

March 25 – 26, 2010 | The Adolphus | Dallas, TX

American Conference Institute's

4TH NATIONAL FORUM ON

DALLAS EDITION

REDUCING LEGAL COSTS

Alternative fee arrangements, convergence trends, qualitative approaches to selecting, retaining & managing outside counsel, and other strategies for minimizing in-house legal department costs & financial risk without compromising work product or quality of service

An essential cross-industry benchmarking forum on keeping legal department costs in check, led by experts from:

Actelion
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Boston Scientific
Cargill
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ERM
Exxon Mobil
Fair Isaac

Gain expert advice and strategic insights on:

- » **Alternative Fee Selection:** Understanding the various alternatives to the hourly rate, how they are now being utilized, and the scenarios that are appropriate for each so you can establish a clear strategy behind a fee for a given case that will further cost reduction goals
- » Negotiating, structuring, implementing, and monitoring alternative fee arrangements
- » Selecting and retaining law firms that are able to deliver quality at low cost
- » Enhancing relationships with outside counsel to ensure predictability and genuine cost control/reduction
- » Establishing an accurate legal budget, and then obtaining lower-cost, high-quality legal work that stays within that budget
- » **Staffing:** Maximizing in-house capabilities and staffing efficiencies to reduce reliance on outside counsel
- » **Litigation and E-Discovery Costs:** Proven methods of spending less and controlling fees and expenses
- » Utilizing technology, streamlining processes, and leveraging past work product to drive efficiency, monitor costs and increase savings
- » Seeking value through formal requests for proposals: Ensuring that RFPs are carried out well for maximum management of outside legal costs
- » Improving the efficiency and effectiveness of legal invoice review

Distinguished Co-Chairs:



Scott T. Piering
Senior Attorney
Cargill Incorporated



Renee L. Jackson
Vice President, Corporate Legal
Fair Isaac Corporation

...as well as from:

FedEx
Flowserve Corporation
FMC Technologies
GMAC ResCap
Integrated Electrical Services
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You know the accelerating cost pressures, which are only exacerbated by the recession:

budget cuts • law department cost control and the unpredictable nature of legal spending • the use of alternative fee arrangements to reduce costs • reducing outside counsel expenses • selecting and retaining outside counsel • trimming rosters of outside firms altogether • sending work to smaller firms • preferred provider lists • RFPs • outsourcing work in a way that ensures that the right type of projects get matched with the right providers • reliance on technological innovations

This pressure will only continue to mount. The answer is ACI's 4th National Forum on Reducing Legal Costs, March 25 – 26, at **The Adolphus in Dallas**, which has been uniquely tailored to provide in-house counsel and legal sourcing managers, as well as private practice attorneys and law firm marketing/business development specialists poised to work with their clients to reduce legal costs, **with the knowledge they need to successfully employ cost-reducing procedures both internally and externally.**

This essential cross-industry benchmarking forum gathers together more than 30 senior corporate counsel and legal sourcing managers responsible for cost-reduction success stories, as well as leaders from law firms who are pioneers in the alternative fee world, **to guide those in attendance on the complexities of keeping legal department costs in check.** Now in its third installment, this event also offers unique networking opportunities with senior practitioners in the field, including *in-house counsel across a wide spectrum of companies and industries.*

Register now by calling 888-224-2480, faxing your registration form to 877-927-1563 or registering online at www.AmericanConference.com/LegalCosts

Who You Will Meet

- ✓ Corporate counsel and legal sourcing managers from all industries
- ✓ Private practice attorneys and law firm marketing and business development specialists interested in working with their clients to reduce legal costs
- ✓ Vendors and consultants that offer services aimed at reducing legal costs

About the Venue



In the heart of Dallas stands a grand hotel that recalls the splendor of the Gilded Age. A baroque masterpiece opened in 1912, The Adolphus ushered in a new era of sophistication for the country, and to this day, delights guests with its European charm. Amid such treasures as regal Flemish tapestries and an ornately carved Victorian Steinway once owned by the Guggenheims, you can almost feel the presence of the famous guests who have stayed here before you. The hotel registry includes the signatures of Babe Ruth, the Vanderbilts, U2, Oscar de la Renta, Donald Trump, and Queen Elizabeth II. Today, all of our guests at The Adolphus are considered royalty. Throughout your stay at The Adolphus our hotel associates discreetly wait on you with warmth and style. Your hosts – the entire Adolphus staff – are committed to making the experience exceptional.

