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Videoconferencing: Love It, Hate It, Need It

In her Business Development Best Practices column, Carol Schiro Greenwald shares insights gleaned from her interviews with lawyers on how they use videoconferencing today and how they anticipate using it once the pandemic is behind us.

By **Carol Schiro Greenwald** | January 08, 2021

COVID-19 has made all of us reliant on videoconferencing tools for client connection, court activities, team work, networking, family visits and more. Some people enjoy the easy access to online meetings while others find them just a poor substitute for in-person interaction. Two dozen attorneys from this column's panel of solo practitioners and small to midsize firm lawyers responded to questions about how they use videoconferencing today, and will use it once the pandemic is behind us.

Currently the most common practice-related uses for videoconferences are client meetings and consultations, some only at the client's request. **Amy Goldsmith**, partner at Tarter Krinsky and Drogin (<http://www.tarterkrinsky.com/>) and co-chair of the intellectual property practice, says, "Many clients prefer to use a web-conference platform that permits us to see each other rather than the phone or Facetime. It's more personal." **Mark Seitelman**, managing partner of Mark E. Seitelman Law Oices, P.C. (<https://www.seitelman.com/>), a personal injury firm, uses videoconferences for "intake interviews with new clients" because "the ability to see each other presents a greater opportunity to bond with the client."

George Kontogiannis, a trusts and estates lawyer and managing partner of Tesser, Ryan & Rochman (<https://tesserryan.com/>), says, "I think video meetings can be successful for clients. It takes effort for a client to do a face-to-face meeting. I don't think only a phone call is as successful in retaining a client." **Elissa Hecker**, intellectual property lawyer and principal, Law Office of Elissa D. Hecker says, "It's not necessarily better, it's different. People with whom I never would have connected are easy connections and conversations over video."

Litigators and mediators use videoconferencing for many court-related activities. **Tara Fappiano**, a partner at Haworth Barber & Gerstman (<http://hbandglaw.com/>) and an advocate, mediator and litigator for clients with special needs education issues, says, "Every part of my practice has been taken over by videoconferencing—client conferences, conferences with the courts, virtual depositions and mediations, both as a participant and as a mediator." **Marilyn Genoa**, Genoa & Associates, P.C, a mediator, arbitrator and Village Court judge, says, "Over the past year I have used videoconferencing for matters I would never have considered doing remotely in the past. I have used zoom for all of my mediations since March."

Technology has made some court activities more efficient. This has both advantages and disadvantages as summarized by matrimonial attorney, **Rona Gura**, principal attorney at the Law Offices of Rona Gura (<https://nyfamilylegal.com/>). "With respect to court appearances, video conferences are much more cost effective for the clients. Before video conferencing we could wait for hours to be called. Now, in most cases, conferences generally begin on time. With

that being said, the positives for me are also negatives. Court time was always all billable. Now the video conferencing is cutting my billable court time down significantly. In addition, judges are very much aware of when their next conference begins. I have had judges end conferences before we were finished because they needed to get to the next one.”

Some firms use videoconferencing for intra-office meetings, team meetings, training and “water cooler” activities. **Joel Greenwald**, a partner at labor and employment firm Greenwald Doherty (<https://www.greenwalldlp.com/>), uses videoconferences for a wide variety of firm activities. “Internally, we host both attorney and staff huddles multiple times a week to keep us connected. We host monthly firm culture and birthday celebrations via Zoom. Video meetings also make us more collaborative in finding creative ways to service our clients effectively and efficiently.”

Suzie Scanlon Rabinowitz, founder and managing partner of SRD Legal Group (<https://www.srdlegalgroup.com/>), a women-owned, virtual secondment firm, also finds creative uses for online meetings. “I think there is a lot of room for creativity to elevate the video meeting by sending something to each attendee’s home in advance [as they did for their 2020 holiday party], using screen share to highlight working documents, or taking advantage of breakout rooms whenever appropriate.”

Several lawyers talked about advantages related to taking on and servicing clients. **Ben Geizhals**, partner at Moritt Hock & Hamroff (<https://www.moritthock.com/>), focuses on counseling and representation of healthcare providers in transactional and regulatory matters. His story: “Sometimes a telephone call just doesn’t cut it. I had only spoken to a potential client and was having serious concerns about whether to take on his representation. I suggested a videoconference and had a colleague of mine join us. I needed to get a better sense of this person, as I would in a person-to-person meeting and I valued the input of a third party. The in’sight’ was invaluable.”

Tara Fappiano says. ““Video meetings have replaced telephone calls more than in-person meetings, and in that regard, they are more successful because of the ability to see the other person, observe body language, assess the environment for witness preparation, and enable more engagement overall.”

Attorneys also offered tips as to what does and doesn’t work when videoconferencing.

