

PEOPLE  
*to* KNOW

2014  
**STATE OF  
THE INDUSTRY**  
LAW EDITION

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Looking at the  
**three key elements**  
of law today.

LAW

# LAW LEADERS AROUND THE TABLE

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# 2014 **STATE OF THE INDUSTRY**

## LAW

**Welcome to our *lite* paper, an observation on the state of the industry, offered by** People to Know in Law.

At Clark Schaefer Hackett, we're proud to be industry specialists. We dig deeply into the industries we serve and share the resulting insight for the good of our clients and communities.

When we gathered the select few recently named "People to Know in Law" we were privy to profound thought, unique perspectives, and intelligent understanding.

These tlaw leaders, recognized as the most influential in Central Ohio, illuminated the universal trends, challenges and opportunities seen nationally across the sector today.

**The issues impacting law today, also reflect our society, business and culture.**

**Exactly how these issues will shape our future is the question that remains.**



# 2014 **STATE OF THE INDUSTRY**

## LAW

Law firms are feeling the impact of a multigenerational workforce. In the coming years, **the use of social media and mobile technology** – plus the **influence of younger generations of lawyers** – are going to force dynamic changes within law firms.

The **expectations of clients** who are constantly connected through technology have to be managed while attempting to **prioritize a more reasonable work-life balance**. Another concern focuses on educating the next generation of lawyers, and the expense that comes with it. While a law degree may offer flexibility and skills that can be applied to a myriad of jobs, the cost may dissuade all but the most **passionate barristers-in-training**. Increasing the **diversity of law** school students, as well as firm associates, also needs to be addressed.

**Law firms are changing**, but how the issues forcing that change will shake out is still undetermined. It is making for an interesting time for the industry.



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# AN IMPACTFUL GENERATION



**William Barath**  
Ice Miller

Many younger generation lawyers have a different mindset of the profession. It used to be that a young associate had to make partner no matter what. That is no longer always realistic, and they should be informed that partnership is unlikely if it is the truth. What I have seen is that instead of expressing disappointment, they often accept that they will need to take a different track. That might be a **healthier response than in the past, but it is different.**



**Maribeth Meluch**  
Isaac Wiles Burkholder &  
Teetor LLC

There has been a whole attitude shift about how one makes partner. When I got out of law school I asked myself that question – “How am I going to be interesting and how am I going to work hard?” I had to learn about football because everyone was male. Now the associates look at us veterans and **ask how are we going to help them make partner.**



**Bob DeRose**  
Barkan Meizlish LLP

Some lawyers on the older side of a firm’s fence must be educated that this generation works differently, so adapt and get used to it. They have grown up in an era when invention has made everything more efficient. When I started, associates worked Saturdays. We had partners who would not answer our questions until after 6 p.m. to ensure we were in the office. That’s not the case today. **We are interested in your end result.** If you have work to do, do it; if you don’t, fine, go home in the afternoon if you have a family function or errand to run. They work on their tablets and phones, and can be just as productive as they would be working at any computer. Being cloud-based helps a lot. It has been a good change for the firm.

# AN IMPACTFUL GENERATION



**Stephen Palmer**  
Ohio Legal Defense Fund

As a bigger picture, how many people do we all know that have been affected by mental health or alcohol issues because of working their tails off until midnight every night, neglecting their families, neglecting their kids and neglecting themselves? The younger people don't do that as much and, for whatever reason, they are flexible enough to want to get home. And maybe that is a positive thing to have a **different work ethic as opposed to dying at your desk.**



**Luke Fedlam**  
Kegler, Brown, Hill + Ritter

The changes in the tools we use and how business operates makes it a necessity to constantly think about how we can maximize efficiency. I have been in the working world for 15 years now, and I have a 4-year-old son who knows how to work my iPad – this is just the world they are growing up in. Cell phones didn't exist during my high school years, but every kid has a cell phone today. The other part of the equation that has changed, apart from a younger generation of lawyers, is the change to the business and industry. Our clients have changed in terms of what they are seeking, and that is talent. In generations past, people worked at one job their entire lives. Today, their descendants are bouncing around because firms are constantly looking for the best talent, recruiting the best talent, elevating that talent and finding whoever is next in line. We have to recognize that someone asking for help in becoming a partner has **a lot more options available than an older generation might have had.**

