

## Hiring Remote Associate

Hey folks,

I'm looking for recommendations on how to manage/work with a remote associate. I'm planning to hire someone part time.

1. Do you have set work hours, or let them set their own?
2. How do you manage/verify time etc.?
3. How do you communicate effectively?

Please send all suggestions and tips!

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I have just downsized my office and taken my law clerk remote. I let her set her own hours. I review her time sheet and would question things that seem wrong. That hasn't happened. We communicate mostly by email, with a phone call where needed.

Shell Bleiweiss, Illinois and Arizona

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First and foremost, a confidentiality agreement with current malpractice insurance coverage.

1. Setting their own work hours is fine as long as they get the job done by the time I need it done- typically, a deadline that allows me to review the work and send it back for revision at least once.
2. I'm trusting on the time issue, as long as it's within reason (good general rule might be 3x what it would take you to do it with someone new). Even though the attorney knows the subject matter, you need to get accustomed to giving direction and the opposite is true. The "new" attorney could read something completely objective and think something completely different.

3. As for communication, I like to receive calls 10-15 min explaining the what, why, and when. Then I like to get an email to confirm the same in writing.

Alex Salmu, Michigan

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It is always very difficult to figure out how to manage remote associates. It is hard to even get them to talk in the morning, much less engage in watercooler talk, or pipe up in a meeting. Social distancing started a long time ago with these people. Sometimes you actually need training to try to teach them how to speak up more. Don't hold it against them though, because some are simply natural wallflowers.

Art Macomber, Idaho

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I'm old and think remote is a crock of crap. That said, if all you have them doing is research and writing, then give them projects, tell them to turn in their hours to you, verify at least the research hours using the records that Westlaw or Lexis can generate for you showing log ins, and then pay for the hourly work done once you are satisfied the hours match the output. I struggle to communicate effectively with remote workers. I simply believe I am being taken for a ride although my records show it is not so and my employees actually did a stellar job when forced to work remotely. I suppose younger clients don't necessarily like face time with their lawyers and younger lawyers don't like face time with their clients, so ultimately it is a match made in heaven.

Robert "Robby" W. Hughes, Jr., Georgia

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I'm old and old-fashioned. Thought many times during my career about adding an associate, in any form. Always talked myself out of it. Watched other attorneys bring in an associate and have nothing but trouble, besides large paychecks. I chose to go the legal assistant route and am very happy I did.

I'll take a trained legal assistant any day over an associate.

Jim Winiarski

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Whooo hoooo ... I love it when I can use this one -> depends. hee What do you mean by "remote"? What do you mean by "associate"? In essence, what do you need done and what do you think of as "remote"?

As for the methods of being IRL "in real life" - they just changed from being in the same physical location at the same time to being in the same virtual location at the same time. So IIR now means you can be physical or virtual and everyone is just shifting more to the virtual because, at this point in time, it's the healthy option. Note for peeps like me - geeky germaphobes who really don't like airplanes or hotels.... it was the logical option long, long ago and I've been wondering when the processes of life would catch up. No one wants to be on an overstuffed LIRR into NYC with a bunch of people hacking and coughing ... an overtaxed process that needed a break. It now has it. The proper cleaning protocols that should have been in place ALL ALONG are now being put in place. I agree it's different now. But it's not all bad and definitely has it perks.

Adapt to the methods of sharing in real time (vs real space) using the tools that resonate with you (Facetime, Zoomin it....) - and you know I'm going to say it ... VOICE.

But don't ascribe it to an age. Cuz you're wrong. Young and old alike are adapting re: the methods. What I find the younger in age, for the most part, lack is the ability to articulate. They need to be taught the power of words - spoken and on paper <- and if I could please plant the seed ... with the ability to tell a good story (such a useful skill) in all forms of lawyering \*cough\* life

ALL of this is just in my #nottalawyer eye looking at the recent shift to hit the fan and how that affects the actual workflows of law firms <-shift is my favorite word these days hee

Andrea Cannavina, nope notta, New York

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Instead of hiring a part-time remote associate, you may want to consider hiring a freelance (a/k/a contract) lawyer for project-based work. As a long-time freelance lawyer, I've written extensively on all aspects of working with a freelance lawyer. You can find a short piece I wrote, *\*Outsourcing Legal Research and Brief Writing: Five Useful Things to Know About Hiring a Freelance Lawyer* <<https://www.attorneyatwork.com/outsourcing-legal-research-brief-writing/>>, at <https://www.attorneyatwork.com/outsourcing-legal-research-brief-writing/> <<https://www.attorneyatwork.com/outsourcing-legal-research-brief-writing/>>.

