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Chicago Lawyers Not Sprinting Back Into the Office as Illinois Reopens Further

The benefits of working remotely are outweighing the risks the pandemic is presenting, according to several Chicago-based partners.

By David Thomas | June 26, 2020



Chicago downtown skyline from Lincoln Park. Photo: Sean Pavone/Shutterstock.com

Law firms in Chicago appear to be in no rush to get their lawyers back to the office as Illinois entered into Phase 4 of its reopening plan Friday.

That's partly because, like their counterparts around the country, attorneys and law firm staff in Chicago have adapted very well to remote working. As a result, there's no real financial pressure to get people back into the office, according to partners based in the Windy City.

"It doesn't seem like the benefits of getting people back in the office outweigh the risks," said Trisha Rich, a Holland & Knight partner in Chicago. As the national co-chair of Holland & Knight's legal profession team, Rich has been advising other law firms as they chart out their reopening plans. "It's my perception that law

firms aren't hurrying to become test cases."

The international outbreak of the novel coronavirus has forced managing partners to rethink even the most mundane aspects of office management. As law firms in Chicago tape up signs reminding their lawyers to wear masks and wipe down surfaces, they're facing challenges on how to manage common spaces like break rooms, cafeterias and conference rooms.

"There is no playbook for this," said Michael Carrillo, the managing partner of Barnes & Thornburg's Chicago office. Carrillo's solution to the coffee problem was to leave one of the firm's three cafes open and to have one person assigned to doling out drinks as needed.

"Some of those mundane things required a little more thought than others," he added.

Other firms like Holland & Knight are still retrofitting their offices to comply with social distancing guidelines from the Centers for Disease Control and Prevention and other government agencies. David Wirt, the executive partner of Holland & Knight's Chicago office, said his immediate goal is to finish hanging up signs and plastic shielding.

But there's no "hard circle on the calendar" for Holland & Knight's Chicago employees to return to the office, either en masse or in phases, Wirt said.

"You want to be honest with people. You want to manage expectations properly, and certainly you're not trying to be coy. You're not trying to hide it. You just don't know when it's going to happen," Wirt said.

Under Gov. J.B. Pritzker's stay-at-home orders, law firms in Illinois were designated (<https://www.law.com/americanlawyer/2020/03/20/legal-services-are-still-essential-business-in-illinois-stay-at-home-order/>) as essential businesses that were "encouraged to remain open." And in a sense, Chicago firms never really closed. Even as Big Law migrated en masse to remote working in mid-March as the pandemic's effects were being felt, the offices were being manned by skeleton crews who handled the mail.

A spokesperson for Latham & Watkins indicated that its Chicago office—which is home to at least 180 lawyers, according to its 2020 Am Law 100 survey results—will allow people back into the office following Illinois' move into Phase 4.

"As localities enter new phases of opening, we will begin the process to allow our personnel to gradually return to the office with appropriate precautions, including physical distancing, the use of masks, and limiting the numbers of individuals in the office at any given time," the spokesperson said in a statement. "We continue to closely watch the evolving situation with the safety of our people and clients as our first priority."

Even as some firms set return dates, they've stressed that attendance is entirely optional. Starting Monday, Eversheds Sutherland in Chicago is going to allow three people back into its office; as part of this phased-return program, those employees will not have to seek permission to enter the office beforehand, said Marc Benjamin, the partner in charge.

But even though he's one of the three people who have been cleared to return to the office, Benjamin said he does not think he'll be making the trek in.

Dinsmore & Shohl's Chicago office is set to reopen in July, said Robert Lucas, the managing partner of the Cincinnati-based firm's Windy City outpost. But like other firms, they're only encouraging people to come into the office—they won't have to if they don't want to.

"There's a tremendous amount of uncertainty as to what the right time is and what the right way to do it is," Lucas said.

Teresa Harmon, the managing partner of Sidley Austin's Chicago office, expressed similar sentiments in a statement—the office is open to people who want to come in, but they don't have to: "Our intent is to move forward cautiously, deliberately, and with our personnel's safety and well-being in mind."

The unwillingness to have people in person applies to legal consultants as well. Kent Zimmermann, a Zeughauser Group consultant based in Chicago, said all of his meetings with law firm clients have occurred either over the phone or through videoconferencing tools like Zoom.

"Nobody's asking. I'm really as busy as I've ever been, consulting-wise. But nobody is saying we need to get together in person," Zimmermann said.

Carrillo said Barnes & Thornburg's Chicago office will begin encouraging people to come back to work starting Aug. 3, But he said that date will probably get pushed back. He noted, for instance, that coronavirus cases have been skyrocketing in places like Texas and Florida—both of the states halted their respective reopening plans Friday.

"We don't view this as a race to be back in the office, and we don't think it's a race we need to be first in," Carrillo said.

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