REFERENCES


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1pm/magazine/998lauritsen.html.


LIST OF APPENDICES

APPENDIX 1: Glossary of terms used in the study

Best Practice: Those practices that have produced outstanding results in one situation that could be adapted for other situations.

Brief bank: Collection of summaries of the facts and points of law of a legal case, drawn up by an attorney

Data: It is a set of discrete raw numbers and facts and unstructured records of transaction about events in an organisation

Explicit knowledge: One of the two types of knowledge which was most notable espoused by Polanyi (1966). It is knowledge that is formal easily codified and conveyed to others. It is available in the form of books, documents, white papers and policy manuals

Extranet: It is part of the firms’ intranet accessible also to outsiders such as clients and opposing counsel at every stage of a legal matter. It makes it possible for the firm to share and exchange information with clients thus reducing the cost of travel office supplies and telephone

Information Communication Technology: It is the building blocks of the networked world. Information communication technologies include telecommunication technologies such as telephone, cable, satellite, and radio, as well as digital technologies such as computers, information networks and software. Information communication technologies is used in this study to mean the use of computing and electronic machines and programmes (hardware and software) and the use of knowledge management systems for processing, storage, transfer, retrieval, analysis and presentation of information

Information: It is a message, usually in the form of a document or an audible or visible communication meant to change the way the receiver perceives something, which has an impact on his judgment and behaviour. It is data that makes a difference

Intranet: An intranet is an internal internet that links all computer systems within the firm. It is a private network accessible only to members of a firm.

Knowledge audit: It is assessment of an organisations current achievement in knowledge management

Knowledge concierge: An individual who keeps track of the lawyer working on a particular issue

Knowledge management initiatives: An integration of technologies and techniques
Knowledge management systems: These are tools in the organisation that manages and facilitates the leveraging of knowledge

Knowledge management: This is the name given to the set of systematic and disciplined actions that an organisation can take to obtain the greatest value from the knowledge available to it. It involves leveraging the creation, sharing, organisation, dissemination and reuse of knowledge contained within the documents and the human mind. It can also be refereed to as conscious strategy of getting the right knowledge to the right people at the right time and helping people share and put information into action in ways that strive to improve organisational performance

Knowledge map: This process that provides an organisation with the specific knowledge it requires supporting a business process.

Knowledge repository: It is a central location (database system or network location) were legal work product is aggregated, organised and maintained, It may include indexing coding and other meta data on legal products

Knowledge: This is the integration of ideas, experience, intuition, skill, and lessons learned that has the potential to create value for a business, its employees, its products and services, its customers and ultimately its shareholders by informing decisions and

Law firm: A law firm is a partnership or any other business that is not a company formed by one or more lawyers to engage in the practice of law and the effective and efficient creation and delivery of legal services to clients

Law librarians: These are information professionals with good understanding of legal knowledge who are professionally trained to assist legal researchers in various legal settings such as law school, libraries, law firms, companies and courts

Tacit Knowledge: One of the two types of knowledge espoused by Polanyi (1966). It is base on experiences, hunches, instincts, and personal insights and it is distinct form formal knowledge

Work product: This is the content of work that has already been done by the lawyers. These include trial and appellate briefs, legal memoranda, pleadings, depositions, form templates, transactional documents such as contract, spreadsheet, purchase agreements, letters, emails attachments and any written compilation, commutation of the product of the lawyers work

Yellow Pages: This is a central inventory of employee’s skills competencies and experience and contact information. They are also refereed to as expertise locators
APPENDIX 2: Research questionnaire

Questionnaire to determine the strategy of knowledge management in the law firms in Botswana

Dear sir / Madam,

I am conducting a research study on the strategy for knowledge management in law firms in Botswana in partial fulfilment of my doctoral degree at the University of Pretoria, South Africa. Attached is a questionnaire to gather data regarding your response. I am kindly requesting you to answer the questionnaire that has been composed for this study. The outcome of this research would be beneficial to law firms in several ways:

- It would provide valuable insight into the knowledge management pattern in law firms in Botswana;
- Determine how knowledge management can be effectively implemented in law firms in Botswana;
- Establish the strategies for successful knowledge management in law firms in Botswana and;
- Make suggestions and recommendations on how to enhance the strategy for knowledge management in law firms in Botswana.

