MONTHLY METRICS - A CLOC SURVEY SERIES
LITIGATION METRICS
Summary Results
Survey Representation

114 members represented 8% of CLOC membership

Industry Representation

- Technology: 22.8%
- Financial Services: 14.9%
- Consumer: 11.4%
- Other (please specify): 10.5%
- Biotech/Pharma/Life Sciences: 9.6%
- 9.6%
- 7.9%
- 6.1%
- 5.3%
- 3.5%
- 3.5%
- 1.5%
- 0.9%
- 0.9%
- Non-Profit
- Entertainment/Media
Quick Stats

45% of law dept’s formally **track their litigation success rate**

471 average number of litigation matters per year

7 in 10 law dept’s track actual spend versus budgeted spend

1 in 9 law dept’s never use law firms for document review

# of Litigation Matters/Year

- 1001+ Matters: 12.7%
- 501-1000 Matters: 12.7%
- 251-500 Matters: 12.7%
- 101-250 Matters: 7.3%
- 51-100 Matters: 20.0%
- 1-50 Matters: 34.5%
- 0-10 Matters: 34.5%
Company Size

Respondent Company Size Breakdown

- **Small** (< $1B in revenue): 14.0%
- **Medium** ($1B - $9.9B in revenue): 39.5%
- **Large** ($10B+ in revenue): 46.5%

**Small:** < $1B revenue
**Medium:** $1B-$9.9B revenue
**Large:** $10B+ revenue
Litigation Spend

% of Legal Spend that Goes to Litigation

% of Total Legal Spend that Goes to Litigation

% of Respondents

0%  1-10%  11-20%  21-30%  31-40%  41-50%  51-60%  61-70%  71-80%  81-90%  91-100%

4%  5%  10%  17%  8%  22%  7%  10%  10%  3%  3%
Litigation Team Staffing

% of Legal Dept. Dedicated to Litigation

- **65%** of respondents indicated 1-20% of their Legal Dept. headcount is dedicated to litigation*
- **18%** of respondents indicated 21-40% of their Legal Dept. headcount is dedicated to litigation
- **10%** of respondents indicated 41%+ of their Legal Dept. headcount is dedicated to litigation

*8% of respondents indicated 0% of their Legal Dept. headcount is dedicated to litigation

# of Litigation Team Members

- **71%** of respondents have 1-5 paralegals
- **50%** of respondents have 1-5 litigation attorneys
- **12%** of respondents have 6-10 “Other” FTEs and/or 6-10 paralegals
Litigation Metrics Tracked

- **Budgeted costs versus actual costs**: 29% Collected, 71% Not Collected
- **Avg. time to case resolution**: 39% Collected, 61% Not Collected
- **No. of matters by plaintiff’s counsel**: 44% Collected, 56% Not Collected
- **No. of matters by jurisdiction**: 71% Collected, 29% Not Collected
- **Avg. no. of custodians per legal hold**: 79% Collected, 21% Not Collected
- **Win/Loss % by firm**: 80% Collected, 20% Not Collected
- **No. of matters by matter type**: 80% Collected, 20% Not Collected
- **Costs by stage of litigation**: 87% Collected, 13% Not Collected
- **Avg. cost by matter type**: 88% Collected, 12% Not Collected

**7 in 10 respondents track budgeted vs. actual costs**

**1 in 8 respondents track the average cost of matters by matter type**
Who Tracks Litigation Metrics

90% of respondents don’t share metrics externally to incentivize performance

Which teams track litigation metrics?

<table>
<thead>
<tr>
<th>Team</th>
<th>Collects Metrics</th>
<th>Doesn’t Collect Metrics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Ops</td>
<td>55%</td>
<td>45%</td>
</tr>
<tr>
<td>Litigation team members</td>
<td>48%</td>
<td>52%</td>
</tr>
<tr>
<td>Other</td>
<td>14%</td>
<td>86%</td>
</tr>
<tr>
<td>Finance team</td>
<td>9%</td>
<td>91%</td>
</tr>
</tbody>
</table>

Does your organization share firm-specific metrics to incentivize performance?

Yes: 9.8%
No: 90.2%
New Matter Management

1 in 2 RESPONDENTS USE A CASE MANAGEMENT TOOL

Do you use a case management tool?

- Yes: 51.2%
- No: 48.8%

60% of respondents consider the avg. cost of previous, similar matters when engaging a firm on a new matter.

51% of respondents use a case management tool.
E-Discovery

$2.8M - THE AVERAGE SPEND ON E-DISCOVERY PER YEAR

Is the majority of your e-discovery support (people, process, technology) handled externally or internally?

**Most Common E-Discovery Vendors:**

- Relativity
- Nuix
- DTI
- Exterro
- EverLaw
Litigation Hold & Document Review

1 in 9 RESPONDENTS NEVER USE LAW FIRMS FOR DOC REVIEW

How often do you use law firms for doc review?

- Never: 11.3%
- Rarely: 24.2%
- Sometimes: 32.3%
- Usually: 24.2%
- Always: 8.1%

Do you have litigation hold technology?

- Yes: 68.9%
- No: 31.1%