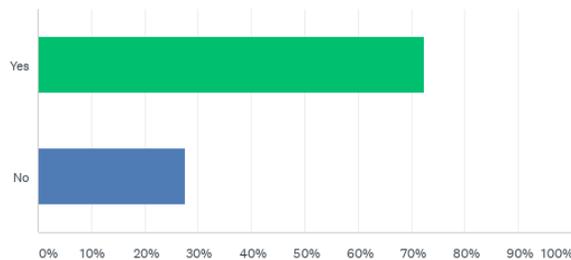


Survey Reveals That Covid May Permanently Change How Elder Law and Special Needs Firms Operate

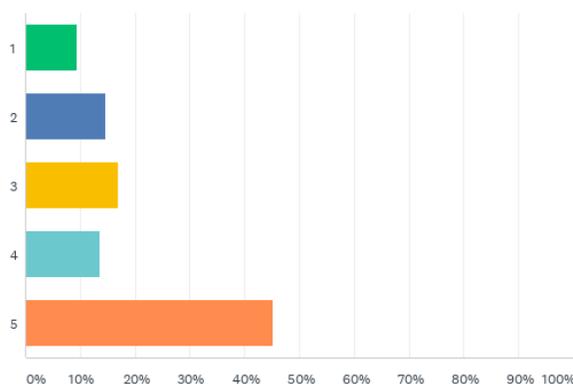
The Covid-19 pandemic has upended work lives around the globe. When ElderLawAnswers [surveyed elder law and special needs attorneys](#) in mid-March 2020, about a third of respondents said they had already closed their offices and were working from home. Ten months further into the pandemic, a new survey reveals the dramatic extent that work has shifted from office to home. And, surprisingly, the results suggest that for many firms this change will likely endure beyond the pandemic’s end, permanently altering the work lives of attorneys and staff. The necessity of social distancing has introduced new, sometimes more efficient, ways of working. In the world of elder law and special needs planning, as in the rest of the world, some changes will inevitably stick.

The survey was sent to elder law and special needs attorneys in the first week of December 2020. We received 131 responses. Nearly three-quarters of responding attorneys are working from home at least one day a week, and of those, close to half (45 percent) are working from home five days a week. The rest are more or less evenly divided between one and four days.

Q1 Are you working from home at least one day a week during the pandemic?

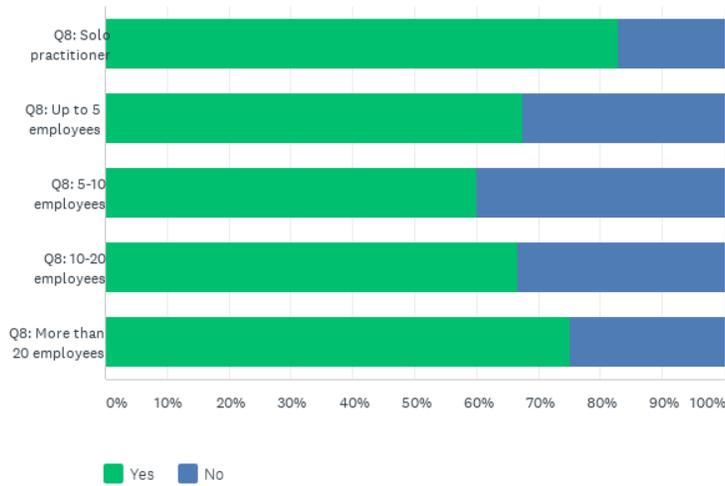


Q2 If so, how many days a week are you working from home?



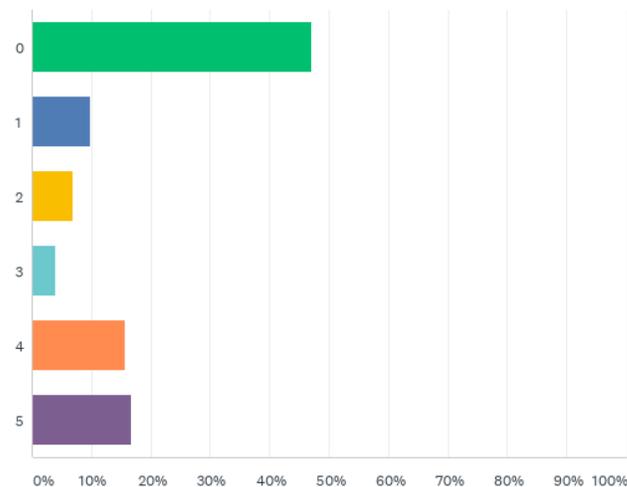
Breaking this down by size of firm, solo practitioners were most likely to be working from home (83 percent), followed by attorney respondents at the largest firms, those with 20 or more employees (75 percent). Attorneys at firms with between 5 and 10 employees were the least likely to be working from home (60 percent).

