knowledge in the form of electronic storage of best practice and precedent documents. Not only does this not solve the problem, it undermines the value KM brings to a firm.

The approach she suggests instead is as follows:

First, understand law firm knowledge—both tacit and explicit—in its broadest sense. Not only best practice and precedent documents, but also the knowledge represented in the skills, expertise and experience of the firm's members.

Second, define the scope of KM, which requires answering several questions, including about the sensitivity, value and speed of change of the knowledge in question, and whether it is relevant to a few or to all. She makes the point, which needs to be made again and again, "Knowledge management is more than just a technology system." Indeed, it's merely a facilitator of *explicit* knowledge. More important, and more challenging, is the facilitation of tacit knowledge and its transfer.

Third, develop the KM organization – its structure, size, composition, and positioning (meaning, to whom do the KM managers report?). For KM to work, as with any other management initiative, it needs an organization with strong leadership and with strong and visible management backing.

Fourth, create a KM culture. That, of course, is easier said than done, and carries us into the rocks where most KM ships hit (and sink). Rusanow's consulting experience undoubtedly informs this point, as she identifies the rocks – hourly billing, individual rather than firm compensation incentives, silo practice groups, the time-honored belief that "knowledge is power," and many others – which are barriers to KM. Several barriers not obvious include the perception that KM is the work of an isolated group, "them" not "us," that it's an IT problem or is of little relevance to one's specialized practice. Rusanow's prescription for working on culture is alone worth the price of admission.

Fifth, information technology, although merely a facilitator, is **important** and requires substantial attention.

From this overview, Rusanow suggests how to approach KM at one's own firm. The first step is drafting a strategy to implement the preceding paragraphs. Why? To engage the staff and galvanize support, to educate the firm's members on the breadth and complexity of KM, to speak a common language, and to help keep KM on track.

The heart of the book, and one section I suspect any KM manager would keep close at hand, is Chapter 9, "Implementing Knowledge Management." Here, Rusanow addresses the things one needs to do, and in some detail. These include identifying the head of knowledge management, forming the KM committee, and positioning the KM chief near the top of the firm hierarchy. Then, one needs to turn the KM strategy to specific initiatives, over the short, mid and long term. Essential at each step is identifying the necessary time and resources (staff and other), and the cost. The cultural barriers described in Chapter 6 need to be explicitly addressed in the project plan. She suggests a hybrid of centralized and decentralized approaches, parallel tracks of firm-wide and practice group initiatives. Underlying all of her implementation program is a clear eye on the business case justifying KM, and a program applied with business rigor at every step.

Chapter 10, "The Value of Knowledge Management," is intended to persuade skeptics that KM is not a nice-to-have, but rather a business imperative. The chapter gives one the tools to make that case, for it is not intuitively obvious, and the initiative will always run counter to short-term needs.

The remaining chapters deal with specific issues: KM and clients, KM in law departments, KM for solo practitioners. Of some interest is leveraging KM with clients. As the author notes, KM "is increasingly becoming a market-differentiating factor for law firms. . . . As clients develop their own sophisticated knowledge management systems and processes, they will come to expect that their law firms will match this level of sophistication." [p. 61]

In summary, this is the best book I have seen on the subject, and stands almost alone in the field. It seems there is nothing Rusanow has not taken account of in applying KM to a law firm. She argues, and one is hard put to disagree, that a firm's business objectives – having the best lawyers, the best clients, and the best work – are achievable through KM. More to the point, without KM, one may never reach any of those important goals.

Chapter Titles:

- Part I Knowledge Management and the Business of Law
1. Managing Knowledge Is About Working Smarter
 2. How Does Our Firm Get Started?

- Part II Critical Elements of Knowledge Management
3. Defining the Scope of Knowledge
 4. Defining the Scope of Knowledge Management
 5. Developing the Knowledge Management Case
 6. Creating a Knowledge Management Culture
 7. Knowledge Management Technology

- Part III How To Approach Knowledge Management
8. The Knowledge Management Strategy
 9. Implementing Knowledge Management
 10. The Value of Knowledge Management
 11. Knowledge Management and Your Clients

- Part IV Knowledge Management for Other Shapes and Sizes
12. Knowledge Management and the Law Department
 13. Knowledge Management and the Solo Practitioner

Randy Christison heads *The Christison Group* in San Diego (858-459-9900 or randychristison@yahoo.com). In 2000-2003 he was chief of professional development for the Office of the Attorney General of California, where he created the development and training program. (An article on his design for that office's KM program, "Succession Planning and Knowledge Transfer," appeared at pages 1-6 of our November 2003 issue.) He spent the previous 26 years as a trial and appellate litigator.

Change Strategies Are the Key to KM

Nina Platt

Attorneys in law firms around the globe have spent the last five to ten years trying to identify the perfect knowledge management (KM) initiative and make it work. In that pursuit, one repeatedly encounters these questions: How do you staff for KM? What technology do you use? How do you get attorneys to participate? How do you transform the firm's culture to prevent failure of the initiative? It isn't unusual to hear the response, "We just haven't figured it out."

So, where is that elusive KM success everyone is striving for? To find it, we need to start learning how to manage change.

Managing Knowledge = Managing Change

Change management is a field of practice that has been discussed in business literature for more than 30 years. According to change management educators Jeff Hiatt and Tim Creasey, managing change is the convergence of "the engineer's approach to improving business performance

and a psychologist's approach to managing the human-side of change."¹

Hiatt and Creasey define change management as "the process, tools and techniques to manage the people-side of business change to achieve the required business outcome, and to realize that business change effectively within the social infrastructure of the workplace." It is the people-side of change that we often ignore as we look to innovate.

What must be done to ensure that implementation of a KM initiative within the workplace is successful? One tactic is to look to the experts in change management and the models they have developed for managing the process.

John Kotter, author of *Leading Change*, describes an "eight-stage process of creating major change."² Kotter's stages are set forth below, along with my own suggestions for using those steps in a KM initiative:

¹Jeff Hiatt and Tim Creasey, *The Definition and History of Change Management*, BPR Online Learning Center, a tutorial available at www.prosci.com.

²John Kotter, *Leading Change*, at 21 (Harvard Business School Press, 1996)

Eight Stages of Creating Change	Implementation in a KM Initiative
1. Establish a sense of urgency	Communicate the business problem or reason for implementing KM – why is it necessary?
2. Create the guiding coalition	Establish a team with the knowledge to initiate change and the power to make KM happen.
3. Develop a vision and strategy	Develop the firm’s vision for KM and the strategies for implementation.
4. Communicate the change vision	Share the vision and how it will affect the participants.
5. Empower broad-based action	Give the KM team the authority to initiate the changes.
6. Generate short-term wins	Work with the practice groups that are most likely to accept KM and celebrate their achievements.
7. Consolidate gains and produce more change	Use success to create more success.
8. Anchor new approaches in the culture	Make the KM initiatives a part of the daily work process of the firm.

