



大成律师事务所

特刊

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《2013 首席法务官调查报告》



目录

—前言

—《2013首席法务官调查报告》中文

—附 2013 Chief Legal Officer Survey
《2013首席法务官调查报告》英文

前言

《首席法务官调查报告》是由美国AltmanWeil公司针对首席法务官在管理各自法律部门时的重要事项进行调查后形成的调查报告。在过去的十三年中，《首席法务官调查报告》将首席法务官最新的想法与法律专业人士们分享，使企业法务部门和律师事务所从中受益。

Altman Weil是服务于各类从事法律事务的机构的咨询顾问公司，客户包括北美、拉丁美洲、英国及欧洲的律师事务所、公司法务部门、政府法律事务机构等，已具有十四年的业务领域服务经验。Altman Weil每年会开展与法律业务相关的各类调查，并形成调查报告，提供给企业法务部门、律师事务所等从事法律事务的机构，首席法务官调查就是其中之一。

《2013首席法务官调查报告》对1,269家公司法律部门发出邀请，共207家回复了它们的数据结果。超过200位参与此次调查的首席法务官表示他们正重新制定内部律师、律师事务所、高科技工具以及非律师工作者的组合，以试图寻找一种新的更节省有效的资源平衡。让人意想不到的是越来越多的首席法务官在选择外聘律师的定价方案时会偏向于能清楚看到怎样设定和为什么如此设定的‘透明定价’，而非一味选择‘最低定价’。由此可见律师事务所定价的合理性和可预测性已成为众人关注的焦点。2013调查还显示部分公司法律部门计划在未来12个月内增加内部律师，而部分公司则计划减少使用外聘律师的预算。与此同时，首席法务官更愿意看到律师事务所服务模式的改变。这些都彰显着法律市场外部环境的悄然更迭。

此调查报告的征询对象和内容虽然发生在美国，但其代表着律师事务所发展的未来趋势，具有相当的前瞻性。公司部以大成所能更好地服务客户为出发点，将《2013首席法务官调查报告》翻译成中文，用法律通讯特刊的形式发布，供大家交流与学习。希望各位将自身的实际情况与此有机结合，对提高服务质量有所启发。



2013首席法务官调查报告

——Altman Weil 快速调查

连续14年来，Altman Weil针对各首席法务官在管理各自法律部门时的重要事项进行了调查。调查的目的在于获取首席法务官最新的想法并将其与法律专业人士们进行分享，以使企业法务部门和律师事务所都能从中获益。

一、调查结果

根据超过200位参与此次调查的首席法务官的观点，企业的法律部门持续致力于法律服务中的费用控制，重点强调内部改变。

首席法务官正试图寻找一种新的更节省有效的资源平衡。他们正重新制定内部律师、律师事务所、高科技工具以及非律师事务所工作者的组合，以此提供品质和价值给公司客户。

二、成本控制

调查发现78.5%的首席法务官与外聘律师商议降低费用来进行成本控制。几乎一半的法律部门（48.1%）获得平均6%-10%的降幅。20%的部门商议得到11%-15%的折扣，还有19%的部门得到平均1%-5%的价格减免。

但是，当问到偏好的外聘律师定价方案时，首席法务官压倒性地指出他们的优先选择权不仅仅给他们能得到的最低价格。

当提供四种可能的律师事务所定价选择时，36.4%的首席法务官说他们想要能使他们明白费用是怎样设定和为什么如此设定的‘透明定价’，并有机会讨论修改。1/3的首席法务官选择‘保证性定价’；20.3%的首席法务官偏向于因结果而不同的‘价值基础定价’。只有9.6%的首席法务官说他们想要现有的‘最低定价’。

这是非常让人意想不到的。如果折扣率是提供的唯一选项，法律部门肯定会接受。但是首席法务官说他们真正想要的是可预测性和掌控力。目前为止，这对大多数律师事务所来说还是个意识缓慢的挑战。

三、新的资源平衡

2013调查显示相比于5.4%的公司计划减少内部律师，42%的公司法律部门计划在未来12个月内增加内部律师。与此同时29%的法律部门计划减少外聘律师的使用，只有15%希望增加。对于那些计划减少外聘律师的公司，82%表示他们会将工作转移给内部法务人员。

作为控制成本的一部分，法律部门报告其努力把工作从高费用向低费用的资源转移。伴随着从律师事务所向内部律师的工作转移，公司法律部门还把工作转向了低费用的公司，减少给外聘律师的工作总量，将工作从律师转给律师助理，聘用合约律师，使用高科技工具来增加效率，并且外包工作给非律师事务所工作者。

为反应这一变化，47%参加调查的法律部门报告他们减少了2013年的外聘律师预算。这一数字比去年调查中减少外聘律师费用的39%的部门和2011年25%的部门高。

四、内外部关系

当问到从外聘律师那最希望看到哪些服务改进和革新时，3/4首席法务官的回答包含费用和价格。首席法务官首先选择的即是律师事务所提高预算的可预测性，其次是大幅费用开支的减少，更有效的项目管理和不以小时计费的收费结构。

不过，首席法务官表示对律师事务所接受该等挑战不抱太大希望。在连续五年中，调查要求首席法务官对律师事务所改变他们的法律服务模式以创造更高价值的认真程度评分。在第五年里，平均值只有0-10分中惨淡的3分（0分表示极不认真，10分表示尽一切可能）。

为平衡这一画面，首席法务官还被问到公司在改变价值这一提议上给律师事务所施加的压力程度。首席法务官给自己打了平均5分，而过去的五年中他们打了4分。

在获得五年对这些问题的类似答案后，似乎可以清楚地看到首席法务官准备自行处理这些问题，而不指望外聘律师与他们共同推进改变。

调查对内外部关系提供了一些额外的观察。在最后一个问题中，他们被问到首席法务官和律师事务所管理合伙人谁的工作更难。64%的人觉得首席法务官基于其角色的宽泛和复杂性，他们面临更大挑战。

但是，超过1/3的调查问卷者觉得基于包括现在律师事务所运营模式在内的一些原因，管理合伙人面临更艰难的道路。一位首席法务官提到“结构变革对律师事务所的影响是强烈的。首席法务官在今天除传统律师事务所以外的选择比任何时候都多，并且它们还变得越来越触手可得。”

五、关于此调查

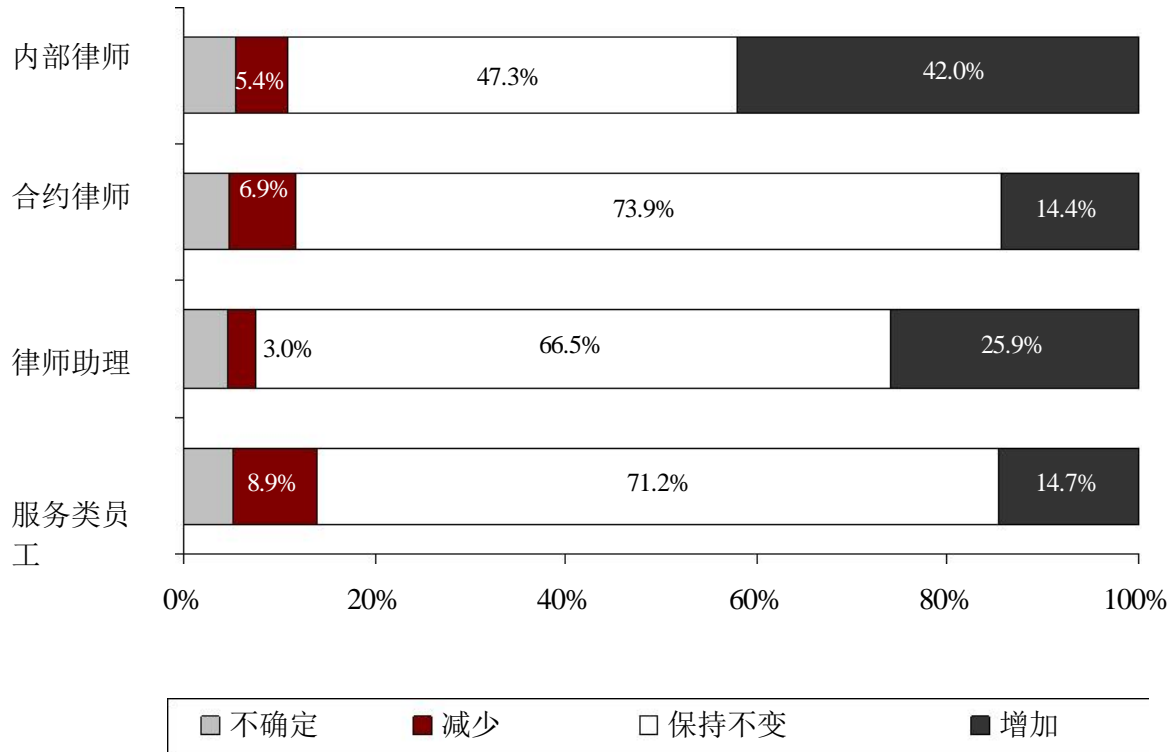
自2000年起，Altman Weil每年进行和公布一年一度的“首席法务官调查”，最近一期于2013年9-10月开展。共1,269家公司法律部门受邀参与此次调查，收到回复207家，占比16.3%。受访公司法律部门的人员和预算数据已包含在调查报告当中。调查报告如下，也可以通过访问www.altmanweil.com/CLO2012查看。

六、关于 Altman Weil

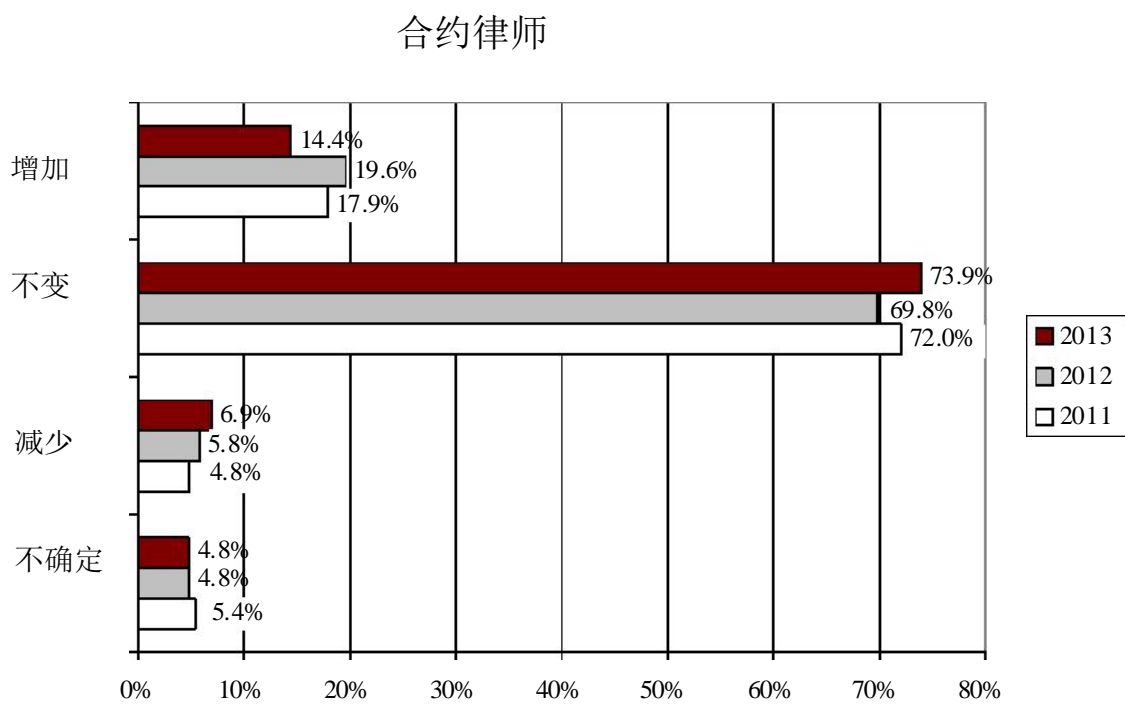
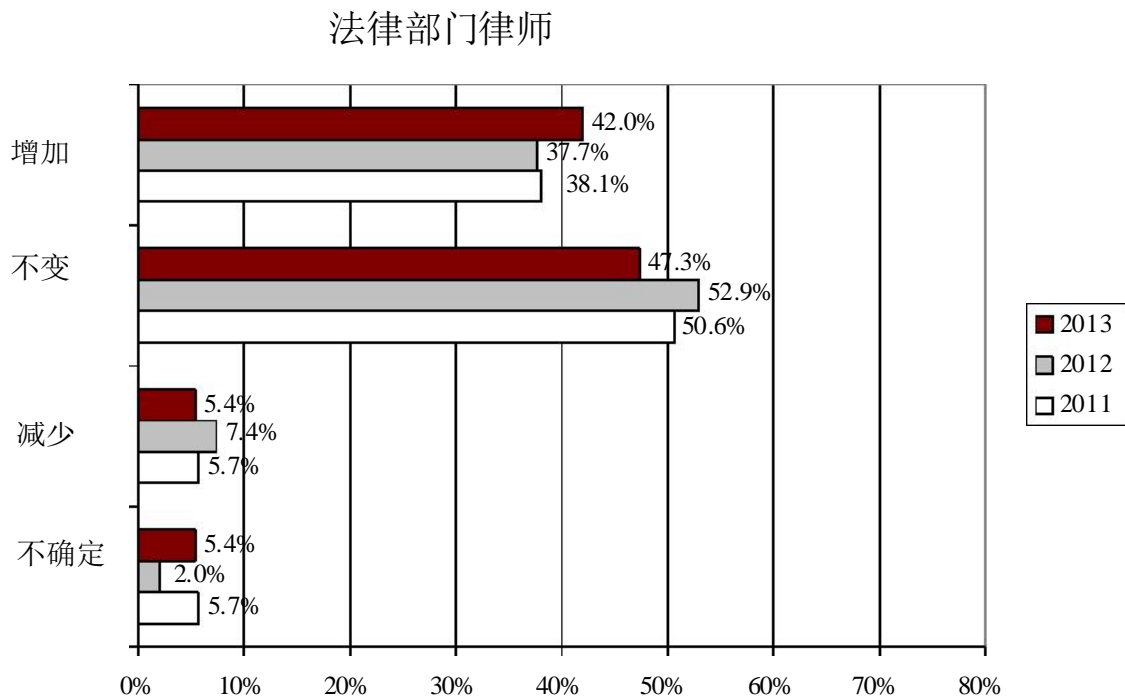
Altman Weil成立于 1970年，致力于法律专业方向。为世界范围内律师事务所、企业法务和其他法律工作者提供咨询服务。该企业由在法律、工业、金融、市场、行政以及政府有行业背景的专业咨询顾问独立拥有。您可以到www.altmanweil.com查看更多详细信息。

1、法律部门劳动力

在未来的 12 个月里，您计划增加还是减少法律部门的劳动力？

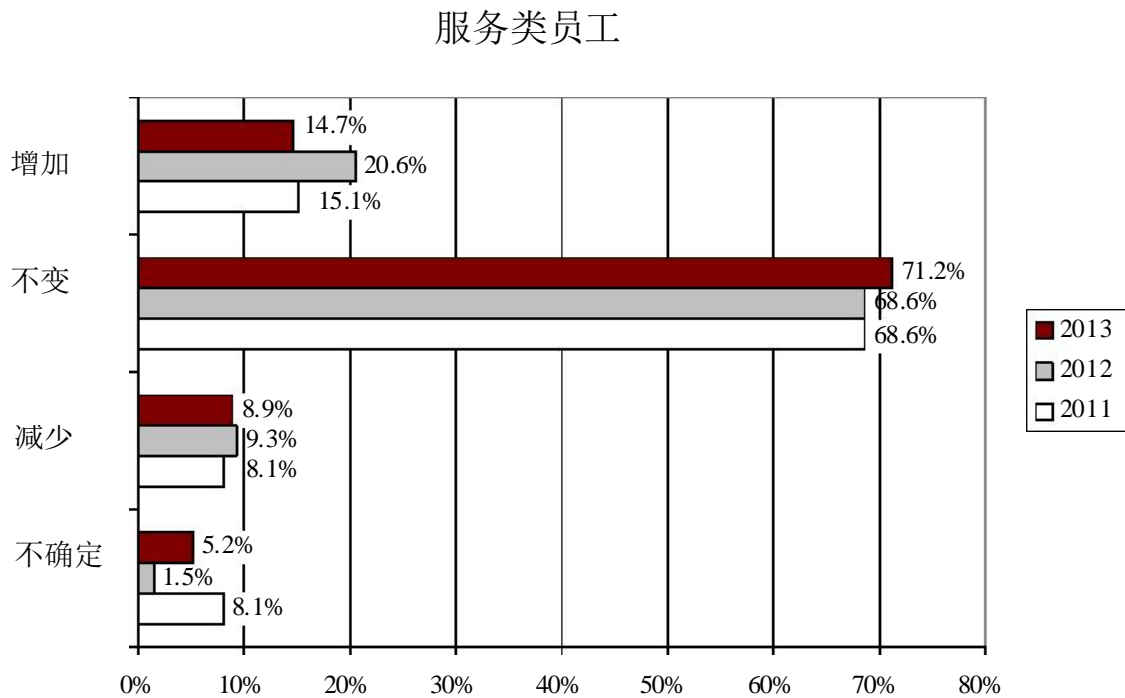
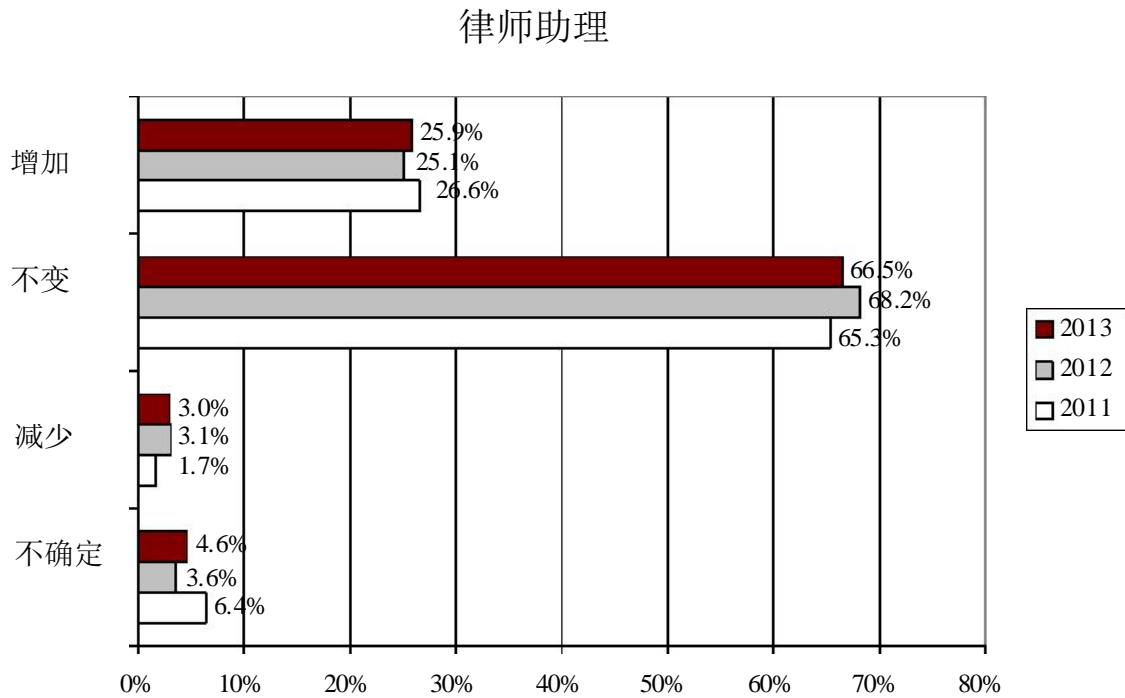


