

Best Practices

in Business Development

Using LexisNexis® CourtLink®





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Introduction

Introduction to LexisNexis® CourtLink® Business Development Tools

LexisNexis CourtLink Business Development Tools



Introduction to LexisNexis CourtLink Business Development Tools

OVERVIEW

LexisNexis CourtLink Business Development Tools, including Strategic Market Analysis reports, Strategic Profiles, and Alerts, help law firms to identify and target their business development opportunities and prepare for high impact presentations. This booklet provides best practices for using CourtLink® Business Development Tools and demonstrates how these tools are designed to work together to help law firms across the country grow their business. At the most basic level, law firms are following the process below.

STEP 1: Identify Market Trends and Major Players

Order customized CourtLink Strategic Market Analysis Reports to identify new potential clients and gain a complete view of litigation activity and trends relevant to key practice areas.

STEP 2: Analyze Client and Prospect Needs, Representation, and Share Trends

Run CourtLink Strategic Profiles to gain insight into a newly targeted prospect or current client's litigation history, trends, and current law firm representation to help you further evaluate and target the top opportunities uncovered by the CourtLink Strategic Market Analysis Report.

STEP 3: Be Among the First to Know When Your Clients or Prospects are Sued

Once you have pinpointed the opportunities you want to pursue, set up CourtLink Alerts to provide you notification of newly filed court cases so you can be among the first to know when a client or prospect has been sued—sometimes before they know!

LexisNexis CourtLink Business Development Tools

STRATEGIC MARKET ANALYSIS REPORTS

Top law firms across the country are running CourtLink Strategic Market Analysis reports to identify new potential clients and gain a complete view of litigation activity and trends relevant to key practice areas.

As a benchmark for solid marketing and planning efforts, CourtLink Strategic Market Analysis reports provide:

- Identification of prospective and existing clients regularly involved in litigation in the practice area(s) and jurisdiction(s) of your choice
- Complete overview of emerging competitive firms and counsel in the practice area(s) and jurisdiction(s) of your choice
- Synopsis of top firms and individual counsel engaged in litigation to consider for possible lateral hire or merger/acquisition

LexisNexis CourtLink Business Development Tools

STRATEGIC PROFILES

NOW AVAILABLE!

Statewide in New York State Supreme Courts and Cook County Illinois Circuit Court

Litigant Strategic Profile

Identify client or prospect litigation trends and drill down to see activity by a specific nature of suit. This will help you identify matches between a litigant's needs and your law firm's area of specialty allowing you to target client development activities. Get a better handle on your firm's share of total available business from a client and see trends within your prospect or client base.

Law Firm Strategic Profile

Provide a copy of your Law Firm Strategic Profile to demonstrate your expertise during client presentations or review the profile of a competing firm to uncover practice area experience and client lists.

Nature of Suit Strategic Profile

View nature of suit trends and identify growth opportunities nationally. Compare trends on a court-by-court basis. Monitor case types that seem to be on the decline and flag emerging risk. Gain insight into market trends so that you can make the best business development and practice area expansion decisions.

Court Strategic Profile

Conduct geographic analysis and evaluate litigation trends by practice area. Compare nature of suit trends within a U.S. District Court so you can decide what practice area in which to expand.

COURTLINK ALERTS

The CourtLink Alert service automatically notifies you of newly filed court cases of interest to you, often before the party is served. Pinpoint the types of new cases and/or the individuals or companies you want to learn about. Simply set your criteria and let us do the rest.

Protect and Grow Business with Existing Clients

Best Practice 1:

Profile Clients to Identify Cross-Selling Opportunities

Best Practice 2:

Assess Competitive Situation with Existing Clients

Best Practice 1: Profile Clients to Identify Cross-Selling Opportunities

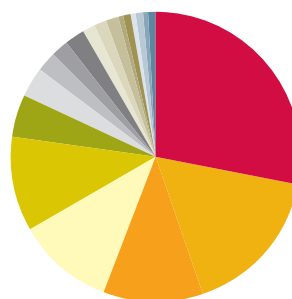
OVERVIEW

The Litigant Strategic Profile can go a long way in helping your firm to understand the litigation trends of clients and prospects and is an excellent tool in helping to evaluate and focus your firm's resources and time on the best opportunities.

For example, using the Litigant Strategic Profile, a mid-sized West Coast firm was focused on building its Intellectual Property practice with a major software company. They had handled some of the company's patent litigation in the past and felt they already had an inroad. The firm ran a Litigant Strategic Profile and identified that the company also had a significant need for copyright representation. Armed with this information, the firm developed a powerful pitch to the company that conveyed it had a solid understanding of its copyright litigation needs.