I will be very grateful if you can respond within the next two weeks. For those with mailed questionnaires, please kindly return the completed questionnaire in the self-addressed envelope. The information that you will supply will be used strictly for the purpose of the study and for nothing else. Your confidentiality will be respected, hence you do not have to write your name or give any information that will reveal your identity. Should you wish to read a summary of the final report, copies will be made available to you.

Thank you for your time.
NOTA BENE: The following are some of the abbreviations and meanings of the words used in the questionnaire.

**Knowledge management** - This is the name given to the set of systematic and disciplined actions that an organisation can take to obtain the greatest value from the knowledge available to it. It involves leveraging the creation, sharing, organisation, dissemination and reuse of knowledge contained within the documents and the human mind. It can also be refereed to as conscious strategy of getting the right knowledge to the right people at the right time and helping people share and put information into action in ways that strive to improve organisational performance.

**Information communication technology (ICTs)** - Computing and electronic machines and programmes (hardware and software) for processing, storage, transfer, retrieval, analysis and presentation of information. It includes such facilities as computers, e-mail /internet, extranet, intranet, and Local area network.

**Analytical knowledge** – This is knowledge that results from analysing the substantive principles of the law.

**Intranet** - Private network accessible only to members of the firm.

**Extranet** - Part of a firms’ intranet accessible to outsiders.

**Yellow pages** - An internal expert skill directory with the CV and phone numbers of the experts.

**Knowledge concierge** - An individual who keeps track of the lawyer working on a particular issue.
Part 1. Personal profile

1. What is your level of education? (Please tick or circle the most appropriate box or answer)
   a) Bachelors in law  
   b) Masters in law  
   c) Doctorate in law  
   d) Other professional qualifications, please specify

2. How long have you practised as a lawyer?

Part 2. Organisational characteristics of the firm

3. How many lawyers are there in your firm?

4. What do you consider as the most strategic resource in your firm? (Please tick or circle the most appropriate box or answer)
   a) Land  
   b) Labor  
   c) Capital  
   d) Knowledge  
   e) Others, please specify

5. Please tick Yes or No in the box that best suits your response

<table>
<thead>
<tr>
<th>Question</th>
<th>2 Yes</th>
<th>1 No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does your firm have a formal knowledge management programme in place</td>
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<tr>
<td>If no, do you plan to introduce it?</td>
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<tr>
<td>If your answer is in the affirmative, does your firm have a knowledge officer or any person in similar position specifically dedicated to gathering, distributing or leveraging the firm’s knowledge?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Does your firm have a written knowledge management policy?</td>
<td></td>
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<tr>
<td>Does the knowledge management programme in your firm have a dedicated budget?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

6. If your firm has knowledge management please indicate who is responsible for knowledge management in your firm?
   a) The executive management team  
   b) Knowledge management unit  
   c) Information technology department  
   d) Law librarian  
   e) Knowledge officer  
   f) Human resource management  
   g) Others please specify
### Part 3. Knowledge management practices

7. **On the basis of the experience at working with your law firm, indicate in the appropriate column how frequently each of the following types of knowledge is used in your firm**

<table>
<thead>
<tr>
<th>Knowledge Type</th>
<th>1 Very Frequently</th>
<th>2 Frequently</th>
<th>3 Not at all</th>
<th>4 Not Frequently</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skill and expertise of lawyers and staff</td>
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<tr>
<td>Lessons learned from past projects</td>
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<tr>
<td>Analytical knowledge</td>
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<tr>
<td>Tips on drafting</td>
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<tr>
<td>Procedural knowledge</td>
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<tr>
<td>Conversation by the hallways</td>
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<tr>
<td>Knowledge of the law</td>
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<tr>
<td>Expert opinion</td>
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<tr>
<td>Legal text</td>
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<tr>
<td>Legislation and case law</td>
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<tr>
<td>Standard documents</td>
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<tr>
<td>Knowledge from judges</td>
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<tr>
<td>Court decisions</td>
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<tr>
<td>Financial information</td>
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<td>Marketing information</td>
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<td>Client information</td>
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</tbody>
</table>