Kotter suggests that all of the steps in the process must be taken to effect permanent change. The order in which they are done is not critical. However, doing all is essential. Step 4 (communicating change) and step 8 (transforming culture) are the most significant. Change can’t happen without effective communication and won’t be permanent without acceptance into the culture of the firm.

Change as Transition

William Bridges and Susan Mitchell talk about change as “transition” in their article “Leading Transition: A New Model for Change.”³ According to Bridges and Mitchell, change efforts fail because the transition that comes with change is ignored. “Transition is the state that change puts people into. The change is external (the different policy, practice, or structure that the leader is trying to bring about), while transition is internal (a psychological reorientation that people have to go through before the change can work).”

For Bridges and Mitchell, transition is a three-step process: (1) Saying Goodbye; (2) Shifting into Neutral; and (3) Moving Forward. Change is similar to the grieving process, through which one must let go and move on. The necessity of accepting the end of what has been and the beginning of what will be is very clear, but people

sometimes get lost in the process. Bridges and Mitchell name this process the neutral zone.

“The neutral zone is uncomfortable, so people are driven to get out of it. Some people try to rush ahead into some (often any) new situation, while others try to back-pedal and retreat into the past. Successful transition, however, requires that an organization and its people spend some time in the neutral zone. Time in the neutral zone is not wasted, for that is where the creativity and energy of transition are found and real transformation takes place.”

The Four P’s

The model developed by Bridges and Mitchell is a seven-step process similar to Kotter’s. To help people affected by change get through the neutral zone, they place an emphasis on communicating “The Four P’s”:

- The Purpose** Why we have to do this
- The Picture** How the attainment of our goal will look and feel
- The Plan** How we get there, step by step
- The Part** What you can and must do to help us move forward

³William Bridges and Susan Mitchell, “Leading Transition: A New Model for Change.” *Leader to Leader* (No. 16 Spring 2000)

A Law Firm's KM Transition

A law firm enters the neutral zone on the day it announces the need to implement a KM initiative, and it remains in the zone until everyone understands the firm's vision for KM and accepts the use of it within their daily work. Communication must take place through many means, and as often as necessary to help each individual through the transition. For example, implementing an expertise system would require communicating the Four P's. Here is an example of what that might look like:

The Purpose. As a firm grows into a size where the attorneys and staff no longer know everyone and what they can do, a system for sharing knowledge is needed. By enabling the user to identify sources of expertise within the firm, the expertise system will

- promote integration of practice groups and offices,
- increase interaction among individuals,
- enhance cross-marketing efforts,
- reduce the incidence of outside referrals, and
- improve teamwork as team members get to know others on the team.

The Picture. The system will be Web-based and will work by indexing profiles provided by individuals, and documents and databases that show where expertise can be found. Attorneys and staff will be able to search by expertise or the knowledge needed and will be provided with a list of experts with links to profiles, documents, and other materials.

The Plan. A team of attorneys and staff will be assembled to determine critical issues, such as the following: the architecture of the system; the data sets to be included (e.g., human resources, time and billing, client relationship management, and document management); and the information that will be available in profiles. Once a design is in place the KM team will work closely with developers. Team members subsequently work to test the system and develop and implement a rollout plan.

The Part. The Part encompasses two questions: "What do I have to do?" and "What's in it for me?" Your part in this initiative is to participate in planning, development, and rollout (if asked), provide content on your expertise, and learn how to use the new system. Why? When everyone shares what they know, you learn more about your colleagues, keep client work within the firm, reduce the time you spend learning about a new topic, and give yourself more billable time.

Communication–Performance–Transformation

Many firms struggle with KM initiatives because they think they must change the culture of the firm in order to be successful. In her article "The Key to Cultural Transformation," Frances Hesselbein argues that culture does not change because we want it to change. She states, "[C]hanging the culture of an organization requires a transformation of the organization itself – its purpose, its focus on customers and results.... Culture changes when the organization is transformed; the culture reflects the realities of people working together every day."⁴

Hesselbein describes seven essential steps necessary to transform a culture and observes, "If we note Peter Drucker's definition of innovation – 'change that creates a new dimension of performance' – it is the performance that changes the culture, not the reverse." In the context of KM, the act of sharing information (and the expectation that all will share) transforms the culture.

KM for the sake of KM serves little purpose. When you identify the values that make up your culture – or the values that you would like to see as part of your culture – and use KM as a strategy to strengthen that value or transform the culture, KM becomes useful.

For example, if the values that you see (or want) as part of your law firm's culture include consistent teamwork, high-quality client service, and cost-effective operations, then KM can be a strategic mechanism for moving toward those goals.

Attorney and author Richard Suskind wrote, "Perhaps the greatest management challenge that has faced lawyers grappling with IT has been this move beyond successful automation to strategic innovation, so that IT could change legal practice and the delivery of legal services, both cost-effectively and qualitatively."⁵

People Are at the Center

Strategic innovation cannot happen without change, and change does not happen without people. Perhaps one problem is that we focus too much on information technology. Being successful in transforming a KM vision

⁴Frances Hesselbein, "The Key to Cultural Transformation," *Leader to Leader* (No. 12 Spring 1999).

⁵Richard Suskind, *The Future of Law: Facing the Challenges of Information Technology*, Oxford University Press (1996).

into reality requires that attention be given to the people involved. Above all else, managing change requires good communication of the vision and the path to success, thereby transforming the firm's culture into one of teamwork and sharing.

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Professional Developments

Events

The D.C. Bar and ethics specialist Jack Marshall continue their adventurous ethics offerings with "The Ethics Man," billed as "a musical legal ethics course that parodies Meredith Willson's *The Music Man*." It plays on March 19th during the Bar's annual conference. Their previous collaboration, a "musical comedy ethics course" entitled "The Sound of Ethics," won an ACLEA's Best award from the Association for Continuing Legal Education in 2003.

