

The Changing Role of the Professional Support Lawyer

By Juliet Humphries



Published by:



In association with:

ManagingPARTNER

The Changing Role of the Professional Support Lawyer
is published by:

Ark Group, 266-276 Upper Richmond Road, Putney, London SW15 6TQ, UK

Tel: +44 (0)20 8785 2700
Fax: +44 (0)20 8785 9373
E-mail: info@ark-group.com
Web: www.ark-group.com

Managing editor

Vanessa Osborne
vosborne@ark-group.com

Production manager

Danielle Filardi
dfilardi@ark-group.com

Managing director Publishing

Jennifer Guy
jguy@ark-group.com

Editorial assistant

Stephanie Ramasamy
sramasamy@ark-group.com

Assistant production editor

Veronique Van Ham
vvanham@ark-group.com

Marketing manager

Adam Scrimshire
ascrimshire@ark-group.com

ISBN: 978-1-906355-17-3

Copyright

The copyright of all material appearing within this publication is reserved by Ark Conferences 2008. It may not be reproduced, duplicated or copied by any means without the prior written consent of the publisher.

The Changing Role of the Professional Support Lawyer

By Juliet Humphries

Contents

- Executive summary**..... V
- About the Author**VII
- Acknowledgements**IX

- Chapter 1: We are where we are** 1
 - Law firms as know-how businesses 1
 - The rise of know-how 2
 - First-generation PSLs 3
 - Business drivers for having a PSL..... 4

- Chapter 2: The second-generation PSL**..... 9
 - Internal knowledge activities 9
 - Development of new legal products 13
 - Strategic focus 13
 - IT..... 13
 - Management 14
 - So what should I do? 14

- Chapter 3: Influences impacting on the PSL role**..... 17
 - Internal influences 17
 - External influences 19
 - Responding to these influences 21

- Chapter 4: Assessing the PSL role** 23
 - The three fundamental questions..... 23
 - Is the PSL at the heart of the business? 26
 - A possible framework 26
 - Conducting a review of the PSL role..... 29
 - Emerging PSL roles 30
 - Legal specialist – ‘technical guru’ 31
 - Thought leadership 31
 - Knowledge brokers 31
 - Knowledge innovators 32
 - Business development PSL 32
 - Learning and development/training PSL 33
 - Job titles 33
 - Case study – Freshfields 34
 - Case study – Norton Rose 35
 - Case study – Addleshaw Goddard 38

| | |
|--|-----------|
| Chapter 5: Working with others | 43 |
| Key relationships for a PSL..... | 43 |
| Making the relationships work..... | 48 |
| Chapter 6: PSL roles outside of UK law firms | 51 |
| The in-house PSL | 51 |
| The publishers' PSL | 52 |
| The Irish perspective..... | 52 |
| Case study – A&L Goodbody..... | 52 |
| The European perspective..... | 55 |
| The US law firm perspective..... | 58 |
| Case study – Cleary Gottlieb Steen & Hamilton LLP..... | 60 |
| Chapter 7: Performance management and reward | 63 |
| Appraisal | 63 |
| Core competencies/skills | 63 |
| Training and development | 64 |
| Reward | 66 |
| Case study – Shoosmiths | 68 |
| Chapter 8: Career development | 73 |
| Why a career development framework?..... | 73 |
| Early career opportunities | 73 |
| Is there a glass ceiling? | 73 |
| Challenges posed by a career development framework | 74 |
| Specialist roles..... | 76 |
| Other benefits of having a career development framework..... | 76 |
| Case study – Berwin Leighton Paisner | 77 |
| Case study – Herbert Smith..... | 78 |
| Chapter 9: Managing change | 83 |
| Introduction | 83 |
| The lure of the 'devil we know' | 83 |
| The lessons of managing change..... | 83 |
| The elements and phases of change..... | 84 |
| Chapter 10: The PSL of the future | 93 |
| Access to the law | 93 |
| Standardisation/commoditisation | 94 |
| Measuring success in law firms | 95 |
| What might the third-generation PSL role look like?..... | 96 |
| Index | 99 |

Executive summary

THE PURPOSE of this report is to consider how the role of the professional support lawyer (PSL) has developed and continues to change, and to demonstrate the business benefit that the role can bring to a firm. While many firms accept the intrinsic need for the PSL role, there is disquiet in a number of them as to the value it is delivering and how far it is meeting business needs. This report should be of interest to those firms which already have a PSL or a PSL team as much as for those firms which are looking into the possibility of recruiting their first PSL. In each case, a firm needs to ask the same questions: what should our PSL(s) be doing to maximise their value to the business. And, if you are a PSL, hopefully this report will enable you to think about your own role and how you might want to develop it in the future.

