

❖ Leveraging KM Metadata Across the Firm

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In my years as a practicing lawyer at a large firm, I was often critical of the difficulties in leveraging my firm's work product. All of the lawyers I knew wanted to take advantage of this resource, and our clients expected the efficiencies accrued from this knowledge when agreeing to our considerable rates. Yet finding relevant documents was a substantial burden, despite the document management systems we had adopted to address this need.

Solving the Search Problem

Of course, like most lawyers, I was a part of the problem. Document management systems ("DMS") rely on users to profile their own documents when creating them, identifying pertinent characteristics of the document that might help a subsequent user find it. Like most lawyers, I was not particularly diligent about profiling documents and often found the variance in the character and quality of colleague's profiling so great that it rendered the system erratic for finding information. The lesson I came away with was that a system relying on user-profiled information is built on a shaky foundation.

Over the last few years, some companies in the growing work product retrieval industry have addressed the problem of reliance upon user-provided data by employing technology to perform legal-specific substantive analysis of documents and generate a profile on an automated basis. The data generated by this analysis enables pinpoint searching by the type of criteria relevant to lawyers leveraging work product, such as document or transaction type, governing laws, jurisdiction, substantive areas or even individual clauses.

For several years, leading firms have adopted stand-alone solutions to assist with work product retrieval. Systems employing sophisticated categorization engines that extract and generate legally relevant metadata about documents enable pinpoint searching with highly relevant results. Recently, some firms have begun utilizing this metadata in the DMS itself, solving the problem posed by inconsistent or absent profiling by users. Whether stand-alone or as integrated in the DMS, such metadata can alleviate one of the central problems in search and retrieval, a lack of information about the nature and character of the firm's work product.

Using KM Metadata in Other Systems

One lesson from the legal profession's experience with DMS is that there is great benefit in having detailed information about a firm's work product. Either through stand-alone solutions or integrated with the DMS, it has been shown that having metadata about work product enables more precise searching.

What about other systems in a firm? Many of them share a similar property with a DMS, in that much of the information upon which they function is user-supplied. Like the DMS, their functionality can be enhanced by what the firm's documents themselves say about the firm, as reflected in KM metadata. Consider the following:

Customer Relationship Management Systems. The firm's work product can add context to contacts held by the firm's lawyers by providing information about the kinds of projects and issues that arose in connection with certain contacts. Knowing that the firm defended an individual in a deposition is richer context, for example, than just knowing that the firm represented that individual's company in a litigation.

Experience Systems. Such systems typically contain summary information of a firm's experience to assist lawyers in locating expertise for consultation with colleagues, pitching business or staffing cases. Typically, this information is based upon attorney bios or case intake information, supplied by attorneys themselves or compiled by staff. This information is valuable, of course. However, the body of work product has far richer information about the firm's experience. For example, a case may be classified as having to do with trademark infringement in the intake system. However, throughout the life of the case, an issue arises about the appropriate jurisdiction or indispensable parties, which is heavily litigated. This course could not be predicted at the outset of the case and is valuable to know. This story is missing from the intake information; it emerges from the work product itself and resides in KM metadata.

Marketing Systems. In this context, the kind of precise information that resides in attorney work product would be extremely valuable in client pitches. Now that I'm on the client side and hire big law firms, I realize there is a big difference between a firm approaching us with brochures about their expertise in IP work and one saying "we did 44 transactions last year in your state where an emerging growth company licensed technology, including five involving the opposing counsel." This specific information speaks more directly to a prospective client than general expertise in the substantive space, and it is the kind of information easily obtainable through KM metadata.

Learn From What You've Done

A firm's accumulated work product paints a detailed picture of what the firm has done, where it has done it, for and against whom and in what context. Technologies that can

- decipher that work product reveal truths about the firm that can be useful in many ways. The benefits of using this metadata to supplement work product retrieval efforts is well-documented. However, there is a significant opportunity to leverage that investment in other systems in the firm. This has the benefit of both enhancing those systems and increasing the return on investment of the firm's KM efforts.

About our author :: :: ::

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