

JASON STACH  
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October 6, 2015

State Bar of Georgia  
Commission on Continuing Lawyer Competency  
104 Marietta Street, NW  
Suite 100  
Atlanta, GA 30303

Dear Commission on Continuing Lawyer Competency:

Please find enclosed a CLE credit application for the Atlanta IP American Inn of Court program "Generations in the Workplace: Why Can't We All Just Get Along?" presented on Wednesday, September 16, 2015, from 7:00 – 8:20 p.m. at the offices of Kilpatrick Stockton in Atlanta, GA. We are seeking 1 hour of regular (i.e., not in-house) *Professionalism* CLE Credit for Georgia State Bar members who attended the program.

The event began with the performance of several skits that highlighted issues that might arise when working with multiple generations in the workplace. Afterwards, attendees at smaller tables of 8-10 people each discussed the issues raised in the skits and the discussion topics set forth in the enclosed Playbill. The CLE portion of the event ran from 7:20 p.m. to 8:20 p.m.

Also enclosed are the following:

1. Request by a Non-Accredited Sponsor for Approval of a Continuing Legal Education Activity Form;
2. Credentials for program organizers Cortney Alexander of Finnegan and Amanda Hyland of Taylor English;
3. Scripts for skits that were performed for the audience;
4. Playbill containing topics for the audience to discuss in smaller groups of 8-10 people; and
5. A memorandum addressing generational issues in the workplace that was distributed to the attendees.

Commission on Continuing Lawyer Competency  
October 6, 2015  
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If there are any issues approving Professionalism CLE credit or if you need any other information, please contact me.

Sincerely,



Jason Stach  
Program Co-Chair, Board Member  
Atlanta IP American Inn of Court

Enclosures



**Cortney S. Alexander**

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303 Peachtree Street, NE  
Atlanta, GA 30308-3263  
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Fax +1 404 653 6444  
cortney.alexander@finnegan.com

**Areas of Practice**

Patent Litigation  
Patent Office Examinations  
Prosecution  
Patent Portfolio Management, Monetization, and  
Transactions  
Opinions and Counseling  
Patent Trial  
ITC Section 337  
Pre-Trial Strategy

**Industry Focus**

Clean Energy and Renewables  
Electrical and Computer Technology  
Industrial Manufacturing  
Medical Device  
Sports and Fitness

**Bar and Court Admissions**

Georgia  
Kentucky  
U.S. Patent and Trademark Office

**Education**

Louisiana State University, Baton Rouge  
J.D., 2002  
Rose-Hulman Institute of Technology  
B.S., Mechanical Engineering, *cum laude*, 1999

## Cortney S. Alexander

### Partner

Cortney Alexander focuses on patent litigation, particularly the enforcement of U.S. patent rights in federal district courts and before the U.S. International Trade Commission (ITC). His cases have involved a wide range of technical subjects, including medical devices, wind turbines, Internet auctions, spam filtering, search engines, and artificial sports playing fields.

Mr. Alexander assists clients with negotiating the litigation process to reach a favorable resolution as efficiently as possible. He also provides strategic counseling to help clients develop patent portfolios that provide tangible protection to their business and revenue streams.

Recognized as a "Rising Star" by *Georgia Super Lawyers*, Mr. Alexander writes and presents at CLE programs on topics related to U.S. patent litigation practice and strategic patent portfolio development, including subject-matter eligibility, the effect of the Supreme Court's recent decision on appellate review of claim construction, and creating patent portfolios that protect the client's revenue stream.

Mr. Alexander maintains an active pro bono practice, representing veterans of military service before the U.S. Court of Appeals for Veterans Claims. Additionally, he has provided pro bono legal services to a charity providing mentoring to disadvantaged youth, as well as to a home for abused, neglected, and abandoned children in the custody of the state.