**Please specify other types of knowledge that exist in your firm**

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8. Based on a five point pre-coded scale described as: strongly agree = 1, agree = 2, neutral = 3, disagree = 4, and strongly disagree = 5 Please tick the category of the column that best describes your degree of agreement or disagreement. The following factors would motivate my firm to implement or increase its knowledge management practices:

<table>
<thead>
<tr>
<th>Factor</th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
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</thead>
<tbody>
<tr>
<td>Advances in information communication technologies</td>
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<td>The shift from paper-based to electronic sources of information</td>
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<td>The internet</td>
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<td>Electronic publishing</td>
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<td>Globalisation of legal services</td>
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<td>Competition amongst firms</td>
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<td>Pressure from clients</td>
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<td>Information overload</td>
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<td>Loss of key personnel and their knowledge</td>
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<td>The use of knowledge management tools and practices by other competitors</td>
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<td>An increase in the mobility of lawyers</td>
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<td>The need to identify and protect strategic knowledge in the firm</td>
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<td>The desire to promote professional satisfaction</td>
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<td>The desire to support and encourage a learning culture</td>
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<td>The desire to promote team work</td>
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<tr>
<td>The desire to meet the information and knowledge needs of the lawyer</td>
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<td>Pressure from other professional service firms</td>
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</table>

What are some other factors that would motivate your firm to implement or increase its knowledge management practices?

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_______________________________________________________________________
9. Please indicate “Yes” or “No” by the side boxes provided as to whether the different information communication technologies used in your firm

<table>
<thead>
<tr>
<th></th>
<th>2 YES</th>
<th>1 NO</th>
<th>2 YES</th>
<th>1 NO</th>
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</thead>
<tbody>
<tr>
<td>1. Telephones</td>
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<td>2. Computers</td>
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<td>3. Personal networked computers</td>
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<td>4. Intranet</td>
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<td>5. Extranet</td>
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<td>6. Internet</td>
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<td>7. Emails</td>
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<td>8. Video and text-based conferencing technology</td>
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<tr>
<td>9. Lotus Notes</td>
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<td>10. Electronic Bulletin boards</td>
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<tr>
<td>11. Legal information systems</td>
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<tr>
<td>12. Document management systems</td>
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<td>13. Practice management systems</td>
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<tr>
<td>14. Case management systems</td>
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<td>15. Enterprise information portals (EIP)</td>
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<td>16. Calendaring, group scheduling and task list software</td>
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<td>17. Artificial intelligence systems</td>
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<td>18. Expert systems</td>
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<td>19. Content management systems</td>
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<td>20. Publishing systems</td>
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<tr>
<td>21. Data base tools</td>
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<td>22. Record management systems</td>
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<tr>
<td>23. Indexing tools</td>
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<tr>
<td>24. World Wide Web</td>
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<tr>
<td>25. Case map</td>
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<tr>
<td>26. Automated billing document assembly system</td>
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</tbody>
</table>

Please specify other types of information communication technologies available in your firm

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________
10. The following are some of the ways in which information communication technologies are used for knowledge management in my firm (please tick the category of the column that best describes your degree of agreement or disagreement)

