

Deloitte.



The business of legal
A changing paradigm

Long viewed as guardians of the enterprise, the role of the legal function is expanding. In our work with corporate counsels, chief legal officers (CLOs), and other legal executives across industries, they say they want to become a more strategic partner with the rest of the business.

Being a partner to the business means helping develop and instill the company's vision and strategy across the enterprise while still protecting against "rare events" that might cripple the business. With legal department resources often stretched thin by common, recurring legal issues and frequent "fire drills," elevating the legal function to that partnering role is a major effort that requires commitment and the right resources. Outside counsel might be able to provide some support, but not all legal department operations or resource gaps require advice from legal counsel.

What if there was a more efficient way to address day-to-day legal and compliance demands of the business while developing data-driven insights that might reveal strategic opportunities and help to proactively identify and predict rare events or other outlier problems? What if your legal department could use those new-found insights to proactively advise key stakeholders across the enterprise, addressing issues before they become problems?

That would be a real paradigm change, and Deloitte can help you make it.

What issues do you face today?

There is no lack of challenges in today's global marketplace, and we thrive on helping clients beat them. Often, challenges overlap and require integrated strategies and actions. This is why clients come to Deloitte with some of their most complex forensic issues, including:

Legal department strategy and management

In-house legal departments are under significant pressures—both internal and external—to demonstrate value, manage risk, contain costs, embrace new ways of working, introduce technology, operate globally, and align with their organizations. It is a time of transformation.

Deloitte's Legal Management Consulting (LMC) offers a new approach, building on mainstream management consultancy, risk advisory services, as well as tax management consulting. LMC is a collection of models, frameworks, technologies, work-sourcing, and cost management techniques designed to help CLOs run their departments efficiently and in alignment with business goals. LMC includes:

LMC health checks: To analyze the health of corporate legal departments and help them become more proactive, we can conduct an in-depth assessment of organizational structure, service delivery model, operations and processes, enabling legal technologies, and use of data analytics and performance metrics. The assessment can help the legal department improve its alignment to the business, identify potential cost reduction and operation efficiency opportunities, and develop a clearer view of the company's external legal provider footprint and internal and external legal spending.

Automation solutions for legal operations:

Legal departments are starting to explore the possibilities of artificial intelligence (AI) and robotic process automation (RPA) to potentially free up resources for critical initiatives, rapidly streamline processes, and develop other competitive advantages. Building on the results of a health check, we can explore various ways that AI/RPA can extend the legal department's current capabilities and add new ones.

Legal department key performance indicators (KPIs) and metrics:

As legal departments expand their reach and responsibilities, new performance metrics should be put in place to set expectations and measure results. We can help legal organizations devise a KPI strategy, data-gathering process, and reporting format and technology. Together, these elements not only report results, but also drive behavior changes that can have significant benefits, including cost reduction, operational efficiencies, improved leverage model, and an understanding of how the legal department stacks up against its peers.

Deloitte named the leader among data analytics service providers based on completeness of vision and ability to execute. "Deloitte's reference customers continued to praise its ability to deliver analytics projects and services by combining technology skills with business consulting expertise, as well as its project management and change management capabilities."

Gartner Magic Quadrant for Data Analytics Service Providers, Worldwide 2018

Enterprise fraud and misuse management (EFM)

Proactive assessment, response to, and monitoring of key risks are vital to helping companies manage the costs and impacts of adverse events. EFM is a technology-based approach that enables you to screen transactional activity for evidence of fraud in near real time and identify potential perpetrators. The approach considers multiple dimensions, including:

- The scope of the enterprise (channels, departments, suppliers, and functions)
- The ability to screen for fraudulent behavior or indicators in near real time
- Advanced analytical techniques such as predictive analytics, social networking analysis, and geospatial analysis
- The data profile of your enterprise, including complex, unstructured data sets across domains, as well as spreadsheets and structured accounting data.

EFM also draws on our practitioners' decades of collective experience in forensic accounting, investigations, data science, and regulations to assess fraud risk management programs, review and refine internal controls, and update monitoring and response capabilities. Other areas of specialization include assessment and improvement of:

- Anti-corruption programs
- Ethics and compliance programs
- Policies
- Employee-awareness training
- Whistleblower and case management systems
- In-country assessments

Investigations

Adverse events often lead to complex investigations, and businesses often need assistance in handling allegations of fraud and corruption, regulatory inquiries and challenges, and litigation support. When such crises arise, global reach is a vital asset. Our clients trust

that we are just a phone call away, not a plane ride away. After the crisis is over, there is often more work to be done, too. Beyond an effective response to adverse events, we can help you use the insights gained from the event resolution to help you uncover the root cause(s) behind it, implement remediation measures including internal controls that may have been absent or failed, and explore ways to prevent the problem's reoccurrence. This approach can help your legal department proactively address potential future incidents before they become a crisis and free up resources to offer more strategic and value-added legal services to the business.