Potential Cross-Selling Opportunity in Patent Litigation

Nature of Suit	Count	Percent
Antitrust	41	28.28
Copyrights	24	16.55
Patent	16	11.03
Trademark	16	11.03
Other Statutory Actions	15	10.34
Miscellaneous Cases	7	4.83
Personal Injury	5	3.45
Other Civil Rights	3	2.07
Prisoner—Other	3	2.07
RICO	3	2.07
Employment	2	1.38
Other Contract	2	1.38
Securities	2	1.38
Assault, Libel, & Slander	1	0.69
Fair Labor Standards Act	1	0.69
Forfeiture/Penalty	1	0.69
Fraud	1	0.69
Stockholders' Suits	1	0.69
Taxes	1	0.69



- Antitrust
- Copyrights
- Patent
- Trademark
- Other Statutory Actions
- Miscellaneous Cases
- Personal Injury
- Other Civil Rights
- Prisoner—Other
- RICO
- Employment
- Other Contract
- Securities
- Assault, Libel, & Slander
- Fair Labor Standards Act
- Forfeiture/Penalty
- Fraud
- Stockholders' Suits
- Taxes

HINT: Run the Litigant Strategic Profile for five years to gauge how the company's litigation needs have changed over time and assess trends.

Source: CourtLink Litigant Strategic Profile

Best Practice 2: Assess Competitive Situation with Existing Clients

OVERVIEW

Not only does the Litigant Strategic Profile contain valuable information about the litigation history of clients and prospects, it can also help you gain insight into historical trends in a company's legal representation.

The same West Coast firm from the previous example wanted to learn which firms currently represented their client and determine if firm representation trends indicated that it was receptive to hiring new firms. The firm ran a Litigant Strategic Profile and uncovered some interesting trends in its history that helped the firm solidify its decision to target the business.

The charts below depict a change in how the company assigned its trademark cases from 2002 and 2003.

- The company consolidated its representation from 8 firms in 2002 to 6 firms in 2003.
- Piper Rudnick LLP increased their share of client from 53% in 2002 to nearly 69% in 2003.
- There are two new players in 2003 that did not hold any of the company's business in 2002 which suggests that the company may be willing to work with new players.

Company Representation in 2002

Law Firm	Count	Percent
Piper Rudnick LLP	23	53.49
Montgomery, McCracken, Walker & Rhoads, LLP	5	11.62
Preston Gates & Ellis LLP	5	11.62
Stites & Harbison, PLLC	4	9.30
Faegre & Benson LLP	3	6.98
Cowan, DeBaets, Abrahams & Sheppard LLP	1	2.33
Fennemore Craig	1	2.33
Michael Best & Friedrich LLP	1	2.33

Company Representation in 2003

Law Firm	Count	Percent
Piper Rudnick LLP	22	68.75
Arnold & Porter LLP	3	9.38
Locke Liddell & Sapp LLP	2	6.25
Montgomery, McCracken, Walker & Rhoads, LLP	2	6.25
Preston Gates & Ellis LLP	2	6.25
Fennemore Craig	1	3.13

Source: CourtLink Litigant Strategic Profile

Grow New Business with Prospective Clients

Best Practice 3:

Identify Prospects Within a Key Practice Area

Best Practice 4:

Evaluate Prospective Clients by “Weak Link” Analysis

Best Practice 5:

Target your Firm’s Seminar Marketing Efforts

Best Practice 6:

Build Business Through Targeted Referral Networking

Best Practice 3: Identify Prospects Within a Key Practice Area

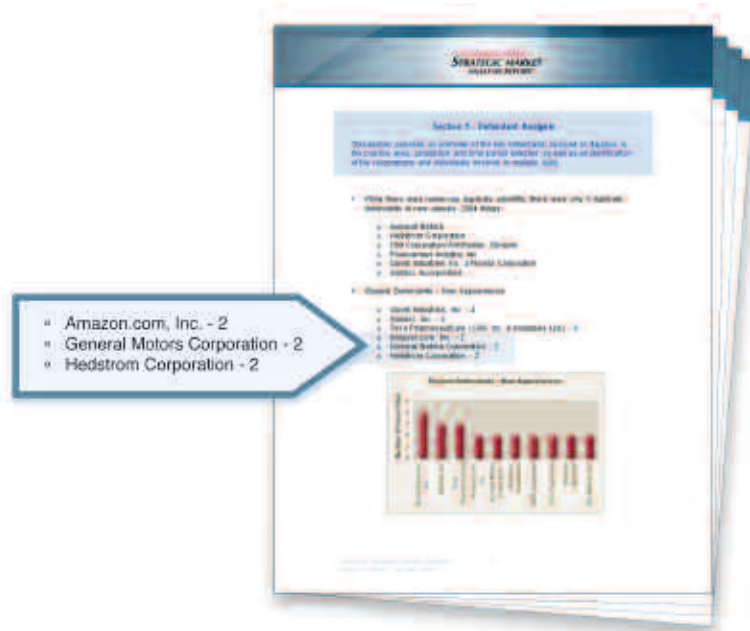
OVERVIEW

The CourtLink Strategic Market Analysis Report is an excellent tool to help your firm identify top prospective clients currently involved in litigation in the practice area and jurisdiction of your choice.

For example, a prominent National firm was interested in finding out all of the prospective clients involved in patent litigation in the jurisdictions in which they focused. The firm's goal was to get a full picture of the patent market to provide a foundation for a solid approach focused on "real opportunity."

The firm ordered a one-year Strategic Market Analysis Report for patent litigation and was delivered a listing of the plaintiffs and defendants involved in litigation with an identification of the corporations involved in multiple suits and what law firm represented them. The firm eventually targeted 30 companies, which routinely get sued in patent infringement matters. It ran Litigant Strategic Profiles on those companies to get a solid handle on each prospect's litigation practice and jurisdictional needs. This focused approach supported by CourtLink's empirical data has helped the firm become very smart in its planning and marketing efforts.

