

Value Practice:**After Action Reviews as Critical Step in Adding Value: Focus on FMC Technologies, Inc.****Jeffrey Carr****Interviewed while: Vice President, General Counsel & Secretary, FMC Technologies**

Key attributes of the FMC Technologies legal team's approach to delivering legal services to its clients (FMC Technologies business units) are:

- Acting as trusted, strategic advisor
- Managing risks and protecting assets while maintaining the company's ethical compass
- Delivering cost-effective legal services to the appropriate business

This ACC Value Practice piece focuses on FMC Technologies' rigorous After Action Process.

AFTER ACTION REVIEWS

After action reviews are required following every matter or piece of litigation. They are part of the law department's 'holistic dispute resolution cycle.'

Objective: Enhance the performance of the law department by conducting after-action reviews to improve as a legal team by learning how to do things better and avoid costs.

2 Key Questions

- How could the matter have been handled better (procedurally)?
- What can we do to avoid being in this situation again?

Process

- Required after every matter
- For deals, do at least 2: one right after the deal closes; another 3-5 years later
- Performed by in-house counsel; sometimes in combination with outside counsel; sometimes business personnel participate if matter was significant
- It is important that the process focuses on continuous improvement as opposed to dwelling on the past. To do so, the team leader presents first and bases the comments on what they could have done better (as opposed to what other team members might have done differently). This helps avoid an accusatory and adversarial meeting that becomes a "blame game."
- Track after action review responses in the law department's matter management system (Serengeti Tracker)
- Limited access to review reports: in-house lawyer responsible for the relevant business unit;

General Counsel; and attorney responsible for the practice area

- Use results in discussions with business personnel and to enhance law department performance as well as business unit continuous improvement

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