

Demonstrating Firm Leadership in a Pandemic

Firm leaders – how are you doing? What are you doing?

Let's take a look at how some law firm managing partners are handling the importance of communication, readiness, emotional well-being and other concerns amid this COVID-19 pandemic. I spoke with Roger Barton, Managing Partner of Barton LLP in New York; John Harrity, Managing Partner of Harrity & Harrity in Virginia; Scott Remington, President & Managing Shareholder at Clark Partington in Florida; and John Remsen, President & CEO of the Managing Partner Forum in Atlanta, for insights.

The playing field has been leveled for all firms across the country, with everyone uncertain about when life will return to normal. Adapting, and adapting again, is becoming the norm. How are law firm leaders steering their firms?

Communicate, communicate, communicate

At a time when personal physical interaction is at its least, personal communication has emerged as the greatest need. Now, more than ever, lawyers and staff – and clients – are watching and listening to every bit of information coming from firm leaders.

Your role as a leader is to help rebuild a sense of control when there is an overwhelming sense of panic, according to organizational psychologist Richard Davis, Ph.D., who suggests many [sensible actions](#) to accomplish this, including communicating from the heart.

"Everyone is anxious and nervous. As the firm leader, it's critical to remain clear, calm and reasoned, and communicate more than ever before," Remsen said. "As a trusted advisor, show your clients that you really care about helping them through this. Pick up the phone and check in! Not as a sales or business development call, but to make a caring, more-personal call."

"Over-communication" is a theme for Barton, who said he has been on the phone more this past week than he has in a year. "This is a time for me to communicate strongly, consistently and continually with everybody inside and outside the firm. People are rightfully concerned. If there is no communication, then they think the worst."

Barton urged leaders to communicate with clients and look for ways to be helpful in a meaningful way. "Some are doing well at this time, while others may be out of business in another month or two. It's important I stay in touch with them, so I get on the phone," he said.

"There is no such thing as 'over-communication,' particularly in a crisis," Remington



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echoed. He said it is also important for firm leaders to be out front in delivering a coordinated message.

Partington's leadership team meets each morning and shares a summary report with the entire firm in the afternoon. All the working groups and department chairs communicate with their attorneys at least once a day via telephone or video conference. The attorneys are also continuing their tradition of sharing lunch each Wednesday; they now do it virtually via video conference for an hour of fellowship and updates, without a business-heavy agenda. The firm holds an all-employee video meeting every Friday afternoon to wrap up the week and report on team successes.

"Our large-scale video meetings are lighthearted, and we look for opportunities to inject levity," Remington said. "One thing we are learning – particularly when living under 'shelter in place' conditions – is that seeing one another is important. Weekly opportunities to hear good news and share a laugh are important to preserving our internal bonds and firm culture."

Harrity also communicates often to his firm, talking daily with support staff to continue the long-held routine of morning team meetings, although now adding COVID-19 topics. "I check in once a week with the attorneys, or more often if necessary."

Leaders as managers

Difficult decisions must be made by leaders at any given time, but a worldwide pandemic adds a layer on top of concerns for everyone's health, the economy, clients, state and national government actions, technology needs, homeschooling children, and much more – it's overwhelming. Yet, hard decisions must still be made to manage the firm and weather this storm.

Remington notes that sacrifices will probably have to be made that will force firm leaders to make tough decisions – decisions that promote the long-term financial interest of a firm over short-term financial gain. "However, if we lead from the top and keep open, regular and honest lines of communications going, people will understand and respect any hard decisions that must be made."

Firm leadership requires strength and keeping everyone informed about and accountable to updated or new firm policies, noted Remsen. He knows some firms will emerge stronger than ever, but he also expects some firms to be decimated. "This is a real test for firm leaders to ask: Are we one firm with one voice, or are we just a collection of independent lawyers sharing office space, each with their own microculture?" he questioned.

This situation also presents an opportunity for firm leaders to step up and handle toxic personalities and chronic underperformers at the firm. "Deal now with senior partners who don't accomplish what they should, to give them an exit ramp that will allow for the next generation of more-aggressive performers to help make the firm stronger when the pandemic ends," Remsen advised. Be aware, he said, that "these conversations require a strong leader who can make tough decisions."

