

Families See Benefits, And Some Pitfalls, In Practicing Together

By Sandhya Bathija

The National Law Journal and New York Law Journal.

January 12, 2007

When **Dan Flanzig** began practicing at his father's law firm, he had to overcome a challenge many attorneys experience when joining a family firm.

"I had to prove myself, being the first associate in the office in the morning and locking the door every night," he said.

Today, Mr. Flanzig, of the personal injury firm Flanzig & Flanzig in Mineola, works with his older sister, Cathy Flanzig. The firm the siblings used to practice law with, Joachim & Flanzig, run by their father and uncle, dissolved in 2001.

The Flanzigs are but one example of family members practicing law together. According to data provided by the Family Firm Institute, there are 24 million family-owned businesses in the United States, 22 million of which are partnerships such as law firms. (The information was collected in 2000 based on federal tax returns.)

According to Priscilla M. Cale, director of the University of Connecticut's Family Business Program, more family-run law firms are developing because more people have access to higher education. In the past, most family-run operations centered around businesses that did not require degrees, such as manufacturing, she said.

At the Milwaukee law firm Pitts & Pitts, clients know whether to ask for the mother or the daughter depending on what sort of representation they are looking for.

If they want a pit bull, they ask for the daughter, Trinette. If they want compassion and someone to hold their hand, they ask for the mother, Cristina. It is this dynamic that has kept the mother-daughter personal injury and family law firm in business for the past 22 years, the pair said.

A successful family-operated business is one where at critical times the family members forget they are related to each other, said David Javitch, president of Javitch Associates, an organizational and consulting firm in Newton, Mass.

"You can't say 'You are always nasty to me' or 'You are just picking on me, you don't treat anyone else that way,'" he said.

If personal issues can be avoided, benefits can accrue from working with family members, said Steve Gardner, a Tampa, Fla., lawyer who started a real estate firm with his son, Truett Gardner.

The father finds that the biggest benefit of running a family firm is spending more time with his son and getting to pass on his life experiences.

The elder Gardner once practiced law with his father-in-law 35 years ago and learned from him how to "conduct his affairs with integrity," he said.

For Ann Di Maria Cone of Palo Alto, Calif.'s Di Maria & Cone, the benefit of working with her husband is consistently having another legal opinion on how to approach each case at her disposal.

"It's all business at the office, but we still talk about our cases at home," she said. "We pick

each other's brains and can see how another attorney would look at the issue."

The firm, which focuses on family law, started when Ms. Cone went into practice with her father in 1979. The firm was looking for a new attorney, and after receiving hundreds of resumes, the only one to stand out was Steve Cone's, Ms. Cone said. Nine months later, the pair were married.

Ms. Cone said friends told her that working with a spouse could end horribly. But the University of Connecticut's Ms. Cale said that spouses who work together can empathize with each other's stress and they know each other's strengths and weaknesses.

Dan and Cathy Flanzig know this firsthand. Their father and uncle's 47-year-old firm closed due to a variety of issues, including differing visions for the firm, Mr. Flanzig said. Those issues made for an unpleasant atmosphere at the office, not only for the lawyers but the other staff as well, he said.

- Sandhya Bathija is a staff reporter at The National Law Journal, the ALM affiliate of the New York Law Journal in which a version of this article first appeared.