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How do you manage a practice when
your team's around the country?

BY SARAH MANSUR

After Robert A. Lucas took over as chair of Dinsmore & Shohl's business, acquisitions and securities practice group last January, he took a road trip.

He and the vice chair traveled to 12 cities to visit the group's 65 members in person over the course of about two weeks.

"I knew a lot of the people [in the group] but some of them I hadn't met and we wanted to sit down with them in person," he said.

Lucas is based in Chicago, while the firm is headquartered in Cincinnati.

"Up until I took over as chair of the practice group, the chair had always been located in the Cincinnati office," Lucas said.

Practice group leaders who oversee members across the country can't just have casual conversations with their members in passing or walk down the hall for a private chat if an issue arises in a case or among personnel.

"If you are in the same office with someone, on the same floor or a couple floors apart, you are going to run into people and be able to have unprompted conversations that will lead to check-ins and communications. But having people that spread out, it just forces me to be more proactive about it and pick up the phone, send folks e-mails — just being cognizant of the fact that I may not have talked to somebody or connected with somebody for a while," Lucas said.

Distance can create unique challenges for practice chairs who operate

make it harder to keep track of the workflow and progress of projects as well as client development.

For example, Lucas might not be aware that attorneys in his group have reached out to different points of contact for one potential client.

He said a similar situation happened recently when a few Dinsmore attorneys within the group reached out to several different contacts to a potential client, while not keeping each other advised on their own efforts.

"We convened a conference call," he said, in order to get the various members on the same page. "And each person walked away with an action item."

Lucas said managing attorneys in different geographic locations also means understanding the needs of a variety of clients, which can range from Fortune 500 companies to tech startups, and learning ways to support his attorneys from a distance.

"The clients that we might have in our practice group in the Chicago office are not the same as those in Cincinnati or Columbus or Denver, and I'm trying to understand the different dynamics that attorneys have to deal with in that regard," he said. "They all have their own unique legal issues that pop up."

He said it's also important that he's aware of the expertise and specialties of each member, as well as the projects being worked on, so he can deploy his group's resources properly.



IT CAN BE CHALLENGING TO COMMUNICATE AND COORDINATE ACROSS OFFICES



outside the firm headquarters, whether those involve managing complex litigation or internal problems with personnel.

While advancements in technology and telecommuting alleviate some of these challenges, personal interactions remain important and attorneys are still learning to strike the right balance between face time and screen time.

MANAGING FROM AFAR

Todd Andrew Rowden, vice chair of Thompson Coburn's business litigation practice group, said one of his group's biggest challenges is making sure members are on the same page in understanding the team's strategy on a particular case and then coordinating with each other to implement that strategy.

"It can be challenging to communicate and coordinate across offices rather than if you are in the same office and you can walk down the hall and talk through different issues with your colleagues," said Rowden, who is also managing partner of the St. Louis-based firm's Chicago office.

Rowden said his practice group attempts to prevent duplication of efforts among attorneys by keeping in regular communication, whether by e-mail, phone or video conferencing, to ensure each member understands the goals and their role toward reaching it.

Lucas said having a practice group that is spread among many offices can

Rowden said the demands of his members may change depending on whether they are in the Los Angeles office, for example, as opposed to offices in St. Louis or downstate Belleville.

"There's no question that challenges vary given where the different offices are located," he said, adding that metro area offices have greater needs for telecommuting capabilities.

Members who work in larger cities may have longer commute times or deal with delays in public transportation more often, he said.

In response, he said, practice chairs who are managing remotely try to be flexible and make telecommuting tools available.

But face time with primary members of the practice group will also be necessary occasionally, he said.

In March, he and some members of the business litigation group met in St. Louis to discuss recent discovery provided in a case.

His team reached a juncture where the defendant produced the first tranche of documents that they needed to sift through and analyze and then determine next steps and the strategy going forward on the case, Rowden said.

"Sometimes you need to be physically together so everyone knows what their role is," he said.

TECH AND TELECOMMUTING

Most Cozen O'Connor attorneys can probably count on one hand the number of times they have seen Alex V. Barbour in the flesh at the Chicago office.

Instead, they usually see his face on a monitor through a video conference or hear his voice on the other end of the telephone line.

The 76-year-old began telecommuting regularly since he became of counsel at Cozen O'Connor and semiretired in 1999. and, in his case, probably only goes into the office between two to four times a year.

After practicing law for close to 20 years and commuting by train or car from the northwest suburbs, he was seeking an arrangement that would allow him to work from home.

"One of the reasons I decided to semiretire in the first place was because I just got tired after years of doing it. If I were still working in an office environment, I would have retired years ago but through this arrangement,

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I've been able to continue working well beyond what I would have dreamed about years ago," he said.

When Barbour started telecommuting in the late 1990s, he communicated with his clients and colleagues mostly over his home landline since tools like video conferencing weren't available.

"In the earlier years it was a bit more challenging because the technology wasn't as sophisticated," he said. "But certainly in recent years it's become much easier to work remotely through video conferencing and that type of thing."

In 2006, the American Bar Association surveyed more than 2,500 ABA members in private practice for its annual Legal Technology Survey Report.

