

Connections



Outsourcing Trends 2002 Lex Mundi Survey Results

What's driving the corporate marketplace for outside legal services these days? The results of a new global survey offer some insight on current in-house selection and buying patterns. Conducted by Lex Mundi, the study reached key decision-makers, with 92% of respondents holding the position of Chief Legal Officer.

U.S. and Europe Diverge on Convergence

Many corporate counsel intend to closely scrutinize their outside counsel (no surprises there). However, U.S. departments are

more inclined to expand internal services at the expense of outside firms, while Europeans tend toward the opposite approach.

(continued on page 2)

In This Issue

PAGE

- 1** Outsourcing Trends
2002 Lex Mundi Survey Results
- 3** The Bottom Line: Creating and Communicating Value
 - Bridging the Culture Gap: The Value of Teamwork
- 4** - From Deal-Breaker to Deal-Maker: Ways to Add Value
- 5** The Rules of Engagement: Team-Building Approaches
- 6** - Cost Control: Ways to Show Value
- 8** Cross Border Conundrums
 - The New York Perspective: Adapting to Global Differences
- 9** - The Hong Kong Debate: Connecting is the Biggest Burden
- 11** Corporate Counsel Up Close
- 12** Upcoming Forums

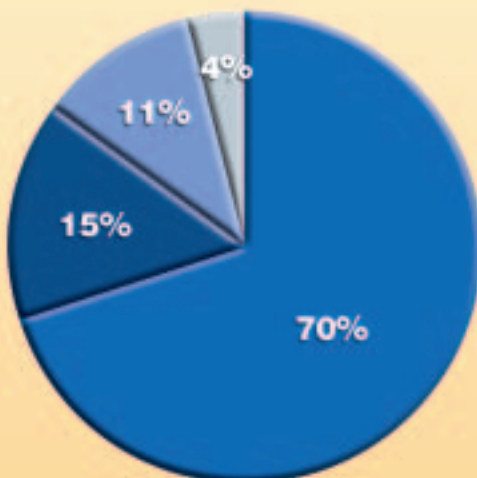
Survey Results: Expectations of Future Reliance on Outside Counsel

U.S. and international respondents' expectations vary when it comes to their future reliance on outside counsel.

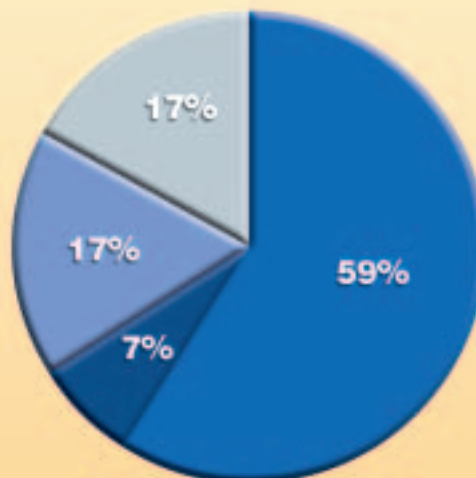
Legend

- Remain the same
- Decrease
- Increase
- Not sure

U.S.



Non-U.S.



A Letter from the President

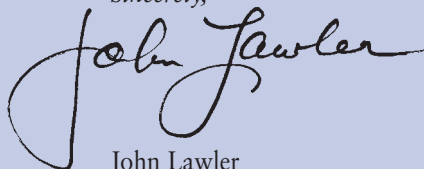
Dear Colleague:

While metrics, information systems, and cost control are all top-of-mind these days, the single biggest takeaway from our recent **Counsel To Counsel (C2C)** sessions is an exhortation to bring back the human element to the process. More and more corporate lawyers not only long for a return to the one-on-one counselor role, but see personal relationships as the cornerstone of productive business partnerships. The primacy of the personal was also confirmed by the Lex Mundi survey results, which identified personal referrals as key drivers in the selection process.

The impetus behind Martindale-Hubbell's C2C initiative is also a belief in the value of personal interaction. The five sessions reviewed in this issue brought together senior in-house counsel and law firms operating across the geographic spectrum — from the U.S. to Europe and Asia — for some rare face-to-face contact. The discussions revolved around two major themes: enhancing the real and perceived value of legal services within the organization and the challenge of operating across multiple jurisdictions. Even when the focus turned to technology (as it is apt to do these days), success depended on the communication skills of the people involved.

We hope the coverage provided in *Connections* imparts some general insights and specific strategies that may be applied in your organization. Additional details can be accessed through our Web site at <http://c2c.martindale.com>. Please contact us in the U.S. at +1 800 526 4902, ext. 8630, or internationally at +44 (0)20 7868 4867, if you have any questions or comments.

Sincerely,



John Lawler
President and CEO,
Martindale-Hubbell

Outsourcing Trends 2002 Lex Mundi Survey Results

(continued from page 1)

What Corporate Counsel Want

Selection criteria were similar among both respondent bases, although U.S. companies emphasized the talents of individuals and non-U.S. departments were more focused on local market knowledge and language.

