

# Achieving More With Less: Balancing In-House vs. Outside Counsel With Proactive Risk Management Techniques

By: Peter S. Bauman, Esq.

<http://commercialcounselor.com/>

According to the [2012 Carlton Fields Class Action Survey](#), U.S. corporate legal departments are expecting to handle more class action suits (an average of 5.4 in 2012 vs. 4.4 in 2011) – and are also expecting to spend about 17 percent less than they did last year doing it.

The survey interviewed 322 general counsel, chief legal officers and direct reports to general counsel, and found that the economy is not only driving down expectations on legal spend, but also increasing the importance of implementing risk management strategies to control costs.

A third of survey respondents noted that strong compliance practices are helping to reduce the risk of class actions; 57 percent of companies are currently using risk management tools and programs to reduce class action litigation costs, including:

- Enterprise Risk Management Tools
- Document retention/e-Discovery/tracking systems
- Better management of outside counsel
- Increased insurance

Additional best practices in managing class action litigation risk and expense mentioned in the survey include:

- Making one person accountable for class action management
- Rigorous early case assessment
- Proactive risk management measures: monitoring exposure, training employees, defining a clear legal strategy
- Selecting the right counsel with an in-depth knowledge of class action litigation

<http://bit.ly/K40DhY>

Tharpe & Howell has acted as Corporate Counsel and Litigation Counsel for clients, and can assist in effectively and efficiently litigating matters, managing outside counsel, setting up internal procedures to minimize costs during litigation and performing audits to reduce the risk of litigation. For more information, please contact Peter Bauman or Robert Freedman at (818) 473-5720 or email your request to [cabusinesslawreport@tharpe-howell.com](mailto:cabusinesslawreport@tharpe-howell.com).