Continuing Legal Education Credits



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the **New York State Continuing Legal Education Board** in the amount of the 15.5 hours, of which 1.0 will apply to ethics.

ACI certifies that this activity has been approved for CLE credit by the **State Bar of California** in the amount of 13.25 hours, of which 1.0 will apply to ethics.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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For more information about this program or our global portfolio of events, please contact:

Wendy Tyler
Group Leader & Business Development Executive
American Conference Institute
Tel: 212-352-3220 x242 | Fax: 212-220-4281
w.tyler@AmericanConference.com

DAY ONE: MARCH 25, 2010

7:20 Registration and Continental Breakfast

8:00 Co-Chairs' Opening Remarks

Scott T. Piering

Senior Attorney

Cargill Incorporated (Wayzata, MN)

Renee L. Jackson

Vice President, Corporate Legal

Fair Isaac Corporation (Minneapolis, MN)

8:15 AFA Selection: Understanding the Various Alternatives to the Hourly Rate, How They Are Now Being Utilized, and the Scenarios That Are Appropriate for Each So You Can Establish a Clear Strategy Behind a Fee for a Given Case That Will Further Cost Reduction Goals

Richard A. Bowman

Founding Partner

Bowman and Brooke LLP (Minneapolis, MN)

Mark C. Schroeder

Vice President and General Counsel

CenterPoint Energy Pipeline Group (Houston, TX)

Elizabeth M. DeSilva, Esq.

Legal Counsel

GMAC ResCap (Dallas, TX)

James L. Altman

Deputy General Counsel

Xcel Energy (Minneapolis, MN)

Moderator:

Lindley J. Brenza

Partner

Bartlit Beck Herman Palenchar & Scott LLP (Denver, CO)

- From the start, overcoming objections and getting “buy-in” both internally and externally
 - Convincing your company’s or firm’s decision makers to explore alternative fee arrangements
 - Persuading outside counsel that alternative fee arrangements can be more profitable for them than standard hourly billing
- Lessons learned: How and why other companies made the switch, what factors they considered, and how they chose the arrangement they did
- How non-hourly fees solve many of the structural problems of legal services rendered under the hourly rate
- Examining the alternative fee arrangement options that are currently being utilized
 - Discounted and modified rates
 - Monthly or yearly Flat/Fixed fees – how to manage the challenge of: predicting a reasonable estimate of scope and level of legal services needed; avoiding “overpaying”; ensuring you still get the appropriate level of service as the client
 - Bracket fees
 - Blended rate
 - Incentive billing (e.g. holdback and bonus approach)
 - Capped fees

- Phased arrangements based on stage of case and milestones reached
- Hybrid approach – part hourly rate/fixed fee and part AFA
- Pure contingency; Task-based fees; Success-based fees
- Retainers: Determining the ideal length of time for a retainer agreement; Hiring a law firm on retainer - bidding out work, establishing a bid limit, and determining the period of the relationship
- Understand the intricacies and potential pitfalls of these new fee structures
- Reconsidering the types of costs that clients have traditionally paid
- Areas of the law where alternative fee arrangements have worked well

9:30 Morning Coffee Break

9:45 Further AFA Consideration: Negotiating, Structuring, Implementing, and Monitoring Alternative Fee Arrangements for Your Company

Teri Cotton Santos

Assistant General Counsel, Litigation

Eli Lilly and Company (Indianapolis, IN)

Mark D. Wolf

Assistant General Counsel

FMC Technologies, Inc. (Houston, TX)

