



## TAMING THE LAST FRONTIER OF LEGAL SPENDING

In the world of legal spending, litigation is sometimes referred to as the Wild West – the last untamed frontier with lots of surprises, few restraints, and often little control.

A 2018 study cited the cost and compensation paid in the U.S. tort system alone totaled \$429 billion, 2.3 percent of the 2016 U.S. gross domestic product.<sup>1</sup> Even further back, a survey of Fortune 200 companies revealed that on average, outside litigation costs increased 112 percent from 2000 to 2008.<sup>2</sup>

“There’s long been a recognition throughout corporate America that litigation costs were skyrocketing and that there needs to be a way to better manage those costs,” says Professor Jim Wren of Baylor Law. “Lawyers are trained to be great litigators, to win cases, but law schools haven’t placed an emphasis on the management and economics of litigation.”

**Until now.**

## AN UNMATCHED HYBRID LEARNING APPROACH

Over the 14-month program, attorneys continue in their outside or inside counsel roles while working on the LL.M. through an interactive online learning platform, along with engaging in three intense weeks of residential learning experiences at Baylor Law in Waco.

“We’re after experienced attorneys who need to become more deeply immersed in how to manage litigation,” said Wren, “It’s not feasible for these lawyers to take a year off work, so we designed it in a way that lets them continue their practice, while learning remotely, and then come together for the intense residential campus experience to exchange ideas and network.”

### BAYLOR LAW

### EXECUTIVE LL.M. LITIGATION MANAGEMENT

<http://llm.baylor.edu>

Building on its well-known and well-respected litigation program, Baylor Law, ranked #2 in Trial Advocacy by U.S. News and World Report, has introduced the nation’s first Executive LL.M. in Litigation Management. The Master’s program, launched in 2018, takes direct aim at the critical problem of escalating litigation costs with a robust curriculum that teaches attorneys how to keep those costs under control, without sacrificing client results.

The program is open to attorneys with at least three years in practice, bringing them face-to-face with some of the foremost experts in their fields. Baylor Law has built a national “brain trust” of leading-edge litigation specialists, seasoned general counsel, accomplished judges, top litigation professors, and nationally recognized thought leaders to teach in the program.

“Lawyers will pick up bits and pieces of litigation management in the course of practice, but we’re offering a truly comprehensive and structured approach and access to thought leaders,” says Wren, a member of the Baylor Law Brain Trust and one of the co-creators of the program. “Through the LL.M., lawyers will acquire new skills that allow them to deliver premium results for their clients more cost-effectively.”

1. [https://www.uscourts.gov/sites/default/files/litigation\\_cost\\_survey\\_of\\_major\\_companies\\_0.pdf](https://www.uscourts.gov/sites/default/files/litigation_cost_survey_of_major_companies_0.pdf)

2. <https://www.businesswire.com/news/home/20181024005537/en/Study-U.S.-Tort-System-Costs-429-Billion>



## WHAT SUCCESS LOOKS LIKE

Wren's goal is for the litigation management program to deliver sustainable benefits for both the participants and the practice of litigation overall.

"Baylor is one of the nation's leaders in litigation training, so the Litigation Management LL.M. is a natural extension for us," says Wren. "If we deliver best trial lawyers, experts in litigation, we need to add to that – teaching them not only how to deliver results with high quality, but deliver high-quality results in a way that's affordable, and cost-effective."

## BENEFITS FOR LEGAL INDUSTRY PROFESSIONALS

That exchange of ideas opportunity are proving invaluable for the members of Baylor Law's inaugural 2018 LL.M. class. Coming from firms and organizations around the country, they are drawing on each other's expertise and perspectives during sessions.

"There is a great deal of diversity in the group – in-house counsel, plaintiff's attorneys, defense attorneys, lawyers from different firm sizes – and a lot of thought leadership discussions," says Drew York, a partner with Houston-based Gray Reed and an inaugural class member. "I'm learning a great deal from the in-house people that I might not otherwise have had the opportunity to access. This overall ability to collaborate with each other is one of the biggest benefits."

The LL.M. program approaches litigation management from a broad perspective, then drills down to specific, relevant content, and includes instruction on the fundamentals of 21st century litigation management and strategy, proving and attacking damages, managing complex arbitration and ADR issues, data analytics and cyber security, managing e-discovery, regulatory issues, and practical strategies for successfully navigating through trial.

"The most valuable part of the program so far has been the structure it has put around what I've previously felt were just 'best practices' or 'the right thing to do,'" says Brian W. Jones, General Counsel for Merrick Bank in Salt Lake City and an inaugural class member. "It's building an analytical framework around the stuff I've been doing for years."

"The vast majority of my client's outside legal spend is on litigation. If I can confidently say no to more things, or identify more things to do in-house with my own team, it will save my client a lot of money and make my services more valuable. In the program, I've identified opportunities to do precisely that, so it's changed both my confidence level, and provided new tools and knowledge to support my decisions."

## The iLaw Difference

Baylor Law turned to online learning leader iLaw to help bring its LL.M. in Litigation Management to life. According to Jim Wren, Baylor Law professor and co-creator of the program, past experience with iLaw, its reputation throughout the legal education industry, and its leading-edge technology and expertise in every aspect of blended and online learning made the partnership a logical step.

**From concept to program delivery, the iLaw team worked in lockstep with the Baylor Brain Trust:**

- Designing the hybrid learning approach to benefit working attorneys
- Identifying appropriate candidates
- Recruiting participants through focused marketing
- Finally, delivering the online portion of the course

"This has been an excellent working relationship as we have learned together in this new kind of hybrid program," says Professor Wren. "There wasn't a model for it so we needed a partner that would be highly responsive and collaborative. That certainly describes iLaw."