



ILLINOIS STATE  
BAR ASSOCIATION

# THE BOTTOM LINE

*The newsletter of the ISBA's Section on Law Office Economics*

## The Swiss Inn Syndrome for lawyers

By Donald E. Weihl

With the advent of computers and spreadsheet programs, the "Swiss Inn Syndrome" receives little or no attention in economics and accounting classes. Nonetheless, the concept remains alive, well and important in the business world.

The concept derives its name from the stockbroker's weekend trip to a Swiss inn resort in the mountains to continue his love for ski trip weekends away from New York. After a day on the slopes, he is sitting with his snifter of brandy enjoying the warmth of the lodge. His thoughts drift to his daily tasks as a broker and how far away from what he enjoys his day-to-day life actually is.

Acting on an impulse with action perceived to improve his joy in life, he negotiates with the owner and purchases the inn.

In the year that follows, he recognizes that the income produced by the inn will not support a reasonable return on his investment. While the revenue is adequate on an annualized basis, the expenses of operation reduce the bottom line to a point where he is working for a very small per-hour wage, or in the worst case, is working for nothing.

Partners and associates alike have

impulses that bring the Swiss Inn Syndrome into application not only for their clients but also for themselves.

As applied to their clients, they must advise the broker to find a buyer (at a substantial loss) to purchase the inn at a price level where the return is appropriate compared to the investment. While the broker may get lucky and sell for a price that is greater than what will yield a reasonable return, the process will continue until the ultimate purchaser pays a price that results in a reasonable return.

As applied to lawyers themselves, the analysis is substantially different.

At least two situations are recognized universally as follows:

First, the associate who thinks about the hourly rate being charged for his services times the high billable hour annual requirement, and

Second, the partner who receives the report of the compensation committee and believes that the partner's services justify a greater share of the pie than he or she is scheduled to receive.

In either situation, the lawyer's reaction is to take action perceived to improve the lawyer's joy in life whether equated to more money or more time because of fewer hours worked.

Subconsciously and often consciously, the lawyers in either situation desire to make a change, but in most instances make no change and the situation remains status quo until the return in dollars or lack of time forces the change.

The situation in this instance may or may not be an application of the Swiss Inn Syndrome. If the analysis and planning have been adequate to provide for all eventualities, the Syndrome doesn't apply. On the other hand, if the change is an abrupt dislo-

cation of the lawyer's practice, the Syndrome may be manifesting itself.

When the change comes, the opportunity for the Syndrome becomes full blown. To avoid the Syndrome, the lawyer making the change needs to become his own psychologist, economist, and best client.

If the lawyer joins an established law practice, the Syndrome is much less likely to apply. Analysis on an investment versus return basis goes on at the outset by the firm joined, and is a continuous process in and of itself.

If the lawyer's decision is to begin a new practice either alone, or with others, the opportunity for the Syndrome to apply is rampant. To avoid the application of the Syndrome, two preliminary factors must be carefully considered and resolved before consideration of all of the lawyering factors can be undertaken. All too often the two preliminary factors are ignored. More on that later.

Number one and of primary importance is whether the changing lawyer has sufficient financial resources.

Unlike our broker at the inn, the lawyer will not have revenue beginning with the date the new practice opens. Departing partners and/or associates do not take work in progress or accounts receivable with them. Even if their established clients go with them, there is the delay for the performance of the services, delay for billing to occur, and finally the delay before payment occurs. This financial need must be anticipated and provided for in advance.

Similar to the broker, the up-front investment for space, equipment, library, insurance, etc. has to be available, but this is a given. It is anticipated at the outset. What is not anticipated is exactly what the broker

**Get the electronic  
version of this  
newsletter**

Go to [www.isba.org/  
newsletters](http://www.isba.org/newsletters) for details.

### IN THIS ISSUE

- **The Swiss Inn Syndrome for lawyers** ..... 1
- **Backing up—The easy way** ..... 2
- **Law firm planning & design: Part 3** ..... 3

experienced in revenue shortfall. The expense of operation as a percentage of revenue is the issue.

For some attorneys, the investment return analysis has been performed well in advance and the new practice survives. For others, the practice is short-lived.

What happens when the two preliminary factors are ignored? The answer has multiple answers. Practices merge into other firms; practices fail; practices tread water while finances and/or administrative skills improve; and in some instances lawyers even change fields and enter employment as in-house lawyers, or even undertake non-lawyer positions.

Number two of the primary considerations is the existence of the requisite non-lawyer skills to operate a law firm. The administration of a law firm doesn't just happen. Most lawyers possess

lawyering skills. Only a fraction of those same lawyers possess the business skills necessary to the successful operation of a law firm. A new practice can purchase administrative skills by hiring employees capable of those tasks, and when this is done, the cost becomes part of the number one factor, i.e., sufficient financial resources.