### Highlights

- *Interval Licensing LLC v. AOL Inc.* (Fed. Cir.). Represented AOL in successfully defending the district court's ruling that claims asserted by Paul Allen's Interval Licensing were indefinite.
- *Celgard, LLC v. SK Innovation Co., Ltd.* (W.D.N.C.). Represented SK Innovation in successfully obtaining dismissal of suit for lack of personal jurisdiction.
- *Constellation IP LLC v. Avis Budget Group Inc.* (E.D. Tex.). Represented FedEx in patent litigation against Erich Spangenberg's Constellation IP; all claims of the asserted patent were canceled by the U.S. Patent and Trademark Office (USPTO) after reexamination.
- *Certain Semiconductor Chips Having Synchronous Dynamic Random Access Memory Controllers and Products Containing Same*, 337-TA-661 (ITC). Assisted Rambus in ITC investigation resulting in initial determination of infringement by 10 defendants.
- Filed a request for inter partes reexamination on behalf of client accused of infringement by product generating billions of dollars per year in global sales, resulting in final rejection of all claims and prompting global settlement.
- *Auction Management Solutions, Inc. v. Adesa Inc.* (N.D. Ga.). Argued a *Markman* hearing on behalf of defendant that resulted in favorable construction of means-plus-function term relating to electronic auction software, leading to patentee's voluntary dismissal of infringement claim.
- *Hutchinson Industries, Inc. v. Accuride Corporation* (D.N.J.). Obtained pre-discovery grant of summary judgment of no liability for infringement on behalf of defendant supplying government contractors.
- *Wall Cardiovascular Technologies v. Abbott Labs* (E.D. Tex.). Represented Abbott in patent litigation involving its top-selling XIENCETM drug-eluting stent.

### Professional Activities

- Atlanta Bar Association (secretary/treasurer, 2014-present, Section on Intellectual Property; Board, 2013-present)
- Atlanta IP Inn of Court
- State Bar of Georgia (Section on Intellectual Property)

### Select Publications

- "[What Just Happened to Software Patents?](#)" *SD Times*, June 3, 2015.

**Cortney S. Alexander**

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- "[Subject-Matter Eligibility: Patent Owners' Foot-in-the-Door Problem](#)," *BNA's Patent, Trademark & Copyright Journal*, April 3, 2015.
- "[Different Outcomes in Similar Patent-Eligibility Cases](#)," *Law360*, Feb. 9, 2015.
- "Will U.S. Patents Follow Wind Turbines Offshore?" *North American WindPower*, Feb. 2014.
- "Joint Infringement, Patent Reform, and the Impact of Non-Practicing Entities on Patent Law Strategies and Litigation," *Impact of Recent Patent Law Cases and Developments*, Thomson Reuters, 2012.



## AMANDA GROOVER HYLAND

1600 Parkwood Circle, Suite 400  
 Atlanta, Georgia 30339  
 678.336.7247  
 ahyland@taylorenghish.com

Amanda Groover Hyland focuses on intellectual property, media, and First Amendment counseling and litigation for a variety of corporations and non-profit organizations. Ms. Hyland is a *Chambers USA*-ranked, AV-rated attorney who has been recognized year after year as one of Atlanta's rising stars in intellectual property and litigation.

Ms. Hyland's commercial clients include *Fortune* 100 companies, national publishers, clothing and gift manufacturers, and corporations in the energy and water infrastructure industries. She has handled dozens of lawsuits in state and federal courts, including all types of trademark, copyright, patent, trade secret, and false advertising disputes. She has taken several intellectual property cases to successful resolution at trial, and also provides significant experience in the aggressive use of dispositive motions and alternative dispute resolution practices such as mediation. In addition to litigation, Ms. Hyland has significant expertise in transactional intellectual property matters, including U.S. and international trademark applications and prosecution, licenses and assignments, usage issues, copyright applications, and due diligence. Her clients call upon her to maintain hundreds of federal trademarks, including several high-profile portfolios.