Prospective Client List Uncovered



Source: CourtLink Strategic Market Analysis Report

Best Practice 4: Evaluate Prospective Clients by “Weak Link” Analysis

OVERVIEW

The Law Firm Strategic Profile is an excellent tool for your firm to use to review the client lists and practice area makeup of competing firms.

For example, a mid-sized firm in the Pacific Northwest was interested in building a new client target list to develop its litigation business. The practice area partner knew another regional firm was rumored to be in trouble and facing a potential dissolution.

The firm ran a Law Firm Strategic Profile on the competing firm to find out who the firm represented so it could initiate marketing and communication efforts with a handful of the clients early to take on business should the competing firm dissolve. As the chart below reflects, the firm was able to get a complete list of all clients that had retained the competing firm.

Competing Firm’s Client List

Client	Capacity	Court	Case Heading	Nature of Suit
Advanced Call Center Technologies, LLC	Defendant	W D Ky	Lightyear Commicat v. Advanced Call Center	Other Contract
Advanced Call Center Technologies, LLC	Other	W D Ky	Lightyear Commicat v. Advanced Call Center	Other Contract
Aetna Life Insurance & Annuity	Defendant	W D Ky	KY Organ Donor v. Aetna Life Ins & Ann, et al.	ERISA
Eleanor H. Ahern, a Resident of Georgia	Plaintiff	W D Wash	Pacific Genesis GRP, et al. v. Shoalwater Bay India	Other Contract
Aladan Corporation, SSL Americas, Inc.	Defendant	W D Wash	Smith v. Allegiance Corp, et al.	Product Liability

Source: CourtLink Law Firm Strategic Profile

Best Practice 5: Target your Firm's Seminar Marketing Efforts

OVERVIEW

Another useful application of the CourtLink Strategic Market Analysis Report is to identify target invitation lists for firm seminars.

For example, a Chicago-based firm relies heavily on seminar marketing to promote its securities practice. The firm was interested in targeting which corporations are regularly involved in securities litigation in Illinois. The firm ordered a Strategic Market Analysis Report covering securities over the last two years in Illinois.

The marketing team reviewed and sorted the empirical data provided with the report by party name to create a target list. Armed with this information, the team was able to identify top prospective corporate clients that had the greatest need for securities representation. The team extended invitations to the general counsel from the top 100 companies listed from the report. The firm recently enjoyed the most widely attended seminar in its history.

Potential Invitee List for Seminar

Case Number	3:04cv1088
Date Filed	5/28/2004
Type	Securities
Cause	Securities Exchange Act
Primary Plaintiff	1192615 Ontario Limited, A Canadian Corporation
Primary Firm	McKay Meyers and Herbert
Primary Attorney	John Torbett Jr.
Primary Defendant	Robert Sullivan III
Defendant Firm	No Defendant Law Firm as of 06/30/2004
Defendant Attorney	None assigned

Case Number	1:04cv1621
Date Filed	6/7/2004
Type	Securities
Cause	Securities Exchange Act
Primary Plaintiff	1199 Seiu Greater New York Pension Fund
Primary Firm	Law Office of Curtis V. Trinko
Primary Attorney	Curtis V. Trinko
Primary Defendant	Marsh & McLennan Companies Inc.
Defendant Firm	Willkie Farr & Gallagher LLP
Defendant Attorney	Stephen W. Greiner

Source: CourtLink Strategic Market Analysis Report

Best Practice 6: Build Business Through Targeted Referral Networking

OVERVIEW

Not only are Law Firm Strategic Profiles an excellent tool to help your firm evaluate the competition but they also offer opportunity to evaluate potential firms to add to your own firm's referral network.

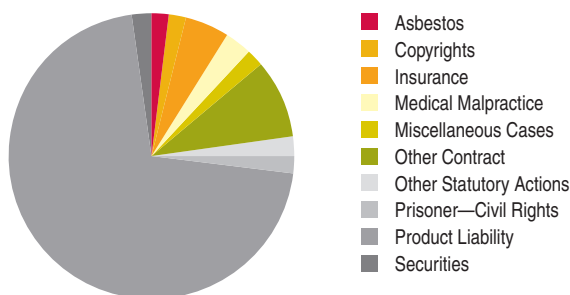
For example, an East Coast firm had a strategic plan focused on expanding two key practice areas: securities and antitrust. The firm had received a considerable number of inquiries from clientele who were interested in products liability representation; something the firm was not interested in taking on.

In an effort to take advantage of the customer interest, the firm decided to build a referral network, which would enable it to pass products liability litigation work to select local firms, who in return would pass securities and antitrust litigation work back to the firm. The firm ran a series of Strategic Profiles focused on law firms it considered top prospects. The goal was to find firms that had extensive products liability litigation experience.

The firm has since moved forward with its referral partnership. The arrangement is allowing both firms to grow their strategic plans by practice area while leveraging their respective strengths to the benefit of their client base.