Upcoming winter/spring conferences, seminars, and workshops:

- ✿ 2/9-11/04, Anaheim, CA. *ASTD Techknowledge 2004 Conference and Exposition*. Pre-conference workshops, 2/7-8. \$550-1045. American Society for Training and Development, www.astd.org.
- ✿ 2/9-11/04, San Francisco, CA. *The Women in Leadership Summit*. Linkage, 781-402-5555, www.linkageinc.com.
- ✿ 2/9-13/04, Orlando, FL. *The Training Director Workshop*. \$2650. Center for Effective Performance, 770-458-4080, www.cepworldwide.com. (Repeated 5/3-7 in Chicago, IL.)
- ✿ 2/19-20/04, San Diego, CA. *The eLearning Management Symposium*. eLearning Guild, www.eLearningGuild.net.
- ✿ 2/23-25/04, Saratoga Springs, NY. *eLearning Skills Lab*. The Masie Center, 800-98-MASIE, www.masie.com.
- ✿ 2/24-25/04, Las Vegas, NV. *Measuring and Benchmarking Training Projects and Programs*. Pre-conference workshops 2/23. \$1799-3599. International Quality & Productivity Center, 1-800-882-8684, www.sharedservicesnetwork.com.
- ✿ 3/1-3/04, Atlanta, GA. *Training 2004 Conference and Expo*. Pre- and post-conference workshops, 2/28-29 and 3/4. \$995 and up. Training Magazine, 1-888-578-7371, www.vnulearning.com.
- ✿ 3/2/04, Marina del Rey, CA. *The 2004 Tough Issues in the Workplace Conference*. Pre-conference workshop 3/2. \$1895/1995 conference, \$495/595 workshop. The Conference Board, 212-759-0900, www.conference-board.org.
- ✿ 3/2-5/04, Scottsdale, AZ. *How to Plan, Develop and Evaluate Training*. \$1695. Clark Training & Consulting, 602-230-9190, www.clarktraining.com. (Repeated 6/22-25 in Chicago. Also available online for \$1895.)
- ✿ 3/8-10/04, Orlando, FL. *Accelerated Learning Training Methods Workshop*. \$995. The Center for Accelerated Learning, 262-248-7070, alcenter@execpec.com. (Repeated 4/19-21 in Atlanta, 5/3-5 in Washington, 6/14-16 in Lake Geneva, NY.)
- ✿ 3/10-12/04, Online. *NASAGA Online! V. 1.0*. \$149/199. North American Simulation and Gaming Association, www.nasaga.org, online@nasaga.org.
- ✿ 3/12-14/04, Cambridge, MA. *Advocacy Teacher Training*. \$1295. National Institute for Trial Advocacy, 800-225-6482, www.nita.org.
- ✿ 3/17-18/04, New York, NY. *The 2004 Women's Leadership Conference: Shifting the Organizational Paradigm*.

- \$1895/1995, optional workshop \$495/595. The Conference Board, 212-339-0345, www.conference-board.org/womens.htm. (Repeated 3/31-4/1 in San Diego.)
- ✿ 3/18-19/04, New York, NY. *The 2004 Talent Management Strategies Conference: Integrating Talent Management for Business Results*. \$1795/1895. The Conference Board, 212-339-0345, www.conference-board.org/talent.htm.
 - ✿ 3/23-24/04, Scottsdale, AZ. *Graphics for Learning: How to Plan and Select Visuals That Teach*. \$1195. Clark Training & Consulting, 602-230-9190, www.clarktraining.com.
 - ✿ 3/28-31/04, Washington, DC. *The Quest for Excellence XVI*. Baldrige National Quality Program/American Society for Quality, 800-248-1946, www.baldrige.nist.gov.
 - ✿ 3/30-31/04, New Orleans, LA. *Instructional Design and Curriculum Development Summit 2004*. Pre-conference workshops 3/29. International Quality & Productivity Center, 800-882-8684, www.hrevents.com.
 - ✿ 4/5-9/04. *How to Plan, Design, and Evaluate e-Learning*. \$1995. Clark Training & Consulting, 602-230-9190, www.clarktraining.com.
 - ✿ 4/7-8/04, Atlanta, GA. *eLearning Workshop*. Vignettes for Training, <http://vignettestraining.com/workshops.htm>. (Repeated 4/14-15 in Orlando, 4/28-29 in Washington, DC, 5/5-6 in Anaheim, CA, 5/11-12 in New York City, 5/19-20 in Chicago, 5/26-27 in Houston.)
 - ✿ 4/20-23/04, Tampa, FL. *42nd Annual IPI International Performance Improvement Conference and Exposition*. Pre-conference institutes and workshops 4/18-20. \$350-999 conference, \$1299/1499 institutes, \$200-650 workshops. International Society for Performance Improvement, 301-587-8570, www.ispi.org/ac2004.
 - ✿ 4/26/04, New York, NY. *The 2004 Annual Diversity Conference: Building Organizational Capability Through Diversity*. \$1795/1895. The Conference Board, 212-339-0345, www.conference-board.org/diversity.htm. (Repeated 6/10-11 in Chicago.)
 - ✿ 4/26-29/04, Atlanta, GA. *The Leading Diversity Summit*. Linkage, 781-402-5555, www.linkageinc.com.
 - ✿ 4/19-5/2/04, Bethesda, MD. *Diversity and Coalition Building in Times of Crisis: At Home and Abroad*. \$335-1500. National MultiCultural Institute, 202-483-0700, www.nmci.org.
 - ✿ 5/13-14/04, Philadelphia, PA. *Having a Life: Creating Work-Life Balance in the Law*. \$300/400. ThirdPath Institute/U.Pa. Law School/Wharton School, 215-747-8790, lawconference@thirdpath.org.
 - ✿ 5/15-17/04, Dallas, TX. *Critical Choices: Education Decisions for the Next Generation of Lawyers*. ABA Section for Legal Education and Admissions to the Bar, www.abanet.org.
 - ✿ 5/19-20/04, New York, NY. *The 2004 Leadership Development Conference: Imperatives for Building Next-Generation Leadership Capability*. Pre-conference workshop 5/18. \$1895 conference, \$1250/1350 workshop. The Conference Board, 212-339-0345, www.conference-board.org/leadershipdev.htm.

Resources

Brady & Associates Career Planners of New York and Philadelphia now offers customized training programs for attorneys. The firm is headed by Kathleen Brady, Milbank, Tweed's former Manager of Associate Development. Kbrady@careerplanners.net, 212-918-4626, www.careerplanners.net.

Two new **books** are out on making conversation:

- In *The Fine Art of Small Talk*, author Debra Fine advises how to use small talk at social gatherings to build relationships and networks, and how to plan ahead for it (www.debrafine.com).
- In a more serious vein, *Fierce Conversations* by Susan Scott discusses techniques for handling controversy and confronting reality in high-risk, high-impact conversations (www.fierceconversation.com).

