

## Law Firm Leaders: Mintz Levin's Robert Bodian

By Aebra Coe

*Law360 (November 7, 2018, 11:53 AM EST)* -- Robert Bodian has served as managing member of Mintz Levin Cohn Ferris Glovsky & Popeo PC since 2009. Under Bodian's leadership, the law firm has steadily grown and over the past three years has increased its revenue by 30 percent, its profits by 35 percent and revenue per lawyer by 20 percent.

Law360 sat down with Bodian recently and chatted about how his firm is adapting to changes in the legal industry, the one quality he thinks is most important in a law firm partner and the surprise bonuses Mintz Levin's staff has received the past two years.

### How is the business of law changing and how is your law firm adapting?

There's a lot of change, but I would say commoditization is definitely a big and increasing change that impacts law firms, I think across the board. The way we're adapting is by putting renewed importance and a big emphasis on client service. It's not that different than the world at large, I think. When you look at the retail industry, a lot of it is commoditized, so you have to differentiate yourself by providing outstanding service and good judgment. Otherwise it becomes difficult to have clients pay the kinds of rates necessary to sustain the kind of law firms we have. I think the challenge is overcoming the commoditization of the law practice and I think you do that through outstanding client service and industry knowledge.

### What do you mean by commoditization? How is it being done, and who is doing it?

In-house counsel are making decisions based on rates because they can. A lot of work in the employment area — immigration — even a lot of basic corporate work, basic litigation. Unless you can distinguish yourself by offering a high level of service and an understanding of the industry your client is in, in-house counsel are going to go with the least expensive alternative. Law firms have to stay on top of that or they'll have a problem.



**Robert Bodian**

Mintz Levin  
managing shareholder

### **What one trait is most important for a law firm partner?**

Perseverance. I think that's true in almost everything, not just law firms. I think intelligence is sort of a baseline, that's a given. Education is a given. Nothing is easy and so I think those who are able to get through the difficult times and push on are the ones that are going to end up being successful. Getting business, keeping clients satisfied, doing the hard work — it's a lot of perseverance, I think that's the key to everything. One of my favorite quotes is from Winston Churchill and it says, "Success is the ability to move from failure to failure without the loss of enthusiasm," which I think is really true. It's not always going to be easy and it almost never is easy. Those who persevere and really push hard and stay with it — I think that's the one characteristic that is most important.

### **What's the biggest mistake attorneys make early on in their careers?**

Not owning it. Not owning the job, the assignment, the client. I think young attorneys tend to focus on a particular assignment. Owning the work, and by that I mean thinking outside the box, thinking about whether there are other things that need to be done, figuring out the best way to be value added as opposed to just doing the work. I like to tell my young attorneys to think of a graph or line. On one end of it is "indistinguishable" and on the other end is "indispensable" and to try to move as close to indispensable as they can. I think that takes owning the projects and not just doing a task and that's it.

### **What should firms be doing now to make sure they're poised to thrive if another recession hits?**

I would say culture is really important there. Maintaining a firm culture is going to be really important when things slide backwards a bit because you don't want an outflow of your talent. You want to make sure that people who are here really want to be here and have a reason to be at the firm. Everyone at the firm from the most senior partners down to the most junior staff can be somewhere else if they want to be somewhere else, so culture becomes important. When times change, when the economics change I think that's what's going to be important.

### **What type of culture and what do you mean by culture?**

We're a really supportive culture here, so I think everyone feels valued and respected. Collaboration is sort of the byword of the firm. Everyone talks about it and it's real. We help each other and we like each other. It's that kind of culture.

### **Why hasn't the legal industry made more progress on diversity over the past decade?**

I wish I had the answer to that one. I think one of the reasons the legal industry hasn't made significant progress is because you have to be proactive in a way that's outside the ordinary day-to-day serving clients. It takes a lot of thought and effort. And it's not always directly traceable to getting or serving business, even though I think it's important in the grand scheme of things for getting and serving business. It's less immediate. So I think the lack of immediacy for some people impacts the long-range outcome. Things that are bigger picture that take a longer time are often harder to do because people tend to not focus on them as much as they should.

### **Do you think the U.S. will ever allow outside investment in law firms? Should it?**

I think they will and I think they should. The big accounting firms are getting more and more involved in the practice of law, which used to be a no-no. There are a lot of funding firms now, particularly in

litigation and IP, which isn't the same thing as investing in law firms, but it sort of is. They're not making an investment in the law firm, but they're funding the work. So it's an outside interest in the outcome. I think it will happen eventually and I think it's perfectly fine. For every other business it's okay, right? We're not so special.

**What's one thing you believe your law firm does that's truly different?**

I would say the one thing that has stood out for us the last several years is the way we treat our staff. I think that's something that's highly unusual. Everyone's going to say their law firm provides great client service and has expertise. That's par for the course.

We've had a few very good years and at the end of our last fiscal year, we've done it for two years now, we basically gave every staff person \$1,000 just to say thank you. Half a million dollars to say, "we really appreciate the work you guys do." As far as I know no one else has ever done that. That's unusual and it reflects how we feel about the people we work with. Obviously most law firms would say they appreciate their staff, and I'm sure they do, but this is backing it up with a substantial amount of money. It was completely out of the blue, it wasn't their bonus time or anything. They came into the office in the morning and everyone had \$1,000 on their desk.

**What well known lawyer, alive or dead, would you most like to have lunch with and why?**

I would say Thomas Jefferson. I would like to know what the thinking was and the rationale and everything that went into the Constitution. Since we all speculate as to what the founding fathers meant when they wrote a lot of the words, I'd like to have firsthand knowledge.

--Editing by Rebecca Flanagan.