Ms. Hyland takes great pride in bringing her skills to non-profits, concentrating on political advocacy groups, animal-related organizations, and other social welfare institutions. She focuses in advising 501(c)(3) and 501(c)(4) groups on legal issues surrounding their use of social media, blogs, merchandising, and educational efforts, as well as their rights under the First Amendment. She also has worked on several amicus briefs on First Amendment issues on behalf of political advocacy and non-profit groups, not only as an attorney, but as a legal intern for the Reporters Committee for Freedom of the Press.

Ms. Hyland also has significant experience in media law, and has advised clients on matters including privacy, open records, and defamation, having handled such matters for television networks, newspapers, publishers, writers, political advocacy groups, and public relations firms. She has

### PRACTICES

Data Security and Privacy  
 Intellectual Property  
 Leisure and Hospitality  
 Litigation and Dispute Resolution  
 Public Interest and Advocacy  
 Sports, Entertainment and Media

### INDUSTRIES

Manufacturing  
 Non-Profit  
 Retail  
 Sports, Entertainment and Media  
 Staffing

### EDUCATION

University of Florida Levin College of Law, JD, *cum laude*, 2006  
 University of Florida, BA and BS, *summa cum laude*, 2003  
 University of Florida, College of Journalism and Communications, MA, with distinction, 2006

### CLERKSHIP

U.S. Court of Appeals for the 11th Circuit, Staff Attorney

### BAR ADMISSIONS

Georgia

**Amanda Groover Hyland**

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often advised clients during the prepublication review stage or during a dispute following publication.

Prior to joining Taylor English, Ms. Hyland practiced complex media and copyright litigation at a respected boutique law firm in Atlanta, where she focused in the diverse needs of media and entertainment clients, including television stations and newspapers. Ms. Hyland also spent two years clerking at the Eleventh Circuit Court of Appeals, where she worked as an out-of-chambers clerk.

Ms. Hyland has a long and passionate background in First Amendment, media, and intellectual property issues. She earned her JD, *cum laude*, from the University of Florida, where she obtained a certificate in Intellectual Property Law, served as Editor-in-Chief of the *Florida Entertainment Law Review* and Executive Articles Editor of the *Florida Journal of Law and Public Policy*, and taught undergraduate journalism classes as part of her fellowship. She also earned her master's degree in journalism, with distinction, and her undergraduate degree in journalism, *summa cum laude*, from the University of Florida College of Journalism and Communications.

**MEMBERSHIPS**

Atlanta Intellectual Property Inn of Court

International Trademark Association

Federalist Society

The Federal Bar Association

State Bar of Georgia, Intellectual Property Section–Trademark Committee

Council for National Policy

**COMMUNITY INVOLVEMENT**

Atlanta Humane Society, Junior Board (1873 Society)

Atlanta Women's Foundation, Community Connection Mentor/Connector for the Atlanta Center for Working Families

Atlanta Council of Younger Lawyers Campaign, Firm Coordinator

Florida

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**COURTS & ADJUDICATIVE BODIES**

U.S. District Court for the Middle District of Georgia

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern District of Florida

U.S. District Court for the Middle District of Florida

U.S. Court of Appeals for the 11th Circuit

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**ACCOLADES**

*Chambers USA*: Leading Business Lawyers – Intellectual Property, 2015

*Martindale-Hubbell AV®*  
Preeminent™ Peer Review Rated

*Georgia Super Lawyers*, Rising Stars, 2013-2015

*Georgia Trend Legal Elite*, Intellectual Property, 2012

Amanda Groover Hyland

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## EXPERIENCE

**National outside IP and media counsel for advocacy groups.** Serves as outside counsel for all media, merchandising, blogging, copyright, trademark, and social media inquiries for several national conservative non-profit groups, including Tea Party Patriots and Center for Self Governance.

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**Successful resolution of trademark infringement case for college savings plan company.** Initiated and resolved trademark litigation for GradSave, a college savings plan company. The lawsuit, filed in the Southern District of Florida, asserted claims for trademark infringement against another web company using the mark "GradSaver." The matter was settled confidentially.

