

2021

LAW DEPARTMENT  
MANAGEMENT  
BENCHMARKING  
REPORT

EXECUTIVE SUMMARY

## DOES YOUR **Legal Department** FUNCTION **Efficiently** **And Effectively?**

## DO YOU HAVE **The Right Talent** IN YOUR **Legal Department?**

If you answered **NO** to either of these questions, then Major, Lindsey & Africa is here to help. Our Transform Advisory Services team can work with you to evaluate and assess your current team and organizational structure and then identify areas for improvement and growth. Then our In-House Counsel Recruiting and Interim Legal Talent teams can help you build out your team for success now and into the future.

### We can help with:

1. Integration and Transition Coaching
2. Legal Department Maturity Assessment
3. Legal Department Benchmarking
4. Legal Department Operating Model Review
5. Legal Department Operations Infrastructure and Technology Review
6. Talent Development and Retention Review
7. Reducing, Consolidating or Disaggregating Legal Spend
8. Legal Staffing & Executive Placement

Contact [MLATransform@mlaglobal.com](mailto:MLATransform@mlaglobal.com)



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# INTRODUCTION

June 2021

The Association of Corporate Counsel (ACC) and Major, Lindsey & Africa (MLA) are delighted to present our *2021 Law Department Management Benchmarking Report*. Following a highly successful first edition of this study published in 2019, this report builds on the feedback received from legal experts, key stakeholders, and ACC members. Our primary goal is to provide essential financial and operational benchmarking data to assist legal departments in establishing baselines for performance improvement. In addition, given the breadth of responses to the survey, the results are intended to educate readers on the current operating state of in-house legal departments and the changes we are observing.

This executive summary report builds on survey responses from 493 legal departments in organizations spanning 24 industries and 30 countries, making it one of the largest and most comprehensive legal department benchmarking surveys on the market. High-level survey results are presented on legal department structure, staffing metrics, spending metrics, work allocation, law firm usage, and diversity.

We hope this summary report will provide many helpful insights to general counsel, legal operations professionals, legal consultants, and to the broader in-house community. The full survey results, which include granular breakdowns of the data by company revenue, industry, legal department size, and company type, are available on ACC's [benchmarking reports](#) page. Tailored reports with peer level apples-to-apples data comparisons can be commissioned by making a request to [research@acc.com](mailto:research@acc.com). If assistance is helpful to achieve performance improvement in your legal department, both the ACC and MLA would welcome hearing from you directly.

We would like to thank all participating legal departments for taking the time to share their data and insights with us for the benefit of the greater in-house legal community.

ACC Research & Benchmarking Services

[acc.com/benchmarking](https://acc.com/benchmarking)

[research@acc.com](mailto:research@acc.com)

Major, Lindsey & Africa

[mlaglobal.com](https://mlaglobal.com)

[info@mlaglobal.com](mailto:info@mlaglobal.com)

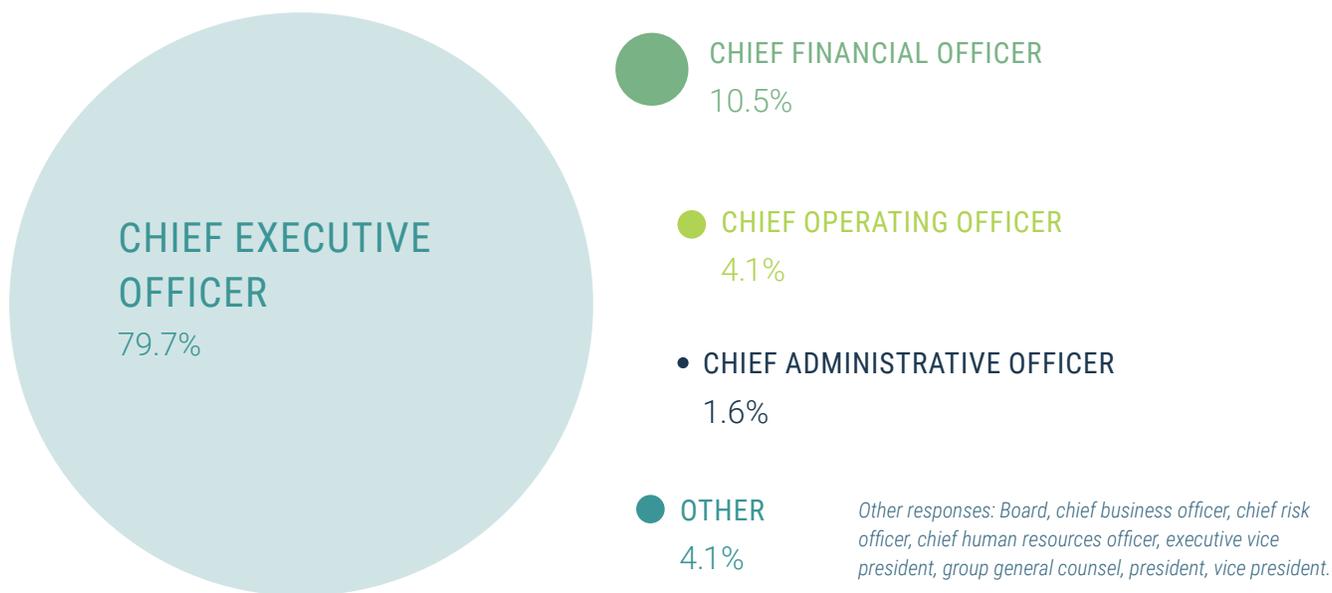


# LEGAL DEPARTMENT STRUCTURE

This first section provides a high-level overview of several key internal reporting structures within legal departments. First, the direct reporting line of the chief legal officer (CLO), second, whether the CLO also assumes the role of corporate secretary, and third, the extent to which specific business functions are subsumed within Legal or exist as independent business functions reporting up to the CLO.

In line with other recent ACC surveys, the results show that in 80 percent of departments the CLO reports directly to the organization's chief executive officer. One in ten departments have a direct reporting line to the chief financial officer instead, four percent report to the chief operating officer, and around two percent report to the chief administrative officer. The legal department is overseen by another individual in four percent of organizations.

## THE CHIEF LEGAL OFFICER'S DIRECT REPORTING LINE



Note: The survey question asked "To whom does your organization's Chief Legal Officer (or most senior lawyer) report?" In some cases, mostly in larger organizations, the CLO will be the most senior lawyer, however, in many cases the most senior lawyer has the title of General Counsel. We therefore use the terms CLO and GC interchangeably throughout the report.



There is a fair degree of variation across company sizes, industry sectors, and global regions. CLOs more often report directly to the CEO in larger organizations—92 percent in companies over \$10 billion in revenue. CLOs in all participating pharmaceutical companies report directly to the CEO, followed by finance and banking (88.9 percent) and energy (86.7 percent). By global region, Canada tops the list with 86 percent of CLOs reporting directly to the CEO. Europe, Middle East, and Africa (EMEA) reported the lowest percentage with 71.2 percent.

