

GCs Name 5 Employment Powerhouses

By **Drew Singer**

Law360, New York (September 10, 2013, 4:54 PM ET) -- More than nine out of 10 companies will need employment litigation representation in 2014, and corporate counsel know which five firms are best-suited to help, according to a new report.

Jackson Lewis LLP, Littler Mendelson PC, Morgan Lewis & Bockius LLP, Seyfarth Shaw LLP and Ogletree Deakins Nash Smoak & Stewart PC are the five firms that in-house counsel most want to represent them in complex employment litigation, according to the BTI Litigation Outlook 2014 report by BTI Consulting Group (Wellesley, Mass.).

The report separately lists Jackson Lewis, Littler Mendelson and Ogletree as the top firms for routine employment litigation.

The firms were ranked as “powerhouses” in employment litigation based on one-on-one interviews with roughly 300 general counsel from Fortune 1000 companies across 15 industries, BTI said.

The honored firms distinguish themselves from the pack through leadership, according to Joe Costello, who runs Morgan Lewis’s labor and employment practice group. Costello says Morgan Lewis was among the first law firms to advise clients to use class and collective action waivers in arbitration agreements.

“It’s not about just going out and winning cases; it’s about helping clients avoid litigation in the first place,” he said. “We had the foresight to advise our clients about that. For us, it was standard operating procedure in the advice we were giving many years back.”

The firms say they use technology to work more efficiently for a customer base that will demand more work over the next year but will not significantly increase legal budgets.

“We have quality service, but a lot of firms have quality service,” said Tom Bender, co-president and co-managing director of Littler, which has about a dozen lawyers who do nothing but knowledge management. “We have a tremendous investment in technology and it’s driving a lot of innovative things we do for our clients.”

The recognized firms say they pay special attention to the BTI report because it reflects the opinions of clients.

"There are some awards that are not as highly prized as others. I think this one does matter to us because it's significant in terms of our space in the legal profession: the labor and employment sphere," said Vincent Cino, firmwide managing partner of Jackson Lewis. "This is a well-detailed survey, and it's really a valid [measure] of what we're doing and trying to do in terms of servicing our clients."

Cino says the best employment firms separate themselves from the competition by focusing on practicality.

"You get a call from a client, and they have an issue — they don't want a legal dissertation, they want a no-nonsense, practical approach to their problem in a cost-effective way," he said.

The client-centered approach taken by the honorees transcends firm size. Ogletree Deakins, which is hired on between 15 and 20 class and collective actions each month, stresses communication between relationship partners and clients to ensure its large volume of litigation does not interfere with its relationships with each individual client.

The report also lists "standouts," the next tier of honorees, as well as an "honor roll" of third-tier employment firms.

The "standouts" for complex employment litigation are Baker & McKenzie LLP, Buchanan Ingersoll & Rooney PC, Constangy Brooks & Smith LLP, Eckert Seamans Cherin & Mellott LLP, Fisher & Phillips LLP, Gibson Dunn, Jones Day, Latham & Watkins LLP, Miller Canfield Paddock & Stone PLC, Orrick Herrington & Sutcliffe LLP, Paul Hastings LLP, Polsinelli PC and Stoel Rives LLP.

The report lists 39 firms on its "honor roll" for complex employment litigation.

The "standouts" for routine employment litigation are Baker & McKenzie, Buchanan Ingersoll & Rooney, Constangy Brooks & Smith, Eckert Seamans, Fisher & Phillips, Gibson Dunn, Jones Day, Jones Walker Waechter Poitevent Carrère & Denègre LLP, Morgan Lewis, Paul Hastings, Reed Smith LLP, Seyfarth Shaw and Thompson Hine LLP.

The report lists 46 firms on its "honor roll" for routine employment litigation.

The BTI report said that the current market size for employment law is \$4.4 billion, with a projected 1 percent increase in spending over the next year. Spending was at \$4.4 billion in 2012 and \$4.5 billion in 2013, up from \$4 billion in 2010.

--Editing by Kat Laskowski.

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