In conclusion, the thing to avoid is the dramatic dislocation of lifestyle that occurs when a decision is made without the pragmatic, objective, and carefully thought-out planning that is absent in the Swiss Inn Syndrome decision making process.

Planning help is available by the Illinois State Bar Association. This past May 6, the ISBA held a law seminar entitled, "Hanging Out Your Shingle Without Hanging Yourself." The material from that seminar is still available. Additionally, the ISBA is conducting

its "First Annual Solo and Small Firm Conference" in St. Charles, Illinois at the Pheasant Run Resort on October 7th through the 9th. Nationally known speakers such as Jay Foonberg and Dustin Cole will be featured to enhance lawyers' bottom lines and provide advice that will reduce their day-to-day stress. Register now.

---

Donald E. Weihl practices in the St. Louis-Belleville firm of Greensfelder, Hemker & Gale, P.C. and is a past chair of the ISBA Law Office Economic Section Council, [dew@greensfelder.com](mailto:dew@greensfelder.com)

Editor's Note: Pheasant Run Resort is located on the beautiful Fox River with abundant activities such as golf, tennis, canoeing, dinner theater and hiking. The October 7<sup>th</sup> through 9<sup>th</sup> weekend is the St. Charles Scarecrow Festival Weekend with activities that can be enjoyed by family members of all ages.—Jeff Simon

## Backing up—The easy way

By Maximilian M. Prusak, Peoria

For people who have been around computers for a significant period of time, there is no need to explain the necessity of backing up data.

However, when the hard disk gets fried, a bitter tasting reality appears. Thoughts run through our minds such as:

1. When was the last time that I backed up?
2. I hope my tape backup unit was not defective.
3. I hope that the tapes are without flaws.
4. Did the staff in the office back up as directed?
5. If backup is done on the server, did someone remember to change the tape?

Backing up takes time. For those of us with peer-to-peer network systems, backups must be done on each machine that contains data. This can be a management nightmare. We hear some familiar phrases such as "I forgot to back up" and "I can't backup today because I can't use my computer when it is backing up."

Fortunately, there is a product that I found which makes life much easier. It is called IBackup. IBackup is a service offered by an Internet company for online storage. The lowest cost offered is \$14.95 per month for 4 gigabit stor-

age space. IBackup's Web site is located at <<http://www.ibackup.com>>.

Software is downloaded from the site and installed on the local computer. Operating the program itself is fairly intuitive.

I do not backup anything other than my data. All of my data from all of my programs is located on my data directory.

I merely select which files that I wish to back up on the IBackup program from my local C drive and then initiate the backup. The initial backup takes a substantial period of time. I found that it was best to run the initial backup when I was leaving the office and letting the computer run overnight.

After my initial backup, I used the scheduler feature of IBackup to do incremental backups daily. The incremental backup only backs up new or modified files. Subsequent backups occur very quickly and operate unnoticed in the background. The only thing that I notice is a message that I can view a log, if I wish, to see which files have been backed up on that particular day.

To date, the system has worked perfectly. I did call the technical support number on one occasion and was well satisfied after talking with the technical representative.

Another good feature is that I can back up the data drive of my secretary daily if I wish since she is on a peer to peer network without interfering with her work.

One of the best features of this program is my ability to download my office files to my home computer. Since the backup was over the internet, I can access my office files and the files of my secretary from home and down load the files that I need. Of course, when traveling with my laptop, I also have access to the files over the Internet that have been backed up in my IBackup account including my secretary's data files. I can back up files from my home computer so that I can access them from my office.

The benefit that I receive is well worth the cost. The backup data is encrypted when it is sent over the Internet. The two greatest benefits to me are:

1. I never have to remember to back-up my data.
2. I am able to retrieve the backed-up data from remote sites via the Internet.

---

Maximilian M. Prusak is a principal in Prusak, Winne & Gorman, Ltd., 403 N.E. Jefferson St., Peoria, IL 61603.

# Law firm planning & design: Part 3

By Daniel G. Jay, AIA; Christner, Inc.; St. Louis

## 5. Client Accommodation

### *Rise of the Reception/Conference Center*

**T**he conference center concept has profoundly changed how many firms greet and accommodate their visitors. In its most general terms, a conference center is a space that brings together all of the public conference facilities in the firm. While larger firms have developed multiple conference centers, the concept is very much the same, and the goals are consistent:

1. Improve the accommodation of visitors and meeting functions.
2. Remove visitors from the practice corridors of the firm.

