

# PLANNING, PRICING AND MANAGING AN ARBITRATION THROUGHOUT ITS LIFECYCLE

21 February 2018 | Global

Legal Briefings - By **John O'Donoghue** Global Head of Pricing (Disputes)

---

## Smarter Legal Service Delivery with Herbert Smith Freehills

We strive to find innovative ways to provide value whilst containing legal costs for our clients. By actively planning, pricing and managing matters with our pricing and legal project management teams we increase cost-effectiveness and efficiency, whilst developing and maintaining long-lasting client relationships.

[\*\*\*First published in Inside Arbitration, Issue 5\*\*\*](#)

Click image to enlarge

# Smarter Legal Service Delivery with Herbert Smith Freehills: Planning, pricing and managing an arbitration throughout its lifecycle

We strive to find innovative ways to provide value whilst containing legal costs for our clients. By actively planning, pricing and managing matters with our pricing and legal project management teams we increase cost-effectiveness and efficiency, whilst developing and maintaining long-lasting client relationships.

**1**

**Matter planning**

- Identifying the key commercial objectives of the client.
- Assessing potential matter scope for the arbitration.
- Identifying internal experts across our global business to maximise performance and cost efficiency.
- Discussing client preference and appetite for innovative fee arrangements.
- Assessing potential requirement/eligibility for funding or insurance.
- Evaluating the possibility for utilising our ALT services offering.

**1a**

**What is ALT?**

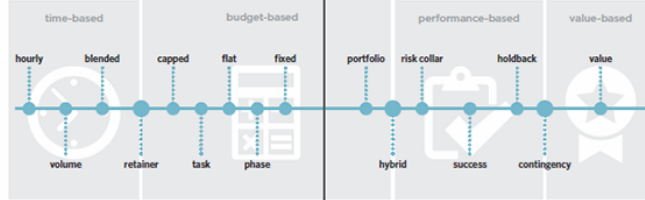
Our global Alternative Legal Services team can carry out reputationally-sensitive and complex work, whilst delivering time and cost savings. We are a market-leader in the use of e-disclosure and predictive coding for large-scale document production exercises. ALT can also assist in scoping matters; provide advisory services on document preservation and collection; help manage client-side data processing; carry out early case assessments and provide evidence management services for the life of an arbitration.

**2**

**Pricing efficiently based on experience**

We are the only law firm in the industry with a designated team of Disputes pricing experts

- Identify key parameters from scope of arbitration which may have implications for pricing (for example, commercial or treaty arbitration, number of arbitrators, amount in dispute, number of witnesses or experts, seat of arbitration, arbitral rules).
- Cross-reference these parameters against our matter profiling system to produce comparative matters.
- Use comparative matters to produce an efficient and experience-based price for the arbitration.
- Produce fee proposal to client based on their preference and appetite for fee arrangements and suitability of the case.
- Responsibly propose and implement complex and innovative AFAs that will maximise cost-efficiency.



**3**

**Process mapping**

- Ensuring the foundations for strong matter management are in place before commencing with any arbitration.
- Allocating time by arbitration-specific phases managed consistently by the matter team in a consistent way.
- Ensuring phase codes are implemented from matter opening.
- Identifying matter milestones and aligning these with the process map.



**4**

**Project management**

Managing a project is critical to deliver it on budget. To achieve this the firm provides:

- Internal/external dashboards and portfolios;
- trend charts and matter analysis;
- client/matter level lawyer utilisation support;
- real time matter updates; and
- projections and forecasting.

Some matters may also benefit from legal project management from outside the arbitration team.

**4a**

**Our Legal Project Management team**

Our LPM experts comprise experienced lawyers, seasoned project managers, consultants and data analysts, all of whom work closely with our clients and multidisciplinary teams to support the design and delivery of outstanding legal services in an efficient, transparent and predictable manner.

**5**

**Post matter review**

All businesses can learn from what they have done and work to improve, and a law firm is no different. At the end of an engagement, our matter teams will carry out a Post Matter Review in the shape of Diagnostic and Prescriptive analytics. This will encompass analysis overall and by phase, identifying trends across the matter.

We also compare the matter against our original comparator matters to identify differences and interrogate the reasons for those differences.

Our Post Matter Review will feed into client relationship management meetings with the client.

**John O'Donoghue**  
Global Head of Pricing (Disputes)  
T +44 20 7466 2201  
john.odonoghue@hsf.com

[Download](#)



# LEGAL NOTICE

The contents of this publication are for reference purposes only and may not be current as at the date of accessing this publication. They do not constitute legal advice and should not be relied upon as such. Specific legal advice about your specific circumstances should always be sought separately before taking any action based on this publication.

© Herbert Smith Freehills 2022

---

**SUBSCRIBE TO STAY UP-TO-DATE WITH INSIGHTS, LEGAL UPDATES, EVENTS, AND MORE**

Close

© HERBERT SMITH FREEHILLS LLP 2022