

Tech-enabled solution CounselGuide helps tame onslaught of outside counsel guidelines

"Harbor is top notch for advice. You get the expert consultant knowledge but without any of the gibberish."

William Farrell, Chief Financial Officer, Lowenstein Sandler

Am Law 100 law firm [Lowenstein Sandler](#) has successfully tamed the proliferation of outside counsel guidelines (OCGs) it receives by deploying CounselGuide, a tech-enabled solution from Harbor that it helped perfect. In doing so, the firm has developed a set of repeatable standards that mitigate risk and improve service through deeper client engagement.

According to [William B. Farrell](#), Chief Financial Officer at Lowenstein, the number of clients issuing OCGs has increased significantly in the last five years.

"While in the past we would receive a one-page document from a Fortune 500 client outlining their billing requirements, we now see OCGs issued by businesses of all sizes, not only public companies."

He says the scope of the OCGs has broadened to cover many more pieces of information than simply billing.

"They now encompass a wide range of issues such as security, time and billing, budgets, work product, and diversity requests. Some of them run to several hundred pages and get so granular [that] they stipulate which particular hotels attorneys must stay in when traveling on a matter-related assignment."

Farrell believes the pandemic provided a hiatus that allowed companies to think precisely how they wanted to engage with their outside counsel. "We had long-term clients who suddenly began issuing OCGs outlining how they want to conduct business. It's a trend that will continue, so it's essential to work out how to prioritize the efficient management of OCGs internally."

The risk of the unknown

With over 500 of its clients issuing OCGs, Lowenstein realized it needed a more sophisticated approach to ensure they were compiled, communicated, and complied with effectively.

Before CounselGuide, the firm stored the guidelines in a dedicated location on its document management system, providing access to the Office of General Counsel and the revenue and conflicts teams.

"Each group involved in the review of OCGs had well-established protocols for reviewing them and disseminating the relevant information to our attorneys," recounts Farrell. "However, we knew the process still entailed some risk."

The firm lacked full searchability of the guideline database, and reporting, while defined, was highly manual.



"We struggled to surface the different facets when searching across the document folders," explains Farrell.

The real pain arose from reviewing and circulating meaningful summaries to the firm's various stakeholders. The firm was filing the OCGs while still having to manually summarize the salient terms for partners, attorneys, and the revenue team.

"Our nagging concern was we had a proliferation of OCGs and no real insights into the contents and to what we had agreed. We relied too heavily on people's memories to determine whether we had encountered similar guidelines and our response to them," says Farrell.

New platform increases visibility

After looking at several product offerings, Farrell tapped Harbor, with whom the firm already had a strong business relationship.

"After demo-ing Harbor's new solution, we realized it could give us greater visibility into our OCGs and increase operational efficiency," says Farrell.

For example, tracking client rate notification dates in an Excel spreadsheet left Lowenstein open to losing revenue if it didn't inform the client of a rate rise before the deadline. "I saw that CounselGuide would help us keep better track of dates and automate some of our more manual processes."

Lowenstein not only piloted the product but also provided a dedicated onboarding expert from the firm to help Harbor finetune the solution.

"As an early adopter, Harbor welcomed our input," recalls Farrell. "We worked with Harbor to develop an exhaustive list of facets, and we offered suggestions as we implemented the tagging software, such as adding client and matters information to the OCGs' profiles to make searching easier."

Verified information at the ready

After operating with this solution for over a year, Farrell says every new OCG is now collected, stored, and ordered through CounselGuide. The firm is now working through its existing OCGs backlog, starting with the ones it knows have unique terms.

Says Farrell: "CounselGuide provides us with a place to tag the facets of every OCG we receive. We have a verifiable sign-off process, and we can easily search and create reports to communicate the terms to the relevant people."

He says disseminating information to the firm's lawyers and revenue team is more efficient.

"We can now create standardized reports, which we can run repeatedly without building them from scratch. We no longer have to search through emails to discover what facets are important. The reports contain all the relevant information our attorneys and billers need.

"Another advantage is that we can look across all our OCGs more easily and start developing our tolerances for each facet. Clients respect when you actively engage over OCG terms because it shows you take them seriously."

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Lowenstein Sandler LLP

Lowenstein Sandler LLP is a national law firm with over 350 lawyers working from five offices in New York, Palo Alto, New Jersey, Utah, and Washington, DC. It represents clients in virtually every sector of the global economy, with particular strength in the areas of technology, life sciences, and investment funds. Recognized for its entrepreneurial spirit and high standard of client service, the firm is committed to the interests of its clients, colleagues, and communities.

This engagement was executed by HBR Consulting, one of the companies that merged to form Harbor.