Web sites of interest:

- www.learningtimes.org: A free on-line learning community that features live interviews with education leaders, live webcasts from conferences, online discussions and conferences, blogs and chat rooms. Besides the corporate training world, members come from academia and not-for-profits.
- www.nasaga.org: The North American Simulation and Gaming Association is a membership association of

professionals who specialize in designing and facilitating interactive learning experiences. Thiagi and Mel Silberman are two of its better-known active members. NASAGA is hosting an online conference March 10-12 (see above under "Events") and has other resources on its web site.

- www.smallclaim.info: Zen and the Art of Small Claims is a one-person resource for "suing

MCLE Watch

The **Pennsylvania** CLE Board, whose pilot distance learning program runs through the end of this year, has added a catalogue of pre-approved distance CLE courses to its web site. Go to www.pacle.org, click on the "Approved Courses" button, and then select "Distance Learning courses" in the "Browse by Subject" box on the left.

Effective February 1, 2004, **Minnesota** lawyers can earn CLE credit for

telemarketers, junk faxers and e-mail spammers for fun and profit" in small claims courts across the country. It includes an online guide with chapters on collecting judgments and "beating the 'you can't sue an out-of-state defendant in small claims' argument," collections of some relevant laws, and descriptions of cases the host has filed and won.

- "professional development courses" on topics including career satisfaction, stress management, and substance abuse, and
- "law and literature" courses on such topics as the practice of law, the history and philosophy of law, rhetoric, lawyers' professional or ethical responsibilities, professional development, and elimination of bias.

Professional Opportunities

Professional Development Program Administrator: Kirkpatrick & Lockhart LLP, a large, multi-practice law firm with approximately 730 attorneys in ten offices nationwide is seeking a Program Administrator to assist the Professional Development team in its Pittsburgh Office. The Program Administrator for Professional Development is responsible for:

- Development and implementation of portions of the K&L Firmwide Professional Development Curricula in cooperation with Practice Area Leaders including practice specific training.
- Assisting with the development and coordination of firmwide Professional Development programs for summer associates; main coordinator for Pittsburgh summer programs in cooperation with Hiring Chairs;
- Development and coordination of First Year Orientation, First Year curriculum and Boot Camp;
- Assisting with coordination and implementation of firmwide Pre-Retreat training programs and other programs as requested;

- Oversee administration of tasks such as approval of outside CLE requests for Pittsburgh attorneys, Bar Memberships, etc.

An attorney with either transactional practice experience or litigation experience in a law firm is preferred, but non-practitioners with a demonstrated knowledge and experience in facilitating and designing adult education programs in a multi-office law firm will also be considered. A solid knowledge of the MCLE rules and excellent communication skills, analysis and problem solving skills, and attention to detail are a requirement. Proven ability to multi-task, plan, organize and prioritize work; work independently and as part of a team; and to build effective relationships with attorneys and staff.

Interested parties should forward a resume of qualifications to:

PAPD
Henry Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2313

or fax (412) 355-6501, or email resume to resumes@kl.com.

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Sloan, Peter, "Summer 2003 Survey Report: Law Partner Career Development: The Final Frontier." August 2003, 1-5.

Technology

Trigg, Sue, "Make It Come Alive! Training Via Videoconferencing." February 2003, 13-14.

Note: The *Learning Lab* column will resume in the May issue.

The *Capital CLE Calendar*

Volume 10, No. 5 ■ February 1, 2004

How to Read This Schedule: The following course schedule lists, first by topic and then by date, live continuing legal education (CLE) courses offered on and after the date of this issue. The course provider code in all caps at the end of each course listing keys to a provider listing in the provider directory which follows the course schedules. (If a program has multiple sponsors, the provider listed first is the suggested contact for registration.)

All course listings indicate the delivery medium, such as telephone conference, online seminar, satellite broadcast, etc. Each course listing also includes, if available, the beginning and ending times, tuition fee, and total CLE credit hours approved or pending for the course (credits appear in brackets at the end of the listing). Please note that CLE credit requirements vary by state and credit arrangements vary by course and provider. If credit is important to you, be sure to confirm in advance with the course provider or appropriate CLE Board whether and how the needed credits are obtainable.

Course Providers. Contact information for the sponsoring organizations follows the course schedules. More detailed information on the courses in this schedule is available from the course providers.

Registration and Fees. Most course providers will fax brochures and registration forms on request and will accept credit card registrations by phone, fax, or on the Internet. Many discount registration fees for members (in the case of membership organizations), for government and public interest lawyers, or for early registration, multiple registrants, or multiple courses for the same registrant. Some permit registration at the door for an additional charge. For some courses, however, especially those noted as "limited enrollment," advance registration and payment may be required.

Materials. Most providers sell their course materials separately. These may offer the most comprehensive and up-to-date survey of the law on a given topic that is currently available.

Additional Courses. Visit our website at <www.profdev.com/courses.htm> for a listing of current, local CLE courses announced after this issue went to press. To find on-location courses offered outside the local area by major national providers, visit our page of links to their sites, <www.profdev.com/links.htm>.

Distance Course Schedule

ADMINISTRATIVE/GOVERNMENT/REGULATORY LAW, GENERAL

2/26/04. *Public Integrity Enforcement at Wisconsin DOJ.* 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn.

ALTERNATIVE DISPUTE RESOLUTION/ ARBITRATION

2/11/04. *The New ABA/AAA Code of Ethics for Arbitrators.* 11:30 am-1 pm ET teleconference and live audio webcast. \$60-150. ABA/ABA IL&P Section.

2/12/04. *Essential Issues of Arbitration (ADR Issues).* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/16, 4/28, 5/6, 6/18, 7/15, 8/12, 9/22, 10/12, 11/19, 12/3)

2/18/04. *Should My Client Litigate or Mediate? (ADR)* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/19, 4/15, 5/18, 6/29, 7/9, 8/19, 9/14, 10/21, 11/11, 12/8, 12/16)

3/9/04. *Mandatory Arbitration.* 2-4 pm ET teleseminar. \$139/159. ATLA.

Distance CLE, Cont'd

ANTITRUST/UNFAIR COMPETITION LAW

4/21/04. *Criminal Antitrust Enforcement*. 1-2 pm ABA Connection teleconference. \$9.75/110. ABA/various ABA Sections.

5/13-14/04. *45th Annual Antitrust Law Institute*. Live webcast. \$1295. PLI.