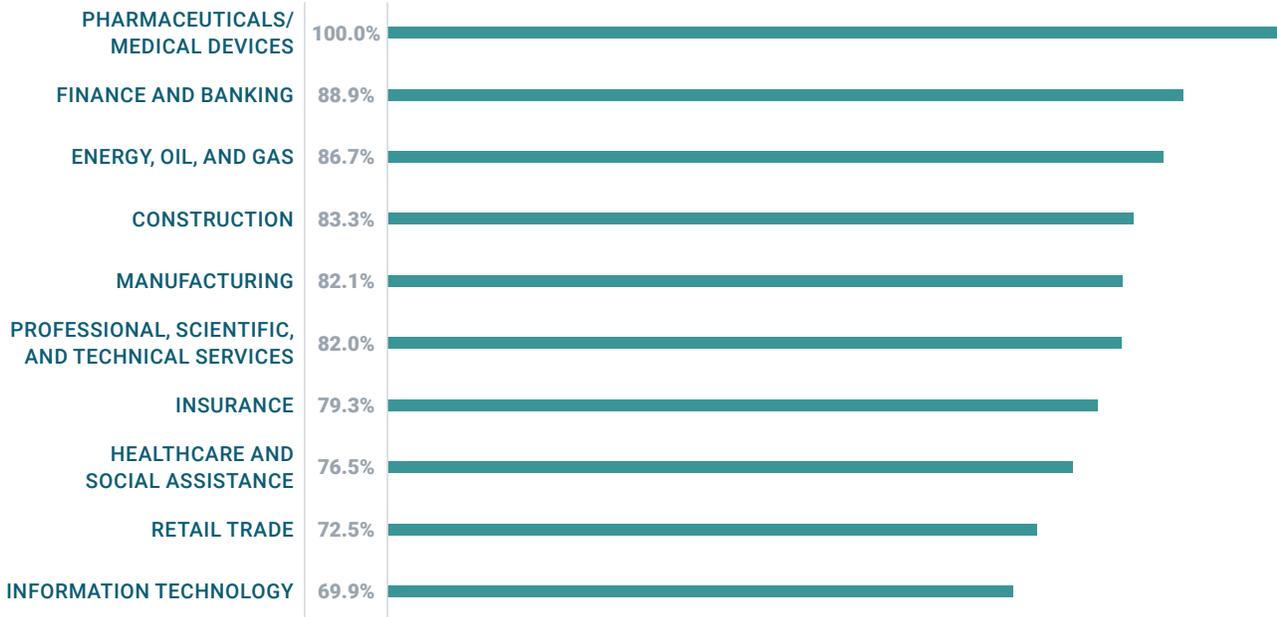
## PERCENTAGE OF LEGAL DEPARTMENTS WHERE THE CLO REPORTS DIRECTLY TO THE CEO



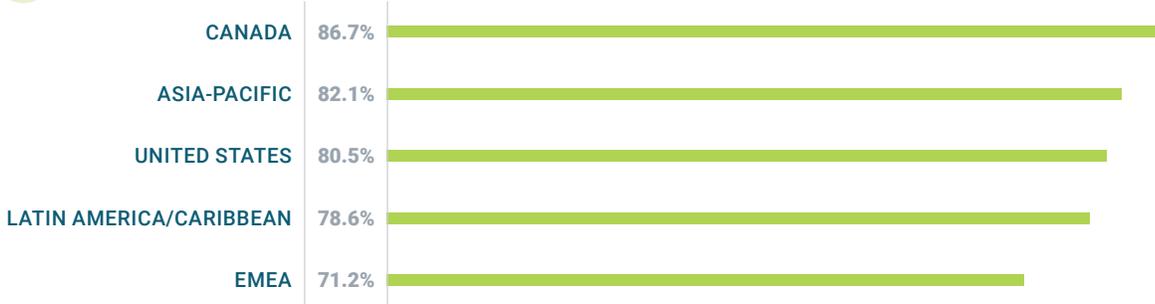
### COMPANY SIZE



### INDUSTRY



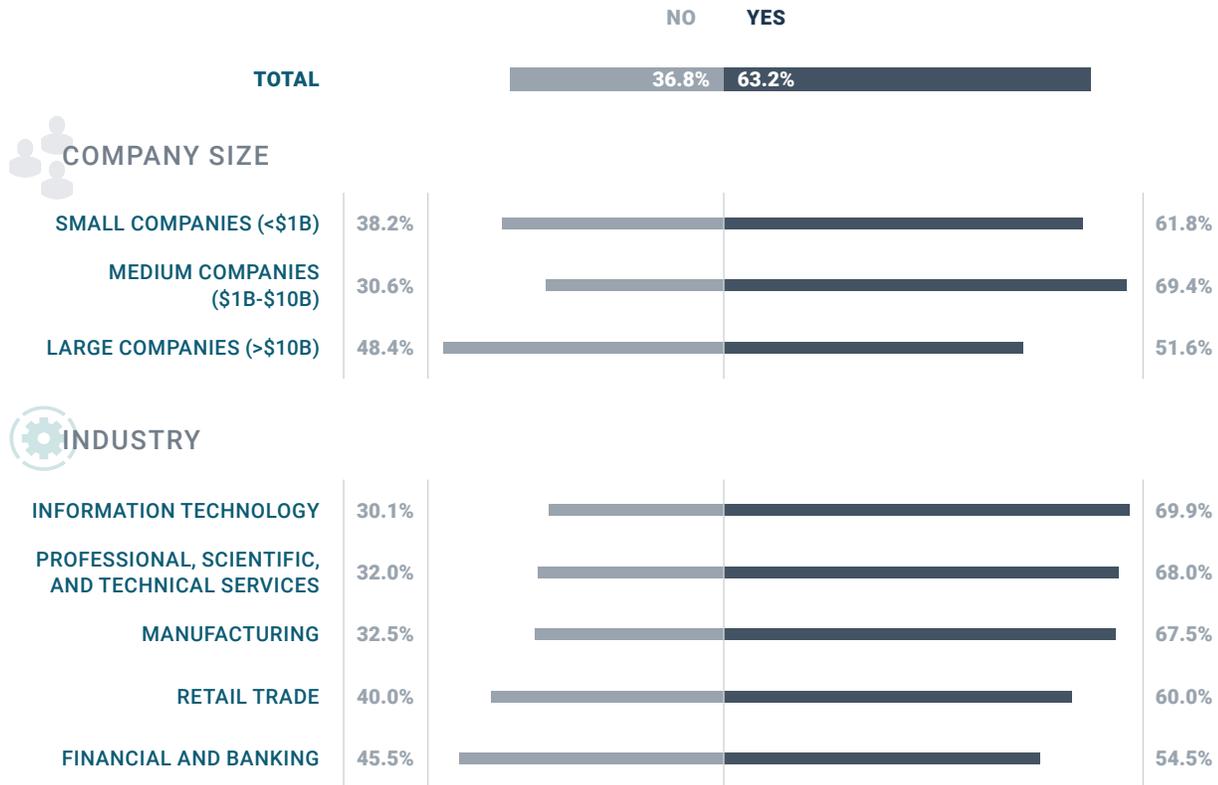
### GLOBAL REGION





CLOs assume the role of corporate secretary in 63 percent of participating organizations. There is not a linear pattern across company size. Just over half of CLOs take on the role in large organizations while nearly 70 percent do so in mid-size organizations. CLOs that work in IT, professional services, and manufacturing take on the corporate secretary role in an above average percentage of cases, while retail trade (60 percent) and finance and banking (54.5 percent) are below the average.

## CHIEF LEGAL OFFICER ALSO ASSUMES THE ROLE OF CORPORATE SECRETARY

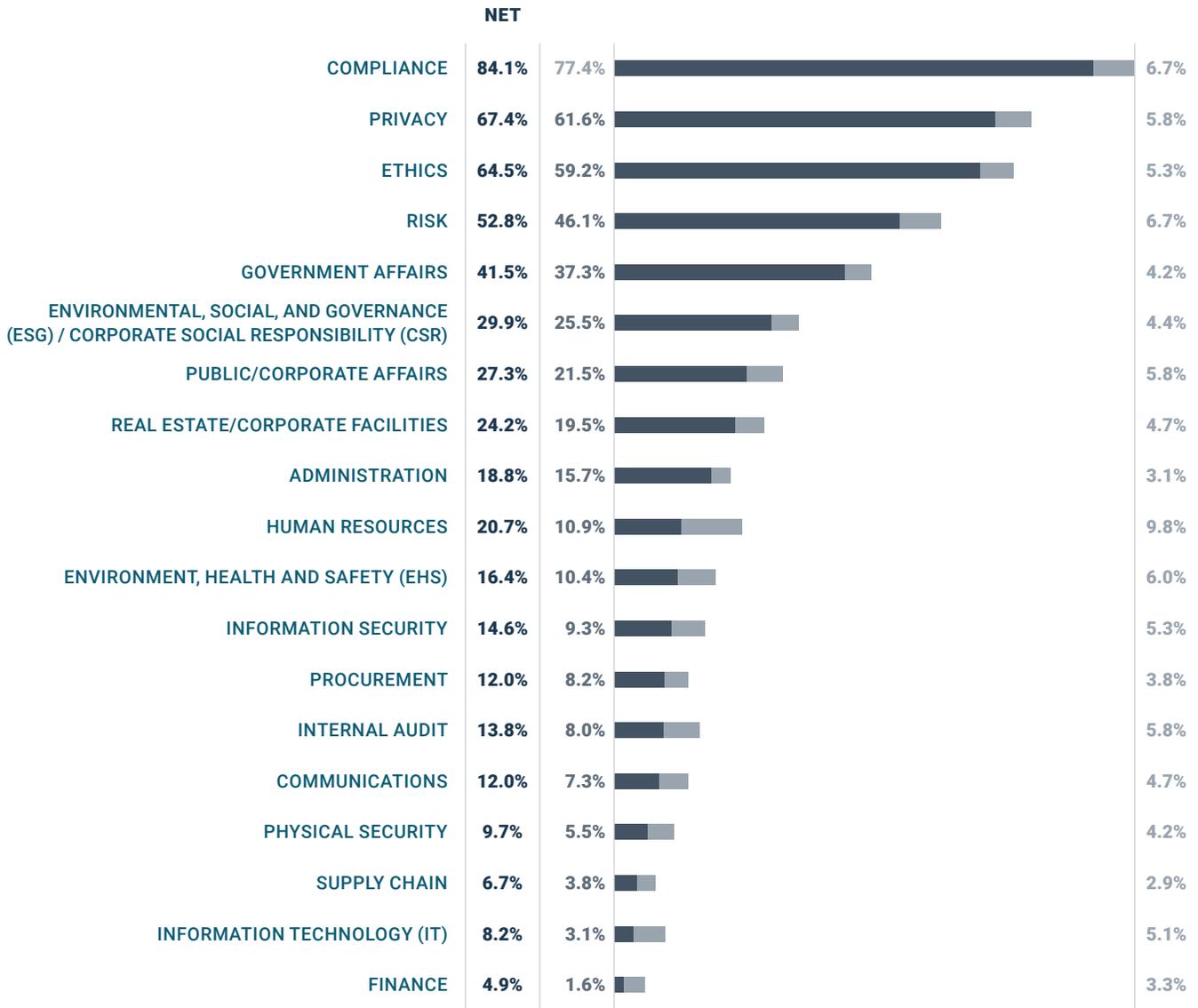


Participants were presented with a comprehensive list of 19 business functions and were asked to indicate whether each were considered to be part of the legal department. Among those functions that were not subsumed within Legal and were considered to be a separate division, we asked which reported up to Legal. The results provide interesting insights on the legal department’s scope of work.

Compliance tops the list of functions that is handled directly by legal with 77 percent departments handling it directly. An additional seven percent reported that compliance is a separate division within the company, but reports to legal, which means that 84 percent of departments in total oversee the compliance function. Privacy (62 percent) and ethics (59 percent) are the other two functions that are part of the legal department in a majority of participating organizations. Risk (46 percent), government affairs (37 percent), and environmental, social, and governance (26 percent) ranked next on the overall list. Interestingly, 21 percent of legal departments oversee the human resources function with an almost even split between those that house HR within legal and those that have the HR department report up to the general counsel – the latter case results in the highest percentage observed of a business function that reports to legal while housed in a separate department or unit.



## LEGAL DEPARTMENT FUNCTIONS



- Function is considered part of the legal department
- Function reports up to the CLO or another individual in the legal department, but is considered a separate division



# STAFFING

Section two presents an overview of key legal department staffing metrics including the total number of staff by position type, lawyer-to-support staff ratios, overall department staff composition, and the number of lawyers per \$1 billion in company revenue (a key standardized benchmarking metric). Legal departments provided detailed headcounts of legal staff by type, namely lawyers, paralegals, legal operations professionals, administrative staff, and other staff, as well as temporary or contractor staff. The overall median values across small, mid-size, and large companies are presented in the table below.

Departments in small organizations reported a median of two lawyers and three total legal staff. Mid-sized companies report a median of 15 total legal staff, with nine lawyers, two paralegals, and one administrative staff. Large companies with US \$10 billion or more in revenue reported a median of 70 lawyers, 11 paralegals, four legal operations professionals, seven administrative staff, and eight other specialized staff – and three contract or temporary staff.

## NUMBER OF IN-HOUSE LEGAL STAFF BY POSITION

	TOTAL MEDIAN	SMALL COMPANIES (<\$1B) MEDIAN	MEDIUM COMPANIES (\$1B-\$10B) MEDIAN	LARGE COMPANIES (>\$10B) MEDIAN
LAWYERS	4	2	9	70
PARALEGALS	1	0	2	11
LEGAL OPERATIONS PROFESSIONALS	0	0	0	4
ADMINISTRATIVE/ SECRETARIAL STAFF	1	0	1	7
OTHER STAFF	0	0	0	8
TOTAL INSIDE LEGAL STAFF	6	3	15	122
CONTRACT (TEMPORARY) STAFF	0	0	0	3



