

LEGAL PROCESS OUTSOURCING

A HOW-TO GUIDE ON LEGAL PROCESS OUTSOURCING (LPO)

This overview provides corporate legal services specialists with ideas and best practices they may wish to consider when looking at Legal Process Outsourcing (LPO) and/or provide resources to expand an existing program. ACC thanks Connie Brenton, Managing Counsel, Legal Operations at Oracle, for her work on this 'how-to' piece.

Three linchpins in creating and developing a successful LPO program are to:

- choose a top tier provider (a provider you know will still be around in five years),
- delegate appropriate work, and
- provide adequate training and resources to the LPO at the outset of a project.

Those that have followed these principles shared that LPO providers can provide quality work, delivered in a timely fashion, at significant cost savings.

What is an LPO?

A Legal Process Outsourcer specializes in providing legal support to legal organizations and law firms at a lower cost. LPO services include: document review, contract review and management, template drafting, deposition support, litigation document management, IP support, IT and patent support, due diligence, and most any process oriented work. While generally the most suitable work to send to the LPO provider may be process-oriented, certain niche LPOs can and do undertake legal services with relatively high levels of subjective analytical skills, i.e. patent application drafting, and legal research if accompanied with thorough training provided by you.

***Tip:** Choose a provider who has experience and who can show you examples and provide references with respect to the work that you are specifically interested in outsourcing. As is the case with large law firms or leading technology companies, each LPO may have a particular area or talent set that they do exceptionally well. Some may have a focus on dealing with smaller law firms and corporate departments, others may have a reputation for high quality patent support work or some may be able to provide end-to-end solutions in the e-discovery and document review. So do your research. Look for proof and look for experience.*

LPO v BPO

Legal Process Outsourcing is a niche within the larger outsourcing world. While the LPO acronym came into existence on the heels of the Business Process Outsourcing (BPO), it should not be compared with or utilized in the same way you would engage a BPO provider. The BPO industry differs from the LPO industry in that it has a different set of statistics and metrics, higher attrition rates, a different talent pool and different rules of engagement. Although the BPO providers may bring to the table a strong infrastructure - that may not necessarily translate to experience in the LPO space.

***Tip:** Before engaging an LPO provider, delve into what specific work they have done and for whom and for how long. Ask for references; see it yourself.*

India or Elsewhere

The majority of LPO providers are currently located in India. According to a 2008 Washington Post¹ article, [India's LPO industry](#) has been growing 60% annually for the past three years and will employ at least 24,000 people and earn \$640 million in revenue by 2010. For many companies in English-speaking countries or in countries with common law systems, India has become the LPO destination of first choice due to its widespread use of English and common law, and its huge talent pool. However, some in-house leaders who have used Indian LPO providers have indicated that Indian LPO employees still need rigorous training in order to become familiar with legal and judicial practices in other countries. Regardless of the language or legal system involved, an LPO's higher level competency and experience will certainly improve the relationship and the work output. There is an increasing number of well-regarded providers emerging in geographies outside of India, with hubs growing in Singapore, the Philippines, Sri Lanka, Malaysia, the Caribbean, and South Africa. One of the major challenges faced by the geographies outside of India is overcoming constraints with regard to scalability, and they have consequently been slower to gain traction within the LPO industry.²

Tip: When choosing your team, know that you can make special requests. For instance, you can ask for the same team of lawyers for each project or even request special training or competency examinations. Although there might be a few changes out of necessity, the LPOs can work to accommodate these types of requests. For highly sensitive projects, LPO providers may be willing to guarantee secure workspaces dedicated to you and your project.

Staffing Agencies

Staffing agencies are a form of onshore outsourcing that differs from the pure LPO providers. There are different participants/companies competing in this space, they use a different staffing model, processes and resources. Benefits of using a staffing agency model versus an LPO is that the staffing agency pool consists of lawyers that are US-trained and licensed, and the talent pool consists of a broad range of experience (from those who perform document review, to lawyers with 15 to 20 years experience in niche areas of the law).

Tip: Some of the LPO providers provide onshore and offshore capabilities. If you are experiencing internal resistance to the LPO concept, the option of first starting onshore with an LPO provider can be an attractive one. You can start onshore, develop a relationship with the provider, and after gaining a sense of comfort, work can be moved offshore (or it can be worked onshore and offshore simultaneously).