Clement H. Osimetha

Vice President and Associate General Counsel

Mary Kay Inc. (Addison, TX)

John Moon

Executive Director & Counsel

UBS Investment Bank (New York, NY)

Moderator:

Tea Hoffman

Chief Business Development Officer

Baker Donelson, Bearman, Caldwell & Berkowitz, PC (Nashville, TN)

- Identifying common ground to coordinate expectations
- Getting the right people involved: who to negotiate with at law firms
- What areas of practice will be better suited for alternative billing structures?
- Turning a “no” into a “yes”: techniques for overcoming resistance
- What do you need to do to make sure both parties’ interests are aligned?
- Key considerations for flat fees or bracket fees
 - Determining an appropriate fee:
 - Achieving agreement with outside counsel on baseline assumptions
 - Should you adjust for unanticipated events?
- Key considerations for risk sharing agreements
 - Examples of risk sharing agreements
 - Allocating risk
 - Premiums and success fees
 - Adjusting for unexpected events?
- Determining the appropriate fees for an uncertain amount of work that has yet to be done
 - Obtaining data on which to base your calculations: internally and externally
 - Incentivizing your outside counsel to devote sufficient time, staff, and resources to work done for you through an alternative fee arrangement

- Negotiating flat fee arrangements with escape clauses for specific situations
- Effectively allocating risk between the company and outside counsel
- Building in flexibility for unanticipated events
- When and how to include success-based incentives
- Considerations when using contingency arrangements:
 - Determining what the contingent events will be, or what is "success"
 - Negotiating the contingency fee agreement
- Once the arrangement is in place, how to implement and monitor
 - Measuring the success of your alternative fee arrangements
 - Complications that can arise from alternative fee arrangements when insurance carriers are involved – and how to overcome them

11:00 **CREATING THE RELATIONSHIP —
The Strategic Value and Cost Effectiveness of
Outside Counsel: Selecting and Retaining Firms
That Are Able to Deliver Quality at Low Cost**

Edward Lowenberg
Senior Counsel and Coordinator
Exxon Mobil Corporation (Houston, TX)

Megan A. Smale
Associate General Counsel
Realpage (Carrollton, TX)

Rishi Varma
CAO, Vice President & General Counsel
Trico Marine Services, Inc. (The Woodlands, TX)

Miles R. Afsharnik, Esq.
Vice President, Director
National Claims and Legal Resource
Professional Risk Group
Wells Fargo Insurance Services USA, Inc. (New York, NY)

Moderator:

Charles J. Scibetta
Partner
Chaffetz Lindsey LLP (New York, NY)

Selecting Cost Effective Counsel Generally

- What litigation functions can be effectively outsourced to outside counsel?
- Structural models for outside counsel, pros and cons of each, & factors that enter into the decision
- Resources to use to screen and research prospective firms before they are contacted or selected
- The cost-benefit analysis of using partners versus associates
- The hourly rate trap – not allowing retention decisions to be guided principally by hourly rates
- Value-added services – Finding those firms that will offer non-billable training (including for the client's legal department), proactively write off excessive or non-productive billable time and comply with budgetary mandates
- How to combat management's default preference to engage the 'best' firm by reputation
- Overcoming the instinct to hire the most recognizable – and, often, the most expensive – firm
- Challenging the grip of incumbency
- Extent to which counsel choice should be based upon a specific lawyer as opposed to specific firm
- Setting up new counsel-relations protocols

Local and Smaller-Market Counsel

- The pros and cons of working with large law firms and small law firms
- Testing the market for smaller firm cost-saving replacements, and then how to move work to these firms to truly save your budget
- Types of work which smaller-market firms may be equally/better suited than large-market firms
- Determining which smaller-market firms to work with
- Using "best of breed" local firms versus local offices of large, national firms
- When matters can be handled by less expensive, but highly qualified counsel outside New York

