



Bringing the Remote Office

Closer

As the option to work remotely becomes more important to employees, law firms must figure out how to keep pace with a rapidly modernizing workplace.

By || KAREN BARTH MENZIES

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Up to 30 percent of people in the United States work remotely—and that number has grown by almost 80 percent in the last decade, especially among recent graduates.¹ Many millennials consider the ability to work remotely a job requirement, not just a fringe benefit. And when companies embrace it, employee productivity increases and operating costs decrease.²

But the legal industry tends to be steeped in tradition—and slower than others to embrace change. Although we must adapt to how technology is redefining traditional notions of the workplace, some firms still cling to the idea of a “one firm” culture and are reluctant to apply the term “satellite” to offices in other cities.³ So what are the potential benefits

and pitfalls for a law firm looking to adopt more remote work options?

OUT OF SIGHT, OUT OF MIND?

Let’s begin with what may be most employees’ biggest concern: Will I be overlooked if I am not in the office every day? Our society views “presenteeism” as a badge of honor—consider Hillary Clinton campaigning with pneumonia or Michael Jordan’s 38-point “flu game” during the 1997 NBA playoffs. Some attorneys justifiably fear that working remotely, or from a satellite branch, would negatively affect their careers. According to Jennifer Berdahl, a professor at the Sauder School of Business at the University of British Columbia, this is particularly true in law and business consulting.⁴

However, this issue can be overcome with performance-based measurement systems and results-based expectations: Remote workers who communicate regularly with in-office coworkers and managers—by phone, email, IM, videoconference, and occasional in-person meetings—should advance as expected.⁵ But will attorneys based at satellite offices (physical offices that are some distance away from the main office) or even virtual offices (offices with no dedicated physical office space) lose commitment or experience loneliness? Not necessarily. Communication and the right technology are key.

Learn from industries that have colonized the remote-work frontier, such as the tech industry. Tech businesses often

practice “time zone syncing,” ensuring that there is an overlap in schedules from different time zones and a shared expectation that all hands will be on deck for at least that window of time.

Conversely, there should be windows of time when remote workers are *not* expected to be on deck. For example, a remote employee in New York who works for a firm headquartered in California should not be expected to be on calls after 6:00 p.m. EST—at least not on a regular basis.

When you are in the office, avoiding extended watercooler conversations helps you stay focused on your work, but extra efforts to communicate may gain respect and attention from coworkers and support staff. The same is true when working remotely—being a good digital officemate is crucial. One remote worker suggests, “The same way people smile and say hello when they enter a physical office, you can say good morning and good night when you clock in and out for the day, and welcome your colleagues when they do the same.”⁶

Surprisingly, sometimes remote workers can be more engaged with

colleagues and supervisors than in-office workers.⁷ Proximity may breed complacency—such as when you send an email to someone sitting 50 feet away—and, conversely, absence makes people try harder to connect. Leaders of virtual teams also might make better use of technological tools—such as videoconferencing, email, and instant messaging—to communicate with remote team members.

Members of far-flung teams also tend to maximize the time they spend together because they recognize it is limited and needs to be used as productively as possible. You cannot put off until tomorrow any work that needs to be completed in-person if you are in the main office for only one day.

THE RIGHT TOOLS

Before you open a satellite location or offer your employees remote work options, make sure you have the necessary technology and systems in place to ensure a seamless transition.

Communication. New technologies give us the freedom to collaborate anywhere, anytime. The following tools are specifically designed for improving

communication among a remote workforce:

- Zoom.us is a videoconferencing service that connects remote employees seamlessly through desktops, conference rooms, and all types of mobile devices.
- Hipchat provides group chat and instant messaging services specifically built for teams within the same company or firm. The service keeps all messages and conversations internal and allows for cloud-based storage, searchable message history, and video calling. Other videoconferencing tools include Skype and Google Hangouts.
- Voice over Internet Protocol (VoIP) services allow subscribers to connect their phone lines to the internet. Once set up, the main office can transfer calls to the remote user’s phone, just as if he or she were across the hall from the receptionist.