Types of Work to Offshore

Ethical, legislative and practical considerations govern the legal services that are suitable for outsourcing. Reputable LPO providers will take care to avoid engaging in any substantive

¹ <http://www.washingtonpost.com/wp-dyn/content/article/2008/05/10/AR2008051002355.html>

² According to ValueNotes the total number of employees in some of the geographies outside India is comparable to the number of new hires by a single leading Indian IT outsourcing provider.
<http://www.sourcingnotes.com/content/view/530/1/>

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legal work that could be viewed as the unauthorized practice of law. Clearly an LPO provider cannot provide legal advice directly to a client, without the intermediary of a supervising U.S. attorney sufficiently competent to evaluate the LPO provider's work product. Choosing projects to outsource and providing the appropriate training to the LPO are necessary steps in establishing a successful outsourcing program and/or project. Although leading providers are expanding the scope of their services and moving up the value chain, to date, particularly when outsourcing offshore, corporations have been most successful when the work is *repetitive and process-driven*. Below are general categories of work suitable for outsourcing. The list however, is by no means all-inclusive:

eDiscovery and Document Review – This includes handling e-discovery and reviewing documents for discovery purposes including privilege, relevance and confidentiality. This is often the low hanging fruit in numerous legal organizations and at the same time equates to the largest spend. Accordingly, law firms and corporations are increasingly using outside service providers as a convenient and cost effective option for providing document review services. LPO providers have extensive experience with this type of work and can deliver a high quality service at reduced rates. It is an area of work in which several of the larger, reputable LPOs, have extensive experience.

Coupled with the physical staffing and project management of large scale document review projects, you can consider choosing an LPO with the capability to provide an end-to-end solution to the entire e-discovery lifecycle, i.e. the collection, processing, hosting, review and production of electronic data. Be aware that very few providers can attest to being able to offer an integrated, end-to-end solution that is wholly owned internally. If your provider is proposing to subcontract out any element of the e-discovery process, you should consider going through the same rigorous due diligence that you undertook in the search for your LPO provider, for any other entity that will be involved in the handling of your data.

- **Contract Review and Management** - includes work ranging from maintaining contract databases and repositories to creating contract templates. Contract review is one of the most popular forms of contract outsourcing. It can involve reviewing the terms of a contract and flagging any abnormalities or inconsistency based on the revision parameters set forth by the outsourcing attorney. Outsourced contract work can also include drafting, reviewing and managing high volume, routine contracts.
- **Litigation Support** - services range from imaging and OCRing, database creation and population, coding and indexing documents, summaries of depositions, pleadings and documents, to high volume printing and publishing of electronic files to CD or extranet.
- **Intellectual Property** - repeatable work related to the early stages of the patent process makes up the bulk of outsourced IP projects. IP support services including patent and trademark searches, IP monitoring, infringement research, application drafting, and status tracking as well as all aspects of patent practice such as prior art searches, product clearance searches, and drafting of technical specifications.
- **Legal Research** - includes primary and secondary research for case specific legal issues, compiling a 50-state survey on a particular area of law and/or gathering

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information for legal newsletters and journal articles. Additionally, LPOs can create work product libraries and provide work product updating.

***Tip:** Companies successfully implementing outsourcing practices share that any work for which a process can be created can be evaluated for offshoring appropriateness. The work appropriate to send offshore may often be the less interesting work that pulls attorneys and staff off the more complicated projects.*

Suggestions on Picking an LPO Provider

How to Research the LPO:

Choose a well-established Company. LPO companies come and go; be certain that your potential provider has financial stability. Virtually all the LPO providers are privately held companies so you will need to specifically request key financial information, including information on capitalization, revenue, investors and financial backing.

Seek a provider with deep management and domain expertise, good references, end-to-end services and the ability to scale. Consider looking for providers that can offer scalability with at a minimum both a US and offshore presence. Also, consider whether the provider is ISO certified across all of its key delivery centers, and find out how long the certification has been in place.

Due diligence should include understanding the company's background, how long they have been in business, what kind of experience they have and with whom, including services provided, sweet spots or niches, specific project knowledge and experience.

- **Use Independent Resources** when conducting background investigations and gathering industry knowledge.³
- **Be careful when using ranking tools.**
- **Understand the operation of the legal system and the regulation of lawyers in the country to which the services are being outsourced.** According to ABA Formal Ethics Opinion 08-451, "Consideration should also be given to the legal landscape of the nation, particularly the extent that personal property, including documents, may be susceptible to seizure in judicial or administrative proceedings notwithstanding claims of client confidentiality." The legal landscape should also be assessed for "risk of loss of client information or disruption of the project in the event that a dispute arises between the service provider and the lawyer and the courts do not provide prompt and effective remedies to avert prejudice to the client." It is also wise to remember that lawyers, non-lawyers, and law firms operating LPOs outside the US may be subject to or have a

• ³ An example of a resource is ValueNotes, a service that provides independent research and information on business and financial topics including Legal Process Outsourcing. They have a free weekly newsletter to which you can subscribe to keep current on latest trends and happenings in the outsourcing industry. You can log in at their homepage: <http://www.sourcingnotes.com/content/view/468/128/>.

