Litigation & Corporate Compliance Survey
AlixPartners
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OBJECTIVE:
This survey was conducted in order to assess:
- Frequency and nature of commercial disputes in the last year
- Retention of outside counsel
- Types of litigation and approach to settlement
- Budgetary constraints within corporate legal departments

METHODS USED:
Responses were collected from more than 100 General Counsel at companies with annual revenues of $250 million or more, primarily located in the US. Financial services (20%), professional services (12%), information technology (11%), and Energy (11%) had the highest representation in responses.

KEY FINDINGS:
- 36% stated the number of legal disputes their companies have been involved in has increased during the preceding 12 months while 57% stated it stayed the same.
- Contract and intellectual-property disputes account for most types of legal action facing litigation departments.
- 89% stated they are more likely to settle a case than go to trial.
- 27% reported the size of their litigation department has increased in the past 12 months.
- 51% saw an increase in spending on litigation over the past 12 months.
- 10% of respondents stated they were involved in a “bet-the-company” lawsuit over the preceding 12 months.
- Respondents are reducing risk mostly by reassessing compliance programs (84%), implementing new tools (64%), and monitoring, enforcing document retention policies (63%) and increasing the number of internal and external compliance audits and documenting results (53%).
- 52% state retaining more work in-house is important.
- 79% believe managing outside counsel expectations is important.

CONCLUSION:
Legal and compliance departments are allocating increasing amounts of resources to manage potential litigation and commercial disputes. Given the costs associated with such lawsuits, companies and their counsel are implanting new tools and compliance programs to reduce the risk of potential and costly litigation.

Full Report