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## Knowledge management experts explore technology innovation and its challenges at ARK KM Legal 2021 conference

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A panel of legal industry thought leaders looked to Wolters Kluwer's *2021 Future Ready Lawyer Survey: Moving Beyond the Pandemic* survey as a jumping-off point to explore a number of challenges facing the legal industry at the recent [ARK Knowledge Management Legal 2021 conference](#). While the Wolters Kluwer report indicated that technology adoption has become a critical factor in law firms' competitive ability to streamline their processes and add efficiency to their work for clients, the clear consensus among panel members was that embracing technological innovation, in and of itself, is no panacea.

Consequently, the panel took a hard look at some of the unintended consequences associated with the rapid technological innovation that followed the pandemic's onset. These included the impact of tech fatigue, the burdens that unrelenting change caused for experienced by legal professionals brought on by unrelenting change, talent retention, and a consideration of the gains associated with technological innovation compared to corresponding pains.

The panel was moderated by the legendary [Jean O'Grady](#), who is well known in legal circles for her widely read [Dewey B Strategic](#) blog. Panelists included [Ken Crutchfield](#), Vice President & General Manager at Wolters Kluwer Legal & Regulatory, U.S., [Gina Lynch](#), Chief Knowledge and Innovation Officer at Paul, Weiss, Rifkind, Wharton & Garrison LLP, and [June Liebert](#), Director of Information Services at O'Melveny & Myers LLP.

Panel members generously shared their insights and recommendations in connection with the challenges associated with rapid technological innovation, and pointed to the role knowledge management ("KM") teams can play to help streamline and optimize the work done by legal professionals.

**Key findings from the *Future Ready Lawyer Survey*.** O'Grady started the panel by asking Ken Crutchfield about the [Wolter Kluwer's 2021 Future Ready Lawyer Survey](#) and its key findings. Crutchfield noted this was the survey's third year and that it canvassed 700 professionals in the U.S. and ten European countries, including law firms, corporate legal departments and business services firms. Crutchfield noted that survey findings revealed a number of gaps between corporate law departments and their outside counsel in connection with technological proficiency.

Specifically, Crutchfield noted that 77% of survey respondents expect that legal technology will continue to be of growing importance, while only 32% of respondents feel they are very prepared for these expected technological changes. Crutchfield also pointed to the survey finding that 91% of

corporate legal departments will ask law firms to describe how the technology they use helps them to be more productive and efficient, noting the corporate law departments increasingly want to know how their law firms do their work, not just what they do. Perhaps the most compelling finding Crutchfield shared was that 24% of corporate lawyers said they are very likely to switch firms in the coming year. This is up from just 13% from the 2020 report.

**Dealing with burnout.** O’Grady queried the panel whether there was a point at which lawyers experience tech burnout from too much new technology and how their firms were dealing with it. In response, panelists noted that technology, in some instances, has certainly led to greater stresses for associates. For instance, a lawyer working on an international transaction could often awake to 300 emails in their inbox in the morning calling for response. Moreover, in areas such as research, the number of tools available to lawyers is overwhelming.

To address these concerns, Lynch indicated that her firm has conducted extensive surveys of associates to determine how they perform their work and details surrounding their workday to ensure the firm can continue to support them. Lynch pointed to the firm’s KM professionals scrutinizing tech tools being considered by the firm to determine their strengths and weaknesses. The team will look to recommend the most appropriate tools available to perform the work involved based on the specific use cases at play.

Echoing some of Lynch’s observations, June Liebert from O’Melveny & Myers noted that the amount of change experienced over the past 18 months likely accelerated the sense of burnout among lawyers and other employees as well. She also observed that the lack of employee recognition could aggravate these negative impacts. In Liebert’s view, KM is well-positioned to assist lawyers by helping them wade through options by curating solutions, selecting tools that are easy to use, and removing barriers to use.

**Crisis creates opportunities.** O’Grady asked the panel how the pandemic has provided new opportunities for knowledge management professionals. Ken Crutchfield responded, noting that while the pandemic certainly advanced the move to embrace remote working technologies, it arguably made the need for KM systems more important. He observed that while getting people to follow a more consistent process remains crucial, it may be less about technology and more about ensuring processes are easy for people to follow and to contribute information into the KM systems. In Crutchfield’s view, the pandemic created the opportunity for people to have these important conversations. Crutchfield posited that perhaps this is a place where KM has an opportunity to assert some additional leadership towards forging more partnerships.

June Liebert pointed the KM group at her firm creating a curated, customizable “My Research” platform, which entails a digital bookshelf that provides popular treatises and other legal research tools housed on the firms’ intranet, and accessible by users with just one click. The firm also employs KM tools by keeping a close eye on statistics to better understand usage of the firm’s online tools and intranet site. In Liebert’s view, KM is well-positioned to remove countless barriers in the daily lives of lawyers.

Gina Lynch noted the role KM played in responding to RFPs during the pandemic, and observed that clients are paying closer attention to firm's KM capabilities. Lynch also pointed to a number of horizontal opportunities that were spurred by the pandemic. During this time, her firm experienced a sizable demand from clients for the firm's ESG portal, its diversity portal, KM advice, as well as document management services. According to Lynch, these additional services provided a huge value add to firm clients.

**Retaining talent.** With the “Great Resignation” in full force, and as law firms currently face an unprecedented talent crisis the result of high turnover, high mobility, virtual work, O’Grady asked the panelists how knowledge management departments can help mitigate the impact of this turnover. The panelists cited examples of associates staying up to 3 a.m. doing their own track changes and pondered what operational teams at law firms could do to provide assistance. She further noted that the KM departments could lead the effort to put together support teams to alleviate the burden in these situations. Lynch pointed to the proactive approach taken by her firm to establish an Associate Innovation Committee, which enables a cross-practice group forum to listen to associates’ concerns with regard to how the work gets done. She further observed, interestingly, that associates wanted to talk about ways to improve workflow far more than the capabilities of new technologies.

**Making sure the gain outweighs the pain.** O’Grady also queried the panel members on how new technologies are vetted to make sure the ratio of pain to gain makes sense. Panelists candidly observed that the volume of technology has resulted in some law firm personnel feeling overwhelmed and drowning. She also called for vendors to create ROI models which would explain the time or money saved in connection with adopting a particular technological innovation.

Gina Lynch also stressed that it is crucial to know what the actual need is, and to make sure you listen closely to employee needs. She also observed that a prospective technological solution will not pass muster with an associate if it doesn't fit seamlessly in their workflow. Likewise, June Leibert stated that the most important needs of users, is understanding the goals of the organization, and setting priorities accordingly. She also firmly believes in gathering usage stats and other data to get a holistic understanding of what the users need, what their challenges are, and whether a particular solution will meet those needs.

Ken Crutchfield provided further input by pointing to the importance of understanding of the nature of a particular problem before introducing a technology solution. In his view, projects typically go off the rails right at their beginning. Getting clear on the business problem a firm is looking to solve should also guide any technology review. Otherwise, the firm will be vetting technology for technology's sake, and that inures to no one's benefit in Crutchfield's view.

While technology isn't always a sliver bullet, the panelists were unanimous that adopting a mindful approach towards technological innovation in combination with continuous feedback from employees, and continuous process improvements yield the best results.

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The *2021 Future Ready Lawyer Survey: Moving Beyond the Pandemic* is available by clicking [here](#).