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different understanding of issues that would be presumed in the US, such as avoiding conflicts of interest as defined by the professional codes. In countries such as India, even lawyers may work on matters for conflicting clients in a way that would not be allowed in the US – if you don't contract for the behaviors you expect with non-US providers, you cannot bank on their local professional standards regulating behaviors as you might assume they would.

For all these reasons, choosing an LPO provider with a physical presence in the US gives you better recourse should something go wrong, even if the work is done outside US borders.

Relevant Questions in Evaluating an LPO Provider (*checklist provided in the addendum*)

- **Company background:** History; Longevity; Experience; Client References; Services provided (do they have a sweet spot/niche); Financial stability (capitalization, revenue, financial backing).
- **Quality/Certifications** (ISO and other certifications): How long have they been certified; Programs in place (e.g. Six Sigma); Metrics and guarantees in place.
- **Location:** Number of locations; Proximity to your location; US Presence; Own or Rent; Capacity for Expansion.
- **Employees:** Number of Employees and attorneys; Skill set of Employees; Training/Retention Programs; Hiring Practices; English Language Proficiency; Educational Background; Attrition; US Legal Culture Experience.
- **Infrastructure/Security:** Utility Backups; Security; Data and Physical Security Measures; Recycling and Refuse disposal procedures, Compatibility and Connectivity, Disaster Recovery methods.
- **Check Conflicts:** Verify that the provider does not also work for adversaries of the clients on the same or substantially related matters.
- **Costs:** Hourly rates; Fixed fee pricing; Alternative Pricing Structures; Additional Costs.
- **References:** Always check references.

Tip: For the in-house legal department - consider including one of your outside law firms to participate in your LPO RFP. Law firms bring in a different perspective and often have relevant experience with LPO providers.

Evaluating “Your” Team

It is important that the culture of your organization/firm aligns with those of your intended LPO provider. The initial introductions and meetings are generally with the LPO founders or executives. Most of those on executive management teams have worked at large US firms and have received their legal training in the US. These are not the people who will be working on or managing most LPO projects. When getting to know your team, meet the entire team – the managers as well as the individual contributors. Interview the principal lawyers, assessing their educational background. Evaluate the quality and character of the employees likely to have access to your information. If you are unable to physically meet these individuals, at a minimum request to review their resumes and “virtually” meet them.

For each individual on the team, consider inquiring about educational backgrounds, skill sets,

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English language proficiency, and level of experience with the US Legal culture. Ask about the number of employees and attorneys, the provider's hiring practices including candidate testing, and from which Universities candidates are recruited. Additionally, understand employee benefits and internal retention and continuing development programs, as these can be directly related to attrition rates.

While inquiring into the above, be cognizant that the Indian legal training regimen differs from that in the US. Most employees in the LPO space are Indian qualified lawyers, with the exception of some Intellectual Property support work (primarily patent searching and drafting), which engineers support. Training at the LPO is an important component in evaluating an LPO provider.

Tip: If possible, visit the provider in person. Each provider has a distinct and different culture. In-house leaders suggest choosing only one or two providers at a time, as it can be difficult to manage and provide adequate resources to more.

LPO providers generally have low attrition rates

LPOs have traditionally kept their attrition rates between 12 -15%. When asking about attrition, specifically ask the LPO provider about the types of retention programs they have in place. Retention programs can include normal work days (9am-6pm or 10am-7pm, with limited work in the middle of the night), robust training, cross training, opportunities for advancement, team activities (birthday celebrations, family events, etc.), a nice physical environment, and flexibility in allowing involvement in outside activities.

Tip: When asking about retention rates, be sure to ask how long the lawyers have been working there. LPOs have the ability to scale up and down quickly, skewing their attrition numbers. For example, if they picked up a big project, they might have 300 attorneys on staff, a retention rate of 96% but 200 of those attorneys were hired within the last month to work on a large document review project.

Cost Savings

Cost savings go without saying in this industry. Rates can and will vary depending on the specific talent base needed for a particular project. Because of the recent increase in the number of entrants into the LPO space and pressure to "land grab", some new participants are "low-balling" projects. Long-term, this is not a sustainable practice. Pay particular attention to this happening especially if Procurement organizations are managing the process, without the Legal organization's involvement.

Do not limit yourself to engaging an LPO only on an hourly basis. LPOs offer multiple combinations of fee arrangements, including hourly rates, fixed fee pricing, alternative pricing structures, unit cost (per project, per agreement, per document, per page, per gigabyte, per employee, per month/day/year) and more. If engaging with an LPO through outside counsel, consider discussing with counsel value-based fee arrangements in conjunction with the overall delivery of legal services. One of the advantages of using an LPO is an ability to scale up and down quickly which can be taken into consideration when determining which pricing model to use.

