

LAW FIRM 101

and How It Applies to You



Marcy McGovern

Marcy McGovern is an attorney in Littler Mendelson's knowledge management department. She utilizes her prior employment litigation and counseling experience to contribute to the firm's innovative approaches to integrating technology and new processes into practice. Marcy regularly works with technologists and lawyers to collaborate on business-driven solutions for clients. She also supports various practice groups within the firm. Marcy can be contacted at mmcgovern@littler.com.



Joy Heath Rush

In her 27th year with Sidley Austin LLP, Joy is responsible for firmwide audiovisual, presentation, collaboration and videoconferencing technology. She serves on ILTA's Desktop and Application Services Peer Group Steering Committee. Joy was named the 2011 Communications Technologies Champion by ILTA and 2008 IT Champion of the Year by "Law Technology News" magazine, and she has been recognized for world-class leadership by "Legal IT" magazine in the U.K. She can be contacted at jheath@sidley.com.



Meredith Williams

Meredith L. Williams is Baker Donelson's Director of Knowledge Management. She is widely recognized as a leading authority in knowledge management for the legal field, and she's a frequent presenter and author on knowledge management, social media and competitive intelligence. Meredith is a member of the Association of Women Attorneys, the American, Tennessee and Memphis Bar Associations, and ILTA's Board of Directors. She can be contacted at mlwilliams@bakerdonelson.com.

The legal profession is a unique environment filled with high expectations, complex concepts and distinctive cultures that can make the learning curve for someone new a bit more like a learning canyon. In order to succeed, it's important to understand the nuances that are ingrained in the business of law. Enter the "Law Firm 101" initiative — a program that aims to educate and prepare law students/new lawyers and incoming legal IT professionals about the business of law ... the business they're in. ILTA held a "virtual roundtable" with three member thought leaders to get their insight into how the main points of this initiative are applicable to our members. Each person's interview can be heard in its entirety on the accompanying podcasts.

What perspective are you representing regarding the Law Firm 101 initiative?

Marcy McGovern: I'm representing the new lawyer/recent law school graduate perspective.

Joy Heath Rush: My perspective is that of a new technology person in a law firm — someone who may not be new to technology, but is new to law firms or to the legal profession.

Meredith Williams: I'll be coming from the perspective of a first-year attorney starting out at a law firm. This also applies to a second- and third-year attorney.

What can someone entering the legal profession expect from Law Firm 101?

Joy: I see three key items that will be covered by the Law Firm 101 curricula:

- **Vocabulary.** There's a vocabulary that's very specific to, say, applications, so if someone has never worked in a law firm, she needs to know things like blacklining or redlining, for example. Or if someone tells her the conflict system is down, she needs to know the vocabulary of what that means, so she'll understand why it's important and how to prioritize.
- **Billing.** If someone hasn't worked in professional services, he needs to understand that time is truly money. Our lawyers work around the clock and around the globe, and a problem is just as urgent at 2:00 a.m. as it is at 2:00 p.m., depending on where they are.
- **Pressure.** New people need to really understand what the life of our lawyers is like — the pressure they're under from clients and why they make some of the demands they make. There might be certain aspects of a transaction or litigation that require a level of effort and technical support that is sometimes extraordinary.

Meredith: I'm reminded of my first days at my law firm many years ago, and of how little I actually knew about how to do basic things.

With that in mind, the three big-picture concepts being approached for Law Firm 101 are:

- **How do law firms work?** Typically the same terminology is utilized across all firms regardless of type or size. What does it all mean? What processes are inherent in the way legal work gets done?
- **How do I practice within ethical constraints?** This includes how to bring in a new client matter, what resources are available for me to accomplish that, and how to manage my matter.
- **How do I work and support a client given those constraints?**

Law Firm 101 will help answer all of those questions and more.

Marcy: For three years as a law student you focus on honing your legal writing and analytical skills. Shortly after graduation, you prepare to test these skills during a grueling bar exam. Then, if you have an associate position coming out of law school, you start practicing a month or so later. If you're lucky, you may have worked as a summer associate at a law firm during your three years in law school, and you might have an appreciation for what to expect when you start practicing full time. The reality, however, is that you don't yet know very much about the business of law, and it's the business aspects of practice that I think Law Firm 101 can address for persons starting their careers in law firms.

Is Law Firm 101 just about law firm technology?

Meredith: Oh, it's about so much more than just general technology. We're taught theory around different types of law in law school, but we're not taught the practical tips. And that's where Law Firm 101 comes in.

Of course, there will be a lot of things covered around technology, including:

- How do I collaborate with the client?
- What are some drafting tools to help me?
- What are some personal knowledge management tools to help me deal with email messages?

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- How do I save my documents?

Those types of things will absolutely be included in Law Firm 101, but it will encompass so much more than just technology.

Marcy: I agree with Meredith that it's about so much more. I think it is very important that ILTA is at the helm of developing this initiative and weighing in on content, because today's practice of law and delivery of legal services is so intertwined with legal technology.

