

# The New Normal for Law Firms in a Post-Pandemic World

BY STEVEN M. LOEWENGART

Law firms have a reputation for being somewhat resistant to change, but the COVID-19 pandemic forced all of us to adapt despite whether we were ready or willing. There is no question that law firm work flows were severely disrupted, which led to several firms being forced to lay off employees, reduce work hours and/or implement salary cuts.

I'm concerned about the economic impact of these measures, and I'm sure I am not the only law firm leader who has been kept up at night worrying about the financial toll the pandemic has had on our office families. As leaders, we find ourselves asking if things will ever get back to normal in terms of work flow and staffing, but the answer is likely that the whole idea of "normal" will just be different.

All industries – including legal – are in the midst of a new normal. Many of the changes that were implemented in response to the virus will likely become permanent parts of the work environment. Law firms around the country will likely see more socially-distanced cubicles, hand sanitizer stations

and mandatory face coverings. There will also be various new operating procedures including an increase in telework and a new reliance on digital platforms for conducting business.

Early in the pandemic, many firms adjusted to promote social distancing by encouraging attorneys and staff to limit the number of people in offices and to work remotely when possible. For most firms this required a lot of coordination with technology departments for equipment, necessary software and log-in help. The expenses that firms incurred to enable remote work will not be pointless expenditures; working from home is part of the new normal, and firms have been forced to embrace it.



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Work is continuing to move to digital platforms, and the legal industry's digital transformation has been accelerated by the current situation. Firms require extremely high data security and the industry is implementing the needed programs to enforce data protection on all levels. Since the E-SIGN Act in 2000, electronic signatures are legally binding, so little to no face-to-face interaction or paper forms are needed to produce and even sign legally binding documents. Attorneys who continued to rely on printed paper copies have had to adjust to electronic documents and tools. Even courts are embracing electronic and video technology, debuting virtual court operations. As judges and staff get used to using these tools, they will

become permanent changes within our legal system. Hopefully all government agencies will quickly keep pace. In firms, more traditional processes (e.g., billing) have also transitioned to digital platforms. Many firms have implemented new service delivery models both internally and externally. Video conferencing is now commonplace, and programs such as electronic accounting and payment services, cloud-based document management and matter lifecycle management programs are integral parts of the modern law firm.

There is no doubt that litigation work initially declined due to the pandemic, both in terms of courts being



closed and companies being forced to reduce spending. But, on a positive note for litigators, the pandemic is already spiking a wave of new lawsuits brought about by COVID-19. In fact, law firms should be preparing for a potential uptick in employment-related litigation involving safety, retaliation and wage and hour claims due to complex return to work precautionary measures and industry rescaling issues.

In-house legal departments will try to do more with less while having to work as more of an integrated team with other company departments as well as outside firms. As budgets remain tight, unnecessary expenses will be delayed but businesses will still face many challenges that require legal services. Consumers will turn to the firms that not only demonstrate value but are flexible and have the capacity to scale. Short-term cash flow will remain a concern among businesses and may force law firms to re-think fee structures. Flat fees and alternative pricing options will be increasingly welcomed by businesses which have restricted spending and need to adhere to limited budgets. The firms that have developed high-level, cost-cutting technology and integrated services delivered at a value to clients will succeed.

The one thing that has remained the same throughout the pandemic is the need for law firms to take care of their people and evaluate the mental health of our lawyers and staff members. The legal industry is a high-stress environment, and the pandemic added another layer of anxiety from the isolation

and associated fear. As law firm leaders, we cannot ignore the fact that our teams have been under a great amount of stress given the unprecedented nature of all that has unfolded over the last several months. We need to ensure a renewed focus on the well-being of firm employees by encouraging mindfulness, physical activity, and various other forms of programming in support of a healthy workforce. And with so many employees working remotely, now more than ever we must figure out ways to keep our workforce motivated, engaged and feeling great in mind, body and spirit.

In times of uncertainty, we look to brands and services we trust, and legal services are no different. The differentiated, well-recognized firms that are known for delivering quality service will continue to be successful due to their established clients turning to them for trusted advice and services. There may be fewer working lunches and in-person conferences, but the world is more digitally connected now and the law firms that have adjusted, demonstrated agility and can offer diverse legal services will continue to thrive.

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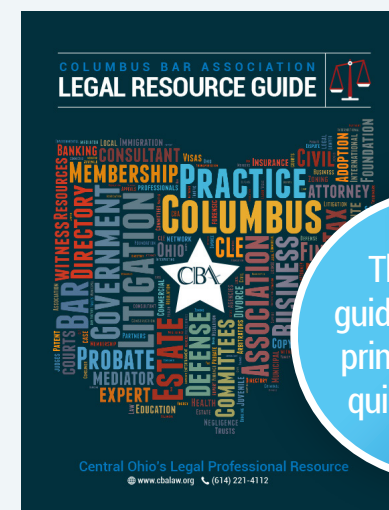
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