<table>
<thead>
<tr>
<th></th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawyers subscribe to online forums, Intranet news groups or email distribution lists</td>
<td></td>
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<tr>
<td>My firm uses communicative tools and technologies such as Lotus Notes to support the knowledge transfer process and to encourage the sharing of ideas and projects</td>
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<tr>
<td>My firm uses the Internet/Intranet, Extranet and World Wide Web, for gathering knowledge so that it can be used through out the firm</td>
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<tr>
<td>My firm uses legal information systems such as Lexis/Nexis, Butterworth’s, Justastat, Westlaw, and Thomas and Dialog to facilitate legal research</td>
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<tr>
<td>My firm uses “Yellow Pages” containing CVs, competency profiles, and research interest of experts</td>
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<tr>
<td>My firm has knowledge maps that act as electronic intermediaries connecting knowledge seekers to knowledgeable people.</td>
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<tr>
<td>My firm uses document and content management systems in managing the content of knowledge</td>
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<tr>
<td>My firm uses indexing tools to organise and cross-reference material by subject and practice area</td>
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<tr>
<td>My firm has an expert system that captures the knowledge of experts</td>
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<tr>
<td>My firm uses artificial intelligence to support advanced information searching and retrieval</td>
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</tr>
</tbody>
</table>

Please indicate other ways by which technologies are used for knowledge management in your firm

_____________________________________________________________________
_____________________________________________________________________
11. Please indicate yes or no as to whether the different techniques of knowledge management that are applicable in your firm by the side boxes provided

<table>
<thead>
<tr>
<th>Technique</th>
<th>2 Yes</th>
<th>1 No</th>
<th>2 Yes</th>
<th>1 No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Precedents</td>
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<tr>
<td>2. Work product repositories</td>
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<tr>
<td>3. Professional development programmes</td>
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<td>4. Brief banks</td>
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<tr>
<td>5. Legal research</td>
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<tr>
<td>6. Hiring and training young lawyers</td>
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<tr>
<td>7. Best practices</td>
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<tr>
<td>8. Record management</td>
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<td>9. An excellent staffed knowledge centre</td>
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<tr>
<td>10. Presentations</td>
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<td>11. Internal publications</td>
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<td>12. Know-how index</td>
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<td>13. Office directory and office news letters</td>
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<td>14. Client information and matter</td>
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<tr>
<td>15. Know-how systems and info-banks</td>
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<tr>
<td>16. Yellow pages</td>
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<td>17. Meeting of lawyers with a common interest</td>
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<tr>
<td>18. Litigation strategy</td>
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<td>19. Client relation management</td>
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<tr>
<td>20. Conflict checking,</td>
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<tr>
<td>22. Regular in-house seminars</td>
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<td>23. The discussion of major projects with other lawyers after conclusion</td>
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<td>24. Weekly learning report</td>
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<tr>
<td>25. Skills and expertise locator</td>
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</table>

Please specify other techniques of knowledge management practised in your firm

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Questions 12-19 are based on a five point pre-coded scale described as: strongly agree = 1, agree = 2, neutral = 3, disagree = 4, and strongly disagree = 5

Please tick the category of the column that best describes your degree of agreement or disagreement with the different knowledge management practices

12. Knowledge is created in my firm in the following ways

<table>
<thead>
<tr>
<th></th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capturing and using knowledge obtained from clients, competitors and suppliers</td>
<td></td>
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<tr>
<td>Capturing knowledge from research institutions and Universities</td>
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<tr>
<td>Encouraging lawyers to participate in project teams with other experts</td>
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<tr>
<td>Accessing knowledge from the internet</td>
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<tr>
<td>Attending conferences</td>
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<tr>
<td>Attending workshops</td>
<td></td>
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<tr>
<td>Writing internal reports</td>
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<tr>
<td>Accessing legal databases</td>
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</table>

Please indicate other ways by which you create knowledge in your firm

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_______________________________________________________________________
13. The knowledge transfer process in my firm occurs in the following ways

<table>
<thead>
<tr>
<th>Way of Knowledge Transfer</th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Through team work</td>
<td></td>
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<tr>
<td>Through discussions of major projects after conclusion (debriefing)</td>
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<tr>
<td>Informal social networking of lawyers to exchange views</td>
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<tr>
<td>Organising formal meetings</td>
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<tr>
<td>The intranet</td>
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<tr>
<td>Alliances with professional associations</td>
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</tbody>
</table>