Joy: That's right — IT is just a small piece of it. It's more about understanding what people in law firms do ... and not only the lawyers, but people in accounting and marketing and more. We need to understand why their functions are important. Of course, technology does play a role. For instance, what applications different groups use and how that fits in the overall function of each group and into the back office, particularly the business side.

What kind of nontechnology content will be included in Law Firm 101?

Marcy: Although the curricula haven't been officially outlined, in addition to content related to law firm technology, I envision the following topics, just to name a few:

- The business of a law firm, including common concepts like profitability per partner, realization rate, alternative fee arrangements and more
- Time and billing practices
- Tips for interacting with other departments such as litigation support, accounting and information technology
- Project management in law firms
- Knowledge management (KM) and legal re-engineering in law firms
- What clients look for in outside counsel
- The future of private practice in the legal industry

Joy: A very important piece of this is understanding the idea of "following the money." When people understand the basic business model of a professional services firm, they can better understand why certain things are important. When we talk about the lifecycle of a matter, for example, a lot of technology people think of that in terms of a workflow system, a time and billing system or a conflict system. But in Law Firm 101, we'll talk about the life of a matter in terms of the piece parts that go into making the matter live through its entire lifecycle at the law firm — all of those processes that help people put their job in the context of the broader mission of supporting the lawyers' work.

Meredith: Everything is going to touch on some form of technology, such as how to enter time and how to use discovery

tools. But some of the nontechnology topics are going to be around economics and how firms function — those pieces of practical information that everyone needs to know.

Although this initiative is beginning with a focus on law firms, how could this initiative apply to someone entering a corporate law department?

Joy: There are a lot of differences, but I think the important thing is that there are a lot of similarities. Take the lifecycle of a matter, for example. The same processes essentially exist in corporate law departments as in law firms, but from the opposite perspective. Why does the client care whether a law firm has a conflict? Why does he care about the engagement process? What's the client's perspective on the engagement process?

And then there's that issue of vocabulary. The vocabulary on the application side is going to be about the same in a corporate law department as in a law firm, but there will be some unique things in a corporate law department (e.g. some of the matter management concepts are a little different managing outside counsel). There'll be some Law Firm 101 content that's shared between departments and law firms, and there'll probably be some tweaks, too.

Meredith: The content can cross over. It's wonderful for a corporate law department to know that their law firm is doing absolutely everything they can to be effective and efficient with the money that client is putting forth. Knowing that their law firm is utilizing these types of resources is a great commodity to the firm using them. In addition, some of these key topics will be very helpful for people entering the corporate law department, especially if they've never worked in private practice. It would be a great idea for them to take a quick look at some of the ways attorneys are actually practicing.

Marcy: Private law firms and in-house corporate law departments work in a symbiotic relationship. Self-critical analysis, whereby a law firm analyzes its performance in delivering legal services, is in no small part the result of pressures being placed on them by corporate law departments over the past five years. Firms are integral in working with clients to reduce clients' legal spending and additionally are working to better align firm practices with the business operations of clients. ILTA's launch of the Law Firm 101 initiative seems well-timed as it provides a potential platform for law firms and in-house corporate law departments to assess successful changes in the delivery of legal services.

Can you envision the changes that might occur to the curriculum in the future and any additional training that might be spawned?

Meredith: I can absolutely see this expanding. Initially, we're starting with big-picture umbrella topics: How does the firm work?

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How do I practice? How do I support my clients? And we'll build in a general curriculum underneath each one of those. But they can expand. For example, as social media tools come into play, that's going to have to be added because first-year attorneys are going to need to know how to use social media the correct way for their clients within ethical constraints. The same goes for cloud computing and how that's going to affect how the day-to-day practice changes and how we collaborate with our clients. So Law Firm 101 is definitely going to expand and adapt over time.

Marcy: I recently saw a Bloomberg Law interview with Bruce MacEwen of Adam Smith, Esq. in which he pointed out that the legal profession simply has a surplus of capacity. That is, there are more attorneys than necessary to field the work that is available, and that such a surplus may require structural changes in how law firms conduct their business.

As a current knowledge management counsel, the future structure of a law firm is a fascinating topic to me. I think many firms are currently considering whether their present business model and "normal" career path for attorneys (i.e., associate to shareholder) makes sense for future viability. If and when firms roll out new business models that change their staffing structures and career paths, ILTA's Law Firm 101 curricula and content will need to be revisited to address these paradigm changes.

I also hope the Law Firm 101 initiative might serve the legal community in providing a platform for leading strategists to share ideas within the community. This may make for great programming sponsored by law schools that also have an interest in the future structure of law firms as it might inform the curriculum they provide to their students.

Joy: As technology changes, we'll surely have to change Law Firm 101, because new kinds of applications will be introduced, and the roles of certain groups will change. A great example is law librarians. Back when I started, we had a whole floor in our office devoted to the library, with librarians putting books on huge shelves. Nowadays, a lot of our librarians have become research consultants — the people who know how to get answers in ways that are very specialized. In terms of additional training, I believe a lot of that will come from feedback from our Law Firm 101 consumers who tell us what they need to know more about. So we'll be soliciting feedback actively as we deploy Law Firm 101 materials. P2P

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