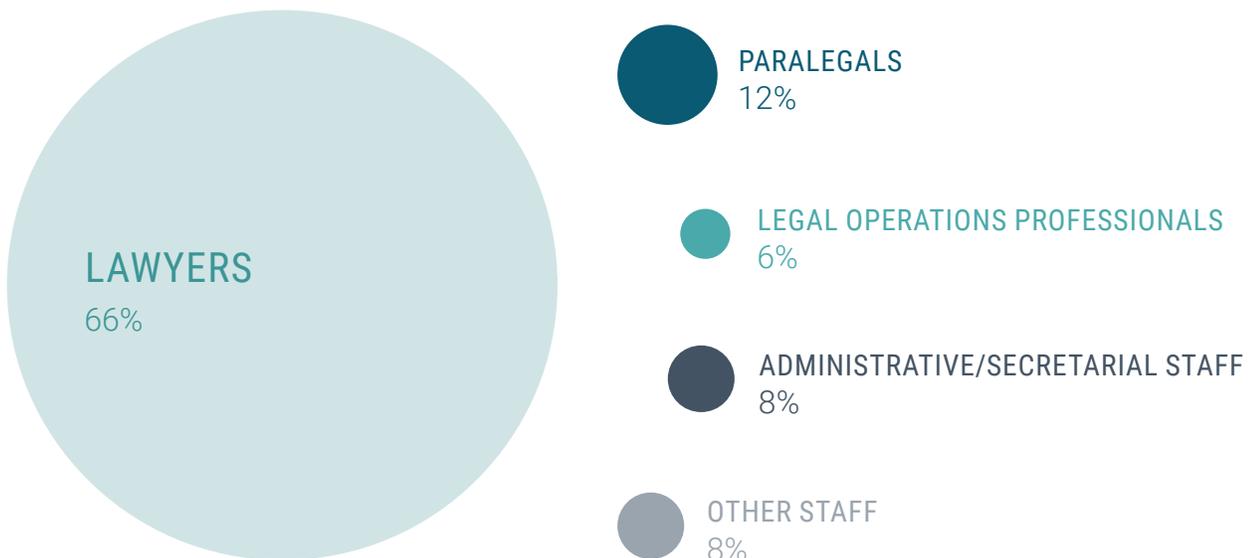
With these headcount numbers we calculate the ratios of lawyers vis-à-vis other staff categories. For example, a department with 10 lawyers and two paralegals would have a 5-to-1 lawyer per paralegal ratio – 10 divided by two. We computed these calculations for all participating legal departments, and the median values show that the ratio of lawyer per paralegal among survey participants is 3-to-1, the ratio of lawyer per legal operations professional is 7-to-1, and the ratio of lawyer per administrative staff is 5-to-1.

We also provide a picture of the composition of the average legal department by looking at the percentage of staff for each position – lawyers, paralegals, etc. – based on the total number of legal department employees. On average, two-thirds of legal department employees are lawyers, paralegals represent 12 percent, administrative and secretarial staff account for eight percent, other staff also account for eight percent of legal department staff, and legal operations professionals represent six percent of total legal department employees.

### LAWYER-TO-OTHER STAFF RATIOS



### LEGAL DEPARTMENT COMPOSITION (MEAN)





The following chart visualizes the relationship between the number of lawyers in the legal department with those of other support staff: paralegals, legal operations professionals, and administrative staff. The horizontal axis classifies departments based on their reported number of lawyers: 1, 2, 3, and up to 200 or more. The column height indicates the number of departments in each lawyer count category with the scale provided on the left-hand vertical axis. Thus, one-lawyer departments represent a plurality of survey participants with 116, two-lawyer departments amount to 72 participants, three-lawyer departments count 46 participants, and so on.

The lines in the chart record the average number of support staff for each category represented in the horizontal axis, the number of lawyers in the department. The value scale for the average number of support staff is shown on the right-hand vertical axis. The chart shows the positive relationship that one would expect – as we move toward the right on the horizontal axis, as the number of lawyers in the department increases, the average number of support staff also increases.

The dotted vertical lines indicate the lawyer-to-paralegal, lawyer-to-administrative staff, and lawyer-to-legal operations professional ratios – introduced above – set respectively at three, five, and seven lawyers based on the overall medians. In other words, departments tend to have at least one paralegal once there are three lawyers, an admin once there are five lawyers, and a legal ops professional once there are seven lawyers.

## AVERAGE SUPPORT STAFF PER NUMBER OF LAWYERS IN THE LEGAL DEPARTMENT





A key metric used for determining appropriate lawyer headcount is presented in the table below. Lawyers per \$1 billion in revenue is considered an essential benchmarking metric because it is a standardized measure, which takes into account the size of the organization. It is calculated by dividing the number of legal staff by the company revenue, which is divided by \$1 billion. This results in a single value that can be compared against all other organizations. The overall survey results (based on all participant departments) show that the median number of lawyers per \$1 billion is eight. By company size, medium companies – with a revenue ranging from \$1 billion to \$10 billion – report a median number of 4 lawyers per billion, while large companies report median values of 2.8 lawyers.

### KEY STAFFING METRIC (MEDIAN)

	TOTAL MEDIAN	SMALL COMPANIES (<\$1B) MEDIAN	MEDIUM COMPANIES (\$1B-\$10B) MEDIAN	LARGE COMPANIES (>\$10B) MEDIAN
LAWYERS PER \$1 BILLION IN COMPANY REVENUE	8.0	16.7	4.0	2.8



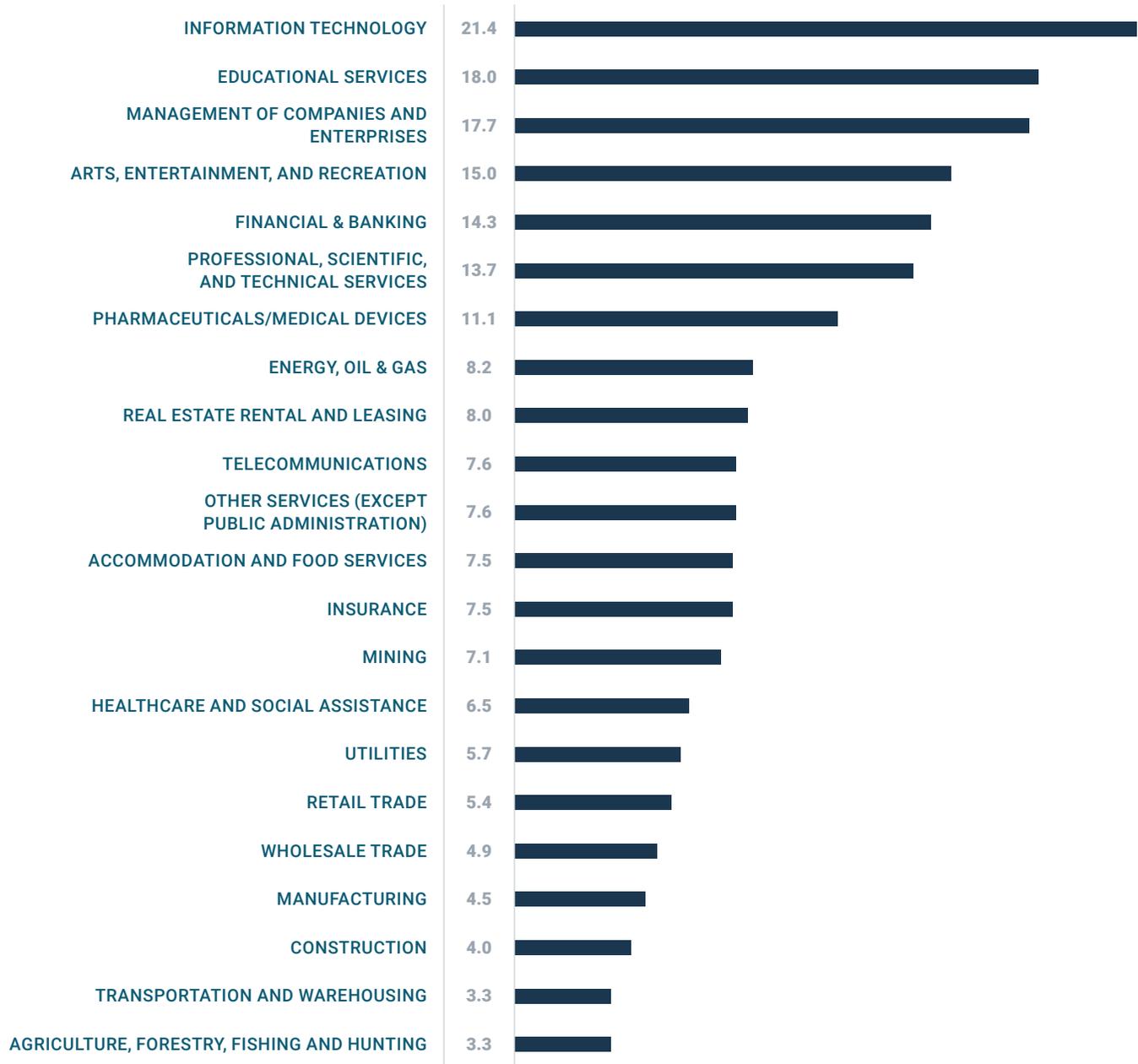
Lawyers per \$1 billion in revenue is an **essential standardized benchmarking metric.**

It is important to note that higher median values are typically observed when applying the calculation to organizations under \$1 billion in revenue. In these cases, the calculation becomes a projection since the \$1 billion denominator cannot be used. In other words, if a \$500 million company employs five lawyers, their “lawyers per \$1 billion” equal 10 lawyers per billion.



We also present the median lawyers per \$1 billion across industry sectors. Agriculture, transportation, construction, manufacturing, and retail trade all have a relatively low metric value—all under 5 lawyers per \$1 billion. IT and education have an especially high metric value, likely due to the greater number of smaller companies that participated in the survey among those industries.

## LAWYERS PER \$1 BILLION IN COMPANY REVENUE BY INDUSTRY (MEDIAN)





# SPENDING

Section three presents the high-level survey results for several key spending figures including benchmarks such as total legal spend as a percentage of company revenue, inside and outside spend as a percentage of total legal spend, and cost per lawyer hour, and we also include the results segmented by company size.

Survey participants provided data on their total inside spend, including a breakdown of expenses on lawyer compensation and non-lawyer compensation, and on total outside spend, including their specific spend on outside counsel and on alternative service providers. The sum of inside and outside spend results in the total legal department spend, with a median of US \$3 million among all survey participants. Differences are substantial across company sizes, however, with legal departments in small organizations recording a median total legal spend of US \$1.2 million, those in mid-sized organizations registering a value of US \$8.4 million, and larger legal departments reported a median of US \$64 million in total legal spend.

Overall, the distribution of spend among survey participants is quite balanced, with the median values for internal spend as a percentage of total spend set at 49 percent and that of external spend consequently being 51 percent. The breakdown by company size highlights some differences, though, with smaller organizations tending to spend more inside (53 percent) while medium and larger organizations spend more outside – 42.5 percent and 45.3 percent spent internally compared to 57.6 percent and 54.7 percent spent outside for medium-sized and large companies, respectively.

Differences in company size are also noticeable when examining standardized metrics, such as total legal spend as a percentage of company revenue. Smaller companies report a median of 0.867 percent of company revenue dedicated to legal spend, whereas the value is lower for medium and large companies at 0.363 percent and 0.227 percent, respectively.

One metric that is relatively consistent across company size is cost per lawyer hour, which we calculate by dividing total lawyer compensation spend by the number of lawyers in the legal department and further divided by the industry standard of 1,800 hours of work in a given year. The results across company sizes are similar, with the median values set at US \$113, \$131, and \$123 for small, mid-size, and large companies, respectively. Another metric where company size seems to have a minimal effect is in the percentage of total legal spend allocated to legal technology – companies across the three revenue categories report the same median value, two percent of total spend is allocated to technology solutions in the legal department.



