

In The News

Akerman Partner Scot Patrick O'Brien Reveals 15 Essential Steps Every Corporate Lawyer Must Master to Excel at Litigation Management

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Managing litigation continues to be a growing concern for many businesses due to the increasing number of cases and expense of litigation. Often it is corporate lawyers within law firms who have the primary legal relationship with the company. As trusted advisors, these lawyers are sometimes asked to bring in their law firm's litigators and manage a litigation matter for the company.

In a *Washington Lawyer* article, the official publication of the D.C. Bar, Scot Patrick O'Brien, Washington, D.C. Office Managing Partner, provides a practical roadmap for corporate lawyers to manage litigation efficiently by fostering dynamic, real-time collaboration between fellow outside counsel and in-house counsel.

Scot emphasizes that carefully selecting the right litigation team is key, and it should include lawyers who not only have the relevant experience and cost levels, but also the right personalities to match the client's expectations. Budget plans and a case roadmap are also essential starting points, and should be supported with regular communication, particularly in writing. Scot also stressed that the client experience is as crucial as the case result. Effective listening, responsiveness to client

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preferences, and appropriately managing client expectations are a few aspects that contribute to a successful client experience and will most likely ensure a long-term, mutually beneficial relationship between the outside counsel and the client.

Scot wrote: “It is the client experience as much as the case result. This is the most crucial point.

Throughout the course of the engagement, if the outside litigation counsel does not listen to their clients; does not provide the necessary and vigorous case leadership, communication, and deliverables; is not responsive; and does not understand what is important to the client, the outside litigation counsel likely will not provide the client with the positive, professional experience they are anticipating. Even if the outside litigation counsel provides stellar legal results, if the client’s impression of the day-to-day workings of the case were subpar, the legal result of the case will be overshadowed by the client’s poor experience with outside counsel.”

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