The role of the PSL has existed for the best part of 20 years, and during that time the landscape for legal services has changed considerably. At the beginning of the 1990s there were perhaps a dozen lawyers in PSL roles in London only. By 2002 it was estimated that there were some 300–400 people in the PSL role¹ and they were increasingly not seen as the preserve of the large London law firms. At the present time, there are many more PSLs in firms across the UK and Europe and to a lesser extent the US. PSL roles have also emerged outside of the confines of law firms. With more PSLs being recruited each week, it is essential that the purpose of the PSL role is clearly articulated and the business benefits are well understood.

The PSL role has grown organically and it is only recently that firms have started to reflect on what aspects of the role are working well, those aspects that are not

and how changes in the legal landscape might be impacting on the traditional (or first-generation) PSL role. If the PSL role is here to stay, then firms need to ensure that they obtain the most from it, regardless of whether they have an existing PSL(s) or whether they are thinking about recruiting a PSL(s) for the first time. This report sets out a framework which will enable firms to consider how they need to position the role from their firm's perspective to maximise the value it delivers and ensure it meets business needs. The report also addresses issues that are important to PSLs such as performance management, career development, remuneration and – yes – job title.

Firms often look at changing structures but do not always consider the impact of embedding change and sticking to it; so this report highlights some of the things firms should consider before embarking on any change programme relating to the PSL role. The section on change management will also help PSLs to manage change that results from initiatives or projects that they are responsible for. As to the future, the report considers what a third-generation PSL role might look like.

This report offers practical insights and tips from both the author and a number of law firms by way of case studies.

Reference

1. Muris C., 'Professional development lawyer: where do we go from here?' *Practical Law Company*, 28 August 2002.

About the Author

JULIET HUMPHRIES is an experienced professional in knowledge and information management with 17 years' practical experience. Juliet set up Pierian Spring Consulting in October 2004 and works with clients to develop and exploit their knowledge capabilities to support their business objectives. Juliet has worked with a wide range of law firms and other professional service organisations to assist them in developing and implementing their knowledge strategies. She has also worked with a number of firms on the development of the PSL role including advising on and developing assessment and career development frameworks.

Prior to becoming a consultant, Juliet was director of knowledge at Linklaters with global responsibility for knowledge and information services. Juliet qualified and practised as a corporate lawyer and became one of the first professional support lawyers in London in 1990. She has a MBA in law-firm management.

Juliet has written and spoken extensively on topics relating to knowledge and information management and has been actively involved in a number of working parties and research initiatives. Juliet is currently chair of the Society for Computers and Law Knowledge Management Advisory Committee and is also on the editorial board of *KM Legal*.

Juliet can be contacted on 020 8994 9157 or at jhumphries@pierianspring.co.uk. For more information on Pierian Spring Consulting, visit <http://www.pierianspring.co.uk>

Acknowledgements

THIS REPORT would not have been possible without the assistance of the many people who have shaped my thinking on the role of the professional support lawyer over the last 20 years. However, a particular mention must be given to Steven Turnbull at Linklaters, who suggested I quit being a fee earner to become what he termed a 'know-how principal' (a forerunner to the PSL) in 1990 and my husband Michael, for ensuring that I had twins thus giving me an excuse to take on the role!

My thanks also goes to all the contributors to this report listed below, particularly Sally Woodward who contributed to Chapter 9. Their insights and case studies make for a much richer reading of this report than I could have achieved alone. Nevertheless any mistakes or misinterpretations are mine and mine alone.

Contributors

Claire Andrews, director of knowledge management, Cleary Gottlieb Steen & Hamilton LLP; Lucy Dillon, director of knowledge management, Berwin Leighton Paisner LLP; Fiona Evans, head of know-how, Norton Rose LLP; Alisa Fiddes, consultant PSL, Linklaters LLP; Mark Gould, head of knowledge management, Addleshaw Goddard LLP; Richard King, head of legal knowledge, Herbert Smith LLP; Fanny Lucheux, managing PSL, Linklaters LLP; Margi Melano, professional support officer, Linklaters LLP; Julia Randell-Khan, head of international KBD development, Freshfields Bruckhaus Deringer; Paula Reid, director of knowledge development, A&L Goodbody; Ian Rodwell, head of client know-how services, Linklaters LLP; Katja Ullrich, European knowledge consultant, Linklaters LLP; Susan Way, professional support lawyer, Shoosmiths; and Sally Woodward, consultant, Sherwood PSF Consulting.