Litigation Experience of Potential Referral Partner

Nature of Suit	Count	Percent
Asbestos	1	1.75
Copyrights	1	1.75
Insurance	3	5.25
Medical Malpractice	2	3.50
Miscellaneous Cases	1	1.75
Other Contract	5	8.75
Other Statutory Actions	1	1.75
Prisoner—Civil Rights	1	1.75
Product Liability	41	72.00
Securities	1	1.75



Source: CourtLink Law Firm Strategic Profile

Acquire New Clients Through Lateral Recruitment and Merger/Acquisition

Best Practice 7:

Build Business Through Lateral Recruitment

Best Practice 8:

Build Business Through Law Firm or Practice Area Acquisition

Best Practice 7: Build Business Through Lateral Recruitment

OVERVIEW

Attorney Strategic Profiles provide a wealth of insight into the litigation experience of an attorney and can be an extremely useful tool in helping firms to evaluate potential lateral hires.

For example, a firm in New York was intent on building its client list by focusing on recruitment of top lateral partners who would bring a book of business to the firm. The firm started its effort by identifying ten key partners located in a handful of firms throughout the city who appeared to fit the firm's culture and had the experience to support their growing intellectual property (IP) practice. The open question was which partners should receive priority based on their experience in IP as well as their book of business.

The recruiting and marketing departments ran an Attorney Strategic Profile on each of the target partners with the aim of identifying their respective IP litigation experience and client lists over the past year. The chart below provides information found in just one of the profiles run during this effort. Armed with this information the firm extended a compelling offer to the top partner. This move will undoubtedly contribute to the firm's IP growth strategy!

Client List of Potential Lateral Recruitment Partner

Client	Capacity	Court	Case Heading	Nature of Suit
Jencap Research Ltd.	P	New York—Southern	King Pharmaceuticals, Inc. et al. v. Barr Laboratories, Inc.	Patent
Jones Pharma Inc.	P	Pennsylvania—Eastern	King Pharmaceuticals, Inc. et al. v. Mutual Pharmaceutical Co., Inc.	Patent
King Pharmaceuticals, Inc.	P	New York—Southern	King Pharmaceuticals, Inc. et al. v. Barr Laboratories, Inc.	Patent
King Pharmaceuticals, Inc.	P	Pennsylvania—Eastern	King Pharmaceuticals, Inc. et al. v. Mutual Pharmaceutical Co., Inc.	Patent
Laserfiche Document Imaging	D	California—Central	Millennium LP v. Laserfiche Document Imaging	Patent
Magnequench International, Inc.	P	New York—Southern	Magnequench International, Inc. v. Samsung Electronics Co., Ltd. et al.	Patent
Soverain Software LLC	P	Texas—Eastern	Soverain Software v. Amazon.com, et al.	Patent
Witness Systems, Inc.	D	New York—Southern	STS Software System Ltd. v. Witness Systems, Inc.	Patent

Source: CourtLink Attorney Strategic Profile

Best Practice 8: Build Business Through Law Firm or Practice Area Acquisition

OVERVIEW

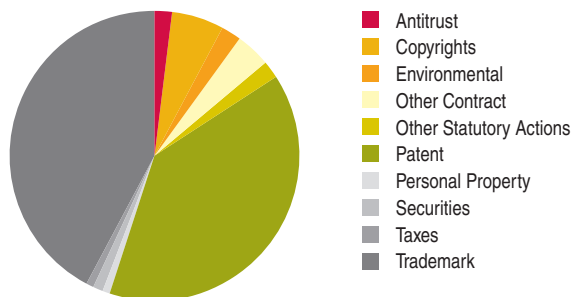
The empirical data found in CourtLink Strategic Profiles can serve as an integral tool in helping law firms make critical decisions regarding expansion efforts.

For example, a firm in California is interested in building its business in Texas. Specifically, the firm is interested opening an office that caters to the growth of intellectual property (IP) litigation in the state. Rather than opening its own office, the firm’s central goal is to align its efforts with a “top IP player” in the state. In particular, a small to mid-sized IP boutique focused on litigation.

The firm identified a handful of prospective firms that appeared to meet their requirements. The firm was particularly interested in profiling select firms to identify their IP litigation profile as well as client list. The firm ran a Law Firm Strategic Profile on each target firm. One of the Strategic Profiles revealed a firm with extensive IP litigation (roughly 89% of its litigation load). The firm is currently in the process of prioritizing its target list based on the litigation profile and the client list generated by the Strategic Profile.

Litigation Experience of Potential Acquisition

Nature of Suit	Count	Percent
Antitrust	2	1.22
Copyrights	10	6.10
Environmental	2	1.22
Other Contract	7	4.27
Other Statutory Actions	4	2.44
Patent	67	40.85
Personal Property	1	0.61
Securities	1	0.61
Taxes	1	0.61
Trademark	69	42.07



Source: CourtLink Law Firm Strategic Profile

Enhance the Proposal and Pitch Process

Best Practice 9:

Prepare for High Impact Client Meetings

Best Practice 10:

Differentiate Your Firm vs. the Competition in the RFP Process

Best Practice 11:

Create Client-Focused Presentations and Proposals

Best Practice 9: Prepare for High-Impact Client Meetings

OVERVIEW

Strategic Profiles provide critical information for firms to use as they build proposals and prepare for pitch presentations but should not be thought of as something firms should review only when new opportunities arise. Many firms are running Litigant Strategic Profiles on all of their key litigation clients on a bi-annual basis to review their client share and understand how their clients' needs are changing over time, then scheduling meetings with their clients to review the information.