Personal Relationships Remain Paramount

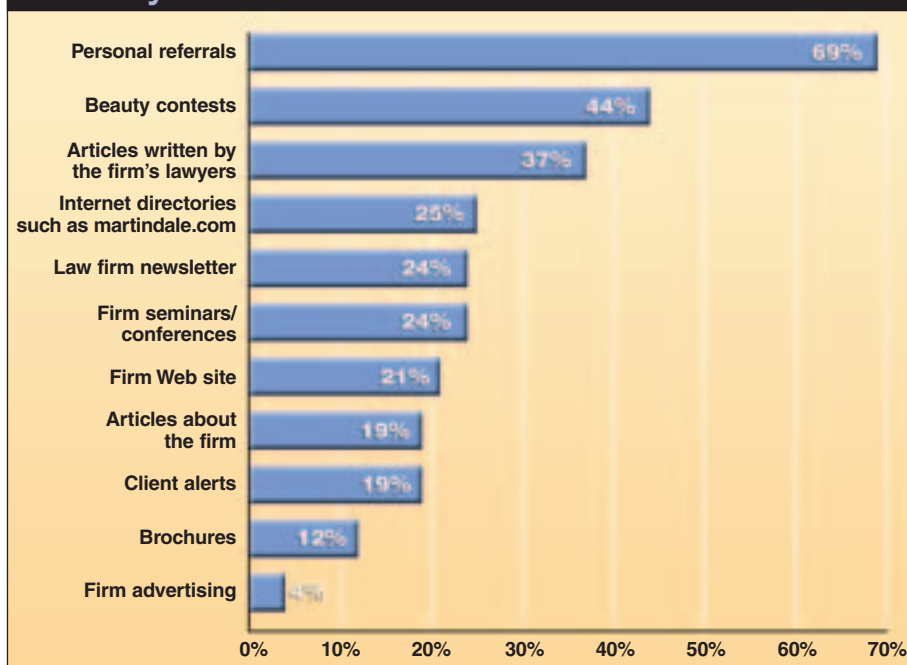
Across the geographic spectrum, chief legal officers or general counsel are overwhelmingly in charge of selection: 92% direct the process. They start by calling the people they know and trust, relying heavily on personal recommendations from in-house colleagues and outside lawyers and accountants. In addition to the referral network, Internet directories such as martindale.com are among the most important sources for obtaining information about law firms.

Survey Results: Selection Criteria

- expertise in a specific area
- perception of high quality work
- lawyer reputation
- fee structure
- local market knowledge
- languages spoken (for international matters)

The divide between departments who require managers to select lawyers from an approved list and those endorsing greater flexibility was relatively minor among all respondents: 41% do not maintain a list at all; 37% refer to a list for international selection and 33% for domestic work.

Survey Results: Selection Sources



Methodology and Respondent Profile

A detailed questionnaire was mailed to 4,770 corporate counsel worldwide. Recipients were given the option of responding via Internet or hard copy. Geographical representation inclined towards U.S. entities, which accounted for 65% of the respondent base; corporations headquartered in Europe and the U.K. totaled 30%, and the remainder were from Canada, the Pacific Rim and South Africa.

The 2002 Lex Mundi Corporate Counsel Survey was sponsored by Lex Mundi, the World Bank and Martindale-Hubbell, partially underwritten by a grant from Martindale-Hubbell and conducted by Altman Weil, Inc. For more information about the study, or to receive a complete copy of the report, please email info@altmanweil.com.

Topics:

Moving Legal Counsel Closer to the Business

September 18, 2002 — Cleveland

Facilitator: Deborah McMurray, Deborah McMurray Associates

Co-chairs: Peggy DiPaola, Legal Counsel, GOJO Industries, Inc.

Demonstrating How Corporate Legal Services Help the Bottom Line

October 9, 2002 — Boston

Facilitator: Ann Lee Gibson, Ph.D., Ann Lee Gibson Consulting

Co-chairs: Carlton Chen, Vice President, General Counsel & Secretary, Colt's Manufacturing Company, Inc;
Henry Horbaczewski, General Counsel, Reed Elsevier Inc.

November 6, 2002 — Frankfurt

Facilitator: Leigh Dance, President, ELD Project Marketing International, Inc.

Co-chairs: Erin Link, Legal Counsel Europe, Dana Corporation

The good news amidst the recent slew of corporate implosions is that companies need their GCs more than ever. Yet these are still times of financial restraint, and within that context, it is necessary to visibly demonstrate the department's effectiveness in terms that the decision-makers — those who control the budgets — can understand. Participants in the recent Boston, Frankfurt, and Cleveland C2C sessions discussed their best practices for creating, enhancing and communicating the value of legal services.

Bridging the Culture Gap: The Value of Teamwork

The need to move legal counsel closer to the business was the universal refrain among counsel participants, expressed succinctly by Peter McHugh, Partner at Eversheds: "You have got to engage the managers and the lawyers at the outset so they form a cohesive team, committed to a common strategic objective." Most companies embrace a team-based approach to bridge the gap between legal and business—and inform the decision-making process.

