

Defining the 'New Normal' for the Practice of Law

94TH CHANCELLOR LAUREN P. MCKENNA

In March 2020, I attended a routine pretrial conference for a trial scheduled to begin later that spring.

The trial did not happen, of course, and that meeting would turn out to be my last in-person work event before widespread lockdowns were employed in response to the COVID-19 pandemic.

As we mark the one-year anniversary of those sweeping restrictions, we are certain about a few things: The first is that, thanks to the discovery of several highly effective vaccines, it is likely that we will be able to resume some semblance of normal life in 2021. The second is that whatever that “normal” ends up being, we know our lives and routines will never be exactly as they were before March 2020.

Whatever the size or nature of our firm or legal practice, we all face major uncertainty about what this will mean for the future of work and the practice of law. We have learned some truths we will not soon forget: that many of us can be productive at home and that some of the meetings or interactions we thought had to be held in person can be accomplished just as easily from a distance.

A recent survey of legal professionals by Loeb Leadership, a Washington, D.C.-based law firm coaching and consulting firm, found that 67% of respondents wanted to keep working remotely when it's safe to return to the office, even if it's only for a few days a week.

However, leaders across the legal industry have concerns about how widespread remote working will affect teamwork, collaboration, training, mentoring relationships and employee retention and loyalty. We all have a story about connections, opportunities or resolutions to problems that began with a quick stop or a casual chat in someone's office, a chance encounter at a networking happy hour or conference, or an exchange with a colleague while getting a cup of coffee.

As we build the new normal, whatever that ends up being, leadership and rank-and-file employees alike must work together to balance often contradictory expectations. The pandemic has



provided an opportunity to identify the benefits of remote work – but also to appreciate the aspects of in-person working that research has shown are crucial to success: namely camaraderie and opportunities for creativity and innovation.

When law firms and other legal organizations welcome employees back, making them feel safe from a health perspective will almost certainly be a primary concern. But it will be equally important to show employees who may be leery of leaving their home offices for non-health-related reasons that there is value

in coming to the office, even if we do it less often. We also must work together to create clear and equitable policies for flexible work.

Establishing a task force on legal needs arising from the pandemic is one of my chief goals for 2021. As we define the future of legal work in Philadelphia, the Bar Association can bring all interested parties together to strategically address different needs and share ideas, and when seeking assistance beyond our industry, ensure we speak with one voice—just as we did when our community had to pivot quickly at the onset of the pandemic. I look forward to convening groups from different areas of our profession for wide-ranging conversations about the “new normal” and presentations by experts about the trends and issues we can expect to encounter.

Many of those conversations will likely happen virtually. But I hope it will be safe to have some of them in person, or in a hybrid format. No matter the venue, I am excited to work with all of you to take advantage of the opportunity we have to define this quickly approaching future. ■

Lauren P. McKenna (chancellor@philabar.org) is the 94th Chancellor of the Philadelphia Bar Association.