

# Finding a New Type of Balance: Remote Work and Distance Learning

By Stacey Kielbasa and Shannon Burke

*Re-examining policies around remote work and distance learning for legal professionals at law firms during and after the COVID-19 pandemic.*

For years, the push for remote work policies has come from various sources:

- working parents who desired the flexibility to attend school functions and be more present for their families,
- millennials who had a wide range of out-of-work interests and desired greater work/life balance,
- applicants who viewed a remote work policy as indicative of a firm's culture, and
- numerous others who sought latitude to create their own work hours for a wide variety of reasons.

Law firms' responses to these requests were similarly varied. Some firms embraced remote work options and reduced their office footprints, while other firms created tiered systems of remote work based on an attorney's seniority level, and still other firms preferred to have their attorneys and staff report to the office every day.

As a result of the COVID-19 pandemic, almost all firms pivoted — nearly overnight — to an entirely remote work environment. There was no gradual launch or ability to socialize the idea with key stakeholders of the firm. Instead, one day colleagues were talking around the water cooler and the next they were scouring store shelves for toilet paper and paper towels.

While the shift has been swift, we have learned quite a bit about remote work and effective distance learning in this relatively short period of time. Below are some suggestions to consider when creating your own best practices for remote work and distance learning.

## PART 1: REMOTE WORK

### Communication

Consistent communication is a running theme through many of the best practices discussed in this article. It is no secret that one of the main concerns that managers have about remote work is that their team members are being less productive than they would be in the office. The most effective way to assuage this concern is to communicate.

*Be honest about challenges you are facing with remote work.*

For example, send an email or instant message to your team when you log in for the day or log off at night. Keep your manager apprised of your to-do list, giving them an opportunity to reprioritize projects as needed. Provide regular status updates, before you are asked to do so. Plan ahead so that you will spend some of the time gained back from your commute communicating with others and engaging in additional project management so that workflow is not impaired. Share your

availability with your team so they can anticipate when you will be away from your home office while you have a parent/teacher conference call, take your pet to the veterinarian, meet with the landscaper, or otherwise step away for a short period of time. Be honest about challenges you are facing with remote work. The more transparent you are about what you are working on and your availability, the more trust you build with your manager and colleagues.

As a manager or supervisor, clarify your preferred types of communication and your preferences on frequency of communication. Do you want your employees to seek guidance or work until they need your help? Do you prefer status updates via email or video chat? Do you like formal reports or more frequent, casual updates? Conflicts may arise if peers or direct reports have differing styles, which can be magnified by remote work. There may be additional concerns with respect to risk management and confidentiality. Be sure to address any of these issues in advance.

## Set Expectations

Consider creating a “How to Work Remotely” handbook that sets clear and consistent expectations for remote work. Are you expected to work set hours or are the hours flexible? Are there certain times when you are expected to be available to make it convenient for your team to know when to you reach

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you? What forms of communication are expected or preferred, such as telephone, email, instant messaging, or text? Must your calendar remain up to date to keep your team apprised of where you are throughout the day? Setting these clear expectations reduces frustration and the likelihood of miscommunication.

Moreover, by keeping communication open, you and your team can return to these expectations and adjust them as necessary when needs change.

## Maintain Productivity and Client Service

Earn your manager’s trust by being mindful to maintain high levels of productivity and client service. For example, in addition to keeping your manager apprised of the projects you are currently working on, include the projects you have completed. At the end of the month or other appropriate time period, give your manager a summary of the projects you completed and their impact on your department or firm.

With regard to client service, take care to return emails and voicemails promptly, join virtual meetings on time, volunteer to assist others when you have capacity to do so, and go above and beyond to meet or exceed client expectations. Demonstrating that you are a trustworthy and valuable part of the team, regardless of where you work, will further cement your position at the firm.

## Set Up Your Physical Spaces

Create a dedicated home base to work from, even if you move around throughout the day. This area should have all of the tools you need to do your job effectively, such as a work space, comfortable chair, computer or laptop, Internet, power cords, printer/scanner, mouse, headphones, monitor(s), telephone, pens, paper, stationery, printer cartridges, business cards, notepads, and other supplies. Create a checklist of necessary/helpful items and provide for new employees as they set up their remote workspaces.

