



## NCCG Article Series

### What’s wrong with law firm training

The room is full of elephants.

The legal IT room, that is.

Elephants, that is - full of them. Those things we just don’t talk about any more – usually because we have just given up on them after decades of trying because things are about “as good as it gets” without either spending fortune and/or giving lawyers mind-altering drugs to make them change fundamental working practices.

One of these things knowledge management, and another is IT training. Another one used to CRM, but intelligent automated email data harvesting has broken the back of that one – at least in the area of data gathering and maintenance.

I shall come back to KM in another article, here I shall consider the subject of IT training in law firms.

You measure the effectiveness of IT training by the ability of the firm’s users - lawyers, secretaries and everybody else - to use the IT systems with which they have been – expensively – provided effectively, accurately and efficiently.

By that measure, as an industry we are poor, extremely poor.

I interview law firm workers all the time, all over the world, about the ‘problems’ with their IT systems. I am usually only there because there really are problems with their IT systems, but it is typically not that simple. For every major malfunctioning aspect of each under-performing IT application, there is broader range of problems that are directly caused by the fact that the

users simply do not know how to use their systems’ capabilities properly.

The overall level of IT skills throughout law firms – at all levels – still appears to be woefully low. This produces a wide range of inefficiencies and inaccuracies that not only affect the firms’ productivity and profitability, but also engender risks relating to the quality of client service delivery, on one end of the scale, and even professional indemnity issues at the other.

Here are just two specific real-world examples out of many.

In one firm we discovered the confessed inability of any of the partners to be able to file a revised version of a document into the iManage system as a new version of the same document. Instead they would save every new version as a new document, breaking the audit trail of revisions, and - as they all admitted – leaving open the possibility of other users undertaking work on, or despatching to third parties, the wrong version of a document.

My other example also relates to documents – we all know that there are many lawyers who cause formatting and document instability errors due to their lack of knowledge of how to use Microsoft Word properly – especially not using Paste Special, Unformatted Text.

Related to that, and less often admitted, is that the secretaries are often not much better. I can recall two law firms, one of which employed over 1,000 secretaries, where it became obvious that the average secretary (never mind about the lawyers) did not know how to use

automated paragraph numbering, table of contents generation or automated cross-referencing properly.

Instead, secretaries referred to 'Mavis' in the corner office on the 33rd floor, or 'Janet' the Word 'super-user', to whom they would send Word documents to sort out when they got into a mess.

Recent research indicates that most legal secretaries show only an average of 64% effectiveness on Microsoft Word with current 'normal' standards of law firm training.

These are just two simple examples out of a range of hundreds that I could have picked.

Taken altogether, throughout the industry, this is having a massive impact on efficiency, profitability and quality – the lack of ability to use their current IT systems effectively mean that much of the investment of law firms in IT is simply wasted as the full level of the potential benefits of the systems is never realised.

How did this come about? There are a number of key contributory factors.

Firstly, law firms – to be fair, in common with many employers - tend to assume that new recruits already know how to use Word, "after all, doesn't everybody?" Well, no they "doesn't". In fact, most Word users – who have not received proper professional training – habitually misuse Word, fail to format properly, do not know how to use any sophisticated functionality and hardly know how to use most basic functionality – because they have never been taught how to use it properly (if at all) or read even a basic Word manual; in effect they have earned by trial and error.

This results in woeful Word skills; for example, we found a long-time Word user who didn't know that there was a Footnote facility, never mind how to use it.

The next part of the problem is, of course, the lawyers; the screaming little prima donnas. They hate to think that there's something they don't know and that they're not

expert in; and they feel it a badge of honour to be "too busy" to attend training courses, following the example of their older mentors.

Finally, there is the issue that senior management in Law Firms does not realise how much of their IT investment is being wasted by poor know-how at the moment, and (even if it does) is not usually willing to enforce a suitable on-going fee-earner training programme.

What to do?

Train users, obviously; but how?

Firstly, it needs to be recognised that training is a continuous process, not an event. Secondly, training needs to be promoted on a 'push' rather than a 'pull' basis – ideally on the basis of a set of defined Core IT Competences as defined below. Thirdly, the firm's senior management needs to promote the view that attendance at scheduled IT training sessions (even for senior lawyers) is not voluntary but compulsory, and is a factor that will be reviewed at their annual appraisal.

If it helps, perform an analysis of the money that the law firm is wasting as a result of poor use of IT systems, such as:

- the potential chargeable time not properly recorded due to the lack of understanding of time capture systems, even the latest time 'grabbing' software
- the opportunity cost of time wasted by lawyers misusing technology; either they are not charging this time to clients and losing income, or they are charging clients for it and thus reducing the firm's competitive edge
- the cost to the firm of non-fee earning staff (based on their salary and on-costs) of the minutes/hours wasted per day time misusing technology

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- the potential risk of professional negligence claims due to mistakes caused by lack of proper system use – for example, practices that might result in the transmission of the wrong version of a document
- the potential impact on clients' satisfaction and loss of future work.

You should be prudent in your estimation of these costs; nevertheless, frightening numbers and consequences quickly become obvious.

As a first step to improving law firm training we recommend that firms adopt the following methodology:

- firstly; define the required Core IT Competencies, the base technology capabilities that you expect lawyers of different grades and seniority to be able to undertake effectively in order to be able to do their jobs effectively
- secondly; undertake a skills gap analysis to define – for every user – what training they need to be able to meet that defined level of skills – you will start with a large gap
- thirdly; define a set of training courses designed to bridge the most common gaps
- fourthly; execute a series of mandatory training courses, over a sensible period, designed to get everybody up to their required level of skill
- fifthly; enshrine evaluation against their required Core Competencies in staff and lawyers' annual appraisal process.

In order to be able to deliver training effectively, and make it more palatable to busy users, we would also recommend that:

- other forms of training should be offered as well as standard 'classroom-style' training; such as:
  - one-to-one

- out of hours
- video-based and other computer based training

- that, as far as possible, training is 'task-based' as opposed to 'software-based' – in other words 'how to create and manage documents' as opposed to 'Word' or 'iManage' training; and 'how to prepare a list of exhibits' as opposed to 'Microsoft Excel'
- that special short sessions on key elements of functionality that could significantly improve efficiency should be offered, such as:

- using special fee rates in their PMS
- matter costing and planning
- effective time recording
- managing document versions and revisions

We have worked with several firms recently that have benefited substantially by the adoption of tailored self-paced learning and certification software based on the independent LTC4 (Legal Technology Core Competencies Certification Coalition) standards.

The advantage of these systems is that they can be undertaken at the convenience and pace of the user, and in the case of specialist law firm training organisations such as Capensys and TutorPro, the training routines are undertaken in the live version of the law firm's own particular system – which has proven to be a breakthrough on lawyer training adoption.

If you can improve the ability of your users to exploit your expensive technology, over time you will reap considerable benefits in user satisfaction, quality of work output, basic efficiency of staff, client satisfaction and overall value for money from your IT investment.

Then you can begin to address knowledge management...