

A Strategic Approach to Utilizing Flexible Counsel



Sam Miller, legal advisor, executive consultant and former DGC at Intel.

The steps below, from Sam Miller, a former DGC at Intel and pioneer in the use of flex counsel, can help you develop a strategic approach to utilizing flexible talent to support your team and ensure you are using your time, resources, and budget most effectively.

WHY THIS IS AN IMPORTANT TOPIC:

In-house legal departments have always had more work they would like to do than resources to do it. To address this perennial challenge of bandwidth and budget, savvy legal leaders are making use of flexible legal talent, building long-term relationships with flex firms to address specific needs within the department, and provide consistent access to resources who understand their business.

Assess key junctures where flexible legal talent can support your team

Flex counsel programs can play a specific role within legal departments and address the gap between workload and in-house bandwidth, adding capacity when facing fluctuating or short-term needs.

Consider the benefits of flexible counsel beyond cost savings

Strategic use of flexible counsel combines the advantages of business-oriented in-house lawyers with the flexibility of outside counsel, and gives GCs a powerful tool to increase their agility and quickly address their company's every-changing needs.

When to strategically utilize flexible legal talent:

- ✓ Increases in work volume due to constrained headcount, regulatory response, or launching a new business line
- ✓ Coverage of day-to-day work while in-house team members are pulled into special projects
- ✓ Access to specialized expertise in an area that the in-house team lacks
- ✓ Support for projects on a tight timeline that require surge capacity

Deployed appropriately, flexible counsel bring a range of benefits, including:



In-house experience: Flex counsel typically have a practical, business-oriented approach and ability to ramp-up quickly within the organization informed by their own time in-house.



Flexible engagement structure: Flex counsel can be fully dedicated to your business for a length of time, or ramped-up and down as required to meet workload and budgetary needs, giving legal leaders significant flexibility in how they address variable workloads.



Integration with in-house teams: Flex counsel provide a consistent resourcing option, building long-term relationships within the department and a base of institutional knowledge about your company.

Sam Miller is a legal advisor, executive consultant, and former DGC at Intel with nearly three decades of experience working at the intersection of law, business, and technology. At Intel she held a breadth of roles, including VP and Corporate Secretary, VP and DGC of Global Business Legal, and General Counsel of Intel Capital (Intel's investment arm). Sam works with a broad range of companies and nonprofit organizations, and is a board member at the Law Foundation of Silicon Valley, the Minority Corporate Counsel Association and the Oshman Family JCC.

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