Please indicate other ways of knowledge transfer in your firm

________________________________________________________________________________________
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14. With regard to knowledge sharing in my firm, I feel that

<table>
<thead>
<tr>
<th>Knowledge Sharing Feature</th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>We have a knowledge sharing culture in the firm</td>
<td></td>
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<tr>
<td>My firm conducts events and provides time in which ideas and experiences may be shared</td>
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<tr>
<td>Colleagues from different areas or offices assist one another on a need basis</td>
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<tr>
<td>I have time to chat informally with other colleagues</td>
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<tr>
<td>The firm’s lay out and organisational design is conducive for discussing with colleagues</td>
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<tr>
<td>My firm uses intranet sites to share knowledge</td>
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<tr>
<td>My firm provides opportunities for regular meetings</td>
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<tr>
<td>My firm provides opportunities for formal and informal social networking of lawyers</td>
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</tbody>
</table>
Please indicate other ways of knowledge sharing in your firm

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15. The following are some of the tutoring and mentoring opportunities in my firm

<table>
<thead>
<tr>
<th></th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
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</thead>
<tbody>
<tr>
<td>Encouraging employees to continue their education</td>
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<tr>
<td>Encouraging partners to train associates</td>
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<tr>
<td>Providing professional development programmes</td>
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<tr>
<td>Hiring and training of young lawyers</td>
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</table>

Please indicate other ways of tutoring and mentoring in your firm

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16. The following are some of the factors that promote knowledge management in my firm

<table>
<thead>
<tr>
<th></th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is monetary and non-monetary rewards for sharing knowledge</td>
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<tr>
<td>Promotions are based on the ability to share knowledge</td>
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<tr>
<td>There is special recognition of staff for the time spent in knowledge creation sharing and distribution</td>
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<tr>
<td>Mutual respect, trust, care and concern amongst individuals</td>
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</tbody>
</table>
Please indicate other factors that may influence knowledge management in your firm

17. I think that the effective implementation of knowledge management would

<table>
<thead>
<tr>
<th></th>
<th>1 Strongly agree</th>
<th>2 Agree</th>
<th>3 Neutral</th>
<th>4 Disagree</th>
<th>5 Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve knowledge sharing</td>
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<tr>
<td>Improve lawyers efficiency and productivity</td>
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<tr>
<td>Improve lawyers’ relationship viz-a-viz clients and customers</td>
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<tr>
<td>Prevent duplication in research</td>
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<tr>
<td>Increase flexibility amongst lawyers</td>
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<tr>
<td>Protect the firm’s loss of knowledge</td>
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<tr>
<td>Result in competitive advantage</td>
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<tr>
<td>Integrate knowledge within the firm</td>
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<tr>
<td>Improve retention rate of lawyers in the firm</td>
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<tr>
<td>Improve the sharing and transfer of knowledge with partners and strategic alliances</td>
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<tr>
<td>Enhance economic profitability</td>
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</table>

Please indicate other perceived benefits of knowledge management in your firm

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18. The factors that inhibit knowledge management in my firm are

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_______________________________________________________________________
### List of Appendices

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
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<th>5</th>
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</thead>
<tbody>
<tr>
<td>Strongly agree</td>
<td>Agree</td>
<td>Neutral</td>
<td>Disagree</td>
<td>Strongly disagree</td>
</tr>
</tbody>
</table>

1. Lawyers’ view of knowledge as a source of power
2. Internal competition amongst lawyers
3. The perception that knowledge management is an additional workload
4. The feeling that it puts pressure on billable hours
5. The feeling that the firm size is too small
6. Limited financial resources
7. Inadequate technological infrastructure
8. The inability of the firm’s leadership to enforce knowledge management
9. Other reasons, please indicate

### Part Four: The role of other institutions and agents in the creation, sharing and capturing of knowledge in law firms.

