

Five Ways Remote Work Has Impacted Paralegals

Written by Michael T. Murray

The COVID-19 pandemic quickly changed the way many people are used to living and working. That was particularly true in the legal industry. In-person depositions, hearings, and even trials were abruptly halted. Cases began to pile up as everyone struggled to find new ways of working.

It became clear that a new approach was essential to move forward. The solution: virtual proceedings. Though not a new concept, prior to the pandemic, many legal teams were not fully versed in functioning remotely, perhaps out of a lack of necessity, disinterest, or an inadequate amount of time to master the tools. Whatever the reason, many firms were left with a steep learning curve and highly challenged to adopt new technology in a quick time frame.

Paralegals, specifically, have been deeply impacted by this rapid shift in the industry, and many have helped lead their firms through this new remote landscape. Here are five ways that remote work has impacted paralegals.



GETTING AN ATTORNEY'S ATTENTION

As long as there have been attorneys, paralegals have struggled to gain their attention. It used to be that if an attorney did not respond to calls or emails, paralegals could just walk down the hall and knock on their door. With lockdowns and most legal teams working from home, grabbing a moment with an attorney has become harder than ever.

So how does a paralegal communicate the importance of receiving a response? Maria Turner, a senior paralegal at Nelson Mullins in Atlanta, Georgia, recommends placing specific deadlines within an email communication. An

example of this would be mentioning that you will be going forward with a specific action at a set time. If the paralegal doesn't receive a response, they can assume it is safe to move forward as planned.

Another tip for gaining an attorney's attention in a remote environment is to set an appointment on the attorney's calendar as either a direct reminder or a specific time to discuss a time-sensitive request.

Whichever methods work for your team, one thing is clear: gaining an attorney's attention has become a bigger obstacle for the paralegal.



FEWER PHYSICAL LOGISTICS—MORE LAST-MINUTE CHANGES

There are many advantages to virtual proceedings. There is no longer the stress of travel or arranging hotel rooms, no more worrying about weather delaying a flight or ensuring that specific documents are prepared in advance and on-site for a proceeding.

"I remember the days of printing out exhibits, trying to make the FedEx deadline, praying they made it to the location, and having to line up a vendor if they didn't arrive in time," said Andrew Kizzie III, a litigation paralegal at Kellogg Hansen in Washington, D.C. "Those days are gone with remote depositions. Hopefully, remote depositions are here to stay."

However, some members of legal teams have started to assume virtual logistics are easier and quicker to arrange than their in-person counterparts. This means that some attorneys tend to make last-minute requests to schedule, cancel, or change a deposition. Paralegals have learned to adapt to

swiftly shifting schedules and items like finding out at 4 p.m. on a Thursday that a deposition has been scheduled for noon the next day. Similarly, when attorneys don't have a plane to catch, that means that some of them tend to linger a bit longer in a virtual deposition, which can create a tighter schedule.



LAW FIRMS POOLING RESOURCES AND SCHEDULING

Another change is that some law firms are pooling the talents and time of paralegals, both in official and unofficial ways. Firms do this formally by assigning paralegals in teams to different jurisdictions or matters, while others do it on a more informal basis. That is particularly true when paralegals in different offices work on similar cases. Firms are also aware when paralegals have a reputation for doing stellar work or possess a great deal of knowledge in a particular area. Those paralegals have increasingly been called in to help with more matters.

Karen Mesmer, division project manager of Shook Hardy & Bacon in Kansas City, Missouri, said that when it pertains to a firm pooling resources for trial, "As far as I'm concerned, the more hands on deck, the better. If you can get more done by midnight than by 3 a.m.—especially when some people have to be up at 6 a.m.—the better everyone does. And at our firm, everyone wants to help. There's a lot of wanting the best for the client and the best for the people you work with."

The last two years have caused a backlog from the early days of the pandemic when courts were closed, as firms were focused on managing a constantly

Continued on page 51 ►

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Continued from page 45 ►

evolving situation and everyone was focused on staying healthy. Now the floodgates have opened. That means that paralegals continue to pool their time and energy because everyone is in a rush to catch up on those cases.

To stay organized and on task, some firms have assigned one paralegal to schedule all the depositions for the firm or team. This is particularly helpful when attorneys are managing multiple cases. Scheduling multiple proceedings in a day with one court reporter can be highly effective in both streamlining proceedings and ensuring coverage amid the current stenographer labor shortage. One paralegal in charge of scheduling and communicating also means that each attorney's preferences—commonly referred to as standing orders—can be organized efficiently by a litigation support vendor.



THE PUSH FOR PAPER

Some paralegals continue to support attorneys who rely on paper, which can be even more difficult in a remote environment. Before the pandemic, many paralegals had never been on Zoom or worked from home. Yet as a profession, paralegals can take pride in the seamless way they have moved to a virtual world. The same can be said of many attorneys—but not all of them. The move to the virtual world has been a challenge, and some still prefer paper.

So what does that mean? Paralegals supporting paper-loving attorneys have been continuing to print documents and meticulously prepare exhibit binders in addition to the work involved in facilitating virtual hearings, trials, and depositions. This means combining aspects of both the in-person and remote world into a single matter. However, it can also mean paralegals are taking on a mentorship role of explaining the necessity for training in remote technologies and helping their lawyers make the switch.



TRAINING ON REMOTE TECHNOLOGIES

Paralegals have often been called on to master new technology. Yet few had to learn as much and as quickly as the entire industry did once COVID-19 started making an impact on operations. In many cases, law firms weren't able to provide much in the way of formalized training for virtual depositions. Many of their IT staff were logging countless hours simply trying to connect everyone suddenly working from home. So many paralegals taught themselves, each other, and their attorneys how to manage the virtual environment. Often, paralegals received training from a litigation support vendor they trusted. Specific tools, like those that manage electronic exhibits, have become critical in maintaining a smooth remote proceeding.

Over the last few years, paralegals have quickly become knowledgeable about areas such as available technologies for remote proceedings, bandwidth requirements, security concerns, and logistics like connecting to remote sessions. They have grown familiar with technologies such as video, audio, exhibits, and working in real-time. Paralegals also became experts in virtual equipment testing, stipulation considerations, breakout room issues, and introducing and marking exhibits.

Fortunately, some were able to utilize resources from leading-edge litigation support firms to help them manage remote depositions, virtual hearings, and other aspects of work that suddenly could only be done remotely. In many cases, the most tech-forward litigation support firms moved from the role of vendor to trusted partner.

CONCLUSION

The world looks very different than it did even two years ago. Remote depositions and virtual hearings have made life easier for the paralegal in many ways, even as they have added challenges in others. This has required paralegals to be flexible and adaptable. Those skills have always been part of the job, but they are more important than ever. Paralegals have led the way for their teams in facing the challenges of modern operations and encouraging members of their teams to follow suit.



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