Technology

Firms that had already invested in technology are adjusting more easily and better than those that didn't, said Remsen, adding, "There is a universal notion that we are accelerating long-term trends. Younger lawyers want flexible schedules, more technology and to be able to work from home." That was occurring even before the current crisis.

Barton felt his firm was as prepared as it could be. "I'm not sure what else we could have done differently, in hindsight. We've been good about upgrading our IT systems, and having a cybersecurity practice made us even more sensitive to that."

Forecasting the potential impact four to six weeks ago based upon what was happening in Asia and Europe, Barton contacted his IT team for assurance that 100% of the firm could work 100% online. His firm had remote access capabilities, although that was designed for night/weekend use and not for complete access. The firm was not prepared for a fully remote work arrangement at that point, so he initiated steps to make it happen, and fast. The firm now has the most-current tech capabilities while everyone works from home. "That was a fire drill exercise, but we were planning it anyway in the next six months."

Preparedness

Firms that have done extensive planning, whether a disaster recovery plan, business continuity plan or crisis communications plan, are benefiting from less-stressful transitions than those whose plans are under thick layers of dust and outdated, if even written. Think about how prepared your firm has been. What areas came out with high marks? Make note of those that have to be established, or changed, as a result of your firm's reactions to this unprecedented situation.

This pandemic has presented Harrity with a unique challenge in that he never envisioned having to worry about the health of all firm employees at once. The firm already had most of their workforce prepared to work from home, and a disaster recovery plan had been in place for five years that presented situations such as loss of power. The firm is also paperless, with servers in the cloud for all to access from anywhere. He was even planning for a simulated disaster planning exercise this summer that would force an immediate work-at-home requirement when that drill turned into real life a few weeks ago.

"Everything was in place when the virus hit the U.S., so it really was just a quick turnaround to get some support staff better prepared for remote working, and we did not miss a beat," he said. "We were fortunate that there was zero impact on our operations. Our disaster recovery plan had us ready, and our process worked!"

Remington shared a similar sentiment about his firm's disaster preparedness plan. "We were fortunate in that events of the past (Hurricanes Ivan and Michael, the Great Recession, and the BP oil spill) required us to have a robust disaster preparedness plan. Before the pandemic began, all of our employees, save one or two, were fully equipped to work remotely. Once it became apparent that we would all be required to work remotely, we conducted a proof-of-concept day and were able to fully deploy within

48 hours," he said. "Living through a Category 4 hurricane in 2004 was the biggest factor in our preparedness and our accelerated adoption of remote working technology early on."

Clark Partington further increased its preparedness over the last year after Michael, a Category 5 storm, hit the Florida panhandle in October 2018.

Barton's firm includes five former managing partners, which he said provide great business perspective and maturity in dealing with this situation. "We also have great outsourced vendors who are an essential part of our team. They help position us for success, and it's not been easy for them, either."

Long-term concern

Harrity noted one big concern facing the legal industry in addition to the well-being of employees and maintaining client work, now and in the future: "The ability to be fully remote. I am seeing that big firms are moving slowly – too slowly. Many big firms operate the same way they did 50 years ago, being paper-heavy and offering limited options to work from home. Those firms now have had to immediately manage having thousands of people work from home, not just attorneys but also all support team members, and it's a disaster. If they are still paper-driven, they are really scrambling and need people physically in the office to handle files – and giving hard thought about how to keep the law firm running with remote-working mandates."

Emotional impact and outreach

Remsen cautions about the impact this disruption may have on attorneys who already are vulnerable or have depression, addiction problems and other mental wellness concerns.

Remington agrees, noting, "The biggest challenge for us is the unknown – how long will this last and how will our people and their families be affected? This anxiety can lead to depression and – particularly with remote working – feelings of isolation. One of our core firm principles is collaboration, and fostering collaboration in a long-term remote working environment is one of our biggest challenges we face."

Dr. Larry Richards, Founder and Principal Consultant at LawyerBrain LLC, a consultancy focusing on using personality science to help improve lawyer performance, writes in his blog post, "[The Psychology of Crisis Leadership](#)," that taking the right steps is only part of effective leadership. "It's equally essential to pay attention to *how* you communicate and execute those steps. Your mindset, your pace, your empathy – all of these have an impact on how effective your leadership actions will be, and on how receptive your people will be. Your style and tone influence whether your people will experience predictability, control and connection, or just the opposite."