Convergence Trends & Utilizing National/Regional Counsel

- The balance of having a small contingent of outside firms while being open to new, regional firms
- Regional-firm initiatives – migrating work from high-cost/coastal firms to lower-cost/interior firms
- Convergence trends
 - Minimizing the risks of using fewer law firms
 - Overcoming conflicts as a result of convergence?
- Weighing the cost-saving benefits of convergence against the increased risks of having fewer law firms, and thus fewer skill sets, at your disposal
- Determining which firms to maintain relationships with
- Allocating work that was previously handled by firms with which you no longer have a relationship
- Achieving the optimal balance of law firms in terms of size, diversity, and geography
- Ensuring your pool of law firms is sufficiently large or diverse to avoid all of them being conflicted out

12:15 **Networking Luncheon
for Speakers and Delegates** 

1:30 **After Selection and Retention, Enhancing Relationships
With Outside Counsel to Ensure Predictability and
Genuine Cost Control/Reduction and What to Do
When Your Expectations Are Not Being Met**

F. Anthony Musgrave
Executive Vice President and General Counsel
Allied Home Mortgage Capital Corporation (Houston, TX)

L. Denise Steele
Director of Legal Services
Avelo Mortgage (Irving, TX)

Ann Marley Chilton
Director of Litigation/Corporate Compliance Counsel
ERM (Austin, TX)

Sarah Liss
Senior Legal Counsel
Integrated Electrical Services, Inc. (Houston, TX)

Moderator:

Lori G. Cohen
Shareholder; Chair, Pharmaceutical
Medical Device & Health Care Litigation Group
Greenberg Traurig, LLP (Atlanta, GA)

Enhancement

- Proactive measures in-house counsel should take with their outside counsel to prevent the unexpected, including out-of-control costs

- Developing and communicating cost-efficient expectations early and effectively
- Determining the points of contact between your company and your outside counsel to reduce miscommunications and redundancies
- Determining who covers costs when a case takes an unexpected turn – do companies have an obligation to ensure their firms don't lose money if a turn of events isn't due to the firm's negligence, or is it a risk law firms have to live with?
- Redefining the concept of "efficiency" from both an in-house and outside counsel perspective
- Increasing efficiency by familiarizing outside counsel with a company's operations & vice versa
- Monitoring outside counsel to ensure that your billing, staffing, and procedural guidelines are reasonably followed
- Balancing expectations of wanting top quality service for less

Modification and/or Termination

- Strategies for maintaining/terminating law firm relationships in unanticipated circumstances
- Resolving budgetary issues that arise and more
- Actions to take when outside counsel does not adhere to guidelines
- How to approach law firm when a bill does not appear fair: techniques for increasing chances of an amicable resolution
- How to deal with a decline in quality of service when outside counsel exceeds its fees
- When and how to terminate an agreement

2:45 **Afternoon Refreshment Break**

3:00 **BUDGETS: Establishing an Accurate and "Friction-Free" Legal Budget, and Then Obtaining Lower-Cost, High-Quality Legal Work that Stays Within That Budget**

Kelly Phillips

Vice President and General Counsel
Boston Scientific Corporation –
Cardiac Rhythm Management (St. Paul, MN)

Frederick H. Paulmann

The Counsel Management Group (New York, NY)

- What you need to preparing your legal budget
 - Factoring in both in-house costs and outside legal fees
 - Using historical data as a guide
 - Mapping anticipated costs to the company's goals and initiatives
 - Evaluating current risks and industry trends
 - How do you forecast costs:
 - How long a job will take
 - How many hours should a project average?
 - When will the litigation end?
 - Should you budget annually?
 - What techniques and software help you forecast?
 - Factoring in profit
- Presenting your legal budget and negotiating with the CFO
 - Utilizing metrics to support your budget
 - Where to cut first when the budget is too high
 - Techniques to implement from your procurement department to realize savings
- Implementing your budget and staying on track
 - Engaging and holding your team accountable for the budget
 - Reporting regularly on expense vs. budget and anticipating variances
- Tracking law firm compliance with the budget