ARTS, ENTERTAINMENT, AND SPORTS LAW

3/17/04. *Counseling Clients in the Entertainment Industry 2004: Television; Interactive Games*. Live webcast. \$725. PLI.

3/18/04. *Counseling Clients in the Entertainment Industry 2004: Film; Sports Law*. Live webcast. \$725. PLI.

3/19/04. *Counseling Clients in the Entertainment Industry 2004: Music Publishing; Sound Recordings; Ethics*. Live webcast. \$750. PLI.

BANKING/FINANCIAL SERVICES LAW

3/11-12/04. *Consumer Financial Services Litigation 2004*. Live webcast. \$1295. PLI.

4/19-20/04. *Asset Based Financing 2004*. Live webcast. \$1395. PLI.

BANKRUPTCY LAW

2/18/04. *Section 363 Sales of Debtors' Assets in Bankruptcy 2004*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

4/12-13/04. *26th Annual Current Developments in Bankruptcy & Reorganization*. Live webcast. \$1295. PLI.

BUSINESS/CORPORATE LAW AND PRACTICE [See also Corporate Counsel Programming below]

2/4/04. *Servicing the Entrepreneur (Part 1 of 2)*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/4-5/04. *Corporate Governance 2004: Preparing for the Next Wave of Disclosure and Board Changes*. Live webcast. \$1395. PLI/WLEC.

2/9/04. *Impact of Sarbanes-Oxley and Related Post-Enron Legal and Regulatory Developments on M&A Practice*. 9 am-1:45 pm ET live webcast. \$190/285. WLEC/Assn. Bar of City of NY.

2/9-10/04. *Doing Deals 2004: Keeping Pace with a Rapidly Changing Market*. Live webcast. \$1395. PLI/WLEC.

2/11/04. *Servicing the Entrepreneur (Part 2 of 2)*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/12-13/04. *The Pocket MBA for Lawyers 2004: Everything You Need to Know About Finance*. Live webcast. \$1295. PLI.

2/19/04. *Choice of Entity After the 2003 Tax Act*. 12-4 pm ET American Law Network Satellite Seminar. \$179. ALI-ABA. [4.0] (80+ viewing sites nationwide)

2/19/04. *How to Make a Private Company Acquisition*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 3/18, 4/14, 5/13, 6/10, 7/8, 8/18, 9/10, 10/7, 11/10, 12/7)

2/20/04. *Shareholder Activism -- The Legal Context*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 3/25, 4/21, 5/25, 6/25, 7/13, 8/20, 9/16, 10/27, 11/12, 12/9)

2/24/04. *Be Safe, Not Sorry! Strategies for Preventing Workplace Violence*. 1-2:30 pm ET telephone seminar. \$125-245. AHLA.

3/18/04. *Limited Liability Entities*. 12-4 pm ET American Law Network satellite seminar. \$179. ALI-ABA. [4.0] (80+ viewing sites nationwide)

4/19-20/04. *Corporate Compliance Institute 2004*. Videoconference. \$1395. PLI.

4/26-27/04. *Corporate Counsel Forum 2004: What You Need to Know About Corporate Liability and Government Enforcement After Sarbanes-Oxley*. Live webcast. \$1295. PLI.

5/20-21/04. *The Pocket MBA for Lawyers 2004: Understanding the Investment Banker's Role*. Live webcast. \$1295. PLI.

6/10-11/04. *Acquiring or Selling the Privately Held Company 2004*. Live webcast. \$1395. PLI.

6/16/04. *The High Cost of Being a Nonprofit Organization*. 1-2 pm ABA Connection teleconference. \$9.75/110. ABA/various ABA Sections.

6/17-18/04. *Corporate Compliance Institute 2004*. Live webcast. \$1395. PLI.

7/19-20/04. *The Pocket MBA for Lawyers 2004: Everything You Need to Know About Finance*. Live webcast. \$1295. PLI.

8/2-3/04. *The Pocket MBA for Lawyers 2004: Crunching the Numbers Exercises in Present Value, Capital Structure and Valuation*. Live webcast. \$1295. PLI.

COMPUTER LAW/COMPUTER APPLICATIONS AND SKILLS

3/25-26/04. *24th Annual Institute on Computer Law*. Live webcast. \$1295. PLI.

3/31/04. *Complying with the CAN-SPAM Act and Other Critical Business Issues: Staying Out of Trouble*. 9 am-5 pm ET live webcast. \$1295. PLI.

Distance CLE, Cont'd

CRIMINAL LAW

4/21/04. *Criminal Antitrust Enforcement*. 1-2 pm ABA Connection teleconference. \$9. 75/110. ABA/various ABA Sections.

EMPLOYEE BENEFITS LAW/ERISA/PENSIONS AND PROFIT-SHARING/EXECUTIVE COMPENSATION

2/11/04. *Employee Benefits Update for 2004*. 12-4 pm ET American Law Network satellite seminar. \$179. ABA/ABA Jt. Comm. on EB/ Society of Actuaries/AICPA/Web Network. [4. 0] (80+ viewing sites nationwide)

2/13/04. *Employee Benefits Issues for PEOs, Temporary Employees, Contractors and Others 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn.

4/1/04. *Annual Spring Employee Benefits Law and Practice Update*. 12-4 pm ET American Law Network satellite seminar and live webcast. \$179. ALI-ABA. [4. 0] (80+ viewing sites nationwide)

11/10/04. *Annual Fall Employee Benefits Law and Practice Update*. 12-4 pm ET Video Law Review satellite seminar and live webcast. ALI-ABA. [4. 0] (80+ viewing sites nationwide)

EMPLOYMENT AND LABOR LAW

2/4/04. *Web-Based Employee Training: Panacea, Pandora's Box, or Something in Between?* 1-2:30 pm ET teleconference and live audio webcast. \$60-150. ABA/ABA L&EL Section. [1. 5]

2/5/04. *Labor and Employment Law Update 2004: A Year in Review*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/23/04. *The Basics of Employment Discrimination Law: Legal and Practical Advice to Prevent, Assess and Manage Cases*. 6-9 pm ET live webcast. \$120/180. WLEC/Assn. Bar of City of NY.

2/25/04. *Workplace Harassment -- Provide Your Clients with the Essentials for Eliminating Claims*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/30, 4/22, 5/27, 6/3, 8/30, 9/17, 10/28, 11/17, 12/14, 12/17)

6/17-18/04. *Litigating Employment Discrimination and Sexual Harassment Claims 2004*. Live webcast. \$1295. PLI.

ENVIRONMENTAL LAW

6/10/04. *Clean Air Act*. 12-4 pm ET American Law Network satellite seminar. \$179. ABA.

