

Technology – is it getting easier?

Let me begin by explaining how I feel about technology.

Technology, in my view, is best used to do what is routine, repetitive and dull. In the absence of artificial intelligence capable of functioning as well as real intelligence, currently the preserve of humans, I think we should have the upper hand. Most of us still spend too much time doing what is routine, repetitive and dull. The aspiration of all professionals must surely be to spend their time well and profitably and so may rightly ask for technologies that genuinely allow us to do just that.

I also believe that the best technology is 'quiet' in that it does what it says on the tin without much thought or involvement from the operator. Mobile phones (though hardly quiet in the normal sense) are frightfully clever things and yet their essential purpose and benefit are experienced by the user with the minimum of thought or operation. Quiet technology makes life easier because it frees up time (the stuff of which we have each an allotted and all too limited span) that can be invested in more rewarding ways.

The byword of the decade so far must be 'easy' – "please, please", we intone, "make my life easier". Technology, in one timesaving, communicating, irradiating form or another, promises to make it all easier, giving us all more time, choice, and reward, in business and in our personal lives (assuming you can still distinguish the two). Is the technology we use at work really delivering a net benefit? If not, what can the next generation of collaborative software applications offer the ever-hopeful user?

Reality check

So where are we? We have more technology, more information, more paper and less time than ever before. In addition to all the PC applications we learned to love in the late 80's and early 90's we now have email, intranets and extranets along with an array of 'something'-management systems, and now, ladies and gentlemen, the all singing and dancing 'web front end'. Instead of reducing costs, technology has brought with it an army of IT specialists devoted to upgrading, developing, customizing, migrating and integrating an ever more delicate collage of systems, networks and applications to meet the special needs and preferences of individual, and fiercely individualistic, organizations. IT systems are always unique to the businesses that spawned them, and so are uniquely expensive and difficult to maintain.

Not a lot of people know this, but there is a new generation of technology, available today, that will deliver real time and cost savings.

Collaborative computing – the next generation

We are now entering a new world of collaborative computing. A world in which interactions between people can be encouraged, their ideas, opinions and innovations shared, utilized, treasured. In the world of professional services this means working alongside clients and other service firms on a much more intimate basis – 'shoulder to shoulder' rather than 'at arm's length'.

The constant need to transmit, copy, and share information with participants in any matter is an immense drain on resources and all too often the cause of delay, confusion and error. Removing these unnecessary constraints on effective collaboration within and between organizations is what these new collaborative tools are designed to achieve.

The essential technologies that make this all possible are the Internet; the ability to provide access to web based software applications hosted by specialist providers rather than on the users own systems (ASP); and collaborative working tools and practices. The management of knowledge, documents, processes, relationships and communications can now be rolled into one and accessed anywhere, anytime, '24/7/365'.

Sounds great, doesn't it! But where are the real benefits? In this article I will concentrate on those that offer obvious time and cost savings in the areas of records management, knowledge management and systems management.

Records management – the paperless office

Paper files are necessary but costly: they take up space, time, materials and human resources to produce, duplicate, store and transport. Further, the definitive 'master' file record for any matter can only be in one physical location at any one time. Though a worthy cause, the simple truth is that the vision of a paperless office will never be realized as long as paper is still relied on as a means of communication and record. The only way to overcome this is to offer an electronic alternative that achieves everything that a paper file does.

Our lives, and particularly our working lives, are necessarily conducted chronologically – time is the essential measure and discipline that allows us to order our activities and, most importantly, to collaborate with others. One crucial benefit that paper files provide, and that no IT system has until now been able to match, is the ability to view everything ‘on the file’ in chronological order. Only in this way is it possible to follow the course of events and relationships that make up the history of a matter.

The next generation of applications will provide a ready view of the chronology of events and activities in any matter, while deploying all the power of electronic data search and retrieval, in a dedicated virtual matter ‘room’. The filing, organizing and referencing of work product created and received, and all other information relevant to a matter, will be taken care of as you work – just think, nothing misplaced or misfiled, no longer the risk of being mistaken or misled as to the history or facts of a matter.