In achieving these goals firms can focus all of their design "sizzle" on a single area, limiting the need to upgrade the rest of the office areas with costly finishes.

### **Conference Center Elements**

The typical conference center combines the reception function with the meeting rooms. Typically, the elements include the following:

- **Reception:** Often a custom desk that is the sculptural centerpiece of the reception/waiting area. In most small to mid-sized firms the receptionist also takes incoming calls. Larger firms will have to provide message center backup or a second receptionist for this purpose.
- **Waiting:** From an image-building standpoint the waiting area establishes initial perceptions. The most successful waiting areas are on the windows. As two opposing parties might be waiting for the same deposition or arbitration, there are frequently two distinct seating areas. Planners should additionally be aware that "visitors" might range from civic and business leaders to injury plaintiffs and their families. Coats and beverages should not be far from the waiting space.
- **Concierge:** Large to mid-sized firms are providing a conference center concierge to service meeting functions, schedule rooms, and provide a range of "host" services from making plane reservations to copying and faxing. We usually provide a desk near copy and kitchen support facilities.
- **Meeting Room:** Typically the largest

space in the conference facility, the meeting room should accommodate all lawyers in auditorium-style seating (12 sq. ft. per person). Flexible furniture and audio-visual capability make this an extremely important multi-purpose space. Access to the kitchen and direct access to waiting areas are important considerations in the placement of this room.

- **Large Conference Room:** Depending on the size of the firm, this room, or rooms, should accommodate between 16 and 24 around a table. In many firms this room becomes the showpiece "founders" room.
- **Regular Conference Rooms:** We continue to find that the workhorse conference room of 300 to 350 sq. ft., accommodating between eight and ten, fills the largest range of needs for the firm. A good guideline is one regular conference room for every twelve lawyers. These rooms are also the most appropriate for adapting to video conferencing.
- **Small Conference Room:** These multi-function spaces typically fill a range of unscheduled needs. They should be convertible to temporary clerical offices for serving large closings and arbitrations. They should be generally available for prospective employee interviews, guest offices and vendor meetings. As with all conference rooms, they should be equipped with phone and network access, although we frequently see a computer mounted permanently in the small conference room.
- **Support Services:** While the extent of kitchen support facilities might vary, the space should at least offer full beverage service and the ability to stage hot or cold lunch service. The conference center should also be capable of providing full copy/printing and fax services to support meeting functions. The meeting room in particular will need audio-visual and furniture storage. Other support areas include AV storage, furniture storage and coat storage.
- **Toilets:** The importance of the conference center to the accommodation of visitors requires careful planning for toilet room access. If the building public rest rooms are easily accessed from the conference/reception area,

then these spaces might receive a finish up-grade. If necessary, new restrooms will be constructed. In older buildings, it becomes necessary to add an ADA accessible toilet to the reception floor.

### **Technology Integration**

While firms vary tremendously in the extent of their technology integration, the conference center is now the place to display any commitment that the firm now has to technology. On the other hand, once this Pandora's Box is open, the firm will find itself facing a technology budget that surpasses everyone's expectations. Our experience is that clients are quickly confronted with the need to significantly reduce a proposed technology plan without any clear understanding of what capabilities are being compromised. Vendors are generally poorly equipped to guide this process, being more focused on the magic of the integrated systems than on the applications.

Within the conference center the primary application needs apply to communication. The need for records retrieval and document processing is more limited. Communication needs focus on a few specific applications:

- **Video Conferencing:** Most valuable to multi-site firms. Integration with client systems is achievable, but less likely to occur on a large scale.
- **Audio-Visual Viewing:** Becoming the standard, with applications ranging from actual video viewing to PowerPoint presentations and on-screen document editing. This capability is becoming particularly critical for continuing legal education and AV integration into litigation.
- **Audio-Visual Production:** Some firms are advancing this application for the recording of depositions, expert witness testimony, and other trial materials.

In general, we advise that one or two rooms be fully equipped, as required, to meet the firm's needs, with infrastructure to support constant expansion and upgrades. Technology is ahead of our professional ability to apply it; training is long-term and driven by competitive necessity; equipment quickly becomes obsolete. An incremental approach expands the



investment with the applications.

### Conference Support

Essential to the seamless service aspect of the office design is the support of the conferencing functions. Basic food and beverage are the first level of support. On-demand technology, described above, is the second level. Access to fax, document editing and copy services is the third level. It has become standard to provide food and beverage through office support staff. Higher levels of technology require on-call tech staff for support. Closings and arbitrations, requiring some level of document production, often need secretarial support staff stationed in the conference center with appropriate equipment. A full-time concierge or an unassigned secretarial desk within the conference center can accommodate these functions. Larger centers have concierge staff to schedule, set up, and clear conference rooms, to assist out-of-towners with plane and hotel reservations, and to deal with minor conference service requests.

