



Free Monthly Educational  
**WEBINAR**

**TUESDAY, MARCH 21, 2023**  
2:00 P.M.—3:00 P.M. EST

## **Best Practices Negotiating Legal Research Contract-5 ways firms lose and how to avoid them**

Register for the Webinar at:  
[https://us06web.zoom.us/webinar/register/WN\\_nppQ3SZUS92Fw1FhT-rvHw](https://us06web.zoom.us/webinar/register/WN_nppQ3SZUS92Fw1FhT-rvHw)

Legal research expenses are in the top three overhead expense increases year over year. Combine this with declining cost recoveries, and we've got an equation where overpaying for a provider's services is simply not acceptable. So, why do so many firms accept overpaying for legal research? An industry-wide lack of transparency in legal research pricing practices helps legal research vendors keep firms off their game – this session will help get your firm on track. Ken will review the five most common pitfalls firms fall into when negotiating legal research contracts, how much this costs firms and what steps firms can take to avoid them.



Ken Purce is principal and founder of Research Contract Consultants (RCC). RCC helps law firms understand their legal research needs, make informed decisions about their legal research choices, and obtain best-in-market contracts. RCC clients benefit from Ken's leadership and invaluable 20+ years of expertise and unique insights in the legal research market. Ken spent 15+ years at LexisNexis where he was Vice President of Sales and prior to that was an attorney in New York where he practiced civil and criminal law. Since 2015, Ken has consulted exclusively for law firms negotiating more favorable legal research contracts for them. Ken combines this deep understanding of law firm and attorneys' needs as well as legal research vendors' business models to help law

firms achieve the right mix of tools at the right price.



**CLM<sub>SM</sub> Application Credit:**  
1 hour in the subject area of Communication Skills.

**CLM<sub>SM</sub> Recertification Credit:**  
1 hour in the subject area of Legal Industry/Business Management.

*Handouts will be made available to attendees to download during the event. Recording and handout will be available later the same week by Cyber Chapter members via their community forum.*

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# 5 Ways Firms Lose when Negotiating Westlaw and Lexis Contracts---and How to Win

ALA Cyber Chapter Chapter  
March 21, 2023

- 2015 Founded Research Contract Consultants
- 1996-2014 LexisNexis-Rep, Manager, Vice President of Sales
- Practiced Law in New York
- NDA/Confidentiality



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“And while the sun and moon endure Luck's a chance  
but trouble's sure, I'd face it as a wise man would, And  
train for ill and not for good.”

— A.E. Housman



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## Negotiating with Westlaw/Lexis----Why so difficult?

- Lack of transparency to pricing
- Constantly changing “promotions”
- Never ending revisions to content packages/bundles
- High pressure, fear-based, selling tactics
- Inability to effectively review usage
- Difficulty comparing competing offers



## Issue 1: Firms don't know what a fair price is

### Action:

- Put aside the ego
- Discuss with the competition
- Use your network
- Consult an expert-I'll do it...

### Result:

- Baseline CPA (Cost Per Attorney)
- Rep knows your informed—tell them
- Eliminates inflated starting offer



## Issue 2: Firms don't perform due diligence

### Action:

- Invest the time
- Meaningfully engage the competition
- Allow a demo and trial
- \*Fact-based surveys\*
- Transparent with current provider

### Result:

- “Angst” over loss of revenue
- Competition shapes offer
- Firm makes fact-based decision
- Defensible position



## Issue 3: Firms are unduly influenced by scare tactics

### Action:

- Facts matter
- Require proof of claim
- No proof, not a factor
- Confirm/deny with peers and competition
- Broader the claim, less likely true

### Result:

- Eliminate misleading/confusing claims
- Signal to rep/provider –no rubber stamp
- You educate firm leadership
- Undermines provider confidence





## Issue 4: Firms let provider drive agenda, timing and process

### Action:

- Firm MUST set timetable for
  - Demo/trials
  - Best and final proposals
- 6/3 rule

### Result:

- Eliminates stall tactic
- Maintains firm options
- Allows for orderly conversion
- Firm is in control-not provider



## Issue 5: Firms don't know how to, or don't, review usage

### Action:

- Technical/lost art
- Get from provider
- “12-month review”
- Look at users and file data

### Result:

- Prevents overselling
- Exposes X-Factor
- Creates leverage
- Internal checks and balances



## Questions

### Complimentary Westlaw/Lexis Contract Review

How firm's rate compares to market average for similar size and content

Is there a realistic chance to reduce rate

If so, what that rate should be

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