ESTATES/TRUSTS/PROBATE LAW

2/3/04. *New Developments in Family Limited Partnership Estate Planning 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn.

2/12/04. *Advanced Estate Planning Practice Update -- Winter 2004*. 12-3:15 pm ET American Law Network satellite seminar. \$179. ALI-ABA. [3. 0] (80+ viewing sites nationwide)

6/3/04. *Advanced Estate Planning Practice Update -- Spring 2004*. 12-3:15 pm ET American Law Network satellite seminar. \$179. ALI-ABA. [3. 0] (80+ viewing sites nationwide)

ETHICS AND PROFESSIONALISM/SUBSTANCE ABUSE

2/9/04. *Reporting Misconduct - Who, When and Where*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0 ethics] (Repeated 3/9, 4/5, 4/27, 5/19, 6/14, 7/20, 8/6, 8/31, 9/30, 10/20, 11/16, 12/22)

2/10/04. *When Lawyers Cross the Line*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0 ethics] (Repeated 3/11, 4/6, 4/29, 5/21, 6/16, 8/9, 9/2, 10/5, 10/25, 11/23, 12/23)

2/11/04. *The New ABA/AAA Code of Ethics for Arbitrators*. 11:30 am-1 pm ET teleconference and live audio webcast. \$60-150. ABA/ABA IL&P Section.

2/13/04. *Developments in Legal Ethics: Proposed and New Rules, and Current Issues 2004*. 1-3 pm ET live webcast. \$70/90. WLEC/Chicago Bar Assn.

2/16/04. *Is a New Rule Needed re Class Action Litigation?* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0 ethics] (Repeated 3/12, 4/7, 5/3, 5/24, 6/17, 7/22, 8/10, 9/3, 10/6, 1/26, 11/24, 12/27)

2/17/04. *When Counsel's Duties Conflict*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0 ethics] (Repeated 3/22, 4/9, 5/10, 5/26, 6/21, 7/23, 8/13, 9/7, 10/8, 10/29, 11/29, 12/28)

2/24/04. *Personal and Professional Liability Issues*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0 ethics] (Repeated 3/29, 4/13, 5/12, 6/7, 6/23, 7/27, 8/24, 9/21, 10/13, 11/8, 12/13, 12/30)

FAMILY LAW

2/2/04. *The Basics of Adoption 2004*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/6/04. *Parental Alienation Syndrome (PAS) -- the Lawyer's Role*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/5, 4/16, 5/14, 6/8, 7/19, 7/28, 8/25, 9/27, 10/18, 11/9, 12/20)

Distance CLE, Cont'd

2/11/04. *Family Law Trial Skills -- What You Need to Know.* 12-1:30 pm ET teleconference and live audio webcast. \$60-150. ABA/ABA Fam. Law Section. [1. 5]

2/19/04. *Child Support Tele-Talk: Insurance Intercept.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

3/18/04. *Child Support Tele-Talk: Telephone Hearings.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

4/15/04. *Child Support Tele-Talk: Undistributed Collections.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

5/13/04. *Child Support Tele-Talk: International Child Support Issues.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

6/17/04. *Child Support Tele-Talk: Distribution.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

9/16/04. *Child Support Tele-Talk: Military Enforcement.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

10/21/04. *Child Support Tele-Talk: Arrearage Collection.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

11/18/04. *Child Support Tele-Talk: Qualified Domestic Relations Orders (QDRO's).* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

1/20/05. *Child Support Tele-Talk: Paternity Disestablishment.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

2/17/05. *Child Support Tele-Talk: Medical Support.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

3/17/05. *Child Support Tele-Talk: IV-D/IV-A Interface Collection.* 2-4 pm ET telephone seminar. \$295 per site. NCSEA.

GENERAL LAW/MULTIPLE TOPICS

Monthly. See dozens of monthly, live online CLE seminars on a range of topics announced at the beginning of each month by CLEO.

HEALTH CARE/MEDICAL LAW/PROVIDER REPRESENTATION

2/5/04. *A New Day for Healthcare Organizations: Sarbanes-Oxley Certification Requirements, Criminal Exposures, and Internal Compliance Measures.* 1-2:30 pm ET telephone seminar. \$125-245. AHLA.

2/10//04. *Jury Selection in Medical Negligence Cases.* 2-4 pm ET teleseminar. \$139/159. ATLA.

2/19/04. *Confronting the Medical Liability Crisis: Private Responses and Legislative Reform 2004.* 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/24/04. *Be Safe, Not Sorry! Strategies for Preventing Workplace Violence.* 1-2:30 pm ET telephone seminar. \$125-245. AHLA.

2/25/04. *Conflicts of Interest in Clinical Research.* 1-2:30 pm ET telephone seminar. \$125-245. AHLA.

2/26//04. *Medicare Reform.* 2-4 pm ET teleseminar. \$139/159. ATLA.

3/2/04. *Issues That Arise in the Relationship Between Universities and Industry.* 1-2:30 pm ET telephone seminar. AHLA.

3/10/04. *The Physician Malpractice Insurance Crisis: Can Your Hospital Help. . . Without Meeting the Inspector General?* 1-2:30 pm ET telephone seminar. AHLA.

3/25/04. *HIPAA Revisited.* 2-4 pm ET teleseminar. \$139/159. ATLA.

3/25/04. *Legal Issues Affecting Hospital Operations.* Teleconference. ABA/ABA Health Law Section, YLD.

4/21/04. *Health Plans, HIPAA, and COBRA Update.* 12-4 pm ET American Law Network Satellite Seminar. \$179. ALI-ABA. [4. 0] (80+ viewing sites nationwide)

5/6/04. *Fraud and Abuse Statutes That Affect Healthcare Providers.* Teleconference. ABA/ABA Health Law Section, YLD.

5/20/04. *Health Law Update.* 12-4 pm ET American Law Network Satellite Seminar. \$179. ABA.

5/25/04. *Failure to Diagnose and Treat Heart Disease Cases.* 2-4 pm ET teleseminar. \$139/159. ATLA.

6/8/04. *Nursing Homes.* 2-4 pm ET teleseminar. \$139/159. ATLA.

6/24/04. *Medical Negligence.* 2-4 pm ET teleseminar. \$139/159. ATLA.

7/22/04. *Managed Care Issues Between Providers and Payors.* Teleconference. ABA/ABA Health Law Section, YLD.

IMMIGRATION LAW

4/27/04. *Basic Immigration Law 2004.* Live webcast. \$299. PLI.