For the survey, the ABA asked lawyers about their use of personal digital assistants, smartphones and BlackBerrys while away from the office. About 55 percent of survey respondents said they used these devices outside the office.

In the 2017 Legal Technology Survey Report, roughly 96 percent of re-

spondents said they use a smartphone at least occasionally as a remote work platform.

The 2017 ABA study found iPhones are the smartphone of choice, with 75 percent of respondents using one, followed by 23 percent of respondents using Android devices and just more than 2 percent with BlackBerrys or Microsoft phones.

Jonathan B. Amarilio, a partner at Taft Stettinius & Hollister, said practice group chairs at his firm use technology to communicate with members across offices, although Taft is not headquartered in one location.

"The practice chair of a group may be in a different office in a different city and in order to make that system work you really need effective telecommuting and remote capability so we are all able to communicate effectively and work as a team," he said.

Joseph Everett Tilson, Chicago managing partner at Cozen O'Connor, said his firm has invested in technology in recent years.

"Several years back, the firm made the decision that technology is really one of the things that is key to our success and our growth," said Tilson, who co-manages the firm's labor and employment practice group.

Initially, it was a challenge for some of Cozen O'Connor's senior lawyers to get comfortable working with associates in other offices.

"They felt it was easier just to walk down the hall and grab someone to help them out on a research project. The reality is that with 24/7 connectivity, video conferencing technology and e-filing in the courts, there is absolutely no reason that you cannot staff cases with lawyers from other offices seamlessly. And it is essential to give clients the best possible service and to build a cohesive practice group," he said.

DISCIPLINE FROM A DISTANCE

Lucas said he's found that certain personnel issues shouldn't be addressed through e-mail, and those matters tend to require some type of conversation, either over the phone or face to face.

"Tone can be read into e-mails and can lead to more problems," he said.

To get the entire group on the same page on larger issues, Lucas holds monthly video conferences on a 15-way split screen — one for each office with a practice group member. But he said a face-to-face meeting is preferable to tech if a group member fails to meet the expectation of the group or produces sloppy work for a client who responds with negative feedback.

"To me, that is an example where you don't want to send an e-mail because it might just alarm them," he said. "If it's somebody you value and they have room for improvement, then you want to lead that conversation in a positive way."

If your colleague can read your nonverbal clues and see your face, that helps, he said.

Rowden said the associates in his group are reviewed twice a year, with in-person interviews, which can be an opportunity for providing critical feedback with a personal connection.

Rowden and his chair evaluate problems or issues among members based on the seriousness of an offense, and from there, decide which medium is most appropriate.

"If it's a minor situation where someone wasn't responding to an e-mail or phone call then it can be addressed in e-mail or phone call," he said "But if it's a more serious situation, where a person has identified a problem and they haven't acted on it, then it likely requires a face-to-face meeting and I would

likely schedule one in those circumstances.”

When Tilson and his colleagues receive negative feedback from a client about one of our lawyers, he said they immediately pick up the phone and let the lawyer know in real time exactly what the client said.

“And we don’t mince words,” he said. “In a perfect world, you would deliver the message in person, but we have found over the years that you can deliver tough messages over the phone with people that you know well.”

Tilson said video conferencing would be preferable in that situation, and his firm routinely conducts performance evaluations via video conference.

“But we never deliver tough messages via e-mail because the nuances of the message can easily be lost or misinterpreted,” he said.

FACE TIME

Tilson said he believes lawyers with less experience should take advantage of in-person interactions, compared to senior partners, like Barbour.

“Particularly with junior lawyers, it’s beneficial to spend substantial amount of their time in the office because there is no substitute for face-to-face mentoring of younger or junior lawyers,” said Tilson.

Chicago-based Tilson co-chairs the Philadelphia firm’s labor and employment group with Tom Giotto, who is located in Pittsburgh. The group has about 77 labor and employment lawyers spread throughout various offices across the country. Tilson said he and Giotto consider routine face-to-face interactions with each other and the other group members key to managing amid this geographic spread.

“We go out of our way to go out to dinner if we are in the home office for

committee meetings and the like,” he said. “We make it a huge point to get to the other offices that have a critical mass of labor and employment lawyers and have face time with lawyers as well.”

He said Cozen O’Connor also holds retreats periodically where they bring in all of the labor and employment lawyers from around the country to one location and spend a couple of days together to share information about our practices, talk about our plans for the future and bond with one another.

Amarilio said he believes face time over screen time remains a crucial aspect of the legal profession, despite the convenience that telecommuting tools can afford.

“So much of what we do as lawyers especially in litigation is collaborative and team-based. I don’t think you can have effective teams without trust, and you are not going to build trust with people if you don’t have regular face time with them,” he said.

Rowden views telecommuting as another tool that can be used to solve client problems efficiently when necessary, but cautioned that technology should not supplant or replace face-to-face interaction.

“I believe, and it’s been borne out in the 29 years I’ve practiced law, teams create better ideas and better solutions than individuals. And that team interaction is best done when you are in a physical proximity to one another and you can bounce ideas off each other,” he said. “That kind of face-to-face dynamic interaction, in my view, is the most effective when handling cases or transactions.” CL

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