Organization. Whether you work in a large office or remotely, you are constantly bombarded with information, amplifying the need to be organized. Here are some crucial organizational tools that the whole team can use:

- Trello is a web-based application that allows users to stay organized on many different levels—tasks, resources, deadlines, goals—and provides a team platform for easy coordination, functioning as a communal to-do list.
- Evernote is a note-taking application that allows easy searching and filing, creating a virtual “library” that can be easily accessed via web interface or through a remote device.⁸ In addition to key-typed note taking, other features include image capture and clipping sections of webpages, image capture from cameras, and voice recording. Images containing text can be recognized using optional character



of employees report that they would like to telework at least part of the time.

recognition—also known as OCR—and even annotated.

- OmniFocus is a task management application for people who use Apple products, including Macs, iPhones, iPads, and Apple Watches. The app's goal is to enable the user to immediately put thoughts and ideas into to-do lists—you can even use Siri to do this.

Security. Cloud computing is transforming how we handle confidential client data. Information technology infrastructures can be expensive and burdensome to maintain in-house, so it's no surprise that firms increasingly are hosting their applications, documents, and emails in cloud-based service providers (CSPs) provided by Amazon and other data centers. However, not all CSPs are created equal. When choosing one, make sure the service is secure and appropriate for a legal practice. Online ranking services like Talkin' Cloud will help you choose the right CSP.

THE RIGHT SPACE

Virtual offices, executive suites, and shared suites are revolutionizing the way lawyers work. As workplace demands move away from the coveted corner office, companies such as Regus, WeWork, and Jay Suites are expanding real estate options for office space. These shared and virtual office spaces offer flexibility, convenience, community, and often, cost savings.

Executive suites are fully outfitted offices that are usually leased on a pay-as-you-go basis. Law firms can occupy office space without signing a long-term lease; paying a security deposit; buying equipment; or setting up telephone, internet, and other utilities. Some executive suites also come with prestigious addresses at significant cost savings. For example, a downtown office in the heart of a big city used to require a multiyear lease with a commitment

to expanded square footage. Now, with shared executive offices, firms can attain that same prestigious address without the expensive and inflexible commitment.

Coworking centers are one of the hottest trends in shared office space,

and they differ from executive suites in two important ways: culture and community.⁹ Coworking center members typically share community space—kitchens, copy rooms, indoor and outdoor lounges—and attend social events, such as happy hours, to reinforce



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a sense of community. Open community offices originally attracted freelancers and startups, but other industries have caught on. In 2005, only one coworking center existed in the United States. By 2013, that number ballooned to more than 3,000 worldwide.¹⁰ The number of coworking centers in the United States went up 83 percent in 2012 alone, and the trend shows no signs of slowing.¹¹

These “turnkey” offices are ideal when you are opening a satellite office in another city, but you are unsure about how big—and how quickly—your new office will grow. The lease flexibility allows for upsizing and downsizing as the personnel needs of the company ebb and flow. In fact, many companies that originally intend to use the executive suites on a temporary basis opt to stay in the location for years.

HUMAN FACTORS

Part of personal fulfillment is the elusive work-life balance, and location is a significant part of that for the modern workforce. More than 80 percent of employees report that they would like to telework at least part of the time.¹² Remote workers are happier because their situation affords them freedom in choosing where to live.¹³

Remote workers also broaden the available workforce. Establishing a physical or virtual satellite branch and implementing a remote workforce program allows you to source talent from any location—which means you can woo the best and brightest, regardless of distance or moving allowances.