# AN IMPACTFUL GENERATION



**Dave Conrad**  
Bricker & Eckler LLP

The attitude and work ethic of younger attorneys has changed over the last 10 years because it is harder for them to get a job. They really work and do what you ask of them. I'm very encouraged by that and think it is a real positive. They appreciate their job. It will be **interesting to see how that shakes out in the next 10 or 20 years.**



**Stephen Palmer**  
Ohio Legal Defense Fund

This younger generation is going to help bridge the gap in what firms do and how they reach out to a different client base and different parts of society that wouldn't be accessible otherwise. It is going to provide some longevity and a succession plan. I have a couple of young associates and they are the hardest working people that I have seen in a long time. **They are good workers and they are sharp.** When I told one that we were going to find a way to keep her on, she was in tears. She was that happy that she had a place and she liked it – that she had a plan. It's been a breath of fresh air for me to have them.

# DEMAND, DIVERSITY AND DEBT



**Maribeth Meluch**  
Isaac Wiles Burkholder &  
Teetor LLC

Despite advancements, there are still not enough persons of color in law school. As a diversity coordinator, I see the programs out there trying to entice them into the law pipeline, but the trouble is, they ultimately don't see themselves in that picture. That is a big challenge because we all want to be diverse, but there are only so many applicants we can select from. The Columbus Bar Association has been working on this under-representation for several years now, but despite its success, there are still issues. For instance, I attended the annual meeting for an association committee a month ago, and what the speakers were saying might lead one to think that the gender gap has been corrected because women now comprise 51 percent of law school graduates. However, a gap still exists when you look at the partnership track, or count the number of women attorneys compared with male attorneys in any firm. When I graduated in 1991, women accounted for 50 percent of the class. But they don't represent the same percentage in a law firm. **So where are the women going? It is a tough battle.**



**Luke Fedlam**  
Kegler, Brown, Hill + Ritter

**There are too few minorities in the field,** and those diverse candidates who do go through law school are highly sought out across the country. A separate challenge when thinking about filling the pipeline with new lawyers is the incredibly expensive cost of law school. Law students are assuming \$100,000 to \$150,000 in debt, and there is no guarantee they are going to have a job. That's a lot of money. If students aren't 100 percent passionate about becoming a lawyer, a risk-reward analysis might give them something to think about. Why should they take on that debt without knowing whether a job awaits them or not. I think that is something the industry should look at. Thinking aloud, does the typical law school student need three years of incurring debt when the job market is murky? Right now, that student gets one year of classroom education and two years to experience internships and take electives. Are the extra years, and extra debt, going to make him or her a better lawyer? Maybe, but you aren't really getting on-the-job training with internships during your law school experience.

# DEMAND, DIVERSITY AND DEBT



**Ronald Robins Jr.**

Vorys Sater Seymour and  
Pease LLP

**Passion is the key.** There was a generation of law students who went to law school because it was easier than trying to find a job, and that's reflected throughout the industry. You can look around any firm and pick out people that like some of the things that go along with being a lawyer, such as the income and respect, but they really don't like being a lawyer. The Great Recession thinned the numbers of law school students who took on debt without really wanting to be a lawyer. There are still opportunities for passionate individuals who want to be a lawyer and take it seriously. The big firms are still there and provide those opportunities. I personally have a lot of respect for those who are more entrepreneurial and start their own practices. Whatever route one takes, he or she will fail the journey without passion for the craft.