If there is a chance you may join virtual meetings, consider where to sit during those meetings. You will want to have good lighting so others can see you easily and make sure that whatever is behind you is appropriate for your audience to view. If

you are someone who needs quiet to focus, attempt to minimize disruptions or distractions in your dedicated workspace. Keep in mind that your needs may change, depending on whether you plan to work remotely consistently or only occasionally.

## Find Human Contact in a Virtual World

Humans are social creatures, and even the most introverted among us needs some level of contact. Explore ways to maintain connectivity and rapport with your team. Consider whether you should send an email, pick up the telephone, or video chat with someone. Continue to celebrate professional victories such as successful client pitches, deal closings, and hearing wins or personal milestones such as birthdays, weddings, and new family members.

As you “invite” your team into your home through virtual meetings, build rapport by sharing parts of your home, inviting your partner or children to quickly say hello to the team, or introducing your pet. Moreover, in the office, it is relatively easy to partake in random acts of kindness that instill firm culture, such as treats on Friday or impromptu group coffee breaks. When working remotely, you may have to get creative in finding ways to show your appreciation, such as having cookies delivered to your team members’ homes or mailing a card.

Additionally, in times of uncertainty or stress, your team may need to see you — even in a video chat — to seek reassurance, gauge your body language, or receive other nonverbal cues to calm their concerns.

## Manage Your Time

When you are working remotely from home, it is easy to blend the line between work and home. Perhaps you throw in a load of laundry during a five-minute break between client calls or you respond to emails while cooking dinner for your fam-

ily. Your team may feel like they are working 24/7 or cannot disconnect. Encourage them to delineate between work time and personal time.

For example, you may have an understanding with your team that you set aside 6:00 p.m. to 7:00 p.m. every evening to participate in a yoga class or 8:00 p.m. to 9:00 p.m. to help your children with their bedtime routine, and that you will not be available during those times. Be mindful that you can stay productive during work hours while giving yourself time to disconnect from work.

## Leverage Technology

While the COVID-19 pandemic has forced many businesses to dive headfirst into remote technology, in general, waiting until you MUST work remotely is not the time to work out any technology issues. Plan ahead by working remotely during non-critical times to test your home network and setup and explore the best uses of the technology available to you. Plan a work from home day for your team to identify any gaps in coverage or technology. Make sure your team has all the equipment they need to work comfortably and that all remote workspaces have the necessary physical and electronic security required by your organization.

Commit to learning the benefits of and leveraging the technology and apps available to you. For example, have you mastered the breakout room and polling functionalities of teleconferencing tools? Can your presentations be more interactive with the use of polling software, electronic white boards, or pre-and post-presentation surveys? Prepare for remote meetings by testing electronic backgrounds, computer audio and consider the use of noise-cancelling headphones. Seek out apps or programs for collaboration and communication. Document best practices and pros and cons of each type of technology and include those in your remote working handbook.

## Explore Paperless Work

Many of our attorneys (and we ourselves) love paper. From scanning to marking up documents to printed copies, working remotely can be challenging for those of us who are wedded to paper as a productivity tool. Working remotely can be an opportunity to explore the functionality of tablets, scanners, apps that convert photos into PDFs, messaging options, or other electronic or productivity tools. When you return to the office, observe what documents or files were not useful or needed and purge accordingly.

## Schedule Creatively

The current pandemic has given us freedom beyond the 9-to-5 workday. Consider staffing team members in staggered shifts to give greater coverage and customer service to clients who may be working alternative schedules due to their own remote work challenges. Schedule meetings at non-standard times to avoid bandwidth issues and competing priorities.

Early team meetings where you establish priorities and delegate work can make for a more organized workforce and reduce miscommunications and missed deadlines. Consider scheduling time without interruptions for complicated projects at times where there is less email and phone traffic — such as late in the day, over lunch, or earlier in the mornings.

## Take Care of Yourself

You cannot pour from an empty cup. If you are working from home, your commute time is probably zero minutes. Take the time you would have used to commute and take a walk instead. Sit on an exercise ball. Go outside during your lunch. Set a calendar meeting with yourself every day for a 15-minute meditation session. Lift hand weights during an audio-only conference call. Find a neighbor who also works remotely and

meet up for lunch or coffee occasionally. There are many ways to seamlessly weave self-care into your day so that it is impactful but unobtrusive.