Companies with substantial internal resources tend to organize legal groups by business division. Each group is headed by a general counsel who sets the priorities and manages a cadre of specialists. Regular inclusion on executive, financial, or management committees is considered crucial; it not only helps counsel understand business priorities, but opens up communication lines and builds mutual trust and understanding. Entities with modest legal departments have effectively converted external lawyers to in-house managers. This arrangement depends on finding the right individual and requires a substantial investment of time to establish and nurture the relationship.

Reversing the dynamic by inviting business managers into the legal domain is used to good effect by Peggy DiPaola, Legal Counsel for GOJO Industries, Inc.: "The business managers in our company are heavily involved in legal strategy sessions. We feel this not only builds consensus regarding the best direction to take, but also provides us with out-of-the-box thinking from executives who bring a different perspective than lawyers."

(continued on page 4)

Attitude Shift

Companies are hiring increasingly sophisticated teams of specialists. Standard tasks may even be farmed out to external firms with the most challenging assignments remaining internal to keep staffers satisfied.



► Attendants at the Cleveland forum agreed that effective team-building involves working more cooperatively with outside counsel.

(continued from page 3)

From Deal-Breaker to Deal-Maker: Ways to Add Value

Client education was regarded as the first step in combatting the common perception that “lawyers break deals.” Make clients aware that risk is a concrete, bottom-line issue. If they incur risks without asking for advice or take actions against advice and incur a huge litigation, they will pay for those mistakes. So legal really is looking out for corporate profitability.



► Miriam Gold of Ciba Specialty Chemicals Corporation discusses an interdisciplinary four-step process adopted by the company to ensure compliance and reduce time-to-market of new products.

Propose Solutions, Not Problems

As a strategist, counsel should not merely advise on the risks and rewards of certain decisions, but envision creative, alternative solutions. By the same token, delegates urged in-house counsel to anticipate and raise the

questions (and answers) that haven’t been asked—a “value-add” rarely duplicated by external counsel. This kind of preparation and pro-active business focus instills confidence among the executive team.

Simplify the Process

By identifying key material issues instead of agonizing over every potential detail, lawyers can streamline processes such as the due diligence review and deliver early case assessments to accelerate business objectives or close a time-sensitive transaction. At the Boston C2C session, lawyers from one firm described how their modified due diligence procedure even created 15 million dollars of unanticipated value for shareholders.

Miriam Gold, Deputy General Counsel of Ciba Specialty Chemicals Corp., explained a team-based system they devised to reduce time-to-market of new products: “We made use of a four-step integration ladder in designing our compliance program. It speeds up the pace at which our scientists and business managers can respond to legal and regulatory issues that need to be addressed in product development and registration.”

Simplicity also means clarity. “Speak clearly and directly rather than talking in riddles,” advised Carlton Chen, Vice President, General Counsel & Secretary for Colt’s Manufacturing and co-chair at the Boston event.

(continued on page 6)

Ethical Web

Compliance and conflicts were on everyone’s mind in Frankfurt. While the fear of being transformed into police officers under Sarbanes-Oxley was initially assuaged by the elimination of the “noisy withdrawal” proposal, recent guidelines issued by the Department of Justice adds potentially even greater pressures. Many companies limit potential conflicts of interest by separating legal services from the corporate finance department.



Dana Corporation

“Our day trips to all of our 30 facilities in the U.K. were really useful. We asked managers to bring in their contracts and other documents, and we provided comments on the spot. In addition to providing assistance immediately, this sort of informal audit enabled us to learn a lot about potential issues and exposures. It was a great way to introduce our new local counsel and to build bridges to those of us in the legal department.”

— Erin Link,
Legal Counsel Europe,
Dana Corporation

Siemens AG

“An in-house function is only competitive if it is as good as that of outside firms. Therefore, we need the best people and to keep the best people you need specialization. But you also need client focus. These are the two basic principles that we try to balance. It creates friction. The coordinators have their empire and the group leaders have their empire. But at the end of the day, it works.”