**Smaller** organizations tend to spend more inside while **medium** and **larger** organizations spend more outside.

## MEDIAN TOTAL LEGAL SPEND

SMALL ORGANIZATIONS	\$1.2M
MID-SIZED ORGANIZATIONS	\$8.4M
LARGE ORGANIZATIONS	\$64M



## KEY LEGAL DEPARTMENT SPENDING METRICS

	TOTAL	SMALL COMPANIES (<\$1B)	MEDIUM COMPANIES (\$1B-\$10B)	LARGE COMPANIES (>\$10B)
<b>TOTAL INSIDE SPEND</b> <i>Includes lawyer and non-lawyer compensation and other inside spend not categorized</i>	<b>\$1.0M</b>	<b>\$560K</b>	<b>\$3.2M</b>	<b>\$27M</b>
<b>TOTAL OUTSIDE SPEND</b> <i>Includes spend on outside counsel and ALSPs and other remaining outside spend not categorized</i>	<b>\$1.5M</b>	<b>\$500K</b>	<b>\$5.0M</b>	<b>\$31.0M</b>
<b>TOTAL LEGAL SPEND</b> <i>Total inside spend + total outside spend</i>	<b>\$3.0M</b>	<b>\$1.2M</b>	<b>\$8.4M</b>	<b>\$64.0M</b>
<b>LAWYER COMPENSATION</b> <i>Combined compensation among all department lawyers—includes salary, cash bonus, taxes, and benefits</i>	<b>\$670K</b>	<b>\$400K</b>	<b>\$2.0M</b>	<b>\$12.5M</b>
<b>NON-LAWYER COMPENSATION</b> <i>Combined compensation among all non-lawyer legal staff—includes salary, cash bonus, taxes, and benefits</i>	<b>\$213K</b>	<b>\$130K</b>	<b>\$500K</b>	<b>\$4.0M</b>
<b>SPEND ON OUTSIDE COUNSEL</b>	<b>\$1.3M</b>	<b>\$400K</b>	<b>\$4.0M</b>	<b>\$24.0M</b>
<b>SPEND ON ALSPS/LPOS</b>	<b>\$10K</b>	<b>\$0</b>	<b>\$100K</b>	<b>\$1.0M</b>
<b>TOTAL INSIDE SPEND AS PERCENTAGE OF TOTAL SPEND</b>	<b>48.9%</b>	<b>53.1%</b>	<b>42.5%</b>	<b>45.3%</b>
<b>TOTAL OUTSIDE SPEND AS PERCENTAGE OF TOTAL SPEND</b>	<b>51.2%</b>	<b>46.9%</b>	<b>57.6%</b>	<b>54.7%</b>
<b>TOTAL SPEND AS PERCENTAGE OF REVENUE</b>	<b>0.573%</b>	<b>0.867%</b>	<b>0.363%</b>	<b>0.227%</b>
<b>COST PER LAWYER HOUR</b> <i>Total lawyer compensation spend divided by (lawyers x 1,800 billable hours)</i>	<b>\$120.37</b>	<b>\$112.50</b>	<b>\$130.56</b>	<b>\$123.40</b>
<b>PERCENTAGE OF LEGAL SPEND ALLOCATED TO OTHER BUSINESS UNITS</b>	<b>4.0%</b>	<b>0.0%</b>	<b>12.5%</b>	<b>44.0%</b>
<b>PERCENTAGE OF TOTAL LEGAL SPEND ALLOCATED TO LEGAL TECHNOLOGY</b>	<b>2.0%</b>	<b>2.0%</b>	<b>2.0%</b>	<b>2.0%</b>

Note: Outside spend values do not include settlement costs, judgements, fines, recoveries, or costs associated with claims or capitalized expenses.



In addition to capturing the spending figures listed in the table above, we also asked departments to rank the top three legal technology areas in which they are investing the greatest amount of their legal spend (among those who said they have allocated budget to technology). The following bar chart provides the percentage of departments that selected each technology area in which they have allocated the most spend (Ranked #1), as well as the second (Ranked #2) and third (Ranked #3) areas with the highest dedicated spend.

Departments are spending the most on contract management technology, with almost one-in-four legal departments, and 42 percent selected it among their top three areas in terms of technology-related spend. Compliance and legal research services come next with 15 percent and 10 percent of participants, respectively. Intellectual property management (7.4 percent) and matter management (six percent) complete the first five technology areas ranked as the top spending priority. However, other technology areas, namely eBilling, document management, and eSignature, are included in the spending top 3 in a larger share of participating departments than IP management and matter management.



Departments are spending the most on **contract management technology**, with almost one-in-four legal departments.

## TOP 5 TECHNOLOGY AREAS BY ALLOCATED SPEND

1. CONTRACT MANAGEMENT
2. COMPLIANCE
3. LEGAL RESEARCH SERVICES
4. IP MANAGEMENT
5. MATTER MANAGEMENT



# TECHNOLOGY AREAS BY ALLOCATED SPEND

## TOP 3

Technology Area	Total Spend	Ranked #1	Ranked #2	Ranked #3
CONTRACT MANAGEMENT	42.0%	23.3%	13.4%	5.3%
COMPLIANCE	33.3%	15.3%	12.0%	6.0%
LEGAL RESEARCH SERVICES	28.5%	9.8%	7.9%	10.8%
IP MANAGEMENT	14.4%	7.4%	2.2%	4.8%
MATTER MANAGEMENT	17.3%	6.0%	6.2%	5.0%
E-BILLING	20.1%	5.8%	9.4%	5.0%
BOARD PORTALS	17.3%	5.8%	3.8%	7.7%
DOCUMENT MANAGEMENT	18.9%	4.8%	7.0%	7.2%
E-SIGNATURE	18.9%	4.1%	8.9%	6.0%
E-DISCOVERY: IDENTIFICATION/ PRESERVATION/COLLECTION	8.2%	3.1%	2.4%	2.6%
CORPORATE SECRETARY TOOLS	12.2%	2.6%	6.0%	3.6%
E-DISCOVERY: REVIEW/PRODUCTION	4.1%	2.6%	1.0%	0.5%
E-DISCOVERY: PROCESSING/ANALYSIS	4.6%	1.7%	2.2%	0.7%
BUSINESS INTELLIGENCE (BI)	3.1%	1.4%	0.5%	1.2%
WORKFLOW TOOLS	5.5%	1.0%	1.2%	3.4%
RECORD MANAGEMENT	4.1%	1.0%	0.7%	2.4%
KNOWLEDGE MANAGEMENT	3.8%	0.7%	1.7%	1.4%
DOCUMENT COMPARISON	4.6%	0.7%	1.4%	2.4%
ARTIFICIAL INTELLIGENCE (AI)	2.2%	0.7%	0.7%	0.7%
ONLINE VIRTUAL DATA ROOM REPOSITORIES	2.9%	0.7%	0.5%	1.7%
PATENT SEARCH TOOLS	3.1%	0.5%	1.9%	0.7%
LEGAL HOLD TOOLS	2.4%	0.5%	0.7%	1.2%
PROJECT MANAGEMENT	2.6%	0.5%	0.5%	1.7%
REMOTE CONNECTIVITY TOOLS	3.4%	0.0%	1.9%	1.4%
SURVEY/INFORMATION GATHERING TOOLS	1.2%	0.0%	0.5%	0.7%
INTEGRATION TOOLS	1.2%	0.0%	0.2%	1.0%

■ Ranked #1 ■ Ranked #2 ■ Ranked #3



# WORK ALLOCATION

Section four presents an overview of how certain broad categories of essential legal work are managed. Participants were presented with a list of 17 work categories and were asked to identify whether the work was managed internally, by outside counsel, by ALSPs, or whether the work was not covered or not applicable in their legal department. This question was asked in a multiple-choice format, so participants could indicate that a specific task was managed both internally and externally, either by outside counsel or ALSPs, or both. Therefore, among the three columns on the left-hand side, not all rows will add to 100 percent.

The 17 work areas are sorted by the percentage of departments that handle each task internally, from highest to lowest, and darker cells indicate a higher percentage of respondents. The percentages in the two columns on the right side of the table indicate the percentages of legal departments that deemed each type of work either not covered or not applicable. These responses are not counted when calculating the percentages listed in the three columns on the left-hand side.

As an example, 76 percent of departments manage due diligence in-house. However, 51 percent have it managed by outside counsel, and four percent say the work is handled by ALSPs. These categories are not mutually exclusive. In this case, although the majority of the work is handled in-house, some of that same work is also sent out to law firms and ALSPs.

As we go down the table, the percentage of departments that outsource work increases. At least four in ten departments outsource legal research, labor and employment, due diligence, litigation (case project/management), discovery (data collection), intellectual property management, and discovery (data processing/hosting) to outside counsel. In the latter two work types, more participants outsource the work to law firms than manage it internally.

ALSPs are only used by a minority of departments, though at least a few rely on ALSPs to manage each of the 17 areas. ALSPs are most often used for due diligence and for each aspect of the discovery process, particularly for data processing/hosting and data collection.



4% of departments say their due diligence work is handled by ALSPs



## ALLOCATION BY WORK TYPE

	MANAGED INTERNALLY	MANAGED BY OUTSIDE COUNSEL	MANAGED BY ALSP/LPOS	NOT COVERED OR NOT KNOWN	NOT APPLICABLE
CONTRACT MANAGEMENT	100%	11%	2%	0%	1%
RECORDS MANAGEMENT	99%	3%	3%	6%	5%
INVOICE REVIEW	99%	0%	2%	2%	3%
LEGAL OPERATIONS	98%	3%	1%	3%	8%
COMPLIANCE	98%	9%	3%	2%	3%
DOCUMENT MANAGEMENT – REVIEW AND DRAFTING	96%	12%	1%	2%	3%
PRIVACY AND SECURITY	96%	21%	5%	2%	2%
CORPORATE AND GOVERNANCE	95%	17%	2%	1%	1%
REGULATORY	93%	30%	2%	2%	4%
LITIGATION – LEGAL HOLD	84%	25%	3%	2%	10%
LEGAL RESEARCH	83%	41%	2%	2%	5%
LABOR AND EMPLOYMENT	82%	48%	1%	1%	1%
DUE DILIGENCE	76%	51%	4%	2%	6%
LITIGATION – CASE/ PROJECT MANAGEMENT	69%	60%	1%	2%	9%
DISCOVERY – DATA COLLECTION	65%	42%	13%	6%	20%
INTELLECTUAL PROPERTY SERVICES	54%	70%	4%	1%	5%
DISCOVERY – DATA PROCESSING/HOSTING	47%	52%	20%	6%	23%

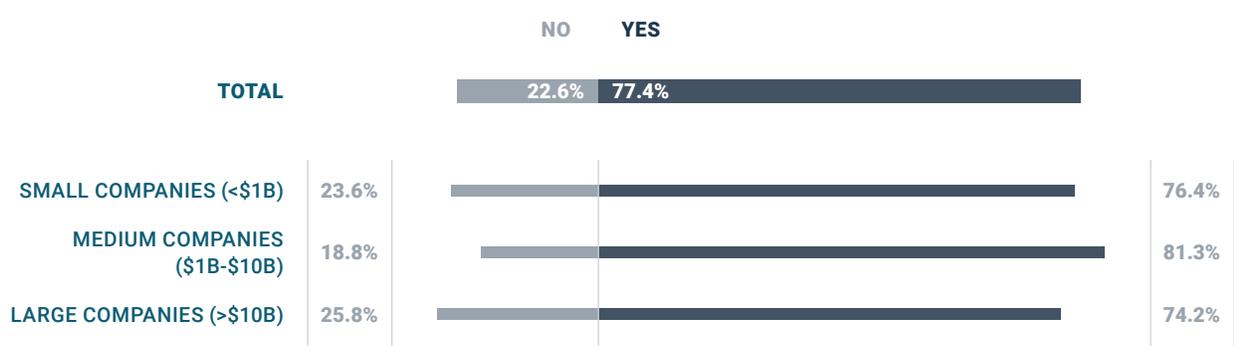


# USE OF LAW FIRMS

Section five presents the number of law firms and ALSPs departments are engaging as well as the most common fee structures used. Most legal departments reported having a preferred list of outside counsel providers, with no meaningful differences when considering company size. Overall, 77 percent of respondents do keep a list of preferred providers – with 76 percent in small companies, 81 percent in mid-sized organizations, and 74 percent in large corporations.

