



*The Exclusive Newsletter for the Paralegal Community*

*James Sherer is a partner at Redgrave LLP, a firm with a singular focus on the area of information law.*

*Immediately prior to joining Redgrave LLP, James was In-House Counsel for a Fortune 40 company, and in addition to his work as a litigator, James was a member of the company's Discovery Expertise and Legal Tech Steering Committees. Prior to working In-House, James spent five years as a Litigation Associate in New York City with two AmLaw 100 firms.*



James A. Sherer

Redgrave LLP

601 Pennsylvania Ave. NW

Suite 900 South Building

Washington, DC 20004

Office: 202.681.0596

Mobile: 917.328.7794

[jsherer@redgravellp.com](mailto:jsherer@redgravellp.com)



## Legaco Express Interview Series: James Sherer

*James Sherer, a partner at Redgrave LLP, shares his views on the ever-changing field of information law and the opportunities paralegals may explore within this evolving field.*

### **The Legaco Express for Paralegals (LEX):**

*What led you to explore the evolving field of information law?*

#### **James Sherer:**

Information law was a natural progression from working on very large civil-and later criminal-litigation matters that involved a significant amount of electronic discovery.

This experience prepared me for an in-house opportunity where, through a happy coincidence, electronic discovery and information management became part of my practice responsibilities.

#### **LEX:**

*What skills do you think a paralegal needs in order to excel in the litigation field in general and, more precisely, in the e-discovery field?*

#### **James Sherer:**

When I think of excellent paralegals, I think immediately of those paralegals who gave me information I needed before I asked for it, or even knew I needed it.

To determine how exceptional paralegals actually do that, I did what I normally do. I asked Kay Pfeiffer, one of Redgrave LLP's Advisors (and a very experienced paralegal) with whom I have worked with for years. Kay confirmed some of my thoughts.

First, to excel—to not just succeed, or put in a full day of work, but to excel—a paralegal must think, not just do. Kay's mantra has been to **spend more time planning difficult tasks than doing them, taking the time to think**

**through the task to arrive at an appropriate solution.**

Second, one of the first things successful junior attorneys learn is that the **paralegals have the knowledge of how the office or the organization runs.**

In my experience, **paralegals who assume that the day-to-day operation of a matter is their responsibility tend to succeed more quickly; they ask important questions sooner, and make sure that known tasks are either assumed or appropriately delegated.** This again focuses on "planning before doing."

This is especially important in e-discovery, where there are a lot of moving parts, and the attorney is unlikely to be aware of everything that is happening in a given matter.

**While the role of a defined project manager is becoming more common within certain litigation matters, paralegals, willing or not, are often assumed to be de facto project managers if no one is assigned that role.** Specific questions I would have every paralegal on a matter ask are: "Does this matter need a project manager?" "Is there a project manager?" and finally, "Am I the project manager?"

Finally, assuming the role of project manager, where appropriate, is still not enough to excel. **In e-discovery, a successful paralegal must keep up with advances in technology, and know how to execute on those technologies.**



### Team Organization:

*“In ideal situations, the attorney explains the strategy and legal implications for the project, the paralegal outlines the practical implications of getting the work accomplished, but the work does not begin until everyone agrees on the plan.”*

#### LEX:

*The legal world is going through very significant changes at the moment. What do you think could be the greatest opportunities for paralegals in the years to come?*

#### James Sherer:

Organizations continue to cut costs, and seek novel ways to manage litigation spend.

However, there are certain tasks that must be performed, by law, by legal practitioners. In-house paralegals are already well-positioned, with attorney oversight, to do a lot of the tasks that might have been sent to outside counsel in years past.

**I believe that in-house paralegals with skills on the technical or project management side will be in demand, especially as in-house departments expand where cost-cutting measures demand it.**

#### LEX:

*What do you wish paralegals would know about lawyers?*

#### James Sherer:

I would remind paralegals that attorneys are expected (and paid) to be confident, but that we do not always assume that we know everything—regardless of how it might sound. As I heard in one conference, “Lawyers are people too!”

**Successful paralegals recognize that while lawyers may be intense at times, much of that stress comes from the reputations and law licenses which depend on appropriate outcomes.**

#### LEX:

*How do you organize your work with paralegals to make sure that your teams are as effective as possible?*

#### James Sherer:

**I create a case team and explain the matter as appropriate.**

Based on the case team’s evaluation of the matter, we set out specific tasks and confirm that each has been assigned to a particular person. We subsequently meet regularly to reassess the matter and determine if all of the tasks are getting done.

**In ideal situations, the attorney explains the strategy and legal implications for the pro-**

**ject, the paralegal outlines the practical implications of getting the work accomplished, but the work does not begin until everyone agrees on the plan.**

Because everyone contributes to the plan, everyone should be that much more invested in the results.

#### LEX:

*How do you deal with concurrent deadlines?*

#### James Sherer:

I try to avoid concurrent deadlines whenever possible.

To actively avoid that situation, I make sure that I ask for deadlines whenever I receive a substantial and/or long-term project. If a deadline is not available, then I create my own.

**I make sure that the person to whom I owe a particular project to is aware of my timing.** If I am later unable to make the deadline, then I follow-up with the person and give her an update on the project.