Q1 By firm size

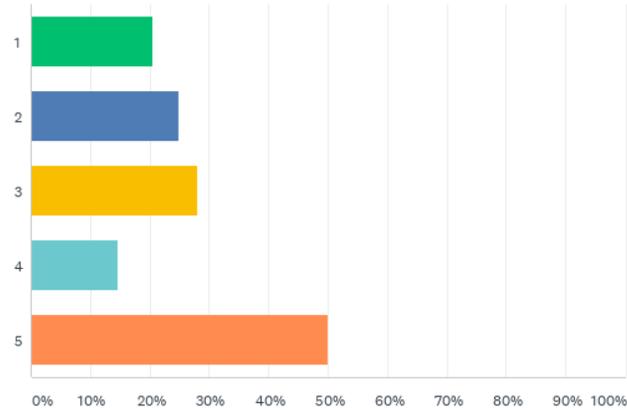


We also asked to what extent firm staff, as opposed to attorneys, are working from home. In nearly half the firms (47 percent) at least some staff are still in the office, while at about 30 percent of firms all staff are working from home four or five days a week, and at half the firms some staff work remotely five days a week. At the rest, some staff work from home between one and four days a week, with three days a week the most frequent choice.

Q3 Are some or all of your staff working from home? All staff working from home (days a week)



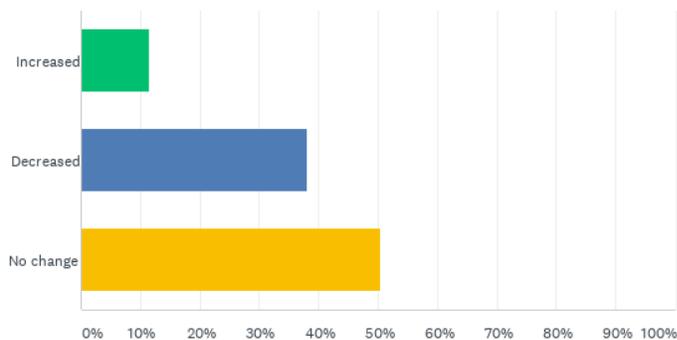
Q4 Some staff working from home (days a week -- pick all that apply)



Impact on Productivity

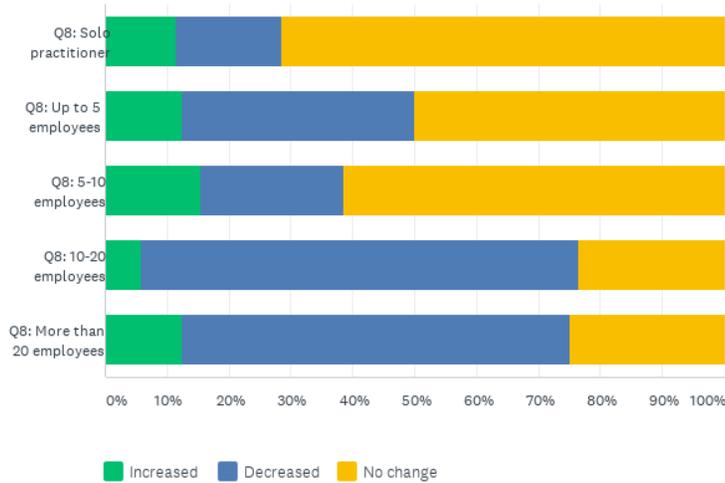
We asked about the impact working from home is having on productivity, if any. About one in ten respondents (11.5 percent) said it has increased productivity, 38 percent said it has decreased productivity, and exactly half of respondents said that productivity is the same.