Removing or reducing routine administration and records maintenance means reduced overhead costs (reductions as high as 40% may be achievable) and better utilization of skilled resources. For service firms, these efficiencies offer greater profitability as well as faster and better service delivery; for clients they offer better internal resource allocation and better value for money from outside firms.

Knowledge Management – the challenge of relevance

Increasing knowledge utilization must be the prime objective of all knowledge management and having relevant knowledge readily to hand is the wish of every knowledge user. Many businesses invest significant resources in the creation of high-level knowledge assets – precedents, templates, reports, etc. The way to ensure maximum return on that investment is to achieve the greatest possible utilization. The new generation of applications will provide a structured context into which relevant high level knowledge assets may be delivered and shared with others.

The simple key to achieving relevance is to be able to establish a single electronic workspace where specific knowledge assets are likely to be needed. By defining the nature, purpose and scope of activities to be conducted in a workspace, and with the flexibility to adapt that definition as a matter evolves, relevant knowledge, forms, and process rules can be presented and accessed where and when they are required. This will increase knowledge utilization and observance of standards simply because it is made easier.

There is also a great deal of valuable knowledge and experience to be found in individual matter records that need not, and sometimes can not, be abstracted and transformed into high level knowledge assets. If all matters are conducted within defined workspaces, accommodated within a single platform, the result is a comprehensive and fully searchable cumulative record of all experience within the business. By searching this record, acquired knowledge can be identified and reviewed in its experiential and historical context. Precedents are valuable and an essential starting point, but there is still a great deal to be learned by having ready access to similar case scenarios that tell their own story from which we can readily pick out what is valuable.

Systems Management – working with standards

The new generation of IT systems will comprise complete enterprise solutions. They will be elegant, easy on the eye and easy to work with, unlike the hastily constructed Frankenstein solutions seen today. Functionality will be intrinsic, not integrated. They will provide all of the standard office applications, including practice management tools (time recording, billing, accounting) or the option to interface with existing in-house PMS systems. These systems will be entirely web based and may be hosted by individual organizations or by independent providers of specialist hosted services.

In his new book, *Transforming the Law*, Professor Susskind identifies (see pages 20/21) a problem that has already arisen among clients using a number of different firms each with their own extranets, ‘deal rooms’ and ‘case rooms’. Each one of these extranets is differently structured and operated, so that clients have to learn how each one works. Susskind anticipates demand for standard ‘second-generation’ systems that can provide a single platform for the conduct of all their dealings with their selected firms.

Given that every law firm and lawyer is engaged in the same business, with particular though common needs in certain practice areas, it is not too great a leap of imagination to accept that it will be both possible and desirable to establish standard systems, maintained by dedicated providers, accessible to firms and their clients alike. The issue will no longer be whether your vehicle has special features, gadgets or furry dice, but how you drive it.

Hosted enterprise systems will eventually obviate the need to retain current in-house IT resources to maintain networks, applications and data stores, bringing real head count reductions and related cost savings. The costs of developing and introducing new functionality and facilities will be borne by competing providers

instead of by individual firms. Service costs will be managed on a per user basis, so that IT costs are both predictable and adjust with your business as it expands or, heaven forbid, contracts.

Conclusion

Some lawyers have told me that technology is not important; I think what they meant was that they, and their intellectual abilities are what matters, not computer systems. The problem with this is that it assumes that they can not be replaced, that someone else, willing to use technology to facilitate communication and collaboration, will not be chosen in their place to provide service.

Regrettably perhaps, it is not quality that matters (quality should be a given) but the perception of quality. It is as important as ever to keep track of a client's expectations and to ensure that their experience of working with you matches the quality of the work you are doing. Like it or not, communications technologies and how we use them can make or break a client relationship.

Key in all of this, for me at least, is not just the cost and time efficiencies that can be achieved but also the ability better to conduct and secure the relationship with the client. I strongly believe that successful 'service relationship management' is what will ultimately determine whether any firm survives or thrives in the legal services market in the face of relentless competition.

I am confident that the new generation of collaborative systems can and will make life easier and contribute to the health, wealth and happiness of lawyers and legal practices that embrace them.

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