Company size, however, shows large differences when reviewing the number of law firms and alternative legal service providers that participating organizations engage. The overall results show that, on average, participants engaged 36 law firms and about 2 alternative legal service providers in 2020. Small companies relied on the services of 10 law firms 0.5 ALSPs, medium companies recruited, respectively, 36 law firms and 2 ALSPs, and large organizations counted on 158 law firms and 5.4 ALPS, on average. By industry, the results show some variation as well. Energy companies engaged about 70 law firms, followed by organizations in finance and banking (56); arts, entertainment, and recreation (48). Companies in finance and banking top the list of ALSP engagement with an average of four vendors, followed by insurance and transportation companies (three) and arts, recreation, and entertainment, and retail trade (two).

## LIST OF PREFERRED PROVIDERS OF OUTSIDE COUNSEL



77% of respondents do keep a list of preferred providers



# HOW MANY WERE ENGAGED BY YOUR ORGANIZATION IN 2020?



## LAW FIRMS

MEAN

TOTAL

36.2



## COMPANY SIZE

SMALL (<\$1B)

10.1



MEDIUM (\$1B-\$10B)

35.8



LARGE (>\$10B)

158.3



## INDUSTRY

ENERGY, OIL, AND GAS

69.5



FINANCE AND BANKING

56.0



ARTS, ENTERTAINMENT,  
AND RECREATION

48.4



INSURANCE

44.9



MANUFACTURING

44.2



## ALTERNATIVE LEGAL SERVICE PROVIDERS

MEAN

TOTAL

1.6



## COMPANY SIZE

SMALL (<\$1B)

0.5



MEDIUM (\$1B-\$10B)

2.0



LARGE (>\$10B)

5.4



## INDUSTRY

FINANCE AND BANKING

4.0



INSURANCE

3.2



TRANSPORTATION  
AND WAREHOUSING

3.0



ARTS, ENTERTAINMENT,  
AND RECREATION

2.2



RETAIL TRADE

1.9

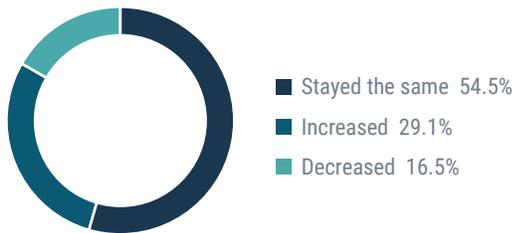




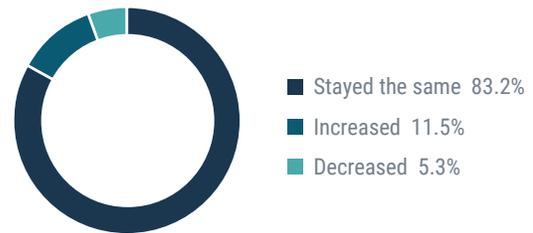
The number of law firms and ALSPs engaged in 2020 has remained largely the same, however, around three in ten reported having engaged more law firms in 2020 compared to 2019, and one in six reported their number of law firms decreased. Twelve percent reported engaging more ALSPs in 2020 compared to 2019, and only five percent reported a decrease.

## HOW DID THIS NUMBER CHANGE COMPARED TO 2019?

### LAW FIRMS



### ALTERNATIVE LEGAL SERVICE PROVIDERS



We asked about the kinds of fee arrangements departments are using with outside counsel. The most common fee type is discounted hourly rates, which is used by five in six participating departments. Seventy-one percent reported using standard hourly rates and 63 percent used flat fees for entire matters – or some stages of matters. Less common fee types are retainers (29 percent), incentive or success fees (16 percent), contingency fees (14 percent), and performance-based holdbacks (3 percent). Three percent of participants also reported using other fee arrangements beyond the nine options provided in the survey.

## TYPES OF OUTSIDE COUNSEL FEES USED





# DIVERSITY

Section six presents survey results seeking to understand the extent to which in-house departments currently have diversity metrics and/or targets with respect to their own internal composition as well as with their law firms. For those departments that indicated they do possess formal diversity metrics, we then asked what aspects of diversity they currently capture.

Overall, 29 percent of survey participants reported tracking internal diversity metrics, though with considerable variation across company sizes: 16 percent of small companies track internal diversity metrics, while 39 percent of departments in medium-sized companies do so and 71 percent of those in large organizations with US \$10 billion or more in revenue. By industry, no sector reported having a majority of companies tracking internal diversity metrics, although 49 percent of companies in finance and banking do so, while only a third do so in accommodation and food services, mining, and utilities. By global region, about four in ten legal departments in the EMEA region have internal diversity metrics, while this is the case in between 25 percent and 30 percent of departments in the other global regions: Latin America and the Caribbean, the United States, Canada, and the Asia-Pacific region.

Among those departments that track diversity metrics, almost all (94 percent) evaluate diversity among new hires, followed at some distance by promotions (55 percent), departures (50 percent), and levels or functions (49 percent). Diversity in training (27 percent) and matter staffing (22 percent) close the list. The percentage of departments that track diversity metrics and that also have a formal strategy to improve in this area, with actionable measures and tangible consequences, is 46.9 percent.



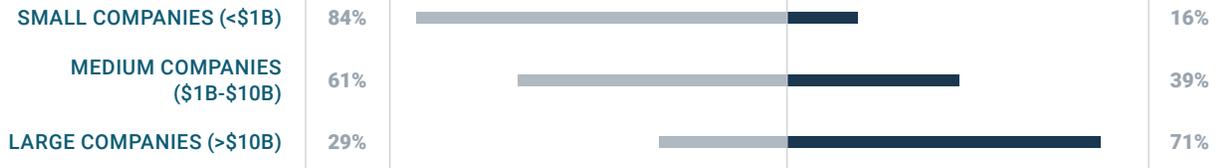
Overall **29%** of survey participants reported **tracking internal diversity metrics**, though with considerable variation across company sizes.



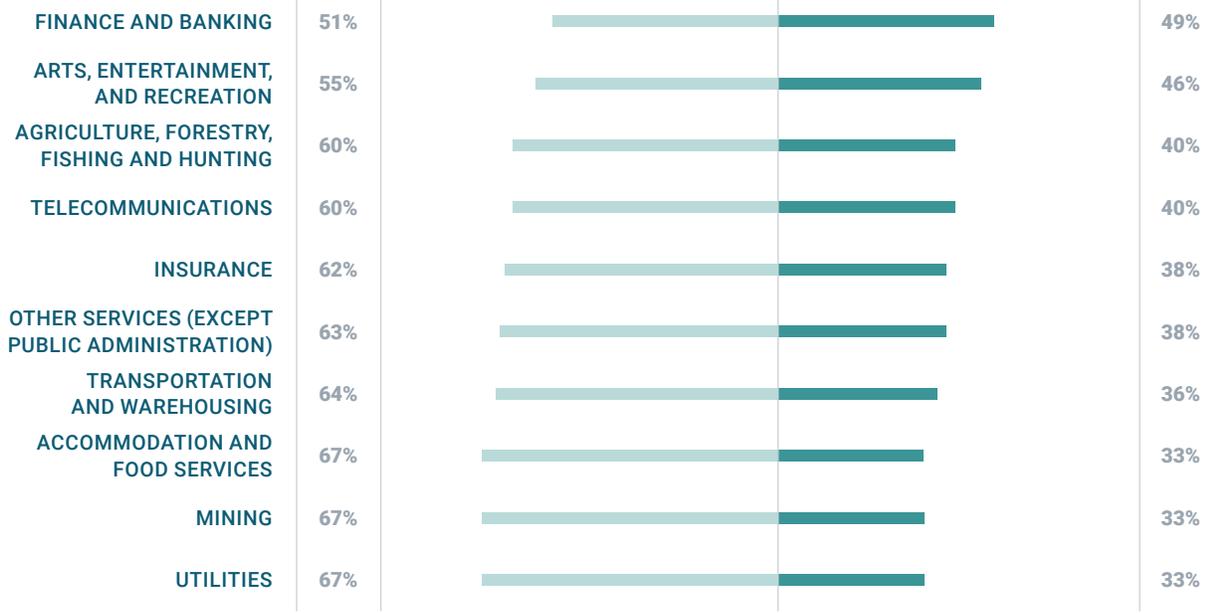
# THE LEGAL DEPARTMENT HAS DIVERSITY METRICS WITH RESPECT TO ITS OWN COMPOSITION