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**\$200,000 Jury Verdict and \$185,000 Attorney's Fee Award in Cyberpiracy Trademark trial and appeal.** Won a significant jury verdict in the Northern District of Georgia under the Anti-Cybersquatting Consumer Protection Act (ACCPA) for a national provider of industrial and commercial waste and recycling solutions. The jury awarded full statutory damages, and the Court later awarded \$185,000 in attorneys' fees to our client. The jury award and the attorney's fee award were upheld on appeal to the 11th Circuit Court of Appeals.

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**Successfully represented publishing company in contractual dispute.** Achieved prompt and full dismissal of all claims against publishing company relating to a contractual dispute with advertiser. Following the filing of our motion to dismiss, the plaintiff dismissed the action in the Northern District of Georgia.

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**Successful settlement of copyright lawsuit against production company.** Defended and achieved settlement in copyright infringement lawsuit brought in the Northern District of Georgia by a former employee of our client, a video production company. The former employee claimed to own the copyright in the commercials produced by our client.

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**Current representation of major coatings company in defense of trademark, trade secret, defamation, and other claims.** Currently representing Gulf Synthetics in an action brought by former business partner and his new company claiming trademark infringement, defamation and trade secret misappropriation relating to the deck coatings business.

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**Successful settlement of copyright lawsuit involving the reproduction of client's poem.** Achieved successful resolution of lawsuit involving copying of clients' "ABC's of Life" poem, which was reproduced without permission on posters and plaques.

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**Amanda Groover Hyland**

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**Successful trial of federal case involving color as a trademark on tennis grip tape.** Represented a national athletic goods manufacturer in case defending the client's trademark registration in the color blue for tennis grip tape. Achieved favorable ruling from bench trial in the Northern District of Georgia in which the court upheld our client's trademark registration.

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**Achieved multiple consent injunctions against gray market trademark infringers of Yanmar tractors.** Obtained consent injunctions in cases pending throughout Southeastern United States. Ceased the importation and sales activities of nearly one dozen gray market Yanmar tractor importers.

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**Achieved settlements in trade dress/ design patent cases involving wine glass packaging.** Resolved several cases in which client, a national gift and home goods manufacturer, asserted trade dress and design patent infringement claims against competitors. The cases involved the popular cylindrical packaging for wine glasses.

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**SPEAKING ENGAGEMENTS**

"Legal Liabilities in Publishing," Publish15, Georgia's First Annual Publishing Convention, Cumming, Ga., June 14, 2015

"The M&A Playbook: Quarterbacking the Deal," ACC-Georgia August Luncheon Program, August 13, 2013

"Legal Issues in Publishing: A Primer for Authors and Self-Publishers," BookLogix Seminar Series, July 13, 2013

Maximizing ROI for In-house Litigation Counsel, October 10, 2012

"The Boundaries of Intellectual Property," The Business Hour With Ron Comacho, April 27, 2012

"Social Media IP Concerns," Cobb County Bar Association, February 25, 2011

**PUBLICATIONS**

"Producing a Blockbuster IP Litigation Hit, Epilogue: Closure to the Story," *Inside Counsel*, June 24, 2014

"Producing a Blockbuster IP Litigation Hit, Act 3: Managing the Showdown's Cost," *Inside Counsel*, June 10, 2014

"Producing a Blockbuster IP Litigation Hit, Act 1: Cost Effective Plot Development," *Inside Counsel*, May 13, 2014

"Producing a Blockbuster IP Litigation Hit with Small-Budget Funding: Assembling the Cast," *Inside Counsel*, April 15, 2014

"The Taming of the Internet: A New Approach to Third-party Internet Defamation," *31 Hastings Comm/Ent* 79, Fall 2008

**Amanda Groover Hyland**

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"Bullied Bloggers: Why Bloggers are More Susceptible to Libel Threats," *1 Fla. Ent. L.V.* 75, 2006