趋势：12个月内增加或减少法律部门劳动力



趋势数据从2011, 2012和2013首席法务官调查中编辑

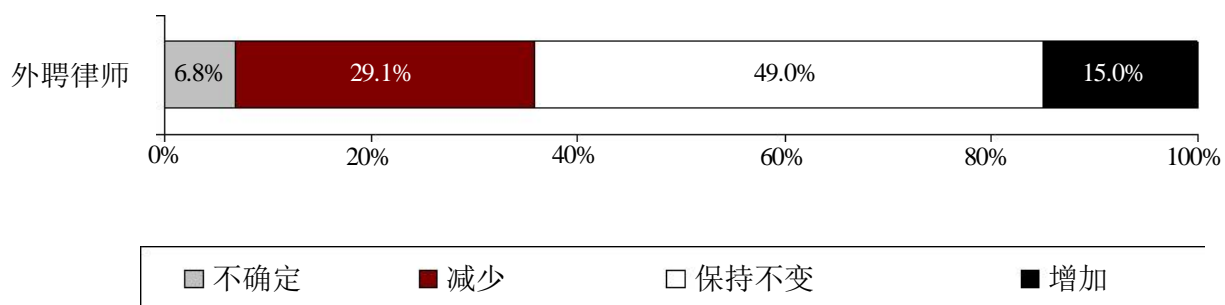
趋势：12个月内增加或减少法律部门劳动力



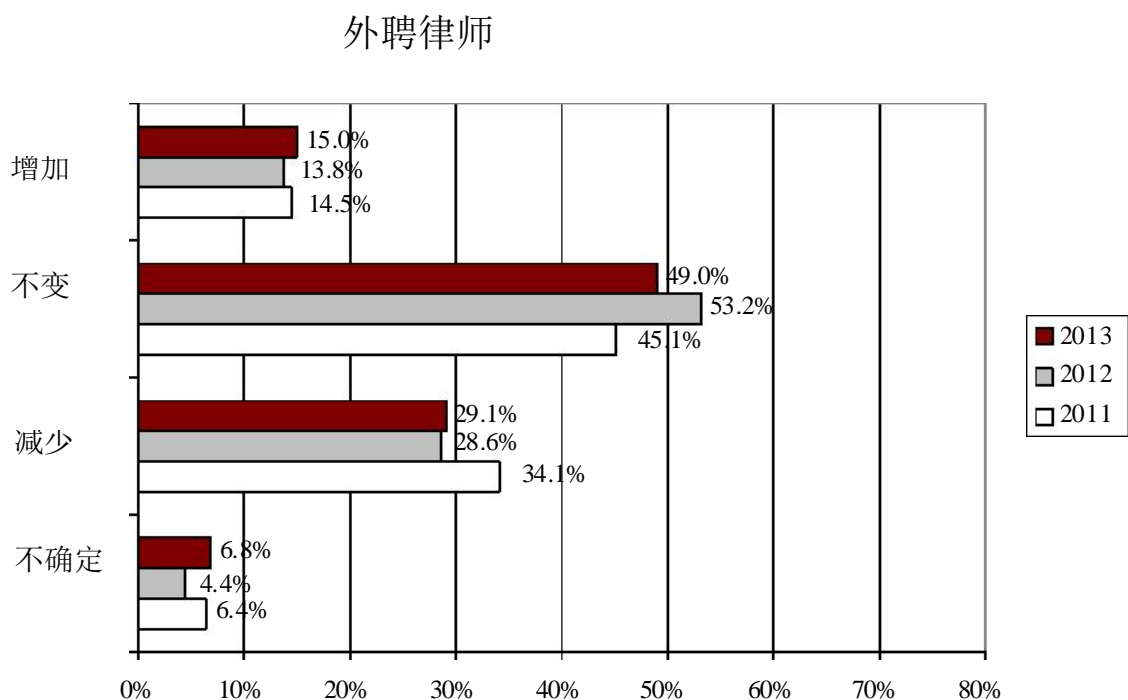
趋势数据从2011, 2012和2013首席法务官调查中编辑

2、使用外聘法律顾问

在未来的 12 个月内，您计划增加还是减少外聘法律顾问的数量？



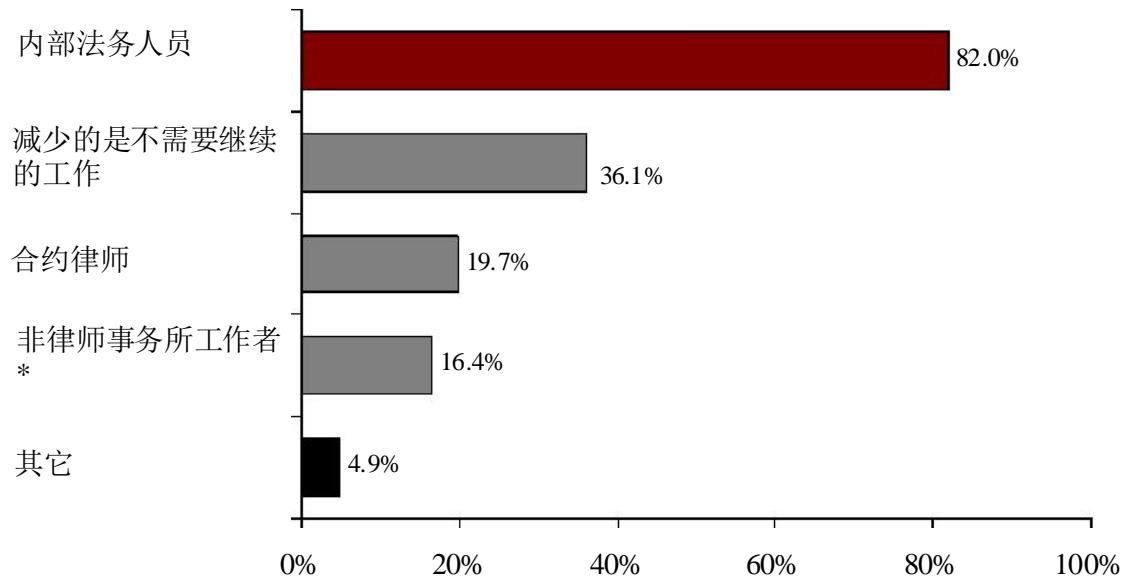
趋势：增加或减少外聘律师顾问



趋势数据从2011, 2012和2013首席法务官调查中编辑

3、替换外聘律师工作

如果您要减少外聘律师工作，将选用怎样的替代者？（可多选）



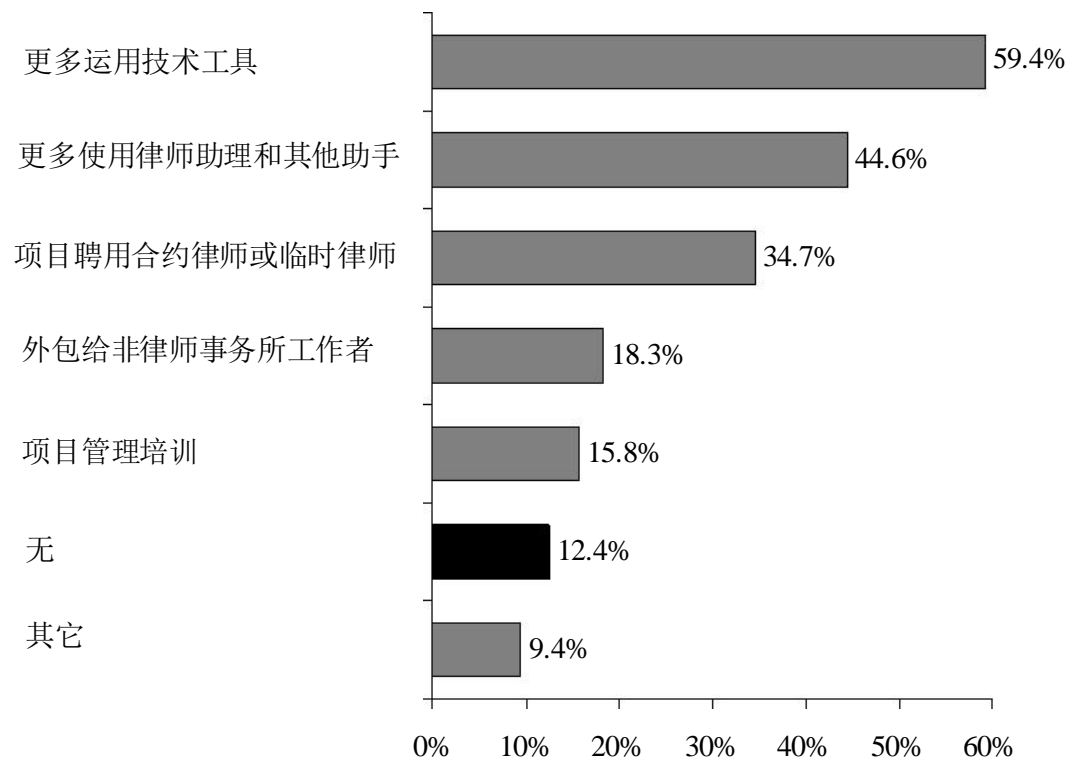
*非律师事务所工作者-例如：电子取证、文件审查、尽职调查或法律研究

“其它”评论：

我们运用过程控制和项目管理来限定律师应该做的而不是已经做了的法务工作。此外，用积极主动，以提示风险为基础的咨询辅导来限制紧急救援式的法律服务需要，从而减少整体需求。

4、法律部门管理——效率

在过去的 12 个月里，您做了哪些工作来提升法律服务的效率？（可多选）



4、法律部门管理——效率

在过去的 12个月里，您做了哪些工作来提升法律服务的效率？（可多选）

‘其它’ 提高效率的努力包括：

人员

- ☐ 承包外聘律师的功能
- ☐ 从公司借调人员
- ☐ 增加临时服务人员的使用

过程

- ☐ 重建工作进程和标准化
- ☐ 重塑部门职能; 改良某些进程
- ☐ 我们运用"脚本"式的标准操作程序 和以维基百科为基础的技术平台作为知识和流水作业间的杠杆
- ☐ 卓越竞争力/精益培训

技术

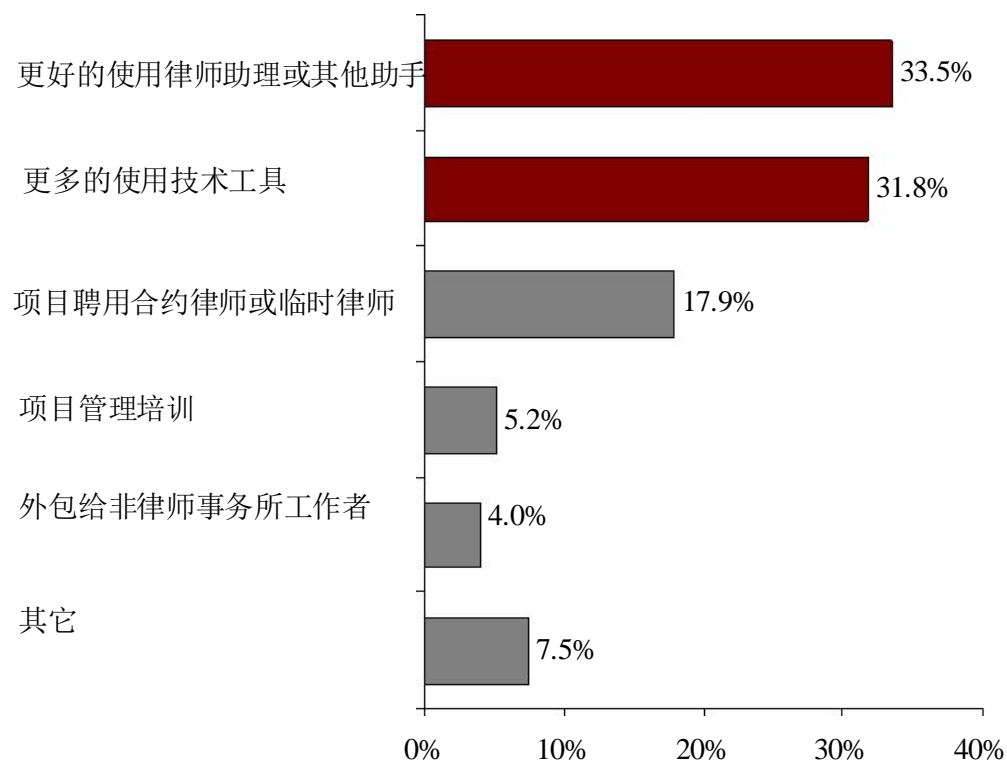
- ☐ 实现外部律师使用电子账单
- ☐ 转成只使用电子文件和文档储存
- ☐ 注册外部法律数据

工作评估 / 分配

- ☐ 分析已完成的工作来测定是否有价值增加
- ☐ 不评估低风险事宜
- ☐ 推动更多业务领域并在周围建立管控

4a、法律部门管理——效率

过去12个月里，所有为提升管理效率所做的工作中，产生效果最明显的是？
(单选)



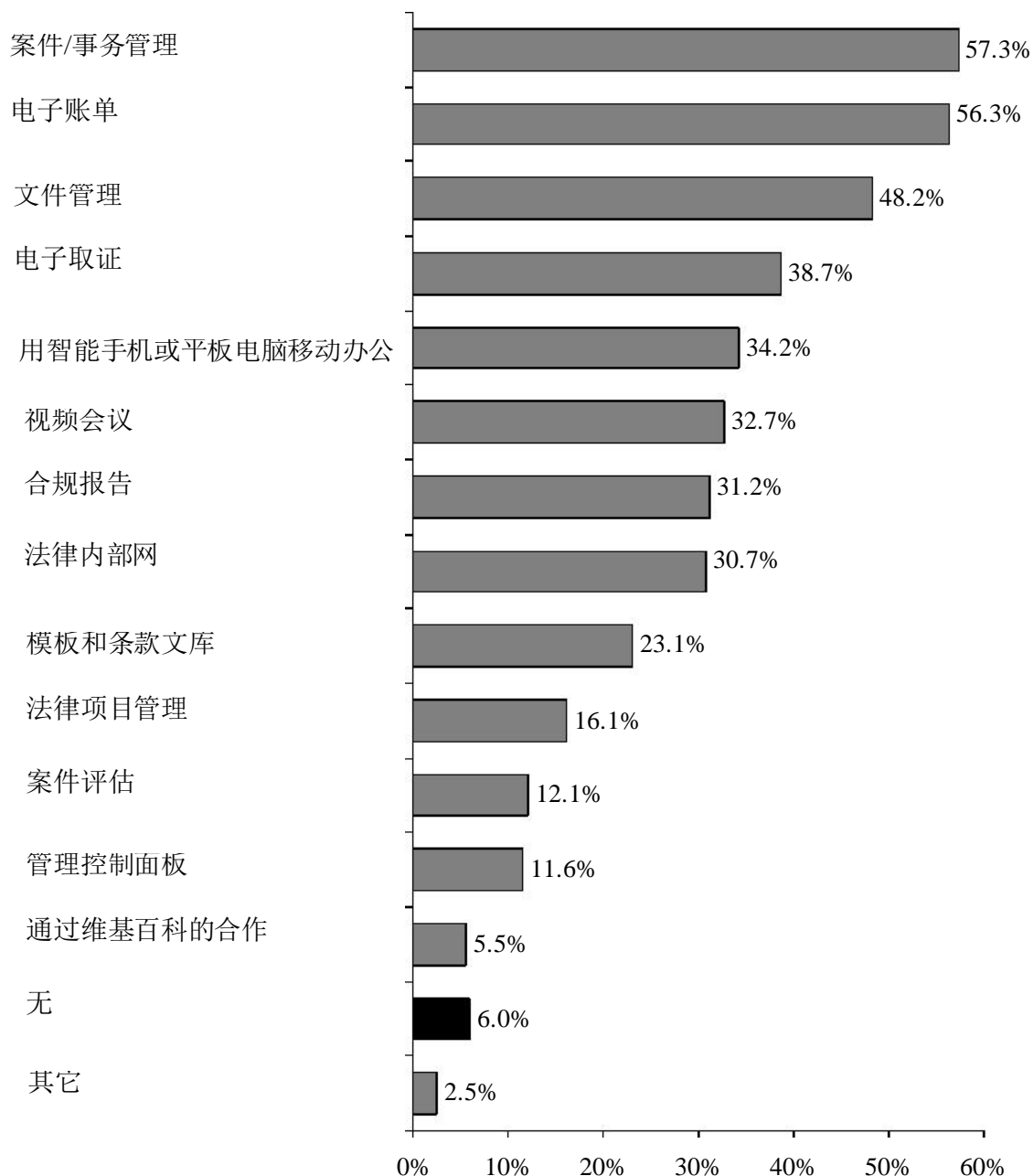
‘其它’ 包括:

- ⌄ 增加临时服务人员的使用
- ⌄ 可替换的费用价目表
- ⌄ 带来内部法律专家
- ⌄ 变更外部律师
- ⌄ 前期案件评估
- ⌄ 不做低风险事宜
- ⌄ 减少管理层级
- ⌄ 重建工作进程和标准化
- ⌄ 与外聘律师一起工作以更清楚地规定具体项目中内部、外部律师的角色分工

5、法律部门管理——效率

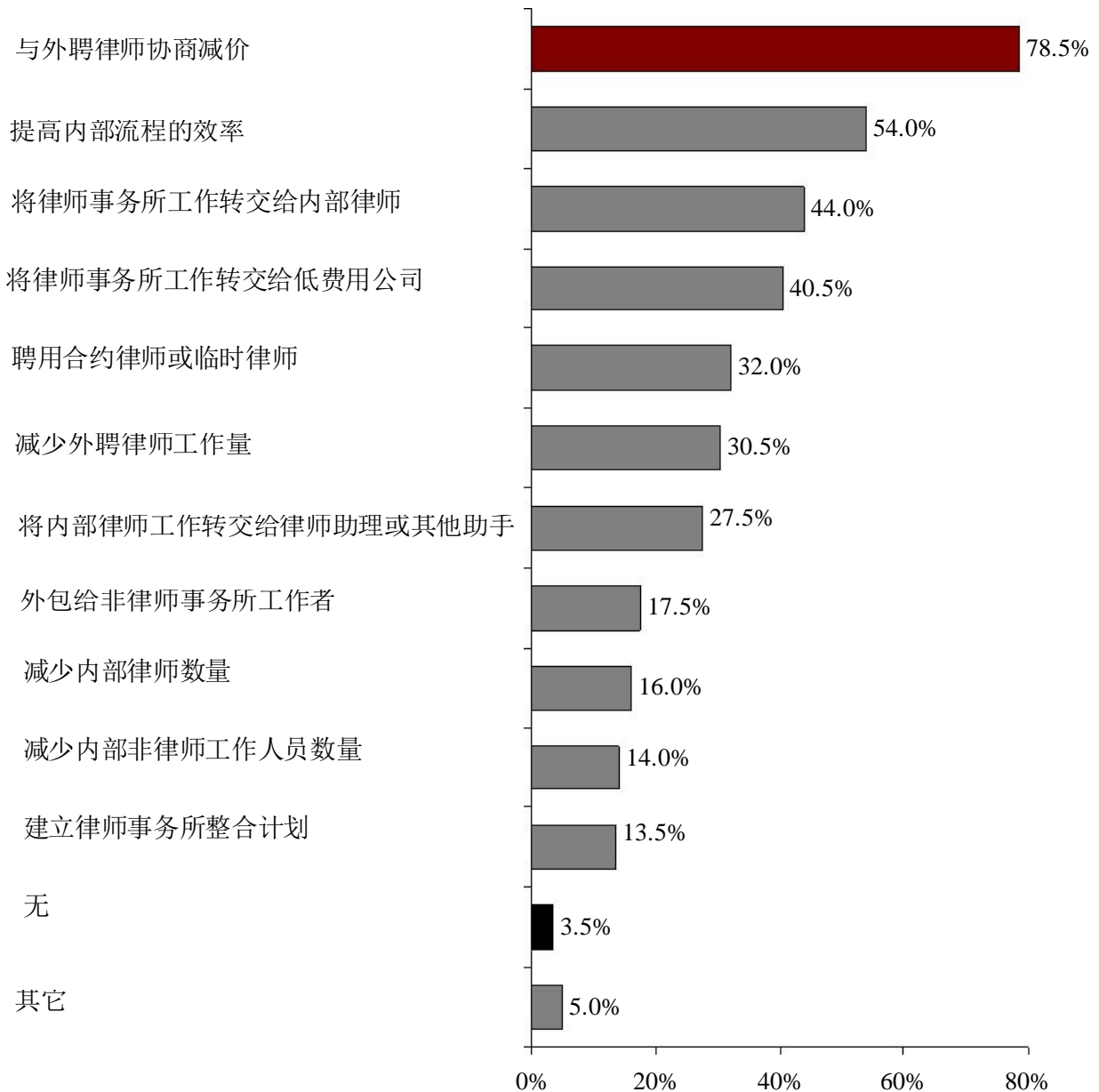
去年的调查中，更多的使用“高科技工具”在提高法律部门效率的方法中占首位。

您法律部门用过哪些高科技工具来提高效率？（可多选）



6、法律部门管理——成本控制

在过去的12个月中，您对控制法律部门成本采取过下列哪些措施？（可多选）



6、法律部门管理——成本控制

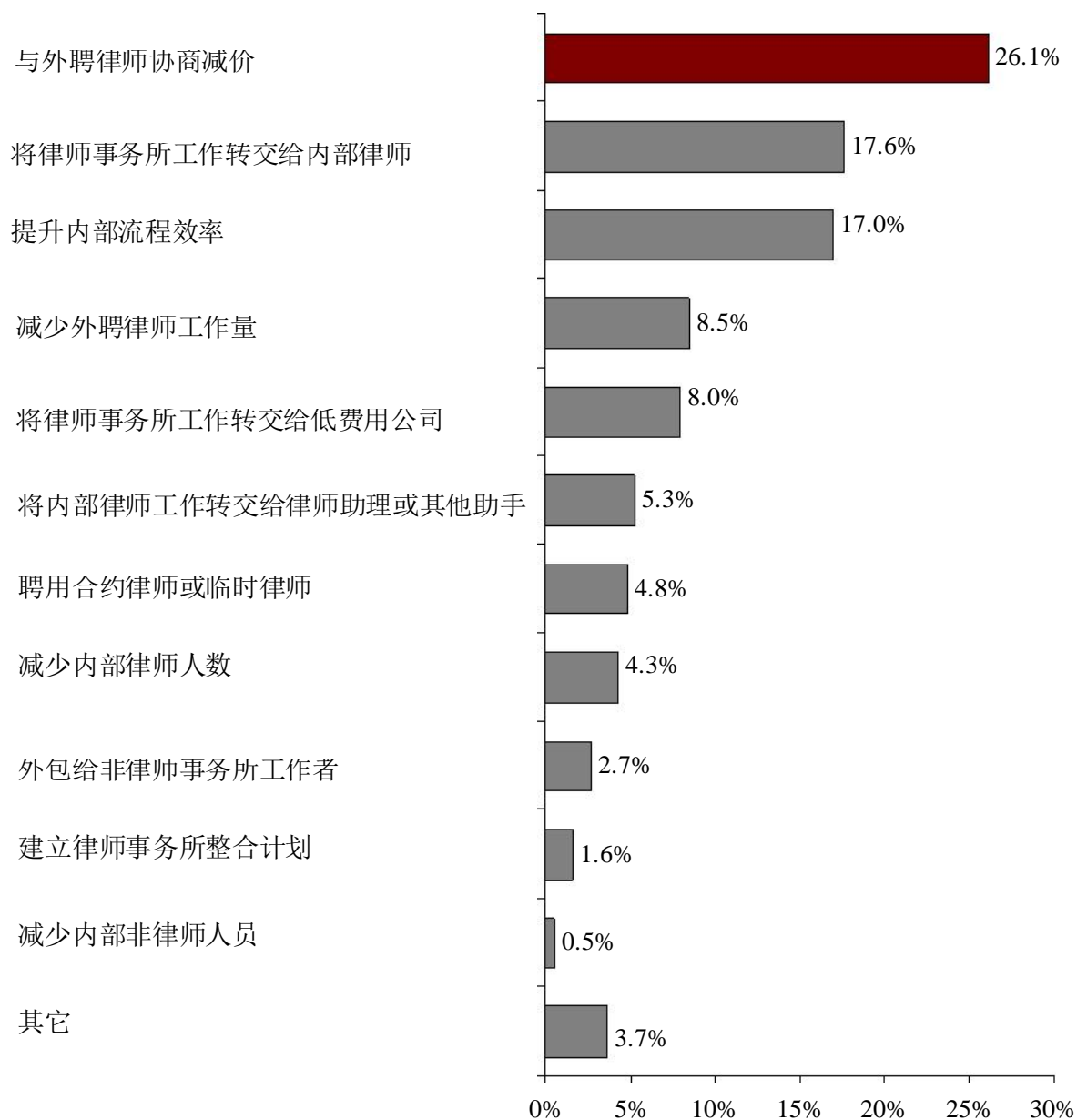
在过去的12个月中，您对控制法律部门成本采取过下列哪些措施？（可多选）

‘其它’成本控制包括：

- ☐ 更关注外部公司账单
- ☐ 为外聘律师的工作需要和范围，与客户做深度风险探讨
- ☐ 提高外聘律师管理
- ☐ 协商可替换的费用安排
- ☐ 注册财务策划师
- ☐ 从律师事务所借调人员
- ☐ 在低成本管辖内设立内部技术中心
- ☐ 利用可替换的律师事务所