## COMPANY SIZE



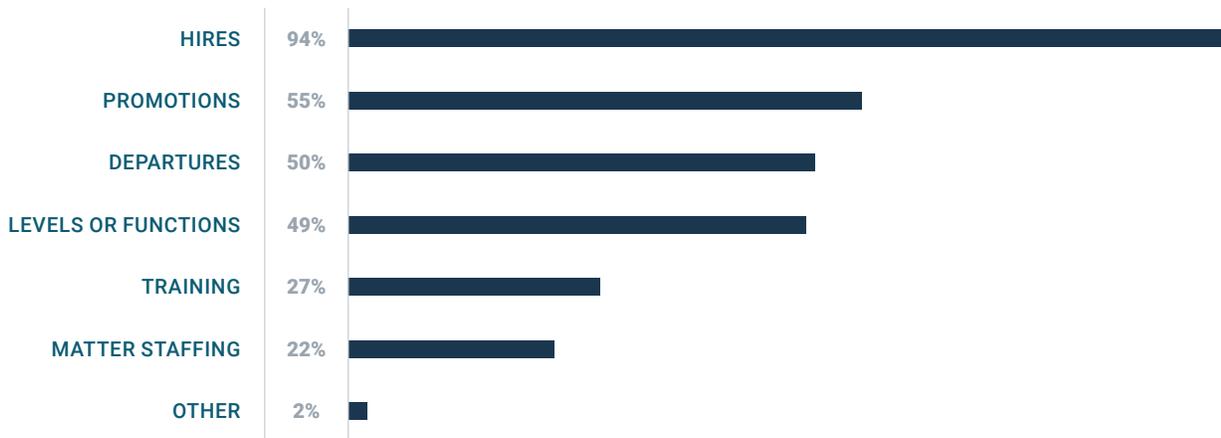
## INDUSTRY



## OFFICE REGION



## DIVERSITY EVALUATED BASED ON THE FOLLOWING FACTORS



### FORMAL STRATEGY TO IMPROVE DEPARTMENTAL DIVERSITY WITH TANGIBLE CONSEQUENCES

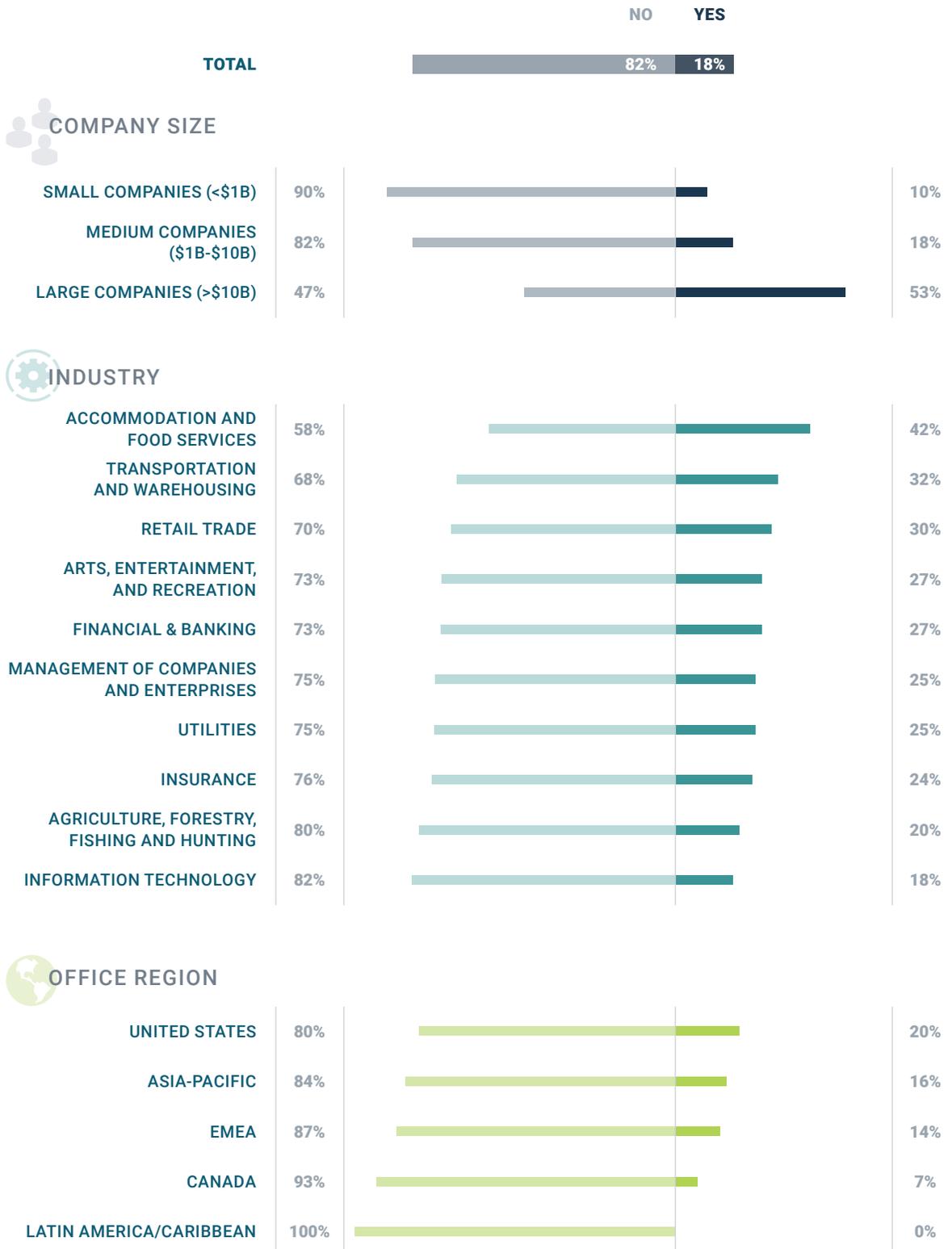


The following charts present the results on similar diversity-related questions but related to outside counsel. The results do not offer a markedly different pattern compared to internal diversity tracking but show that fewer legal departments track outside counsel diversity metrics than they do internally.

Overall, 18 percent of participants reported tracking diversity metrics with respect to the legal department's outside counsel – compared to 29 percent that track diversity metrics internally. Company size follows a similar pattern, with one in ten small companies evaluating law firms on diversity, while 18 percent of departments in medium companies do so and 53 percent of large corporations. By industry, the highest percentage is recorded by accommodation and food services (42 percent), followed by around one third of companies in transportation and retail trade, and one quarter of companies in entertainment, finance, management of companies, and utilities. The percentage of companies tracking outside counsel diversity metrics by global region is highest in the United States – although just one in five do participants do so; followed by Asia-Pacific (16 percent), EMEA (14 percent), Canada (7 percent), and Latin America and the Caribbean, where no participants reported tracking outside counsel diversity metrics.

Departments that evaluate law firms reported tracking diversity within the teams that handle matters for the legal department (74 percent), and a majority also track diversity among all lawyers in the firm (62 percent) or among the firm's partners (54 percent). Other items tracked are matter leaders or responsible partners (49 percent), promotions to partner (25 percent), leadership positions in the firm (22 percent), and incoming associate classes (14 percent). One quarter of the departments that track outside counsel diversity metrics also reported having a formal strategy with tangible consequences to improve the diversity benchmarks of the law firms they engage.

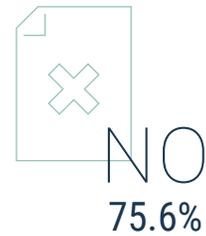
## THE LEGAL DEPARTMENT HAS DIVERSITY METRICS WITH RESPECT TO ITS OUTSIDE COUNSEL