**Bob DeRose**

Barkan Meizlish LLP

There are things that are not taught in law school that should be woven into the curriculum. Not enough emphasis is stressed in law school about the realities of the job market and why becoming a lawyer is a tremendous way to move forward. You go to law school to learn a profession, not to get a job. You go to law school to be trained on how to think differently, how to be critical thinkers and how to think on your feet. These are real values students should be hearing in law school, regardless if they become a lawyer or not. Professors might incorporate into their lessons ideas on how to be an entrepreneur. **I learned how to be a lawyer, but it took a lot of trial and error to be a businessman.** I had no background in how to run a law firm. A law degree doesn't pigeonhole a person. Even if you go into business and not practice law a single day, you will still bring significant skills to your job. I don't think that is stressed enough.

# DEMAND, DIVERSITY AND DEBT



**Dave Barrett Jr.**

Barrett, Easterday, Cunningham & Eselgroth LLP

**Debt isn't relegated to law schools.** Undergrad is so much more expensive than it used to be, and then comes law school. The debt problem is a higher-education cost problem. But having a law degree provides serious flexibility. I have clients who are lawyers that run companies. The law degree certainly didn't hurt them; it helps them. We are always looking for good people because what we do is unique. I was general counsel for a trade association for more than 10 years and then came back to private practice. The options are limitless.



**Stephen Palmer**

Ohio Legal Defense Fund

Law schools need to self-correct. Having some type of pre-education or other program that explains to prospective law school students what they are in for might be a good way to weed out the less passionate. **Practicing law is hard work, so if the field isn't going to float their boat, they should pick something else.** My dad, who was an attorney, always said attorneys can work in several types of positions and industries, but not everyone can do what an attorney does. Times have changed, and now a lawyer who wants to pursue a different professional career is stereotyped. From an HR standpoint, they are going to wonder why that person isn't practicing law. What is wrong? Where did they fail? The answer is most likely that they don't like it anymore. I think if the people who are going to law school for the wrong reasons are steered away, what remains is a crop of lawyers interested in the job. Once the law schools aren't getting the mass numbers coming in, they won't be able to charge the mass figures coming out.



**Dave Conrad**

Bricker & Eckler LLP

**Law schools used to be a profit center.** They are cheap facilities to run because they don't pay the professors very much and didn't have to incorporate big laboratories. Today, law school applications are down by about 25 percent and the schools are in a tough place. They have to lay off professors and they can't lay off tenured professors, so you end up laying off some of the best people. I don't see it changing anytime soon. When you are talking about the ratio of tuition to salaries, it is shocking. I graduated a long time ago, but my initial salary was 25 times one year's tuition. If a new lawyer is lucky today, he or she will receive a salary three times the cost of one year's tuition.

# SOCIAL MEDIA, THE "ALWAYS ON" WORLD



**Luke Fedlam**  
Kegler, Brown, Hill + Ritter

Technology creates opportunities and lets attorneys more easily reach out and talk with people, talk with clients and talk with referral sources. **We try to make a big push in our firm around blog posts and social media and being involved that way.** A lot of that push isn't coming from just the younger attorneys, but also marketing teams and others who recognize that. We aren't giving legal advice through social media, but at least we are letting people know that we are listening to the conversations that they are having. If we aren't a part of it, someone else will have those conversations with them.



**Stephen Palmer**  
Ohio Legal Defense Fund

**Clients in my field expect communication all the time,** to the point where during the initial consultation we set expectations about how those communications are going to work. Will we be available after 11 p.m.? No. But there is a whole generation out there that doesn't understand that; they are on all the time. Their iPads are on, their phones are on, and they are plugged in 24/7. As an attorney, it is hard to fill that need.

# SOCIAL MEDIA, THE "ALWAYS ON" WORLD



**Bob DeRose**  
Barkan Meizlish LLP

This idea of continuous communication because technology lets us is a significant issue. I do wage and hour work – documenting time and working beyond 40 hours. **I see a dramatic increase in that work based on this notion that everybody is on.**



**Ronald Robins Jr.**  
Vorys Sater Seymour and  
Pease LLP

There are two aspects companies must address in regard to new ways of communicating: Managing employees and associates as it relates to social media, and e-commerce. At Abercrombie we had a decent number of crises that arose because something posted on social spread like wildfire, and as a management team you are soon dealing with a full-blown crisis. The other factor is e-commerce, where companies are approaching it from the revenue side and the security side. **There are so many data breaches and those are only going to continue to get worse.** Managing that technology, trying to stay ahead of the bad guys and protecting the consumer are huge challenges.

