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5 Worries Connecticut Attorneys Have Going Into 2021

By [Sarah Martinson](#) | January 4, 2021, 12:37 AM EST

While federal and local governments have started distributing coronavirus vaccines across the U.S., when the pandemic will end is still uncertain and weighing heavily on Connecticut attorneys' and law firm leaders' minds.

Law firms have been able to weather the coronavirus pandemic by successfully transitioning to telework, cutting expenses and staying on top of billing, but whether or not they can continue to ride out the pandemic is unclear.

"I do think firms like ours are going to emerge out of the pandemic a little leaner and meaner than we were pre-pandemic both on an attorney count and a staff count," Christopher Brigham, a shareholder and chairman of [Updike Kelly & Spellacy PC's](#) employment practices

group who is based in Hartford, told Law360.

Here are five worries that Brigham and other Connecticut attorneys said they have going into 2021:

Adjusting to Virtual Hearings Being the New Norm

Attorneys have already started having virtual hearings and depositions, but the medium isn't without its flaws, Connecticut attorneys say. During virtual hearings, there are audio and video delays, echoing, and people unintentionally talking over each other.

When attorneys and judges are not present in the room, they also can't interact with each other the same way they would in a courtroom.

"It's harder to show a document to someone remotely than it is to slide it across the table and ask them to take a look at it," Brigham said.

While attorneys do save time by not having to travel to courthouses and wait in line for their cases to be called by a judge, another drawback of virtual hearings is that young attorneys lose an opportunity to hear more senior attorneys argue their cases.

Alan Bowie, an associate at Carmody Torrance Sandak & Hennessey LLP and president of the Black Bar Association, said he misses having the chance to listen to senior attorneys present their cases in court before his case is called.

"I think that there's some value to seeing other lawyers practice, particularly as a younger attorney," Bowie said.

However, attorneys are doing their best to embrace going virtual because it allows them to move their clients' cases forward and keeps business going.

"Everybody's trying hard to make the most of it and do the best we can and hope that we get a vaccine, and [that] this too shall end in 2021," Brigham said.

Continuing the Pandemic Work-Life Juggle

Connecticut schools started reopening this past fall, but with an uptick in COVID-19 cases in

the state, some schools have switched to a hybrid model of remote learning that incorporates in-person classes, while other schools have moved entirely online, Bowie said.

Not knowing whether their kids will be able to attend school in person — or whether it's safe to do so — is an added stressor for attorneys who already have heavy workloads.

And while some attorneys have family or spouses that they can share their child care responsibilities with, overseeing their kids' remote learning while working at the same time can stretch lawyers thin.

"Lawyers are dealing with the issue of being a great lawyer, but also being a great parent under circumstances that we haven't seen before," Bowie said.

Preserving Culture While Staying Remote

Brigham said his firm prides itself on its being a tight-knit workplace where people know each other and can follow their interests. The firm has tried to keep that culture alive during the pandemic through weekly meetings and virtual events, but attorneys are burning out from communicating through virtual platforms like Zoom, Brigham said.

Brigham said he is concerned that the firm's newer associates are not getting the full benefit of the firm's culture from working remotely.

"I don't think being a new associate in a law firm is the same [experience]," Brigham said about associates joining firms during the pandemic.

One event the firm hosted was a beer tasting via Zoom, led by a partner who used to write a column about beer for the Hartford Courant, according to Brigham. The firm bought beer that attorneys picked up safely from the office, and then they spent a couple hours tasting the beer on Zoom, Brigham said.

"We've tried to do things like that to stay connected and to build morale," Brigham said.

Waiting on Stalled Criminal Jury Trials

Connecticut attorneys said they initially expected jury trials to resume before the end of 2020, but then state and federal courts in Connecticut kept them suspended as COVID-19 cases

increased.

Frank Riccio, a criminal defense attorney and president of the Connecticut Criminal Defense Lawyers Association, said that there hasn't been a single criminal jury trial in the state since March, preventing accused individuals from resolving their cases.

The state has laws that entitle criminal defendants to a trial within eight months, but those laws have been suspended because of the pandemic, Riccio said.

"I think the chief concern among attorneys, and most importantly criminal attorneys, is getting their clients into court for trial," Riccio said.

While some states have attempted to hold virtual jury trials, those attempts have been largely unsuccessful, and Connecticut is not planning to have virtual jury trials, according to Riccio.

"I couldn't imagine not having a jury in front of myself and the client and the judge to not only listen but to observe," Riccio said, adding that a computer screen limits a jury's view and "reeks of unfairness."

Bracing for the Court Backlog

Riccio said judges, prosecutors and criminal defense attorneys are concerned that their workloads will increase when the pandemic ends because so many of their cases have been on hold.

The fact that Connecticut courts have been able to adopt new technologies to move criminal and civil court proceedings forward has helped reduce case backlogs, Riccio said, adding that the courts have also created a second daily docket to resolve dormant cases.

"The majority of pending cases in Connecticut criminal courts are simply continued month after month, but they're working on it," Riccio said.

--Editing by Alanna Weissman.

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