For example, a mid-sized firm in Texas launched an initiative to enhance its relationships with the top 25% of its revenue-producing clientele. The firm scheduled "client satisfaction meetings" with its top clients. The goal was to discuss each client's historical and current litigation needs and how those needs mapped to the practice area strengths of the firm.

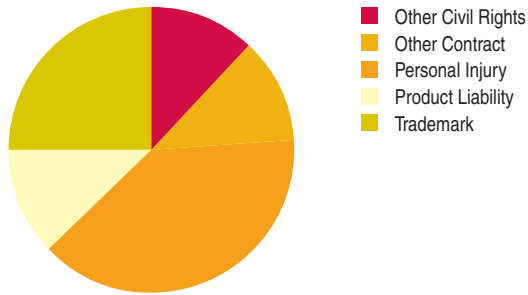
The firm ran a Litigant Strategic Profile on each client for the past five years, then re-ran each profile for specific years to identify if the clients' litigation needs had changed over time.

As a result, the law firm learned a great deal about each of its client's needs, how they had changed over time, and potential areas for expansion with each client. During the client satisfaction meetings the law firm reviewed the information and positioned the firm as the right choice to directly meet the client's needs. The clients were impressed by the research that the law firm had performed and, as a result, the firm has experienced growth with most of its top clients over the past year.

CLIENT EXPERIENCING INCREASE IN EMPLOYMENT AND OTHER CIVIL RIGHTS LITIGATION

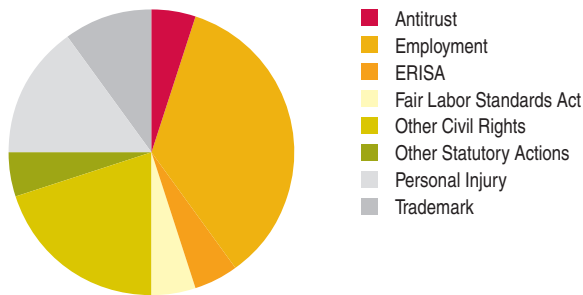
Company Litigation Needs 2002

Nature of Suit	Count	Percent
Other Civil Rights	1	12.50
Other Contract	1	12.50
Personal Injury	3	37.50
Product Liability	1	12.50
Trademark	2	25.00



Company Litigation Needs 2003

Nature of Suit	Count	Percent
Antitrust	1	5.00
Employment	7	35.00
ERISA	1	5.00
Fair Labor Standards Act	1	5.00
Other Civil Rights	4	20.00
Other Statutory Actions	1	5.00
Personal Injury	3	15.00
Trademark	2	10.00



Source: CourtLink Litigant Strategic Profile

Best Practice 10: Differentiate Your Firm vs. the Competition in the RFP Process

OVERVIEW

As mentioned previously in this booklet, Law Firm Strategic Profiles can be one of your strongest tools in helping your firm understand the competition and identify ways to differentiate your firm.

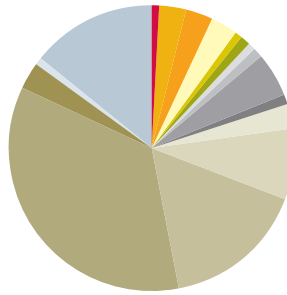
For example, a West Coast firm with multiple offices throughout the country went head-to-head with a rival firm for a lucrative piece of patent litigation work. The firm invested considerable time in developing a proposal that articulated its patent litigation experience and its position relative to the competing firm and other firms in the market area. The firm ran Law Firm Strategic Profiles on itself as well as the rival firms to demonstrate how well suited it was to meet the needs of the client in comparison to the competition.

The extra work paid off for the firm. The client indicated that the firm “was the best suited to represent its patent litigation needs, due in large part to their experience and success over the past year.” The charts to the right reflect how the West Coast firm compared to one of its competitors in terms of patent litigation experience.

WEST COAST FIRM HIGHLIGHTS PATENT EXPERIENCE AS COMPARED TO COMPETING FIRM

Litigation Experience of West Coast Firm

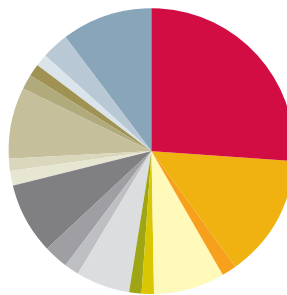
Nature of Suit	Count	Percent
Antitrust	1	1.61
Appeal 28 USC 158	2	3.23
Copyrights	2	3.23
Employment	2	3.23
Fair Labor Standards Act	1	1.61
Fraud	1	1.61
Labor Litigation	1	1.61
Land Condemnation	1	1.61
Miller Act	3	4.84
Miscellaneous Cases	1	1.61
Other Civil Rights	2	3.23
Other Contract	5	8.06
Other Statutory Actions	9	14.52
Patent	20	32.26
Personal Injury	2	3.23
Securities	1	1.61
Trademark	8	12.90



