

Checking In

Practical Law Advisory Board Members Discuss Their Current Work and Key Legal Developments in Their Practice Area

Education: 1990: J.D. (Willard Pedrick Scholar, Meyer Hendricks Scholarship), Arizona State University College of Law; 1986: B.A. with honors, Harvard College.

Career in Brief: 2009–present: Greenberg Traurig, LLP, Shareholder (2019–present: Chair, Litigation Skills Academy; 2015–present: Co-Chair, Food, Beverage & Agribusiness practice; 2012–2019: Co-Chair, Los Angeles Litigation group; 2016–2018: Co-Chair, Class Action Litigation practice); 1990–2009: Jones Day (2001–2009: Partner; 1990–2000: Associate).

What do you think are the biggest challenges facing litigators during the COVID-19 pandemic? The biggest challenges are dealing with the backlog created by court closures, keeping cases moving at an appropriate pace even though trials are few and far between, and managing litigation costs associated with slow-moving cases.

What are the biggest challenges your clients are currently facing, and how do you help them overcome those challenges? While companies strive to continue to provide jobs, make products, and furnish services, they must also contend with the filing and ongoing threats of frivolous class actions. As outside counsel, it is critical to help triage claims and address each claim on its own merit or lack of merit.

What changes do you see on the horizon that will significantly affect your law practice? I anticipate we will see a spate of new regulations with the change in administration that will increase the burdens on smaller businesses and create new litigation risks for them at a time when they are already struggling with the COVID-19 pandemic. Consider, for example, if face coverings become required by law. This requirement would force a local small business, such as an ice cream shop, to forgo sales to people who, for whatever reason, do not have face

coverings when they want to enter the store. The alternative is for the ice cream shop to absorb the expense of making face masks available to customers. Although that added expense may seem trivial in the bigger picture, new regulations, however necessary or well-intended, will have the greatest impact on small businesses that already operate on thin margins. As we move forward, counsel will be called upon to advise these businesses on how to do the right thing and still survive.

How have you or your firm incorporated technology into your practice to adapt to the COVID-19 pandemic? We have all become increasingly reliant upon our existing technology to be able to perform as effectively when working remotely as in the office. We are indebted to our IT professionals, who have kept us up and running in ways they had not imagined and for far longer than they had expected.

What tips do you have for both junior and senior attorneys to best navigate the changes in their work environment and the practice of law because of the COVID-19 pandemic? It is incumbent upon senior attorneys to create opportunities to give meaningful oversight and day-to-day feedback to newer attorneys trying to learn the craft. We must find ways to provide the same level of mentoring that existed when we could be together in person even when we are working remotely. Newer attorneys should also seek out those mentoring and learning opportunities proactively. They must have the initiative to take charge of their careers and invest in their own success.

What do you wish attorneys knew about Practical Law? Practical Law provides guidance on a wide array of subjects and reminds us that we do not have to reinvent every wheel. However, it is still up to the practicing attorney to know how the wheel works and why, and to be able to explain that information to others.



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What career advice would you give to junior attorneys that you wish someone had given to you early in your career?

We all battle complacency, whether it is a feeling of comfort in a job choice or client relationship, but we must guard against it because it dulls our edges and creates a false sense that what worked before will be adequate in confronting any new challenge. Newer attorneys should recognize that the shelf life of any skill set is short, and they can expect to reinvent themselves a number of times over the course of their careers. This can be both stimulating and frustrating, but they should embrace the challenges. Additionally, although substantive knowledge and subject matter expertise are critically important, an attorney also must have the judgment to be able to understand client problems and present creative, effective solutions. Finally, and most importantly, character is your greatest asset.

If not an attorney, what would you wish to be? A winemaker.

Has your firm worked on any notable pro bono projects recently? Our firm has recently been involved in a number of cases seeking to overturn death penalty convictions. We are also continuing to provide pro bono legal services to the indigent and working poor and to focus resources on specialized and interrelated issues such as immigration and political asylum, homelessness, civil rights and affirmative action, veterans' rights, anti-human trafficking, family law matters, and children's rights.

What hobby have you picked up during the COVID-19 pandemic? I now bicycle about 150 miles per week. It certainly beats commuting. 🚲