

Controlling Escalating Legal Costs through People, Process and Technology

AS COMPANIES CONTINUE TO FACE an onslaught of employment-related claims and litigation, controlling legal costs and creating more predictable budgets is a significant challenge. And with numerous matters across the country often unfolding in real time, monitoring the progress of cases and ensuring high-quality legal representation presents its own set of difficulties. Recognizing that the ability to effectively budget, manage and reduce defense costs is essential to clients' bottom line, Littler Mendelson—the world's largest management-focused employment and labor law firm—developed a technology platform in 2010 to address these fundamental issues.

Littler CaseSmart® harnesses the power of technology, alternative-staffing models, and cutting-edge legal project management to completely redesign the way employment matters are handled on a micro and macro level. For every client that utilizes the platform—whether a national corporation with thousands of employees or a company with a narrower footprint—the first step is a collaborative implementation process that ensures the tool is tailored to the client's specific needs, says Littler shareholder Scott A. Forman, who leads the Littler CaseSmart team. "The platform has allowed us to align with the evolving definition of value within in-house legal departments," he says. "Littler CaseSmart has proven to be an effective approach to managing employment matters and has now resolved more than 13,000 administrative agency charges and defended over 500 single-plaintiff employment cases."

At the center of the Littler CaseSmart approach is the development of a legal team created specifically for each client's needs. Teams are comprised of Littler attorneys with years of employment law experience, as well as U.S.-based FlexTime Attorneys (FTAs), each of whom focuses on a specific task within any given matter's lifecycle. "The narrower the scope, the deeper the attorney's subject matter knowledge becomes, increasing quality and efficiency," Forman says. "This approach allows us to match the right person to the right task within a financial structure that benefits the firm and the client."

In addition, Littler CaseSmart provides clients with a transparent, interactive dashboard that allows them to monitor critical data and trends related to their legal matters in real time. Each client's dashboard is fully configurable, with a set of key performance indicators designed to fit its specific needs. The

dashboard tracks such metrics as average case lifecycle, average fees per case, percentage of cases settled and average settlement value.

This big-picture approach has kept Littler and its clients one crucial step ahead of the litigation curve by pinpointing potential areas of exposure and liability. "The data-driven privileged analytics provided by Littler CaseSmart offer in-house legal teams critical insight to guide their legal strategies and manage risk," Forman says. "We can look at where the biggest risks are and, in many cases, what policies are implicated. The benefit to such insight is that an organization can dedicate its resources to the areas that need it most and help avoid similar claims in the future."

As an example, Littler CaseSmart has helped a global hotel management company significantly reduce its year-over-year legal costs and achieve better budget predictability for its employment law matters. The innovative model has provided the client with the best of both worlds—attorneys who focus their time on the highest value work and serve as true business partners, supported by FTAs who are efficient and cost-effective. The company has also leveraged the dashboard to identify trends in the types of claims being filed (e.g., disability discrimination) and develop training programs in those areas to reduce the likelihood of future litigation.

All told, Littler CaseSmart's technology-driven efficiency has been effective in helping clients control costs, reduce risk and improve predictability. "Littler CaseSmart is changing the way legal services are delivered," says Forman. "There is no doubt in my mind that this is the future of labor and employment law."

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