— Dr. Sebastian Brachert,
Co-Head of Legal
Services, Siemens AG

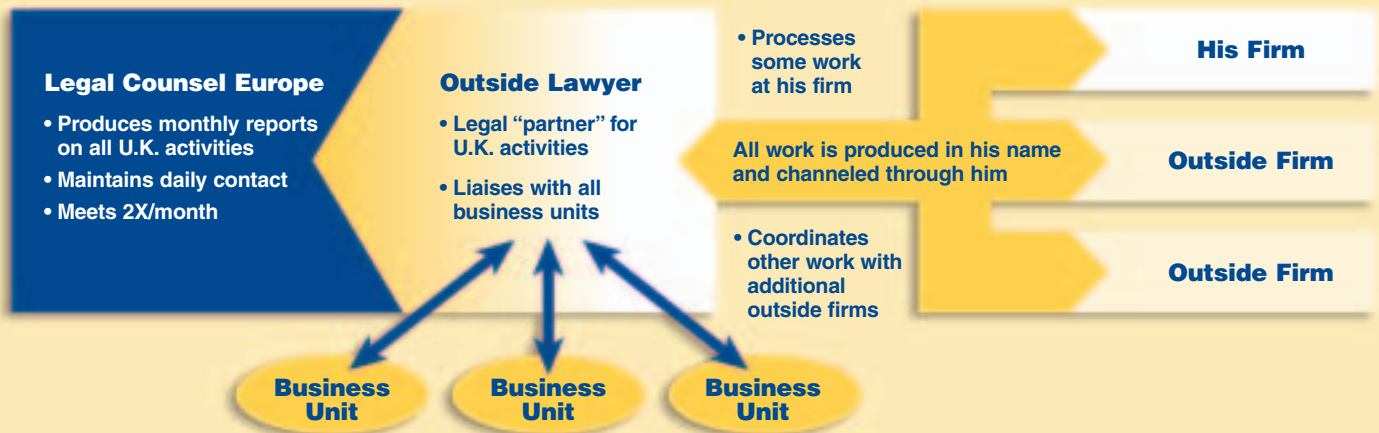
The Rules of Engagement

Team-Building Approaches

On an organizational level, how do you effect a client-centric collaboration? In Frankfurt, two very different organizations shared their methods for creating effective partnerships.

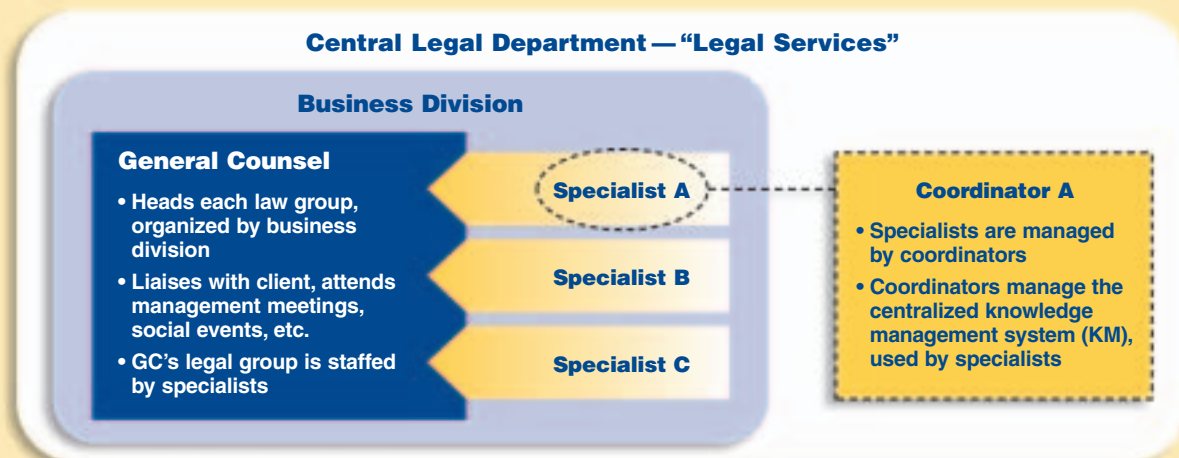
Find the Perfect Partner Out-of-House

At Dana Corporation, Legal Counsel Europe Erin Link counts on a senior partner at a mid-size U.K. firm to handle day-to-day legal work for Dana's numerous U.K. facilities. Work previously sent to 25 or 30 firms was hard to manage and inefficient. The biggest challenge was finding the right person, and after considering both in-house and outside candidates, Dana selected a partner whose well-rounded skills and personality make him successful. A tour of all facilities got the relationship off to a good start.



Build the Team Internally

At Siemens AG, each business division has its own GC within the central legal department, "Legal Services," heading a group of high-quality specialists who may occasionally share training and strategies, but are primarily aligned with their business unit. The GC for each unit interacts with the client, attends client meetings, and sets the priorities. Another level is added to the structure through coordinators who focus on the legal specialty, ensuring that each group has the same level of expertise. They are also responsible for centralized knowledge management systems to minimize redundancies.



(continued from page 4)

Cost Control: Ways to Show Value



► Co-chair **Carlton Chen**, Vice President, General Counsel & Secretary, Colt's Manufacturing addresses the group at the Boston forum.

and simply modified as needed for power plants, transportation systems, automotive, or other divisions. For complex transactions that involve geographically dispersed parties, emails, deal rooms, extranets and similar technologies contribute to cost-efficient collaboration.

Having the reports in electronic form simplifies the collating process. At one company where they record in-house "billable" time as well as external legal expenses, they are able to compare both sets of figures by department to isolate units where additional in-house staff will save costs.

Running a department that is not a profit center, most GCs feel the pressure to reduce spending. Happily, many of the cost-saving initiatives adopted by counsel also promote the higher good of rapid, effective and responsive work.