# SOCIAL MEDIA, THE "ALWAYS ON" WORLD



**William Barath**  
Ice Miller

**There are so many angles with electronic media and the law.** Most of my clients operate in a non-unionized setting, but they might call with a situation in which an employee posts something about work or a supervisor on their personal Facebook page. That post might be followed by comments from co-workers that might be negative toward the employer. If the employer learns of the comments they might be upset or even want to impose discipline. However, even in a non-union shop those posts can constitute concerted activity and be protected from retaliation by the National Labor Relations Act. That employer can then be surprised when they face NLRB scrutiny even though they are non-union. That situation raises a lot of employment questions about social media monitoring and online relationships between hourly workers and management.

Employers are also at the front line of data breaches often involving current or former employees. **Breaches can lead to unexpected expenses and can even affect a publicly traded company's stock price.** Lawyers need to talk to these companies about protecting themselves against breaches through employment policies, IT processes, and even cyber liability insurance where appropriate.



**Bob DeRose**  
Barkan Meizlish LLP

My practice is about 95 percent federal, spread around the country. We do state court work and I do a little bit of it. I know the state court systems are starting to dip their toes into electronic court filing and it would be nice if they could focus on getting the state courts more electronically friendly. **The nice thing about Federal Court is you finish a law brief at home in your pajamas at 11:50 p.m. and you are filing it.**

# ABOUT **CLARK SCHAEFER HACKETT**

**OUR FIRM** Founded in 1938, Clark Schaefer Hackett is one of the 65 largest CPA and advisory firms in the U.S. We offer best-in-class technical expertise in audit and assurance, risk management, benefit plan consulting, forensic and litigation support, valuation and transaction services. We combine the insights and ideas of multiple disciplines to provide solutions in a wide range of industries, including manufacturing, construction and real estate, distribution, healthcare, financial services, as well as government entities, higher education institutions and not-for-profit organizations.

**INDUSTRY SPECIALIZATION** We align resources by industry to better serve the needs of our clientele. Specialization permits us to develop deep knowledge of the issues facing our clients and to anticipate needs based on our understanding of industry trends. We select a team that best fits the needs of the client from our strong bench of firmwide industry specialists.

**RELATIONSHIPS MATTER** We believe that doing the work and serving the client are not necessarily the same thing. One is about a talent for numbers, the other is about interacting with people. At CSH, relationships matter, and we believe that creating a supportive, helpful, working relationship is perhaps the most valuable talent we can offer.

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# CSH AROUND THE TABLE **LAW**



**KENT PUMMELL**

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Kent Pummell is a Certified Valuation Analyst, obtaining accreditation in 2001 from NACVA and in 2006 from AICPA. He is skilled at the highly disciplined specialty of evaluating a company's worth. Kent has worked with clients in the professional services industry who need to understand the value of their business. He is a resource to perform valuations for firms who would like their value calculated before they apply for loans, during ownership disputes, or prior to succession planning.



**DAN LACEY**

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Dan Lacey specializes in the area of personal, corporate, partnership and fiduciary income taxation. Dan is experienced in business valuation, which supports his expertise in mergers and acquisitions, business sales, and generational ownership transitions. A certified fraud examiner, Dan has the knowledge to evaluate data to determine instances of organizational fraud or wrong-doing. Both skills make him a sought-after resource for litigation support.



**SHARON REISMAN**

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Sharon Reisman has experience in tax return preparation and review for corporations and partnerships in the professional services industry. Sharon puts a great emphasis on year-end planning and tax reduction techniques, working with clients to determine their best course of action to minimize their tax burden. She has experience in tax research on various federal and multi-state issues. Sharon has also successfully represented clients with both federal and state audits.



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