6a、法律部门管理——成本控制

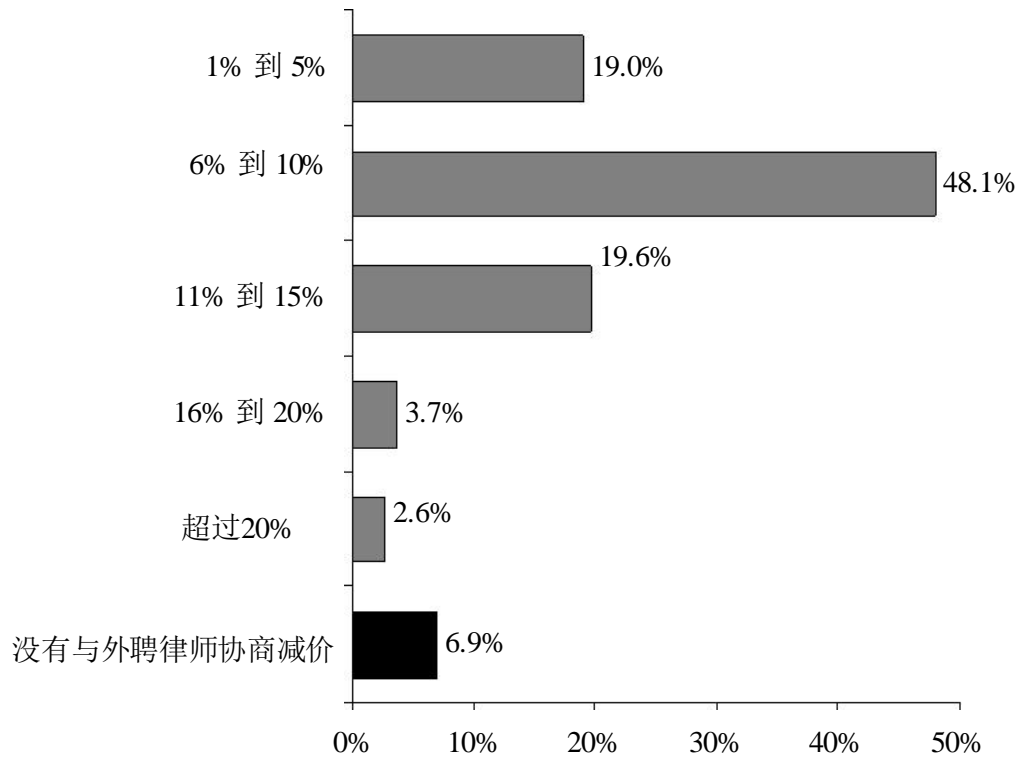
过去 12个月所有减低成本的措施中，哪一项效果最明显？（单选）



7、法律部门管理——成本控制

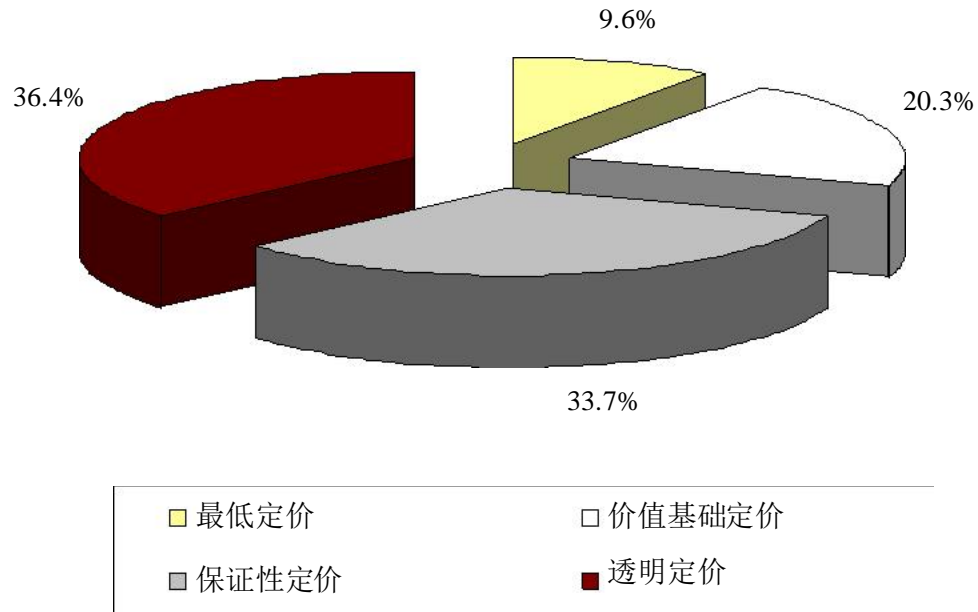
在去年的调查中“与外聘律师协商减价”在控制法律部门成本的方法中占首位。

在过去的12个月中，您法律部门的平均协商减免的费用是多少？



8、法律部门管理 – 外聘律师定价

排除认定一家公司的情况，如果让您选择下列一种外聘律师定价方案，您选择哪一种？（选一种）



定义：

最低定价：我们想要最低价格

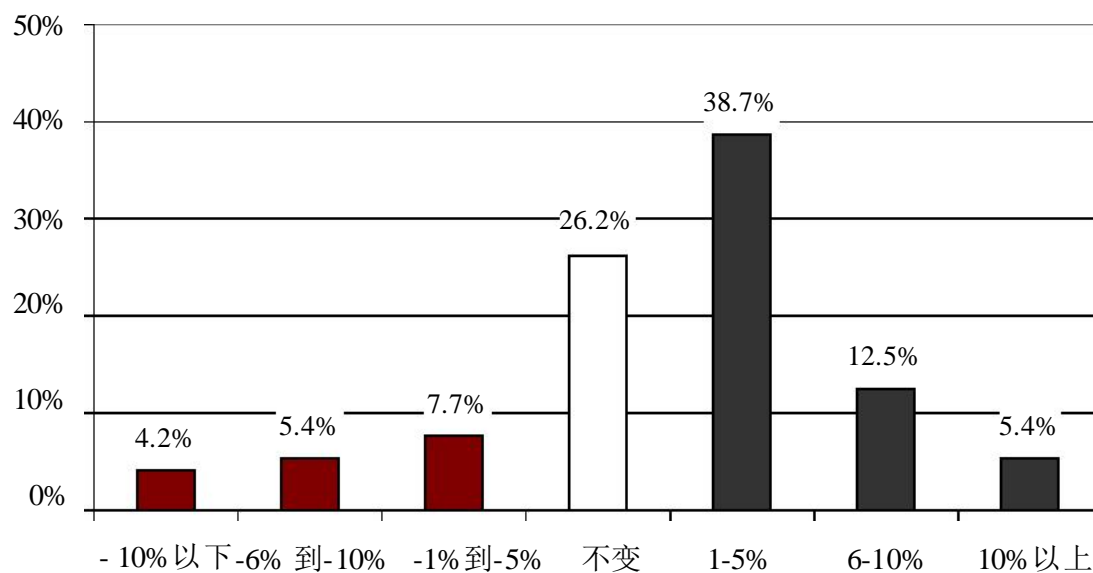
价值基础定价：我们想根据最终获得的结果支付一个可变价格

保证性价格：我们想预先知道可能需要的成本价格

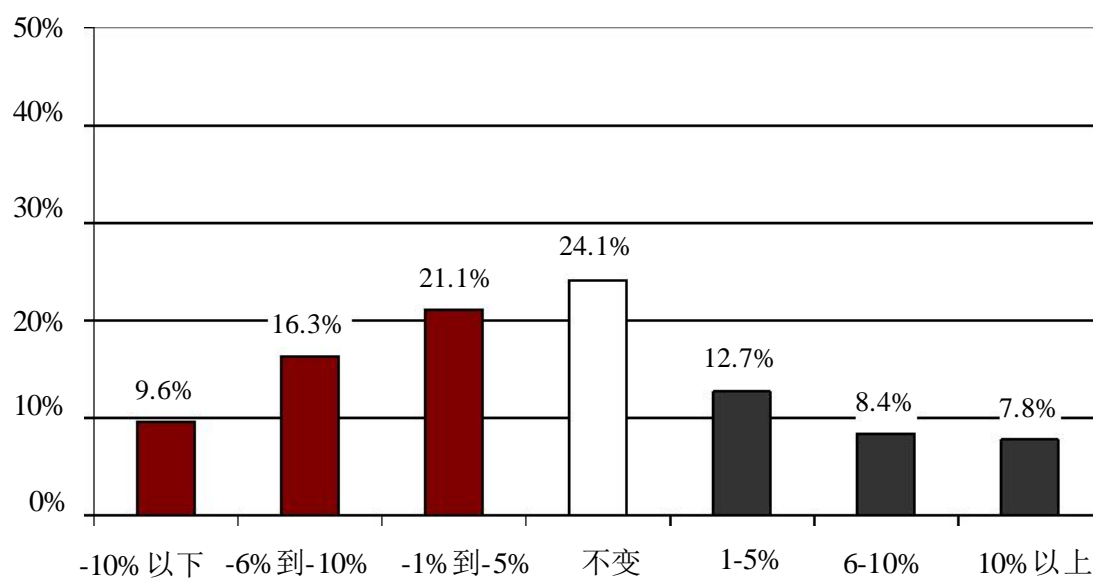
透明定价：我们想了解价格是如何设定和为什么这样设定的，并有机会讨论修改

9、请估算 2012-2013年您所在法律部门预算的增减百分比

9a.内部预算

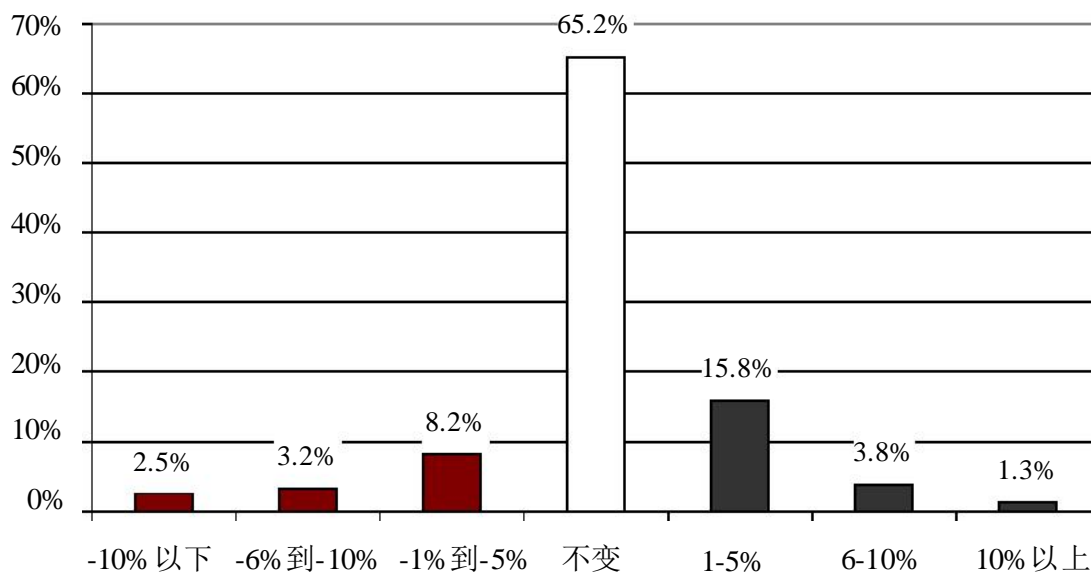


9b.外聘顾问预算

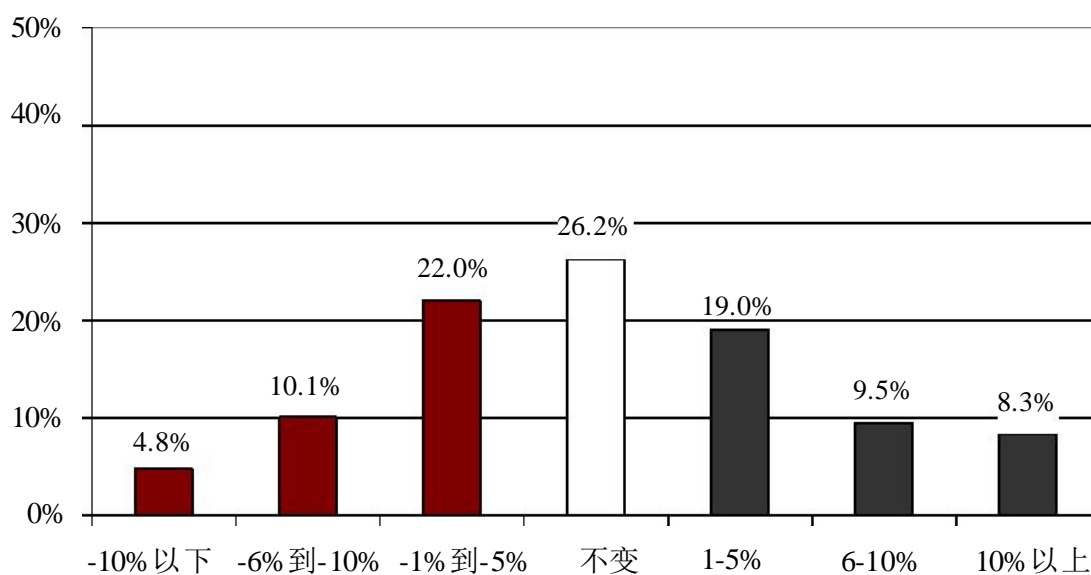


9、請估算 2012-2013年您所在法律部門預算的增減百分比

9c.非律師事務所工作者法律服務預算



9d.部門整體預算



趋势：法律部门增减预算百分比

表格显示法律部门增减预算百分比，减少预算的百分比和没有改变预算的百分比。

法律部门内部预算变更			
年份	减少	不变	增加
	占部门百分比	占部门百分比	占部门百分比
2010 - 2011	17.1%	26.7%	56.2%
2011 - 2012	27.6%	26.3%	46.1%
2012 - 2013	17.3%	26.2%	56.6%

外聘律师预算变更			
年份	减少	不变	增加
	占部门百分比	占部门百分比	占部门百分比
2010 - 2011	25.4%	28.9%	45.8%
2011 - 2012	39.0%	26.9%	34.2%
2012 - 2013	47.0%	24.1%	28.9%

趋势：法律部门增减预算百分比

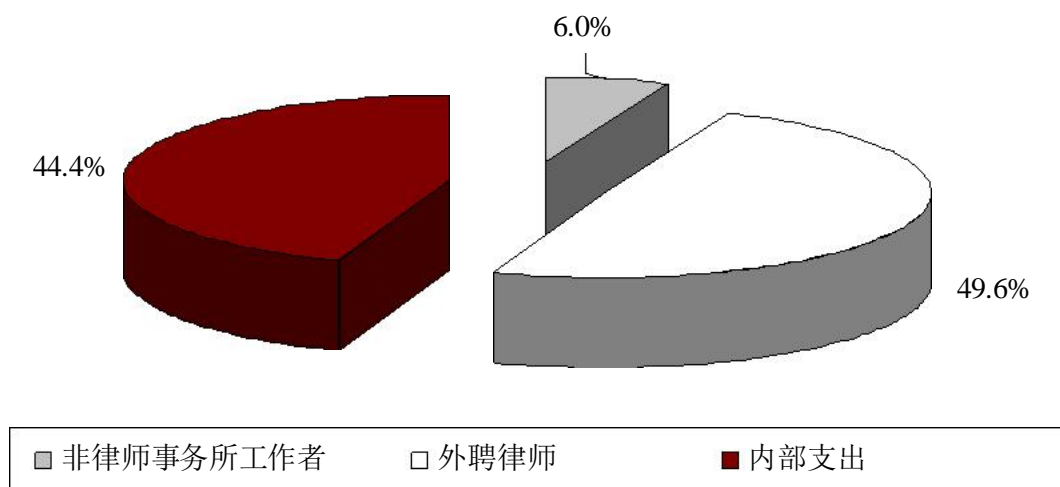
表格显示法律部门增减预算百分比，少预算的百分比和没有改变预算的百分比。

法律事务工作者预算变更			
年份	减少	不变	增加
	占部门百分比	占部门百分比	占部门百分比
2011 - 2012	12.8%	65.2%	21.9%
2012 - 2013	13.9%	65.2%	20.9%

法律部门总预算变更			
年份	减少	不变	增加
	占部门百分比	占部门百分比	占部门百分比
2010 - 2011	25.9%	18.4%	55.8%
2011 - 2012	34.1%	19.5%	46.3%
2012 - 2013	36.9%	26.2%	36.8%

10、法律部门预算分布

请估算2013年法律部门总预算（内部和外部支出）中各部分预算所占百分比（总数等于100%）



定义:

内部支出：部门偿付及利益；合约律师，设备，技术及操作成本

外聘法律顾问：外聘律师事务所的总体支出

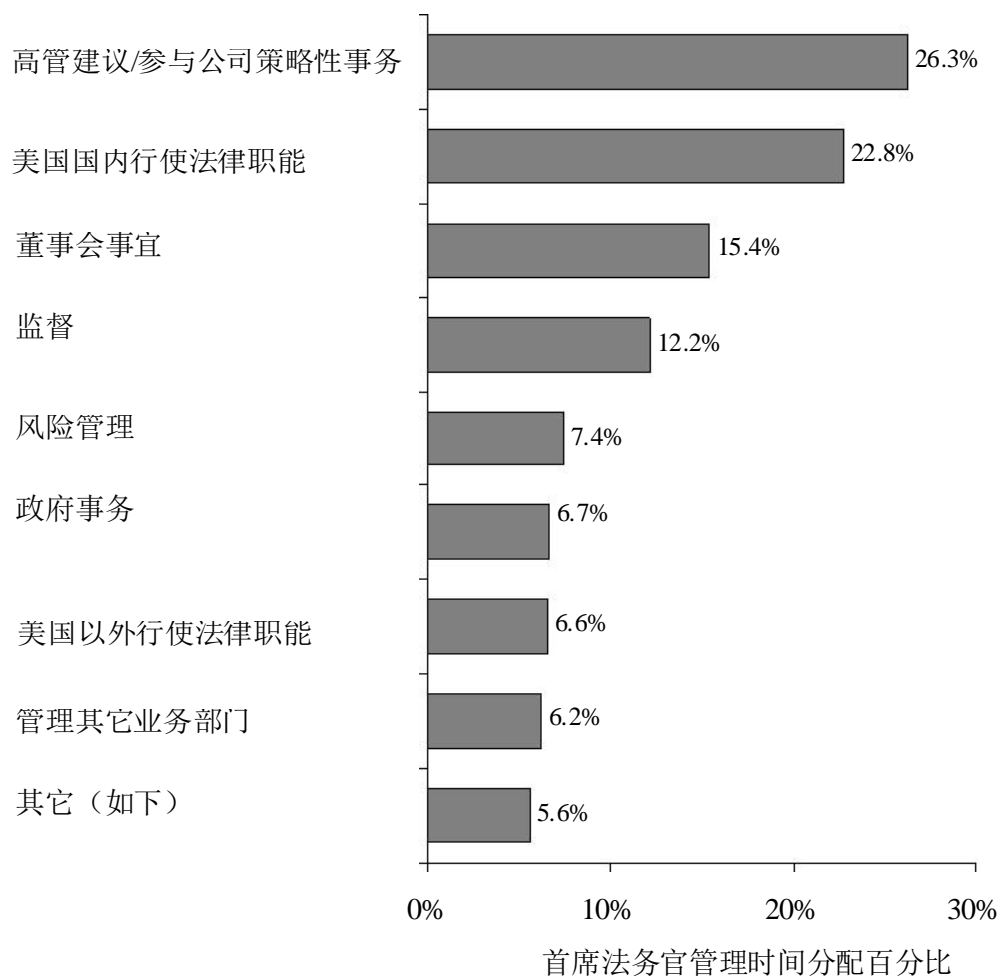
非律师事务所工作者：法律事务的支出，尽职调查、法律研究、文书审查等

年比较

预算分布	内部律师	外部律师	非律师事务所工作者
2012	44.1%	52.0%	3.9%
2013	44.4%	49.6%	6.0%

11、首席法务官——管理时间分配

请估算过去 12个月管理时间分配的百分比（总计等于 100%）



其它职能:

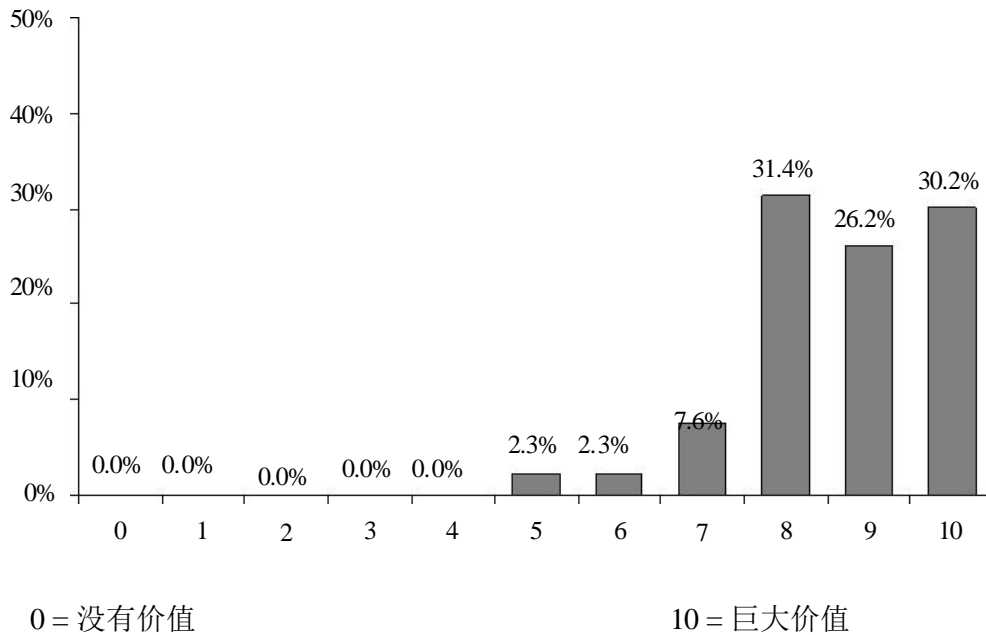
按回复的频率排序

- ⌘ 服务董事会
- ⌘ 社会活动
- ⌘ 个人事务

12、法律部门表现——对公司董事会的价值

除有效解决出现的法律问题，对您的董事长和/或公司董事会来说，在您法律部门表现中最能体现的价值是？

12c.可用性和责任心



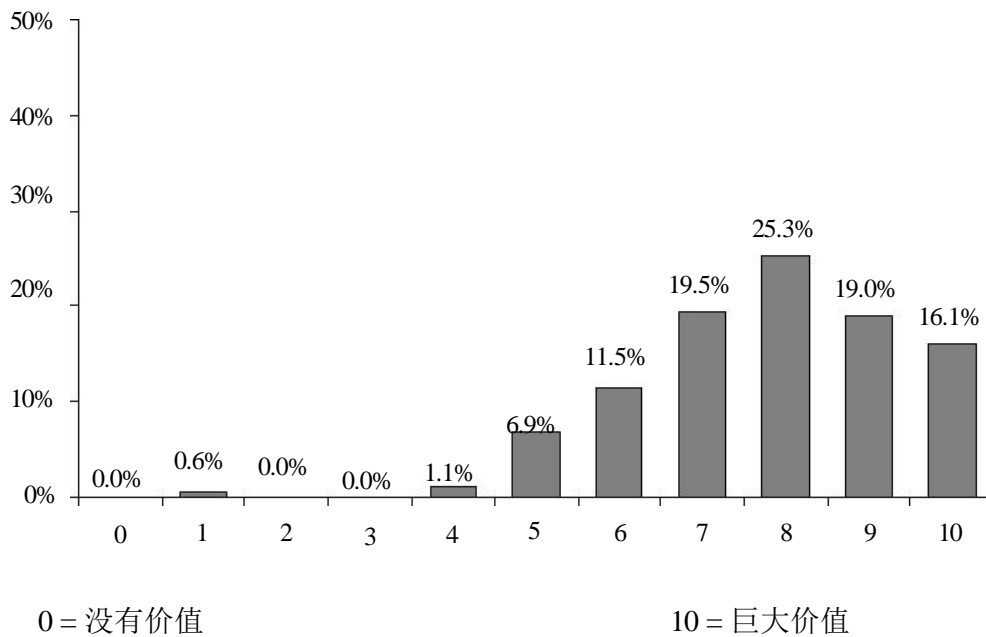
可用性和责任心	低						中等			高	
评分	0	1	2	3	4	5	6	7	8	9	10
回复	2.3%						41.3%			56.4%	

平均分値:9

12、法律部门表现——对公司董事会的价值

除有效解决出现的法律问题，对您的董事长和/或公司董事会来说，您法律部门表现中最能体现的价值是？

12e.管理风险



管理风险	低						中等			高	
评分	0	1	2	3	4	5	6	7	8	9	10
回复	8.6%						56.3%			35.1%	

平均分値:8

12、法律部门表现——对公司董事会的价值

总结

法律部门活动	价值低	价值中等	价值高
支持公司业务活动	2.3%	23.0%	74.7%
给公司高管建议	2.9%	28.7%	68.4%
可用性和责任心	2.3%	41.3%	56.4%
管理合规事宜	8.8%	50.1%	41.3%
管理风险	8.6%	56.3%	35.1%
控制法律支出	23.0%	52.8%	24.2%

可选择:

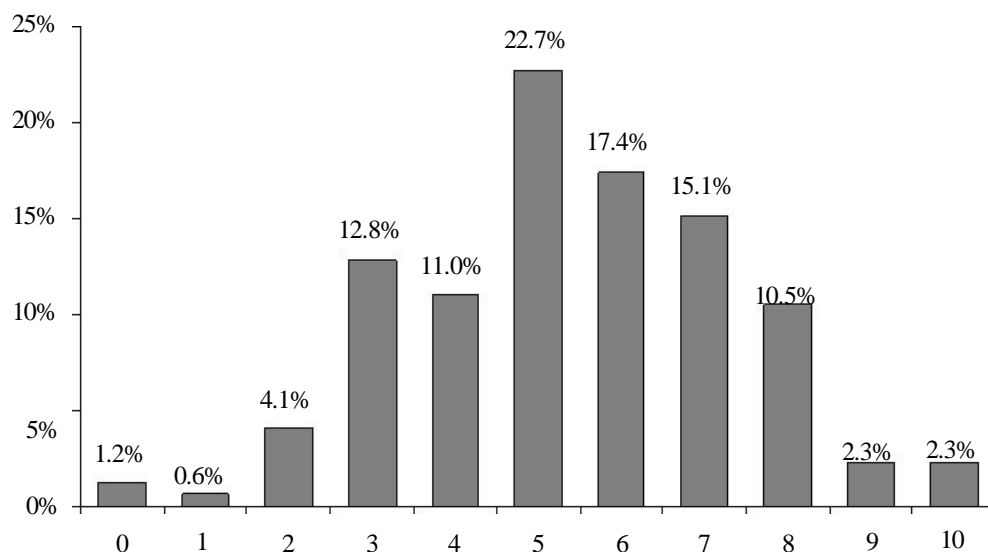
描述并评分对董事长和/或董事会来说，在您法律部门表现中能体现价值的其它主要行为

其它价值高的行为包括:

- ⌘ 积极配合公司管理
- ⌘ 公司治理
- ⌘ 政府关系/政策
- ⌘ 管理董事会关系
- ⌘ 管理董事会薪资水平
- ⌘ 管理知识产权文件
- ⌘ 管理不动产
- ⌘ 为部门提供好的领导力
- ⌘ 为董事长和董事会以下级别提供法律支持