What works:

- **Ben Geizhals** says, “The key to success is making the objectives of the meeting clear from the outset.”
- **Omid Zerah**, partner and head of the litigation practice at Weinberg Zareh Malkin Price (<https://wzmplaw.com/>), thinks that, “Success depends on the host of the meeting or court reporter. If they are practiced, experienced, and willing to ‘guide’ the videoconference, it will run well.”
- **Mark Berman**, head of the technology counseling practice and co-head of the title litigation practice at Ganfer Shore Leeds & Zauderer (<https://ganfershore.com/>), offered these tips: Have your materials ready and know how to enlarge them on the shared screen, “build in bathroom breaks to avoid having to repeat yourself,” and ask people to keep their video on because when only a few people can be seen “it makes the entire video conference less effective for all the participants.”
- **Nancy Schess**, partner at management-side labor and employment law firm, Klein

Zelman Rothermel Jacobs & Schess (<https://kleinzelman.com/>) and co-founder of a large networking group, says, “What works in person doesn’t necessarily translate to a screen. To me, environment, technology and tone are all critical. The environment needs to be professional and presentable. That includes appropriate surroundings and attire. An unmade bed as your background doesn’t work for me; neither does a crumpled tee shirt. Good technology is a must. And tone. The best videoconferences have been with people who have mastered how to talk to a camera and make it feel as if they are reaching across the screen. They sit up straight, look at the camera, know what to do with their hands and speak with confidence and warmth.”

What doesn’t work:

- **Mark Berman** observed that, “Talkative people who are not shy in in-person meetings, often speak less over video, and you lose some great ideas from smart people as a result.”
- For **Omid Zerah**, inexperienced videoconference participants can ruin a meeting. “One bad participant can ruin an otherwise helpful call, ‘No, Joe, you are still on mute!’ ‘Larry, you have an echo.’”
- **Adam Weissman**, media and entertainment lawyer at Adam N. Weissman Law (<https://www.adamweissmanlaw.com/>), cites the following inconveniences: “The inherent lag, difficulty reading [body language] cues over video, and occasional connectivity issues.”
- **Sarah Gold**, a business lawyer with Gold Law Firm (<https://goldlawny.com/>), points out that when using videoconferences “Time seems to be much more fluid than in-person, which can be a big problem.”
- **Marilyn Genoa** concurs: “Whereas in the past one might have been more careful about scheduling and conflicts; it appears that is no longer taken into consideration.”

According to the panelists, there is no mistaking a videoconference for an in-person meeting. **Adam Weissman** says, “Until we have perfected hologram-videoconferencing, I can’t imagine videoconferences being a truly satisfying replacement to in-person meetings.”

Many panelists noted the lack of intimacy in video meetings.

- **Alan Schwartz**, principal and managing attorney of the Law Offices of Alan J. Schwartz, P.C. (<http://ajslaw.com/>), a criminal defense firm, says, “Videoconferencing lacks the personal, face to face contact that so many of us have come to love.”
- **Omid Zerah** feels that, “Online meetings pale in comparison to in-person meetings, where we can look our clients or counterparties in the eyes, assess their temperament, body language, etc. You want to be in the same room when clients discuss their most personal matters with us, their counselors at law.”
- **Zara Watkins**, principal at On Point Expertise (<https://www.onpointexpertise.com/>), writes appeals in state, federal, and immigration cases. She feels that, “It is really hard to create deeper connections online because relationships are based on five senses and videos only use two (sight and sound).”

Everyone agrees that videoconferencing will continue after the pandemic ends because of its

advantages. It is convenient, geography-neutral, cost-effective, relatively easy to use and simplifies real-time collaboration of large teams. **Andrew Peskoe**, chairman of Golenbock Eiseman Assor Bell & Peskoe (<https://www.golenbock.com/>), and co-head of both the corporate practice group and the food, beverage and hospitality practice group, says, “The switch from occasional videoconferencing to all the time was abrupt for us like everyone else. It has expanded to both personal and work meetings and will likely replace a lot of in-person meetings and a few trips. Alas. Business travel will be effected permanently. I suspect marketing travel will return as people working from home will value a trip and in person meetings even more.”

Suzie Scanlon Rabinowitz says, “As a virtual law firm, we will continue to use video conferencing for client and team meetings. We expect that lessons learned from the pandemic will have a permanent impact on how business gets done and how lawyers practice in 2021 and beyond.”

Barry Heyman, Heyman Law (<https://www.heymanlaw.com/>), focuses on intellectual property for people in the music, new media, audio-visual and design industries. He points to peoples’ growing acceptance of videoconferencing. “I think over time, people’s understanding and expectations have changed as they have grown more comfortable with the idea of meeting virtually. At the same time, I have had people express their preference for meeting in-person initially to establish that personal connection and bond.” Similarly, **Amy Goldsmith** believes that “Once a safe return is possible, people will want to meet in person. Cues are more easily read in person. The eyestrain and fatigue reported after frequent video meetings are mostly absent with in-person meetings. Most people are eager to physically see one another.”

These attorneys offer a variety of ways to use videoconferencing successfully. Ask yourself whether any of their ideas would work for you. Read their “do’s and don’ts” and use them as a guide to perfect your own role as leader or participant on videoconferences. Look forward to a future in which both in-person and video options will be constructively integrated into your practice.

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