

Turning Expertise into Opportunity

When Email Goes Wrong

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So there's this partner <u>Quinn Emanuel</u> who <u>got quite upset</u> that an associate wasn't checking his Blackberry on a round-the-clock basis. The partner felt that the associate's failure to constantly check his Blackberry might reflect poorly on the firm someday (e.g., if the associate wasn't available in a client emergency).

Now, maybe that's a legitimate gripe, and maybe it's not. (If it helps you to judge the matter, the partner allowed that he did not expect associates to check their Blackberries "when asleep" or "in a tunnel.")

Setting aside the merits of the Blackberry complaint, we can say two things with great certainty. First, there are many things that would make your firm look worse than having associates not checking for emails at 1:00 a.m. despite the fact that they are wide awake and not in a tunnel.

Second, one of those things that would make you look worse is this: if the aggrieved partner were to take it upon himself to write a <u>firmwide email</u> calling out the associate for his allegedly deficient Blackberry-checking habits. (The associate was not identified by name, though it can't be much of a secret.) It's hard to imagine an after-hours email mishap that would give your firm a blacker eye that the dubious manners of a partner publicly chewing out an associate for a minor grievance. That is particularly true in this case, where the partner's holier-than-though-toned email is made more laughable by the typo in the subject line and the noxious all caps used within.

How do we know that such an email will make you look so bad? Because we know that such emails will always, always make it straight to Above the Law, where your firm will become immediate subject of <u>public ridicule</u>, deserved or not. And <u>from there</u>, <u>it will spread</u>.

Lawyers need to consider all firm-wide or practice-group-wide emails to be public documents. They need to be trained on this by marketing/communications departments, and then they need to be reminded of it. And should they ever get an irresistable urge to write an angry firmwide email, they should go compose one in a tunnel and release it there.