13、内部/外部关系

在您看来，现在的法律市场内，公司对于律师事务所改变法律服务中的价值定位施加了多大的压力？（相对于单纯的削减支出）



0 = 无压力

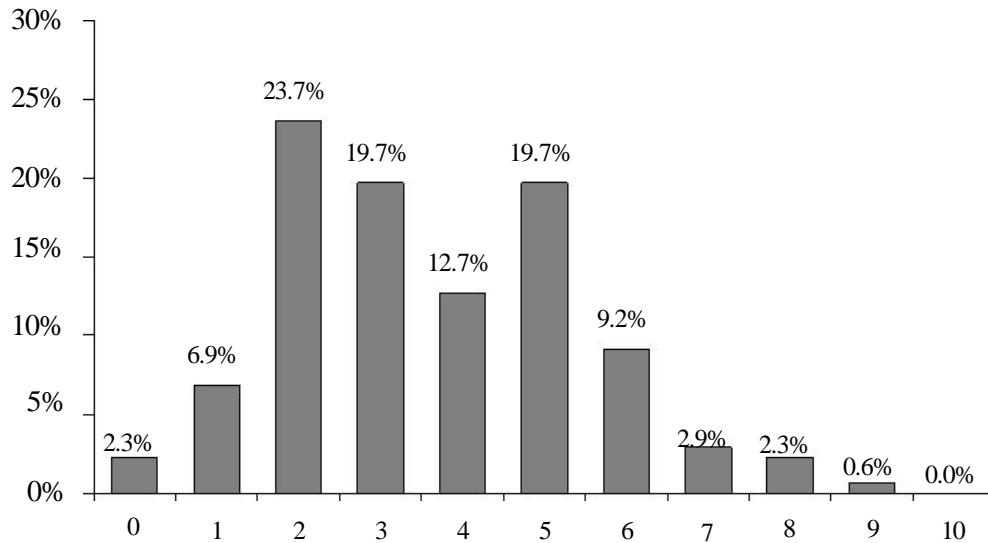
10 = 巨大压力

法律部门压力	低						中等			高	
评分	0	1	2	3	4	5	6	7	8	9	10
回复	52.4%						43.0%			4.6%	

平均分: 5

14、内部/外部关系

在您看来，现在的法律市场内，律师事务所为给客户提供更多价值而改变法律服务模式的认真程度是多少？（相对于单纯的削减支出）



0 = 极不认真

10 = 尽一切可能

律师事务所改变	低						中等			高	
评分	0	1	2	3	4	5	6	7	8	9	10
回复	85.0%						14.4%			0.6%	

平均分: 3

趋势：公司对律师事务所转换价值定位施压

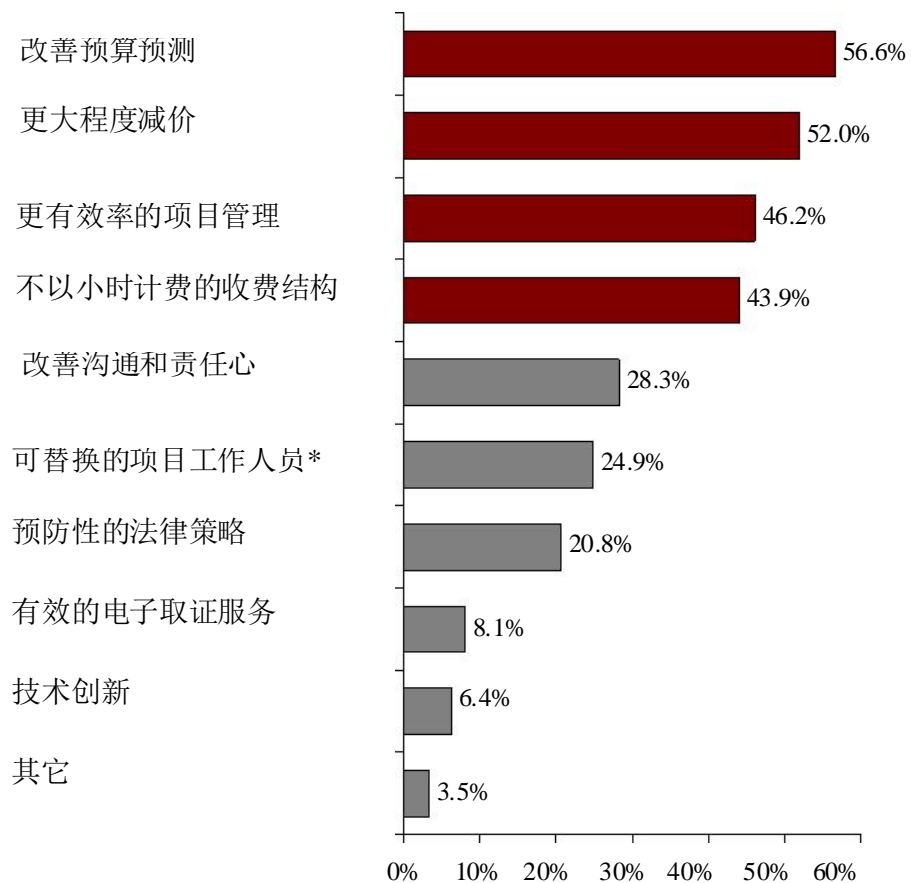
法律部门对改变 的施压		
	平均	中值
2009	5.5	5
2010	5.3	5
2011	5.4	5
2012	5.5	6
2013	5.4	5

趋势：律师事务所对改变服务模式的认真程度

律师事务所改变的意愿		
	平均	中值
2009	3.4	3
2010	3.7	3
2011	3.7	3
2012	3.8	3
2013	3.6	3

15、律师事务所服务改进

对于下列服务的改进和创新，请选择 **3** 项您最期待您的外聘律师可以做到的。
(最多**3**项)



*可供替换的项目工作人员此处的定义为“更多使用合约律师或其他助手”

15、律师事务所服务改进

对于下列服务的改进和创新，请选择 3 项您最期待你的外聘律师可以做到的。
(最多3项)

‘其它’ 服务改进包括：

- ⊕ 更好地运用真实风险分析（相对于假设风险）以避免不必要的行动和相关费用
- ⊕ 与律师事务所之外的其它战略协同合作
- ⊕ 改进 文件交换和管理的合作技术
- ⊕ 更有效率地通过公司内部知识管理做法律工作
- ⊕ 提前想好战略以快速平价地解决法律问题
- ⊕ 有能力并愿意提供意见而非分析

16、外聘律师的选择

去年的调查中“展示对业务或行业有所了解”在首席法务官选择外聘律师的影响因素中占据首位。

请就下列外聘律师从事相关工作前用来展示对您业务或行业有所了解的选项的有效性打分。

打分范围0-10分，其中 0 = 无影响 10 = 极其正面的影响

展示对您业务有所了解的有效途径	平均分	中值
就类似事项的成功跟踪记录	8.8	9
代理其它像您一样的类似组织	7.1	7
提供您行业法律发展的实时更新（通过报纸、博客、电子邮件通知等）	6.2	6.5
撰写相关法律问题的深入解析	5.8	6
参与和您行业相关的协会	4.7	5
对相关问题做演讲或展示	4.1	4
获得职业评奖或排名（如最佳律师，特级律师等）	2.7	2
拥有专业证书（如 LLM, MD, PhD等）	2.3	1.5

16a.可选择：指出并打分其它可展示对您业务有所了解的有效途径

‘其它’打高分的回复包括：

做你的功课

- ⊕ 展示对我行业的深刻理解和兴趣，对我业务有关键驱动因素和重点关注。
- ⊕ 通过电话、电子邮件、提醒等方式展示对面向我公司的关键问题的持续性思考。
- ⊕ 投入时间认识我行业，阅读年度报告，访问主要网站，与领导座谈，并决定他们可以如何帮助到我们。
- ⊕ 花时间了解我或我们的业务。

提供一个有创造性的观点

- ⊕ 有能力像商人一样思考，并像公司高管一样将事情置入相同情境。
- ⊕ 提供创造性的解决问题的方法而不是照搬法条。
- ⊕ 给出的答案不包含大量的免责声明。
- ⊕ 用类似事务的实践经验带来一个看待问题更广阔的视角。

拥有一个公开的个人档案

- ⊕ 参加适当的公司和行业活动。
- ⊕ 影响公共辩论和政策。

显现特殊价值

- ⊕ 展示高效配置律师的能力
- ⊕ 雇佣曾经在该行业工作过或管理过的律师。

17、首席法务官管理优先级

您的法律部门优先级最高的管理事务是什么？（开放性题目）

管理优先级	2013 答复率	2012 答复率	2011 答复率
法律服务的质量和价值	21.2%	13.0%	12.1%
支持企业业务目标	18.4%	8.0%	12.3%
成本减控	18.0%	23.5%	24.1%
风险管理	10.6%	3.1%	7.0%
效率	8.3%	16.7%	16.0%
合规	8.3%	4.3%	10.7%
律师人员配置问题	6.9%	9.9%	7.0%

代表性评论:

质量和价值

- 持续改进我们法律服务的质量- - 从 **B+** 到 **A+** --

严格评估我们所做的和做的怎样来驱动表现和价值增长。减少预算是好，但这并不能为我们的业务和领导者提供最大价值。
- 包办一切 – 在各重要方面做成最好的法律部门：业务上有效的法律合作伙伴，推进道德标准与合规，主动为企业战略提供法律支持，积极地管理成本，提供可靠和有用的法律意见，为董事会和企业管理事务提供出色的支持。

支持企业业务目标

- 中 加强我们作为业务上真正合作伙伴的有效性。这包括我们所提供服务的质量和及时性，我们的客户甚至在手头的事情并不纯粹是法律事务的情况下也寻求我们的投入，并且我们的团队因积极主动的运作方式被熟知。例如，预测接下来的步骤/挑战，并确保业务从之前的失误和错失的机会里获得借鉴。
- 中 将内部律师整合到业务的结构中，使他们了解并预测未来12个月里可能产生的问题。

成本控制

- 中 在可预测的价格内提供一个可预测的结果。
- 中 在不牺牲优质结果的情况下控制成本。

效率

- 中 识别、开发和/或使用可以在给我们的客户提供法律服务时提高效率的工具。

风险管理

- 中 处在业务发展的前沿识别并主动提示法律和其它风险。

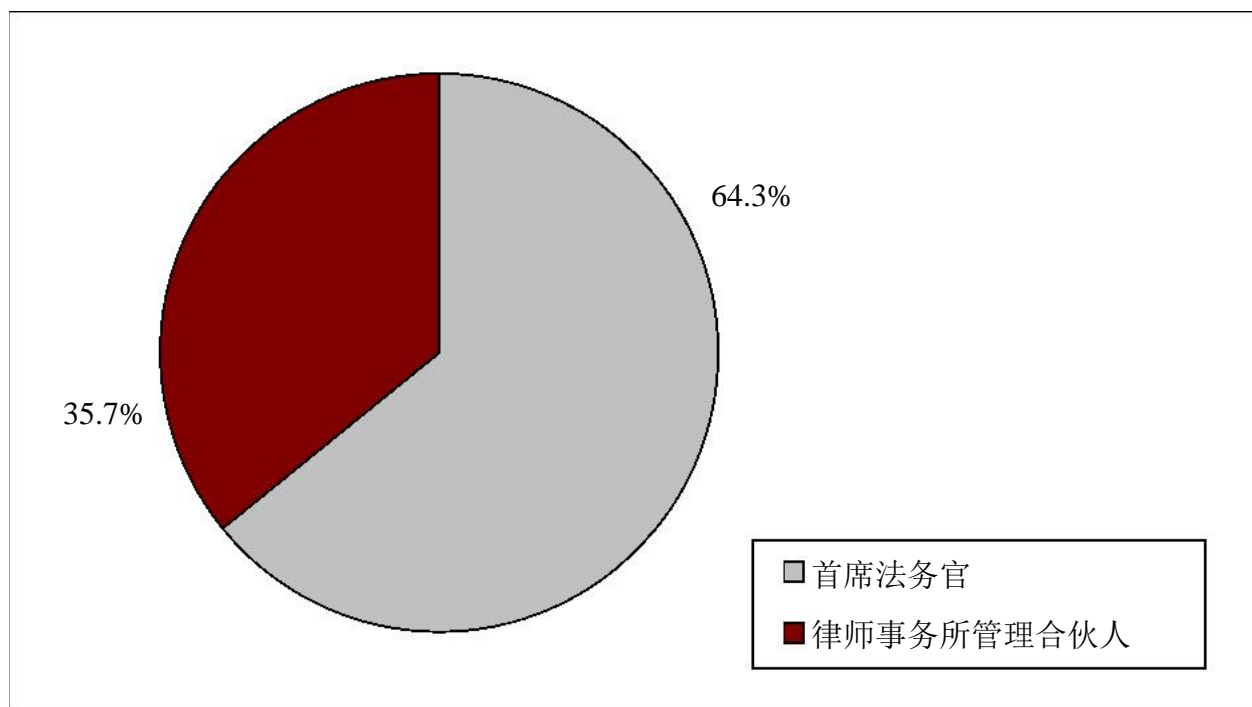
合规

- 中 使工具合规以有效保证一致合规的结果，而不局限我们追求业务目标的能力。

律师人员配置

- 中 发展在业务的不同方面显现才能并在风险分析能力上有提高的律师。
- 中 确保我们完全有效地利用拥有的人力资源，以实现业务的优先级。

额外问题: 在您看来, 谁的工作更难? 为什么?



首席法务官的工作更难 – 代表性评论:

责任的范围更广

⌘ 代表公司时有更多纷繁多样的法律问题和多方利益相关者要并入考虑; 和来自联邦、州、本地多方主体的立法者、监管部门打交道; 兼顾法律需求的同时考虑业务需要; 在不知道将要出现的事件范围时很难做出预算-仅针对初始者。

⌘ 首席法务官必须有精深专业知识才能在管理预算和人员配置的同时对业务事务迅速做出反应并立刻对其负责。

平衡法律和业务需要

⌘ 这不仅仅关乎法律, 还关乎运转整个公司。法律只是一个组成部分。

⌘ 首席法务官必须在提供法律服务和成为一名经营公司的真正领导者中找到平衡。首席法务官必须发展律师, 给高管和董事会建议, 对危机做出反应并持续提高帮助一个不断发展的业务避免陷阱的基础。

- 中 工作在不同的方式上展现困难。不过首席法务官需要始终保持法律和业务需要之间的平衡，并且要对法律决定的结果负责，而律师事务所则无需如此。首席法务官是施行者，律师事务所是建议者。

更重的责任义务

- 中 对法律部门作出的每个决定最终负责，还要加上了解有竞争性的公司政治舞台并在其之上有效运作。
- 中 更甚之：工作最难的部分是做决定—不仅是建议。

和非律师事务所工作者一起工作

- 中 他/她大面积与非律师事务所工作者打交道，最好的情况下是内部律师。一般人—即使是非常有生意头脑的人—通常不了解法律推理。在我看来，与非律师事务所工作者就法律问题的短暂沟通比管理律师要难得多。
- 中 最根本的是，首席法务官像离开水的鱼。必须对机构中其他有不同优先级的人宣讲法律/管理/合规的价值，即使首席法务官同样帮助他们实现自己的优先级。而每个在律师事务所的人则共享一个商业模式。

管理合伙人的工作更难 – 代表性评论：

管理个人主义/众口难调

- 中 一位管理合伙人要处理每个合伙人的个人主义，他们都觉得自己应该得到更多。一位首席法务官要打交道的是高级管理层，但那只是一个规模小而合理的团体。
- 中 公司的律师因一个共同的目标而集结在一起 – 促进业务运作。对律师事务所来说不是这样，律师之间有优先权和利益相争。

- ✚ 管理一个像律师事务所一样的服务机构包括在典型的自我主义的个性中建立共识的不懈努力。而在一个企业中，有老板做决定，更高效。

破碎的律师事务所商业模式

- ✚ 主管面临着前所未有变化的商业模式 – 很多公司无法以其现有的模式生存。
- ✚ 结构变革对律师事务所的影响是强烈的。首席法务官在今天除传统律师事务所以外的选择比任何时候都多，并且它们还变得越来越触手可得。
- ✚ 他们整个商业模式都在改变，对结果没有明确的答案。

权力的缺失

- ✚ 律师事务所的管理者几乎没有实现需要的改变的权力。
- ✚ 首席法务官的权力和报告层级一般比律师事务所管理合伙人的要清晰。管理合伙人的角色范围可以从行政/搭建共识者到像CEO一样的位置。

财务压力

- ✚ 在衰退的市场中产生收益。
- ✚ 非常有竞争性和对价格敏感的大环境。
- ✚ 激烈的竞争，实践方面的商品化。

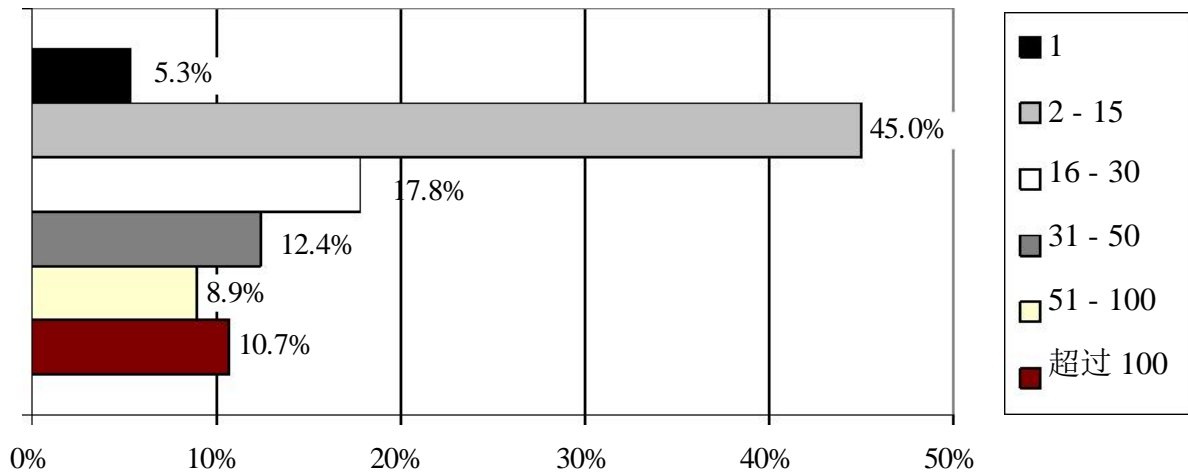
2013

首席法务官调查报告

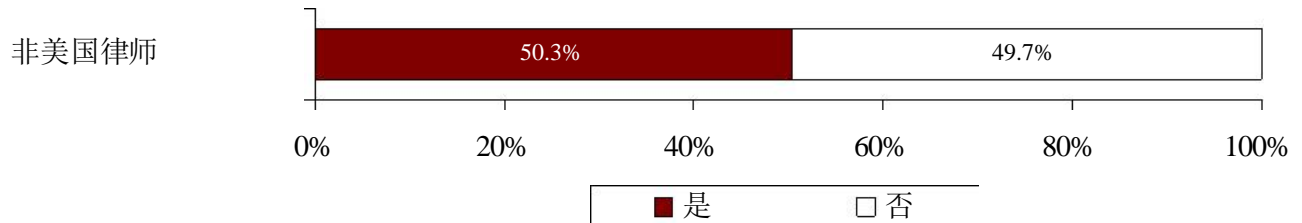
参与者统计资料



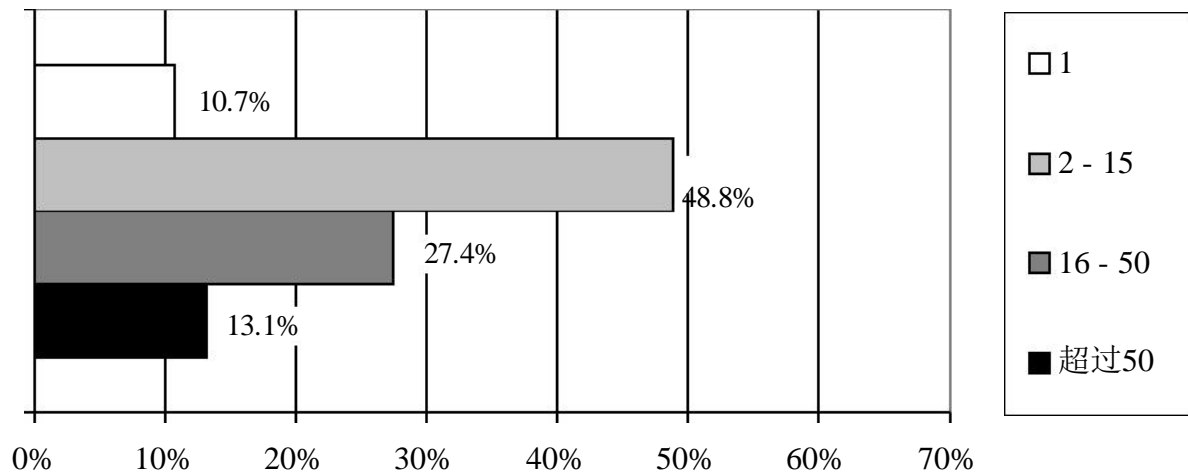
1. 您的部门有多少内部律师（包括所在办公地）？



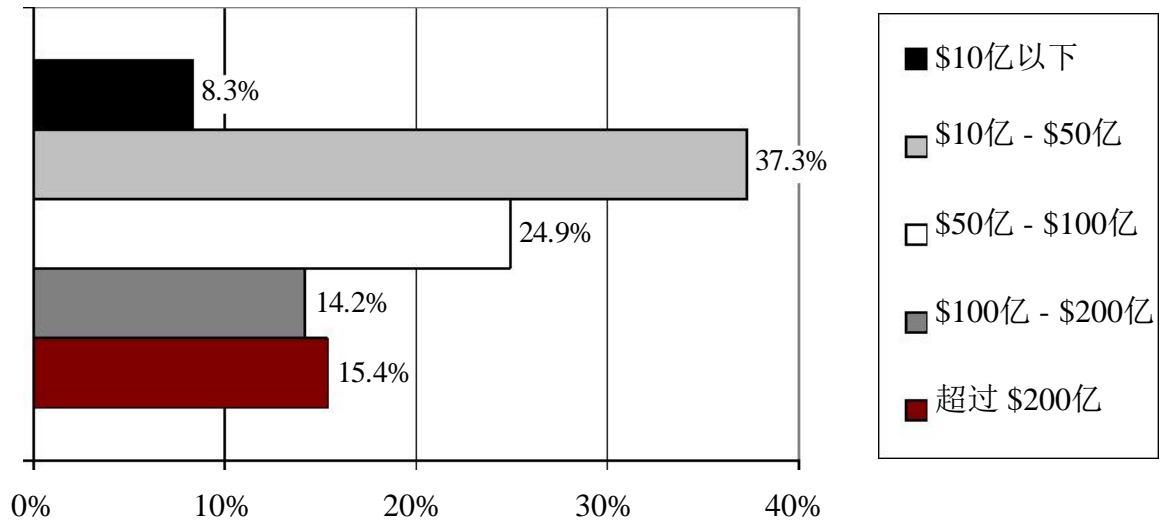
1a. 是否有非美国居民？



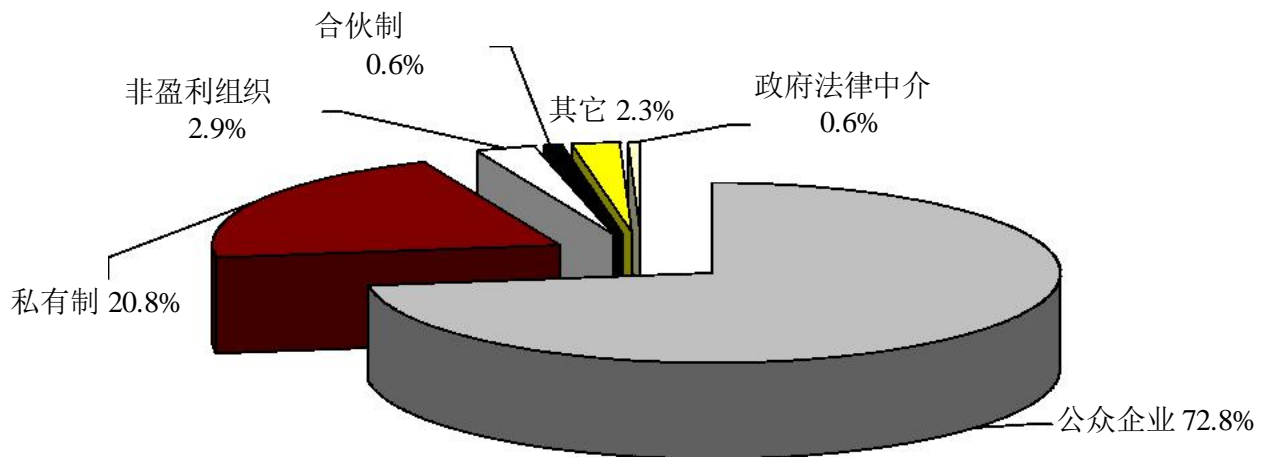
1b. 如果有，部门里有多少非美国律师？



2. 您所在机构的年收入？



3. 企业性质



公 司 部

主编 张 洪

编辑 李一凡

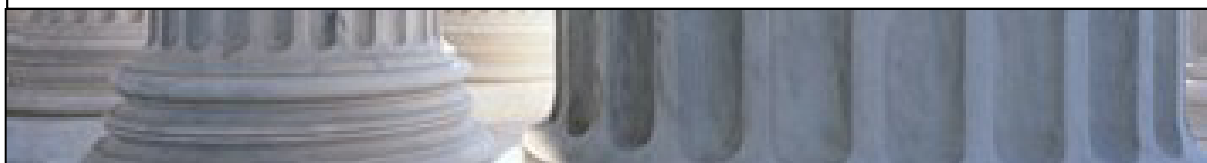
北京市朝阳区东大桥路 9号侨福芳草地 D座 7层（100020）

Tel: 010-58137799

Fax: 010-58137788



2013
Chief Legal Officer Survey
An Altman Weil Flash Survey



Contact Altman Weil

3748 West Chester Pike, Suite 203
Newtown Square, PA 19073
(610) 886-2000
www.altmanweil.com
info@altmanweil.com



2013 Chief Legal Officer Survey

For the fourteenth year in a row, Altman Weil, Inc. has surveyed Chief Legal Officers (CLOs) on issues of importance in managing their corporate law departments. The purpose of these surveys is to capture current thinking of Chief Legal Officers and share the results with the legal profession, enabling both corporate law departments and law firms to benefit from the surveys.

