

ARTICLES

The Personal Touch in the World of COVID

By Donna Kaner Socol – February 18, 2021

As women, we are known for understanding innately and intuitively how we relate to warmth, understanding, and personal contact. We have a reputation that others perceive and admire. Some may call it kindness or empathy; others may call it an appreciation for life. We can be nurturers and educators as well as tough litigators. The tough litigator is just another dimension or side of us.

I grew up as a young lawyer in a male world in which being a female litigator and trial lawyer was viewed as suspect and questioned. Others wondered how I could be successful when I had a soft place in my heart for others, and how I could relate to the “brute force” and bombastic words of a courtroom. I recall many instances in which I answered a trial-assignment call and the judge told me to go back to my office and bring the trial lawyer over to get an assignment. I recall the puzzled look on the judge’s face when I stated, “I am the trial lawyer, Your Honor.”

Women have come a long way in the legal profession. We master our cases, work up the facts, understand the law, develop a strategy, and bring the case together in a concise and colorful fashion for the jury. And, of course, we bring empathy, compassion, and passion along with us. Our interactions with others are key.

However, practicing law during a pandemic has challenged what we worked so hard to accomplish: being in a courtroom, presenting our case to a jury, and representing our clients with a personal touch that enhances bonding. We are missing the human component.

COVID has created isolation. We must abide by the safety rules for the health of ourselves, our loved ones, and our community. We are deprived of human contact for the most part. We rarely interact with our clients or colleagues in person. This creates frustration, may bring about a feeling of detachment, and may lead to depression. This situation caused me to write a poem titled “The Captive Animal.”

While we take virtual depositions, have remote hearings on motions, and host Zoom meetings with clients, our interactions feel impersonal. Virtual platforms allow us to proceed with our legal life, but they provide less opportunity for connecting with others, observing mannerisms, or understanding what is going on in the background. We have less opportunity to chat with opposing counsel, a judge, and even our clients. There is little opportunity for laughter or shared stories about our weekend or an interesting case.

So what is the cure? How do we maintain that personal touch?

Communication is critical. Pick up the phone and chat. It is nice to hear another’s voice in person or over the phone without it being marred by freezing videos and muffled audio. I go to my office on occasion, and when I do, I hear one of my partners laughing and chatting with clients on the phone. How invigorating!

Your discussions do not have to be work-related. While we may not have as many fun stories to share about our weekend, you may be inspired to learn how many interests you share with others. You may like the same movies, art, or authors. You may have amusing stories about a pet and photographs to show. You may share recipes or have suggestions for training indoors. I recently learned that a colleague of mine has the same passion as I do for the author Albert Camus. For hours, we discussed the significance of his essays and what they meant to us. We developed a remarkable connection and learned something new about each other. I cherished this exchange of ideas and intellect. I also recently learned from a physician expert during a phone conversation that he intended to participate in the COVID vaccine trials. While my initial reaction was “oh no,” my next was “what a hero.”

Despite COVID, we must still update clients about our cases. We typically do this by email, letter, or now Zoom. But in this environment, when possible, what about a meeting with masks, a walk outside with masks, or a phone conversation? These interactions are more personal and authentic than Zoom calls. We can discuss the case in detail, share the opinions of experts, and strategize without an artificial setting. While virtual platforms allow us to see each other, some impose time constraints. Video calls provide another reminder that we are doing things differently in the world of COVID—a reminder that we cannot do what we love most: be in a courtroom, interacting with others and telling our side of the story, where we can observe the reactions of others.

So, instead of being frustrated and “coping” with our situation, use this as a positive experience. Share your experiences, thoughts, favorite authors, movies, recipes, and art to connect with others. It is meaningful to share through the written word. However, your voice needs to be heard as well, as an expression of understanding, warmth, and humanity—the personal touch.

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