INTELLECTUAL PROPERTY/PATENT/COPYRIGHT/TRADEMARK LAW

2/9/04. *What Every Practitioner Should Know About Global IP Protection 2004.* 4-6:30 pm ET live webcast. \$87/112. WLEC/Chicago Bar Assn.

Distance CLE, Cont'd

3/8-9/04. *Advanced Licensing Agreements 2004*. Live webcast. \$1395. PLI.

3/25/04. *Copyright and Trademark Law for the Nonspecialist*. 11 am-6 pm ET American Law Network satellite seminar. \$299. PLI. [4. 0] (80+ viewing sites nationwide)

INTERNATIONAL LAW AND TRADE

3/11/04. *Buying and Selling Overseas: Dealing with Contracts in a Multinational Market*. 1-2:30 pm ET teleconference and live audio webcast. \$55-125. ABA/ABA Bus. Law Section. [1. 0]

3/15-16/04. *International Business Litigation and Arbitration 2004*. Live webcast. \$1695. PLI.

5/6-7/04. *International Securities Markets 2004: Emerging Best Practices for a Rapidly Evolving Regulatory Scheme*. Live webcast. \$1495. PLI.

LAW OFFICE/LAW PRACTICE MANAGEMENT

2/6/04. *Associate Business Development: Planning for the Future of You and Your Practice*. 2-4 pm ET live webcast. \$100/150. WLEC/ABA LPM Section.

2/7/04. *Making Partner. . . Or Not*. 2-5 pm ET live webcast. \$150/225. WLEC/ABA LPM Section.

2/17/04. *Starting Your Own Practice: Where Do You Begin?* 1-2 pm ET live webcast. \$40/60. WLEC/Hennepin Co. Bar Assn.

3/16/04. *Splitting the Gordian Knot: The Impaired Lawyer from the Law Firm's Point of View*. Teleconference. ABA/ABA LPL Comm.

4/14/04. *The Law Library 2004: Skills, Strategies and Solutions*. Live webcast. \$79. PLI.

5/19/04. *Charging and Collecting Fees*. 1-2 pm ABA Connection teleconference. \$9. 75/110. ABA/various ABA Sections.

LITIGATION/TRIAL AND APPELLATE ADVOCACY

[See also various substantive law topics for specialized litigation courses.]

2/10/04. *Civility in the Courtroom: Priceless - 2004*. 1:30-2:30 pm ET live webcast. \$40/60. WLEC/Milwaukee Bar Assn.

2/10/04. *Class Action Basics 2004*. 1-2 pm ET teleconference and live audio webcast. \$16-110. ABA/ABA Lit. Section. [1. 0]

2/11/04. *Expert Opinions -- Adjudication or Legislation?* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/10, 4/8, 5/4, 6/9, 7/3, 8/11, 9/9, 10/7, 11/5, 12/2)

2/18/04. *Should My Client Litigate or Mediate?* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/19, 4/15, 5/18, 6/29, 7/9, 8/19, 9/14, 10/21, 11/11, 12/8, 12/16)

2/23/04. *Is Attorney-Client Privilege on the Ropes?* 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/23, 4/12, 5/12, 5/28, 6/22, 7/26, 8/23, 9/20, 10/11, 10/31, 11/30, 12/29)

2/26/04. *Difficult Case, Difficult Judge: What's a Lawyer to Do?* 2004. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/26/04. *Experts -- A Primer on Scientific Evidence Under Federal Standards*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/24, 4/23, 5/20, 6/28, 7/16, 8/27, 9/23, 10/22, 11/18, 12/10)

2/27/04. *Electronic Document Retention Policies and Electronic Discovery: New Requirements in the Digital Age*. 1-3 pm ET telephone seminar. \$125. TRT. [2. 0] (Repeated 3/17, 4/30, 5/7, 6/24, 7/29, 8/17, 9/29, 10/14, 11/17, 12/6, 12/15)

3/9/04. *Mercury Silver Dental Fillings Are the Next Mass Tort*. 2-4 pm ET teleseminar. \$139/159. ATLA.

3/10/04. *Current Developments in Federal Civil Practice 2004*. Live webcast. \$895. PLI.

3/17/04. *McElhane on Litigation: Winning Final Arguments*. 1-2 pm ABA Connection teleconference. \$9. 75/110. ABA/various ABA Sections.

3/25/04. *Motions in Limine*. 2-4 pm ET teleseminar. \$139/159. ATLA.

4/6/04. *Jury Selection in Auto Cases*. 2-4 pm ET teleseminar. \$139/159. ATLA.

4/27/04. *Lost Earnings and Impairment of Earning Capacity*. 2-4 pm ET teleseminar. \$139/159. ATLA.

5/11/04. *Premises Liability*. 2-4 pm ET teleseminar. \$139/159. ATLA.

5/25/04. *Theming Your Case*. 2-4 pm ET teleseminar. \$139/159. ATLA.

REAL ESTATE/LAND USE/HOUSING/REAL PROPERTY LAW

2/5-6/04. *Sixth Annual Real Estate Tax Forum*. Live webcast. \$1395. PLI/WLEC.

2/10/04. *Real Estate Appraisals: A How-To Guide for the Real Estate Lawyer and Litigator*. 6-9 pm ET live webcast. \$120/180. WLEC/Assn. Bar of City of NY.

Distance CLE, Cont'd

2/17/04. *Real Estate Taxation: An Overview for the Non-Specialist 2004*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/18/04. *The Hazards of Home Ownership*. 1-2 pm ABA Connection teleconference. \$9.75/110. ABA/various ABA Sections.

2/23-24/04. *Commercial Real Estate Financing 2004: What Borrowers & Lenders Need to Know Now*. Live webcast. \$1395. PLI.

4/29-30/04. *Negotiating the Sophisticated Real Estate Deal 2004: High-Stakes Strategies in Uncertain Times*. Live webcast. \$1395. PLI.

5/11/04. *Premises Liability*. 2-4 pm ET teleseminar. \$139/159. ATLA.

SECURITIES LAW

2/3/04. *The Commodity Futures Modernization Act of 2000 -- Three Years Later 2004*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/5/04. **SEC Filing, Part 2**. 12-4 pm ET American Law Network satellite seminar. \$179. ABA/ABA Bus. Law Section. [4.0] (80+ viewing sites nationwide)

3/5-6/04. *The SEC Speaks in 2004*. Live webcast. \$895. PLI.

5/3-4/04. *Conducting Due Diligence 2004*. 9 am-5:15 pm (-12 noon Day 2) live webcast. \$1295. PLI. [9.5, 1.25 ethics]

5/10-11/04. *Securities Offerings 2004*. Live webcast. \$1395. PLI.