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Seconded attorneys can be hired by the month, quarter or year. This can ultimately be an efficient and cost effective option depending on your project needs. However, it requires the most upfront commitment in terms of training and ongoing management to ensure that the lawyer(s) are properly trained, always have enough work and the offshore teams are adequately incorporated into your internal culture, structure and processes.

Finally, cost savings are more significant and sustainable when relationships are created with an LPO (versus multiple one-off RFP requests).

***Tip:** Many of the LPO providers will offer doing a small, first time project at no cost. Keep in mind that although there may be no direct cost in undertaking such a project, the project will still take internal resources to manage and you should still perform the due diligence identified above, particularly given the potential for disclosure of confidential information.*

***Tip:** Choosing an LPO provider based entirely on price can create unintended, bad issues, which in the long-run are much more costly, e.g. choosing a financially unsound provider. In the long run, continually low bidding projects is an unsustainable practice.*

How to Prepare Work to Send Offshore

Once it has been established that the work you are sending over is appropriate, the following steps may be taken:

- **Contracting with an LPO:** LPO contractual agreements generally mirror those with other outside service providers. A Master Services or Master Procurement Agreement is signed between the parties. Either within the master services agreement, or a supplemental statement of work, ensure that key areas are covered, including: deliverables, metrics, quality controls, pricing, project management, supervision, methods of communication (e.g. video conferencing), privacy, security and confidentiality.

In addition, consider how you would like to handle subcontracting and supervision. In-house leaders with experience in working with LPO providers share their view that subcontracting by the LPO to other local providers should be either outright prohibited or subject to stringent approval requirements given that client confidential data may be involved. Effective supervision within a legal outsourcing engagement includes, among other things, robust governance practices, including regular communications. Consider clearly defining within the agreement a structure for efficient management, prompt decision-making and issue resolution.

- **Create a detailed process, aligned with your expectations and clearly established goals.** The benefits of process include consistency, predictability, quality, productivity and defensibility – these benefits apply across many legal tasks of varying complexity, not just tasks, which by their nature are substantively straightforward, standardized, and routine. The LPO process brings a method that is common, documented, repeatable and scalable.

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- **Experiment with the process you have created, using your own team as guinea pigs, to check for gaps in the process stream before sending it offshore. What you do not catch, your LPO provider generally will.** LPO providers have experience with a number of different clients, have developed best in class processes, and can pull from that historical knowledge to help you catch gaps you might have overlooked.
- **Create a formal training curriculum.** If possible, travel to India and provide onsite training. For big projects, consider sending someone from your team for several weeks. For smaller, less complicated projects, training can be done via conference calls.
- **Dedicate a fulltime resource from your team to interface with the LPO until the project has been stabilized.** From the onset, talk frequently, several times a day if necessary, until your process is stable. Communicate.
- **In partnership with your LPO provider, decide on which types of metrics should be utilized for tracking purposes.** Many of the providers routinely track metrics on each project as part of their six-sigma discipline. Discuss processes and procedures to be put in place to ensure continuous improvement during an engagement.
- Discuss quality checks – how they will be handled and by whom.

Tip: Do NOT skimp on the up-front investment. Create detailed, thoughtful, tested processes and from the onset include training and support. Never just throw a project over the fence and expect success. Engaging an LPO is a two-way street. It will take resources on your part to monitor, provide training, and tweak the processes until the project has stabilized. Dedicating resources from your team, full time, for the initial phase, until the project stabilizes is well-spent time and money. Failure to provide internal resources from the outset of a project is the most frequently made mistake and the most serious in terms of consequences (other than choosing a financially unstable provider).

Training

Again, allocate sufficient resources and time to training. As a general rule, double the amount of time you think it will take for training.

- **Develop a training curriculum internally.** Test the training out with internal resources.
- **Talk to your LPO primary contact and set up a training process and curriculum with your LPO team.** It might involve different subsets of people from the LPO for different functions of a project.
- **Start with a high level overview and then begin drilling down.** Do not assume anything. The LPO team will often ask questions that will flag gap areas.
- **Conduct frequent calls at the beginning of a project. Check every document for a period of time, the time differing depending on the complexity of the project.**
- **Once the project is stabilized, communication can decrease and you can move to spot-checking.**
- **For long term or complex projects it is a good idea to send someone to the LPO provider to train and develop a relationship with your team.**
- **Sending an attorney from your internal team can also provide comfort for those on your internal team who might be reluctant to send work offshore.** Knowing

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that there is someone from your legal organization on the ground to coordinate work and stabilize processes can provide reassurance in the process.