"Big Mess on Campus: Campus Crime Information in Public Records is in a Class of its Own," *The News Media & The Law*, Summer 2005

**HEADLINES**

Taylor English Attorneys Receive *Martindale-Hubbell AV®* Preeminent Peer Review Rating, September 11, 2014

Taylor English Attorney Amanda Hyland Wins \$200,000 Jury Verdict in Cyberpiracy Trademark Case, August 28, 2013

Twenty Taylor English Attorneys Selected as 2013 Georgia Super Lawyers and Rising Stars, February 21, 2013

17 Taylor English Duma Attorneys Listed Among *Georgia Trend's* 2012 Legal Elite, December 5, 2012

Deborah Ausburn and Amanda Hyland Successfully Represent Tea Party Patriots in IP, Trademark Rights Case, November 16, 2011

**NEWS RELEASES**

Taylor English Earns National Recognition for Three Practices, Six Attorneys Recognized as Leaders in Their Field, *Chambers USA*, May 28, 2015

24 Taylor English Attorneys Achieve Top Recognition in 2015 Georgia Super Lawyers, February 20, 2015

Taylor English Grows Again, Adds Four Associates, December 9, 2010

## Act One

### Scene One: Xavier's Office

[Narrator: We join Mel, an associate with the firm Boomer, X'er, and Young, as he knocks on the door of Xavier, a non-equity partner with the firm]

Mel: So, can we noodle for a sec?

Xavier: Uh, Sure. But you didn't make an appointment, and I only have time for a few minutes. I have a 1PM, and a 1:30, and then a marketing committee meeting, and then I have to run out to get some things for the pupillage group I'm chairing at Inn of Court.

Mel: Geez. You're busy.

Xavier: Well, it takes a lot of time to fulfill my obligations to my clients, to the firm, and to the community. It's what's expected of partner material here.

Mel: But are you fulfilled?

Xavier: Huh? (Looks confused)

Mel: Never mind, I guess. But couldn't you get someone to help you with all that?

Xavier [angrily]: Like I could count on anyone to do it right. 9 times out of 10, they'll just screw it up, and I have to spend more time fixing it than I would if I just did it myself to start with.

Mel: Um, anyway, I wanted to see how I was doing here. I'd like some feedback on the last several memos I've done for you, and on the motion I emailed you yesterday. I feel like everything I do just goes into a black hole here. I don't think you've ever even "liked" one of my Facebook posts.

Xavier: You should assume everything's fine unless you hear otherwise. Except your Facebook posts. Who takes that many pictures of themselves?

Mel: Well, could we spend some time going over my memos? I'd really like to learn how I can improve.

Xavier: Well, we host the weekly lunch & learns for the new associates. You'd learn a lot about research and writing skills if you showed up to those.

Mel: Um, no, I can't eat the food. Everything's got gluten, and meat, and preservatives. If they had some decent organic kale salads and blueberry-pomegranate smoothies, I'd go. I think you'd see better turnout overall if the food was less plastic. In fact, could you tell whoever is in charge of that? Oh, and while you're at it, could you let the management know that there's no recycling box on my floor? It's just tragic how much paper is getting thrown away.

Scene Two: Senior Partner's Office

Xavier: Mr. Boomer, thank you for scheduling this meeting to see me. Your secretary is always such a pleasure.

Mr. Boomer: Oh, I'd chain Martha to the table if I could. Wouldn't know which way was up without her. She does my dictation, reads my mail, handles my personal credit card bills, and even remembers my kids' birthdays. I don't know how people share assistants these days.

Xavier: Count yourself lucky—I've had four assistants since I started here, and none of them did more than take up space. I can't figure out why none of them can help me. Anyway, I scheduled this appointment to talk to you about Mel. I have some concerns about him.

Mr. Boomer: Oh, Mel! I love that kid. What's the issue?

