

PLANNING FOR A FUTURE THAT CAME EARLY:

THE GILBERT LLP VIEW ON THE POST-PANDEMIC LAW FIRM

At Gilbert LLP, we have been preparing for the post-pandemic world since 2018. We are not fortune tellers, but innovation is at the core of our firm—and as we reviewed the legal landscape three years ago, we knew big change was coming. We were equally sure that Gilbert LLP should create that change, not just respond to it.

In a conference room in 2018, Gilbert LLP's leadership concluded that the long-standing model of law firm operations would not last. New influences were gaining traction—technology, diversity, flexibility, and changing views with respect to effective teamwork. Traditional hierarchies, workplaces, and methods could not attract and retain the next generation of legal innovators, were threatening to stifle creativity, and were no longer what clients wanted. While many firms opted for incremental change—such as slight reductions in office size—we wanted faster, bolder change.

So, we acted. Well before the pandemic struck in February 2020, Gilbert LLP began planning for what we saw as the future of law practice. Hoteling. Hybrid work arrangements. Collaborative workspaces. Technology to enhance both remote work and client effectiveness. Productivity increases and cost savings. And a firm culture that encourages innovation, career-long learning, and genuine connection.

Our new office was ready in May of 2020, but the pandemic had other ideas. We pivoted to address the new challenge. We channeled our preparation into the same jarring new environment that confronted every law firm. Like everyone, Gilbert LLP has been working remotely for more than a year, but our transition was smooth, our efficiency undiminished, and our adjustments grounded in a long-term vision. Because of our foresight, in the course of just a few hours, we were able to take our law firm's operations 95% remote with almost no hiccup.

The pandemic confirmed our insights. Gilbert LLP can now see the post-pandemic landscape from a significantly advantageous position. In the pages that follow, we share our experiences, lessons learned, and how we are continuously innovating to build Gilbert LLP for a future whose only constant will be change.

WHY WE TRANSITIONED

Gilbert LLP's primary practices are insurance recovery, strategic counseling, complex dispute resolution, litigation, and bankruptcy. A theme that pervades these areas is risk: how to manage it for our clients so that they can continue to operate successfully regardless of the size, stage, or nature of the risk. We are frequently involved at every step of our clients' legal-risk issues—from managing existential litigation risk to assessing insurance recovery and asset monetization options, from corporate restructuring to pursuing claims aggressively against deep-pocketed adversaries. Our practice, like many others, requires efficiency, communication, collaboration, and creativity. Despite having a national practice, the firm is lean. Gilbert LLP has 30 lawyers and 30 operational team members.

In 2018, we identified certain trends that we believed necessitated a fundamental restructuring of the firm's physical space, its operations, and its work norms.

Our lawyers were frequently on the road—to court, to clients, to negotiations or to other locations where the work drew them—and increasingly needed to engage productively on all levels regardless of location. Additionally, some employees wanted to spend a day or two per week working remotely, to gain control of their schedule, to increase efficiency by eliminating their commute, or to protect focused, solo work time. Flexibility was fast becoming essential.

Maintaining a substantial, traditional office in downtown Washington, D.C. posed increasingly unjustifiable costs. Our practice is national and international, so a full office location near the District of Columbia courts or federal government office buildings was not necessary. The commute in and around downtown Washington, D.C. was unappealing. And our location in the heart of the city did not draw employees to the office—it was just another law firm near other law firms.

We observed that most people were drawn to the office for the opportunity to see colleagues. People wanted to meet with each other face-to-face, have lunch together, collaborate in planned and unplanned circumstances, and have conversations where ideas cross-pollinate. But they didn't need to do that every workday, and the increasing use of video technology enabled more meaningful remote communication than the typical telephone or conference call.

Like our lawyers, our non-lawyer team members—paralegals, project assistants, secretaries, office services staff—had mastered the technology necessary for their jobs. Their success was not proportional to the amount of time they spent sitting at a desk in the office waiting for a lawyer to walk by with a project.

These trends were only accelerating. Our attorneys under 40, who had long been comfortable with the technology that enabled remote work, increasingly sought to spend some work time out of the office, in particular focusing on tasks that required uninterrupted, deep attention. They also felt free of a dominating assumption in our profession: that work time necessarily meant full face time.

In short, we concluded that it was time to transition to a new work model that would simultaneously benefit our clients, our professionals, and the firm itself through greater flexibility and efficiency for individuals, increased productivity and collaboration for case teams, and reduced overhead for the firm.

