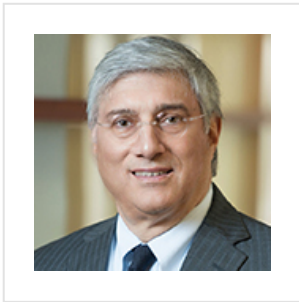


Law in the Time of Corona

How the Virus Is Impacting "The Practice"

by Bridget Clerkin



A greater embrace of the virtual world has been an overall trend for lawyers in 2020, and **Thomas Giotto, L'83** is no exception.

The co-chair of labor and employment practice at Cozen O'Connor, a global firm with over 750 lawyers in 31 offices, first began working from home in March, as the virus was just beginning to take hold in the Northeast.

As the sickness continued to spread, that repertoire of changes grew to include video conferencing for the entire firm, online training seminars and organizing Zoom meetings for negotiations, mediations and arbitrations-which Giotto noted has at least helped him become a better typist, and more savvy with video conferencing.

Cozen O'Connor has also been working to help disseminate information on the virus internally, holding weekly COVID-19 webinars since the start of the pandemic as well as instituting weekly department meetings to keep a pulse on the virus' impact on social justice concerns and other work/life issues.

That last matter was a bit of a sticking point for Giotto, who said one of the most difficult things about this new online world was losing out on the work- and social-related contact with his fellow attorneys and staff members-as well as being able to actually separate work and life, when both have been happening at home.

Still, Giotto has developed a fitting motto to help him and his fellow lawyers get through these strange times. "Just adjust and move forward," he said. "Figure out how to best serve the clients and get after it."

Vincent Quatrini, L'74 may focus on matters of workers' compensation and employment, but for the founding partner of Westmoreland County firm QuatriniRafferty, the pandemic has been all about ensuring his own employees are taken care of.

Quatrini said the firm has always invested in technological changes, and so when COVID-19 struck, they were ready, sending employees to work from home with a nearly seamless transition. And those preparations were further bolstered with more technology, including a modified phone system for many employees and the purchasing of VoIP phones for others, creating an at-home environment that was "just like sitting at your desk-intercom and all," Quatrini said.



All the while, he kept a small and rotating number of staff coming into the office to handle mail and process fee payments and bills. And the firm has begun a cautious return to letting a small number of clients into the office as well-all while following safety procedures, including masking, distancing and sanitizing. Still, the lion's share of work has been-and continues to be-completed virtually, a scenario Quatrini believes is here to stay, for better or for worse.

"As we continue to adjust to the 'new normal,' we have embraced working remotely," he said. "We continue to invest in tools to help our staff maintain high productivity, at home.

"Some colleagues will excel in this new universe," he continued. "Some colleagues will find the differences too overwhelming and will exit the practice of law. At QuatriniRafferty, we continue to look for ways to keep our staff and attorneys engaged with the firm-video meetings, cheerleading emails, periodic perks, a healthy competition surrounding client testimonials."



In the real estate market, timing is everything-and so it follows that real estate law would be a time-sensitive field.

Yet while the rest of the world has seemed to slow down or even stop in the wake of the coronavirus, in many ways real estate has been business as usual, said **Andrea Geraghty, L'83**, who specializes in the topic for the Pittsburgh firm Meyer Unkovic Scott LLP.

"Many development projects that were on the drawing board at the beginning of 2020 have continued with only minor slowdowns, and although some have been stayed by developers, very few have been wholly abandoned," she said. "It seems that entirely new projects are not yet beginning; however, projects are what real estate developers do, so projects are still being considered."

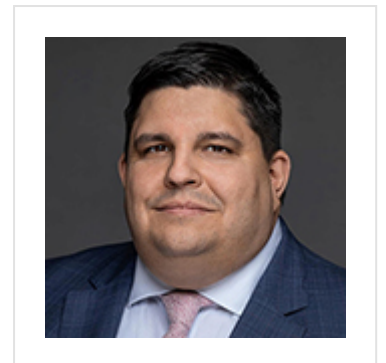
If anything, it was the shuttering of many government agencies during the early days of the pandemic that slowed things down, Geraghty said, with title searches not necessarily revealing the most recent information, causing lawyers to adjust their schedules accordingly.