Survey Findings

Corporate law departments continue to pursue cost control in legal service delivery, with a clear emphasis on internal change, according to over 200 Chief Legal Officers who participated in the **Altman Weil 2013 Chief Legal Officer Survey**.

Chief Legal Officers are trying to find a new, more cost-effective and efficient balance of resources. They are reformulating their mix of in-house lawyers and staff, outside law firms, new technology tools, and non-law-firm vendors, in order to deliver quality and value to their corporate client.

Cost control

The survey found that 78.5% of CLOs negotiate price reductions from outside counsel to control costs. Almost half of law departments (48.1%) receive an average reduction of between 6% and 10%. Twenty percent of departments have negotiated discounts of between 11% and 15%; and 19% of departments get average price cuts of 1% to 5%.

However, when asked about preferred outside counsel pricing scenarios, Chief Legal Officers overwhelmingly indicated that their preference is not simply for the lowest price they can get.

When offered four possible law firm pricing options, 36.4% of CLOs said they wanted 'transparent pricing' in which they understand how and why the price is set and have the opportunity to discuss changes. One-third of CLOs chose 'guaranteed pricing' as their preference; and 20.3% of CLOs preferred 'value-based pricing' that varies based on results. Only 9.6% of Chief Legal Officers say they wanted the 'lowest price' available.

This is very striking. If a rate discount is the only thing offered, law departments will certainly take it, but Chief Legal Officers are saying what they really want is predictability and control. So far this is a challenge that most law firms have been slow to address.

A new balance of resources

The 2013 survey reports 42% of corporate law departments plan to add in-house lawyers in the next 12 months, compared to only 5.4% who plan a decrease. At the same time 29% of law departments plan to decrease their use of outside counsel while only 15% plan an increase. Of those who plan to decrease their use of outside counsel, 82% say they will shift the work to in-house legal staff.

As part of their efforts to control costs, law departments report an array of efforts to move work from higher to lower priced resources. Along with shifting work from law firms to in-house lawyers, corporate law departments are also shifting law firm work to lower-priced firms, reducing the overall amount of work given to outside counsel, shifting in-house work from lawyers to paraprofessionals, using contract lawyers, using technology tools to increase efficiency, and outsourcing to non-law-firm vendors.

Reflecting these shifts, 47% of law departments surveyed report they decreased their outside counsel budget in 2013. This number is up from 39% of departments that reported decreasing their outside counsel spend in last year's survey, and 25% that did so in 2011.

Inside – Outside Relationship

When asked to select the service improvements and innovations they would most like to see from their outside counsel, three of the top four CLO responses involved costs and pricing. CLOs' first choice for change in law firm services was improved budget forecasting, followed by greater cost reduction, more efficient project management and non-hourly based pricing structures.

However, Chief Legal Officers appear to have little hope that law firms will rise to the challenge. For the fifth straight year, the survey asked CLOs to rate how serious law firms are about changing their legal service delivery model to provide greater value – and for the fifth year, the median rating was a dismal '3' on a scale of 0 (not at all serious) to 10 (doing everything they can).

To balance the picture, CLOs were also asked how much pressure corporations are putting on law firms to change the value proposition. CLOs rated themselves at a median 5 on the scale, as they have for four of the last five years.

After five years of similar responses to this pair of questions, it's seems pretty clear that Chief Legal Officers have decided to tackle these problems themselves, rather than rely on outside counsel to partner with them on change.

The survey offers some additional insight on the inside-outside relationship. In a final question, respondents were asked to comment on who has the harder job – Chief Legal Officers or law firm Managing Partners. Sixty-four percent thought CLOs have the greater challenge, citing the breadth and complexity of their role.

However, just over a third of survey respondents think Managing Partners face a harder road, for reasons that include the current law firm business model. One Chief Legal Officer commented “Structural changes impacting law firms are intense. CLOs have more options to traditional law firms today than ever before, and more are becoming available all the time.”

The Survey

The **Chief Legal Officer Survey** has been conducted and published annually by Altman Weil, Inc. since 2000, most recently in September and October 2013. Two hundred and seven responses were received for the 2013 survey, 16.3% of the 1,269 corporate law departments invited to participate. Demographic and budgetary data on responding law departments is included in the survey report.

The survey report follows and is available online at www.altmanweil.com/CLO2013.

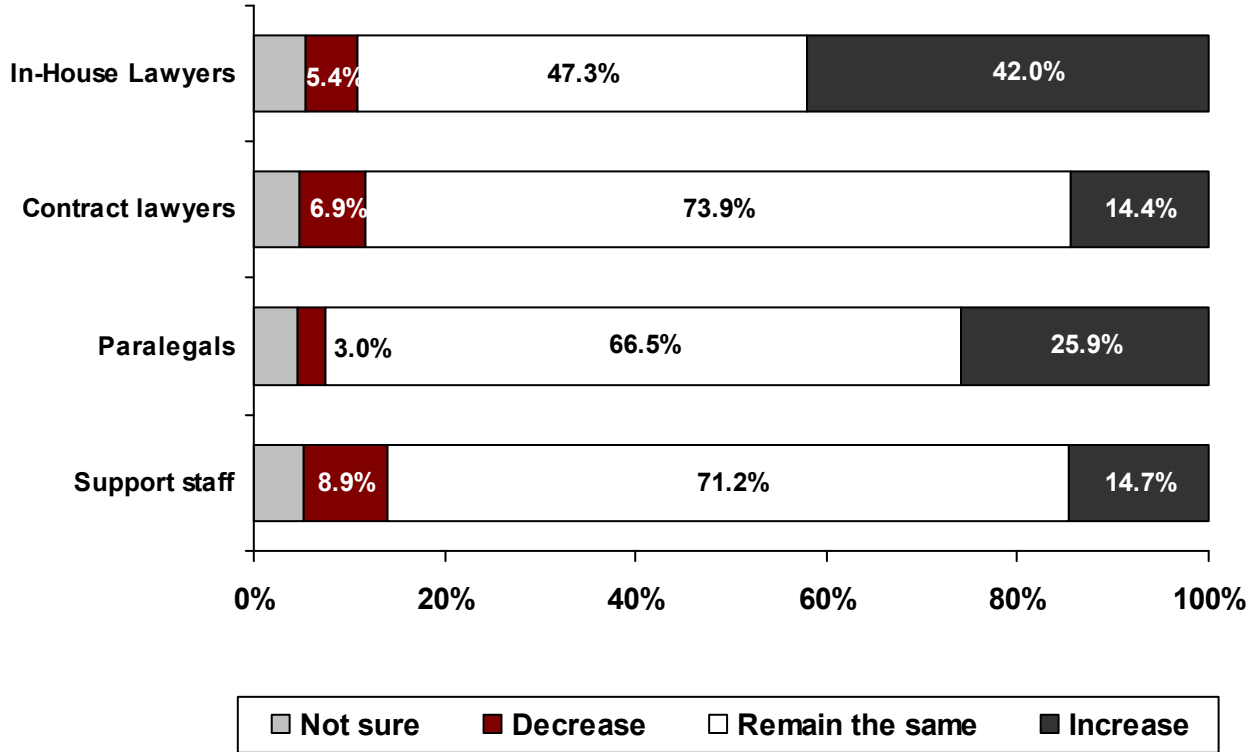
About Altman Weil

Founded in 1970, Altman Weil, Inc. is dedicated exclusively to the legal profession. It provides management consulting services to law firms, law departments and legal vendors worldwide. The firm is independently owned by its professional consultants, who have backgrounds in law, industry, finance, marketing, administration and government. More information on Altman Weil can be found at www.altmanweil.com.

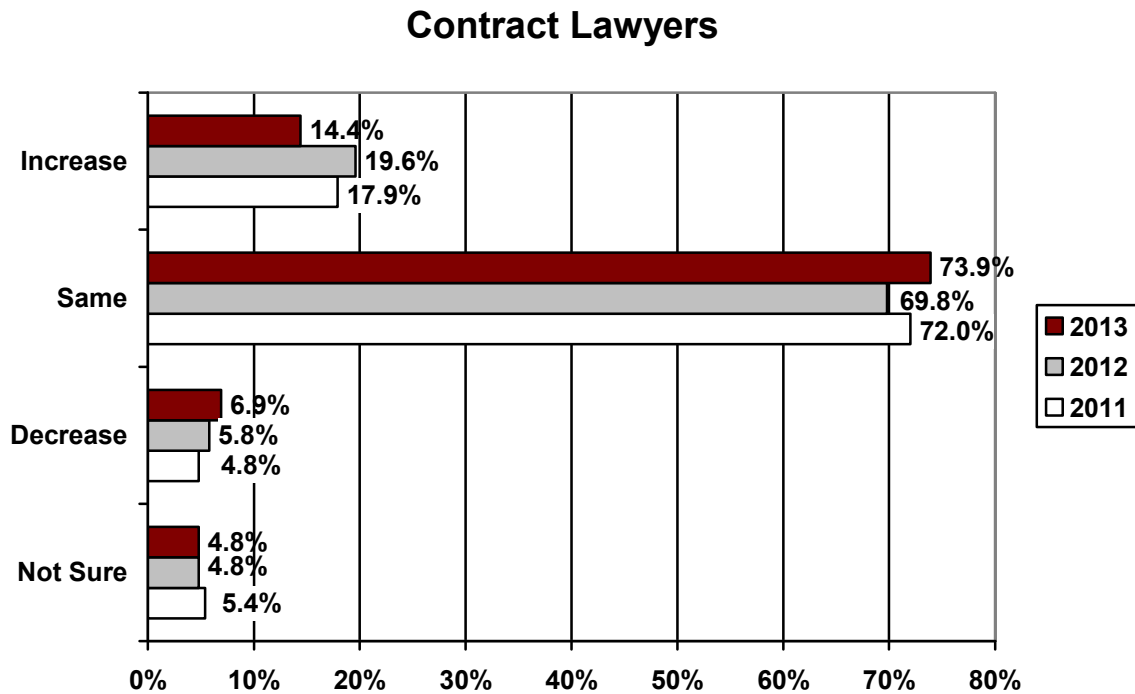
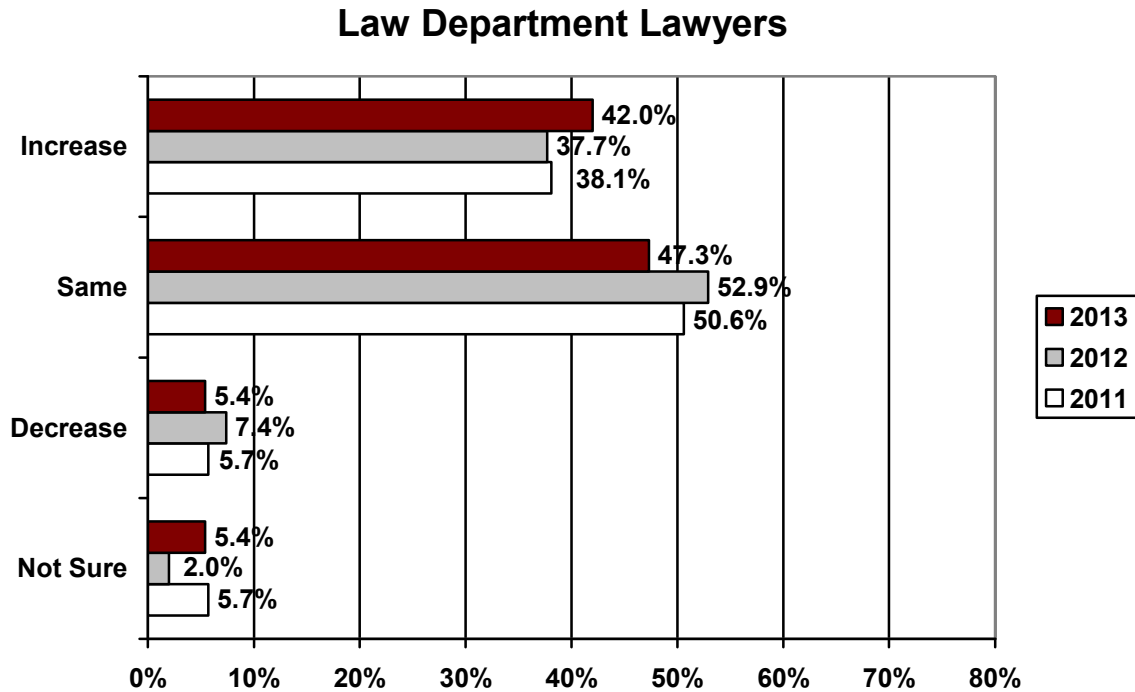


1. Law Department Workforce

Within the next 12 months do you plan to increase or decrease your Law Department workforce?

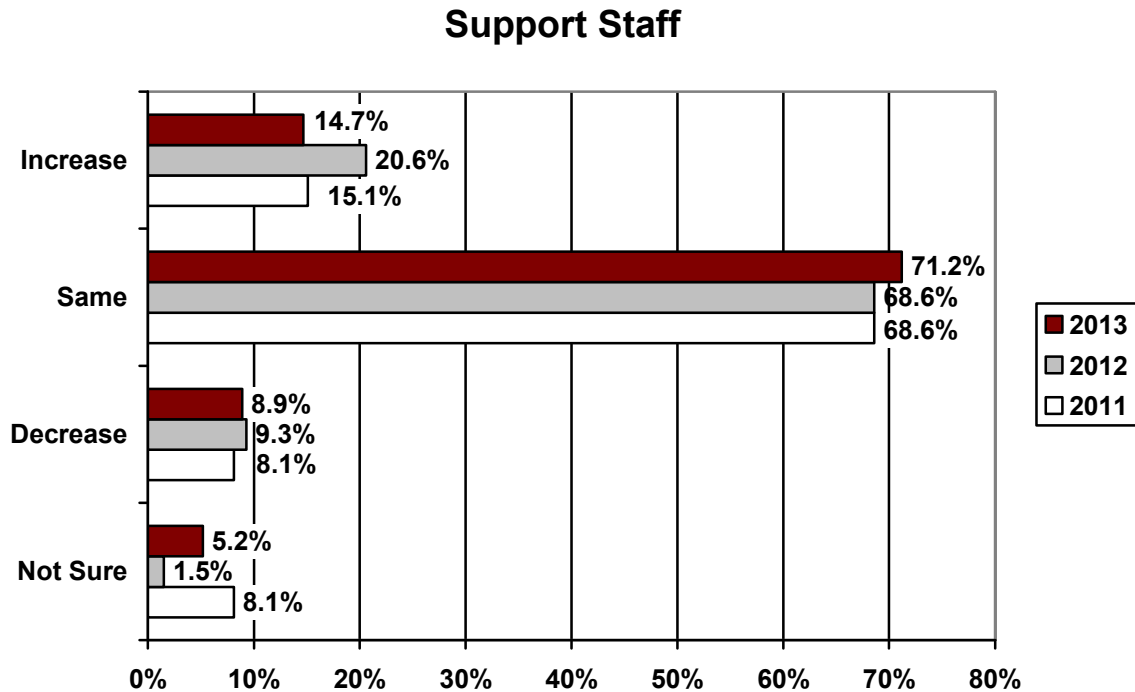
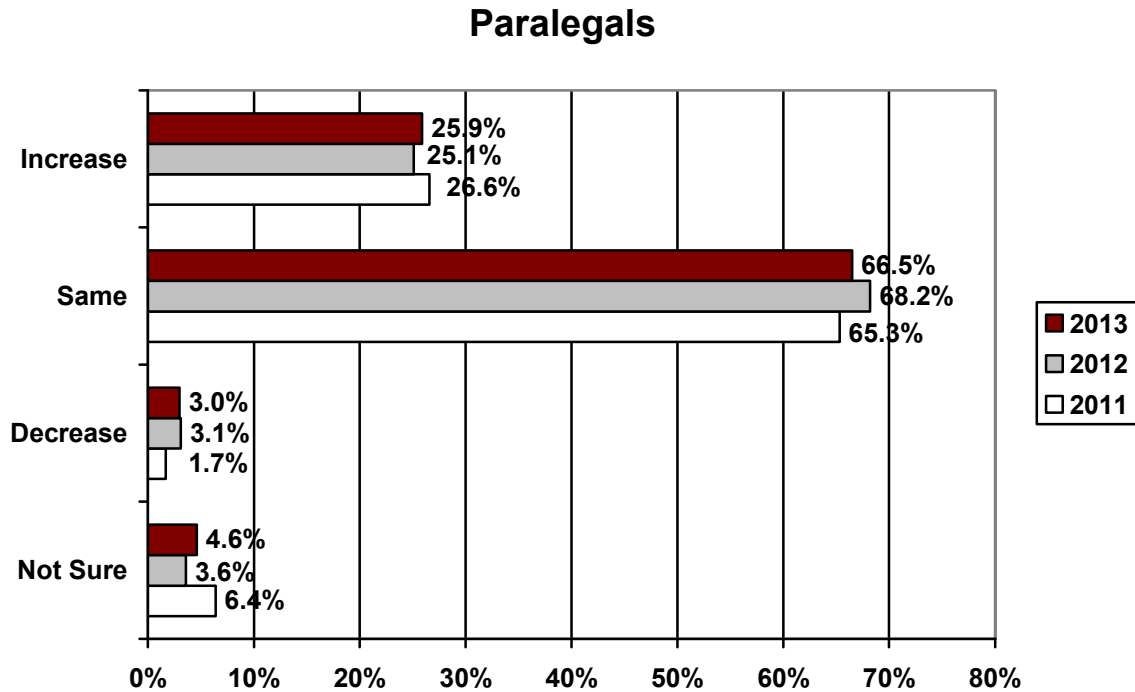


TREND: Increase or decrease your Law Department workforce



Trend data compiled from 2011, 2012 and 2013 Chief Legal Officer Surveys.

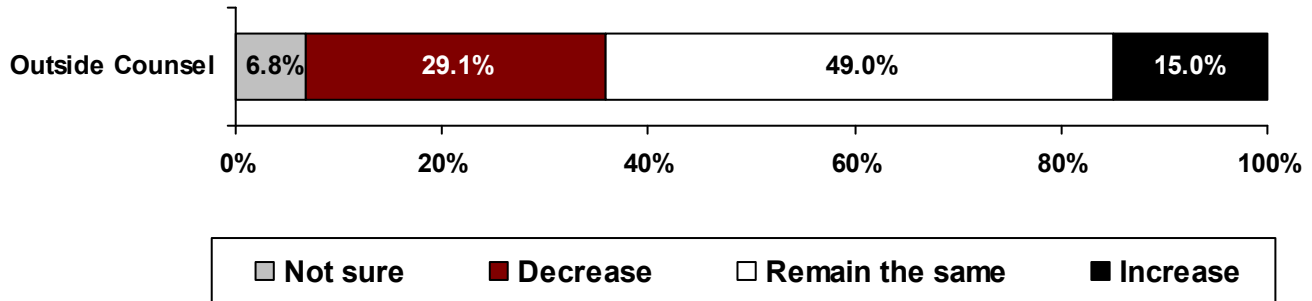
TREND: Increase or decrease your Law Department workforce



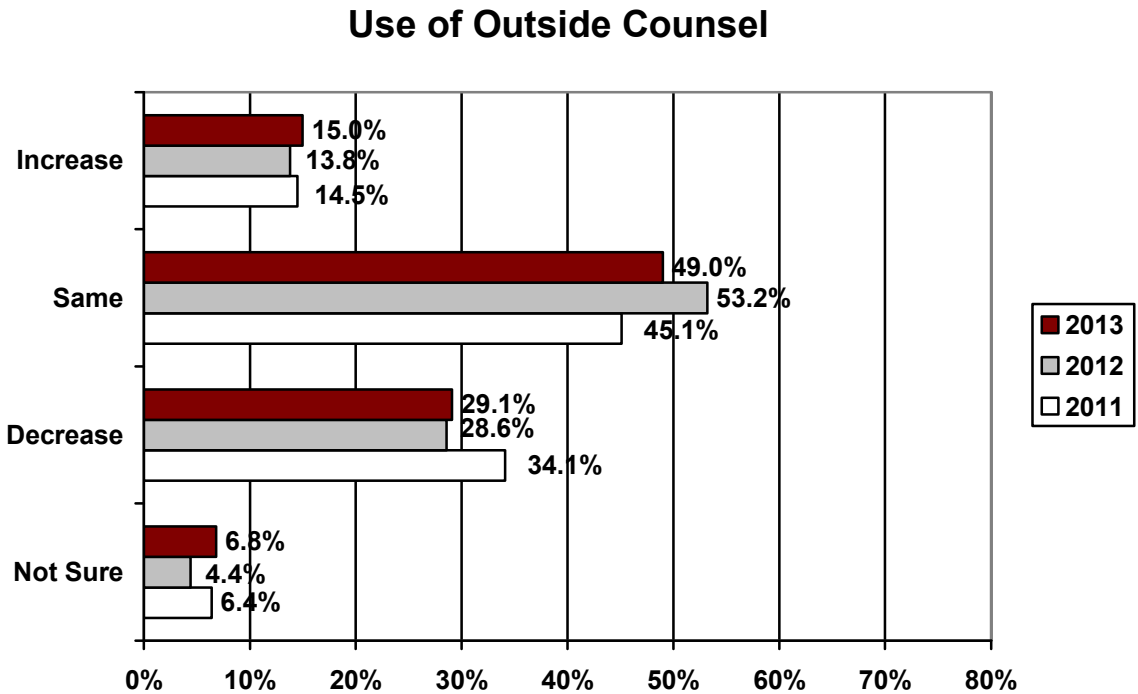
Trend data compiled from 2011, 2012 and 2013 Chief Legal Officer Surveys.

2. Use of Outside Counsel

Within the next 12 months do you plan to increase or decrease your overall use of outside counsel?