RETHINKING THE 21ST CENTURY LAW FIRM

Capitalizing on these trends would not allow alterations at the margins. Nor did we want to promote working from home as a blanket solution.¹ Instead, we wanted to embrace the new trends affirmatively, continue to improve the quality of service we provide to our clients, and elevate employee satisfaction. We focused on a set of values and goals to guide how we would implement our long-term vision:

- Continue to provide industry-leading client service
- Facilitate collaboration
- Promote attorney development
- Sustain a vibrant workplace culture
- Shift resources to support the new paradigm

IMPLEMENT, IMPLEMENT, IMPLEMENT

We focused on two types of changes. The first was designing adaptive new office space. The second was modifying firm policies and norms to spur behaviors that would reflect our values and achieve our goals. The physical changes were geared to work hand-in-hand with the behavioral changes. The pandemic proved to be a substantial accelerant, but not the driving force behind our changes, which had been implemented before COVID-19 caused the market to change.

We abandoned permanent offices.

Lawyers and paralegals at the firm do not have permanent offices anymore—not the most senior partner or the most junior project assistant.

Instead, we transitioned to hoteling offices (also known as “hot desking”). Any day that a lawyer or paralegal wants to work from the office, she can use an app on her phone to reserve any available office or workspace. When she arrives at the office, the digital name plate outside her selected office will have her name on it. She can enter her pin into the desk phone, which will log her in and transfer her calls to that phone. She plugs her laptop into the port, adjusts her desk to whatever height she prefers (sitting or standing), and proceeds with her day.

By design, the offices do not have a set layout; this provides a variety of choices for employees who have different preferences—some like to sit facing their office door, for example, while others like to face the window. Some like guest chairs. Others prefer a couch. Some offices have treadmills, a deliberate choice for those who want to keep active in what can sometimes be a sedentary job. The furniture is intentionally customizable, so that people can organize the office in a way that suits them. The office also has designated quiet rooms.

Hoteling is not new to workplaces. Consulting firms have been doing it for years.ⁱⁱ But it is not common at law firms.ⁱⁱⁱ For Gilbert LLP, there were several goals in transitioning to hoteling.

Hoteling encourages employees to mix with each other and change up their office neighbors, thereby promoting more collaboration and the development of new working relationships within the firm. No office is larger or more prominent than any other, so while people may find favorites, anyone is free to reserve any office. This promotes a less hierarchical, more collaborative culture.

Of course, we also moved to a paperless office.^{iv} Immediate access to files anywhere is essential to remote work and hoteling (and allows consistent responsiveness to client needs).

We built an office for collaboration.

Our view of the office reflects what is being referred to as a “hybrid” workplace model.^v We want to encourage employees to work from home when that is efficient, and we want to encourage employees to work in the office when they need to see and meet with others, brainstorm, and strategize.

In actualizing that view, we built office space that de-emphasized solo workspace in favor of more dedicated collaborative spaces: smaller, more casual meeting rooms—some semi-private and some private; a large café and dining area located where other firms would put the “corner office”; medium-sized lounge seating areas

scattered along the main office corridor; booths where a few colleagues can meet informally; and larger conference rooms for more formal meetings. Many offices and meeting spaces have plug-and-play multimedia, so that employees can project documents on large screens and present materials to others.

Making the office a place for collaboration meant making it desirable, flexible, and customizable. Each element of the office's design incorporates those features. The office eschews the traditional law firm aesthetic in favor of a warmer and more comfortable environment. Greenery is everywhere—outside and inside the office. The office's architectural design maximizes the amount of sunlight throughout the day. We use lighting typical in homes rather than commercial lighting.

Our artwork and decor selections similarly reflect our values and seek to draw employees in.^{vi} We have selected artwork that is local and created by artists from a range of racial and ethnic backgrounds, as well as pieces that captured themes from Gilbert LLP's work over the past 20 years.

We encouraged employees to work from home and provided the resources to do so efficiently and effectively.

Before the pandemic, we began to encourage employees to work from home for a couple of days a week to ensure that they could transition between the office and home seamlessly. We provided employees with a budget to purchase technology or furniture necessary for building a functioning at-home workspace, in addition to the laptops, phones, and software already provided by the firm. Our document management systems already were cloud-based and accessible from anywhere. Our time entry technology also already was cloud-based; time can be entered from a phone app or a website. And all employees already were using an internal messaging service to communicate availability and dispatch quick tasks instantly.

We got the most senior partners to buy in first.

Senior lawyers in leadership at law firms who are comfortable with the status quo can delay or block change.^{vii} We reversed that trend by asking our most senior partners to be the first to commit to change. We started hoteling long before the pandemic struck, to create a new norm consistent with our vision of the future. And the guinea pigs were senior lawyers in the firm—not associates or paralegals.

Of course, the pandemic forced those who were most reticent about non-traditional work arrangements to hasten their adjustments. And because we had already been preparing for a new future, those adjustments were easier. Now, our experiences with the pandemic have laid the foundation for a new landscape that will require ongoing adaptation.

We changed neighborhoods.

