

Schenck Price's Werner Is Bullish About What's Next for His 109-Year-Old Firm

By Charles Toutant

What You Need to Know

- Going forward, sustained growth is expected in virtually all practice areas, especially those impacted by significant government regulations.
- Challenges facing clients related to COVID-19, such as compliance with evolving administrative codes, will continue to drive demand for services.
- Minimal debt and strong cash reserves allowed the firm to weather the pandemic without laying off lawyers or staff.

Sustained growth in virtually all practice areas is likely to continue even after COVID-19, says Gary Werner, managing partner of the 109-year-old Schenck, Price, Smith & King, which has 83 lawyers. Substantial government regulation in the areas of health care and environmental law, in particular, are likely to drive future growth in legal services, says Werner.

Werner, a 19-year veteran of the Morristown firm who is also

chair of its management committee, says Schenck Price didn't need to furlough or lay off any attorneys or support staff thanks to its policy of fiscal discipline, which entails minimal debt and strong cash reserves.

As co-chair of the firm's construction law group, Werner focuses on public bidding disputes, contract negotiation, construction liens and labor issues. His litigation practice also focuses on partnership disputes, trade secrets, restrictive covenants and franchise litigation.

Werner was asked about his practice and what he sees on the horizon for the firm. Here are his answers, edited for length and news style.

First, how have court closures affected your firm and your practice? As COVID rendered in-person court appearances and depositions impossible, our litigation groups seamlessly moved into the virtual world utilizing Zoom, Microsoft Teams



Gary Werner of Schenck, Price, Smith & King.

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and similar platforms to advance our clients' interests. Because courts were not conducting trials, our litigation groups shifted their focus to resolving disputes by way of mediation and arbitration through organizations such as JAMS and AAA as those organizations did not cease operations. Now that courts are starting to reopen, we are seeing a shift back to normal modes of dispute resolution, but we expect the increased use of ADR procedures to continue.

What was your biggest lesson in the past year? Throughout its 109-year history, Schenck Price has always maintained a

philosophy of fiscal discipline, the cornerstone of which is minimal debt coupled with strong cash reserves. COVID-19 accentuated the propriety of the firm's philosophy. Schenck Price did not furlough or lay off a single attorney or staff member as a result of the pandemic.

What sort of matters do you generally deal with in your own practice? My practice is focused on sophisticated commercial litigation, with a specialty in construction law matters. I have extensive jury trial experience and have litigated in both New Jersey state and federal courts. I have also participated in numerous ADR matters venued throughout the country.

What's the biggest litigation trend you're seeing right now? With clients and courts having recognized cost savings

and efficiencies afforded by the use of technology such as Zoom, we anticipate that more business will be conducted virtually even as COVID recedes. On a substantive level, the challenges posed to clients as a result of COVID, such as heightened regulation and compliance with evolving administrative codes, remain and will require the firm's expertise to navigate.

Do you see any big areas of opportunities in 2021? In the post-COVID world, I anticipate that we will see sustained growth in virtually all practice areas. In particular, I anticipate growth in health care law, environmental law, as well as in all practice areas with significant governmental regulations.

What are the major threats to your firm and your practice and what are you doing to

adjust? Rapidly changing technology, including artificial intelligence, and its impact on how lawyers service their clients is accelerating. Schenck Price is constantly analyzing how to utilize technological advances to serve our clients more effectively and efficiently.

What distinguishes your firm from others? What makes you unique? Schenck, Price, Smith & King has been serving our clients in the New Jersey-New York metropolitan area since 1912. We have always prided ourselves on building a warm and collegial workplace. This has resulted in our firm having extremely low turnover, both in the professional ranks and among our support staff. Schenck Price's culture of teamwork has always come naturally.