- **Training is a two-way street.** Ask your LPO team for tips or suggestions at every stage of the training process.

***Tip:** Build in time and resources to manage and check quality on all projects. The good news is that, even including the cost for these additional internal resources, savings can still be significant.*

Overcoming Institutional Resistance to Offshoring

- Take baby steps.
- Start with an easy, low risk project to get your feet wet.
- Engage with providers that have both onshore and offshore capabilities. Start onshore or run projects both on/offshore simultaneously with the same provider.
- Consider starting with a staffing agency in the US before immediately moving offshore.
- Start with onshoring – consider using firms with facilities in low cost US locales (Midwest, South).
- Partner with outside counsel – have the law firm hire and manage the LPO. More recently, law firms have begun developing direct partnerships with LPO providers.
- Send someone from your legal organization to your LPO provider to train and to initially liaise between your internal legal organization and the LPO provider.
- Share stories and lessons learned internally. Publicize and celebrate successes.

***Tip:** Get support from the executive management team first. Moving offshore runs more smoothly if the initiative is top down driven.*

Security

Ensuring the security of confidential information is important. We are told that LPOs considered by users to be ‘premier’ have infrastructures with biometrics and redundancies as elements of their security programs. Many LPOs (well over 100) have sprung up over the last few years since barriers to entry are low; however, entry to the market does not mean that the LPO has the process expertise, management systems and security infrastructure to support demanding legal work.

***Tip:** Visit the physical LPO sites; see for yourself.. Ask about and evaluate whether data storage, information security, disaster recovery methods and programs are robust. Evaluate network protection, including asking about multiple firewalls, data encryption and password protection. Does the provider meet stringent ISO information security standards? Is the provider EU Safe Harbor certified?*

Disaster recovery is also a genuine concern when engaging with a provider whose offices may be located in an offshore location subject to severe climatic conditions or potential terrorist activity. Does the supplier have an effective disaster recovery plan? Is this documented and tested? Ask to see a copy of the provider’s business continuity plan. You will want to establish how practically, the disaster recovery plan works. Does the provider have more than one facility? Does the provider have off-site data storage capability, back-up

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generators, access to adequate fuel supply?

Tip: *Understand fully the security measure the LPO provider has in place. This is a common area of unrest for those new to offshoring; proactively share this information with your internal teams.*

Quality

Your due diligence should reveal whether an LPO's quality program/processes are real or part of glossy promotional materials. An LPO should be able to demonstrate understanding of the components of quality and provide a documented and defensible workflow for each and every process they profess to be capable of undertaking. A quality program should include a comprehensive commitment throughout each aspect of the workflow, and a culture of quality from recruitment and training, to implementation and project progression, to audit management. A defined quality assurance program differentiates providers who are essentially staffing companies, offering little in addition to bodies on the ground, from those providers who bring true outsourcing expertise to the table.

There are many ways to test quality, including thorough diligence, references, certifications, tests (pre-pilots), and pilots. A LPO should be able to demonstrate that it has auditable, defensible documented processes and a performance metrics system, which accurately monitors and ensures quality and builds continuous improvement processes into the system. It's also important to remember that quality is a moving target; for that reason, LPO providers that have a formal Six Sigma process or some other quality program in place will be best placed to ensure ongoing minimal defects in their deliverables.

Disaster Recovery: Does the supplier have an effective disaster recovery plan? Is this documented and how frequently is it tested? Ask to see a copy of the provider's business continuity plan. Establish how, practically, the disaster recovery plan works. Does the provider have more than one facility? This is a genuine concern when engaging with a provider whose offices may be located in an offshore location subject to severe climatic conditions or potential terrorist activity. Does the provider have off-site data storage capability, back-up generators, access to adequate fuel supply?

Check Conflicts

Verify that the provider does not also work for adversaries on the same or substantially related matters. Do they have effective systems to identify potential conflicts? How are data and systems kept up-to-date, and policies enforced? Will the provider turn down assignments when a potential conflict arises? Once again, don't be satisfied with a bland statement as to policy; ask to see a copy of the provider's formal conflict of interest policy. Who within the organization is responsible for monitoring potential conflicts of interest? This should all be documented.

Ethical Obligations in Legal Process Outsourcing

The outsourcing of legal work raises specific issues in relation to the outsourcing lawyer's obligations to his/ her client. Six Bar Association Ethics Committees and the American Bar Association Standing Committee on Ethics and Professional Responsibility have released

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Opinions discussing the outsourcing of legal work. All of the Opinions have concluded that a lawyer in the US can outsource legal work and, at the same time, satisfy his/her ethical obligations. Arguably, the Opinion that carries the most weight is the one released by the American Bar Association Standing Committee on Ethics and Professional Responsibility on August 25, 2008 (Formal Opinion 08-451⁴).