Managing Outside Counsel

In-house counsel continue to embrace the partnering and convergence model for controlling costs. Beyond reaping the natural efficiencies of scale from working with fewer firms, corporations benefit from bulk discounts, case/matter budgets and electronic billing for cost monitoring, and non-billable extras such as email alerts or extranet reporting on key issues. More importantly, it's easier to establish close personal working relationships which makes everyone more productive.

Technological Efficiencies

Centralized knowledge and document management systems can reduce redundancies and unnecessary research. Some companies created samples such as a supply contract, which are housed on their intranet for company-wide use

Deal Rooms as Knowledge Assets

Still on the cutting edge and not widely adopted, virtual deal rooms present more than a tactical advantage in completing a complex transaction. The resulting resolutions and analyses can be downloaded to enrich your intranet of best practices.

Benchmarks and Metrics

Even without established guidelines, most entities have adopted measurement systems that reflect a commitment to quantifying costs and ensuring quality.

Participants relied principally on monthly management or billing reports that can be collated to target repeat problems and identify areas that might benefit from streamlining or training.

Litigation specialists need to be especially disciplined. **Mark Schiffman**, Chief Litigation Counsel for Fidelity National Financial has implemented various processes that enable him to view how many days a case has been open, the results of cases, and which in-house lawyers tend to handle their cases most efficiently.

As helpful as all the technologies and systems may be, personal relationships are the key to productive partnerships. "Nothing can replace the value of putting on your boots, losing the suit, and looking your business managers right in the eye on their own turf," sums up **Daniel Rose**, Corporate Counsel for Oglebay Norton Company. ■

What's Your Opinion?

Does the practice of issuing bonuses for successfully transacted deals compromise a lawyer's ability to give impartial, sound business advice?

Email us at c2c@martindale.com

Law Firm Co-Hosts

Cleveland:



Solutions for business today and tomorrowSM

Established in Cleveland, Ohio in 1843, **Arter & Hadden LLP** has grown in size and expanded geographically to become a national law firm with ten offices across the U.S. More than 300 attorneys in numerous practice groups provide integrated capabilities to clients in all areas of litigation and business law. Arter & Hadden was recently recognized as one of the top ten law firms in the nation for client performance in a national survey of Fortune 1000 clients. (Independent survey conducted by The BTI Consulting Group.)

B

BUCKINGHAM
DOOLITTLE &
BURROUGHS, LLP
Attorneys & Counselors at Law

Experience. Service. Excellence. SM

Established in 1913, **Buckingham, Doolittle & Burroughs, LLP** is a full-service law firm with offices in Akron, Cleveland, Canton and Columbus, Ohio and Boca Raton, Florida. Its attorneys represent clients from the sole proprietor to multinational corporations, tax-exempt organizations, governmental bodies, charities, foundations and public organizations.



Among the strongest global law firms, **Squire, Sanders & Dempsey L.L.P.** combines sound legal counsel with effective, efficient and visionary leadership in resolving their client's legal challenges. With more than 750 attorneys located in 28 offices worldwide, Squire Sanders is well positioned to provide clients with the highest quality legal services in corporate, environmental, intellectual property, labor and employment, litigation and international dispute resolution, public finance, real estate, regulatory and tax matters.

Boston:

HOLLAND & KNIGHT LLP

Holland & Knight LLP is among the largest law firms in the world with more than 1,250 lawyers who practice in over 100 areas of law. At Holland & Knight there is no home office, as the multiple offices are fully integrated and operate as one firm. Their United States offices are in California, Florida, Georgia, Illinois, Maryland, Massachusetts, New York, Oregon, Rhode Island, Texas, Virginia, Washington State and Washington, D.C. Internationally, their offices are in Mexico City, Rio de Janeiro, Sao Paulo, Helsinki, and Tokyo, with representative offices in Caracas and Tel Aviv.



WEIL, GOTSHAL & MANGES LLP

Weil, Gotshal & Manges LLP is an international law firm of approximately 1,000 attorneys including over 278 partners. Weil Gotshal is headquartered in New York, with offices in Austin, Boston, Brussels, Budapest, Dallas, Frankfurt, Houston, London, Miami, Paris, Prague, Silicon Valley, Singapore, Warsaw and Washington, D.C.

Weil Gotshal thrives on the energy, collaboration and commitment of its partners and associates. Founded in 1931, the Firm has evolved into one of the world's largest and most highly regarded law firms. Today, their attorneys collaborate successfully on a global basis in achieving the wide-ranging goals of their clients. Their forays into other geographic regions were a natural outgrowth of their extraordinary dedication and commitment to client service.

Boston & Frankfurt:



Eversheds is one of the largest law firms in the world with over 4,000 staff. They are internationally recognized as leading experts in many areas of law and are regarded as part of the commercial landscape wherever they operate.