If you're interested in my book chapter, *\*\*Outsourcing Work to Freelance Lawyers* <<https://shop.americanbar.org/ebus/store/productdetails.aspx?productid=278899936>>

(\*in *\*Effectively Staffing Your Law Firm\** (2nd ed., ABA 2017)), just let me know and I'll email it to you.

To answer your questions, freelance lawyers set their own hours because they are independent contractors. Managing and verifying time is based partly on trust. A freelance lawyer should be able to give you a reasonable estimate on how long a project should take. Finally, communicating effectively is a two-way street. Let the freelancer know how often you want him/her to check in with you. I find a mix of telephone calls and e-mails strikes a good balance: the calls foster camaraderie and the e-mails ensure that you and the freelance lawyer are on the same page about a project.

If you (or anyone reading this) want to talk about working with freelance lawyers, feel free to call me at 914-595-6575,

Lisa Solomon, New York

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Wow - examining Lexis or Westlaw records and using that as the basis for time of the remote associate? Doesn't research and writing involve any thinking beyond the online research? Remember researching in physical books? Didn't you think about what you'd read, or did you just copy and paste? I can't believe that the only basis for timekeeping is the actual time spent with the online research vendor. What we do as lawyers is think.

There has to be an allowance for that time, for drafting, for rethinking, revising, etc. Or do you just read once, write and it pours out perfectly with no gap in between? You are so impressive! [Andrea, this is not directed at you! Although, of course, you are impressive]

Miriam N. Jacobson, Pennsylvania

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No, not as a basis, but just to confirm that the remoter worker indeed put in time doing the research. That is all.

Robert "Robby" W. Hughes, Jr.

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For item 3, I'll take a magic wand. :)

On a more serious note, you have to understand the best means for communication between you and an associate. Frequency, duration and method needs to match up between the two. As always, you don't have effective communication without a feedback loop.

Darrell G. Stewart, Texas

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I've been working remotely since March. There's good and bad on both sides, which I would be happy to delve into....but I have a call in 2 minutes, so I can't.

I'd go with a contract attorney until you're sure you have enough steady work to keep someone busy. But otherwise, there's not too much different than having a regular associate.

Greg Zbylut, California

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I hired a new part-time associate in February, who turned into a remote associate in April, and still largely is, mostly because I am remote, too.

I probably am not a model for best practices.

1. I let her set her own.
2. She turns in a timesheet, like all of my other staff other than my full-time associate, and enters direct time charged to the client matter in our timekeeping system. I don't really do much verification. I basically trust her to be truthful regarding such work. I ask her to enter all time, and then when I bill the case, I do tend to write off quite a bit of it (expected for a brand-new associate.)
3. We struggle with this a bit. Phone calls seem to work best, even if it is just a check-in on how stuff is doing. She tends to initiate them more than I do. I have my other associate managing most of the other work she is doing right now, since I am harder to get a hold of.

Cynthia V. Hall, Florida

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I have a remote part-time paralegal; she was in-person, but moved back to Arizona just before the pandemic closed things down. She reports her hours and I trust her, but that may be in part because she did work at the office for a while, I know what is reasonable to expect from her in a given number of hours, and her work hours and amount done is similar now to when she was working in the office. I recently put her on a fixed salary based on her average hours-per-week over the past 6 months or so, which makes it easier.

I just rely on her to get the stuff done that she does, she can rely on a set paycheck, and there's less bookkeeping/timekeeping for both of us.

We communicate via Skype. I have gone to using Discord for another paralegal (she's in person but we use it to communicate between our two offices and when I'm working at home), we both prefer it, but the remote PL is a bit tech-averse and is comfortable with Skype-chat so we use that.

It's kind of nice because when a message comes on Discord, I know it's from one person, when it comes on Skype, I know it's from the other, so I don't get confused. When we were all on Skype it was harder to keep track of who was asking about what. I also use Skype to communicate with some other attorney friends around town, and Discord for family matters, diving plans, and some other things, so I'm comfy on

both platforms. And Laura (my remote PL) and I check in by phone every week or two, but it's kind of optional. We just like to chat sometimes.

Works great for me. But if I were hiring another attorney, I'd be doing it so they could take over more of the in-person work (client meetings, mostly), so a remote person wouldn't work for that. Laura does engagement letters and contracts (sent for electronic signing), rough drafts of EP and probate documents, and a few other things that don't require any in-person contact. We have been moving toward scanning more and more of our documentation, forms, notes, etc., so she can just remote into our server and see everything she needs, then save her work there for me to review.

Cynthia Hannah-White, Hawaii

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We have been using Slack for communication within our remote team. It works well. You can tell when someone is "there" because their bubble is green, and it's also good for asynchronous communication. It's a decent digital substitute for popping into someone's office with a quick question, which is the biggest missing part that I've found about remote work. My advice is to set up as many pathways for communication as possible -- email, text, Slack, etc.

Katie Burghardt Kramer

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