Q5 Has working from home increased or decreased employee productivity?



However, these assessments of productivity appeared to be strongly influenced by size of firm. The larger firms, those with between 10 and 20 employees and those with 20 or more employees, were far more likely to report that productivity had decreased – 70 percent and 63 percent, respectively. Meanwhile, firms with between five and 10 employees and up to five employees were more likely to say there had been no change in productivity (62 percent and 50 percent, respectively). Most solo practitioners self-reported that their productivity has not changed (71 percent), while 11 percent said they’ve become more productive and 17 percent saw themselves as less productive.

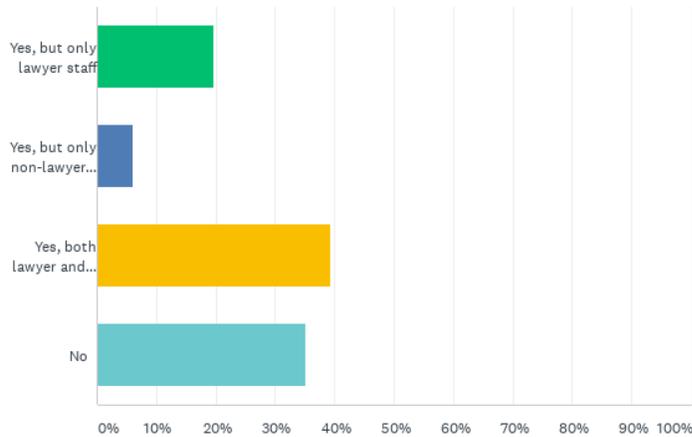
Q5 By firm size



Lasting Work Changes

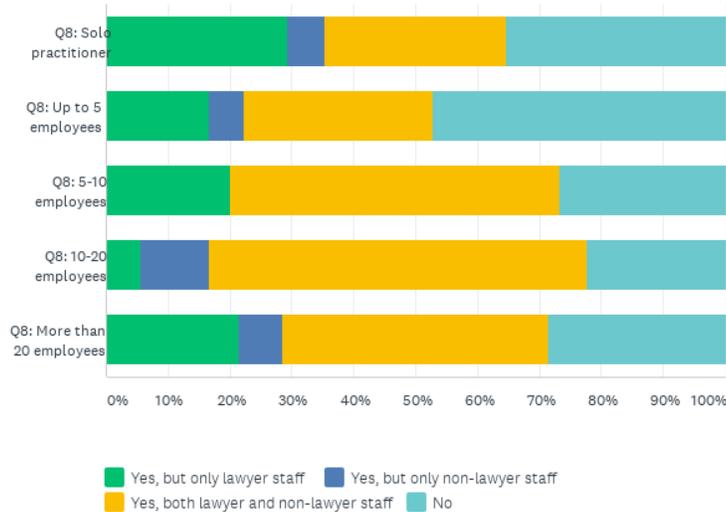
We also wondered to what extent working remotely will permanently change work practices. The overwhelming majority of respondents (65 percent) said that the switch to working from home will continue for at least some firm staffers.

Q6 After the pandemic ends, will some of your employees continue working from home at least part-time?



However, responses varied somewhat by size of firm. Firms with between 10 and 20 employees were the most likely to predict that the pandemic will permanently change things for at least some staff (78 percent). Non-solo-practitioner firms with up to five employees were the least likely to foresee ways changing (53 percent).

Q6 By firm size



Other Ways the Pandemic May Alter Practices

In an open-ended question, we asked attorneys to tell us about other ways the pandemic has changed their practices and whether they plan to preserve any of those changes post-pandemic. Fifty-eight attorneys responded. Surprisingly, many attorneys view at least some of the changes necessitated by the pandemic – including working remotely -- as positive, and in many cases, they plan to carry the changes forward into the post-pandemic world. But for other attorneys, remote working is unwelcome and they can't wait for things to return to normal. Below are selected comments, which we've grouped into the positive and the negative.

Positive reactions

Many attorneys said that the forced shift to remote working and meeting has shown them a different, more efficient way of working that will permanently change their practices. Some have realized that not all meetings need to take place in-person. Several singled out initial client meetings as particularly appropriate for taking place remotely.