Over 2,000 of their staff are legal and business advisers based throughout a network of offices in Europe and associated offices in Asia. Their distinctive approach gives clients access to a large team of lawyers who combine local market knowledge with an international perspective.

Three words describe the Eversheds approach and are evident in everything they do: straightforward, effective and enterprising.

Frankfurt:

FOLEY LARDNER

ATTORNEYS AT LAW

Foley & Lardner is a leading U.S. law firm with offices in 16 markets including Brussels. They represent multinational clients in a variety of industries and offer integrated services from six prominent legal departments including Business Law, Intellectual Property, Litigation, Regulatory, Health Law and Tax & Individual Planning. They are committed to "Knowing Your Industry. Understanding Your Business" — the core value they have offered to their clients for over 160 years.

WHITE & CASE LLP

White & Case LLP has more than 1,600 lawyers in offices in the United States, Europe, Latin America, the Middle East, Africa and Asia. They represent public and privately held commercial businesses and financial institutions, as well as governments and state-owned entities, involved in sophisticated corporate and financial transactions and complex dispute resolution proceedings. In Germany, White & Case, Feddersen has 170 lawyers in offices in Frankfurt am Main, Berlin, Hamburg, Düsseldorf and Dresden.

Topics:

Corporate Counsel to Support International Expansion: Best Practices

July 18, 2002 — New York

Facilitator: Leigh Dance, President, ELD Project Marketing International, Inc.

Co-chairs: Nino Cusimano, General Counsel of Europe, PPG Industries International;
Helena Samaha, Group Legal Director, Virgin Management Ltd.

The Informed Corporate Counsel: Keeping Up With Changing Laws and Regulations Internationally

October 2, 2002 — Hong Kong

Facilitator: Derek Benton, Director, International Sales Operations, Martindale-Hubbell

Co-chairs: Alan G. Greenwood, General Counsel-Asia Pacific, Dow Corning Corporation
Graeme M. Wheatley, General Counsel, ExxonMobil Hong Kong Ltd.

The New York Perspective: Adapting to Global Differences

Attorney-client privilege may be a foundation of the American legal system, but no such protection extends to in-house counsel in Europe. For U.S. lawyers working with European subsidiaries, one strategy to avoid corporate exposure is to selectively use outside counsel as conduits for sharing sensitive information within the company. In-house counsel confers with outside counsel, who then review the issues with corporate managers. This preserves privilege throughout the chain of discussion.

When “Business as Usual” Creates Conflicts

Normal business tactics in some parts of the world pose serious compliance issues for American companies. In Eastern Europe, for example, counsel revealed that cash payments are typically made to various individuals in the course of consummating a transaction—in violation of the anti-bribery provisions in the Foreign Corrupt Practices Act. To help them

navigate their way through these sorts of conflicts, companies need on-the-ground networks of advisers, including local law firms.

Expect — and Respect — Cultural Differences

Aside from avoiding basic cultural gaffes, counsel should anticipate that the pace and nature of their ventures will be affected by differing work habits and customs. Steve Behar, Corporate Counsel at Toys “R” Us, Inc., discussed the sale of commercial property in Denmark owned by his company’s U.K. division. The deal was taking longer than expected, so Behar had to explain to his impatient executives that the

Local talent recruited in the interests of international expansion is best selected and managed by a dedicated in-house lawyer versed in the corporate priorities and objectives.

In the 21st century, rare is the practicing attorney who will not be involved in an international transaction of some sort. For delegates attending our New York and Hong Kong C2C forums, globalization is a way of life and complexity is a growth business, fueled by:

- The exponential rise in regulations
- Escalating cross-jurisdictional risk
- Competing or contradictory laws
- Colliding cultures
- Distant locations and varying time zones

Juggling the competing roles of advisor, lawyer, and manager further complicates the equation.

While each group faces similar challenges, the discussions took dramatically different turns. New York focused on brass-tack obstacles encountered by Americans “abroad” while the Hong Kong participants were primarily engaged with macro-level systems for knowledge transfer and transparency.

Danish business day promptly ends at 5 p.m.—and no one would be burning the midnight oil to complete the deal.

On-Site Management of Local Counsel

Local talent recruited in the interests of international expansion is best selected and managed by a dedicated in-house lawyer versed in the corporate priorities and objectives. This is particularly true in Asia, where the cultural divide may be greatest. Mark Weeks, Partner at Orrick, Herrington & Sutcliffe LLP explained that in Japan, only a small percentage of “bengoshi” (Japanese-qualified lawyers) performed cross-border work. Since most do not marry their technical expertise with the business-oriented advice typical of Anglo lawyers, they are best managed face-to-face.

The Hong Kong Debate: Connecting is the Biggest Burden

At its most basic, the quest of our Hong Kong group was well summarized by **Tony Corcoran**, Head of Legal Asia Pacific for ABN AMRO Bank NV, “There is just so much information, how do we get our day-to-day job done and stay up-to-date?”