19. The following agents or institutions are responsible for the creation, sharing and transfer of knowledge in my firm

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly agree</td>
<td>Agree</td>
<td>Neutral</td>
<td>Disagree</td>
<td>Strongly disagree</td>
</tr>
</tbody>
</table>

1. Legal secretaries
2. Law librarians
3. The Courts
4. Legal academics at the Law Faculty
5. Law Society
6. Professional Associations

Which other agents and institutions assist in the creation, sharing and transfer of knowledge in your firm?

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________
20. In what ways does each of the above agents assist in the creation, transfer and sharing of Knowledge in your firm?

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________

Once more, I really appreciate your effort and time
APPENDIX 3: Interview guide to lawyers on strategies of knowledge management in law firms

Purpose of the Interview

Dear sir / Madam,

The objective of this interview is to further investigate the preliminary findings of my thesis on the strategy for knowledge management in law firms in Botswana. As already indicated in the research questionnaire, the outcome of this research would be beneficial to law firms in several ways.

Consent

Please note that your confidentiality is guaranteed. Your participation is entirely voluntary. You may answer or choose not to answer a particular question as you wish and you may end the session at any point. Your participation and information provided will be strictly confidential and your identity will be separated from your answers so that it will not be attributed to you.

Please indicate whether or not you wish to continue to participate Yes ☐ No ☐
### Summary of results of semi structured interview and the “other” category from lawyers in law firms in Botswana