- “We're doing almost all our initial meetings with clients by Zoom now. I expect that to continue. If [my state] continues virtual notarization past the pandemic, we will keep that tool for use on occasion.”
- “The biggest change is the willingness of our clients to participate in Zoom meetings. We would like to continue doing many initial meetings this way, if possible.”
- “Many clients love Zoom. I foresee seeing new clients by Zoom as option 1, only seeing them in person if Zoom is not available. Furthermore, Zoom has opened new clients to us -- we're not limited by geography any longer.”
- “Most of our clients have adapted, and many seem to prefer, virtual appointments. Thus, virtual appointments for ‘non-signing’ meetings will likely continue, as it is often a win-win alternative for both the attorney and the client.”
- “[We have seen] a large increase in initial consultations by telephone and video-conference, which I expect will continue post-pandemic.”

- “We see most clients through Zoom and we are likely to continue that after the pandemic as traveling to our office can be difficult for many people.”
- “[We] will even offer incentives for some of the non-in person meetings as we can be more efficient without them.”
- “Limiting client in-person appointments [is] more productive use of client's time.”
- “Will we keep [Zoom] for staff meetings.”

Some firms anticipate cutting down on travel expenses through greater use of remote meetings:

- “We will use Zoom more and limit out-of-town flights on a going forward basis.”
- “[There will be] less traveling between offices, [will] continue daily morning 15-minute Zoom standup meetings with all staff.”
- “The greatest thing has been remote hearings instead of driving all over to attend in-person!”

One firm discovered that the ability to meet remotely also expands the time when meetings can take place:

- “[M]any of our attorneys are now more willing to set an evening or weekend ‘virtual’ appointment, which is often of benefit to clients and their respective work schedules.”

Working remotely has prompted some firms to rethink their office space requirements:

- “We realized that we could function without the cost of an office building.”
- “I will likely not expand space as several of my staff will continue to work from home after the pandemic”
- “[We] plan to postpone enlarging footprint and staff.”

Some firms have found that remote work helps with the work-life balance.

- “Loving phone and Zoom calls. Liking being at home, it's so nice to have lunch outside!”
- “My work-life balance is very favorable right now towards the ‘life’ end of the spectrum and I am still productive.”

Working remotely has paid off in other, unexpected ways.

- “I have found it [Zoom] to be effective in mediations, both as an advocate and as a mediator. Not sure why exactly, perhaps because people do not have to be physically present with their adversaries.”
- “Doing webinars instead of seminars . . . has worked out really well.” [However, some have found the opposite – see below.]
- “Zoom court has been an improvement and time saver.”

Negative reactions

In contrast to the above, many other attorneys lamented what is lost when personal interaction is not possible and look forward to its quick return.

- “The lack of personal, face-to-face meetings makes it challenging to create a personal and strong relationship with our new clients.”
- “I plan to resume in-person client meetings as soon as that is safe. My clients prefer to meet me in person; some even now with the pandemic threat.”
- “My elderly clients are on the wrong side of the digital divide and there is no substitute for a face-to-face meeting to observe body language.”
- “What is the effect of not having interaction with other lawyers? I have difficulty in staying to a specific time structure. All in all, it has not been a fun time.”
- “We all wish for in person contact but [clients] understand what is going on and are accepting of the somewhat disconnected feeling.”

Several attorneys cited a drop in business as an effect of the pandemic as a whole:

- “Fewer prospective clients are contacting me and many [are] unwilling to make decisions or are unwilling to spend even minimal sums for legal services.”
- “Decreased demand, especially nursing home Medicaid.”
- “Revenues are significantly decreased. Few phone calls.”
- “Reduction in business, but not more than 15%.”

In contrast to a respondent above who has found that webinars are a good substitute for seminars, another attorney reported:

- “Seminars suffer. I usually do 15-25 seminars a year. I am still doing them virtually, but from a revenue perspective they are not very successful. Response rate is about 10 percent of what in-person brings.”

Finally, loneliness was an issue for at least a few attorneys:

- “Everyone is very happy with the outcome (although I'm a bit lonely at the office).”
- “Mostly the lack of personal contact is depressing.”

For more about ElderLawAnswers for Attorneys, [click here](#).

For more about the Academy of Special Needs Planners, [click here](#).