

Deciding Whether to Permanently Work Remote

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Originally Published on [Blumberg Blog](#), April 6, 2021

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About 10 percent of Americans worked from home before the Coronavirus situation forced most office workers to stay home. Many lawyers will continue working remotely after the Coronavirus is contained. The Pandemic removed taboos associated with remote workers and mobile technologies improved their productivity. Following are some things to consider when deciding whether to permanently work remote. A list of resources follows the article.

Alternatives - Variations include going fully remote, being hybrid, or staying remote friendly. Fully remote firms switch from physical to virtual offices. Hybrid firms keep a physical office but allow anyone to work remotely. Remote friendly firms allow remote work but apply limits like requiring several days per month for working from the firm's office.

Benefits - Remote working enables firms to reduce real estate costs. It allows lawyers to avoid commuting and achieve a healthier lifestyle. These benefits can be offset by implementation costs, management challenges, and problems at home like distractions and isolation.

Camaraderie - Lawyers and staff should consider returning to the office if they feel isolated at home or need the stimulation of human interaction. Firms can promote teamwork with remote workers by using buddy systems, firm events, and group lunches. Schedule in-person workdays and adopt a system for reserving desk space and conference rooms.

Collaboration - Promote collaboration by using tech tools like conferencing services, cloud computing, messaging apps, and scheduling systems. Keep documents online so that everyone can access them. Encourage staff to pick designated days to meet at the office to exchange ideas, information, and strategies.

Communication - Use e-newsletters, messaging apps, and staff meetings to keep everyone in the loop regardless of their location.

Costs - Research the cost of tax withholding and other obligations imposed by states where lawyers and staff work remotely.

Office - Create a virtual office to promote collaboration and socialization of remote workers. Maintain a physical office space for lawyers and clients who prefer face-to-face contact. Provide physical workspace to lawyers and staff who rotate between office and working remotely. Add lockers to allow staff to store personal items when they are away from the office.

Gadgets - Use a gadget bag to shuttle belongings between home and office. Use the bag for adapters, batteries, cables, chargers, headphones, screen cleaners, and smart pens.

Management - Assign responsibility for managing the remote workforce, including communication, compliance, scheduling, and technology issues.

Policy - Consider adopting a remote work policy and entering into individual remote work agreements with those working away from the office. Policies can cover cybersecurity, performance, supervision, timekeeping, reimbursement, and well-being.

Survey - Poll lawyers and clients to determine their preference for working from home or office. Identify and accommodate staff with special needs like caregiving responsibilities. Determine the location of remote workers to assess tax withholding and other compliance obligations.

Technology - Keep remote workers cyber secure with encryption software, password managers, and virtual private networks. Improve client communications with scheduling apps and client portals. Promote teamwork with collaboration apps and use client relationship software for billing, marketing, and tracking.

Conclusion. As the Coronavirus situation improves, firms will face requests from lawyers and staff who want to continue working remotely. Some may need to accommodate short-term obligations while others want the benefits of remote work on a permanent basis. Decide whether to permanently work remotely by using the considerations mentioned in this article and reading the resources listed below.

Resources

Articles

Darren Murph, [Hybrid-Remote: Understanding Nuances and Pitfalls](#), *GitLab*, Mar. 25, 2021.
John Doyle, [Working Remotely? How to Stay Connected](#), *Psychology Today*, Jan 28, 2021.
Rebecca Knight, [How to Manage a Hybrid Team](#), *Harvard Business Review*, Oct. 7, 2020.
Teresa Matich, [How to Work Remote as a Lawyer: A Guide](#), *Clio Blog*, Mar. 15, 2021.
Teresa Matich, [How to Write a Law Firm Work From Home Policy](#), *Clio Blog*, Apr 2, 2020.
Andrew McLaughlin and Sharon Dixon, [State Tax Withholding and Other Obligations for Remote Workers](#), *Stearns Weaver Miller Blog*, Mar. 17, 2021.

Books

Harvard Business Review, [Guide to Remote Working](#) (Harvard Business Review Press, Feb. 2, 2021).
Stephanie Kimbro, [Virtual Law Practice: How to Deliver Legal Services Online, 2d Ed](#), (ABA Book Publ'g, May 7, 2015).

Checklists

Aaron Colby, [Checklist for Remote Work](#), *Forbes*, Aug 26, 2020.
T3 Advisors, [Checklist of Remote Work Considerations](#), *NVCA*, Apr. 2020.

CLE

American Bar Association, [Virtual Reality, The New Norm](#), Center for Professional Responsibility, Jan. 25, 2021.
American Law Institute, [The New Ethics of Working Remotely](#), *ALI-CLE*, Oct. 9, 2020.

Forms

California Employers Association, [Employee Remote Work Policy and Agreement](#).
National Institutes of Health, [Remote Work Procedural Guide](#).
Texas Society of Association Executives, [Telecommuting Policy](#).

Rules

[Formal Opinion 495 \(Lawyers Working Remotely\)](#), ABA.

Websites

[American Bar Association](#)
[Massachusetts Bar Association](#)
[South Carolina Bar Association](#)

Author

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