Litigation and disputes

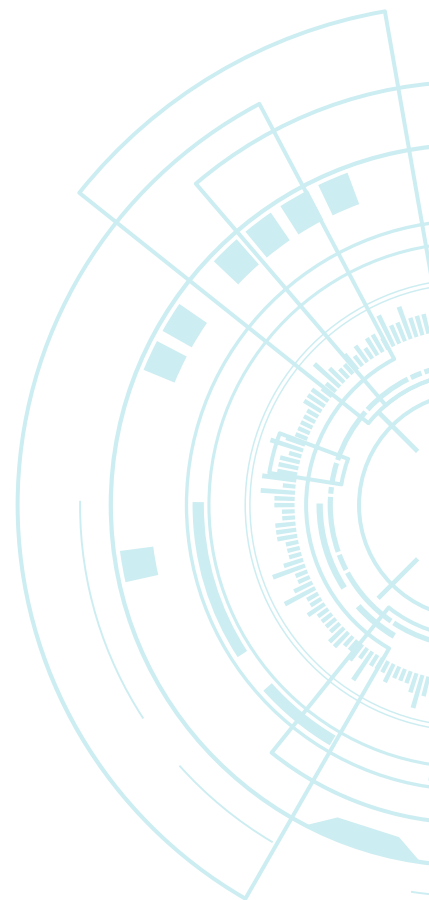
Businesses often face legal conflicts that require significant time, deep subject matter knowledge, and advanced technology. In addition to staff attorneys and outside counsel, these complex, sensitive matters may require a team that can provide accounting assistance and deliver case assessments, damage calculations, financial analyses, expert testimony, or arbitration. Our litigation and dispute specialists do that across a wide variety of cases, leveraging Deloitte's proprietary data mining and analytics, eDiscovery, and computer forensic tools.

Discovery strategy and information governance

Litigation, investigations, and fraud can create significant risk and expense for any business, so the importance of being prepared for the discovery aspects of such matters cannot be overstated. The specialists of Deloitte Discovery apply over two decades of experience to help assess corporate-wide discovery and information governance processes and response strategies. We work to help companies reduce the risk and costs of discovery through careful analysis that drives process and technology improvements. We can help you craft a long-term discovery strategy to support virtually any corporate culture. Based on that, we can custom-develop and help you implement a discovery playbook to provide a structured, defensible, and repeatable response plan to litigation.

Deloitte is seen as a global leader in the Forensic Investigations Advisory space based on depth, breadth and integration of capabilities.

Kennedy Consulting Research & Advisory, Forensics & Dispute Advisory 2016



eDiscovery

In a digital era where legal discovery continues to grow in cost and complexity, significant cost reductions are possible – but only through effective data management, use of eDiscovery tools, and in some cases outsourcing certain activities. Our eDiscovery specialists can provide end-to-end eDiscovery services, including managed services of selected activities such as document review and contract management, using established methodologies adapted to your company's circumstances. Our team has extensive qualifications for and experience with assisting in the management of eDiscovery projects of various sizes and scope. Our workflows are powered by analytics that regularly produce significant cost reductions, and we incorporate leading practices and accelerators designed to facilitate speed, accuracy, and cost-efficiency.

AI-enabled enterprise contract lifecycle management

An effective enterprise contract management program enables organizations to have visibility into their contract population and react to business problems by promptly locating and analyzing key provisions across their universe of contracts. Deloitte can assist your organization in building, reviewing, and managing a contract lifecycle framework that helps sustain and

secure your organization's business interests, while bringing efficiency into the process. The framework and associated tools and processes, including use of AI technology, can help you identify key contracts faster, better facilitate the enforcement of your company's rights, support renegotiation of contracts, and identify areas of lost revenue or stranded costs. It can help your organization in your efforts to meet legal and regulatory requirements in a timely manner and help protect against the risks of non-compliance.

Third-party risk

Governments are aggressively expanding enforcement of anti-fraud and corruption statutes and sharing information with other governments. The importance of knowing the individuals and companies your organization conducts business with has never been greater. Our Business Intelligence Services team is a diverse group of skilled investigators who employ cutting-edge technology to help clients gain a deeper understanding of the nature of their relationships with third parties such as vendors, suppliers, licensees, and service providers. By digging beneath the surface of these relationships, we can help investigate a client's critical issues and produce vital information about its third-party networks – information that can be used for future decisions and potentially to avoid or mitigate risks.

Deloitte named a global leader in Disputes and Litigation Consulting based on breadth and depth of capabilities, and the leader based on depth of consulting, rated #1 in "Client impact." "Among all consulting firms, Deloitte has the cleanest, most seamless fusion of D&L services, which it weds to other related services."

ALM Intelligence, Disputes & Litigation Consulting 2017

Converge

Legal executives today operate at the intersection of legal perspective and business mindset. The leader who masters both is positioned to deliver value few others can. Deloitte's CLO Program connects legal executives with business leaders and innovators to help them address their complex leadership role atop the worlds of law and business. Every stage in an in-house attorney's career brings different challenges and demands. And at every stage, Deloitte is there to help. We invite legal executives from client organizations to participate in an interconnected series of professional development and networking programs, including our Next Generation CLO Academy, CLO Leadership and Transition Labs, CLO Peer-to-Peer Forums, and the CLO Learning Center. Whether you and your team experience only one program or progress through all of them, each offers valuable insights that can help you provide demonstrable value to your organization now and in the future.