Remote workers also help the environment, save gas, reduce traffic, and ease the strain on transportation

infrastructure. Sun Microsystems reported that its 24,000 U.S. employees participating in its Open Work program avoided producing 32,000 metric tons of CO₂ in a single year simply by driving less often to and from work.¹⁴

By now, even the most faithful traditionalist must admit that a major technological and cultural shift is afoot in the workplace—and law firms are benefiting from it. Satellite offices are changing, and how they look—and what it means to work “remotely”—is changing, too. ■



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BRIDGING THE GENERATION






Millennials, who now dominate the workforce, have different priorities from those of other generations. Cultivate a workplace culture that addresses the values of all employees.

GAP

By || SIMONE FULMER



Long gone are the days of legal secretaries typing letters from dictation and long hours in the office reading reams of paper. Now, lawyers can access files 24/7 and conduct meetings via Skype from anywhere in the world. With an ever-changing technological landscape, the traditional law firm model is outdated. And not only has technology changed the way law firms work, so has a new generation.

Millennials now outnumber all other age groups in the workforce.¹ Unlike their baby boomer parents and Gen X cousins, money is not a major priority to most millennials. Instead, they are motivated by office culture, and they prioritize environments in which their ideas are heard and their input valued. They hate an office where politics reign, and where a lack of organization, ambiguity in authority, favoritism, competing interests, and unclear rules fuel a chaotic environment. It's no wonder that more than half of millennials want to change careers.²

So what can a leader do to account for these changes, while retaining employees and still providing excellent customer service? Gene Hopper, a business coach in Oklahoma City, advised me that it is essential to create an office culture where politics are not allowed. To meet this goal, leaders must focus on their organization's shared values and create work systems with accountability measures to ensure those values are respected.

EMPLOYEES MUST NOT BE TREATED AS FUNGIBLE GOODS—IF THEY ARE, THEY WILL BE DISSATISFIED AND ULTIMATELY LEAVE.

START WITH A VISION

Like any organization, the modern law firm must focus on a common goal to be successful. When my partner and I formed our firm, we sat down with the entire team—including lawyers and staff—to create a mission statement. The key to this process was getting input from everyone. By asking the group to come up with our mission, each person was engaged and invested. Our mission statement is:

We level the playing field by empowering our clients with the resources necessary to meet their legal needs regardless of who or what they are up against. We are the last resource to hold corporations accountable to their duty to safeguard the community and to their promise to protect us.

At the same time, we drafted a list of firm values—what we expect from each other. We expect our team members to be respectful, honest, hardworking, collaborative, positive, tenacious, passionate, and intelligent. These values are the guiding principles we use in both our hiring and firing decisions. Each team member is held accountable in maintaining and cultivating these values.

CREATE WELL-DEFINED JOB RESPONSIBILITIES

When I started a new firm, I had the luxury of being able to take a step back and thoroughly analyze how I wanted things to work. Over the 18 years I had been practicing, I had—in one way or

another—performed every function in a legal practice. I learned what happens when systems and processes are not used across the board. I also learned what works and what doesn't. Starting my own firm was an opportunity to eliminate chaos.

Because I handle mostly insurance bad faith cases, I knew I was not going to be a sole practitioner. The complexity of the practice area demanded that I have help from other lawyers and support staff. In the past, I had worked with legal assistants, many of whom did not know what our cases were about or what our clients' needs were. I'd also worked with young lawyers who performed legal research but never learned what part their research played in the case. This created disengagement, which slows productivity and efficiency.

To tackle this at our own firm, my partner and I dismantled the traditional law firm's hierarchical structure. Instead of the "one lawyer, one file" system—or a system in which a senior partner hands down files to be managed by junior partners, associates, and staff—our process is linear, with all case tasks separated into discrete "stages." Different team members are responsible for specific tasks during each stage. This way, instead of team members trying to do everything on a file, they are experts on the tasks they perform for each case.

For example, the first part of our process is "intake." Our intake team is responsible for looking at each potential case to determine whether we will accept

it. The team does all necessary legal or factual research, including writing a case narrative detailing what happened to the client and potential liability theories. The assessment, which is tracked via our docketing system, must be completed within a certain time frame.

