

The Law Firm Impact of Reactions to the Pandemic

Explore what leaders of small law firms see as the most important impact of the 2020-21 pandemic year on both their firms and their practice.

By **Carol Schiro Greenwald** | September 15, 2021



Credit: [Kateryna/stock.adobe.com](https://www.adobe.com/stock/1234567890/Kateryna)

Remember when our post-COVID-19 work week seemed set? Offices were going to open in a hybrid mode: sometimes in the office and sometimes working remotely. Then the new COVID-19 strain, Delta, arrived. Amid conflicting CDC directions and mask wars, the consensus approach to post-COVID-19 workplace structure broke down.

In order to get a sense of where the legal profession might go in terms of future workplace decisions, I asked my lawyer panel for their thoughts on the impact of the pandemic on their firm and their practice. My question was: "What do you see as the most important impact of the 2020-21 pandemic year on both your law firm and your own practice?"

Twenty-three lawyers responded. Six are in solo practices, the rest in small to mid-size firms, ranging from a two-lawyer firm to several in the 50-100 lawyer range. The geographic reach of the firms is fairly evenly divided: one-third centered on NYC/NYS, one third regional, and one third either national or international in scope. All major practice areas are represented.

Most Important Impact of the 2020-2021 Pandemic Year

There is a broad consensus concerning three major pandemic impacts:

- Remote work made practical by modern technology
- Modernization of court operations
- Ability to continue to provide high quality client service

Let's look at the changes in each area.

Remote Work Made Practical by Modern Technology. Of course, almost everyone mentioned remote work because the rapid reposition from office to remote locations has created a basic rethinking of workplace requirements. For most panelists, the change in location did not negatively impact their efficiency or effectiveness.

First and foremost, lawyers had to ensure continued communications among themselves and with their clients. They bought Zoom, Microsoft Teams and other work apps. plus cameras, microphones, lighting and monitors to set the professional scene. Law practice management technologies such as cloud storage and document management software hastened the move toward paperless offices. Everyone also upgraded and/or expanded basic telephone, cell phone and computer services.

George Kontogiannis, trust and estates attorney with Tesser, Ryan and Rochman saw the greatest pandemic impact in terms of efficiency and flexibility. "Like never before, it is more important to have processes in place to effectively handle work flow and work product. We need to be flexible working over new electronic mediums. Sharing of files, online collaboration and video conferencing became essential and are now the norm."

Andrew Peskoe, managing partner, Golenbock Eiseman Assor Bell & Peskoe, sees the impact in management terms. "The most important lasting effects will clearly be the necessity of permitting remote work for attorneys and optimizing that business plan on a flexible basis. We have fortunately been able to meet our clients' needs just as effectively and efficiently remotely; it is the needs of our team members that are more challenging to meet."

For many, a note of surprise underlies the realization that remote work has had a greater impact on their lives than on their work. Flexibility has become a new and important workplace demand. As Richard Friedman, Managing Director, **Richard Friedman PLLC** employment and commercial litigation boutique, said, "Like so many lawyers, I realized that I could operate my firm and my own practice very successfully remotely without seeing virtually anyone in person. After decades commuting and wearing suits, that came as a big shock."

For many firms it became important to upgrade their technology and add communication tools such as Zoom and Microsoft Teams. **Alla Roytberg**, partner at Roytberg Traum Law and Mediation, P.C., family and matrimonial law boutique, said after building out their technology, that "[t]he pandemic has shifted us to a 90 percent online legal services model. I think this is likely to continue, as our clients prefer it, not only due to pandemic concerns, but also for their own convenience."

Marilyn Genoa, Genoa and Associates, P.C., a mediation and business law firm, saw a geographic expansion of her mediation practice, made possible by acceptance of the remote work model. “2020-2021 continued to be primarily virtual. My practice was able to transition with little difficulty, which enabled both myself and my mediation partner to handle cases in other areas of the State where in-person sessions would have been more difficult.” **Elissa Hecker**, Law Office of Elissa D. Hecker, an intellectual property law boutique, sums it up: “More people are now aware of how the virtual office is effective and efficient.”

Modernization of Court Operations. “Having courts, law firms and clients embrace video conferencing technology has greatly improved productivity and flexibility for everyone,” according to **Jim Landau**, partner, McCarthy Fingar, whose practice includes commercial litigation, cannabis law and appeals.

Tara Fappiano, partner, Haworth Barber & Gerstman, a boutique trial and litigation firm, is delighted that the pandemic caused the courts to begin to practice virtually. “We have learned that there are far more efficient ways to get the same outcomes. For example, discovery conferences used to require an in-person appearance, waiting in a room with hundreds of other lawyers, over several hours. Now we can accomplish the same thing on a video call.”