The **Chief Legal Officer** Program

Building a solid foundation

Leveraging core forensic capabilities built over two decades, we are equipped to help your organization with other specialized issues, including:



Computer forensics. We can investigate cybercrime, data exfiltration, and fraud from inside or outside any organization, determining how data was accessed and tracking it across computers, mobile devices, and the cloud.



Document review. During legal discovery, we can oversee, guide, and improve document review processes, using advanced prioritization analytics and combining filtering tools and conceptual clustering to prioritize and segment reviews, streamline quality control and document exclusion, and statistically demonstrate search term effectiveness.



Safety and quality. To help companies address the risk of product recalls or health issues stemming from product quality, we bring the scientific and cross-industry experience needed to cross-correlate data from consumers, suppliers, and dealers with customer complaints, social media analytics, and the Internet of Things. This can help your organization be proactive, potentially reduce recall scope, save on warranty and other costs, streamline processes, and improve customer satisfaction.



Integrity due diligence. Prior to making investment decisions or entering into new business relationships, we can provide your organization with objective and detailed information on target entities and their principals by searching for red flag issues such as financial difficulties, past or present involvement in material litigation, undisclosed business affiliations, political relationships, and links to sanctioned individuals or entities.



Litigation & trial intelligence. When your organization is involved in or contemplating litigation, we can conduct in-depth background investigations of opposing parties, experts, and other witnesses to identify information that can be incorporated into litigation strategy. Incorporating in-depth social media research into this effort can also reveal significant connections maintained by opposing parties, expert witnesses, and other fact witnesses, which may lead to potentially impeachable material and new facts relevant to the litigation.

Deep roots, fresh perspectives

At the pace of business today, it's easy to miss important strategic and technological developments that can impact the effectiveness of your legal department. Your role as partner to, and legal protector of, the business depends on efficiently addressing day-to-day responsibilities and preparing for unexpected events.

Deloitte can be a valuable ally to help you meet both of those objectives. We offer decades of experience in developing and providing traditional forensic services. Building on that, for more than 10 years we have made significant investments in advanced analytics technologies, tools, and techniques to help you stay ahead of market developments.

Discover the difference Deloitte can make for your organization now and in the future.

Deloitte named a worldwide leader in eDiscovery Services based on strategies and capabilities. "Deloitte has realized the enormity of this problem for its customers and has created a global infrastructure to help customers overcome these data management issues."

[IDC MarketScape: Worldwide eDiscovery Services 2017 Vendor Assessment](#)

Let's talk about elevating your legal function:

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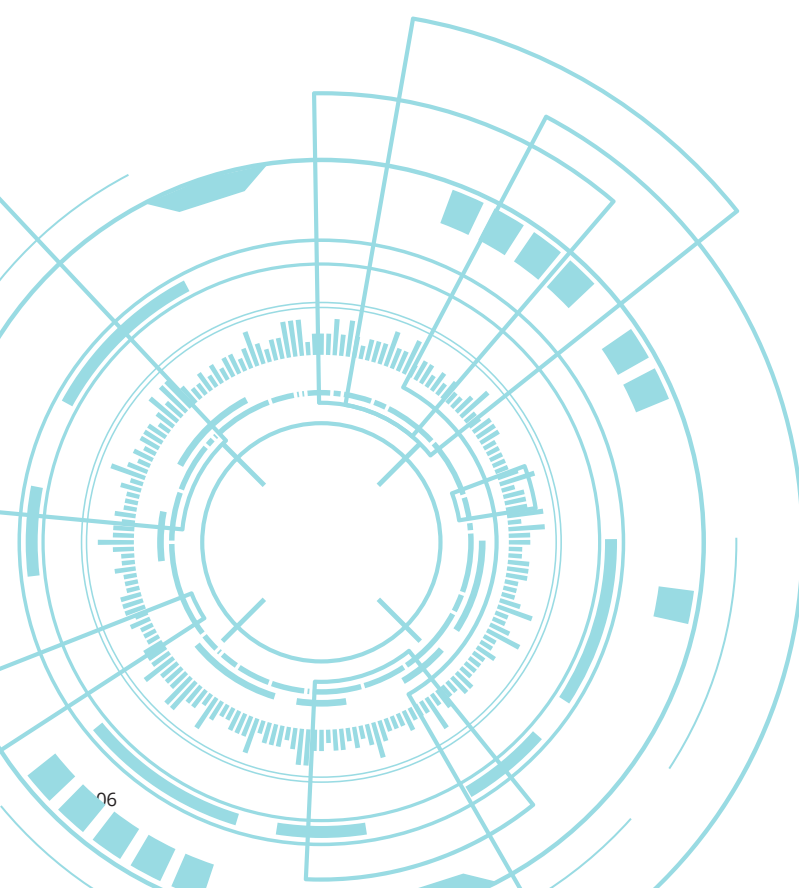
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