## DIVERSITY EVALUATED BASED ON THE FOLLOWING FACTORS



FORMAL REQUIREMENTS TO IMPROVE DIVERSITY FOR OUTSIDE COUNSEL WITH TANGIBLE CONSEQUENCES

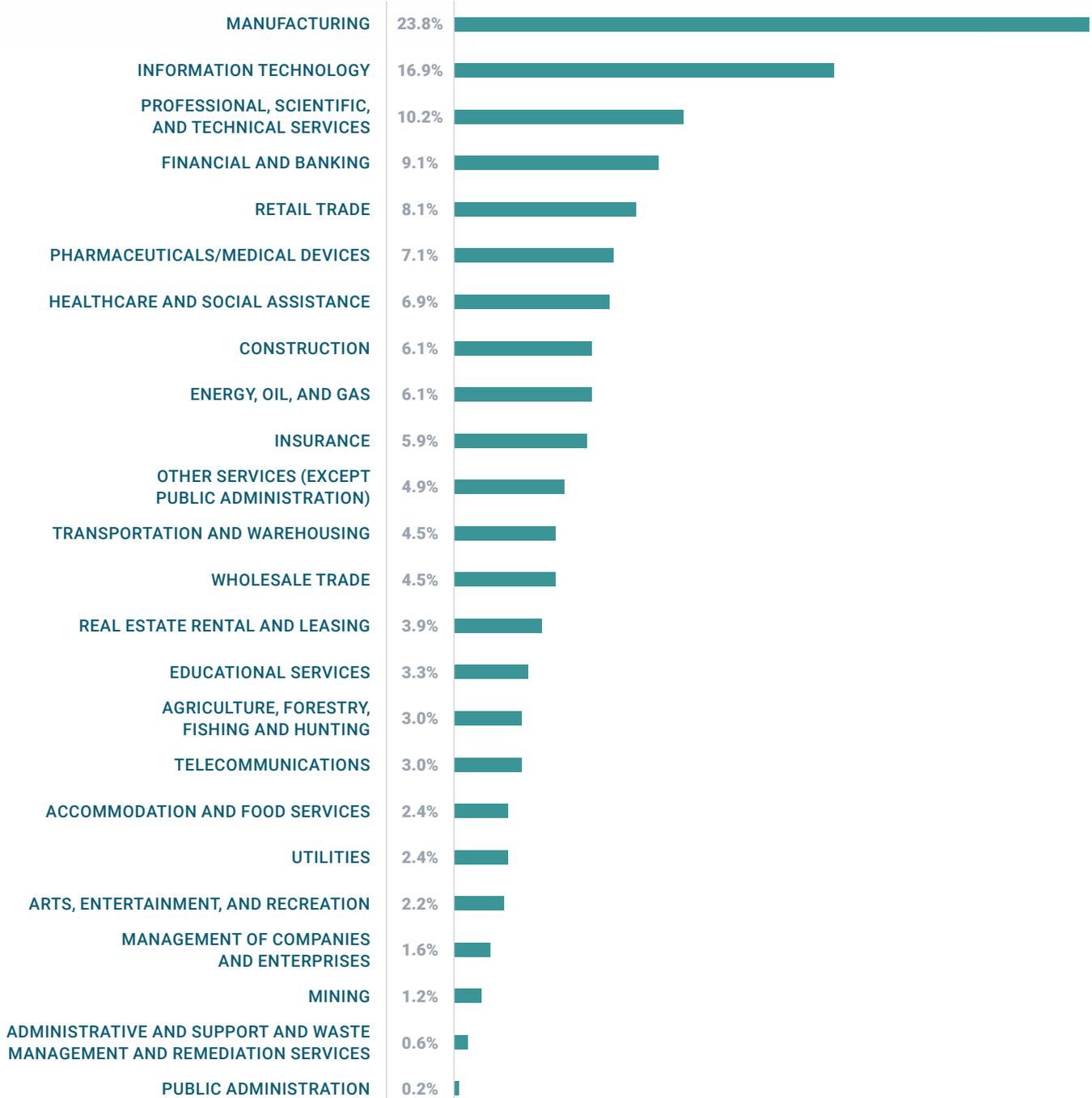




# DEMOGRAPHICS

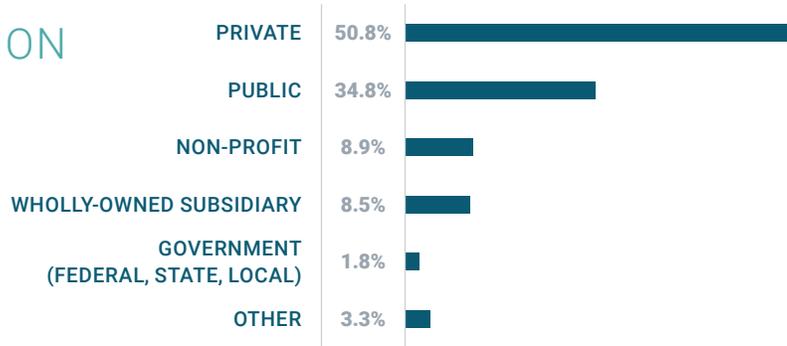


## INDUSTRY

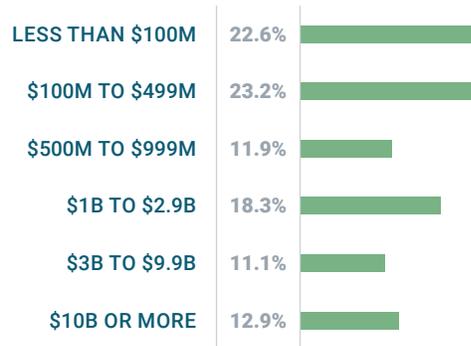




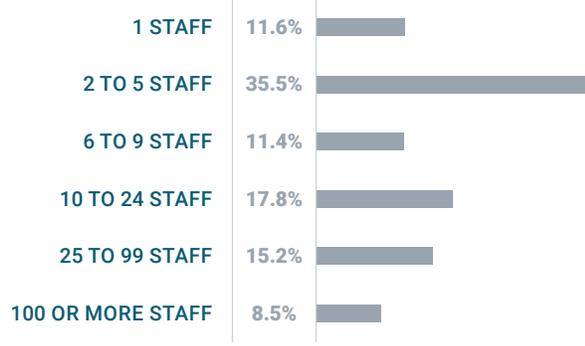
### ORGANIZATION TYPE



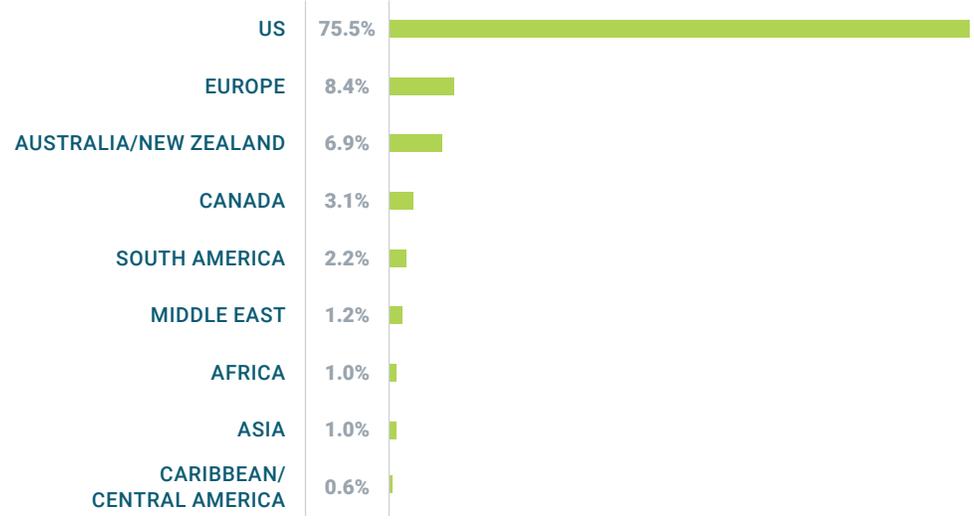
### COMPANY REVENUE



### NUMBER OF LEGAL DEPARTMENT STAFF



### GLOBAL REGION





# METHODOLOGY

## SURVEY INSTRUMENT

The survey questionnaire was offered through an online survey platform. Personalized survey links were sent by email to the target population, which allowed participants to save their responses and fill out the questionnaire in more than one sitting, if needed.

## FIELDING PERIOD

The survey opened on March 4, 2021 and closed on May 4, 2021. Reminder emails were sent weekly.

## TARGET POPULATION

We targeted one relevant representative—the individual we considered most capable of reporting on the information requested—in each legal department with at least one ACC member. Invitations to participate were sent each department's highest ranking legal officer and/or a legal operations professional. If we had no members in either of these positions in a given legal department, we then targeted the highest-ranking individual. Apart from targeted email messages, opportunities to participate were also sent through LinkedIn campaigns as well as through ACC's online network forums.

## PARTICIPATION

A total of 493 legal departments participated.

## ANONYMITY

The results are only provided at the aggregate level. No specific data point or response is tied to any individual or organization.

## DATA ACCURACY

Not all respondents answered all questions. The percentages provided are based on the number of valid responses received for each individual question. Many survey questions offered the opportunity to select multiple response options. In those cases, percentages may not total to 100 percent.

## STATISTICAL TERMINOLOGY

**MEAN:** The values of each observation are summed together and divided by the total number of observations.

**MEDIAN:** This is the middle value of all observations ordered from low to high (also called the 50th percentile).

**PERCENTILE:** This is a value that divides a population according to a distribution of observations.

It allows us to know the percentage of observations that fall above or below a particular value.

For example, if we find that the 25th percentile of the number of lawyers in a department is three, we then know that 25 percent of departments have up to three lawyers, while the other 75 percent of departments have three or more.

**N:** This indicates the number of observations for a given metric or reported value.

# PARTICIPATING ORGANIZATIONS

3BMG, LLC	BearingPoint	Constellium
777 Partners LLC	BeiGene, Ltd.	Contentstack LLC
AAOS	Bellroy	Coril Holdings Ltd.
AB Volvo	Benedictine	Corporate Travel Management Limited
Able Services	Ben-Tom Corporation	CORS
Academy Sports + Outdoors	Berkeley Research Group, LLC	Cox Enterprises, Inc.
Access Now	Bharti Enterprises	CRAssociates, Inc.
AccessLex Institute	BIC Corporation	CrossBar, Inc.
ADM	Bigfork Technologies, LLC	CrowdStrike
Advanced Solutions International, Inc.	Biogen	Crowley Maritime Corporation
Adventist Health System/West	Bio-Techne	CryoLife
Advisors Excel	BioXcel Therapeutics, Inc.	CUNA Mutual Group
AdvoCare International	BlackRock	CWB Financial Group
AE2S	Blue Cross and Blue Shield of Kansas City	CyberArk
AEMO Ltd	Bluebeam, Inc.	CyberCX
Aesculap, Inc	BlueChip Financial	Daekyo America, Inc.
Agility Recovery Solutions, Inc	Bolognesi Energia	Daly Seven, Inc.
AIA Australia	Boston Scientific	Daniel Swarovski AG
Akoustis Technologies, Inc.	BrandSafway	Data#3 Limited
Alligance Bancshares, Inc.	Brera SIM SpA	DaVita Inc.
Allianz Technology	BRF	Deloitte
Alto Pharmacy	Brico Depot Iberia King Fisher	Delta Dental of Kentucky, Inc.
American Council on Exercise	Briggs & Stratton	Dentsply Sirona Inc.
American National Red Cross	Bydex Management, LLC	Dentsu International Ltd
American Physical Therapy Association	Capgemini	DJO Global, Inc.
AmeriTrust Group, Inc.	CareMount Medical PC	DocuSign, Inc.
AMG National Trust Bank	CarGurus	Douglass Colony Group, Inc.
AMP Limited	Carmeuse	Dow
ANDEAN TELECOM PARTNERS - ATP	Carver Bancorp, Inc.	DSM
Anthem Inc.	Catalent, Inc.	Duke Energy Corporation
Appen Limited	Cayman National	Duke Realty Corporation
ARA Group Limited	CCASA	D-Wave Systems Inc.
Arbonne	CDW	DXC
Arconic Corporation	Cementos Pacasmayo S.A.A.	easyJet
Ariat International, Inc.	Centerline Business Services	EatStreet, Inc.
Armstrong Group	Central Insurance Companies	eBay
ASAE	Ceridian HCM Holding Inc.	eClinical Solutions LLC
ASGN Incorporated	CFA Institute	ECTP
Astec Industries, Inc.	Chemence	Educational Testing Service
Asuragen, Inc.	CHF Solutions, Inc.	EFR Group Public Ltd
Atkins North America	Chr. Hansen	elbit systems
ATL Hawks, LLC	Chubb	Elders Limited
Attentive	Cigna	Electro Rent Corporation
Auria	CIS	Electronic Transaction Consultants, LLC
Availity, L.L.C.	City of Arvada City Attorney's Office	Elixinol Global Limited
BAE Systems, Inc.	Clarivate	Elkem ASA
Bally Schuhfabriken AG	CNSI	Encofrados J Alsina, S.A.
Banner Engineering Corp.	Coast Capital Savings Federal Credit Union	Encompass Health - HHH
Barry-Wehmiller	Coastal Industries, Inc.	Endeavour Group
Battelle Memorial Institute	Coles Group Ltd	Engesul-Raysul Group
Bazaarvoice, Inc.	Comstock Holding Companies, Inc.	Enstar
Bazan Group (Oil Refineries Ltd)	Confluence Technologies, Inc.	EPAM Systems Inc.
Beam Suntory Inc.	Consolidated Edison	Ernst & Young LLP

Esquire Deposition Solutions, LLC  
Estee Lauder Companies  
Ethos Technologies  
European Broadcasting Union  
Everis Peru  
Evolve College  
Extended Stay America, Inc.  
Extreme Networks, Inc.  
Extreme Reach, Inc.  
Exxon Mobil Corporation  
EyePoint Pharmaceuticals  
Fairbanks Morse  
Ferguson  
FIS  
Fletcher Building  
Flexitallic Investments, Inc.  
FlightSafety International Inc.  
FloQast, Inc.  
Florida Crystals Corporation  
Flowserve  
Framatome  
Fraunhofer USA, Inc.  
Freddie Mac  
FreedomPay, Inc.  
FTD, LLC  
FTS International  
GIFashion  
Galderma Laboratories LP  
Garland Industries, Inc.  
GE Appliances, a Haier Company  
General Dynamics European Land Systems  
Genpact Limited  
GEON Performance Solutions  
Gibraltar Industries, Inc.  
Glass House Group  
Global Partnerships  
GLOBALFOUNDRIES  
GOG Foundation, Inc.  
Goodman Manufacturing  
GOWell International LLC  
GP Strategies Corporation  
Grane  
Greater Los Angeles Zoo Association  
Greenway Health  
Greystar Management Services  
Grupo IGS  
Guidance Residential, LLC  
Gulf States Toyota, Inc.  
Hagerty  
Harford Mutual Insurance Group  
Harkins Builders, Inc.  
Havaianas  
Hearing Lab Technology, LLC