Once we decide to take a case and sign a contract with a client, the case enters "stage one," in which the team prepares to file the case. Because the intake team already wrote a case narrative, the stage one team can set a case budget, investigate the facts, plan case strategy, and draft the complaint. Similar to intake, stage one tasks must be completed within set deadlines.

"Stage two" begins once the complaint is filed and is divided into two phases: The first phase encompasses the first round of written discovery, and the second phase focuses on depositions and trial preparation. Once again, the intake team's case narrative—which is updated as new information is gathered and strategy has changed—guides what happens during stage two. To keep cases on track, we have set parameters for scheduling and extensions.

A case enters "stage three" when it is resolved. The stage three team specializes in releases and lien resolution, as well as payment. Our "stage four" team prepares and argues any cases that enter an appeal.

Since implementing this process, we have learned that two elements are essential to its success. First, every team member must consistently use case management software so the case's movement from one stage to the next is seamless. Each team member is accountable for recording pertinent events—such as phone calls with clients or opposing counsel, or changes to case strategy. Because everything is well-documented and easily accessible, we can effortlessly perform case reviews. But more important, a client can call our office and any



percent of people in the United States work remotely—and that number is projected to increase by almost 80 percent over the next decade, especially among millennials.¹ Many millennials value their ability to work remotely a great benefit, not just a fringe benefit. As companies embrace it, productivity increases and costs decrease.² The legal industry tends to be slower to embrace this change. Although new technology is redefining notions of the workplace, many law firms are reluctant to apply it to offices in other locations. What are the potential benefits

and pitfalls for a law firm looking to adopt more remote work options?

OUT OF SIGHT, OUT OF MIND?

Let's begin with what may be most employees' biggest concern: Will I be overlooked if I am not in the office every day? Our society views "presenteeism" as a badge of honor—consider Hillary Clinton campaigning with pneumonia or Michael Jordan's 38-point "flu game" during the 1997 NBA playoffs. Some attorneys justifiably fear that working remotely, or from a satellite branch, would negatively affect their careers. According to Jennifer Berdahl, a professor at the Sauder School of Business at the University of British Columbia, this is particularly true in law and business consulting.³

However, this issue can be overcome with performance-based measurement systems and results-based expectations: Remote workers who communicate regularly with in-office coworkers and managers—by phone, email, IM, videoconference, and occasional in-person meetings—should advance as expected.⁴ But will attorneys based at satellite offices (physical offices that are some distance away from the main office) or even virtual offices (offices with no dedicated physical office space) lose commitment or experience loneliness? Not necessarily. Communication and the right technology are key.

Learn from industries that have colonized the remote-work frontier, such as the tech industry. Tech businesses often

team member can quickly identify the case's progress with a few keystrokes.

Second, everyone must complete his or her tasks. A case might move to the next stage, but if any of the previous stage's tasks are unfinished, the individual responsible completes them. This ensures that requisite tasks are completed on every case, and it also eliminates redundancy and reduces jockeying for position among team members.

IMPLEMENT, REVIEW, REFINE

Business consultant Seth Godin has stated that you get the culture you deserve.³ An organization must cultivate its culture to maintain it. Employees must not be treated as fungible goods—if they are, they will be dissatisfied and ultimately leave to go elsewhere. A strong culture cannot be based on

a revolving door mentality, and this is why we sought each employee's input when establishing our firm's mission and values.

Further, we test our processes by conducting employee performance reviews, which help us learn what works and what doesn't—and where the inefficiencies, redundancies, or holes in the system exist. We also use these reviews as an opportunity to hear what our employees are experiencing in the workplace, so we can tackle issues before they permeate the entire firm. Our team members know they can discuss things with us, which greatly reduces potential conflict that otherwise might occur.

As part of the generation that bridges baby boomers and millennials, I see a need for change that maintains the values of the older generation while

incorporating those of the future generation. Change takes time, imagination, and discipline. But we owe it to our firms and our clients to embrace it. ■



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