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For Better Outside Counsel Relationships, Tell Firms How They're Being Measured

"It feels like the law firms are going to do what we ask them to do, but oftentimes, we're not telling them what we want," said one in-house ops leader at the Corporate Legal Operations Consortium's annual institute.

By Caroline Spiezio | April 25, 2018

Metrics



Pictured, from left, are David Cunningham, Winston Yeung, Andrew Magowan speaking at CLOC. Photo Credit: Caroline Spiezio/ALM

[\(https://www.law.com/corpcounsel/2018/03/28/in-house-counsel-want-appropriate-fee-arrangements-data-can-help-them-get-there/\)](https://www.law.com/corpcounsel/2018/03/28/in-house-counsel-want-appropriate-fee-arrangements-data-can-help-them-get-there/) are all the rage at innovative law firms and legal departments these days. But while firms and companies are measuring more than ever before, they often don't share what they track with each other.

That should change, according to three lawyers who spoke at the Corporate Legal Operations Consortium's 2018 institute. David Cunningham, the CIO of [Winston & Strawn](https://www.law.com/law-firm-profile?id=333&name=Winston-%26-Strawn-LLP) (<https://www.law.com/law-firm-profile?id=333&name=Winston-%26-Strawn-LLP>), joined ASOS.com general counsel Andrew Magowan and T-Mobile's senior manager of [legal department operations](https://www.law.com/corpcounsel/2018/04/24/zero-to-hero-legal-ops-leaders-discuss-how-to-start-an-operations-program-from-scratch/) (<https://www.law.com/corpcounsel/2018/04/24/zero-to-hero-legal-ops-leaders-discuss-how-to-start-an-operations-program-from-scratch/>) Winston Yeung Tuesday afternoon to discuss what metrics they track, and what they'd like to see from the other side.

The panel started with a poll of firm lawyers in the audience—more than half responded that they either had a poor idea of the metrics in-house teams were collecting on them or no idea at all. Yeung said that was the case with some of his firms until recently. Now, he's sharing his data and his expectations around diversity and other metrics.

"It feels like the law firms are going to do what we ask them to do, but oftentimes, we're not telling them what we want," he said.

Yeung added that sharing metrics with T-Mobile's outside counsel hasn't just helped align expectations and goals. Having frank discussions around metrics and data has boosted trust between the department and firms and strengthened those relationships.

“By being able to share that data with them and then have it go bidirectionally, it feels like we’re partnering, as opposed to us versus them,” he said.

From the outside counsel perspective, Cunningham agreed that firms oftentimes don’t know what clients want if they’re not being told. He recommended in-house counsel speak to CIOs or legal operations teams at firms about what dashboards they’re using and what metrics they’re collecting, and that outside counsel do the same with clients.

“You said the law firms will do whatever you say—that’s true,” Cunningham said. “And just knowing what it is that helps you is a big step.”

Yeung and Cunningham discussed metrics that might be important to in-house counsel that might not be tracked by most firms, including diversity data or how efficiently different firms’ lawyers are completing work. By increasing communication between the two sides about metrics and expectations, both can better track the metrics that matter to the other, leading to better staffed matters and greater overall satisfaction.

“Sit down with [firm CIOs] and say, ‘Give me an idea of what it is that you’re doing.’ And have them show you these types of [dashboards] that we’re talking about today, and give them pressure to work with you in that sense,” Cunningham said. “Some firms will really enjoy that, and some firms are the ones swimming naked when the tide goes out.”

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