- Antitrust
- Appeal 28 USC 158
- Copyrights
- Employment
- Fair Labor Standards Act
- Fraud
- Labor Litigation
- Land Condemnation
- Miller Act
- Miscellaneous Cases
- Other Civil Rights
- Other Contract
- Other Statutory Actions
- Patent
- Personal Injury
- Securities
- Trademark

Litigation Experience of Competing Firm

Nature of Suit	Count	Percent
Airplane	17	26.56
Airplane Product Liability	9	14.06
Copyrights	1	1.56
Employment	5	7.81
ERISA	1	1.56
Insurance	1	1.56
Labor Litigation	4	6.25
Labor/Mgt. Relations	1	1.56
Other Civil Rights	2	3.13
Other Contract	5	7.81
Other Statutory Actions	1	1.56
Patent	1	1.56
Personal Injury	5	7.81
Personal Property	1	1.56
Prisoner—General	1	1.56
Product Liability	1	1.56
Real Property	2	3.13
Trademark	6	9.38



- Airplane
- Airplane Product Liability
- Copyrights
- Employment
- ERISA
- Insurance
- Labor Litigation
- Labor/Mgt. Relations
- Other Civil Rights
- Other Contract
- Other Statutory Actions
- Patent
- Personal Injury
- Personal Property
- Prisoner—General
- Product Liability
- Real Property
- Trademark

Source: CourtLink Law Firm Strategic Profile

Best Practice 11: Create Client-Focused Presentations and Proposals

OVERVIEW

Once your firm has identified target opportunities and is ready to meet with clients or prospects, CourtLink Strategic Profiles can help you to prepare and write client-focused proposals.

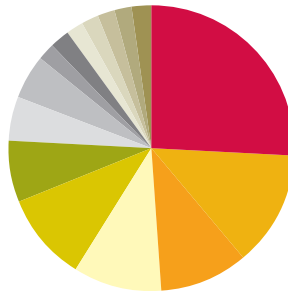
For example, a New York firm has had considerable success developing high impact proposals using CourtLink by focusing on each client's unique litigation needs. Specific attention is paid to the practice area and jurisdictional needs of the client in question. The firm integrates Strategic Profiles in each proposal and presentation.

In a recent case, the firm had a major win, securing lucrative employment litigation work with a major telecommunication company. During the proposal process, the firm ran a Litigant Strategic Profile on the company and determined that federal employment litigation represented 26% of the company's total federal civil litigation activity. Further, the firm ran a Law Firm Strategic Profile to demonstrate that it had significant employment litigation experience and handled litigation in the same jurisdictions where the company typically found itself involved in employment litigation. The firm used their own Law Firm Strategic Profile along with the company's litigation chart shown here to make the point and differentiate themselves from competing firms.

FIRM'S EXPERTISE CLOSELY MAPS TO COMPANY'S LITIGATION NEEDS

Company's Litigation Needs

Nature of Suit	Count	Percent
Employment	11	26.19
Other Statutory Actions	5	11.90
Antitrust	4	9.52
Product Liability	4	9.52
ERISA	4	9.52
Other Civil Rights	3	7.14
Patent	2	4.76
Withdrawal 28 USC 157	2	4.76
Commerce	1	2.38
Fair Labor Standards Act	1	2.38
Fraud	1	2.38
Insurance	1	2.38
Labor Litigation	1	2.38
Labor/Mgt. Relations	1	2.38
Motor Vehicle	1	2.38

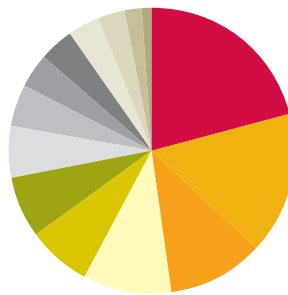


- Employment
- Other Statutory Actions
- Antitrust
- Product Liability
- ERISA
- Other Civil Rights
- Patent
- Withdrawal 28 USC 157
- Commerce
- Fair Labor Standards Act
- Fraud
- Insurance
- Labor Litigation
- Labor/Mgt. Relations
- Motor Vehicle

Source: CourtLink Litigant Strategic Profile

Firm's Litigation Experience

Nature of Suit	Count	Percent
Employment	60	20.00
ERISA	48	16.00
Antitrust	33	11.00
Other Statutory Actions	31	10.30
Product Liability	21	7.00
Patent	21	7.00
Labor Litigation	17	6.00
Labor/Mgt. Relations	13	4.30
Copyrights	12	4.00
Other Civil Rights	12	4.00
Insurance	11	3.66
Commerce	9	3.00
Fraud	6	2.00
Miscellaneous Cases	4	1.33



- Employment
- ERISA
- Antitrust
- Other Statutory Actions
- Product Liability
- Patent
- Labor Litigation
- Labor/Mgt. Relations
- Copyrights
- Other Civil Rights
- Insurance
- Commerce
- Fraud
- Miscellaneous Cases

Source: CourtLink Law Firm Strategic Profile

Strategic Planning— Assess Opportunities by Market and Practice Areas

Best Practice 12:

Perform a Market Review

Best Practice 13:

Identify Practice Area and Jurisdictional Litigation Trends

Best Practice 14:

Strategy & Satellite Office Performance

Best Practice 12: Perform a Market Review

OVERVIEW

As your firm begins to build its strategic plan it is critically important to gain a complete view of the key players and trends in the practice areas of focus. CourtLink Strategic Market Analysis Reports are an excellent tool to help you do so.