Business closures, too, have thrown real estate law for a loop, with many questions now being raised over landlord and tenant rights.

Still, the virus has worked just as well to speed up the acceptance of practices that were already gaining momentum in the area, including electronic signatures and notarizations as well as emailed executed documents, Geraghty said. "The pandemic didn't cause this change," she said, "but it broadened it to residential transactions as well."

When it comes to family law, specialist **Joseph Williams, L'09** believes the pandemic has ushered in both downsides and benefits.

Backlogged cases have become a bigger problem, as many courts initially closed in the first weeks of the pandemic. But the need to carry on since they have reopened has helped carve out new routes toward speedier resolutions-and many clients are now opting for mediation, collaborative law or other alternate forms of dispute resolution.



Indeed, the more streamlined process-as well as the newfound ability to have conciliations and brief oral arguments on the telephone or online-are aspects of the new legal world Williams said he hopes stick around after 2020, not only for their benefits to lawyers but for their role in keeping costs down for clients.

These protocols are not the case in every case, with hometown rule still dictating a patchwork of procedures in different courts, leaving attorneys even more at the mercy of diligent detail work than ever.

"Always be prepared," advised Williams, a partner in Pittsburgh-based Pollock Begg. "Research the court's operating procedures and remote procedures. Prepare yourself and your client for what to expect. Give the clients a realistic expectation about the outcome of the matter-in terms of timing, procedure and substantive disposition."



After nearly two decades serving at Marshall Dennehey Warner Coleman & Goggin, **Butler "Buck" Buchanan, L'79** has changed his place of employment-namely, from the office to his house.

The environmental switch-up has been the biggest work-related impact to his daily routine since COVID-19 hit in Mid-March, with Butler, a veteran of weekends at the office, now working efficiently from home-and even musing over keeping the routine for future overtime hours, once the world returns to in-office and in-person meetings.

It is not only Buchanan who has weathered the change well. His 1,200 fellow employees were able to transition to online work in a matter of days, in an operation Buchanan described as "seamless."

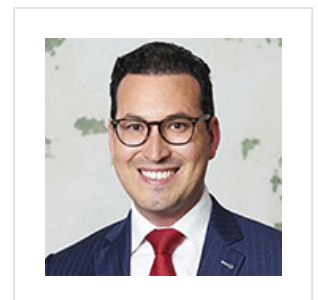
"Zoom has become a staple of our existence," he said. "We relied heavily upon Zoom to maintain contact while we were out of the office."

Still, for his role as the managing attorney of the firm's Philadelphia office (he is also hiring chair and chair of the firm's diversity committee*), Buchanan said he misses the personal touch of a face-to-face conference. Though some clients and employees are now being allowed back in the office-all while following the appropriate protocol-the widespread acceptance of teleconferencing is something Buchanan sees sticking around long after the pandemic.

His advice to embrace it? "Keep plugging; never give up."

Working in municipal, hospitality and business law, **Daniel Conlon, L'14** operates at the epicenter of areas most impacted by COVID-19.

For some of his firm's municipal clients, soldiering on through the pandemic has meant challenging a precedent that has gone unbroken for dozens of years: the physical quorums required to hold public meetings. Some Pennsylvania boroughs have a law on the books requiring physical bodies be present at meetings-written well before the advent of Zoom and other virtual meeting platforms. Moreover, it has been up to firms like Conlon's to help bring those statutes up to 21st-century standards, incorporating technologies that enable local government to continue to run, even if from a distance.