7/6/04. *Audit Committee Workshop: What Audit Committees and Lawyers Who Advise Them Need to Know Now*. Live webcast. \$1495. PLI.

TAX LAW

2/17/04. *Real Estate Taxation: An Overview for the Non-Specialist 2004*. 4-7 pm ET live webcast. \$105/135. WLEC/Chicago Bar Assn.

2/20/04. *Practical Application of the Retirement Distribution Rules: What Practitioners Must Know*. 8:45 am-1:15 pm ET live webcast. \$180/275. WLEC/Assn. Bar of City of NY.

2/25/04. *E-Commerce Tax Issues at Home and Abroad*. 1-2:30 pm ET teleconference and live audio webcast. \$60-150. ABA/ABA Tax Section.

3/31/04. *Agriculture*. Teleconference and live audio webcast. ABA/ABA Tax Section.

4/28/04. *Faust*. Teleconference and live audio webcast. ABA/ABA Tax Section.

5/26/04. *Affiliated and Related Corporations*. Teleconference and live audio webcast. ABA/ABA Tax Section.

6/30/04. *Estate and Gift Taxes*. Teleconference and live audio webcast. ABA/ABA Tax Section.

7/28/04. *Real Estate*. Teleconference and live audio webcast. ABA/ABA Tax Section.

8/25/04. *Regulated Investment Companies*. Teleconference and live audio webcast. ABA/ABA Tax Section.

9/22/04. *Employment Taxes*. Teleconference and live audio webcast. ABA/ABA Tax Section.

10/27/04. *Sales, Exchange and Basis*. Teleconference and live audio webcast. ABA/ABA Tax Section.

12/1/04. *State and Local Tax*. Teleconference and live audio webcast. ABA/ABA Tax Section.

TIME/STRESS MANAGEMENT

2/13/04. *Effective Time Management for Lawyers*. 1-3 pm ET telephone seminar. \$125. TRT. [2.0] (Repeated 3/4, 4/20, 5/5, 6/11, 7/6, 8/5, 9/13, 10/4, 11/4, 12/1.

WRITING/DRAFTING SKILLS

2/27/04. *Advanced Writing and Editing for Lawyers*. 12-4 pm ET American Law Network satellite broadcast/live webcast. \$179. ALI-ABA. (80+ viewing sites nationwide)

1/8-9/04. *Preparation of Annual Disclosure Documents 2004*. Live webcast. \$1395. PLI.

Distance Course Providers

(Providers which also offer on-demand, pre-recorded courses available 24/7 are marked with a double asterisk (**))

ABA.** American Bar Association, Center for Continuing Legal Education, 514 N. Fairbanks Court, Suite 1600, Chicago, IL 60611-3314, (800) 285-2221 or (312) 988-5522, Fax (312) 988-5850, fax-on-demand service (800) 995-1253, Web <http://www.abanet.org/cle>.

AHLA. American Health Lawyers Association, 1025 Connecticut Avenue, N.W., Suite 600, Washington, DC 20036-5405, (202) 833-1100, Fax (202) 833-1105, Web <http://www.healthlawyers.org>.

ALI-ABA.** American Law Institute-American Bar Association Committee on Continuing Professional Education, ALI-ABA, 4025 Chestnut Street, Philadelphia, PA 19104-3099, (800) CLE-NEWS (253-6397) or (215) 243-1630; Fax (215) 243-1664; Web <http://www.ali-aba.org>.

ATLA.** Association of Trial Lawyers of America, 1050 31st Street, N.W., Washington, D.C. 20007, (202) 965-3500, ext. 612, or (800) 622-1791; E-mail clehelp@atlahq.org, Web <http://www.atla.org>.

CLEO.** CLE Online, P.O. Box 1897, Round Rock, TX 78680-1897, (512) 310-9618, Fax (512) 310-1720, E-mail info@cleonline.com, Web <http://www.cleonline.com>.

FDLI. FDLI, Inc., 1000 Vermont Avenue, N.W., Suite 200, Washington, DC 20005, (202) 371-1420, Fax (202) 371-0649, E-mail comments@fdli.org, Web <http://www.fdpi.org>.

LS.** LegalSpan, 1325 North Fiesta Blvd., Suite 4, Gilbert, AZ 85233, (480) 497-8803 or (888) 892-7676, Fax (480) 497-8596, Web <http://www.legalspan.com>.

MPI.** Mealey Publications, Inc., P.O. Box 62090, King of Prussia, PA 19406-0230, (800) 632-5397, (610) 768-7800, E-mail seminars@mealeys.com, Web http://www.mealeys.com/sem_cal.html.

NBI.** National Business Institute, Inc., P.O. Box 3067, Eau Claire, WI 54702, (715) 835-7909, Fax (715) 835-1405, Web <http://www.nbi-sems.com>.

NCSEA. National Child Support Enforcement Association, 444 N. Capitol Street, Suite 414, Washington, DC 20001-1512, (202) 624-8180, Fax (202) 624-8828, E-mail ncsea@sso.org, Web <http://www.ncsea.org>.

NPI.** National Practice Institute, Suite 1710, 701 Fourth Avenue South, Minneapolis, MN 55415-1634, (800) 328-4444, Fax (612) 349-6561, Web <http://www.npilaw.com>.

PBI.** Pennsylvania Bar Institute, 5080 Ritter Road, Mechanicsburg, PA 17055, (717) 796-0804 or (800) 932-4637, Fax (717) 796-2348, E-mail info@pbi.org, Web <http://www.pbi.org>.

PLI.** Practising Law Institute, 810 Seventh Avenue, New York, New York 10019-5818, (800) 260-4PLI [-4754] or (212) 765-5700, Fax (800) 321-0093 or (212) 581-4670, E-mail info@pli.edu, Web <http://www.pli.edu>.

TRT.** TRT, Inc., 43546 Firestone Place, Leesburg, VA 20176-3920, (800) 672-6253, Fax (800) 853-1946 or (703) 853-1946, E-mail trt@trt-cle.com, Web <http://www.trtcle.com>.

VACLE.** Virginia Continuing Legal Education, P.O. Box 4468, Charlottesville, VA 22905, (800) 979-VCLE (8253) or (804) 979-5644, Fax (434) 979-3147, Info-Fax (800) 676-0210, Web <http://www.vacle.org>.

WLEC.** West LegalEdcenter, Eagan, MN, Web <http://westlegaledcenter.com>.