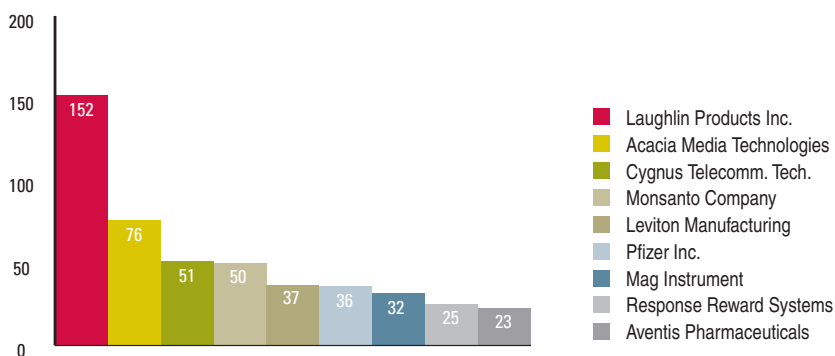
For example, a mid-sized firm with multiple offices in California was interested in building its patent litigation business. The firm was interested in getting a complete understanding of patent activity over the past three years in California. In particular, the partners were interested in uncovering the following information:

1. Which companies had regularly been plaintiffs and defendants in patent litigation during the period.
2. Which law firms had the largest market share of patent litigation on both sides.

The firm wanted to identify top prospects based on the companies' historic need for representation. The firm also wanted to identify the primary competitors against which they will position their firm during the proposal process. Last, the firm wanted to identify competitors that were the most likely targets in support of the firm's acquisition and lateral recruitment efforts.

The firm requested a customized Strategic Market Analysis Report. Armed with this information, the firm has had tremendous success identifying top prospective clients. In addition, they have a solid handle on the competition. In the marketing director's words, "we are miles ahead of anyone in understanding this market opportunity." Below is a sample of the actual report, which the firm is using to pursue its patent litigation strategy.

Frequent Primary Plaintiffs



Source: CourtLink Strategic Market Analysis Report

Best Practice 13: Identify Practice Area and Jurisdictional Litigation Trends

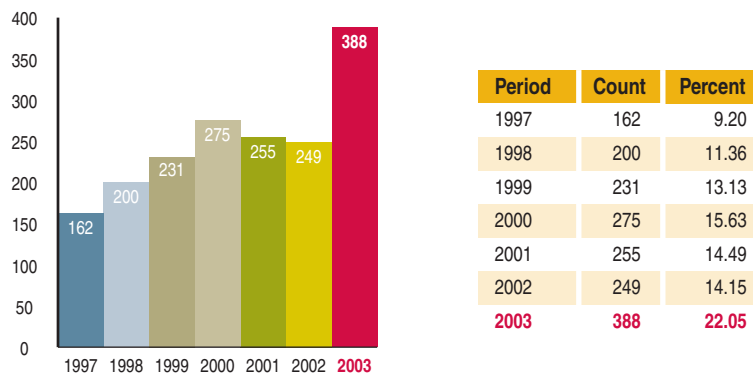
OVERVIEW

Two other types of Strategic Profiles, Nature of Suit and Court, can be used to help gauge federal civil industry litigation trends. As your firm evaluates expansion opportunities into new practice areas and jurisdictions or locations, the Nature of Suit and Court Strategic Profiles can help you to compare options and identify the best opportunities for the firm.

In this example, an East Coast firm was interested in opening an office in Los Angeles to capture what it believed to be an increase in patent litigation. As part of the analysis, the firm ran a Court Strategic Profile to get a solid picture of the size of the patent litigation market and identify trends to help them forecast growth in the Central District of California.

The firm was pleasantly surprised by the information gleaned from the Court Strategic Profile, which showed a solid base of patent cases, with a rising trend beginning in 1997 and a 60% increase in cases filed in 2003. Once the firm opened shop in Los Angeles, it set up CourtLink Alerts on its top prospective clients to be notified when a patent suit was filed so they could identify opportunity and build business quickly!

Patent Litigation in Central District of California Rising Trend Since 1997, Up 60% in 2003



Source: CourtLink Court Strategic Profile

Best Practice 14: Strategy & Satellite Office Performance

OVERVIEW

Nature of Suit Strategic Profiles can also help shed light on declining business within practice areas at your firm.

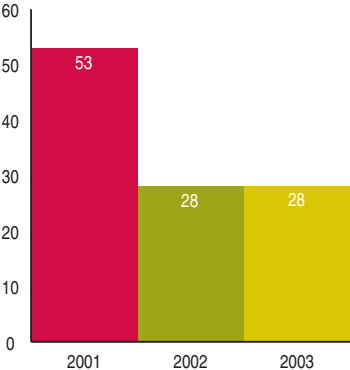
For example, a firm with multiple offices throughout the U.S. was concerned about performance of its offices in Portland, OR. The Portland office was opened in 2001 with a focus on products liability litigation. Since that date, business has slowed and the office was becoming less profitable.