We transitioned from a traditional Washington, D.C. business area to a mixed retail-residential neighborhood. Our new home boasts many more dining, social, and shopping options. We wanted to make coming to the office something to look forward to—a place where you could feel urban vibrancy, read on the rooftop, or go out with your colleagues for lunch to some of the best restaurants in the city. Our office is surrounded by green spaces, locally owned stores, and family activities. The U.S. Capitol is seven blocks away.

Relocating to self-designed, more efficient space in a part of town not dominated by law firms and corporations also brought about significant cost savings. In the coming fiscal year, we anticipate at least a 20% reduction in operating costs.

LESSONS LEARNED

The steps above were planned and largely implemented before the pandemic began, in anticipation of our May 2020 office move. When the pandemic lockdown began, we therefore were able to expand and accelerate the changes outlined above so that employees could work remotely for an extended period.

But even as we adjusted to the pandemic, we began tailoring our new offices and flexible structures for a post-pandemic world. Our 2018–19 preparation for remote work served Gilbert LLP enormously in the past year, but also enabled us to absorb lessons from the pandemic experience that will shape a smooth, productive, and enthusiastic working environment as we enter a future for which we had already begun to prepare.

Lesson No. 1: Being good at working from home made us better at working in the office.

Working from home highlighted how we could be more productive.^{viii} It also highlighted what was not as efficient outside an office setting. Video meetings, for example, are effective and practical, but they require planning and preparation to be efficient.

For instance, while meeting agendas had long been common, they are now the universal norm and a subject of greater forethought. Given how audio technology works on video calls (allowing only one person to be heard clearly at a time), freewheeling discussions don't really work. Sending a thorough agenda in advance ensures greater structure and enables everyone to consider the topics beforehand.

Another example: working from home and frequently juggling the pressures of life and work simultaneously (particularly parents of young children), inspired our colleagues to move more deliberately through meetings, mindful of each other's time. One of our attorneys observed that this dynamic made him "think more in advance of what you're going to do with respect to your interactions with your colleagues," to maximize productivity without sacrificing substance.

The cumulative impact of these changes in behavior is that we found our interactions in meetings more focused, more productive, and generally shorter because we reached the key decision points faster. After months of video and telephone calls, as we have begun to return to the office, we have found that our in-person meetings are also more productive and more focused. The same preparation and care we use in our remote work pay dividends for all our of meetings across the board.

More generally, as the hybrid model has begun to take root and as we gained experience working from home during the pandemic, we were better able to identify what conditions allowed us to perform best on different types of projects, and either bring that learning to the office or save certain projects for home.

Employees are now giving each other a heads-up about when they plan to be in the office and when they are available outside the office. This creates opportunities for in-person meetings, social engagements, or brainstorming sessions, i.e., the types of meetings that benefit from more open-ended, collaborative discussions (for which our new physical office is specifically designed).

Working remotely also pushed some who were reluctant to abandon reliance on paper files to adopt more paperless practices. This accelerated adaptation made information more readily available to all team members, made collaboration more effective, reduced our office footprint (no need to plan for years of paper files), and made us more environmentally responsible.

Lesson No. 2: Attorney development can still happen outside an office—and it has certain advantages.

A critical feature of an attorney's development is having opportunities to develop. This has not changed during the pandemic or in the firm's move to a hybrid model. The advent of remote proceedings (hearings, depositions, client meetings, mediations, etc.) has provided more opportunities for more junior attorneys to observe and participate, without incurring travel and hotel costs. We have seized upon these opportunities to accelerate professional development, and we will continue to seek them out for our attorneys as many of these proceedings (such as certain depositions, or certain court status hearings) may remain remote even as we return to "normal."

Lesson No. 3: Coordinated communication improved.

Remote working emphasized the need to communicate with team members regarding what work needs to be done and what respective roles are on a project. The result of this additional attention is improved coordinated communication, which raises efficiency and effectiveness. The improved habits seem to persist even when remote work is not the full-time norm.

The emphasis on meaningful communication impacted all employees. More junior attorneys, in particular, learned quickly that they needed to own projects, and that ownership often meant communicating with various constituencies to keep projects moving forward—simultaneously managing non-lawyers and "managing up," so that more senior attorneys would stay apprised of developments and the status of projects.

We also found our professionals using a variety of tools to signal availability more clearly, both to box off time for focused, uninterrupted, solitary work and to box off time for meetings, calls, and collaboration. This communication enables better productivity. It also protects employees: working remotely can blur the lines between "work" and "home," an unsustainable and undesirable outcome that decreases productivity, creativity, and employee happiness.^{ix} Clear, simple communication outlining each employee's availability helps maintain the distinction between work and non-work time.