At least two thirds of counsel enlisted technology—some form of networked knowledge management systems—to identify, capture, and disseminate the information they need. The biggest quandary related to customizing and delivering their “intellectual capital” in ways that elicit a response and pose real value to their clients. The greatest pitfall, which was generally avoided, is the tendency to confuse data with knowledge or technology with utility.

System Basics: Setting Up for Success

Participants generally agreed that three ingredients were crucial to the successful development of a knowledge management (KM) system:

- (1) Tie KM to strategic business objectives
- (2) Assess relevance
- (3) Dedicate an independent team to the task

Dow Corning was an early adopter, explained co-chair **Alan Greenwood**, who initiated the process in 1997 in reaction to a slew of new chemical regulations introduced in China, Korea and Japan. With no system in place to track changes and alert business managers to modify their practices accordingly, the legal department was concerned. Since the topics were specialized and idiosyncratic, dealing with highly integrated cross-border products sourced backwards and forwards, no external information sources really existed.



► Hong Kong facilitator **Derek Benton**, Director, International Sales operations, Martindale-Hubbell.

The solution was to define some fields of interest with a template—by country, regulatory subject matter and so forth. While they initially depended on a third-party research service to harvest data, the current quality of government online legal services combined with contributions from outside firms has since simplified the task of information gathering.

Maintaining Relevance: Critical but Time-Consuming

The task of organizing, evaluating and weeding out materials is a labor intensive, but essential process. Content and content categories must be regularly reviewed to guard against information overload while ensuring adequate coverage. Like any successful operation, KM requires a serious, ongoing investment in infrastructure and staff time.

Gaining management support in the way of long-term funding can be problematic because it's difficult to measure concrete value.

(continued on page 10)

Law Firm Co-Hosts

New York:

KIRKLAND & ELLIS

For nearly 100 years, **Kirkland & Ellis** has been called upon to handle complicated litigation, corporate, intellectual property and technology, bankruptcy, and tax matters for major national and international clients. Today, Kirkland & Ellis continues to work with a long-standing base of clients engaged in industries as varied as manufacturing, transportation, private equity capital, hi-tech, energy, health care, real estate, chemicals, food products, finance, insurance, e-commerce, advertising and accounting. In fact, in every year since 1995, *The National Law Journal's* survey entitled “Who Defends Corporate America” has ranked Kirkland & Ellis among the top five most frequently used firms by Fortune 250 corporations.



O R R I C K

Orrick, Herrington & Sutcliffe LLP is a full-service, 500+ lawyer firm that began in San Francisco more than 136 years ago. Over the years, Orrick lawyers have worked shoulder to shoulder with government leaders and business visionaries to build everything from the brick and mortar underlying city infrastructures to private and public companies that still endure.



PILLSBURY WINTHROP^{LLP}

Pillsbury Winthrop LLP is a global law firm, committed to providing superior and distinctive client service through its unique, cross-disciplinary Client Team approach. Their core areas of Capital Markets & Finance, Technology, Global Energy, Telecommunications and Litigation rank among some of the top in the legal industry.

CROSS-BORDER CONUNDRUMS

Law Firm Co-Hosts Hong Kong:

Johnson
Stokes
& Master

Johnson Stokes & Master is the largest law firm in Hong Kong and one of the leading commercial law practices in Asia. Founded in Hong Kong in 1863, they are a full-service commercial practice with over 230 lawyers based in their offices in Hong Kong, Beijing, Shanghai, Bangkok, Hanoi and Ho Chi Minh City. They have well-established relationships with law firms in countries throughout the Asia-Pacific region to the extent that they do not already have their own offices in these countries. In addition, the firm has global reach through its participation in the world's leading association of independent law firms, known as Lex Mundi.

The Hong Kong Debate: Connecting is the Biggest Burden

(continued from page 9)

One organization simplified the relevance issue by limiting their database to proprietary work performed specifically for the corporation — opinions, internal advice, and analyses — rather than data that's available elsewhere.

Law Firms as Information Partners

Partnership with a law firm can help plug information gaps. Outside counsel often work with key clients to build or even feed information directly into a corporation's own Intranet. **Noeleen Farrell** of Johnson Stokes & Master explained, "The creation and maintenance of client Extranets is a burden we take on in the firm. In-house counsel can quickly access advice that has been given to their organization before, previous deal or case documentation as well as legal updates. They essentially have their own knowledge management system put into place for them, which

can be invaluable for busy in-house counsel with limited resources. We believe that sharing our knowledge and finding new and better ways of working with clients form stronger relationships with them."



► Hong Kong co-chair **Alan Greenwood** of Dow Corning Corporation.

The Email Epidemic

Are you greeted each morning by an inbox overflowing with 150 to 200 emails? To combat the widespread problem of email abuse, attendees suggested:

Open Door Policy.

Lawyers in the same physical location should meet face-to-face. A quick discussion is generally far more efficient than an endless succession of emails.

Keep It Short.

Limit emails to headline issues and a maximum of three to four lines so the whole content is immediately apparent without scrolling.

Judicious Use.