<table>
<thead>
<tr>
<th>Section 1: Personal profile and organisational characteristic of the firm</th>
<th>Questions</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>What is your level of education?</td>
<td><strong>Level of education</strong> Bachelors of law, Masters in Law, <strong>other professional qualifications</strong> conveyancer, post gradate diploma in International law, Masters in sports executive management</td>
</tr>
<tr>
<td></td>
<td>What other qualifications do you have?</td>
<td><strong>Positions in the firm</strong> professional assistants, sole proprietors, partners</td>
</tr>
<tr>
<td></td>
<td>What position do you have in the firm?</td>
<td><strong>Other People in the law firm</strong> partners, professional assistants, legal secretaries, clerical support staff, secretaries, information system staff, marketing staff, and accountants</td>
</tr>
<tr>
<td></td>
<td>What is the most strategic resource in your firm?</td>
<td><strong>Resources</strong> Knowledge, time, clients, and client base</td>
</tr>
<tr>
<td>Section 2: The changing legal environment</td>
<td>May you indicate some of the changes that you have been experiencing in the legal environment from when you started practising until present?</td>
<td><strong>Changes</strong> Constant splitting up from firms to start off as sole proprietors or to form a partnership, the desire to attract new clientele, desire to network with other lawyers, desire to standardise knowledge, competition</td>
</tr>
<tr>
<td></td>
<td>What are some the factors that have brought about these changes?</td>
<td><strong>Factors of change</strong> internet, computers, observation, networking with other lawyer, competition for clients</td>
</tr>
<tr>
<td></td>
<td>What are the consequences of these changes to your law firm?</td>
<td><strong>Consequences</strong> bearing on profits, lawyers are migrating from firm to firm, competition, increase use if information technology</td>
</tr>
<tr>
<td>Section 3: Information communication technologies (ICT) and knowledge management in law firms in Botswana</td>
<td>What are some of the information communication technologies used in your firm</td>
<td><strong>ICT</strong> Telephone personal computers, internet Intranet email, law plan and quick books for accounts, document management systems, record management systems, telephone management systems, legal information systems</td>
</tr>
<tr>
<td></td>
<td>How is ICT use for knowledge management in your firm</td>
<td><strong>ICT usage for Knowledge management</strong> firm accounts, file management, legal research</td>
</tr>
<tr>
<td></td>
<td>What are the types of knowledge in your firm</td>
<td><strong>Knowledge in the firm</strong> lawyers knowledge, print text, manuals, statutes, law report, case briefs, the general knowledge of the firm and its workers, the general attitude of the workers and clients and internet sourced knowledge</td>
</tr>
<tr>
<td></td>
<td>What do you understand by knowledge management?</td>
<td><strong>Meaning of knowledge management</strong> File management, information management, document management, how lawyers store information they receive and how they protect information, knowledge management is about trade secrets, it is how law firms use information for strategic management, it is clients affair</td>
</tr>
<tr>
<td></td>
<td>Have your firm adopted knowledge management as one of its initiatives, if so why?</td>
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<tr>
<td>Questions</td>
<td>Findings</td>
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<td>(continued from previous page)</td>
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<tr>
<td><strong>Section 3:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information communication technologies (ICT) and knowledge management</td>
<td><strong>Knowledge management adoption</strong> not quite sure, no, manages information</td>
<td></td>
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<tr>
<td>in law firms in Botswana</td>
<td><strong>Knowledge management responsibility</strong> not sure, the managing partner is responsible for the overall decisions of the firm so he may have to decide on knowledge management</td>
<td></td>
</tr>
<tr>
<td>Who is responsible for knowledge management</td>
<td><strong>Tools and techniques</strong> precedents, personal information banked by each attorney research from University of Botswana library for electronic resources, access of Law Reports on CD, online Law Report and Judgments such as the Canadian Supreme Court Judgment and the Australian Court Judgments</td>
<td></td>
</tr>
<tr>
<td>What are some of the tools and techniques of knowledge management in your</td>
<td></td>
<td></td>
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<tr>
<td>firm?</td>
<td>Benefits General and overall efficiency, improvement of quality of output and improvement in the quality of the clients, networking with other lawyers, net working with other lawyers within and without the country, improve overall efficiency</td>
<td></td>
</tr>
<tr>
<td>What are some of the benefit of knowledge management that you have observed</td>
<td></td>
<td></td>
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<tr>
<td>in your firm?</td>
<td></td>
<td></td>
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<tr>
<td><strong>Section 4:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>How knowledge management manifested in law firms in Botswana</td>
<td><strong>Knowledge creation</strong> informal queries directed at external attorneys, reasoned judgments by the judges, subscription to law journals and judgments from the High court brainstorming, attending seminars and workshops and consultation with legal academics or legal consultants</td>
<td></td>
</tr>
<tr>
<td>How is knowledge created in your firm</td>
<td><strong>Knowledge transfer</strong> Availing materials for other attorneys by fax, instructions given verbally by partners to staff and to junior attorney with clear explanation as to why it is vital to carry out such instructions, informal consultation and discussions with other lawyers, discussion with international firms affiliated with local firms and Law Society</td>
<td></td>
</tr>
<tr>
<td>How is knowledge transferred</td>
<td><strong>Knowledge sharing</strong> there is lot of individualism in law firms; practitioners are willing to help fellow attorneys who are friends only in the basic principles of the law, face to face discussions, informal chatting at the boardroom, meetings every Tuesdays in the boardroom for debriefing</td>
<td></td>
</tr>
<tr>
<td>How is knowledge shared in your firm</td>
<td><strong>Tutoring and mentoring</strong> some firms boast and pride in mentoring, pupils, other firms are not interested in mentoring, some expect you to be a lawyer on the very first day in the firm, law firms do not provide opportunities for further education, some firms feel a law degree is enough</td>
<td></td>
</tr>
<tr>
<td>Do you encourage tutoring and mentoring in your firm?</td>
<td><strong>Rewards</strong> No reward for sharing knowledge methods of reward include income from time billing, contract basis, department base, revenue generated, meeting targets</td>
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<tr>
<td>Are there rewards and other incentives for sharing knowledge in your firm</td>
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</table>
### Section 5: Investigating the enablers and barriers to knowledge management in the law firms in Botswana

<table>
<thead>
<tr>
<th>Questions</th>
<th>Findings</th>
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</thead>
<tbody>
<tr>
<td>What are some of the factors that are instrumental to knowledge management in your firm?</td>
<td>Knowledge management motivators technology, management influence, size of the firm, size of the firm, observation from other firms</td>
</tr>
<tr>
<td>What do you think are the major barriers for sharing knowledge in your firm?</td>
<td>Barriers lack of initiative or perception of the value of knowledge management to the lawyer, the leadership do not take any initiatives on knowledge management nor do they seem to appreciate the benefit of knowledge management, clients do not appreciate knowledge management, work pressure and the pressure of meeting targets are major barriers to knowledge management.</td>
</tr>
</tbody>
</table>

