

Legal leaders see progress in 2022

Marijuana legalization, technology, recruiting stand out as key issues for the industry

By Staff | December 29, 2021

THE PAST TWO YEARS have been challenging for the legal industry in a variety of ways.

The COVID-19 pandemic upended the court system, halting some legal proceedings and forcing others to take place virtually. Law firms had to develop new processes for working remotely. And clients needed to be kept updated on constantly changing rules and regulations across all aspects of the legal system.

With 2021 coming to a close, we asked leaders in the local legal community to weigh in on the year that's ending and look ahead to 2022. Here are some of the responses we received, edited for clarity and length.

What legal issue from 2021 do you see having the biggest impact on the industry going forward?



Christopher Jagel, CEO, Harris Beach PLLC: Cybersecurity and data privacy will continue to loom large as an issue of concern, not only for clients and their IT systems, but for law firms as well. Our Caetra subsidiary offers a software-as-a-service tool that helps organizations generate legally compliant policies and controls to keep their systems on guard. We're a user of the Caetra tool ourselves. As custodians for highly sensitive client data and information, law firms are also increasingly subject to cyberattacks. We all, clients and law firms, need to make this one of our highest priorities, and maintain a continuous level of vigilance and instituting the proper policies, controls and other safeguards. As a law firm, we have to earn the trust of our clients by showing that their information is secured at the highest possible level. Harris Beach has a very progressive cyber and data privacy program, based on a core tenet of continuous improvement. This has benefitted our clients as well as our own operations.



Peter J. Pullano, Rochester Office Managing Partner, Tully Rinckey PLLC: The legalization of marijuana is a tremendous step for fairness in our criminal justice system. The law had been applied unfairly, and the bill not only made things more equitable, it went back and righted some of the past wrongs. On top of that, it stands to add billions to the state economy.

What is one thing you expect to see in the legal industry in 2022?



Jared Lusk, Rochester Office Managing Partner, Nixon Peabody LLP: The ways in which law firms recruit will continue to evolve as people shift how and where they work. Attracting and retaining top talent will be a key success factor for law firms, particularly with so much movement across the region's workforce. Flexibility will continue to be an important factor in how law firms operate, and we see our progressive approach as a real differentiating factor for Nixon Peabody.



Laurie Vahey, Managing Member, Vahey Law Offices, PLLC: We expect to see the continued expansion of virtual technology use in the legal profession. The vast majority of the conferences and motion arguments we attended were held virtually. The firm's attorneys appeared in jurisdictions across the state without

the need to travel, although we were glad to travel to a few areas of the state once some locations opened. The firm has continued to invest across the board in new technology and infrastructure, including remote work options for all staff members.

Jagel: It will be a busy year for us all, with much to do. On a statewide level, one of the areas that will generate a lot of activity is the implementation of marijuana legalization in New York. The industry is picking up in momentum heading into 2022 and will offer an increasing number of legal considerations and ramifications statewide. The most obvious is with licensing. But other parts of the client base will intersect with the new cannabis law and regulations as well. For example, municipalities need advice on issues such as the opening of on-site consumption lounges. Economic development agencies may be asked for tax incentives or other benefits from businesses looking to launch in the industry. Questions remain about the obligations of financial institutions in providing capital.

We have only scratched the surface of the novel legal questions surrounding the launch of a new industry. Firms that have an integrated practice like our Cannabis Industry Team are best situated to respond and develop that body of law.

Pullano: As we watch COVID go from Pandemic to Endemic, I think we will continue to embrace the coping strategies that we have adopted over the past couple of years. For example, we are becoming quite adept at switching back and forth from in person to virtual appearances as the need arises, and I think our ability to respond will only get better. I guess it's what they're calling it the new normal. We will be even better prepared for whatever comes next.

What is your outlook for the Western New York region in 2022?

Lusk: I foresee a strong year for businesses in Western New York, albeit with stiff competition for talent and profits. Our region is seeing the widespread impact of inflation, and it remains to be seen how that will play out. Law firms set themselves apart by delivering high-quality service to clients across all practice areas. We believe that having a national platform enables Nixon Peabody to maximize service to our clients while maintaining our local roots in Rochester.

What are your expectations for your organization in 2022?



Steve Cole, Managing Partner, Adams Leclair LLP: Like many of our clients, my firm adapted to work in 2021 in the hopes that our new normal would permit personal interaction on a much greater scale than 2020. To a large extent, during most of 2021, we were able to fulfill this ambition. But recent

months have reminded us that uncertainty remains, and that further flexibility is required.

We are fortunate to have a highly committed workforce that operates collaboratively and independently. With the tight job market, we have been unable to grow at the pace we would like to see. We hope that 2022 will present additional opportunities for growth of attorneys and staff, to meet the needs of our clients. We will remain committed to core practice areas, including commercial litigation, construction, and employment, and seek to continue our growth in those and related practice areas.

Given the continued issues with scheduling civil trials in the courts, in 2022 I will be actively advising clients to seriously consider alternative forms of dispute resolution, including arbitration and mediation. While ADR has always been a viable option in appropriate cases, increasingly it has become the option of choice for clients who require resolution of a dispute in a predictable timeframe.

Lusk: Workplace flexibility will remain a top priority across the legal profession, and I believe Nixon Peabody is well-positioned for this trend. In addition to our people's high-impact work across core practice areas, we always look for innovative ways to support our community through pro bono work, charitable giving, and volunteerism. Our firm has been woven into the fabric of this community for a long time, and our commitment to the people and businesses of the region is unwavering.

Jagel: We expect to have another successful year. Over these last two years, we certainly have had a lot of change! Through it all, our people have focused on helping one another, collaborating and pitching in with an all-hands-on-deck spirit. I'm proud of how we have supported each other, and the needs of our clients. Right now, of course, we're back in a period of a bit of uncertainty. This may be the way of the world for some time. Our focus throughout has been on flexibility and agility. So we will continue to stay agile and continue to stay close to our clients and help solve their problems. That has been a big source of our ongoing success and I trust it will be going forward. Because of that, I'm confident we will all get through this period and 2022 will be a year of progress.

Vahey: We are excited for the new challenges and opportunities the firm has in the New Year. We brought on a number of new attorneys and support staff in 2021. We underwent some changes and were excited to update and roll out the firm's new name, website, and logo. With the new firm name, logo, and additional staff, we are enthusiastic to see continued growth in 2022 and beyond.

Pullano: The Rochester Tully Rinckey office will hire more attorneys and legal support staff in 2022, and we will continue to provide our clients with quality legal services at affordable prices.