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If you are remote working for an extended period, give yourself and your team permission to take a day off or a sick day. Wellness is important and should not be sacrificed because you or your team is working remotely.

## PART 2: DISTANCE LEARNING

### Choose a Good Presentation Topic

When your audience participates in distance learning, you are competing with a long list of distractions, including billable work, email, social media, and tried-and-true procrastination techniques like cleaning and organizing. It is critical that you select a presentation topic that your adult-learner audience is interested in and will find worth their time investment.

Moreover, some topics are more appropriate for in-person learning rather than distance learning. For example, when teaching a litigator how and where to stand when speaking to a jury, it may be helpful to be in a mock courtroom where the presenter can practice what they are learning.

### Flip the Classroom

Flipping the classroom has received a lot of attention over the past few years as an innovative way to encourage experiential learning. Essentially, audience members are asked to read ma-

materials or watch a prerecorded lecture prior to the presentation and then the presentation time is used to discuss the concepts and interact with and apply the material in different ways.

For example, if you are teaching your audience how to seek an emergency order of protection, you could ask them to read the relevant statute, templates, and background materials prior to the presentation. During the presentation, you could briefly review the concepts discussed in the reading and then dedicate the bulk of the presentation to drafting an example emergency order of protection based on a fact pattern revealed in class and answering any questions that the audience members encounter when going through the exercise.

## Incorporate Different Forms of Media

If you have sat through an undergraduate or law school class in the past few years, you are aware that the current trend is to keep the presentation as visually stimulating as possible. When appropriate, use video clips, interviews, or music to help reinforce the message you are attempting to convey. When using slides, keep text to a minimum and, instead, use images that support the key words and concepts from the presentation. While it is unrealistic to expect that the entirety of your presentation is akin to the grand finale on the Fourth of July, occasionally inserting a (metaphorical) firework will leave the audience with something to remember.

## Utilize Available Technology

One major advantage that distance learning has versus in-person learning is the technology available to enhance your presentation and engage the audience. Assign audience members to breakout rooms, which you can utilize to give them a chance to brainstorm, debrief on topics, offer peer review, and participate in other activities that are more effective for smaller groups of people. Insert polling questions throughout the presentation to keep the audience interacting with each other

and the material. Allow audience members to “vote” by raising their virtual hands.

When you ask a question, request that they utilize the chat feature to share their answers or other thoughts with others. Use the annotation tools to, for example, mark up and interact with sample documents. Share your screen to demonstrate in real time how to access research resources, shared documents, or other online tools. Each virtual platform has its own bells and whistles, so be sure to familiarize yourself with the tools available to you.

## Ensure Comfort with Technology

It goes without saying that the technology will enhance a presentation only if the presenter and the audience members understand how to use it. When sending your calendar invite and any materials you want the audience to review prior to the presentation, attach a user guide that explains the technology the presenter will be using, identifies any downloads that are needed, recommends which browser to launch the technology on, and provides an FAQ to help them troubleshoot any issues.

At least a few days prior to the presentation, offer to your presenter the opportunity to do a practice run utilizing the technology, advancing the slides, running videos, and deploying any polls or interactive pieces they have incorporated into the presentation. At the beginning of the presentation, the presenter may want to start with an interactive icebreaker that allows the audience members to experiment with the tools they will be expected to use during the presentation.

## Microlearning as an Option

Not all training has to be an hour-long, CLE-worthy presentation. Instead, consider quick, bite-sized instruction that is specific and relevant. Podcasts, short videos, and live “pop-in” demonstrations can be very effective in providing convenient,

timely and practical information. Invite junior team members to present at the beginning of each meeting as both a developmental opportunity for the junior team member and as a learning tool for the rest of the group.

While the COVID-19 pandemic has brought great loss, uncertainty, and fear, one silver lining is that it has forced us all to become more comfortable with remote work and distance learning. As we settle into a new normal, we are provided with an opportunity to evaluate the ways we interact with one another, teach concepts, and learn new material. We're all in this together.

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