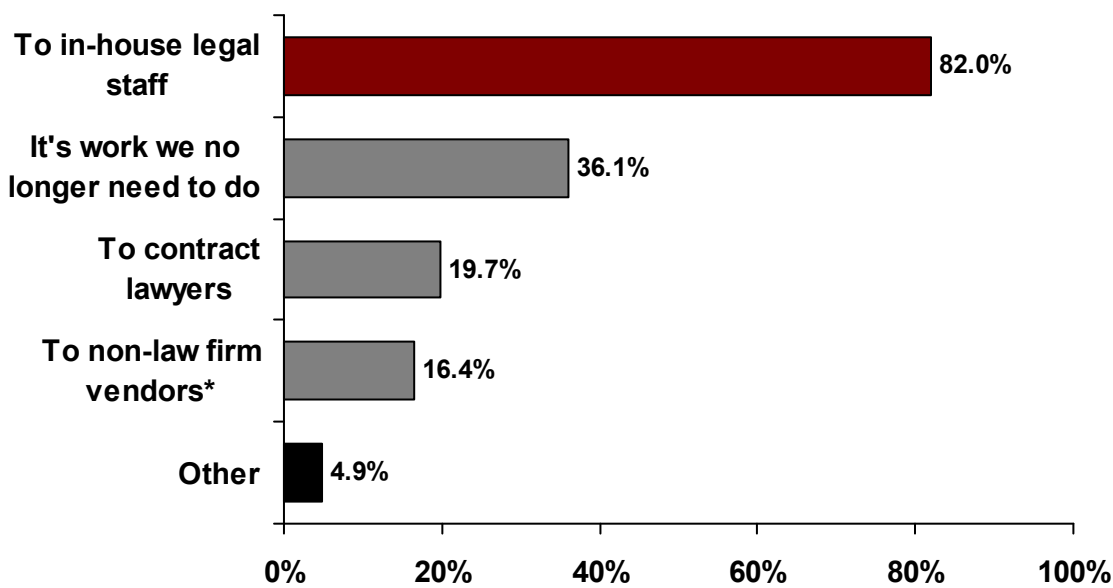
TREND: Increase or decrease your Use of Outside Counsel



Trend data compiled from 2011, 2012 and 2013 Chief Legal Officer Surveys.

3. Shifting Work from Outside Counsel

If you plan to decrease your use of outside counsel, where will the work go?
(Check all that apply.)



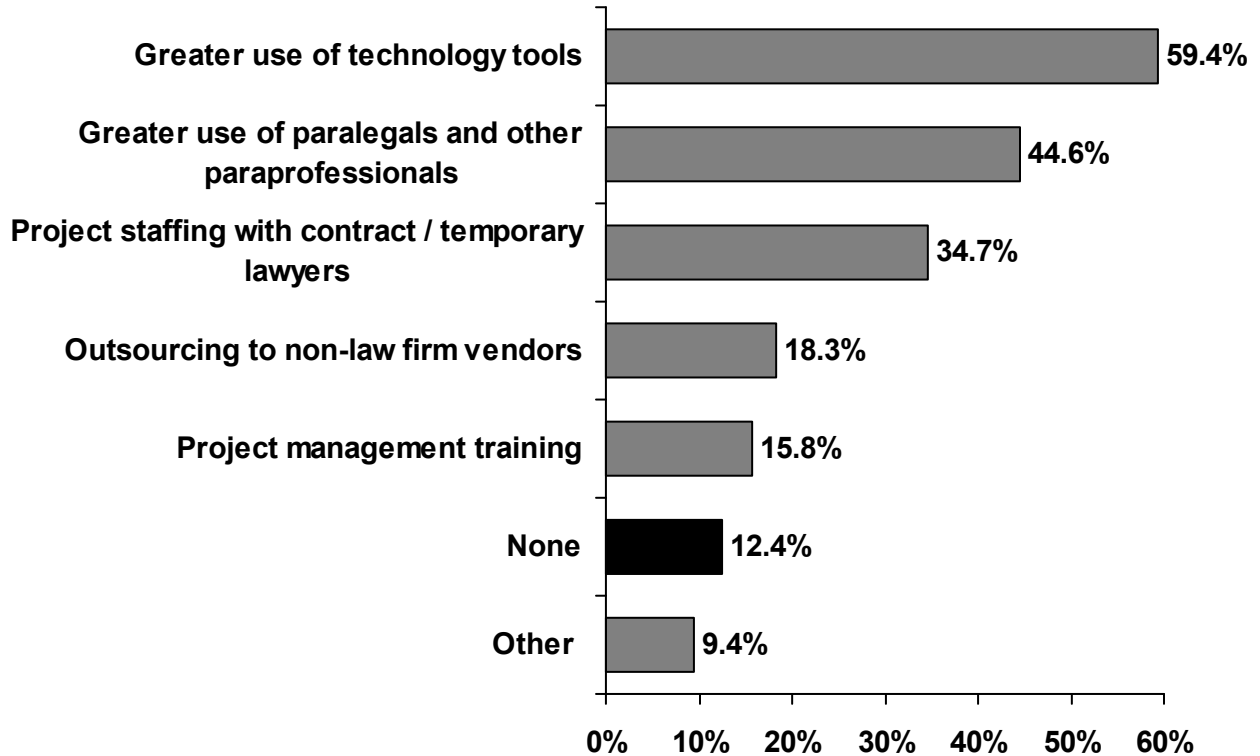
**Non-law firm vendors – e.g. for e-discovery, document review, due diligence or legal research*

“Other” comment:

- We use process control and project management to limit legal work to what lawyers should do -- not what they have done. In addition, proactive, risk-based counseling limits the need for reactive firefighting legal services -- thereby reducing overall demand.

4. Law Department Management - Efficiency

In the last 12 months, have you done any of the following to increase your law department's efficiency in its delivery of legal services? (Check all that apply.)



4. Law Department Management - Efficiency

In the last 12 months, have you done any of the following to increase your department's efficiency in its delivery of legal services?

'OTHER' EFFICIENCY EFFORTS INCLUDE:

People

- Insourcing of outside counsel functions
- Secondments from firms
- Added use of temporary support staff

Process

- Reengineering work processes and standardization
- Restructured dept. roles; improved certain processes
- We use a "play book" of standard operating procedures, as well as a wiki based technology platform to leverage knowledge and streamline process.
- Competitive Excellence/Lean training

Technology

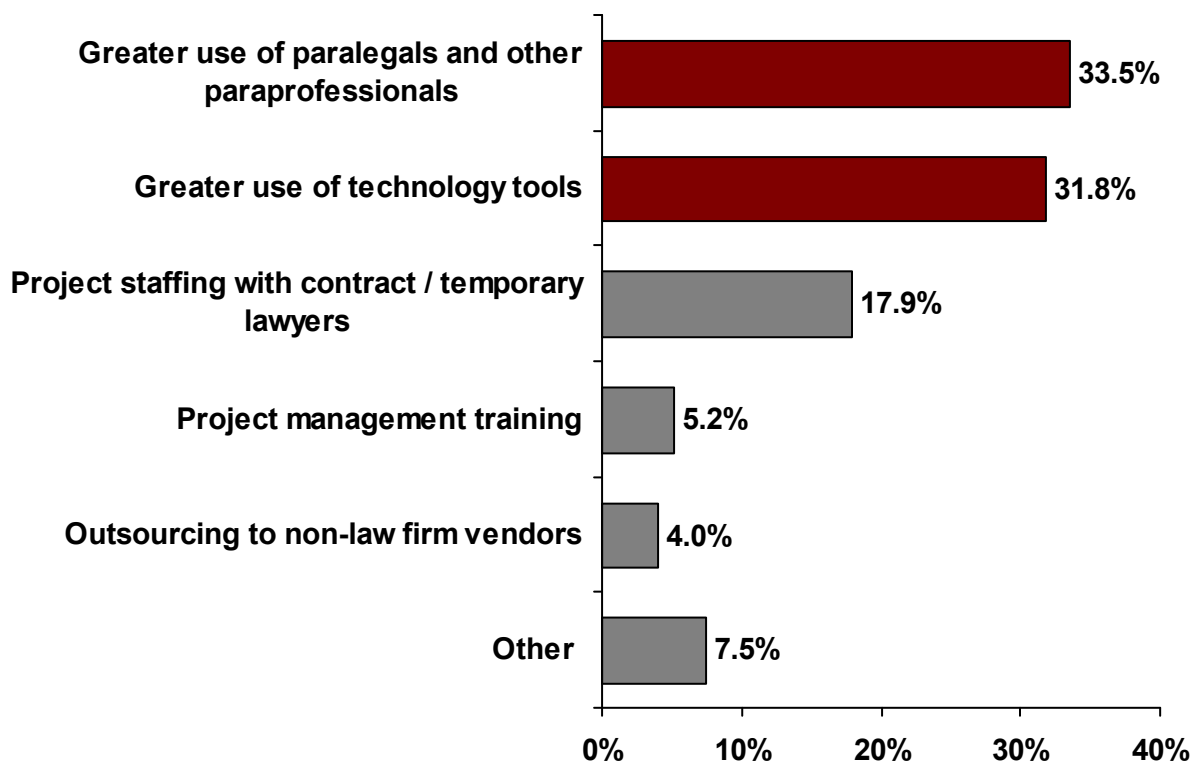
- Implemented use of electronic billing for outside counsel
- Moved to using only electronic document and file storage
- Subscribed to outside legal database

Work Assessment / Assignment

- Analyze work being performed for determination if it is value added
- Not reviewing low risk matters
- Push more to business areas with controls built around it

4a. Law Department Management - Efficiency

Of the efforts you've made to improve efficiency in the last 12 months, which one yielded the greatest improvement? (Select one.)



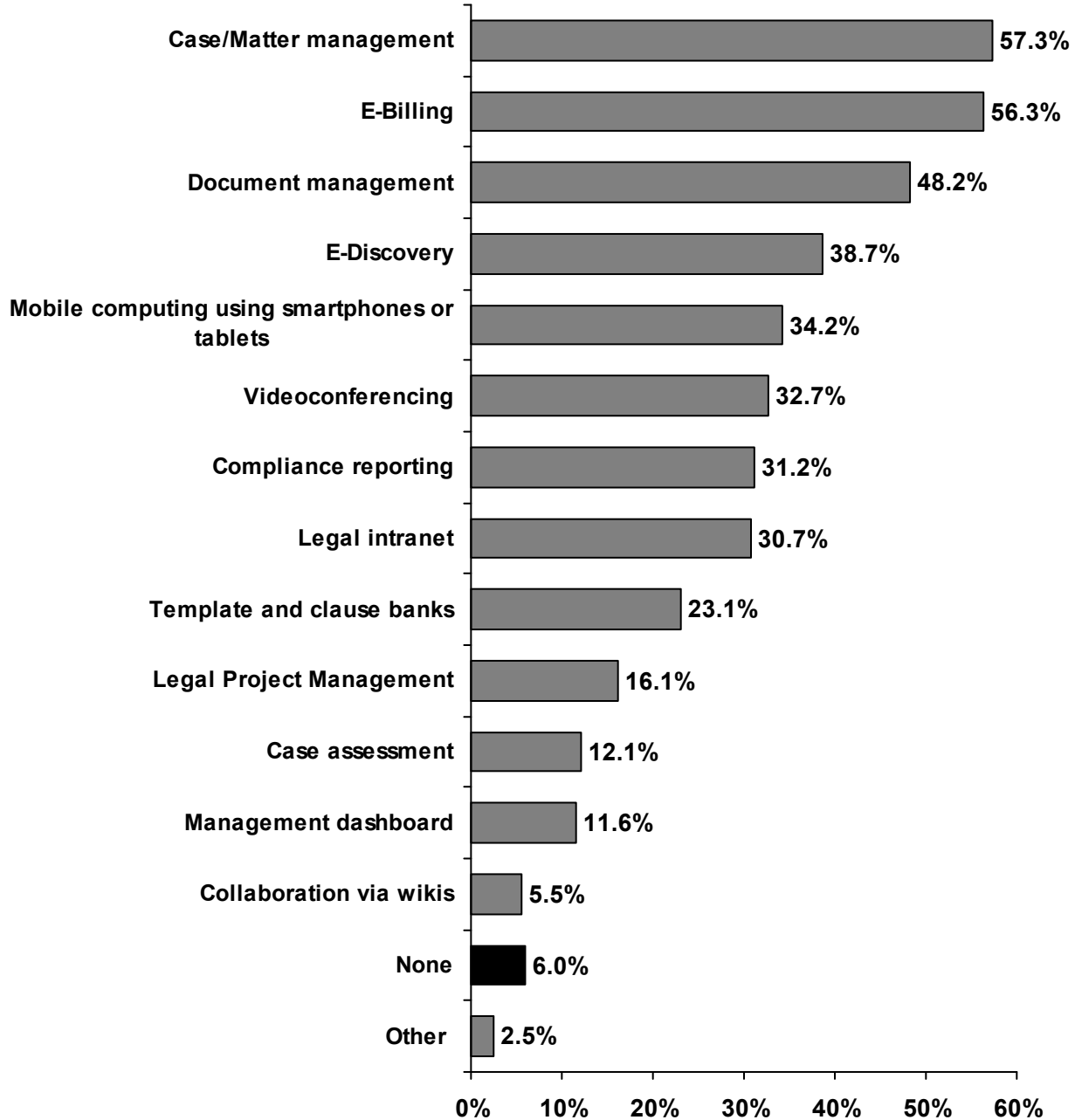
'OTHER' INCLUDES:

- Added use of temporary support staff
- Alternative fee billing
- Bringing legal expertise in-house
- Changes in outside counsel
- Early case assessments
- Not working on low risk matters
- Reduced layers of management
- Reengineering work processes and standardization
- Working with outside counsel to provide greater clarity on roles of inside and outside counsel on specific projects

5. Law Department Management - Efficiency

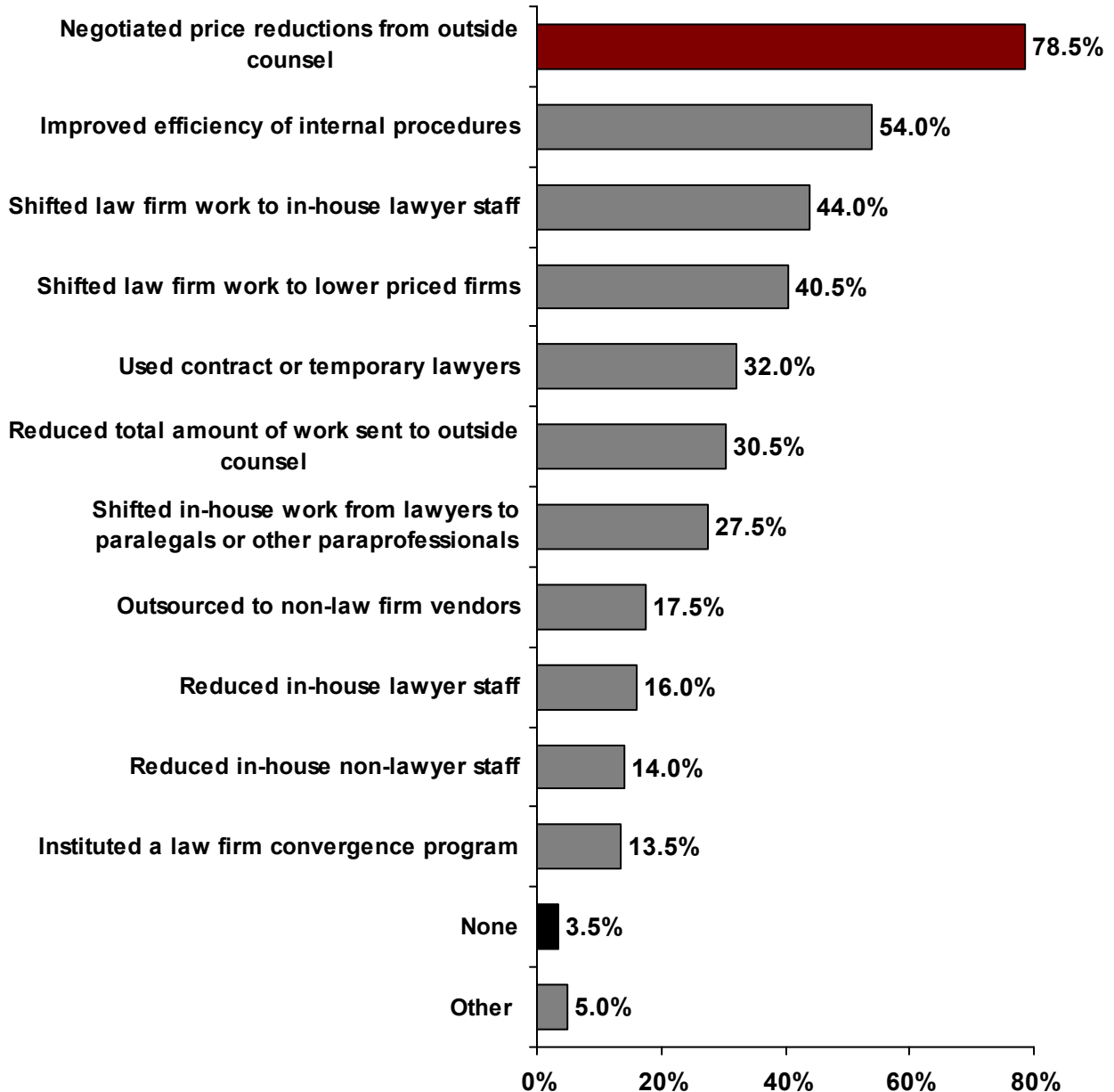
In last year's survey, "greater use of technology tools" was named as the top method of increasing law department efficiency.

What technology tools is your department using to increase efficiency? (Select all that apply.)



6. Law Department Management – Cost Control

In the last 12 months, have you done any of the following to control law department costs? (Check all that apply.)



6. Law Department Management – Cost Control

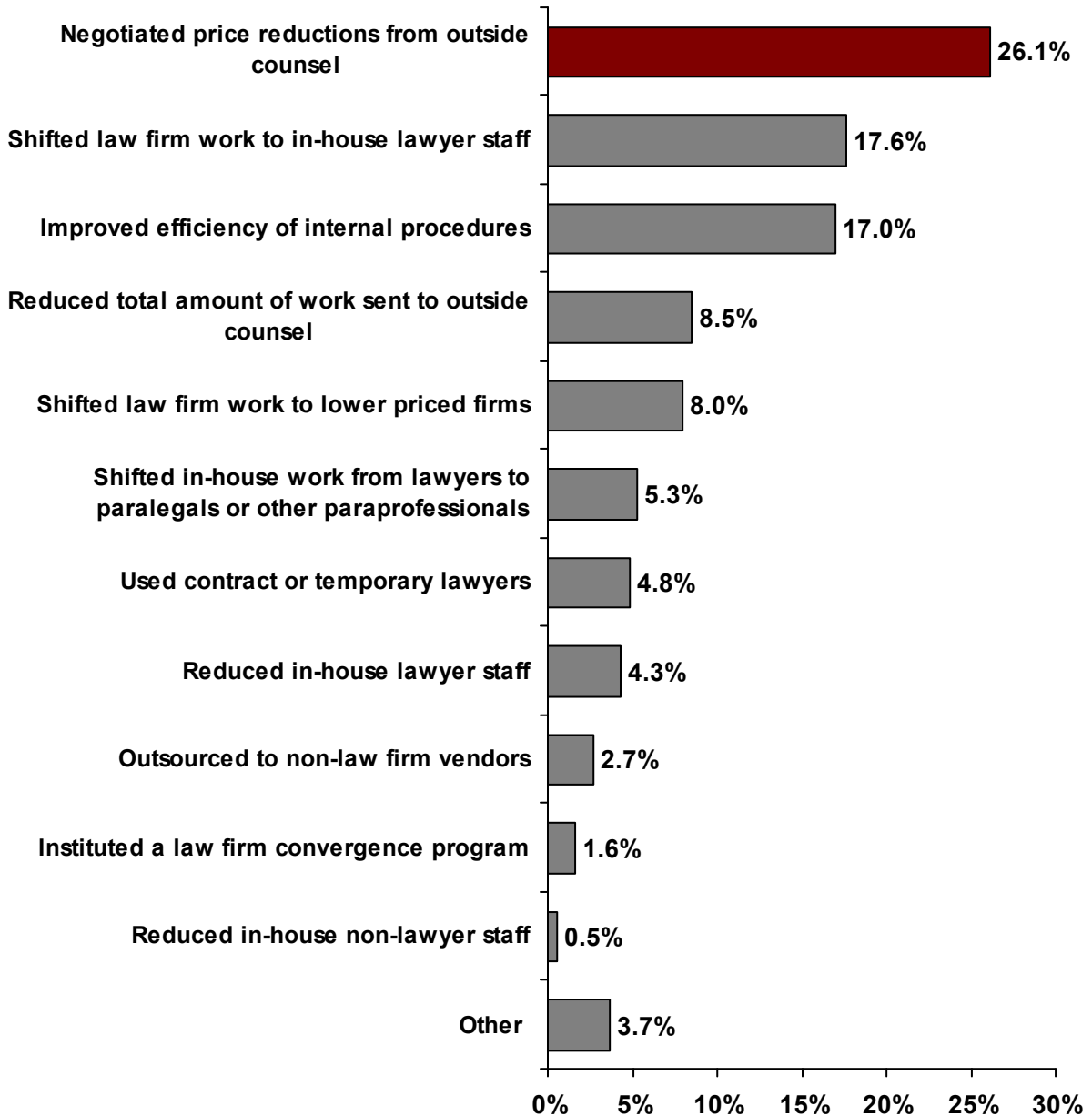
In the last 12 months, have you done any of the following to control law department costs?

‘OTHER’ COST CONTROL IMPROVEMENTS INCLUDE:

- Closer attention to outside firm billing
- Deeper risk discussions with clients on the need and scope of work for outside counsel
- Improved management of outside counsel
- Negotiated alternate fee agreements
- RFPs
- Secondments from law firms
- Set up in-house competence center in low cost jurisdiction
- Utilized alternative law firms

6a. Law Department Management – Cost Control

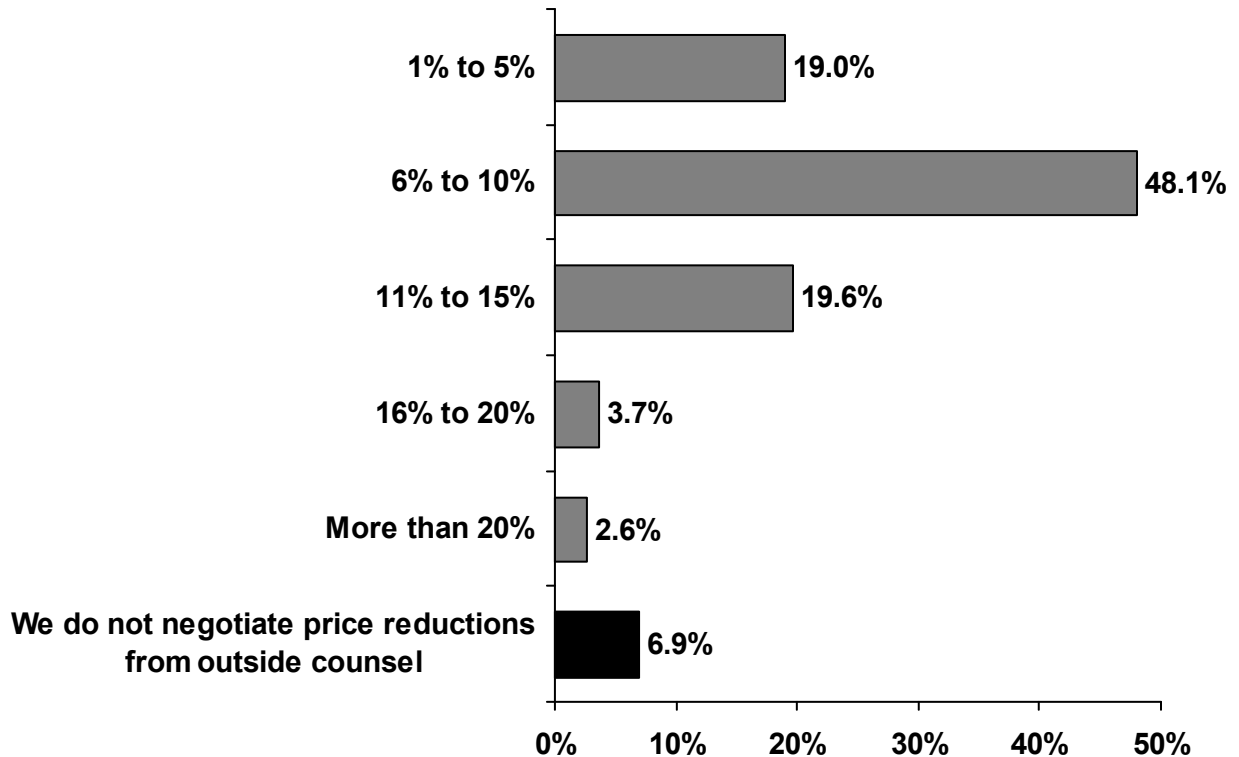
Of the efforts you've made to control costs in the last 12 months, which one yielded the greatest reduction? (Select one.)