Leadership has to be connecting with everyone at the firm, with the same messaging across the board, Richards says, and also encouraging everyone to connect more with each other to help dilute feelings of isolation, whether through a Zoom social hour by video, by text, on social media or in a phone call. As Richards wrote, "According to [Harvard Business Review](#), the legal profession is already the loneliest profession."

A positive outlook

How can our country and our economy bounce back? It will take time, and undoubtedly will leave behind a very changed view of what we had considered the normal course of business. Firms that don't see this crisis as forcing a need to make changes are in danger of falling behind. While no one can predict at this moment when the virus will dissipate and allow our lives and work to normalize again, these leaders remain hopeful and confident, know what to look for, expect change, and are stepping up to support others in need.

Barton expects to see light at the end of the tunnel when cases start to be litigated again, since half of his firm's practice is litigation. "That will be a big signal to me, a sign that I will look for. It won't be a switch, but a slow ramp-up as courts return to and modify schedules." He acknowledges the tough balance between protecting the health and safety of the population while keeping the economy moving forward.

Remington is confident the legal industry will bounce back. "However, I do believe this event will hasten the adoption of technology in many aspects of the practice that will affect our traditional revenue models. As people become more familiar with concepts like video remote notarization and Zoom meetings, the traditional transaction and litigation practices will change. The earliest adopters of these technologies will be the ones to reap the most benefits."

Remington added that "there will be new challenges and opportunities we cannot begin to imagine right now. Firms willing to innovate and take risks will find ways to survive and thrive. As lawyers, we have a unique capacity to control our own destiny in many respects."

He sees lessons to be gleaned from both past and present. "Our past experiences taught us the importance of investing in technology, the importance of preserving firm culture in a crisis, and the importance of kindness – particularly toward other lawyers, firms, judges and court staff," Remington said. "Like a hurricane, this virus will affect each person and organization differently. We need to remember to be thankful for what we have and generous with people we come into contact with in our professional lives – co-workers, opposing counsel, court staff, stenographers, vendors, etc."

Remembering past events could help firm personnel cope with this situation. "In many ways, this crisis feels the most like the Deepwater Horizon disaster: After the oil rig exploded, we watched for 86 days as millions of gallons of oil gushed into the Gulf of Mexico," Remington said. "The worst part of it was the uncertain threat to our way of life on the Gulf Coast, much like we are facing now. Eventually, the spill was contained, and we went about the work of helping our clients rebuild their businesses. Likewise, whether it is an oil spill, hurricane, recession or pandemic, it will end . . . and when it does, people will need help putting their lives and businesses back together. At its very essence, that is what we do as lawyers: help people."

Giving back

In the midst of this crisis, firms are not just looking after their own people and business, but reaching out to their communities as well.

Harrity 4 Charity, Harrity & Harrity's giving back initiative, in which all partners pledge to give 5% of profits to a selection of charities and employees pledge to donate a portion of their paychecks, has temporarily pivoted to give their monetary donations to those in their communities who have been financially affected by the coronavirus.

"We are internally putting a list together of people we know who have 'touches' to the firm as family members, or as friends of employees or have some other personal connection," Harrity said. "We will review their stories, and then we will start sending them checks to give them some immediate relief."

In a **video message**, he challenges other law firm leaders to step up with a similar measure. "The government stimulus package is a step in the right direction, but more needs to be done. I challenge our legal industry to act. We as a whole will be less-affected than people in the hospitality industry, for example. Please consider contributing to those who have been affected by the coronavirus."

Top takeaways

The firm leaders offer these recommendations and advice for other firm leaders:

Roger Barton

- "Over-communicate with the firm and others. We are social creatures, so check in to be helpful, even if not about business."

John Harrity

- "Be forward-thinking; prepare for the worst today and be ready in the future."
- "Embrace change and think differently!"

Scott Remington

"A crisis will test your firm culture, leadership and character, so:

- "Hold fast to the things you say that you value."
- "Prioritize your people."
- "Communicate, communicate, communicate."

How your leadership is viewed by your internal and external audiences will speak to the success and future of your firm when you emerge from this unprecedented crisis.

How is your firm responding to and managing this event? Let us know, and also let us know how we can help. Contact me at vhood@jaffepr.com.