

BigLaw Leaders On Guiding Firms Through A Pandemic

By **Natalie Rodriguez**

Law360 (April 23, 2020, 12:38 PM EDT) -- Seth Zachary, chairman of Paul Hastings LLP, doesn't like using the word "fear."

Rather, he prefers to address the uncertainty and anxieties that may lie at the root of a lot of his staff's fears during the coronavirus pandemic because they can usually be alleviated — at least to some extent — with facts.

"I think it's easier for me to address uncertainty and create confidence, to address anxiety and create confidence," Zachary said.

It's not an easy task right now to be the head of a large law firm, tasked with keeping attorneys' and staff's spirits up as the industry faces an unprecedented buffeting.

Furloughs, pay cuts and other reductions are hitting law firms across the globe hard. Most U.S. lawyers are currently working remotely, dealing with technological glitches, potentially challenging work conditions and social isolation, while also worrying about their health and safety and that of their loved ones.

For BigLaw leaders themselves, business as usual has also come to a screeching halt. For at least the foreseeable future, the usual jet-setting from one global office to another, holding conference calls from the back of taxicabs while en route to the next meeting, and putting in plenty of face time with employees at every office is on hold.

Between the widespread health implications of the pandemic and sudden mass shock to the economy, there's really no surefire playbook for law firm leaders to follow in handling the crisis, according to experts. Many, however, have pored over other crisis plans and are focusing on some of the common strategies: ramping up communication with employees, creating hedges with cyclical and countercyclical practices and otherwise trying to implement some more fiscally prudent measures amid today's choppy economic storm.

Eliot Portnoy



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Seth Zachary



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Most BigLaw firms had routinely been prepping for the next major crisis. Last year, Dentons global CEO Elliott Portnoy sat down with the firm's global chief security officer to participate in a regularly scheduled tabletop exercise that played out a global crisis.

"That practice, although it is of course only a practice, helped us mobilize," Portnoy said.

Dentons has 44 offices in China, and Portnoy was dealing with the crisis before many of his U.S. competitors, which has helped the firm mobilize elsewhere quickly. The firm's processes of getting medical supplies and personal protective equipment to China, Hong Kong and Singapore has over the weeks shifted to Europe and then the U.S. The firm also has been able to duplicate best practices as the virus has spread.

One of those best practices: constant communication.

"I do not think there is such a thing as overcommunication," Portnoy said.

Prerecorded video messages, virtual town halls, email newsletters, group Zoom or Webex calls, social media posts, regular phone calls: Law firm leaders used to engaging with staff on a regular face-to-face basis are working every mode of communication to stay connected to employees during the crisis.

"I think if people feel that they know what's happening, even if none of us can predict the future ... then I think they're more confident," Zachary said. "I think obfuscation and opaqueness create rumors, right? And they create a lack of confidence. So we meet a lot, communicate a lot, WebEx a lot, talk a lot about how we're doing: good points, bad points."

When Zachary spoke to Law360 on April 9, he was putting the finishing touches on a video message he planned to send out to employees.

Over the last few weeks, law firms across the industry have rolled out a slew of cost-cutting measures. Some have furloughed attorneys and staff; others have implemented pay reduction schemes of various stripes in an attempt to avoid cutting employees, while riding out the economic headwinds caused by the pandemic. Among the firms that have cut pay is Dentons.

Portnoy said one of the challenges he sees as a leader is "to make sure we focus not only on how we respond to the pandemic, but what we're positioned to do as we emerge from the crisis." He hopes to ensure the firm will be "positioned for success when we emerge, effectively stronger than even when we entered the crisis."

Portnoy is up by 5 a.m. every day and usually starts his workday around 6:30, after a quick workout. He then fills his days with client calls, video conferences, and more. Days before he spoke with Law360 on April 8, he headed a town hall meeting with 500 employees from South Korea and New Zealand at 10 p.m. his time.

Jami Mckeon



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John Quinn



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"I don't think I've ever been busier without the daily commute or long plane flight. I can start calls much earlier and go much later," Portnoy said. "It's been really energizing."

Morgan Lewis chair Jami McKeon, too, has found herself working from 5 a.m. until midnight and filling her day with WebEx, Skype and other video meetings, as she shares space with her husband, two college-aged children and a grown daughter and son-in-law who have come together under lockdown.

With most of the rooms occupied, McKeon usually finds herself working from the kitchen and dining room, which is exactly how she would prefer to work from home anyway.

"I always like to be where everybody else is. When I go visit our offices, I never use a visitor's office. I go to one of the conference rooms, so I'm right in the center of things," McKeon said.

In January, when news started to come out of China, McKeon met with the firm's chief information officer and chief operating officer to discuss moving whole portions of the firm to remote status.

Since Morgan Lewis was one of the first BigLaw firms to have a formal remote working program allowing associates to work from home two days a week, most of the kinks of having to go remote had largely been worked out well before the pandemic.

"That was not a shock to our system," McKeon said.

But McKeon and firm leadership are keeping an eye on the health and wellness impact the pandemic is having on employees. A column in one of the firm's daily internal newsletters now focuses on work-from-home hacks, virtual class suggestions for the whole family and more tips for coping with social distancing and isolation.

The firm has also embraced employees' families at this time, particularly spotlighting spouses and other relatives who are first responders, doctors, nurses and military members.

"That keeps me up at night," McKeon said.

Portnoy has a brother who is a health care professional working in a COVID-19 unit, so he has been acutely aware of the additional "stress and strain" on colleagues with family on the front lines or older relatives they are concerned about, and has kept that top of mind in the firm's responses to the pandemic.

Several of the leaders said they are inspired by their employees and how they are coming together to get through the crisis.

"I'm inspired by my partners and their enthusiasm and their determination. They inspire me to want to do everything I can to contribute to the rest of the firm," John Quinn, managing partner of Quinn Emanuel, said in an April 8 interview with Law360.

Later that day, news broke that the firm had lost New York counsel Steven Edwards to COVID-19.

"Steve and his big heart, smile and passion will be deeply missed," the firm said in a statement.

Quinn had noted that the firm's cohesive culture was holding up well amid social isolation, with attorneys jumping in to help each other in the current upheaval.

“It's not any different now that if somebody raises their hand and says they need help or has a question, 10, 15 people raised their hand and offered to pitch in or help,” Quinn said. “That was true before, it's true now.”

Suddenly grounded from his regular travel schedule, Quinn has made a point of reaching out every week to the 800 lawyers spread across the firm's 23 offices to share information on who is doing what, who's busy and general news within the firm, while working from his home's family room.

He noted that while some matters have suddenly been tabled, other work has been appearing, and that the litigation-focused firm has been well-positioned to handle disputes arising from the pandemic. Firm attorneys have also quickly adapted to depositions going remote, hearings being held telephonically and other social distancing adjustments.

The firm never saw the pipeline of work stop in its U.S. or international offices, Quinn said.

Zachary said Paul Hastings also continued to see strong performance in March and April. Working out of one of his kids' old bedrooms, which was converted into an office two years ago, Zachary has been trying to build on that performance and channel employee energies towards rowing in the same direction, as they head to the other side of the crisis.

“I think that a big part of a leader's job is to inspire responsive, positive, contributing conduct and to create a sense of confidence, but not so much confidence that it lulls people into apathy,” Zachary said.

--Editing by Rebecca Flanagan and Marygrace Murphy.