The Opinion comments that: "The outsourcing trend is a salutary one for our globalized economy" and goes on to say: "*Consideration should also be given to the legal landscape of the nation, particularly the extent that personal property, including documents, may be susceptible to seizure in judicial or administrative proceedings notwithstanding claims of client confidentiality.*"

The legal landscape should also be assessed for "*risk of loss of client information or disruption of the project in the event that a dispute arises between the service provider and the lawyer and the courts do not provide prompt and effective remedies to avert prejudice to the client.*" In the event of a breach of confidence or security, are effective remedies available within a reasonable time? Are local courts balanced, impartial and effective? Other questions relevant to understanding the legal landscape of the jurisdiction where the work will be undertaken include: What are local customs and practice concerning conflicts of interest and client confidences? Choosing an LPO provider with a physical presence in the US gives you better recourse should something go wrong.

It is the Digest to the New York Opinion however, that succinctly consolidates the major ethical issues for consideration:

"A New York lawyer may ethically outsource legal support services overseas to a non-lawyer, if the New York lawyer (a) rigorously supervises the non-lawyer, so as to avoid aiding the non-lawyer in the unauthorized practice of law and to ensure that the non-lawyer's work contributes to the lawyer's competent representation of the client; (b) preserves the client's confidences and secrets when outsourcing; (c) avoids conflicts of interest when outsourcing; (d) bills for outsourcing appropriately; and (e) when necessary, obtains advance client consent to outsourcing."

⁴[ABA Ethics Opinion on Legal Process Outsourcing](http://www.abanet.org/cpr/docs/08451.pdf), <http://www.abanet.org/cpr/docs/08451.pdf>

Additional Resources

- **American Bar Association:** In August 2008, the American Bar Association issued a formal opinion specifically approving the outsourcing of legal work and providing the basic framework for doing so successfully. Standard practices are codified in the opinion, such as adherence to high standards of security and confidentiality, implementation of proprietary Six Sigma based measurable quality and strict adherence to ethics by following a stringent conflicts check process. <http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=5611100451PDF>
- **NYLJ Article on ABA Opinion:** <http://www.law.com/jsp/article.jsp?id=1202424085117>
- **Blackbook of Outsourcing:** The Blackbook of Outsourcing is a publication on outsourcing published by Brown and Wilson. <http://www.blackbookofoutsourcing.com>
- **BusinessWeek:** Provides a commentary regarding the Blackbook of Outsourcing. http://www.businessweek.com/globalbiz/blog/globespottting/archives/2008/07/strange_things.html
- **Legal Forest:** Legal Forest is a consulting company that provides third-party advice on the economic and business considerations involved in outsourcing. <http://www.legalforest.com/report.html>
- **ValueNotes.com:** ValueNotes.com (www.sourcingnotes.com) is a product/service that provides a wealth of information and research on business and financial topics including legal process outsourcing. Located in Pune, India, they house approximately 80 employees. ValueNotes has been providing research regarding the LPO space for approximately 6-7 years. <http://www.sourcingnotes.com/content/view/468/128/>

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LPO Providers⁵

(In alphabetical order)

Contact / Reference Information	Services	Locations	# Employees	# of LPO Years	Certifications
<p>Company: American Discovery Contact: Thomas Lamb Title: COO/CFO Phone: 626-833-6808 Email: tlamb@americandiscovery.com Website: http://www.americandiscovery.com Note: Onshore staffing provider.</p>	<p>Document Review, Legal Research & Analytics, Case Law & Statutory Law Surveys, Contract Management, Law Firm BPO.</p>	<p>Pasadena, Manila</p>	<p>300</p>	<p>3</p>	<p>EU Safe Harbor Compliant</p>
<p>Company: Bohdi Global Contact: Title: Phone: +91 20 41064800 Email: info@bodhiglobal.com Website: http://www.bodhiglobal.com/</p>	<p>Litigation Support, Contract Review, Drafting & Management, Corporate Due Diligence for M&A, Real Estate, Legal & Regulatory Research, IP</p>	<p>Mumbai, Pune, New York City.</p>	<p>50</p>	<p>4</p>	<p>ISO 27001; ISO 9001; 2008</p>
<p>Company: Clutch Group Contact: Abhi Shah Title: CEO Phone: 212-922-9550 Email: abhi.shah@clutchgroup.com Website: http://www.clutchgroup.com Note: Onshore staffing/managed review provider, in addition to LPO. Backed by venture capital.</p>	<p>E-Discovery, Document Review, Litigation, Antitrust, M&A Due Diligence, Compliance/FCPA, Contract Management, Legal Research.</p>	<p>Chicago, New York, Washington, D.C., Bangalore</p>	<p>300</p>	<p>4</p>	<p>ISO 270001:2005; EU and Swiss Safe Harbor Compliant</p>
<p>Company: CPA Global Contact: Inder Duggal Title: Vice President – Global Practice Head, IP Outsourcing Phone: +91 120 406 7060 Email: iduggal@cpaglobal.com Website: http://www.cpaglobal.com Note: UK based company with strong infrastructure.</p>	<p>Document Review, Contract Management, Litigation Support, Intellectual Property, Renewals & Data Management, Research & Consulting, M&A, Transactional Services</p>	<p>Canada, Australia, France, Germany, Hong Kong, India, Japan, Jersey, South Korea, United Kingdom, USA.</p>	<p>1400</p>	<p>6</p>	<p>ISO 27001:2005 ISO 9001:2008</p>