- Reevaluating the underlying assumptions on which budgets are based
 - Analyzing the accuracy and predictive value of internal past data
 - Improving the mechanisms of internal data capturing
 - Working with outside counsel to improve accuracy of info relating to hours and rates

4:00

The View from Outside Counsel: Law Firm CEOs and Managing & Founding Partners Speak Out on How to Control Costs, Increase Value, and Improve Satisfaction for Clients

Robert A. Lipstein

Partner, Co-chair, Antitrust practice and
Chair, Finance Committee
Crowell & Moring LLP (Washington DC)

Thomas Brophy

President & CEO
Marshall Dennehey Warner Coleman & Goggin
(Philadelphia, PA)

Moderator:

Wm. Scott Schulten

Managing Partner
Schulten Ward & Turner LLP (Atlanta, GA)

- Understanding the cost components of the "product" clients are purchasing and what's needed to provide the highest quality product
- The billable hour – is it still the "preferred method" of compensation?
- The clients' role in value-engineering legal costs
- Real-world examples of creative billing and fee arrangements – approaches from the law firm side of the aisle
- How is success measured?
- Adjustment of the fee based on efficiency, outcome, and importance of the matter to the client
- Taking on new business "at a discount"
- Strengthening the firm/client relationship

5:00

Conference Adjourns

DAY TWO: MARCH 26, 2010

7:20

Continental Breakfast

8:00

STAFFING: Maximizing In-House Capabilities and Staffing Efficiencies to Reduce Reliance on Outside Counsel

Jeanne Walker

Associate General Counsel, Global Litigation
Celanese Corporation (Dallas, TX)

Renee L. Jackson

Vice President, Corporate Legal
Fair Isaac Corporation (Minneapolis, MN)

Tiffany Brunson

Employment and Litigation Counsel
FedEx Office and Print Services, Inc. (Dallas, TX)

Arvind Sharma
Senior Export/Import Counsel
Military/Nuclear/Technology Transfer
Flowserve Corporation – Trade Compliance Team (Irving, TX)

Richard Faulk
Partner
Gardere Wynne Sewell LLP (Houston, TX)

Moderator:

Scott T. Piering
Senior Attorney
Cargill, Incorporated (Wayzata, MN)

- When a company should consider adding in-house counsel for cost savings
- Bringing more work in-house: Identifying what can be cost-effectively moved in-house
- Conducting a cost-benefit analysis of the necessary infrastructure enhancements that will be required to improve your in-house capabilities
- With more work being done in-house and often fewer dollars to hire new lawyers for the department, how do you adapt to the fact that your in-house may be working too hard and often on matters unique to the economy and new to them?
- Alternative staffing options that can reduce expenses and ease the burden on in-house counsel
 - Reapportioning budgeted outside counsel expenses to hire additional in-house counsel
 - Determining whether to hire less costly junior attorneys or more expensive senior attorneys
 - Utilizing temp and consulting services
 - When should you bring them in and for what type of work?
 - Negotiating the best payment method: paying by hour vs. paying by project
 - Employing contract attorneys and realizing cost savings by using them
 - Training and monitoring considerations
 - Boosting a company's inherent value and helping with the bottom line by converting hires from contract to permanent status
 - Utilizing paraprofessionals and other administrative staff

9:15 **A Focus on Litigation and E-Discovery Costs: Proven Methods of Spending Less and Controlling Fees and Expenses**

Perry S. Goldman
Vice President, Legal Affairs
Actelion Pharmaceuticals US, Inc. (South San Francisco, CA)

Kathy Owen
Partner, DLA Piper LLP (US)

Steven J. Ellison
Special Counsel, Faegre & Benson LLP (Minneapolis, MN)

Stephanie Bragg
Chief Litigation Counsel
Halliburton (Houston, TX)

Timothy McEnaney, Esq.
General Counsel, Nouveau Elevator (Brooklyn, NY)

