

## Kelley Drye's Dana Rosenfeld On Firm Identity, Future Plans

By **Adrian Cruz**

*Law360 (April 29, 2021, 4:23 PM EDT)* -- Kelley Drye & Warren LLP calls itself a "powerhouse firm with the heart of a boutique," which in practice means that while it is small compared to some of its peers, the nearly 200-year-old firm is regularly involved in high-profile litigation disputes while at the same time providing a nimbler and more personal service for its clients.

In recent months, Kelley Drye attorneys have represented the government of Guam at the U.S. Supreme Court in a dispute over a \$160 million landfill cleanup effort.

Along with its work in the courtroom, Kelley Drye prioritizes serving the communities it has offices in. According to the firm's website, its attorneys and staff have worked with the Legal Aid Society, internship programs for inner-city students and food drives, to name a few of its efforts over the years.

Managing partner Dana Rosenfeld talked to Law360 Pulse this week about the firm's culture and diversity work, its response to the COVID-19 pandemic, and its goals for the rest of 2021.

This interview has been edited for length and clarity.

**Kelley Drye's slogan is "Powerhouse firm with the heart of a boutique." What does that mean to you and the firm and how is that philosophy put into practice?**

It's a very accurate slogan that we developed because to me, it means that we have nationally ranked practice groups and teams of true experts in their field. We've got a number of awards and rankings, but at the same time we're small enough that we get to know each other.

We've got 300 lawyers and other professionals, about 112 partners, and we provide multiple opportunities throughout the year for folks to socialize where we really get to know and trust each other, being able to cross-market our partners' areas of expertise and services to our clients.

This really helps to build team spirit so we can work together towards growing the pie for the firm and also help to sustain what we consider to be a very entrepreneurial culture where we're both looking to expand our reach and serve our existing clients in a way that's very collaborative. To me, you don't want to be isolated on your own island; people have a far more pleasant working life when they're with people they know and trust.

**It's now been a little over a year since the U.S. shut down because of the COVID-19 pandemic. What was Kelley Drye's response and how are things going?**

Like everybody else, we went into shutdown mode in March, but I learned that we were pretty well prepared for it. We have a disaster recovery plan in place that we developed after 9/11, which we've used on a couple of occasions. We update it every year, so we immediately pulled it out and started to implement some of the practices we worked out from the plan.

We also did something we'd never done before: immediately pivoting to remote work. After maybe a week of working out some of the kinks, we were able to implement it pretty seamlessly. Our lawyers and staff started working remotely and we instituted a communications program, which involved management having regular contact with our Kelley Drye community. I started a daily community email also known as the "Danagram" that went out every day about things happening at the firm. It was a touchpoint that was appreciated, especially at the beginning. We've cut it back to a couple of times a week because it's not quite as necessary.

Over the summer, we developed a return-to-work strategy, which involved four phases of moving back to the office as conditions on the ground improved, and we felt more comfortable with some office presence. As of now, we're currently in phase three, which means people can work in the office if they choose, although that's with a limited capacity based on density restrictions and social distancing practices. Now, with more folks being vaccinated, things are being relaxed a little bit, and we've put together a task force to consider the timing on moving to phase four, which would be a more substantial return to the office.

We don't want to be a virtual law firm, so we will be returning to the office. What we're considering is whether or not it's appropriate to permit some remote work on a more formalized basis to allow flexibility for people who want to work from home for part of the week. There may be some administrative positions that could be fully remote, everything's on the table in terms of what we're looking at and we expect to make an announcement sometime this summer.

**Kelley Drye recently named a new director of diversity and inclusion this year. What are some of the firm's recent diversity and pro bono initiatives?**

This is a subject that's near and dear to my heart. Last year, with the murder of George Floyd and the visibility of the Black Lives Matter movement, we decided to establish a task force on racial equality, which comprised attorneys and staff from all of our offices to come up with a plan to increase awareness of racism and antiracism efforts and to assist in the fight for racial justice.

We created working groups that have engaged in pro bono work for internal education. We've held internal discussion groups, focused on issues of race and bias in the criminal justice system. Members of the Kelley Drye community shared their personal stories and experiences as it related to race and equality. We engaged in community service such as tutoring programs in elementary schools, and we made a task force on charitable contributions, identifying four nonprofit organizations which we encouraged donations to, leading to over \$200,000 to be raised to the different charities.

Denise Smith was the vice chair of the task force, and towards the end of the year, our former director of diversity and inclusion advised us that she planned to retire in 2021. Based on Denise's experience, we asked her to step into the role, which she's been very enthusiastic about. She has been involved in the firm's D&I efforts for a number of years, so she was the perfect person to step into the role.

We also do pro bono work on a number of different fronts. We've been very much involved in work for asylum seekers who come to this country because they've experienced violence in their own communities. A couple of years ago, we joined the Laredo Project, which was organized by Jones Day, and we've sent people including myself across the U.S.-Mexico border in Laredo, interviewing and helping women who had crossed over with issues related to separation of mothers with children, helping their efforts to advise these women of their rights and take on a few asylum cases.

We also have been involved with an organization that represents individuals who are asserting their rights on racial justice issues and more recently, we've also been representing individuals who have been discriminated against or victims of violence against Asian-Americans in our community. It's a big commitment that we make on a regular basis and it's excellent for community involvement and it helps train our more junior associates who want to get involved in these issues.

### **What are Kelley Drye's strategic goals for the rest of 2021?**

We are continuing to learn our lessons from the pandemic in terms of client communications and service. We created a COVID-19 task force that gave clients advice on pandemic-related issues ranging from labor and employment to real estate questions, and companies seeking PPP loans from the government. We're continuing to do that because our clients know that they can look to us to help them during times of need.

I was recently asked if our business development efforts fell off last year. I gave a quick answer, which was "No," we just did it differently. We weren't traveling to clients and taking them out to dinner, but we were offering continuing legal education programs, regular zoom calls and trying to stay in touch, helping them through a difficult time. We've all done better for it, and we're going to continue some of these things.

In terms of forward-looking, we created a client services and innovation committee to think about innovative ways that we can help our clients. We've been doing that for some time, and it's taken up a new meaning this year. We give our clients opportunities to place our lawyers in those companies, to assist them with business needs, especially when some of their in-house folks go on parental leave or step back because of other needs. We also offer dashboards that allow them to keep track of legal spend, fee arrangements and a number of other products to help make their lives easier.

The other thing we're looking towards now is how to grow. We would like to expand our footprint in a strategic way, expand some of our practice areas. We're more interested in growing by deepening our benches and adding complementary areas of expertise in practice groups ranging from privacy, information security, corporate and to litigation, which has always been our strength.

--Editing by Adam LoBelia.