

These 4 Law Firms Are The Most ‘Fearsome’

Four law firms were dubbed the most “fearsome” to face off against in court, according to a new report by BTI Consulting Group coming out Thursday.

In a survey of hundreds of legal leaders, the four were most consistently named as ones that strike “the utmost fear into the hearts of seasoned general counsel and legal decision makers,” according to the report.

They are: Jones Day, Kirkland & Ellis LLP, Quinn Emanuel Urquhart & Sullivan LLP and Skadden Arps Slate Meagher & Flom LLP.

“These are the firms that clients say they don’t want to see on the other side of the table in a litigation — for a positive reason,” BTI President

Michael B. Rynowecer told Law360 on Wednesday.

The consulting group’s report, the annual BTI Litigation Outlook, aggregated responses from over 350 interviews with legal decision makers at large organizations with \$1 billion or more in revenue, including chief legal officers, business executives and thought leaders. In inquiring about the most fearsome firms, respondents were not prompted and weren’t given restrictions as to size.

Jones Day, Kirkland and Quinn Emanuel were also part of the “Fearsome Foursome” last year, with Skadden returning after most recently being on the list in 2019.

Mark Filip, a Kirkland partner and executive committee member, noted his firm’s development of lawyers, promotion of diversity and the space it gives people as reasons for its high marks.

“We are always trial-ready and dedicated to being the most prepared lawyers in the courtroom,” Filip told Law360. “We bring litigators to the table who are best suited for tackling the specific matter, regardless of location or number of years of experience. It’s about bringing the best team of diverse individuals together to get the best results for clients.”

Rynowecer identified four areas in which the four firms excelled, particularly in this past year. For one, they were “fearless in nature,” despite the uncertainty created by the COVID-19 pandemic.

“They were very comfortable with the uncertainty,” he said. “They were sometimes quite bold in their recommendations, and they would just dive in and sort things out instead of trying to step back and be more cautious, and that was something very important.”

Second, the firms acted quickly and with “urgency” when a case fell on their desks, developing a team and strategy faster than their opponents.

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"As one client put it, they are just mobilization ready," Rynowecer said. "If I call them, they get into action, and clients on the other side say they just come at you, and they're just so well-prepared."

The four firms are also known to be relentless during litigation and "don't stop until the client says stop, or they reach their goal.

"And what clients say on the other side is that, if my law firm isn't the same way, then I don't get the time to strategize as I've liked. We're not as cohesive as we'd like, and that hurts you in a litigation," he said.

Lastly, Rynowecer noted that the firms are being particularly aggressive because settlements have become harder to come by this year.

"They don't want to see it linger. They don't want to wait around to see if the settlement environment is going to get any better. They're just moving ahead," he said.

The report named 12 law firms as "Awesome Opponents" behind the top four, including Latham & Watkins LLP, which appeared in last year's foursome. Additionally, 23 firms were on an honor roll of "Intimidating Opponents."

Rynowecer also highlighted that only 60 law firms, or 9%, improved their market standing with clients out of the 650 law firms competing for business, a slight decrease from last year. He said that this "is a sign that the market is getting a little bit harder," and clients are becoming more demanding and expecting more from the law firms they choose.

"Then you've got the other issue, which is: Not every law firm improved their performance with clients as quickly as others," he said. "One of the things that was really interesting during the whole pandemic era is how some firms really invested in their client service and client-facing initiatives, and others just cut them off cold. So we're seeing the firms that invested amongst those in the 60."

The report further illuminated trends shaping litigation heading into 2022, including an increase in client spending that's rising faster than the growth of new cases.

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