This improved coordinated communication also yielded some unintended and unexpected changes. Our attorneys observed that they are spending more time on coordination among people's calendars, using scheduling tools rather than long e-mail chains to find optimal availabilities, and relying less on impromptu meetings. One mid-level associate stated that the firm's "new normal" now does not involve the dynamic of associates waiting outside a busy partner's office (or the virtual equivalent) hoping to catch their attention (or interrupt them), and instead involves more time scheduling and planning in advance.

Lesson No. 4: A hybrid work environment can promote broader connectivity.

As we transitioned to a hybrid work model, there were concerns about how to avoid disrupting the connectivity among employees that we prized and that is essential to effective collaboration. The pandemic, of course, significantly exacerbated these concerns. To fight this drawback affirmatively, we instituted regularly scheduled, informal gatherings among randomly selected, and changing, employee groups. The result was a noticeable improvement in connectivity within our firm community. The physical office locations that might have once defined with whom we connected were replaced by broader connections to everyone.

Reflective of this development, some of our attorneys who have been practicing for decades in an office environment have stated that they experienced a sea-change in their worldview. The old mentality of “where is he” when someone is not in the office has been replaced by the comfort of knowing that co-workers are easily accessible by video, e-mail, internal messaging service, or phone.

Lesson No. 5: A hybrid work environment requires correctly determining what should be done in-person.

A “hybrid” environment is not an “all remote” environment, and working in an all-remote environment has highlighted what should not (ideally) be done remotely.^x Personal contact and some face-to-face communication is essential to most employees’ sense of health and well-being.

During the pandemic, we have successfully onboarded and integrated new employees into the firm, but we have found that employee training and integration is not as easy or as rapid in an all-remote environment. Some orientation and training is more effective in-person. For very junior attorneys, the lack of in-person training has been particularly challenging. Often, our junior attorneys learn and grow best when, for example, a senior partner sits down to show a junior attorney how she approaches analyzing a set of insurance policies, or when a more senior associate walks through how he prepares a brief with a more junior colleague. As we move back toward a hybrid environment, we plan to deepen our commitment to in-office training.

Our existing employees have managed through the isolation that the pandemic mandated. But we have sought to find safe opportunities to maintain and build on face-to-face connections. Collaboration and brainstorming require rapport, trust, and nuance. Striking the “right” balance between in-person activities and remote available opportunities is almost certainly a bit of an art rather than pure science. But we have learned much and continue to improve in this critical area.

THE POST-PANDEMIC LAW FIRM

Two years before the pandemic struck, Gilbert LLP saw that the law firm office needed reinvention. Now, drawing on our planning, experience, and lessons learned, we are even better equipped than we were before the pandemic to make this a reality—and perhaps can provide insights that are valuable to others. We see the office for what it is: an ecosystem for collaboration, rather than the only or best place to do all of our work. In our view, an attractive office in a desirable location that is geared towards cultivating what workers miss most during the pandemic—a feeling of connectedness to their colleagues—is critical to the success of the post-pandemic law firm.^{xi}

[Click here to read our Fact Sheet on Office Redesign.](#)

- ⁱ See David Streitfeld, “The Long, Unhappy History of Working From Home,” *The New York Times* (June 29, 2020).
- ⁱⁱ See Chip Cutter, “The Death of the Office Desk is Upon Us,” *The Wall Street Journal* (Jan. 13, 2021).
- ⁱⁱⁱ See Timothy Bromiley and Carlos Posada, “For Law Firms, COVID-19 Has Accelerated the Inevitable” (April 29, 2020).
- ^{iv} See Christopher Mims, “Why the Paperless Office Is Finally on Its Way,” *The Wall Street Journal* (Sept. 18, 2016).
- ^v See Alexandra Samuel, “How to Manage the New Hybrid Workplace,” *The Wall Street Journal* (March 21, 2021).
- ^{vi} See Tim Gavan, “New Corporate-Office Design: No Ping-Pong, But Not Uptight,” *The Wall Street Journal* (Aug. 31, 2018).
- ^{vii} See Wolters Kluwer, “The 2020 Wolters Kluwer Future Ready Lawyer Survey Report,” at 16 (date accessed: April 6, 2021).
- ^{viii} See Stephanie Stamm, “Is a Home Office Actually More Productive? Some Workers Think So.,” *The Wall Street Journal* (Jan. 2, 2021).
- ^{ix} See Chip Cutter, “A Year Into Remote Work, No One Knows When to Stop Working Anymore,” *The Wall Street Journal* (March 26, 2021).
- ^x See Chip Cutter, “Companies Start to Think Remote Work Isn’t So Great After All,” *The Wall Street Journal* (July 24, 2020).
- ^{xi} See Peter Cappelli, “Why the Office Isn’t Going Away,” *The Wall Street Journal* (Dec. 13, 2020) (“Even though they may be expensive, offices do matter. The physical interactions they provide do contribute to getting work done, especially projects and tasks that require collaboration. Architecture matters by structuring our interactions, in good ways if done well.”).