Xavier: Well, he's driving me crazy wanting feedback. He's always texting me asking for additional information on assignments. He even got upset with me because I wasn't following him on Instagram. He's just so needy. When I was a first-year associate, I would have never dreamt of initiating so much contact with a partner, or asking so many questions. He just doesn't know his place around here....

Mr. Boomer: Well, I don't see the harm. Sounds to me like Mel is seeking feedback in real time so that he can improve steadily, instead of getting a dump of feedback once a year at his annual review.

Xavier: Well, if you say so, Mr. Boomer. Just seems like these new millennials think they run this place. I think it's in their own best interest that they have a realistic view of what it takes to be a partner, and eventually an equity partner here. . . . . (awkward silence) . . . .so, um, that actually reminds me of something else I'd like to discuss. I think that my billable hours and originations are on par with or better than any of the non-equity partners here, and I was curious if the door might be open sometime soon, you know, to discuss equity partnership.

Mr. Boomer: Well, well.....ok. You've caught me a little off guard with this. I think this is the sort of thing that is best discussed within the annual partner nomination committee. But in the interim, do you mind if I give you some honest advice?

Xavier: Of course, I'd love any feedback.

Mr. Boomer: Mentoring is a big part of what we look for at the shareholder level. We need to make sure that this firm is grooming the next generation of attorneys who will run this place. I'm concerned that you're not really interested in mentoring. Why don't you take Mel under your wing?

Xavier: Mr. Boomer, I think that's a.....a.....great idea. (unenthusiastically). I just wish I had more time.....

Mr. Boomer: Why don't you take the lead on a firm initiative? Put together a lunch & learn on mentoring! I bet there's a videotape we could show. Order some Cokes and some of those great ham sandwiches from the deli downstairs! The kids will love it!

## Act Two

### Scene One: Senior Partner's Office

[Narrator: We join Mr. Boomer, Xavier, and Mel in Mr. Boomer's office]

Mr. Boomer: Thank you both for coming by to discuss the new copyright case. I want to make sure we have this properly staffed.

Xavier: No problem, Mr. Boomer. I know you really like young Mel, so I've asked him to come to this meeting, you know, as part of my mentoring of him. I've been doing *lots* of mentoring, you know.

Mel: Mr. Boomer, what's the case about? I've been stuck doing all of this corporate and tax work this year, and it's just not meaningful. I'm really hoping that a copyright case could be more inspiring, could help me make a difference in the world!

Mr. Boomer: I like your enthusiasm! Our client is a record label that just signed an aspiring new country music band called "The Twangy Twilight Trio." They have a new song called "My Truck Got Stuck." It's a Youtube hit, but they haven't made any real money yet.

Mel: Oh, I love that song! I play it on my iPod, or sometimes through Pandora, while I'm cooking. There's something about that refrain that brings out the best in my basil-infused tofu coq au vin.

Mr. Boomer: Well, the Twangy Twilight Trio just got sued by country western legend Banjo Billy, who claims that the song infringes his copyright in the 1965 hit "All My Luck's in My Truck." You two might not remember that one, but I know it well. Came out while I was in law school. I played that record over and over.

Xavier: Oh, I remember it from junior high school days. You know, now that you mention it, those two songs have a pretty similar hook. Do we have any obvious defenses?

Mr. Boomer: Well, I told them we would win this one for them, hands down. But . . . I haven't analyzed it fully yet. That's why I called you—I'm putting you in charge of that. Leave no stone uncovered. Re-read Nimmer, front to back if necessary. I've had the librarian pull all the copyright treatises and stack them in the west library. It's a lot of reading, so I think we should assemble a team of six associates and three partners.

Xavier: That's very thoughtful, Mr. Boomer, but it might be more efficient to do the research on Lexis. Also I'm assuming we should put together a litigation budget and go over it with the client right away, just to make sure we're all on the same page. We've been able to handle this type of case before with just one associate, and drive a lot of value to the client. This is an up-and-coming new band; the label won't want to spend more on legal fees than they're making in album sales, so we need to keep their budget in mind.

