

# PHARMACEUTICAL Business Strategies for Pharma/Bio Success COMMERCE

## Bringing Legal Counsel In-House

Duane Morris LLP promotes the idea of 'secondment' for its legal services to pharma

**OUTSOURCING IS THE STEADY** drumbeat within pharma, as it has become for many other industries. In thinking about legal services, though, outsourced legal service has been a constant since the first lawyer's shingle went up.

Now, in what might be a next step in how the human element of outsourcing is approached, the law firm Duane Morris LLP (Philadelphia) has experienced some positive results in what it calls "secondment," the term for detaching a staffer to work for another organization. In this case, the company had seconded one of its associates, Bruce Rome, out of its San Francisco office to Bayer Healthcare's Berkeley, CA, facility. The posting, which had originally been meant to last six months, has been renewed twice. Rome spent three days a week working at the Bayer offices (now down to one), and the practice has worked so well, both for Bayer and for Duane Morris, that the law firm is extending it to other clients.

"The legal climate has changed in recent years," says Beatty O'Donnell, partner at Duane Morris. "Law firms will always be handling one-off situations, but there is greater value in having a better understanding of the business practices of a client, and what their business as well as legal needs are."

This was literally the case with Rome's secondment. Because of some internal turnover, an acquisition, and growth of its biologics business in Berkeley, Bayer Healthcare had had a crunch of

commercial contracts with trading partners that were being delayed by legal reviews. Contracts were taking weeks, even months, to finalize.

"Besides working down the backlog of pending contracts, we were able to work with the company's procurement staff and others to develop standardized templates for contracts," says Rome. "Plus, as one gets a clearer picture of what the client's needs are, it becomes easier to put those into practice in how contracts are written." Typical contract work has gone from weeks to complete to days.

On the client side, Alan Stevenson, head of the legal department in Bayer Healthcare's Biologics group, observes that the level of dissatisfaction with the procurement group, and that procurement executives (or other Bayer managers with contracts to finalize) are able "to put a face to a name" in that they know whom to go to for legal guidance. "Bruce has become a de facto member of our legal department, and our legal work can then be more easily resolved—we don't have to be reactive to unpredictable events, but can meet and discuss regularly."

From Duane Morris' perspective, secondment is not just a better way to meet client needs, but a better way to develop in-house legal talent. "When this started, secondment was looked on with some trepidation; now we have associates competing for the assignments," she says. "It's a win-win for both us and our clients." **PC**



Beatty O'Donnell,  
Duane Morris