⁵ As noted in the footer below, mention of a provider does not constitute an endorsement of that provider. Information on the list is provided as a convenience only and current as of December 2009 but should not be relied on as a substitute for your own diligence. Source for information on certification is available at the abovementioned LPO provider’s website, and should be verified independently.

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Contact / Reference Information	Services	Locations	# Employees	# of LPO Years	Certifications
<p>Company: Evaluserve Contact: Dr. Alok Aggarwal Title: Chairman and Co-Founder Phone: 408-872-1078 Email: alok.aggarwal@evaluserve.com Website: http://www.evaluserve.com Note: Primary focus on Intellectual Property; majority of employees are engineers. Secondary focus on legal research.</p>	<p>Legal Process Services, Intellectual Property, Investment, Business & Market Research, Data & Financial Analytics.</p>	<p>Australia, India, Singapore, China, Japan, Austria, France, Middle East, Switzerland, Italy, Benelux, Germany, Nordics, UK, Canada, USA, Chili.</p>	2200	10	ISO 27001:2005
<p>Company: Infosys Contact: Kishor Gummaraju Title: Strategic Business Practice Head, Infosys Knowledge Services Phone: Email: kishor_gummaraju@infosys.com Website: http://www.infosys.com/BPO-services/offerings/legal-services.asp Note: Originated as a BPO.</p>	<p>Contract Management, Document Review, Intellectual Property, Legal Research, Litigation & Administrative Support Services and Consulting</p>	<p>Bangalore, Pune</p>	500	2.5	ISO 27001; 2003 ISO 9001; 2005 EU Safe Harbor Compliant
<p>Company: Integreon Contact: Mark Ross Title: Vice President - Sales Phone: 310-740-4718 Email: mark.ross@integreon.com Website: http://www.integreon.com Note: Backed by venture capital.</p>	<p>Legal Solutions (eDiscovery and document review, contracts, due diligence, legal research, compliance, IP) Research Solutions, Professional Business Solutions</p>	<p>USA, Boston, UK, India, Philippines, China, South Africa</p>	2000	5	ISO 270001:2005; ISO 9001:2000 EU & Swiss Safe Harbor Compliant
<p>Company: LawScribe Contact: Kunoor Chopra Title: President Phone: (818) 448 5592 Email: kchopra@law-scribe.com Website: www.law-scribe.com</p>	<p>eDiscovery & Document Review, Intellectual Property Support, Corporate Transactional, Legal Research, Estate Planning.</p>	<p>USA, India.</p>	120	6.5	MCLE Accredited Legal Outsourcing Course Provider (CA, NYC, TX, FL)
<p>Company: Mindcrest Contact: George Hefferan Title: Vice President of Sales & General Counsel Phone: 312-467-9744 Email: george.hefferan@mindcrest.com Website: http://www.mindcrest.com</p>	<p>Document Review & Management, Contract Management, Legal Analytics, Compliance & Legal Research.</p>	<p>Chicago, Mumbai, Pune,</p>	650	9	ISO 270001:2005