Litigation as a Whole

- Spending less on litigating cases by *increasing* spend on efficient litigation management
- Grouping cases by similar risk and exposure to streamline the management of litigation
- Using predictive modeling in litigation to assess what the likely outcome of the case and your projected costs will be:

- probability theory for lawyers, how to value cases, and handicapping a case using more than intuition
- Determining whether to settle a case today that may have been fully litigated just a year or two ago
- Reviewing existing litigation and determining whether to settle wherever possible to get cases off the books – is a settled case better than an unsettled case?
- Preparing early and accurate case assessments – playing out a case scenario on the front end
 - Evaluating the cost of defense versus chronic settlement of unmeritorious claims and the precedential value of a settlement
 - Controlling future litigation: identifying trends to ward off future lawsuits; knowing when to resolve a case for economic reasons and when to pay significantly more to defend a suit

E-Discovery Costs

- Proactive strategies for implementing cost-saving systems prior to litigation
- Projected savings of outsourcing your e-discovery work vs. performing it in-house
- Creating an in-house e-discovery team to reduce reliance on outside counsel
- Utilizing the cost-saving provisions of the Federal Rules of Civil Procedure
- Minimizing costs by consolidating e-discovery teams in cheaper markets
- Implementing new technologies to increase search efficiency
- Which programs allow you to more efficiently capture relevant documents?
- Consultants and vendors
 - Working out an action plan with consultants and vendors before work begins
 - Convergence applied to vendors: reducing the number of vendors used and negotiating volume discounts

10:15 **Morning Coffee Break ☕**

10:30 **The Evolution of the Legal Profession**

The economic crisis has accelerated the pace of change in the legal profession. As corporate legal departments are pressured to “do more with less,” buzz words such as convergence, insourcing and reengineering abound. What does it all mean to General Counsel? This panel will discuss strategies and new service delivery models that improve efficiencies and quality while reducing risk and costs. Topics to be discussed include:

- How to combat inefficiencies inherent in the traditional law firm business model
- Figuring out who does what best: insourcing vs. outsourcing and to what third party?
- Reengineering processes to leverage knowledge and inform strategy
- How effective management can simultaneously improve substantive results, compliance and efficiency
- Driving continuous innovation and improvement

CPA Global (Alexandria, VA)

Montgomery Kosma,
Vice President, Legal Services Outsourcing,
CPA Global

Brandon Daniels,
Vice President, Legal Services Outsourcing,
CPA Global

11:15 **Utilizing Technology, Streamlining Processes, and Leveraging Past Work Product to Drive Efficiency, Monitor Costs and Increase Savings**

Donald R. Westfall
Senior Vice President and General Counsel
Centex Corporation – Centex Homes (Dallas, TX)

Karen Sheehan

Head of PLC Law Department
Practical Law Company (New York, NY)

- Exploiting technology in a way that drives efficiency
 - Upgrading your document management, billing and forms systems
 - Creating an intranet specific to the legal department
- Increasing efficiency and bolstering training through use of model documents and clauses, how-to guides based on areas of law, updates on new law, searchable databases, etc.
- Criteria for selecting the best vendors and consultants for your company's needs
- Strategies for keeping costs down on IT consulting projects
- Newest tools for locating and reviewing data
 - Pros and cons of each
 - Cost considerations
- Matter reporting systems
 - Different types of systems
 - Which is best for your company's needs
- Other unique technological tools to save your company money

12:15 **Networking Luncheon for Speakers and Delegates** 

1:15 **Seeking Value Through Formal Requests for Proposals: Ensuring that RFPs Are Carried Out Well for Maximum Management of Outside Legal Costs**

Marla S. Persky

Senior Vice President, General Counsel and Corporate Secretary
Boehringer Ingelheim USA Corporation (Ridgefield, CT)

Nicole Hinds, PMP

Manager, Strategic Sourcing – Legal
Boston Scientific Corporation (Natick, MA)

Charles F. Johnson III

Department Chair, Butler, Snow, O'Mara, Stevens and Cannada, PLLC (Jackson, MS)

