

Technology Training: Myths and Facts

The discussion regarding required technology training for professional staff is long and distinguished. Due to the recent change in the ABA rules, and discussion around the “Legal Tech Audit,” firms are having a much overdue discussion: who do we train, what should they know, and how do we do it? I think this requires taking a good look at the practices that are currently being promoted and utilized.

As learners, business needs, technology and client needs change, your training strategy, style and methods **must** change too. To be fair, technology training has changed significantly since I joined the ranks of “legal trainers.” We offered long classes, taught too much, wrote long documentation and didn’t consider what the user needed to be productive. It was sort of the “one size fits all” training method and it didn’t work. Change came pretty quickly. Shorter classes were offered, e-Learning, firm universities, video conference, and webinars quickly became standards. Along with these good changes came some unfounded methodologies and unsupported “facts.” I challenge you to take a realistic view at some of the ill-advised options being promoted today and the consequences they have had and continue to have on the skill level of your users. User skill level directly impacts the income of your firm.

Myth: *Attorneys and law students prefer” presentational style training or video?* I heard this statement more times that I can count at a recent technology conference. It was offered up as fact without the statistics to support it! It has become a very popular sales pitch.

Fact: In a recent, informal survey, law school students admitted, after a long training class, that they didn’t have enough “hands-on” experience to adequately work in a legal document. They also felt the topics covered in their training session were too varied and they would have done better focusing on a shorter list of topics. In general, their comments were very positive about learning to use technology efficiently. 14 out of 17 admitted that there are some areas in which they can improve that will help them as students and as practicing attorneys. Passively watching or listening to technology training is boring and has no lasting impact on skill level. Be “a user” for a day, and confirm that for yourself.

Myth: *Attorneys don’t need to come to training. Everyone uses personal technology and knows how to use a computer.* While most employees DO have personal technology and use it frequently, this is not the same as the expected business use of technology and we would never go so far as to make this same statement about support staff. It simply isn’t true! There is a bigger objective now that the ABA acknowledges that technology is part of professional conduct. If you need support for your suggestions on training legal staff, keep reading!

Fact: Andrew Perlman, Director of the Institute on Law Practice Technology and Innovation, and Director of Legal Technology and Innovation Concentration at Suffolk law school spoke at ILTA 2014 with regard to the new ABA Rules. “The ABA Model Rules of Professional Conduct were recently amended to emphasize that competent lawyers must keep abreast of the benefits and risks associated with relevant technology. This is the first time that the word ‘technology’ has ever appeared in the Rules, and it is a

wakeup call for many lawyers about the important role that technology plays in law practice today.”

Myth: *Technology training is only for support staff and is a waste of billable hours for professional staff.*

Fact: While I have seen others try to make the argument that the monetary impact of inadequately trained users is a myth made up by training vendors and sellers of learning materials, it is absolutely true that inadequately trained users cost a company money every single day. The impact may be different and longer lasting depending on the industry and the user’s role in the company.

EXAMPLE: The creation of a partnership agreement has a flat billing rate of \$5000.00. The firm has taken into account the internal costs of a fee earner (up to 2 hours for a billing rate of \$350.00 per hour, 1 hour of paralegal time at \$75.00 per hour, and 1 hour of Word Processing time to create the appropriate copies and finalize the document. This fee also includes any supplies such as paper, ink, envelopes, etc. For arguments sake, we will allow up to \$1000.00 of the flat rate to apply to costs incurred by the firm. The remaining \$4000 is profit...or that was the plan anyway.

In reality, there are a whole host of real document development issues that the firm didn’t take into account when it considered how to calculate the flat fee:

- ∅ The fee earner responsible for creating the new version of the document doesn’t know how to search the Document Management System or create a copy with the new profile for the current Client and Matter.
- ∅ The staff doing research and inserting text from the internet doesn’t know how to use a simple feature called “Paste Special” so that they don’t corrupt the document.
- ∅ The fee earner that likes to type their own text didn’t know that they could have just applied Heading 1 and Heading 2 to automatically number the paragraphs they inserted. It would have saved them many hours of editing time to either know how to do this or have a plan to give it to someone that DOES know how.
- ∅ The client that calls to point out that you left another client’s name in “their” document because someone in your firm doesn’t know how to use Find/Replace.
- ∅ The page numbers are wrong in the Table of Contents because they didn’t know you could update it with the click of a button!
- ∅ This flat rate billing has now cost the firm money and credibility.

Myth: *One document or one bad document won’t impact the firm.*

Fact: The bad news is, that poorly formatted document that already cost you money, will continue to cost you the next time someone else copies that document and uses it. That document and the actions of those users are real and will continue to cost the firm money until someone deals with the real problem: inadequately trained users. You should also calculate how MANY documents these users touched in a day? How many documents have ended up costing the firm money because of poorly trained users?

SOLUTION:

Find out where your users are now. Yes, we know the word Assessment or Audit is scary; but, seriously, this is how we confirm retention of knowledge throughout our lives. How do you know where to start if you don't know what the problems are?

Stop using excuses. My favorite: "We can't do that at our firm."

Find out WHAT they actually do during the day. Map out the skills and workflow they need. Talk to them!

Start with the basics and use GOOD materials. Honestly, if YOU can't create a pivot table after watching an hour long video, why would you expect your users to be able to do this?

Ask for help. TutorPro and Keno Kozie are happy to assist you. This isn't as unsurmountable as it seems.

FINALLY, stop talking about it and do something about it!

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