

# Litigation Outlook 2011

Changes, Trends and  
Opportunities for Law Firms

Executive Summary

September 2010



## The 6 Things You Need to Know About Litigation

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1. More new matters = new hiring opportunities for law firms
2. Flat spending will squeeze law firm billing rates
3. Resolution rates are soaring—speak fluent settlement to catch your client’s ear
4. Client service and satisfaction drive litigation hiring decisions—outranking depth, reputation and legal skills by a margin of 2 to 1
5. 35.6% of litigators have mastered the art of making more money using AFAs
6. 14.3% of companies control 80% of litigation spending
  - These companies spend nearly 30 times more on litigation than other large organizations

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## The End of the World as We Know It

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REM's apocalyptic hit ceaselessly inventories a parade of revolutionary events which will forever alter our world. From earthquakes to government coups, the jangly tune invokes visions of awesome transformation. The end is catastrophic.

Comparing forthcoming changes in litigation to the Apocalypse is certainly melodramatic. The pending developments in litigation are neither disastrous nor bleak. Yet the changes are dramatic. And your firm's survival depends on being fully and thoroughly prepared for what is about to unfold.

Welcome to The New World of Litigation.

**The Fine Print:** BTI asked more than 300 Fortune 1000 General Counsel and AmLaw 200 Litigation practice heads to paint a picture of what lies ahead in the world of litigation. We probed on specific shifts in law firm-client relationships, the changing nature of litigation, which key issues are bubbling to the top and how each expect their roles to change in the years to come.

BTI analyzed this input in conjunction with in-depth experience and insight into: 1) the maturation of professional services industries; 2) past and current trends in legal services and; 3) futuristic predictions for the global economy. We isolated the defining issues and distilled the 5 individual driving forces shaping the new world of litigation.





## Research Demographics: BTI's Research with Corporate Counsel and Chiefs of Litigation

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This report draws on more than 2,500 interviews conducted over the span of ten years. Spending, budget and practice assessments for 2010 and 2011 are based on more than 240 new interviews. This year's one-on-one interviews were initiated on March 1, 2010 and are ongoing.

This analysis includes interviews with:

- 18.0% of the Fortune 100
- Average revenue of \$14.4 billion
  - Median revenue of \$3.1 billion
- Legal decision makers, including:
  - Chief and Head of Litigation
  - Vice President of Litigation
  - General Counsel
  - Direct report to General Counsel





## Research Demographics: BTI's Research with Litigation Practice Leaders

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This fact-based, comprehensive analysis draws on more than 75 interviews with litigation practice leaders at the world's leading law firms. One-on-one interviews were conducted between March 1, 2010 and are ongoing.

This analysis includes interviews with:

- Practice Leaders
- Firm Chairs
- Department Chairs
- Senior Partners

Analysis represents insights from:

- 37% of the AmLaw 100
- 27.2% of the AmLaw 101-200





## Research Methodology and Approach

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BTI conducts all interviews using multiple techniques. These include:

- Structured questions
- Forward-looking questions
- Quantitative questions
- Experience-based questions

Our interview team averages more than 15 years' experience interviewing C-level and top executives.

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To learn more about this groundbreaking report, please visit [www.btilitigationoutlook.com](http://www.btilitigationoutlook.com).

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