The firm ran a Nature of Suit Strategic Profile focused on products liability litigation activity in Oregon. The empirical data confirmed that products liability lawsuits had slowed significantly since 2001. The firm ran additional Strategic Profiles to identify growing or stable areas of litigation where they could shift some of their litigation focus and marketing muscle.

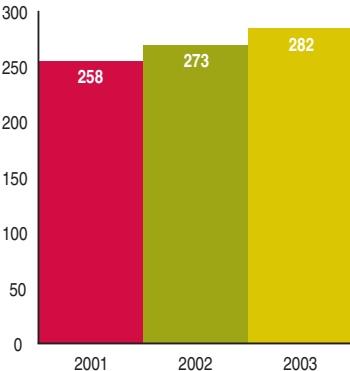
As the charts depict, the firm was able to identify an elevated and stable volume of employment litigation. This data, coupled with additional research of news stories on the LexisNexis® services, enabled the firm to shift its focus and reverse the declining business trend.

FIRM USES LITIGATION TRENDS TO HELP ANALYZE SATELLITE OFFICE PERFORMANCE

Product Liability Litigation 2001-2003



Employment Litigation 2001-2003



Source: CourtLink Nature of Suit Strategic Profile

Share Client Information Throughout the Firm

Best Practice 15:

Post Client Information on an Intranet or Portal

Best Practice 16:

Share Information Through Distribution Lists

Best Practice 15: Post Client Information on an Intranet or Portal

OVERVIEW

Several firms leverage critical client information from CourtLink on their intranets. In most cases, firms post CourtLink Alert information (reflecting new suits filed against their clientele) on their intranet practice area pages.

The CourtLink service offers a number of different formats suitable for intranet posting (HTML, XML, CSV, etc). This best practice has helped the firm share critical information while maximizing the ongoing investment in the firm's intranet technology.

Firms using portal technology can choose from among 15 gadgets offered by CourtLink that enable firms to integrate various CourtLink applications into the portal platform.

Best Practice 16: Share Information through Distribution Lists

OVERVIEW

A firm in Kansas City has CourtLink Litigant Alerts set up on all of its clients. As soon as a client is sued in federal court, the firm is notified by email and has a “first mover advantage” to go after the business. Each client alert is sent to the members of the firm responsible for growing business with the particular client, most often the marketing department and practice area head. In some cases, senior associates are also included in the distribution.

As an example, when the firm’s client, Ford Motor Company, is named in a suit, the CourtLink Alert goes to a designated, unique email inbox managed by the firm. In this case, it’s `FordMotorCompany@FirmX.com`.* The firm’s ability to designate specific individuals on the firm’s email distribution list has enabled the firm to share critical information with key people who are responsible and accountable for the client relationship.

Fictitious Web site used for illustrative purposes only.

Marketing Budget Best Practices

Best Practice 17:

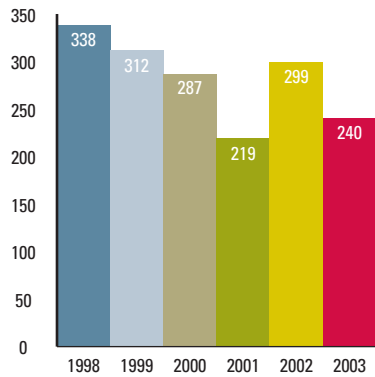
Align the Budget to Real Opportunity

Best Practice 17: Align the Budget to Real Opportunity

OVERVIEW

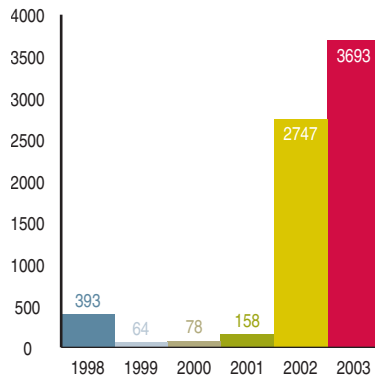
A Minneapolis law firm was faced with a tough decision about allocating marketing budget to support the firm's employment and products liability group. The debate became heated as each practice group argued for a greater share of the budget to support what it considered to be the "best opportunity for the firm." The marketing department ran a Nature of Suit Strategic Profile on the litigation activity of each practice area. With the results, the marketing department was able to prove that an enormous opportunity existed in products liability litigation. In fact, products liability exploded in 2001. The growth and volume of litigation has continued to surge. The charts to the right reflect the Strategic Profiles the firm used to make its informed decisions and resolve the budget debate.

Employment Litigation Trend



Period	Count	Percent
1998	338	19.94
1999	312	18.41
2000	287	16.93
2001	219	12.92
2002	299	17.64
2003	240	14.16

Products Liability Litigation Trend



Period	Count	Percent
1998	393	5.51
1999	64	0.90
2000	78	1.09
2001	158	2.22
2002	2747	38.51
2003	3693	51.77

Source: CourtLink Nature of Suit Strategic Profile



For more information about how your firm can gain a strategic advantage through the use of LexisNexis CourtLink Business Development Tools call **800.659.2067** or visit **lexisnexis.com/courtlink**

