

In-House Attys Honor Favorite Litigators

By **Mike Cherney**

Law360, New York (February 15, 2011) -- Corporate counsel have named about 100 litigators who excel at client service, singling many out for their ability to keep clients informed about their litigation budget.

The attorneys were named in the 2011 BTI Client Service All-Stars report from The BTI Consulting Group Inc. (Wellesley, Mass.). In sum, corporate counsel named more than 300 attorneys who provide great client service without any prompting or hints, said Michael Rynowecer, the president of BTI.

Rynowecer said litigators who received accolades from corporate counsel bring the same enthusiasm to settlement discussions as they do to trial. A trial might be more glitzy than a quiet settlement, but businesses seeking to avoid the uncertainty of litigation are more likely to seek a quick resolution.

Thompson Hine LLP had four litigators named as All-Stars, while Foley & Lardner LLP had three. Other firms with multiple litigators who were corporate counsel favorites include Fulbright & Jaworski LLP, Williams & Connolly LLP and Jones Day.

Adam Hall, the litigation department chair at Frost Brown Todd LLC, received multiple nominations from corporate counsel, one of only six attorneys in the entire study to do so. Hall was also nominated to the list two years in a row.

At Foley, the firm employs a Web-based tool that both clients and the firm itself can access to keep track of its litigation budgets. If the firm finds itself going over the budget, it will contact the client to discuss the matter rather than simply sending a bill weeks later, said Mike Tuteur, a Foley litigator who was nominated to the BTI list.

A client once told Tuteur that if a manager at a factory in central Asia, where there are religious uprisings and strikes, is expected to come in under budget, than the litigation budget in the U.S. could also be kept in check.

“We've talked to our clients about how we can learn their business off the clock, how we can get into their factories, how we can get into their back rooms, so we can really understand what it is that they do,” Tuteur said. “I don't think we can really do good litigation unless we really understand who and what they are.”

With electronic discovery threatening to be more costly than ever, Tuteur said the firm makes a point to understand how electronic data is stored and accessed at their clients. That way, the firm does not have to spend additional resources understanding data structures every time they take up a case for a client, he said.

“The general problem these days is that spoliation and the failure to identify data is often a trial within a trial, so if we can partner with our clients and get to know their systems, we not only protect them, we protect us,” Tuteur said.

Scott Greene, a litigator at Bryan Cave LLP who was also nominated to the list, said he tries to ensure that both in-house counsel and lawyers from his firm work together as one team. On big cases, he said he will hold weekly meetings with inside and outside counsel to check up on the team's progress.

“I don't like to use the word responsiveness,” he said. “Instead, I like to tell our folks to be proactive with in-house counsel. Give them in advance the information they would need if the CEO walks into their offices and asks, 'What's happening with that case that you're working on with Bryan Cave?’”

Oftentimes, good client service simply comes down to good manners, Greene said. Ego-driven litigators sometimes dictate directions to clients, but it is important to view things from the in-house point of view and not demand timelines that are nearly impossible to meet, Greene said.

“I'm an old 'please-and-thank-you' kind of guy,” Greene said. “It's amazing how far that can go in today's world.”