### Connection to the Firm

While the conference center is the main feature space of the firm, its connection to the operations of the firm is not very strong. In a multi-story firm most attorneys will ride the elevator to the conference center, indicating that the conference center does not need to be on a practice floor.

In order to achieve the full effect, the image of the center should be established at the elevator lobby, which is more difficult to do if the center is placed on a multi-tenant floor. Planners should also resist the temptation to run an internal stair through the reception/conference center. This stair will be used exclusively by staff, and is likely to attract considerable office chatter.

## 6. Lawyer

### Accommodation

#### *The Lawyer Office*

In the company of architects the term "engineer" is used as a designation for those technicians necessary to make buildings stand up. Yet we architects recognize that bridges, aircraft and the Eiffel Tower are among the most graceful structures in existence, accomplished by engineers without the help of architects.

The beauty of these structures is in their simplicity, rational logic, and economy. This is why we use the word

"engineered" for new concepts in office design for attorneys. We asked ourselves how the office would evolve if it was distilled to its simplest form, and then equipped with the technology and comfort of a high-end sport sedan. Such an office could be smaller, and much more supportive of legal office tasks than the traditional 15 ft. by 15 ft. attorney office. It could speak to high-tech professionalism, agility, and luxury.

Typical of engineers, the concept disregards the cultural traditions of law firm hierarchy and personal preferences for decorative styles. It imitates many trends found in today's corporate culture. In these cultures organizations are purposely leveled through the use of "universal" office sizes and the elimination of many of the symbols of hierarchy. Private offices are the place where one shuts out the world to focus on a specific task or conversation. The space needed to do this is actually quite small, as small as ten feet by twelve feet. The workplace, on the other hand, is quite large, extending to meeting spaces, task force areas, reference and resource areas, and even lunchrooms and fitness facilities. As most of the tasks done in the private office could be done at home, the private office diminishes in importance and the collaborative, interactive workplace becomes recognized as more important. In accounting and other industries, the assigned office has all but disappeared.

The practice of law continues to be different from the workings of most corporations or other professional practices, but we have found that the economic drivers to reduce real-estate cost and to increase flexibility are not that different. A credible approach to space downsizing is of interest to most firms' managements, particularly as lease renewals loom with increasing lease costs.

### The Office

The private office in America continues to symbolize a level of stature and success. Larger offices, it follows, symbolize greater stature and success. The office has always been as much a perk as a practical need. We cannot discount the value of this perk for attracting and retaining the professional staff of a law firm.

What the engineered office can offer is the substitution of space for qualities with much of the same symbolic and perk value. The comparison can be made between the Lincoln Town Car and the BMW Z4. The latter achieves

## The Bottom Line

Published at least four times per year.

Annual subscription rate for ISBA members: \$20.

To subscribe, visit [www.isba.org](http://www.isba.org) or call (217) 525-1760

### Office

Illinois Bar Center  
424 S. 2nd Street  
Springfield, IL 62701  
Phones: (217) 525-1760  
OR 800-252-8908

Web site: [www.isba.org](http://www.isba.org)

### Editor

Jeff Simon  
200 W. Madison, Ste. 2650  
Chicago 60606

### Managing Editor/Production

Katie Underwood  
[kunderwood@isba.org](mailto:kunderwood@isba.org)

### Law Office Economics Section Council

Jeffrey M. Simon, *Chair*  
Jeffrey A. Rouhandeh, *Vice Chair*  
Paul J. Sullivan, *Secretary*  
Carl R. Draper, *Ex-Officio*  
Thomas J. Brannan  
Jack C. Carey  
Edward Graham, Jr.  
Christopher D. Oakes  
John Olmstead  
Maximilian M. Prusak  
Roger L. Rutherford  
Donald E. Wehl  
Stephen I. Lane, *Board Liaison*  
Douglas M. Barringer, *Staff Liaison*  
Steven L. Dunn, *Staff Liaison*

Disclaimer: This newsletter is for subscribers' personal use only; redistribution is prohibited. Copyright Illinois State Bar Association. Statements or expressions of opinion appearing herein are those of the authors and not necessarily those of the Association or Editors, and likewise the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.

POSTMASTER: Please send address changes to the Illinois State Bar Association, 424 S. 2nd St., Springfield, IL 62701-1779.

much of the same symbolic value because, although much smaller, it costs as much and shows it. Highly engineered for performance, it transforms the driver and the act of driving. The Lincoln states that the owner has come a long way. The Z4 suggests an intention to go much further.

The engineered office must achieve the same transfer of values: it must support the occupant's tasks and needs in a prior unimagined way. These tasks vary and will continue to evolve with changing technologies:

**Computer Work:** The main task performed in the workplace is working

at the keyboard. The new generation of attorneys is computer literate and computer dependent. Specific applications include communication, text writing and editing, research and data analysis. This is the driver's seat of the office, and should be developed with all of the care and ergonomic adaptability found in the sedan.

While it is not our purpose to repeat basic ergonomic standards, the general trend is toward adaptability: the freedom to move and adapt seating, keyboard trays, mouse pads, monitor heights, and reference surfaces. The second trend is toward the continued importance of training and education on the use of the furniture and technology.

**Document Reading/Processing:** The second major task to be designed for is document reading and management. Most office workers still prefer to read printed pages versus reading on the computer monitor. In any case, the practice of law will be dependent on the easy transfer back and forth from printed to electronic media. Nor does this ability lead to any assumptions about a reduction in the number of paper documents to be handled. The practice of law will continue to be very document intensive.

The tools required range from the surface-mounted scanner and under-surface printer, to the quantity and configuration of work surface. Equally important will be the document management tools and flexibility.

**Phone Communication:** This will continue to evolve toward audio and visual communication, often including a second party within the office. Ideally phones will be increasingly hands-free, allowing the user to handle documents and computer files while carrying on a discussion.

The space must reduce sound transmission to other offices and the corridor resulting from the increased use of hands-free conference phone systems.

As video-conferencing becomes more standardized, the office must include the appropriately mounted camera, the well-positioned monitor, and the acoustically engineered microphone and speaker devices. Video-conferencing may drive the demand for larger or dual screens.

**File Management:** While paper files are not going away in the foreseeable future, the need to concurrently access hard and on-screen documents requires a significant amount of work surface

close to the monitor and keyboard. Litigating attorneys are particularly file-intensive, requiring significant file and document management capability.

Beyond referencing and collating documents, we foresee the availability of a flush-counter scanner/copier, with a sub-counter printer.

We have long anticipated a demand for large screen double document editing capability. This has not emerged as a trend, although the technology has been available for over fifteen years.

Note that document management activities continue to require high task lighting: up to 50 foot-candles.

**Collaboration:** The office continues to serve as a space for small meetings, usually with people within the firm. We anticipate that sit-down meetings will never include more than two guests. Such meetings require a work surface to review and discuss documents, and possible visual access to the computer monitor. An innovation might include cup holders that prevent coffee and water from spilling on documents.

**Personalization:** Despite its "engineered" qualities, the space must accommodate a high level of personalization. On the most fundamental level, needs differ between litigation attorneys and transactional attorneys. The user must be able to select from a range of shelving, filing, work-surface and technology options.

Personalization also extends to style, and the ideal system would allow for the maximum choice for the occupant. This must be achieved, however, without compromising the promise of flexibility. It must be achieved through the interchange of fabrics, cabinet front surfaces, and even counter surfaces and detail.

Personalization extends beyond the visual esthetic. We suggest that the fully evolved solution would include music, television and even temperature and sound-masking control as options for the occupant. Again, the individual controls of the luxury sports sedan should be the model.

### Space

The main driver behind the "engineered" office concept is the potential reduction in space requirements. While we anticipate higher tenant finish and furniture costs, the savings can be gained through the reduction of

rent burden. This strategy, however, cannot be treated in isolation if major space reduction is to be gained. A total testing or reallocation of the office space use must be done to achieve total space reduction.

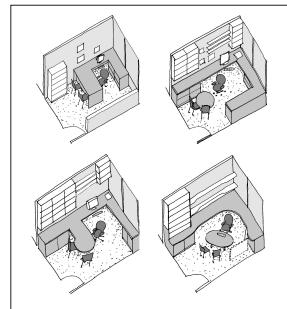
With many firms, space requirements are understood to be a function of the number of lawyer offices that can be accommodated on the building perimeter. Internal space (which costs as much as perimeter space) is allocated to secretaries, paralegals, filing, and administrative functions. Increasing the number of lawyers that fit on the perimeter will increase the demand for secretaries, filing, paralegal offices and other support spaces.

And yet it remains our experience that if we can communicate to firm management that additional perimeter offices can be provided, the potential savings, in management's mind, goes right to the bottom line. The task remains for planners and administrators to achieve the increased density and efficiency on the office interior. To date, our greatest efforts have increased lawyer accommodation by twenty percent. The value of this space reduction is clearer if we understand it as a reduction of 120 rentable sq. ft. per attorney.

The other potential benefit of single-sized offices is the advantage of flexibility. A truly engineered solution would allow attorneys to move from office to office and, with the least effort, to achieve maximum customization to their practice work needs, ergonomic requirements and personal decorative tastes. This flexibility is of some benefit to the firm in not only lowering churn cost, but in maintaining a culture of agility.

**Acoustics:** The increased use of hands-free phones and electronic dictation will increase the "sources" of sound within the office. This will not affect the occupant as a source of noise, but it will affect the occupant as a neighbor. It is important to stress that complete sound isolation is impossible to achieve, particularly as most lawyers work with the door open. Strategies fall into three general categories:

- Reduced sound transmission refers to the ability of the building to isolate the sound within the space, or reduce its transmission to adjacent spaces. Where problems have existed, they have



typically been traced to the HVAC system which has an uninterrupted path of sound travel between offices. Strategies to further reduce sound transmission include insulating the inside of the partition and the ceiling plenum, increasing the thickness of the gyp board, or taking the office partition to structure.

- Noise reduction is a strategy that seeks to absorb the sound as close to its source as possible. Fabric-covered acoustic panels behind the speaker-phone absorb the noise at its source. Ceilings are the next line of defense, and acoustic ceiling systems should be selected partly on their sound absorption properties. Wall and floor coverings are typically the third line of defense (although carpet is a standard floor finish with highly absorbent qualities, it does less to absorb sound than the ceiling).
- Sound masking is a strategy that actually adds sound as white noise to the space to cover other surrounding sounds. A constant background sound can be applied without the occupant perceiving it, and it can mask up to seventy percent of distracting conversational sounds. We prefer to see sound masking as a feature that can be adjusted by the employee.

**Lighting:** Our visual experience of space starts with the light source. Our perception of a space is positively enhanced by the evenness of ambient light distribution on ceiling, wall and furniture surfaces, with accents on task surfaces, artwork, and other features. Ambient light standards have generally been reduced with the increased use of computer monitors, with some offices being designed to 35 foot-candles or lower. While good for heavy computer use, it is less desirable for document reading and processing. We recommend a higher 50 foot-candle ambient light for the inside of a lawyer's office, supplemented by adjustable task lighting over work surfaces.

Standard issue in office environments is fluorescent fixtures recessed into the ceiling plenum. Parabolic ceiling coffers are used in place of acrylic lenses to reduce glare on the computer screens, but have the undesirable effect of reducing the light cast on walls. Standard engineering provides sufficient lighting on the work surface, but ambient light is frequently not well distributed onto ceiling and wall surfaces, or into corners,

frequently making spaces feel dark. Indirect lighting uses the ceiling as a large reflector and achieves a far more even distribution.

## 7. Practice Support

### Library

It is tough to downsize, and tougher still to disappear. Libraries are downsizing everywhere as technology transforms the way that we access information. The current complaint of most firms is that they are paying for both printed and electronic subscriptions of primary sources. While lawyers still take tremendous pride in the beauty and tradition of book-lined libraries, they are now anachronistic, like large displayed computer rooms.

The successful libraries have converted themselves to first-class reference centers, whose staff have become the prized resource because they can conduct on-line research significantly faster than attorneys. Alternatively, they can direct attorneys to sources and are prized as research specialists.

The physical configuration of such a library is quite different from the one that we are used to. People work there to be close to the staff, not the books. These libraries lend themselves to wireless network technology. The books remain in more limited quantities, and can be placed in high-density shelving, or even lower cost remote storage.

Other features remain, including significant printer/copier capabilities, a periodical area, and a general atmosphere of welcome and quiet. Quiet, we believe, has declined in importance; we have recently combined the library and the lunch room, modeled after the coffee shop in the book store and providing small, separate study/meeting rooms.

### Meeting Rooms/Work Rooms

The conference center concept does not eliminate the need for internal meeting rooms and workrooms. A certain number of these are typically provided by the need to maintain an inventory of empty attorney offices. Meeting rooms are frequently perceived as the center of a practice group, used for team meetings, trial prep, collaborations, and operational meetings.

The risk with all of these types of spaces is that they be taken over by case files. This traffic becomes

the toughest aspect of firm management, as good real estate gets absorbed by languishing case files. Planners should accept the necessity of these files, and attempt to make them easier to manage.

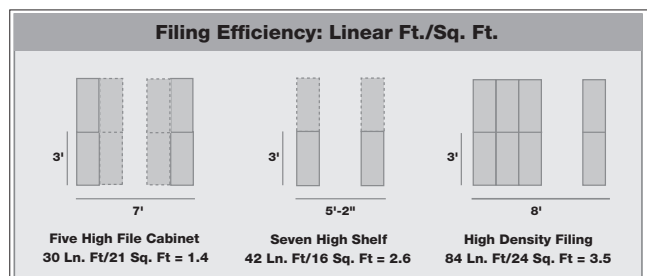
### Records

Despite our predictions on the effect of scanning technologies on legal practice, paper shows no signs of going away. Even on-line resource material is quickly sent to a printer for actual reading. Law firms continue to be major paper mills, and should be designed to accommodate this reality.

Our own experience supports a preference for distributed filing that is centrally managed. Smaller, single-floor law firms continue to operate successfully with central filing systems, but multi-floor firms cannot provide the quick access, resulting in essential filing being retained in the practice areas without proper accommodation. We have encouraged distributed file rooms, controlled directly by the secretaries and paralegals, typically equipped with efficient and manageable open shelf filing. Side tabs can be added with bar codes in order to allow a low cost central inventory management system. Such a concept serves attorney needs for immediate access to a broad range of client matters.

While our perception of filing is that it is a storage issue, this blinds us to the real driver of filing policy, which is retrieval. Retrieval can be for simple reference or for actual documents. In either case, scanning and electronic file inventory technologies are transforming the retrieval process. The hurdle for most firms continues to be the investment in filing technologies and file management policies.

Our work has infected us with a natural distrust of file cabinets as low efficiency, low management, high-cost storage boxes. The out of sight, out of mind advantage of the cabinets conspires with the difficulty of access to assure that files are not managed, and in many cases not accessed.





Our preference continues to be for open shelving, either in simple stacks or high-density settings. These can be readily accessed from the practice corridors, yet kept out of sight. Files are constantly rearranged for most effective use of available shelf space. This approach requires the adoption of a side-tab identifier, versus the top tab preferred by cabinet filers.

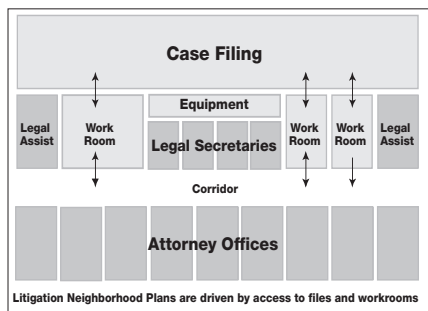
Files fall into four general categories within the firm, and each should be managed differently. General client files include a broad range of file types, but they are mostly required to serve active transactions and other matters. Litigation files behave somewhat differently, in that they arrive from the outside and must be managed and processed. Litigation filing is described further in the Litigation Support section of this publication. Secure files represent a third category, and usually include corporate documents, minute books, liens, and other documents which are being held by the firm for its clients. Access is usually not a critical issue, but security and safe-keeping are. The final category is the firm's business files. These include primarily the HR, billing and accounting files. This last group is managed by the firm's administrators and access needs to be limited.

## Litigation Support

Litigation records represent an entirely different classification of files, which behave unpredictably and are used in entirely different ways. A robust litigation practice requires the ability to intake, process, store, and access major amounts of documents. Demand remains unpredictable. Different litigation teams, have entirely different file access patterns. Large class-action matters can populate entire floors with files for years. Medical malpractice work requires quick access to hundreds of different smaller matters.

Our recent work includes many of the following features:

1. Large litigation support areas occupying internal core space, and



accessing the perimeter professional corridors.

2. Location of paralegal offices within the litigation support areas, rather than the perimeter corridors, to allow ready access to the documents that are the paralegal's responsibility.
3. The accommodation of files, which are typically in banker boxes, on a combination of open shelves and carts. The carts can be stored without side aisles, and allow the files to be rolled into workrooms for casework.
4. The accommodation of printing, copying and scanning capability within the litigation support area, along with worktables and ready technology access.

The general concept is to add fluidity and storage capacity to the litigation support function.

Most firms that we work with wrestle constantly with the demand for workrooms, most typically to support litigation activity. An efficient workroom is roughly 150 to 225 sq. ft., making an empty attorney's office an ideal space for workroom activity. Most firms have the luxury of a percentage of empty offices to accommodate seasonal fluctuations in professional head-count. The difficulty arises when an attorney has occupied an office workroom space for a long period of time and is then told to "move your stuff." The use of carts in this case makes the argument for relocation somewhat easier.

Pre-trial activities also frequently include simulations, where mock-courtrooms are created to rehearse the case. Many firms maintain a mock courtroom for this purpose. To work, such a room needs to be quite generous in size, no less than 700 sq ft., and it is difficult to maintain true flexibility for the range of alternative uses that such a space would want to have.

## Equipment and Service Centers

Equipment access is again critical to successfully supporting legal practice. As equipment has evolved, smaller machines are capable of high-volume high-speed production. The main driver of planning issues is no longer the machines but the people. Our own experience is that the central copy room has not gone away for this reason: it takes more than just the machines to produce large paper documents.