Donna Drumm, principal, Drumm Advocacy, who protects the rights of people with invisible disabilities, sees the move to virtual as a boon for her clients. It eliminates the need for them to “stand in line to go through security, find the right courtroom, and then wait for their attorney to meet them. No longer their uncomfortable anticipation that they might bump into their adversary or have to wait in a hallway alone with their adversary.”

For others, the pandemic impact on court functioning is less rosy. **Alan Schwartz**, Managing Partner, the Law Offices of Alan J. Schwartz, P.C., a general practice law firm with an emphasis on criminal defense, sees pros and cons regarding the impact of virtual practice in the court system. “Virtual practice has decimated the efficacy of in-person hearings, grand jury presentations and trials, both jury and bench. On the other hand, it has made court conferences extremely efficient.”

Alan also sees important negative impacts for litigants. “Virtual court proceedings deprive litigants of the opportunity to be totally present with judges, adversaries and witnesses, depriving us of the opportunity to read body language and judge the reactions of judges, jurors and adversaries. We become limited to simply what the camera is pointed at, like watching a ball game on television, rather than being in the stadium. This sanitization of the legal system leaves a lot to be desired.”

For **Randall Hirsch**, both a lawyer and physician at The Flomenhaft Law Firm, who represents “negligence victims suffering traumatic brain injury (https://brainjusticeny.com/index.php?page_id=60) (TBI), spinal injuries and severe chronic pain (<https://brainjusticeny.com/about-the-the-significant-inefficiencies-in-legal-practice>). The decrease in getting cases to trial has created a disadvantage for plaintiff’s firms.”

For some solos and small firms, pandemic-created changes in peoples’ behavior led to consequences for their practices. **Sarah Gold**, Gold Law Firm, practices business law. Her per diem work, “doing court appearances locally upstate for downstate firms, dried up until recently, because people were not going to court.” Similarly, for **Mark Seitelman**, Principal Attorney, Mark E. Seitelman Law Offices P.C., a personal injury firm, their cases diminished because “during the height of the lockdown people stayed home. Therefore, there were fewer opportunities for people to get injured.”

Ability To Continue to Provide High Quality Client Service. Client service and client satisfaction continue to be important to everyone. For **Amy Goldsmith**, partner and chair of the privacy/cybersecurity group at Tarter Krinsky & Drogin, “the implementation of our business continuity plan was rapid but seamless, and client service was not interrupted. Personally speaking, I believe clients are looking to work with attorneys who are responsive, and the location of that person is not that important.”

Kyle-Beth Hilfer, owner, Hilfer Law, provides “legal services to advertising, marketing, promotions,

intellectual property and new media clients.” She sees an increased need for client counseling. “It is more crucial than ever to run a practice that is based on consistent relationship-building with clients. What is different now is the emphasis on understanding your clients’ ‘why’. I don’t just mean why they’ve called for a particular legal need, but rather why they have concerns about their business, why they are motivated to stay in business, and why they want to protect their assets. There is a heightened need for strategic legal advice in a business context.”

Elissa Hecker also stresses the continued value of adding greater depth to client relationships. “So many have been negatively affected by the pandemic that it’s important to stress that our services can help them grow. It’s also good to spend the time listening to the big picture of what’s happening in our client’s lives and businesses. Sometimes they just need kindness and a good ear.” She finds it “amazing to work with new and continuing business, especially when so many clients are taking risks with their dreams that they couldn’t take before.”

Andrew Peskoe sees pandemic-induced changes and client service as synergistically entwined. “We have an excess of work for our challenged clients as well as an increase in work for our well capitalized and currently successful clients. So, our strategy from the beginning was simple: we chose to assist all of our clients to the very best of our ability knowing full well that some of them would not be able to pay in full at even at our below market rates. We are very pleased by the response we received from clients who appreciate our unhesitant support.”

Summary

Stepping back and looking at the future of the profession in terms of the impact of the pandemic suggests that tomorrow’s successful firms will be more technologically savvy, faster on the uptick as changes occur and continually focused on providing premier service to their clients.

Carol Schiro Greenwald: / Ph.D., is a networking, marketing and management strategist, coach, trainer, author and speaker. She works with professionals and professional service firms to structure and implement growth programs that are targeted, strategic and practical.

Page printed from: <https://www.law.com/newyorklawjournal/2021/09/15/the-law-firm-impact-of-reactions-to-the-pandemic>

Copyright 2021. ALM Media Properties, LLC. All rights reserved.