### Section 6: The role of other agents and institutions in facilitating knowledge management initiatives in law firms in Botswana

<table>
<thead>
<tr>
<th>Questions</th>
<th>Findings</th>
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</thead>
<tbody>
<tr>
<td>What are the different agents and institutions that may assist in facilitating knowledge management your firm?</td>
<td>Agents and institutions professional assistants, legal consultants, professional bookshops, Information technology consultants, Land tribunal and other quasi judicial bodies like labour arbitrator, International firms affiliated with local firms and Publishers</td>
</tr>
<tr>
<td>How does these agent and institutions assist you in knowledge management?</td>
<td>Role Secretaries manage the files and provide first contact with clients; Law Society organises meetings, regulate activities, link law firms with professional bodies; Courts provide latest judgments on the basis of on subscription; Legal academics conduct legal research and write books, articles and provide legal opinion, members in professional associations exchange and share ideas</td>
</tr>
</tbody>
</table>
APPENDIX 4: Interview guide to stake holders of knowledge management in law firms

Purpose of the Interview

Dear sir / Madam,

I am conducting a research study on the strategy for knowledge management in law firms in Botswana in partial fulfilment of my doctoral degree at the University of Pretoria, South Africa. A separate questionnaire has already been sent to all lawyers at the law firm I am seeking your assistance in examining your role and value in knowledge management in law firms. The outcome of this research would be beneficial to law firms in several ways:

- It would provide valuable insight into the knowledge management pattern in law firms in Botswana;
- Determine how knowledge management can be effectively implemented in law firms in Botswana;
- Establish the strategies for successful knowledge management in law firms in Botswana and;
- Make suggestions and recommendations on how to enhance the strategy for knowledge management in law firms in Botswana.

Consent

Please note that your confidentiality is guaranteed. Your participation is entirely voluntary. You may answer or choose not to answer a particular question as you wish and you may end the session at any point. Your participation and information provided will be strictly confidential and your identity will be separated from your answers so that it will not be attributed to you.

Please indicate whether or not you wish to continue to participate Yes/No

- What do you understand by knowledge management?
- What role do you and your organisation play in the creation, transfer and sharing of knowledge in law firms
- How do you or your organisation contribute to knowledge management in law firms?

I appreciate your willingness to contribute to this project and to set aside time for the interview.
Appendix 5: Research Permit grant

Mrs. Madeleine Pombad
C/O Department of Law
University of Botswana
Private Bag UB 00705
Gaborone

OP 5/59/8 II (57)

05 December 2001

Dear Madam,

GRANT OF A RESEARCH PERMIT- “STRATEGIES FOR KNOWLEDGE MANAGEMENT IN LAW FIRMS IN BOTSWANA”

Your application for a research permit on the aforementioned topic refers.

2. You are herewith granted permit to conduct a research entitled “STRATEGIES FOR KNOWLEDGE MANAGEMENT IN LAW FIRMS IN BOTSWANA.”

3. The permit is valid for a period not exceeding five (5) months effective 06 December 2007.

4. The permit is granted subject to the following conditions:

Copies of any report/papers written as a result of the study are directly deposited with the Office of the President, Attorney General’s Chambers, Botswana Police Service and the University of Botswana.

i. The permit does not give authority to enter any premises, private establishment or protected area. Permission for such entry should be negotiated with those concerned.

ii. You conduct the study according to the particulars furnished in the approved application taking into account the above conditions.
iii. Failure to comply with any of the above-stipulated conditions will result in the immediate cancellation of the permit.

Yours faithfully,

Nkosiyabo F. Moyo
For/PERMANENT SECRETARY TO THE PRESIDENT

Cc: Attorney General
    Commissioner, Botswana Police Service