Paralegals often work with multiple attorneys, and **successful paralegals must define a process to inform attorneys of competing projects and concurrent deadlines.** Paralegals should let the attorneys determine priorities within the firm or organization, and remember that there are only so many hours in the day.

#### LEX:

*What are your time management tips?*

#### James Sherer:

**I listen very carefully to determine what needs to happen, and when it needs to happen by.** Once I determine what tasks I am responsible for, I make to-do and checklists. **I write down each project and, where appropriate, enumerate its component tasks.** Because I especially enjoy crossing off each task as I complete it, I tend to do this on paper.

I also use the Microsoft Outlook calendar function to keep track of my meetings, calls, travel, and reminders. Because it syncs with my BlackBerry, I feel confident that I am not missing anything.



### Future Paralegal Opportunities:

*“In-house paralegals with skills on the technical or project management side will be in demand, especially as in-house departments expand where cost-cutting measures demand it.”*

#### LEX:

*What was the best advice you ever received?*

#### James Sherer:

**While it sounds simple, I was told early on that if I was not confident that I could remember something, I should write it down.** To ensure that I could write it down, I should bring a pen and paper (or their equivalent) to every meeting. If I wrote down what I heard, I would be more likely to remember—and more likely to complete—any assigned tasks. This is no guarantee of success—but it certainly helps.

#### LEX:

*Why did you become an attorney?*

#### James Sherer:

There was an expectation within my family, even when I was very young, that I would attend graduate school. I also remember at least one holiday where my prosecuting attorney uncle “advised” me to go to law school. His advice was apparently persuasive but indiscriminate: of four cousins, three are now attorneys (the other begins her residency in anesthesiology this fall). But it was not just a persuasive uncle that set my path—after carefully considering my options in college, law school emerged as the right fit for my interests and personality. I have not looked back since.

#### LEX:

*Why did you choose to work as a litigator?*

#### James Sherer:

In law school, I had planned on becoming a corporate attorney; however, my first opportunities to practice came at two large firms, where I worked on a number of large-scale product liabilities matters. It was on these matters that **I experienced the fun of becoming an “expert for a day” (or, for several years) on the facts of each specific litigation matter.**

#### LEX:

*What is an emerging e-discovery/information law trend that you think might take people by surprise?*

#### James Sherer:

**We have seen some significant interest in how consumer privacy is addressed on the internet,** spurred by the FTC’s recent May 26, 2012 report, and the uproar by job candidates

who are being asked to hand over their Facebook passwords. These issues demonstrate the empowering effect internet has on everyone with access, and the pace at which people modify their behavior. This plays out in litigation, and especially in e-discovery, where the courts are (and will continue to be) playing catch-up with what people actually do.

#### LEX:

*What qualities or factors helped you to succeed?*

#### James Sherer:

The qualities that are easiest to identify are **experience, relationships, and personality.** My experience came first from large-scale litigation matters, spanning primarily products liability, policy-holder insurance coverage, and white collar defense matters. I then went in-house as a litigator with a large Midwestern corporation where I managed a number of diverse dockets, and went to trial on a number of matters for the company as part of a special counsel group. Concurrently, I returned to school and spent my weekends completing my MBA.

Throughout my practice, I continued to cultivate friendships and professional relationships, and Redgrave LLP offered me my partnership in large part based on the relationships I had developed in this space. Those relationships were and remain key factors to my success in this field, and I rely upon them every day, both for the work that I do and continued business development opportunities.

Finally, I am friendly and outgoing, and feel very fortunate that it is easy to strike up conversations with anyone. These aspects of my personality have helped me to maintain important relationships.

#### LEX:

*What is the best part of your job?*

#### James Sherer:

**I think the best part is the people I encounter.** I work for and with intelligent people, which means that I have the chance to learn something new every time I start a project, take a case, or even join a call or meeting. This also means that my job is novel—while there is consistency within the practice, many of the issues we address are being considered for the first time because of the pace of evolving technology.



### *Time Management:*

*“I listen very carefully to determine what needs to happen, and when it needs to happen by. Once I determine what tasks I am responsible for, I make to-do and checklists. I write down each project and, where appropriate, enumerate its component tasks. Because I especially enjoy crossing off each task as I complete it, I tend to do this on paper.”*

### **LEX:**

*How do you deal with work-related stress?*

### **James Sherer:**

As I mentioned before, the people I work with and for are smart and confident. This also makes them self-assured and sometimes difficult to deal with. While my current job is among the least stressful I have had, I still do have some stresses I must address. To do so, I have one method to share that has worked for me regardless of my workplace:

I normally become close friends with one colleague at my workplace. For example, at the Firm I have a friend with whom I discuss both Firm and client matters. Because we are both covered under privilege in our service to our clients, I can brainstorm issues while also discussing infrequent personality issues I face. I can laugh or complain, reassess or ask for advice, knowing that what I share is kept in complete confidence. Redgrave LLP has an official mentoring program that fills this role, but **an unofficial trusted mentor or confidant can work just as well.**

### **LEX:**

Mr. Sherer, thank you for your time and for sharing your experience and insights with us.