

Now Is the Time for All Good Attorneys to Come to the Aid of Their Clients

BY DEBORAH WEINSTEIN

As I begin my term as Editor-in-Chief of *The Philadelphia Lawyer*, I find I have come full circle.

After graduating college, I started out in publishing. I was hired to be a first reader in the acquisitions department of MIT Press in Cambridge, Mass. This was followed by stints there in copyrights, permissions and marketing, and ultimately as head of the journals department.

Lately, I have been reminded of this time and what I learned then – lessons well beyond writing, marketing and managing.

Once, when I was working late at the office, I heard voices arguing behind closed doors. I couldn't hear what they were saying. Then suddenly, the door flew open, and the combatants, who included the head of the Press, continued to disagree in loud voices in the hallway.

Then, I heard the head of the Press below: "Now hear this! The purpose of this Press is not to benefit you. Our purpose is to publish books and journals and to devote the very best of our abilities to that purpose whether that happens to be good for you or not!"

I didn't realize it at the time, but he was stating the essential definition of "professionalism" – the commitment to put the interests of organizations, individuals or goals that we serve above personal gain or goals. It is a great lesson and one applicable to many professions, including very much so the practice of law. I think it is particularly apt today, given our current roller coaster economic times, when our clients need us more than ever.

A university press has as its overarching purpose the publishing of books and journals; ours is to serve the interests of our clients and promote justice through the practice of law.

Are you thinking, "Of course, tell me something I don't already know. This is just ethics 101."

Not so fast. Because the world has changed, we must now change the way we practice law.

In these turbulent times, the services we provide must be tailored to help our clients thrive in a world characterized by both tremendous opportunity and increased uncertainty.

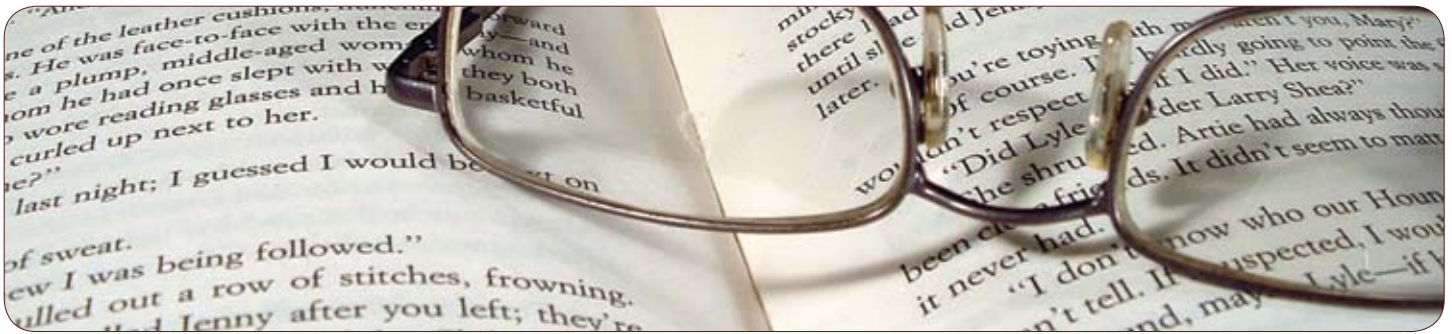
We not only have the opportunity to create new and more effective ways to provide our legal services, but also to think innovatively about ways to provide more for less.

These challenges come at a time when many lawyers and law firms are under tremendous pressures. As the economy deteriorated during the past year, we attorneys became increasingly stretched among competing priorities beyond providing clients with legal services – reinventing our practices, commitments to our firms, undergoing career transitions, managing our personal and business finances in the new economy, and continuing our contributions to the profession and the public good. Unprecedented numbers of attorneys became unemployed or went into career transition. Our Bar Association and legal community quickly responded with assistance. Never before have we as a profession been so challenged with unexpected developments and strains on resources at all levels.

At the same time, our clients have been undergoing crises, adjustments, changes and transformations of their own. In view of the changed economy, many are looking to their attorneys to provide greater value by providing legal services at lower costs or under alternative fee arrangements.

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This dichotomy is one that Jeffrey L. Nischwitz writes about in his book *Think Again: Innovative Approaches to the Business of Law*, published by the American Bar Association's Law Practice Management Section:

If you're hunkered down and conserving resources, client or customer services and communications may be falling short. Too often a slow economy causes businesses to turn their focus almost exclusively to themselves ... when the best strategy is to invest even more heavily on and in your clients and customers.

One of the messages of *Think Again* is the need to create a "client-centric" practice which, as I see it, harkens back to the biblio-centric lesson I learned at MIT Press.

For those of us who advise businesses, we are presented with an opportunity to help our clients look at how they want to address the concrete, daily challenges of operating their businesses in economically distressed times.

This may call for us increasingly to act as both legal and business advisors to our clients because legal issues do not arise in isolation, but rather in the context of conducting business. This type of advice is particularly valuable today as many businesses adopt new business plans or models to meet the challenges of the new economy and to obtain more flexibility in their operations.

This idea really hit home recently when a friend of mine, a local business owner, was raving to me about a visit with the company's attorney. He wanted to "get out of" a contract with a vendor for products his

company no longer needed, and was seeking advice about what was allowed under the contract.

"Wow! She was terrific," he said. When I asked what his attorney did that was so impressive, he told me, "She did so much more than just interpret the contract. She was giving us business advice too and she came up with some great ideas – ones that we had not thought of – all of which we can legally do."

All of us should be searching for different ways to align our client services with the needs that our clients have presently. No matter what area we practice in, most of us

need to develop innovative ideas about what "client service" should look like going forward, and how we can make it happen.

Now, indeed, is the time to come to the aid of our clients. ■

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