7. Law Department Management – Cost Control

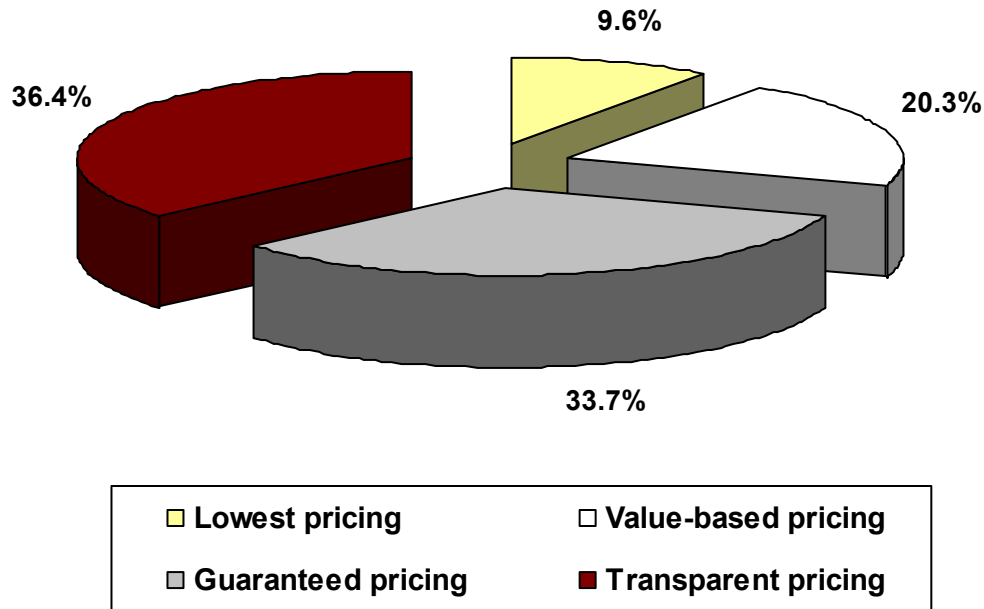
In last year's survey, "negotiated price reductions from outside counsel" was named the top method of controlling law department costs.

What was the average price reduction negotiated by your law department in the last 12 months?



8. Law Department Management – Outside Counsel Pricing

Excluding ‘bet the company’ matters, if you could select only one of the following outside counsel pricing scenarios, which would you want most? (Select one.)



DEFINITIONS:

Lowest pricing: We want the lowest price available.

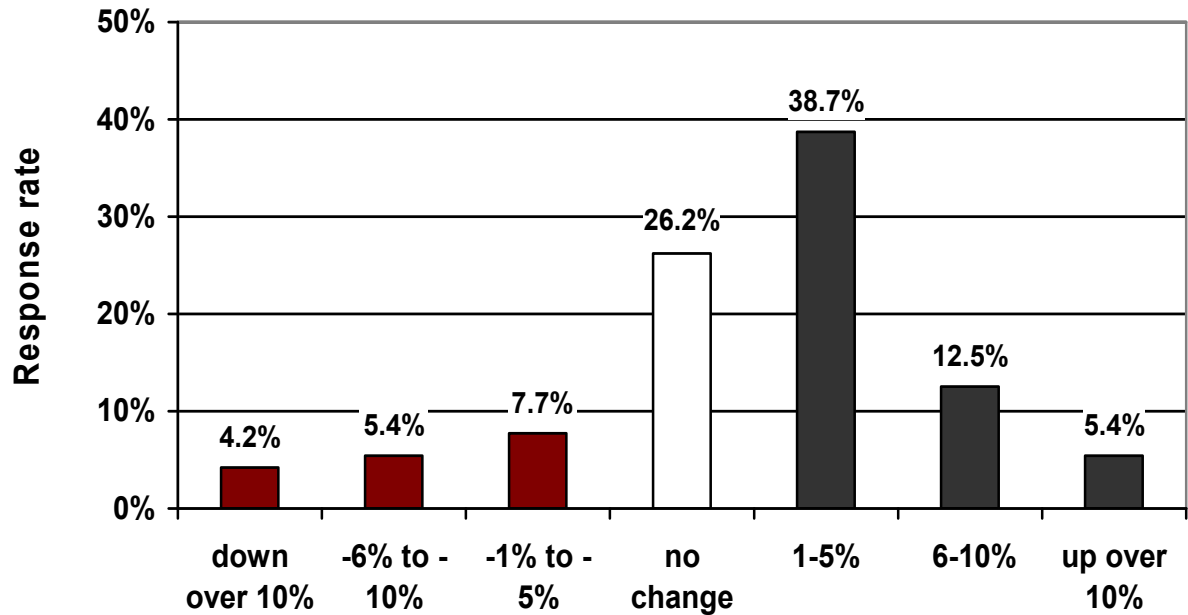
Value-based pricing: We want to pay a variable price based on the results we get.

Guaranteed pricing: We want to know in advance what it will cost.

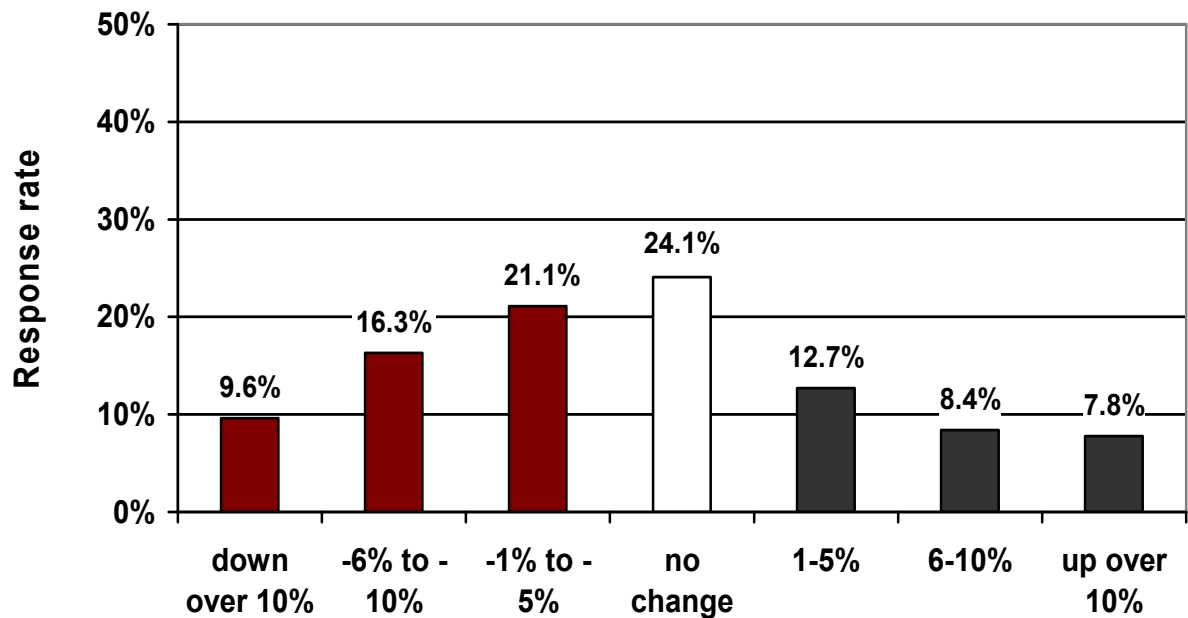
Transparent pricing: We want to understand how/why the price is set and have the opportunity to discuss changes.

9. Please estimate the percentage increase or decrease to your Law Department budget from 2012 to 2013.

9a. INTERNAL BUDGET

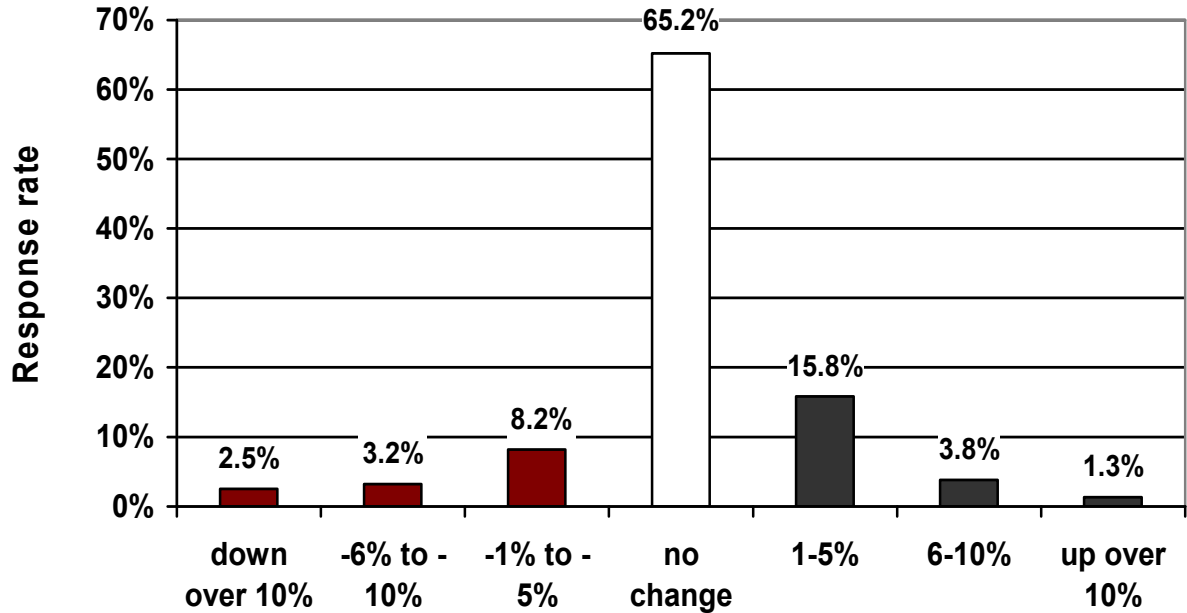


9b. OUTSIDE COUNSEL BUDGET

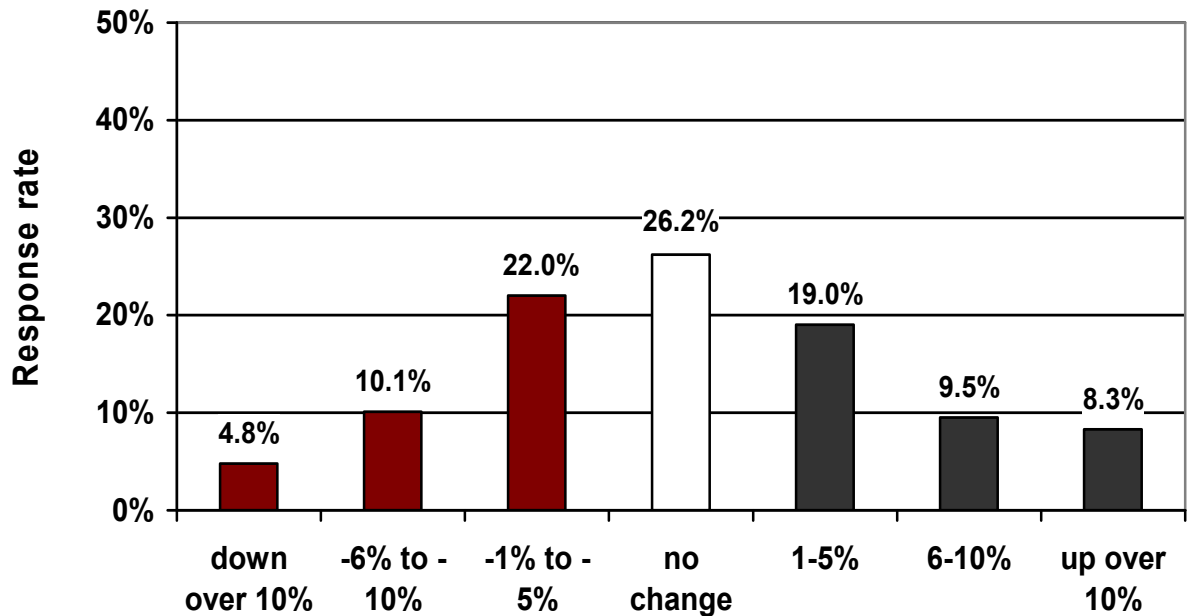


9. Please estimate the percentage increase or decrease to your Law Department budget from 2012 to 2013.

9c. VENDOR BUDGET FOR LEGAL MATTERS



9d. TOTAL LAW DEPARTMENT BUDGET



TREND: Increase or decrease to your Law Department budget

Tables show what percentage of departments increased their budget; what percentage decreased their budget; and what percentage made no change to the budget in each category.

Change in Law Department Internal Budget			
Year	Decreased	Same	Increased
	% of Depts.	% of Depts.	% of Depts.
2010 to 2011	17.1%	26.7%	56.2%
2011 to 2012	27.6%	26.3%	46.1%
2012 to 2013	17.3%	26.2%	56.6%

Change in Outside Counsel Budget			
Year	Decreased	Same	Increased
	% of Depts.	% of Depts.	% of Depts.
2010 to 2011	25.4%	28.9%	45.8%
2011 to 2012	39.0%	26.9%	34.2%
2012 to 2013	47.0%	24.1%	28.9%

Trend data compiled from the 2011, 2012 and 2013 Chief Legal Officer Surveys.

TREND: Increase or decrease to your Law Department budget

Tables show what percentage of departments increased their budget; what percentage decreased their budget; and what percentage made no change to the budget in each category.

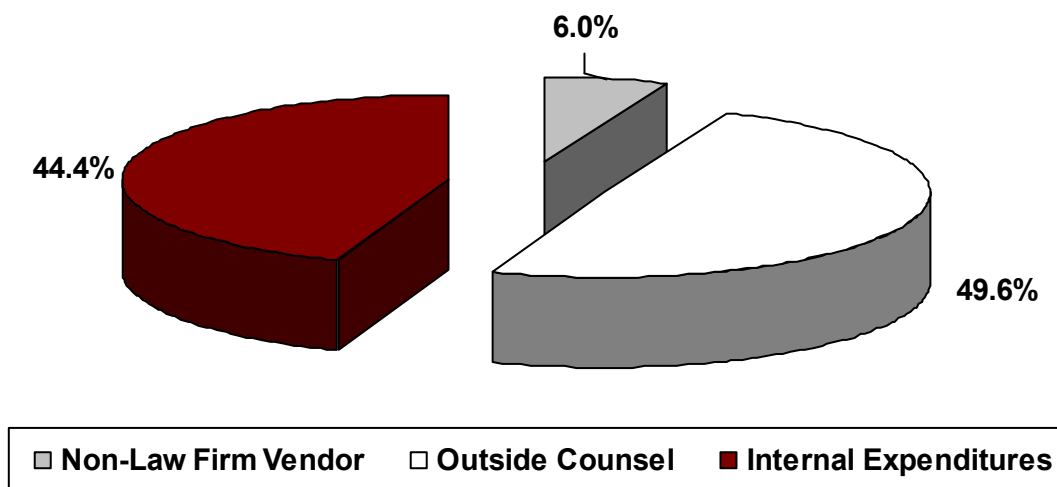
Change in Legal Matter Vendor Budget			
Year	Decreased	Same	Increased
	% of Depts.	% of Depts.	% of Depts.
2011 to 2012	12.8%	65.2%	21.9%
2012 to 2013	13.9%	65.2%	20.9%

Change in Total Law Department Budget			
Year	Decreased	Same	Increased
	% of Depts.	% of Depts.	% of Depts.
2010 to 2011	25.9%	18.4%	55.8%
2011 to 2012	34.1%	19.5%	46.3%
2012 to 2013	36.9%	26.2%	36.8%

Trend data compiled from the 2011, 2012 and 2013 Chief Legal Officer Surveys.

10. Law Department Budget Allocation

Please estimate the percentage of your total 2013 Law Department budget (internal and external legal spend) that each of the following components comprise. (Responses should total 100%.)



Definitions:

Internal expenditures: Department compensation and benefits; contract lawyers, facilities, technology and other operating costs

Outside Counsel: Total expenditures to outside law firms

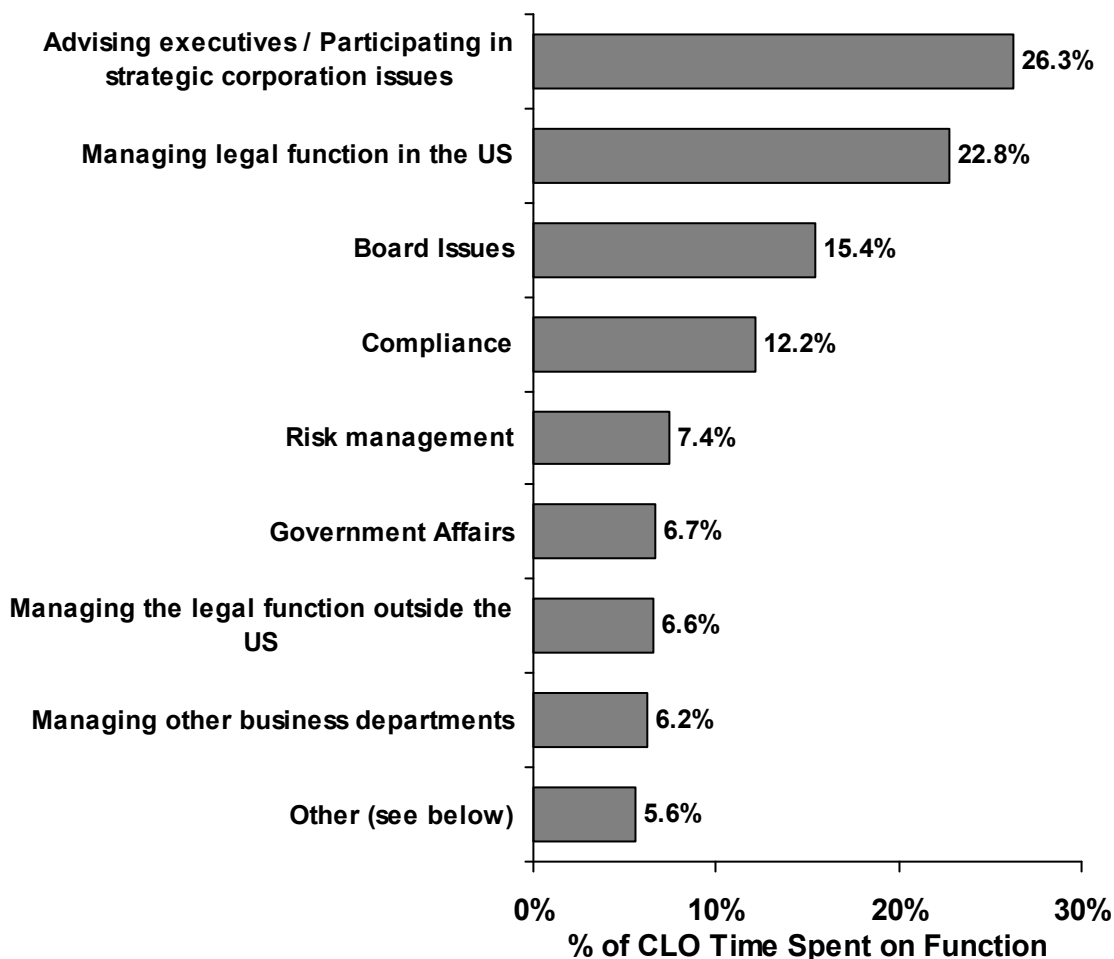
Non Law-Firm Vendor: Expenditures for legal matters, i.e. e-Discovery, document review, legal research, etc.

COMPARISON BY YEAR

Budget allocation	Internal	Outside Counsel	Non-firm vendor
2012	44.1%	52.0%	3.9%
2013	44.4%	49.6%	6.0%

11. Chief Legal Officer – Management Time Allocation

Please estimate how your management time was allocated over the last 12 months. (Responses must equal 100%.)



Other functions:

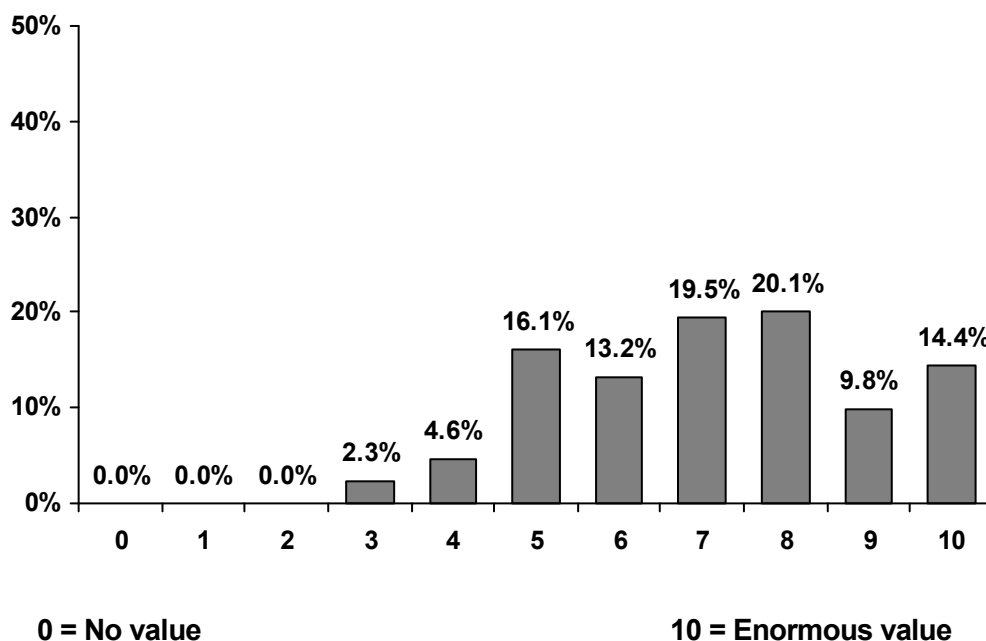
Top responses in order of frequency

- Serving on Boards
- Community activities
- Personnel issues

12. Law Department Performance – Value to the Corporate Board

Beyond effectively solving legal problems that arise, what does your CEO and/or Corporate Board value most in your Law Department's performance?

12f. CONTROLLING LEGAL SPEND



CONTROLLING LEGAL SPEND	LOW						MODERATE			HIGH	
RATING	0	1	2	3	4	5	6	7	8	9	10
RESPONSE	23.0%						52.8%			24.2%	

Median rating: 7

12. Law Department Performance – Value to the Corporate Board

SUMMARY

LAW DEPARTMENT ACTIVITY	LOW VALUE	MODERATE VALUE	HIGH VALUE
Supporting company's business objectives	2.3%	23.0%	74.7%
Advising company leaders	2.9%	28.7%	68.4%
Availability and responsiveness	2.3%	41.3%	56.4%
Managing compliance issues	8.8%	50.1%	41.3%
Managing risk	8.6%	56.3%	35.1%
Controlling legal spend	23.0%	52.8%	24.2%

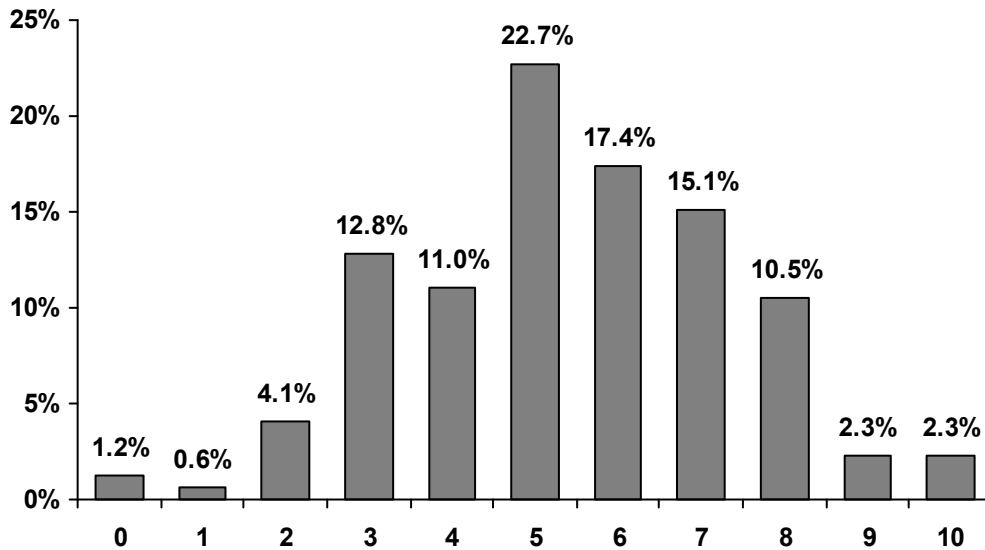
OPTIONAL: Describe and rate other key activities the CEO and/or Corporate Board values in your Law Department's performance.