Be selective about whom you copy on your emails.

The Dynamic Element: Content Delivery

How does the right information reach the right people at the right time? Regular reporting in the form of email alerts is generally the method of choice. Given the limited time and attention spans of the audience, they have to be carefully tailored, highly relevant, and very succinct—no more than three or four lines. Allow business managers and attorneys to select their areas of interest and craft the system to automatically generate an alert following a new development.

Interactive e-training programs that essentially force the learning process by requiring users to answer questions

(continued on page 11)

Corporate Counsel Up Close

(continued from page 10)

were also favorably regarded. At one bank, for example, profitability was down in a certain office. The poor scores registered for an e-learning program identified the lack of compliance within their loan department and was then used to bridge the knowledge gap.

Put the Human Element Back in the Process

In the end, nothing replaces face-to-face interaction or on-the-ground, contextual knowledge. In India, for example, one participant described the confusion arising from that country's overabundance of law, competing national and local regulations, and discrepancies between policy and practice. The solution is close, personal contact with local law and accounting firms, who provide real-life strategic advice on general business matters as well as on specific cases. Information systems are limited to textbook answers that may be worse than irrelevant in the real world. Nurturing a small group of trusted advisers helps counsel achieve that elusive goal of receiving answers to the questions you may not have even thought to ask.

Personally connecting with the client ensures that your message is heard and acted upon. It's also a crucial component of the advisory function. As Dow Corning Corporation's Alan Greenwood commented, "Online delivery of material is there to create the foundation of knowledge or understanding or trust. And the clients really come back with a much higher level of understanding ... so all this technology creates a better platform on which the problem-solving starts." ■

Juan Carlos Luna,
Latin American General Counsel,
Hewlett-Packard Company

Core Business: Information Technology

**Legal Department
Composition:** 10 lawyers

Office Locations: Legal personnel is dispersed among six different offices

**Outside Law Firms Retained
Last Year:** 25

Reports to: General Counsel Americas

Perspective: "A top priority for our outside counsel is a commitment to help build, grow, protect and defend our interests through attentive and responsive legal counseling as well as to secure synchronization between our business and legal priorities."

"What you want to get from a professional service institution is not only the lawyer relationship but also breadth of experience; staffing capabilities and flexibility; independent perspective; networking capabilities; multi-disciplinary experience and often a broad geographic representation."



Law Firm Selection: The International Sphere

GENERAL CRITERIA

- The offer of creative and effective preventive legal advice
- The delivery of legal and business advice within a practical, business-oriented context
- Good understanding of the overall business scenario including objectives and strategies
- Timely response

SPECIFIC EXPERTISE

- Deep knowledge of local laws
- Established strong relationships with governmental authorities
- Language capabilities and familiarity with the Latin American business arena
- Solid grasp of the complex political, business, cultural, and legal risks faced by companies doing business internationally

ESSENTIAL CHARACTERISTICS

- Knowledge of legal tools and mastery of their use
- Simplicity. Clients appreciate clear, simple and to-the-point advice and language; companies do not pay lawyers to preach
- Clear time frames
- Proactive communication
- Ability to move fast

Juan Carlos Luna participated in the Houston C2C session, which was held in November 2002 and focused on "Best Practices for Smaller In-House Departments."

April 2 London**Multi-Jurisdiction Deals: Best Practices in Cross-Border Transaction Management**

- Upfront planning and structuring of the transaction;
- Methods for saving time and reducing cost of multi-jurisdiction deals;
- Sourcing transactional support worldwide;
- Techniques for avoiding disputes now or later.

May 13 Singapore**Working Smarter, Not Harder: Cutting Costs Without Compromising Quality**

- Approaches to containing costs and adding value;
- Technology to streamline working processes and support complex transactions;
- Meeting management expectations with limited resources;
- Ways that outside lawyers can find efficiencies and demonstrate benefits.

April 10 Chicago**Working Smarter, Not Harder: Cutting Costs Without Compromising Quality**

- Approaches to containing costs and adding value;
- Technology to streamline working processes and support complex transactions;
- Meeting management expectations with limited resources;
- Ways that outside lawyers can find efficiencies and demonstrate benefits.

May 14 Singapore**What Have You Done for Me Lately? Demonstrating the Value of In-House Counsel to the Corporation**

- Aligning legal department activities with business strategy;
- Tracking and reporting on projects and results;
- Raising the profile and impact of your legal function;
- Approaches to demonstrating value remotely.

May 7 Dallas**How the Legal Function Protects Corporate Image**

- Corporate counsel's role in identifying threats to public image;
- When problems occur: avoiding the spiral of crisis;
- Advising executive management on image issues;
- The role and value of outside lawyers in crisis management.

June 18 Toronto**Risky Business: Corporate Counsel Approaches to Managing Risk in a Tough Economy**

- Designing and implementing a legal risk management approach;
- Techniques to identify, quantify and prepare for risks;
- Market-specific considerations;
- Communicating issues to management.



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