Post-COVID-19 changes to the state's liquor laws have also kept Conlon busy, as many regulations have been relaxed regarding the sale and consumption of alcohol at restaurants, an olive branch to a sector that has been particularly hard hit by the inability to freely socialize.

Still, for many in the hospitality industry-and small business owners in general-the virus has created a perilous landscape, which Conlon is now helping owners begin to navigate.

One route to relative safety is the payroll protection loans offered as part of the CARES Act passed this spring. A number of clients have been reaching out for advice on how to apply for the loans, how to use them and how they would be forgiven. However, Conlon has also looked for other ways to help owners hold on to their businesses at this uncertain hour.

"It's no secret that hospitality tenants have suffered the most during the pandemic, and many are struggling to pay rent to their landlords," he said. "During the pandemic, I have assisted several restaurant tenants with creative lease modifications and negotiations to keep the parties out of court."



As an expert in ERISA, **David Kaleda, L'96** has been able to mostly zero in on industry-specific issues during the virus, without feeling much change from the virus itself.

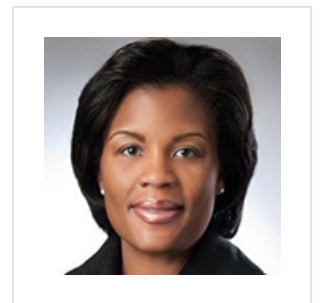
His Washington, D.C.-based firm, Groom Law Group Chartered, is still seeing plenty of work from the Department of Labor, the IRS and the Treasury, thanks to regulation proposals that are pretty par for the course in any presidential election year. Still, some Washingtonian responses to COVID-19 have trickled down to impact Kaleda's group, including the passage of the CARES Act, which he said had many clients reaching out for advice on utilizing.

And Kaleda has also been hit with the inevitable switch to working from home, with video conferencing standing in for most meetings-and even replacing what in many past cases was settled through a phone call, allowing Kaleda to "see" his clients more often.

When it comes to his colleagues, however, he said he misses the unstructured simplicity that came with dropping in on someone's office to bounce ideas, advice and hypotheticals off each other. Nevertheless, to manage the march deeper into this virtual world, Kaleda said he turns to the real one-and takes a deep breath.

"I think you need to be able to 'turn work off,' which can be harder when your home is also your office," he said. "Get out and exercise or take a walk, get some fresh air. Take advantage of your ability to be mobile to serve your clients and spend time with your family in ways you never would have done were you going into the office or traveling on business."

Supply chains are famously fastidious structures, with one small change capable of sending ripples down the entire line. And the coronavirus is no small change-which is perhaps why **Ayanna Lee-Davis, L'04**, working for FedEx Ground Package Systems, saw some impact of the pandemic earlier than many: The company was advising employees on the importance of maintaining a clean and safe workplace in light of the virus even before making the call to implement work-from-home protocol in mid-March.



Still, a long history in smoothing out kinks helped employees there easily transition to a predominately online model, even at a time when package deliveries were becoming more popular-and necessary-than ever.

"As e-commerce shows no sign of slowing down, FedEx Ground continues to experience significant package volume growth and is in the midst of a number of initiatives to expand our network capacity," Lee-Davis said. "As a result, we are seeing significant needs for the expertise of my group to help support these important business objectives."

The call to rise to that challenge is one Lee-Davis is happy to answer, though she said she does miss the face-to-face comradery of the others in the office working alongside her. But, true to the logistical nature of her practice, Lee-Davis has developed a short-but-sweet list of helpful strategies to stay sane during

these particularly strange times, including keeping it positive; establishing a healthy routine that balances work, communication, hobbies and exercise; setting-and trying to keep-realistic goals; and, of course, getting some fresh air every once in a while.

"Remember, there is someone in the world that may have it worse than you," she said. "Focus on the positive aspects of your daily life, and count your blessings."

*How has your practice been affected by the pandemic? Tell us! lawalumni@duq.edu
(<mailto:lawalumni@duq.edu>).*