

Lawyers' New Year's Resolutions ...

Enhanced Diversity, Workplace Culture, Collaboration, and Other 2021 Goals

Broken any New Year's resolutions yet? Don't worry. You're not alone. It's a safe bet that many people who resolved, for example, to cut back on alcohol—which some say has been helping them get through these “uncertain times”—started the first morning of 2021 with a Bloody Mary or mimosa at brunch. Or maybe you didn't feel the need to resolve to do anything. Or perhaps you are among the few, the brave, who always follow through on your annual aspirations and achieve what you resolve to do.

Of course many law firm leaders create lists of resolutions, often detailed ones framed as “strategic plans,” and many successful professionals of all stripes do indeed stick to their ambitious promises to themselves and their firms.

Last month, as we often do at the end of a year, *Of Counsel* asked several law firm leaders, senior lawyers, and a few administrators what they resolved for their firms or their practices—changes or enhancements they intend to make. We also asked a law firm consultant what law firms *should* be resolving to do and achieving in 2021. As one would imagine, nearly every one of the respondents immediately expressed a desire to be rid of 2020 and get back to face-to-face meetings with clients and colleagues—sans the computer screen.

“First, we will continue to be thankful that, compared to so many Americans, we've been fortunate in that 2020 was a strong year for

our firm,” says Steven Nataupsky, managing partner of the intellectual property firm Knobbe Martens, based in Irvine, CA. “And then, getting people safely back into the office is the top priority because it's hard to maintain culture when everyone is just staring at a Zoom camera. There's nothing like sitting around the same table brainstorming ideas to protect an invention.”

In general, the attorneys and administrators interviewed for this article—including some who aren't quoted—articulated a determination to push past the challenges COVID-19 presented and, in fact, seize opportunities that emerged as a result of it. Collectively, the sentiment registered as a rallying cry: Damn the pandemic. Full speed ahead.

“The digital transformation our firm and many others are experiencing [during the pandemic] is amazing,” says Emily Clark, a senior lawyer at the London-headquartered global giant Bird & Bird. “There have been so many awful things about this year but the silver lining is the huge growth in the digital way we work. So in 2021 I'd like to see how we can harness that to the best effect and build on that growth.”

Focus on Diversity

Another aspiration, again mentioned by several of those interviewed, dealt with a

desire for more diversity within their respective law firms. “We will not allow the COVID-19 pandemic to revert us back to the dark days of 2008, when the economic recession so profoundly impacted the pipeline of diverse attorneys,” says Andy Colon, the chief talent officer at Cleveland-based Thompson Hine. “We made great strides in the diversity, equity and inclusion realm in 2020 and, in 2021, we are aimed to maintain and enhance the successes we’ve achieved by implementing an aggressive data-driven, strategic action plan with a multi-directional approach.”

Thompson Hine has created its Inclusion, Diversity, Equity, and Awareness (“IDEA”) Committee to help advance its diversity goals. “This task force,” Colon adds, “will meet quarterly with [many of the firm’s leaders] to brainstorm ‘best practices’ in the recruitment, retention, and advancement of diverse attorneys within our firm. These meetings will be spearheaded by diversity leaders from the legal industry and the firm’s diversity team.”

Large law firms that tend to hire several attorneys every year are better positioned to augment its non-white-male ranks, provided they are committed to that as a goal, as Thompson Hine clearly is. For smaller firms, it’s more difficult. In Los Angeles at 10-attorney Kesselman Brantly Stockinger, leadership intends to meet that challenge.

“We have resolved to increase our diversity and focus on [diversity-related] issues that are ongoing within the legal community,” says co-managing partner David Kesselman of the antitrust boutique, Kesselman Brantly Stockinger, located in Manhattan Beach, CA. “We have that at the forefront of our 2021 plans.”

Kesselman adds that he and his partnership plan on tapping into the current and near-future focus federal regulators have and will continue to have on antitrust enforcement. “It feels like there’s a real movement afoot to reinvigorate antitrust enforcement

and antitrust law,” he says. “Our hope is to be in a position to harness that energy and advise companies that need our help on anti-trust compliance and also represent those that have been injured in the marketplace.”

Thinking Big & Collaboration

This year marks the 100th anniversary of the founding of Detroit’s Harness Dickey, a national IP firm. CEO William Coughlin intends to do what he can to make “our 100th year a truly epic year for our firm,” he says, adding that he and his partners want to continue their efforts to execute a grand vision.

“We will continue to work to help accelerate human progress through intellectual property rights,” Coughlin says. “So it is an aspirational mission to be sure, but it’s the right kind of aspiration for an intellectual property firm, in my humble view. We can make a difference through protecting the technologies and the brands and creativity of clients in a way that can make a difference in the world.”

In the Bay Area, Pankit Doshi, the managing partner of both the San Francisco and Silicon Valley offices of LA-based McDermott Will & Emery, points to heightened collaboration as a goal for 2021. “We want to seize opportunities to grow our respective offices together, recruit together, cross-sell, collaborate, focus on our firm’s visibility in our markets, and chief of above all else, make sure that we continue to serve our clients at an A+ level.”

Collaboration also serves as a key objective for Kate Spelman, the co-chair of the consumer law practice at Chicago-based Jenner & Block. The centerpiece of that resolution is to build upon the multidisciplinary nature of attorneys across the firm—that is, those outside of her 20-attorney practice group—who often handle consumer law-related matters.

“One of my main goals for this next year is to create a cohesive platform to bring together all of the different, great attorneys that we have at the firm who are already doing consumer law-related work in a number of different ways,” she says. “I want to make the platform a little more cohesive so that it’s very visible both internally and externally and, of course, accessible to our clients so that we’re providing the highest level of service to them. We plan to find more ways to leverage the intersections between consumer law and other practice groups as new laws and issues emerge.”

Spelman also wants to do as much as possible to groom young talent. “Another goal that I’ve been thinking about is how to promote junior associates within our consumer law group and strengthen that pipeline of junior attorneys who work within our group.”

Consultant’s Recommendations

Although these and other resolutions are worthy ones to implement, it’s always good to get the views of non-lawyers who work in the profession. *Of Counsel* turned to a well-known, national law firm consultant, who asked for anonymity, to weigh in on what law firms should also be resolving to do. “I tell my [law firm] clients,” he/she says, “that 2021 had better be the year you take a good hard look at your underperforming attorneys and issue them an ultimatum: Ship up or you’ll be shipped out. I can think of more than a few firms I work with that have seen profits dip, which causes a range of problems, primarily because they won’t do this.”

She/he also says firms should plan on avoiding the mistakes many made during the Great Recession regarding marketing: “I know that some lawyers want to pull back their marketing spend when the economy dips—and we’ve only seen the beginning of the effects of this economic plunge, in my opinion as well as in the forecasts of people a lot smarter than I am. I tell them, ‘Don’t do it. You need to be smart about your market outreach efforts but you shouldn’t be afraid to upgrade your website, co-sponsor community events, and write and speak to get or keep your brand out there.’”

Finally, he says, many law firms, including some of those he/she advises, need to renew their commitment to community service and closely examine who they are aligning themselves with, including an assessment of their political relationships. “I know of several firms that should resolve to increase their pro bono efforts, and I know of a few who took hits to their brand because over the last four or five years they actively supported an incompetent, ethically challenged—and that’s putting it gently—president and his administration.”

When informed about the 2021 resolutions the attorneys outlined, the consultant, who was the last source interviewed for this article, expresses praise and support. “What they told you are all very good goals, and I applaud them for their aspirations and wish them well in achieving those objectives,” she/he says. ■

—Steven T. Taylor

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