HEARST  
Heaven Hill Distilleries  
Henniges Automotive  
Hill & Wilkinson General Contractors  
HM.CLAUSE  
HopeHealth, Inc.  
Hurco Companies, Inc.  
Hydro Extrusion North America  
Hydro-Québec  
Hyundai UAM  
iDepo Reporters  
IMMI  
Indiana Economic Development Corporation  
Indivior PLC  
Ingram Micro Inc.  
Integer Holdings Corporation  
Integral Ad Science, Inc.  
Interface, Inc.  
International Chamber of Commerce  
ISS Facility Services  
J.D. Power  
Jack Henry & Associates  
Jacobs Holdings AG  
JAKKS  
Jama Software, Inc.  
James G. Davis Construction Corporation  
James Hardie Industries plc  
Jasper Ridge Partners  
JC Hospitality  
JCDecaux Australia & New Zealand  
JDE Peet's  
JobsOhio  
John Deere  
John Muir Health  
Jomar Electrical Contractors  
Jones Lang LaSalle (JLL)  
JPI  
JRM Construction Management, LLC  
Kaivac, Inc.  
Kalsec  
Kent Corporation  
Khoros LLC  
Kimball Electronics, Inc.  
Kimberly Clark Corporation  
Kinetic Pressure Control Limited  
Knowles Corporation  
Kootenai Health  
Kudelski SA  
Law School Admission Council  
Leidos  
LendingClub  
Levi Strauss & Co.  
LHP Inc

Lief Labs  
lifestyles  
Lifetime Products  
Lively Hearing Corporation  
Lockheed Martin Corporation  
Logix Fiber Networks  
lululemon  
Macy's, Inc.  
Malouf Companies  
Management Sciences for Health  
Manulife Financial Corporation  
MAPEI  
MassMutual  
Match Group, Inc.  
McDonald's Corporation  
McKenney's, Inc.  
McLane Company, Inc.  
Medline International  
Meijer, Inc.  
Melton Truck Lines, Inc.  
Mewbourne Oil Company  
MGP Ingredients, Inc.  
MHS Holdings  
Micron Technology, Inc.  
Milliken & Company  
Minera Chinalco Perú  
Mishimoto  
MNP LLP  
Morgan White Group  
Movado Group  
MTD Products Inc  
Muntajat  
Murcor Real Estate  
mycar Tyre & Auto  
MyoKardia, Inc.  
Nabholz Construction  
Nakheel PJSC  
National Australia Bank  
Nationwide  
Neurelis, Inc.  
Next Insurance  
Nextthink  
NIO  
Northern Illinois University  
Northern Tool + Equipment  
NorthStar Anesthesia  
Nova Transportadora do Sudeste SA - NTS  
Nsight  
Nurse-Family Partnership  
Nutrien Ltd.  
NXP  
Oakland Community Health Network  
Ohio Farm Bureau Federation

Olympus Corporation of the Americas	Saltchuk Marine	Trinity Health
Omron Management Center	Samsung	Tronox Holdings
Ontario Institute for Cancer Research	San Joaquin Valley College, Inc.-Ember Education	Trust Re
Ontic Technologies, Inc.	SantoLubes Manufacturing LLC	Tuff Shed, Inc.
Opteon	SAP (UK) Ltd.	TULA Skincare
Optima Tax Relief	Saratech	U.S. Bank
Ordermark	Sasser Family Holdings, Inc.	U.S. Vision
Orora Limited	Schlumberger	UBS Group AG
Outsystems	Screenecastify	Ultra Beauty, Inc.
PACCAR Inc.	SCRMC	Ulteig Engineers, Inc.
Pacific Market International, LLC	Securitas	UniGroup
Panera Bread	Securonix, Inc.	Union Paving & Construction Co., Inc.
Payactiv Inc.	Seeing Machines Ltd	United Fiber & Data, LLC
PCOM	Seminole Electric	United Natural Foods, Inc.
PCS Law	Shamrock Foods Company	UP Entertainment
Pedernales Electric Cooperative	Siemens Government Technologies, Inc.	USI Insurance Services LLC
Pennsylvania Association of Realtors	Sierra Wireless	Valeo
Perry Homes	Silva International Investments	Valeyo
Pharmacosmos Therapeutics	Silver Chain	VEIC
Pharmscience Inc	Sligro Food Group	Venerable
Philip Morris International	smartsheet	Vicinity Centres
Philips	Sonova	Virbac Corp.
Piraeus Bank	SOPREMA, Inc.	VisiQuate, Inc.
PLANET LABS INC	Splitit Ltd.	Visit Orlando
Plexus Worldwide, LLC	Splunk	Vista Outdoor
Poly	Sprinray Inc.	Visteon Corporation
Positec Tool Corp	SSR Mining	VMware, Inc.
PowerPlan, Inc.	Ste. Michelle Wine Estates Ltd.	Volvo Group Australia
Prosci, Inc.	Superior Group of Companies, Inc.	Washington REIT
Prysmian Group	Sutro Biopharma, Inc.	Weekley Homes
PSCU	Synaptics Incorporated	WeFi Technology Holdings LLC
PSP Investments	Tactual Labs Co.	WEG Electric Corp.
PTC Therapeutics, Inc.	TAIT	Western Alliance Bank
Puig, S.L.	Target Corporation	Western Governors University
Pure Storage, Inc.	TasNetworks	Westpac
Purple Innovation, LLC	TE Connectivity	Wheels Up
Pylones	Tech Data	wish
Quantum Participações	TELUS International	WOBBEN WINDPOWER/ENERCON
Quora Inc.	Teradyne, Inc.	Wolters Kluwer
QVC	The Cleveland Foundation	Woolworths Group Limited
Rakuten Rewards	The Hanover Insurance Group, Inc.	World Acceptance Corp
Red Canary, Inc.	The Knot Worldwide Inc.	Wynden Stark dba GQR Global Markets
Regency Centers Corporation	The Middlesex Corporation	Xero Ltd
Renewable Energy Group, Inc.	The New York Blower Company	Xona Microfluidics, Inc.
Risen Energy Australia	The New York Times Company	YKK AP America Inc.
Riverence Holdings LLC	The Siegfried Group, LLP	Yokogawa Europe B.V.
Roche Diagnostics Corporation	The Suddath Companies	Zendesk Inc
Rollick Outdoor, Inc.	Thomas Jefferson University	Zenith American Solutions
RTW Retailwinds, Inc.	TK Elevator	Zillow
Safety National	Transdev North America, Inc.	ZS Associates, Inc.
Sagent Pharmaceuticals	Trelleborg Wheel Systems	Anonymous (20)
Sagikor Life Insurance Company	TriCo Bancshares	
SAHA		

## NEED A MORE TAILORED REPORT?

We understand that for a true benchmarking exercise you will need the survey data only among a clearly defined apples-to-apples peer group. You define the population to compare against and we provide a tailored report to fit your requirements.

Benchmarking reports can be customized to your organization's peer group based on:



**COMPANY REVENUE**  
(total gross annual in \$US)



**TOTAL COMPANY EMPLOYEES**



**GEOGRAPHIC LOCATION**  
(country or global region)



**INDUSTRY SECTOR**  
(using Standard Industry Classification (SIC) codes)



**DATA WEIGHTING**



**COMPANY TYPE**  
(public, private, wholly-owned subsidiary, non-profit)

## TAKE A LOOK INSIDE!

Legal Department Spending Metrics – Medical Technology & Life Sciences					
	n	25th Percentile	Mean	Median	75th Percentile
<b>Total inside spend</b> <i>Includes lawyer and non-lawyer compensation and other inside spend not categorized</i>	29	\$500,000	\$17,352,024	\$1,290,000	\$21,000,000
<b>Total outside spend</b> <i>Includes spend on outside counsel and ALSPs and other remaining outside spend not categorized</i>	29	\$413,000	\$18,018,658	\$2,795,400	\$10,000,000
<b>Total legal spend</b> <i>Total inside spend + total outside spend</i>	29	\$900,000	\$35,370,682	\$6,318,313	\$25,949,509
<b>Lawyer compensation</b> <i>Combined compensation among all department lawyers – includes salary, cash bonus, taxes, and benefits</i>	23	\$274,000	\$8,786,876	\$550,000	\$4,950,000
<b>Non-lawyer compensation</b> <i>Combined compensation among all non-lawyer legal staff – includes salary, cash bonus, taxes, and benefits</i>	21	\$75,000	\$6,492,421	\$296,000	\$7,515,341

The following table presents the results of a custom benchmarking exercise for selected metrics. The results are based on a sample of participating companies that have responded to the survey. The data is based on the most recent reporting period for the metrics.

**Sample:** Population of participating companies that have responded to the survey. The sample is representative of the population of companies that have responded to the survey. The sample is based on the most recent reporting period for the metrics.

**Methodology:** The data is based on the most recent reporting period for the metrics. The data is based on the most recent reporting period for the metrics. The data is based on the most recent reporting period for the metrics.

Peer Company Profile	
<b>Company revenue</b>	US \$500 million to US \$3 billion
<b>Industry</b>	Organizations in "Medical Technology and Life Sciences": • SIC Code 35: Industrial Machinery and Equipment • SIC Code 36: Electronic and Other Electronic Equipment • SIC Code 38: Instruments and Related Products
<b>Company type</b>	Private companies and subsidiaries
<b>Number of lawyers</b>	12 to 18
<b>Number of staff</b>	Not selected
<b>Total legal spend</b>	\$6M to \$10M
<b>Region</b>	Organizations headquartered in Asia, North America, or Latin America
<b>Data weighting</b>	Data weighted by percentage of revenue in each industry sector: • SIC Code 35: 20% • SIC Code 36: 30% • SIC Code 38: 50%

The following table presents the results of a custom benchmarking exercise for selected metrics. The results are based on a sample of participating companies that have responded to the survey. The data is based on the most recent reporting period for the metrics.

**Sample:** Population of participating companies that have responded to the survey. The sample is representative of the population of companies that have responded to the survey. The sample is based on the most recent reporting period for the metrics.

**Methodology:** The data is based on the most recent reporting period for the metrics. The data is based on the most recent reporting period for the metrics. The data is based on the most recent reporting period for the metrics.

## HAVE QUESTIONS? WE'RE HERE TO HELP.

To request a custom benchmarking report or to speak with a member of ACC's research team, please call +1 202.293.4103 or email [research@acc.com](mailto:research@acc.com).

For more information on ACC's benchmarking offerings visit [acc.com/benchmarking](http://acc.com/benchmarking).

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The Association of Corporate Counsel (ACC) is a global legal association that promotes the common professional and business interests of in-house counsel who work for corporations, associations and other organizations through information, education, networking opportunities, and advocacy initiatives. With more than 45,000 members employed by over 10,000 organization in 85 countries, ACC connects its members to the people and resources necessary for both personal and professional growth.

To learn more about ACC's Research & Insights please contact ACC Research at +1.202.293.4103 or visit [acc.com/surveys](http://acc.com/surveys). To learn more about ACC's benchmarking offerings visit [acc.com/benchmarking](http://acc.com/benchmarking).

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