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Contact / Reference Information	Services	Locations	# Employees	# of LPO Years	Certifications
<p>Company: Pangea3 Contact: David Perla Title: Co-Chief Executive Officer Phone: 212-689-3819 Email: info@pangea3.com Website: http://www.pangea3.com Note: Backed by well-known California based venture capitalist.</p>	<p>eDiscovery, Document Review, Intellectual Property, Patent Litigation, Due Diligence, Corporate Governance, Contract Review, Risk Management, Competitive Intelligence.</p>	<p>USA, Delhi, Mumbai, Europe</p>	<p>500</p>	<p>5</p>	<p>ISO 27001:2005 EU Safe Harbor Compliant</p>
<p>Company: Quattro BPO Contact: Kal Patel Title: VP-Client Development Phone: 630-460-8830 Email: kal.patel@quattro.com Website: http://www.quattro.com Note: Fourth successful offshore company started by founder.</p>	<p>Mortgage Solutions, Legal Solutions, Finance & Accounting, Technical Solutions, Risk Management, Business Support Services, Knowledge Services & Interactive Entertainment Services.</p>	<p>India, Sri Lanka, Singapore, China & USA.</p>	<p>2500</p>	<p>4</p>	<p>ISO 27001: DPA and PC DSS</p>
<p>Company: QuisLex Contact: Ram Vasudevan Title: CEO Phone: 646-472-5745 Email: ram@quislex.com Website: http://www.quislex.com Note: A premier offshore legal services provider.</p>	<p>Litigation/Investigation related Document Review & Analysis, Second Request Reviews, Trial Support, Contract Review & Management, M&A Diligence.</p>	<p>New York, Hyderabad</p>	<p>350</p>	<p>6</p>	<p>ISO 9001:2008; ISO 27001:2005; SAS 70 Type II Certified; EU Safe Harbor Compliant</p>
<p>Company: SDD Global Contact: Sanjay Bhatia Title: Head of Operations Phone: +91 821 4001900 Email: sanjayb@sddglobal.com Website: http://www.sddglobal.com</p>	<p>Litigation Support, Intellectual Property Services, Contract Services, Corporate Services, Conducting 50 State Surveys, Immigration Services.</p>	<p>Mysore, Bangalore, New York, London.</p>	<p>26</p>	<p>3</p>	
<p>Company: UnitedLex Corporation Contact: Lata Setty Title: Chief Intellectual Property & Litigation Officer Phone: 415-342-7256 Email: lata.setty@unitedlex.com Website: http://www.unitedlex.com</p>	<p>eDiscovery, Collection, Forensics, Processing, Onshore & Offshore Managed Doc Review, Risk & Contract Management, Legal Research, Patent Litigation & Portfolio Management, Trademark Searching, Monitoring & Prosecution, Immigration.</p>	<p>USA, UK, Israel, Gurgaon India.</p>	<p>550</p>	<p>4</p>	<p>ISO 27001:2005; EU Safe Harbor Compliant Six Sigma Black & Green Belt Certifications</p>

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Checklist for Selecting an LPO Provider

COMPANY BACKGROUND

- | | | |
|-------------------------------------|--|-------------------------------------|
| <input type="checkbox"/> History | <input type="checkbox"/> Longevity | <input type="checkbox"/> Experience |
| <input type="checkbox"/> Reputation | <input type="checkbox"/> Client References | <input type="checkbox"/> Services |
| <input type="checkbox"/> Types | <input type="checkbox"/> Level(s) of Expertise (Management/Team) | |

Comments: _____

LOCATION

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Number of locations | <input type="checkbox"/> Proximity to your location | <input type="checkbox"/> US presence |
| <input type="checkbox"/> Own or Rent | <input type="checkbox"/> Capacity for Expansion | |

Comments: _____

FINANCES

- | | | |
|---|---|------------------------------------|
| <input type="checkbox"/> Revenue | <input type="checkbox"/> Bank financing | <input type="checkbox"/> Investors |
| <input type="checkbox"/> Capitalization | | |

Comments: _____

EMPLOYEES

- | | | |
|---|---|---|
| <input type="checkbox"/> Number of Employees | <input type="checkbox"/> Skill Set of Employees | <input type="checkbox"/> Number of Attorneys |
| <input type="checkbox"/> Training | <input type="checkbox"/> Hiring Practices | <input type="checkbox"/> English Language Proficiency |
| <input type="checkbox"/> Education Background | <input type="checkbox"/> Attrition | <input type="checkbox"/> US Legal Culture Experience |

Comments: _____

INFRASTRUCTURE

- | | | |
|--|-----------------------------------|--|
| <input type="checkbox"/> Utility Backups | <input type="checkbox"/> Security | <input type="checkbox"/> Data and Physical Security Measures |
|--|-----------------------------------|--|

Comments: _____

TECHNOLOGY

- | | | |
|-------------------------------------|----------------------------------|---|
| <input type="checkbox"/> Experience | <input type="checkbox"/> Backups | <input type="checkbox"/> Compatibility/Connectivity |
|-------------------------------------|----------------------------------|---|

Comments: _____

QUALITY

- | | | |
|---|-----------------------------------|--|
| <input type="checkbox"/> Certifications | <input type="checkbox"/> Programs | <input type="checkbox"/> Metrics and Guarantees in Place |
|---|-----------------------------------|--|

Comments: _____

FEES

- | | |
|--|---|
| <input type="checkbox"/> Pricing Structure | <input type="checkbox"/> Additional Costs |
|--|---|

Comments: _____

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