OTHER HIGHLY-VALUED ACTIVITIES INCLUDE:

- Active participation in company management
- Corporate governance
- Government relations / policy
- Managing Board Relations
- Managing executive compensation at the board level
- Managing IP portfolio
- Managing real estate
- Providing good leadership to the department
- Providing legal support below the level of the CEO and Board

13. Inside / Outside Relationship

In your opinion, in the current legal market, how much pressure are corporations really putting on law firms to change the value proposition in legal service delivery (as opposed to simply cutting costs)?



0 = No pressure

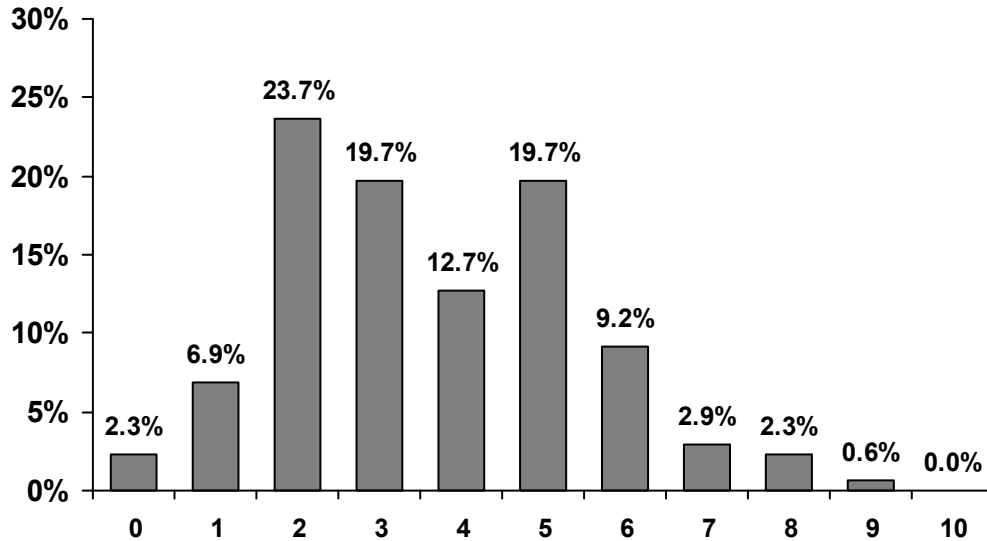
10 = Intense pressure

LAW DEPT PRESSURE	LOW						MODERATE			HIGH	
RATING	0	1	2	3	4	5	6	7	8	9	10
RESPONSE	52.4%						43.0%			4.6%	

Median rating: 5

14. Inside / Outside Relationship

In your opinion, in the current legal market, how serious are law firms about changing their legal service delivery model to provide greater value to clients (as opposed to simply cutting costs)?



0 = Not at all serious

10 = Doing everything they can

LAW FIRM CHANGE	LOW						MODERATE			HIGH	
RATING	0	1	2	3	4	5	6	7	8	9	10
RESPONSE	85.0%						14.4%			.6%	

Median rating: 3

TREND: Corporations Pressuring Law Firms to Change Value Proposition

Pressure from Law Departments for Change		
	Average	Median
2009	5.5	5
2010	5.3	5
2011	5.4	5
2012	5.5	6
2013	5.4	5

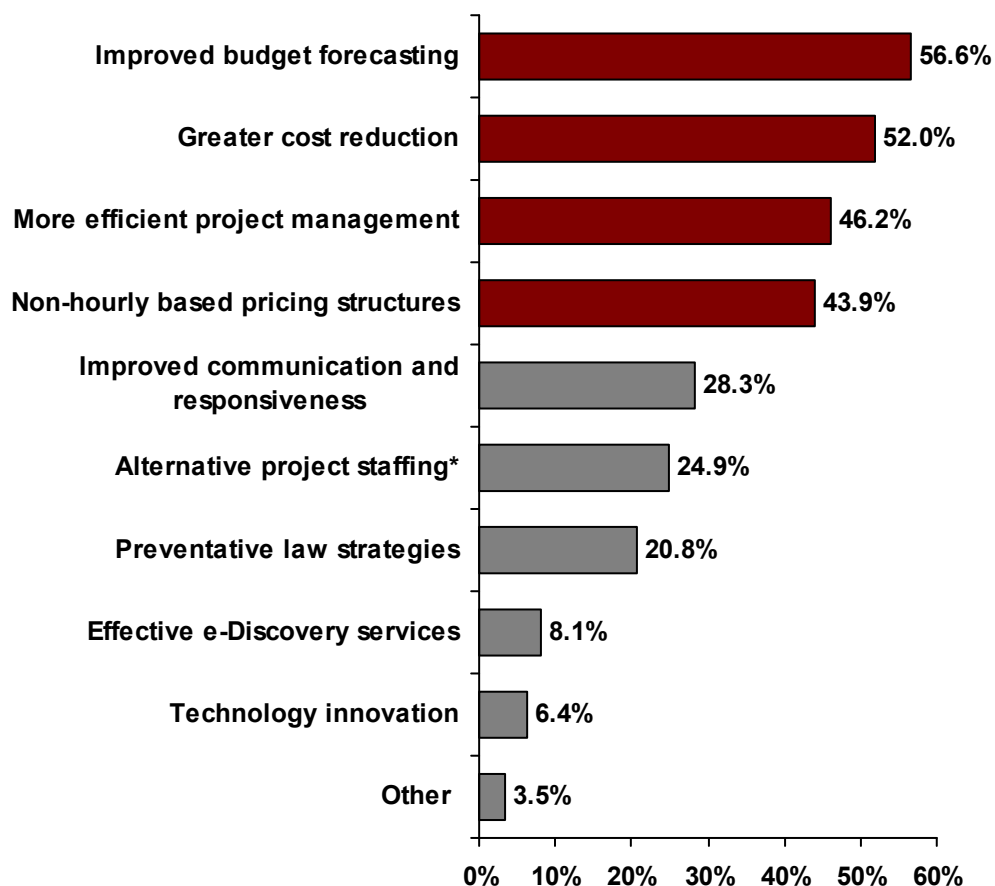
TREND: Law Firms Serious About Changing Service Delivery Model

Intent of Law Firms to Change		
	Average	Median
2009	3.4	3
2010	3.7	3
2011	3.7	3
2012	3.8	3
2013	3.6	3

Trend data compiled from 2009, 2010, 2011, 2012 and 2013 Chief Legal Officer Surveys.

15. Law Firm Service Improvements

Of the following service improvements and innovations, please select the three that you would most like to see from your outside counsel. (Select up to three.)



**Alternative project staffing was defined for this question as "greater use of contract lawyers, paraprofessionals, etc."*

15. Law Firm Service Improvements

Of the following service improvements and innovations, please select the three that you would most like to see from your outside counsel.

'OTHER' SERVICE IMPROVEMENTS INCLUDE:

- Better application of real risk analysis (as opposed to hypothetical risk) to avoid unnecessary actions and associated costs
- Collaboration with our other strategic outside law firms
- Improved collaboration technology for document exchange and management
- More efficient legal work through knowledge management inside the firm
- Thoughtful and early strategies to resolve legal issues quickly and cheaply
- Willingness and ability to provide recommendations rather than analysis

16. Outside Counsel Selection

In last year's survey, "demonstrated understanding of your business or industry" was chosen as the top influencer in CLOs' selection of new outside counsel.

Please rate the effectiveness of the following things outside counsel can do to demonstrate an understanding of your business or industry before they have been engaged.

Rate on a scale of 0 to 10 in which 0 = No effect and 10 = Extremely positive effect.

Effective ways to demonstrate an understanding of your business	Average Rating	Median Rating
Successful track record in similar matters	8.8	9
Representing other organizations like yours	7.1	7
Providing timely updates on legal developments in your industry (via newsletter, blog, e-alert, etc.)	6.2	6.5
Writing in-depth analysis of relevant legal issues	5.8	6
Participating in associations related to your industry	4.7	5
Making speeches or presentations on relevant issues	4.1	4
Receiving professional awards or rankings (e.g. Best Lawyers, SuperLawyers, etc.)	2.7	2
Holding specialized credentials (e.g. LLM, MD, PhD, etc.)	2.3	1.5

16a. OPTIONAL: Identify and rate other effective ways to demonstrate an understanding of your business

'OTHER' HIGHLY-RATED RESPONSES INCLUDE:

Do your homework

- Demonstrate a keen understanding of and interest in my industry and key drivers and priorities for my business
- Demonstrate continued thinking about the key issues facing our company through phone, email, heads-up, etc.
- Invest time to learn our industry, read our annual report, visit our major sites, sit with leadership and determine how they can help us
- Taking time at their expense to get to know me and our business

Offer a creative perspective

- Ability to think like a business person and put matters into same context as executives in company
- Creative solutions to problems rather than red letter law
- Give answers that are not qualified with numerous disclaimers
- Use practical experience on similar matters to bring a broader perspective to issues

Have a public profile

- Attend appropriate company and industry events
- Influencing public debate and policy

Show specific value

- Demonstrate an ability to deploy lawyers efficiently
- Employing lawyers who worked regulating the industry or in the industry

17. CLO Management Priorities

What is your number one Law Department management priority? (open-ended question)

MANAGEMENT PRIORITIES	2013 RESPONSE RATE	2012 RESPONSE RATE	2011 RESPONSE RATE
Quality and value of legal services	21.2%	13.0%	12.1%
Supporting business goals of the organization	18.4%	8.0%	12.3%
Cost control and reduction	18.0%	23.5%	24.1%
Risk management	10.6%	3.1%	7.0%
Efficiency	8.3%	16.7%	16.0%
Compliance	8.3%	4.3%	10.7%
Lawyer staffing issues	6.9%	9.9%	7.0%

REPRESENTATIVE COMMENTS:**Quality and Value**

- Continued improvement in the quality of our legal services - - moving from B+ to A+ -- critically evaluating what we do and how well we do it to drive increased performance and value. Budget cutting is nice, but it's not the thing that provides the most value to our business and our leaders.
- Do it all - Be the best law department possible in all important aspects: Effective legal partner for the business, advance ethical standards and compliance, proactively provide legal support to corporate strategy, aggressively manage costs, provide sound and useful legal advice, provide excellent support for the board and corporate governance matters.

Supporting the business goals of the organization

- Enhancing our effectiveness as being true partners to the business. This includes, the quality and timeliness of the service we provide, our clients seeking our input even in instances when the matter at hand is not purely "legal," and, being known as a team that operates in a proactive manner - - e.g., anticipating next steps/challenges and ensuring the business receives learnings from prior corporate missteps or missed opportunities.
- Integrating in-house lawyers into the fabric of the business so that they understand and anticipate what issues will arise in the next 12 months.

Cost control

- Providing a predictable outcome at a predictable price
- Controlling costs without compromising quality results.

Efficiency

- Identifying, developing, and/or using tools that can drive efficiencies in the provision of legal services to our customers.

Risk management

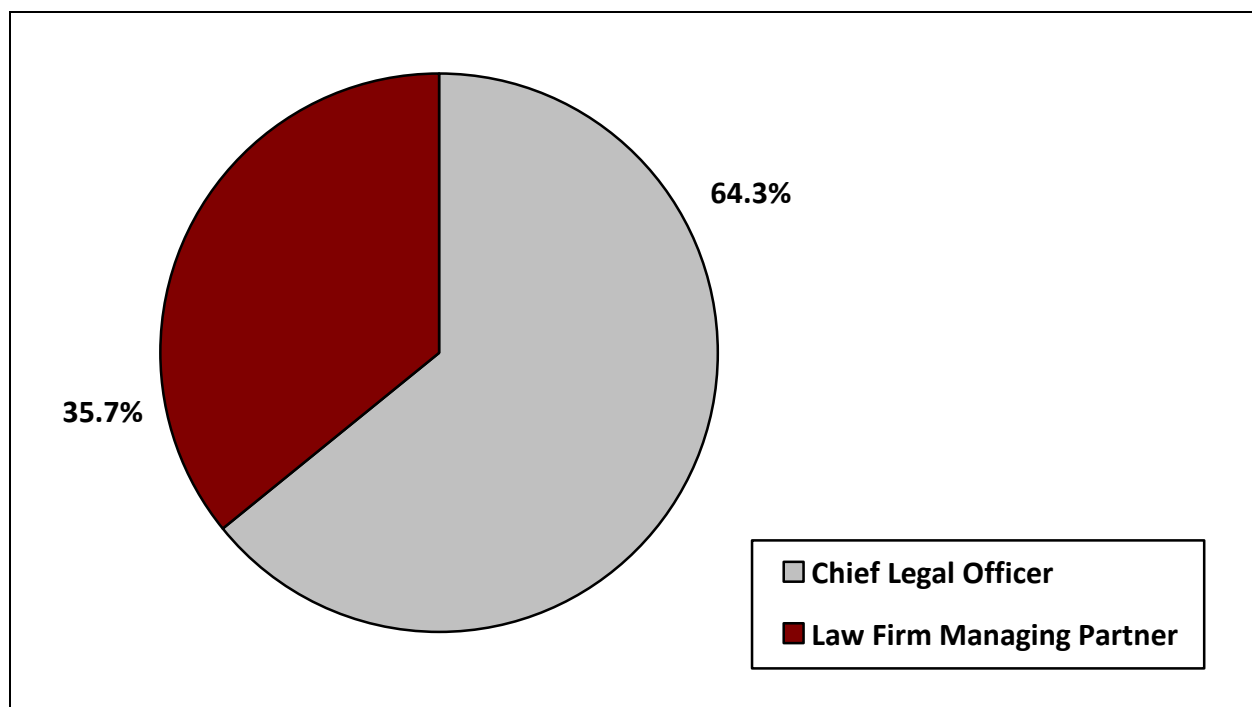
- Staying ahead of developments in the business to identify legal and other risks and address those risks proactively

Compliance

- Compliance tools to efficiently enable consistent compliance results without limiting our ability to pursue business objectives

Lawyer staffing

- Developing talent - exposing lawyers to various aspects of the business and improving risk analysis capabilities
- Making sure we are fully and efficiently utilizing the staff we have to meet the priorities of the business.

BONUS QUESTION: In your opinion, who has the harder job? Why?**Chief Legal Officers have the harder job - Representative comments:****A broader range of responsibility**

- More numerous and varied legal issues; multiple stakeholders to consider when representing the company; dealing with legislators and regulators from multiple federal, state and local entities; considering business needs as well as legal needs; difficulty in budgeting without knowing the extent of matters that will arise -- just for starters.
- The CLO has to have a significant breadth of expertise and be able to respond to business issues very quickly and then be immediately accountable for them, while at the same time managing a budget and staff.

Balancing legal and business needs

- It's not just about the law, but about running the company. The law is one component.
- CLO must balance between legal services delivery and being a true leader of an operational business. CLO must develop lawyers, advise executives and the Board,

respond to crisis and continually enhance the foundation to help an evolving business avoid pitfalls.

- Jobs are hard in different ways, but CLO needs to consistently balance legal needs with business imperatives, and is held accountable for outcomes of legal decisions in ways that law firms are not. CLO is the "actor," while law firm is the adviser.

Greater accountability

- Ultimate responsibility for every decision law department makes plus requirement to understand and operate effectively in competitive corporate political arena
- Not even close: Hardest part of job is making decisions - not just advising.

Working with non-lawyers

- He or she is largely dealing with non-lawyers, at least in-house. Lay people - even very bright business minds - generally do not understand legal reasoning. In short communication with non-lawyers about legal issues is more difficult than managing lawyers...in my opinion.
- Fundamentally, CLO is a fish out of water. Has to preach the values of legal/governance/compliance to rest of organization with different first priorities even as he helps them also achieve their first priorities as well. Everyone in law firm shares the same business model.

Managing Partners have the harder job - Representative comments:

Managing big egos / herding cats

- A managing partner has to deal with as many big egos as he has partners, all of whom think they deserve more. A CLO has to deal with senior management but that often is a smaller and more reasonable group.
- Our lawyers are united by a common goal - to facilitate our business doing business. That is not the case with law firms where there are competing priorities and interests among lawyers.

- Managing a service organization such as a law firm involves a constant effort at building consensus with typically high ego personalities. In a business, there is a boss who makes decisions--much more efficient.

Broken law firm business model

- Presiding over a business model facing unprecedented change - many firms will not survive in their present form.
- Structural changes impacting law firms are intense. CLO's have more options to traditional law firms today than ever before and more are becoming available all the time.
- Their whole business model is changing on them with no clear answer as to the likely outcome.

Lack of authority

- Law Firm managers have little authority to achieve change that is needed.
- The authority of the Chief Legal Officer and the reporting hierarchy is generally more clear than the role of the law firm managing partner where the role can range from a more administrative/consensus builder position to a more CEO-like position.

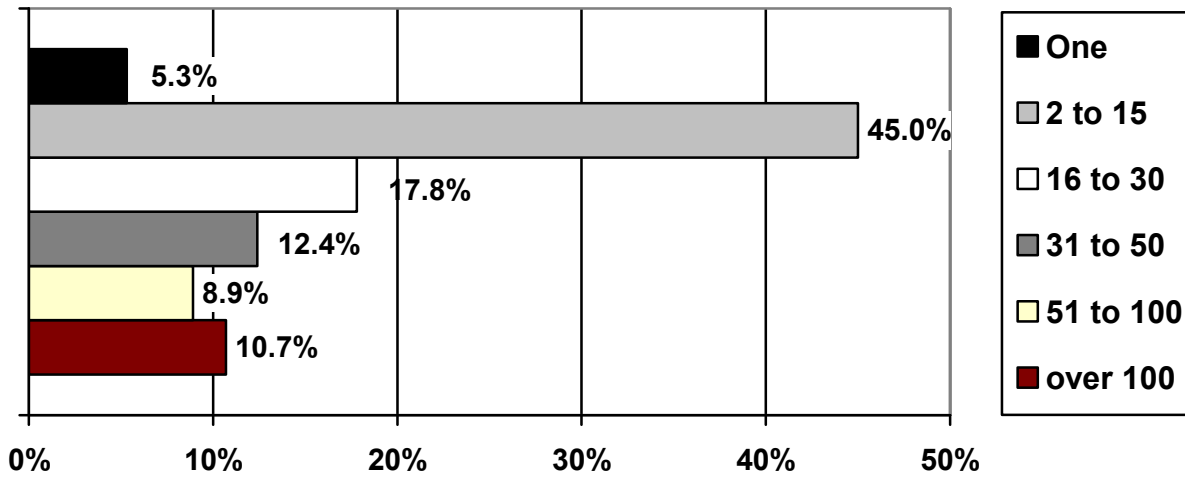
Financial pressures

- Generating revenues in a declining market
- Very competitive and price sensitive environment
- Intense competition, commoditization of most practice areas

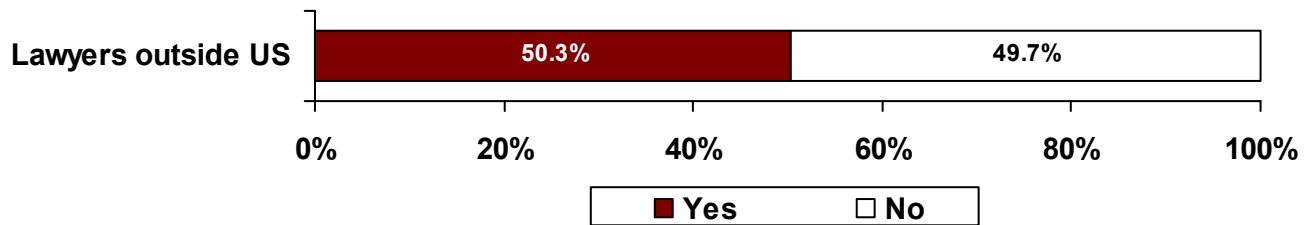
2013
Chief Legal Officer Survey
Participant Demographics



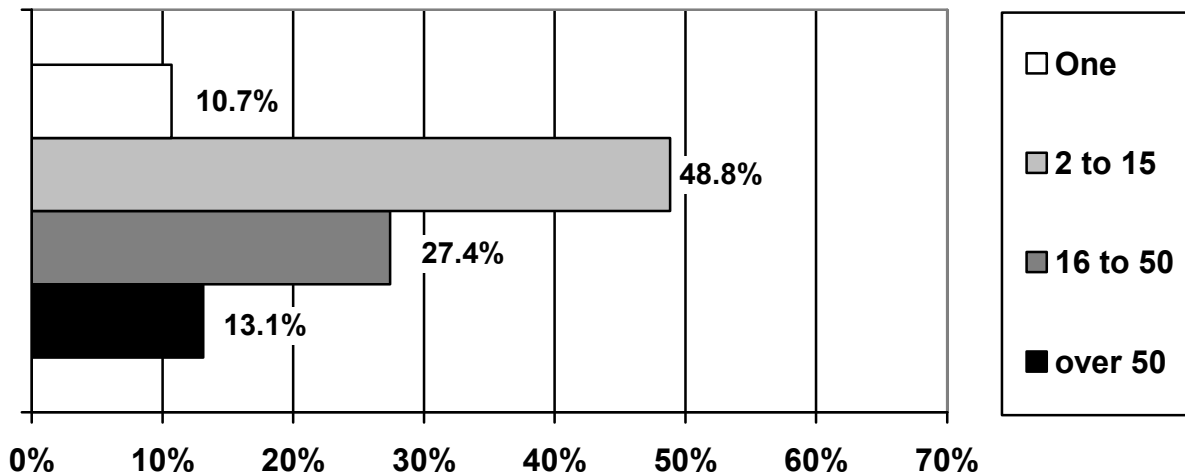
1. How many in-house attorneys are in your department (in all locations)?



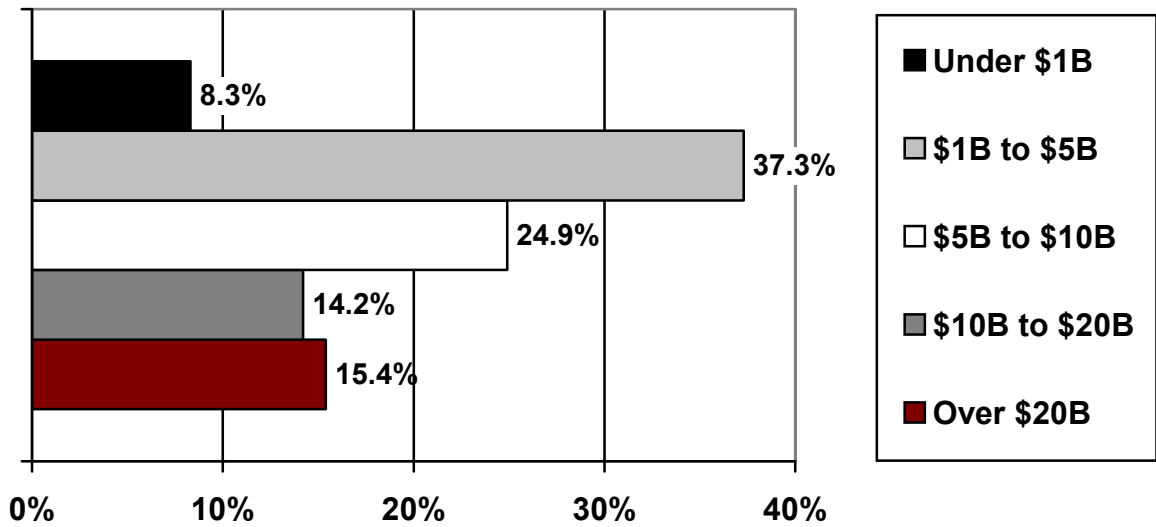
1a. Are any resident outside of the US?



1b. If yes, how many attorneys in the department are resident outside the US?



3. What are your organization's annual revenues?



4. Is your organization:

