



It's the most wonderful BUSIEST time of the year

Attorneys offer tips on managing the holiday season

By: Maura Mazurowski ☺ November 25, 2019



The holidays are here.

That means it's almost time for pumpkin pie, eggnog, presents and parties. Plus it's everyone's busiest time of the year. This seems especially true for attorneys, judges and other legal professionals.

What's the best way to manage your clients, your office or your own personal life as the year comes to a close? In interviews with Virginia Lawyers Weekly, attorneys shared their strategies for answering those

questions.

The workers' comp lawyer

Richmond workers' compensation attorney Andrew J. Reinhardt has a simple tagline when managing his cases.

"Our clients' problems are our problems. We get calls around the clock, and we do our best to manage them no matter the time of the year," he said.

Reinhardt said that it's not unusual or unheard of to be addressing workers' comp cases around the holidays. In fact, he usually takes on more of them this time of year – which can be problematic, since most Virginia courts are closed for a period of time over Thanksgiving and the December holidays.

"We gets tons of phone calls. All of it's truncated, on top of which our folks, our staff, are trying to take time with their families as well," Reinhardt said. "Everything is sort of compressed."

An annual battle that Reinhardt faces this time of year is between his clients and insurance companies. According to Reinhardt, the holiday season is prime time for insurance companies trying to "close all their files." Once a workers' comp claim is closed by the insurance company, lawyers and their clients must then go to a hearing, respond to discovery, file depositions, brief appeals – the list can go on.

And, because no two workers' comp cases are the same, Reinhardt noted that every client must go through a different process.

"In the world of workers' comp, there are about 18 to 20 various statutes of limitations on top of the case deadlines," Reinhardt said. "Every one of our cases has a variety of deadlines... And this is possibly the worst time of year to meet them all."

Reinhardt recalled one Christmas Eve a few years ago. He was in North Carolina with his family and received a call from a new client who had been injured at work that day. Because Reinhardt was on call, he took out time to advise the worker on the first steps he should take in handling his injury so he didn't miss an "important step" and be penalized for it later on.

"When we walk back in the office, we don't want the fact that we didn't return a phone call or that a client was unaware of what they should do to result in them not having the right information or their case being severely prejudiced later on," Reinhardt said.

Still, Reinhardt said that being a workers' comp attorney is a privilege.

"It's a blessing to be able to help folks because we do make a difference in people's lives," he said. "That can be especially true this time of year."

The family lawyer

Lawyers across the board feel busier this time of year. The biggest difference for Falls Church family attorney Julie Gerock, however, is the heightened emotional states her clients experience this time of year.

"What is unique is the emotions that our clients experience around the holidays, an already emotional time, as they come to grips with the end of a marriage, reduced times with their children and the financial consequences associated with divorce," Gerock said.

The two types of cases that keep family lawyers busy at the end of the year are finalizing divorces and custody disputes. She said most local courts in Northern Virginia have deadlines for submitting the paperwork necessary to finalize uncontested divorces in order for the divorce to be granted prior to Jan. 1 – a deadline divorcing spouses often want to meet for tax purposes.

"Each person's tax situation is different and there may be advantages to filing married... But a person can only file single or single head of household if the parties are divorced by Dec. 31," Gerock said.

When families split over the holidays, it's easy for traditions from years past to fall by the wayside. Breaking holiday rituals can be hard; to combat this emotional struggle, Gerock encourages her clients to establish new traditions and ways to celebrate.

"Typically it is more difficult for the parent to let go on the holiday than it is for the child," Gerock said. "In the end, the children are not likely to care who they spent the actual day of Christmas with, so long as they have special dedicated time with each parent and that traditions with each parent are established."

The mediator

When asked if the end of the year feels like a busier time, Richmond mediator John McCammon's answer was short and sweet:

"Yes."

According to McCammon, who founded The McCammon Group in 1995, the final quarter of the year is always his busiest. Last year, his mediation group handled 37% more cases in December than its monthly average, and 19% more in its fourth quarter than the previous three.

"We are a reflection of the cases of the lawyers in Virginia," McCammon said. "So our experience of having more cases towards the end of the year will be parallel to the experience of attorneys."

The cases that the mediation group handles are roughly 50% bodily injury, 25% commercial and 25% family law. Though McCammon said that there may be slightly more bodily injury and family law cases towards year's end, the numbers tend to increase across the board.

McCammon has a few "cultural, personal and corporate" theories for that.

"As books close, people become even more oriented towards those instinctual needs for normalcy and stability," McCammon said. "Part of it is a biological, spiritual caliber to end the year strong."

McCammon said that in cases of bodily injury, clients rush to his group because they want to be able to pay off their expenses. However, they can often run into similar issues Reinhardt faces of insurance companies looking to close files and get the "liability off their books."

In terms of family law, the most common dispute he finds is recently divorced spouses deciding who gets the children for the holidays. On the corporate side, McCammon said his clients simply have a drive for closure.

"People want to end the year in peace and start the new year fresh. That's true in our culture," McCammon said.

When asked how he finds a work-life balance during the holiday season, McCammon was to the point:

"I combine my work and life into one thing anyway. I don't have any trouble with balance," he said.

The trial lawyer

As both the president of the Virginia Trial Lawyers Association and as a plaintiff's attorney in Richmond, Jason Konvicka has kept busy the entire year.

"There is a mad dash, it seems, to get things done," Konvicka said.

At Konvicka's law firm — Allen, Allen, Allen & Allen — he and his colleagues are working to finalize budgets and review employee compensation. For his clients, he spends these final months focusing on the cases that can be resolved before the new year, such as passing cases to insurance companies to get the ball rolling on settlements.

Similarly to what Gerock experiences in family law, Konvicka said accident lawyers must deal with the heavy emotions clients feel during this time.

"In cases of personal injury, this can be a difficult time and holidays can be emotional," Konvicka said. "This might be the first Thanksgiving they're spending without their spouse... As lawyers we have to be mindful of that."

At the VTLA, Konvicka has been watching the plans for the association's annual convention and CLE programs for next year. However, his main task has been preparing the group's legislative platform for the 2020 Assembly sessions.

"This is the time where our committees are meeting to to an extent," Konvicka said. "We're looking at that legislation and considering the impact it would have on all our clients and trying to depict the bills we believe would be best for our members and have the highest likelihood of success."

Though he's used to this annual busy season, Konvicka admits that his personal life is not prone his professional demands. He recounted a few years ago when he and his wife were so busy with work that they had to hire someone to deliver a Christmas tree to their home.

"It wasn't ideal, but there are times you have to delegate and get folks to help you with things you can't handle yourself," Konvicka said.

Despite all the work and deadlines to work against, lawyers can't overlook the fact that late November to Jan. 1 is, in fact, a cheerful time that's worth celebrating.

Roanoke Circuit Judge Charles N. Dorsey said he finds the holiday season is either extremely busy or unusually slow. Either way, he looks forward to a variety of social events and seasonal traditions his legal community celebrates every year.

"There's always a nice festive atmosphere," he said. "People kind of get into the holiday spirit to the extent that they can within the judicial system."

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