In small to mid-sized firms the main copy room is combined with mail, fax, and supply functions. As the support staff and work volume grows, these functions have less and less reason to

co-locate. These functions are frequently outsourced, and the vendor is likely to have a distinct preference for a single location for supervisory and staff efficiency reasons.

This hub of carts and activity should be located away from visitor areas and practice areas. The temptation to locate this next to the reception area, for efficient management of package pick-up and delivery, should be avoided, as it means that visitors are sharing the same elevator lobby with mailroom staff and delivery personnel. It also means that cart traffic will be focused on the same floor as the finest building finishes. Our experience is that most firms are served by the same delivery personnel for 90 percent of their traffic. Different methods can be developed to allow them onto otherwise limited access floors. The elevator lobby on that floor, therefore, can be designed to accommodate the cart traffic and special access needs of this service.

The multi-floor firm will continue to require distributed services, including copiers, supply closets, faxes and beverage centers. As these are staff gathering areas, they should be removed from the practice corridors, but be immediately accessible to the practice neighborhoods. The goal of these centers should be to maximize the convenience to the secretarial staff.

## Other Departments

Typically, mid-sized firms have located supporting staff internally. Accounting, Administration, HR, Information Systems, and Document Processing all provide tangential support services. Some of these departments are removed to administrative floors, or even moved off-site to lower-rent space. The challenge to the planner remains the same: provide for a quality work environment with the opportunity for growth.

A major change has occurred with accounting functions, which were once constantly interfacing with attorneys. They now can be located on remote floors, remote buildings, and even in remote cities.

## Lunch Room

In different firms, lunch rooms can take on entirely different characteristics that, frequently without purpose, have profound effects on company culture. At one extreme, the lunch room is placed internally on each floor as a place for employees to pick up a beverage or sit for a lunch break. At the other extreme elaborate hot lunches are served in a

cafeteria setting for all employees. Many firms provide a separate lawyer lunch room. The intent of this significant investment is to keep staff from leaving the office during lunch, and to encourage community and interaction.

We have successfully employed strategies to make the lunch room the center of the firm's community by attempting to create a space that can be used throughout the working day for meetings, coffee breaks, even a change of venue work environment. Using the Borders Bookstore model, we placed one lunch room next to the library. Such a space should be attractive, include daylight and views, and be accessible and unscheduled. The availability of such a space can be of far greater value than serving hot meals.

The positive effect of this on firm communities depends on the degree of the challenge. The more isolated professional and non-professional staff are within the offices, the less the firm is acting as a single collaborative unit. Attempts to grow camaraderie and collaboration between lawyers can be extremely costly in time and resources. Providing a great community lunch room might be a good lower-cost option.

### 8. Conclusion

The process by which many firms address the need for office space distills the approach to pure space planning. The process starts with a schedule of space needs, the program, which is derived from existing space use. Then the needs are fitted into the available space. Market-based fees for providing these planning and design services assures that plans will be predictably lacking in innovation and will bypass the process of inquiry and exploration required for true office design. We ask our prospective tenants if they wish to simply move what they have, or use the move to re-invent themselves. These latter firms should structure themselves for a line of inquiry and exploration that will systematically challenge their past work patterns and explore alternative models of firm practice.

By specializing in law firm planning we have had the great fortune to find clients who recognize the difference that a true planning process can bring. The process is about retooling and transformation, conversion of filing strategies, development of conference centers, technology integration, and defining the firm's culture. These are all

achieved through investment in planning and process. This is frequently an investment in both time and resources.

We hope that the content of this publication will help firms understand the full range of considerations and options that need to be explored when considering a relocation or renovation. The legal profession is not standing still, but rather is continuing to respond to new technologies, regulations, and market pressures. While it may seem to be the cart pulling the horse, it is our experience that office environmental changes are most frequently the catalyst for change. A change in environment is the single greatest opportunity that a firm will have to reshape behavior and attitudes.

---

Dan Jay's expertise in planning and designing law firms has been acquired over the past 20 years, in working with firms of all sizes and legal specialties. He is a principal of Christner Inc., a St. Louis, Missouri-based architecture, design and planning firm. He holds Master of Architecture and Master of Business Administration degrees from Washington University in Saint Louis. He can be reached at [dan.jay@christnerinc.com](mailto:dan.jay@christnerinc.com).



Non-Profit Org.  
U.S. POSTAGE  
PAID  
Springfield, Ill.  
Permit No. 820

The Bottom Line  
Illinois Bar Center  
Springfield, Illinois 62701-1779  
June 2005  
Vol. 26, No. 4