Michael E. Rigney

Partner, Kelley Drye & Warren LLP (Chicago, IL)

Moderator:

Pam Woldow

Principal and General Counsel
Altman Weil, Inc. (New Town, PA)

- Selection criteria
- Developing the RFP: cross-segmenting the coordination and communication essential to project success; understanding the portfolio(s) that are being bid; ensuring you have dedicated resources to implement
 - Analyzing of Spend data to select area to RFP
 - Creating the RFP project plan
 - Selecting the key RFP team members
 - Utilizing electronic RFP Tools vs Manual Format
- Structuring the RFP to maximize relevant information
 - Service levels, proposed terms and conditions
 - Allowing for explanations
 - Forcing acceptance/rejection of terms at an early phase
- Data to be collected
 - Rates
 - Office locations
 - Attorneys per office
 - Associate turnover rate
 - Diversity statistics
 - Examples of creative lawyering
- Using term sheets and other written documents strategically
- Identifying the scope of work to include in the RFP
- Defining the scope of the deal
 - Term of relationship
 - Types of services

- Exclusivity
- Non-competition
- Non-solicitation
- Pros and cons of an annual or bi-annual process
- Lessons learned from the RFP process

2:15 **Improving the Efficiency and Effectiveness of Legal Invoice Review**

Edward J. Charlton, Esq.

Vice President, P&C Insurance, CSC (Philadelphia, PA)

Sharon Stagg

Special Counsel, KBR (Houston, TX)

E-Billing

- Cost-benefit analysis of e-billing as it relates to budgeting
- How e-billing can reduce the time spent on and costs of invoice reviews
- Selecting and implementing the best e-billing system for your needs
 - Revising and updating your billing guidelines
 - Developing company-specific task codes
- The human factor – balancing the speed of electronic review with the need for qualitative input
- Improving an already existing e-billing process

Using Non-Attorney Review of Outside Counsel Invoices

- Tips, traps, and techniques on agreeing to efficient bill review
- Experiences with “managed legal care” (e.g., outside vendor reviewing bills and approving, or denying, bill items based on description)
- Implementing a system that will reduce the amount of time that in-house counsel must devote to invoice review
- Handling the over- and under-reporting of billing discrepancies that non-attorneys may make due to lack of familiarity with a particular matter
 - Conducting faster and more effective second-order reviews
- Determining whether non-attorney invoice reviews should be performed by employees or vendors
- Use of Outside counsel Guidelines to help reduce costs/fees
- Use of an internal paralegal/law clerk to assist in invoice review

3:00 **Afternoon Refreshment Break**

3:15 **The Ethics of Alternative Fee Arrangements and Cost Reduction Strategies**

Sundeep K. (Rob) Addy

Associate

Bartlit Beck Herman Palenchar & Scott LLP (Denver, CO)

- Incentives created by hourly fees and their ethical implications for outside counsel
- Incentives created by alternative fee arrangements and their ethical implications for in-house counsel, outside counsel, and opposing counsel
- Ethical costs considerations arising from e-discovery
- Ethical obligations in connection with third parties paying legal fees (e.g. insurance companies)
- Ethical obligations in connection with auditing of legal bills
- Ethical obligations when outsourcing both legal and non-legal work
 - Additional ethical obligations for lawyers who have “direct supervisory authority” over others

Conference Ends

ETHICS

4:15

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Allied Home Mortgage	Flowserve Corporation
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Boehringer Ingelheim	GMAC ResCap
Boston Scientific	Integrated Electrical Services
Cargill	KBR
Celanese	Mary Kay
Center Point Energy	Nouveau Elevator
Centex Corporation	Real Page
CSC	Trico Marine Services
Eli Lilly	UBS
ERM	Wells Fargo
Exxon Mobil	Xcel Energy
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The fee includes the conference, all program materials, continental breakfasts, lunches, refreshments and complimentary membership of the ACI Alumni program.

Payment Policy

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Cancellation and Refund Policy

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