Mel: Oh, I'll do it. Let me be the associate on this case! I won't even bill if you don't want me to! I mean, a song from 1965? Surely that's in the public domain by now. Anyway, this is an

obvious case of fair use, and it's only fair that we do everything we can to save the Twangy Twilight Trio from this oppressive lawsuit. Banjo Billy is just a corporate shill, a hater of the First Amendment. If we don't save this case, it will just be another case of the Man putting down the little guy and stifling creative freedom.

Xavier: (Laughs) Mel, that's very noble of you, but we're here to be part of a business. A business that exists to make money. We can't work for free.

Mel: Well, I have no problem working for free if it's the right thing to do. I don't mind spending another year living in my parent's basement. I love my family—how about you? [looking pointedly at Xavier]. As long as I'm fulfilled. And have a place to do my cooking and Instagram my paleo dishes to all of my fans.

Xavier: Get over yourself. What's the point of trying to change the world? The world sucks, always has, always will. We just have to live in it.

Mr. Boomer: I don't know about that, Xavier—that's not how we thought in the 60s! But Mel, if we work for free, this firm wouldn't be here in 20 years when you would be an equity partner. Don't you want that waiting for you one day, if you earn it?

Mel: 20 years? No offense, guys, but that's way beyond my game plan. Honestly, my dream is to have my own paleo cooking show one day, so with any luck, I won't even need my law degree.

### Act Three

#### Scene One: Break Room

[Narrator: We join Mel as he is talking to millennial co-worker in the break room on a Friday morning]

Mel: I've been working such crazy hours I haven't even had time to watch the Walking Dead this month.

Jen: You think that's bad? I had to cut my Call of Duty time down to almost nothing. How am I supposed to get the top ranking in the Young Lawyer division if I can't play more than 3 hours at a time? This totally sucks!

Mel: I feel you, Jen. I so did not sign up for working like . . . like my parents did! I mean, what normal person wants to be chained to a desk for such long hours? 9 to 5 is for workaholic losers!

[Narrator: While Mel laments about his work/life balance, our Gen Xers are busy talking about their own problems.]

Xavier: I just don't understand! Mr. Boomer has had me working 2500 hours a year for years. I swore I wouldn't become like my dad, working all the time and never home. What's going on? When am I going to make equity partner? I really should start looking at other firms. But really, what's the point? I don't feel like anyone understands me.

Xander: Don't worry, I heard from Mr. Boomer himself that he's thinking about bumping you up to equity soon.

Xavier: Soon? Soon? What about now? What's the hold up? I had promised myself that my kids would have a better life than me, but lately they have a better relationship with their iPad than they do with me - they definitely learn more about life from it.

Xander: Calm down. The iPad is your best friend! If your kids don't notice you're not home, they can't blame you for it later. It'll save you a ton of money in therapy.

[Mr. Boomer walks into the break room]

Mr. Boomer: [To millennials] Nice of you two to join us this morning! I didn't expect to see you here, what with the Green Peace rally down at the capitol building.

Jen: We're planning on heading over this afternoon, actually. Just need to wrap up a couple of things and we should be at the rally by 4:30, right Mel?

Mel: Totally. I'm going to work on my signs. [Millennials leave]

Mr. Boomer: Xavier, glad to see you. The other side just filed a motion for TRO in that new copyright case, and the court has scheduled a hearing for Tuesday morning. They put in a 50-page brief telling the court that the Twangy Twilight Trio is the worst pirate since Blackbeard.

We'll need to file an opposition Monday morning so the court has a chance to read it before the hearing. I want a draft on my desk first thing Monday morning. And I want you to take the lead on it—you're the best I've got. Well, except for me, of course. Did you know I've been named a Georgia Super Lawyer for 25 straight years?

Xavier [beaming]: I'd love to, sir! I was planning on going to the lake with my kids this weekend, but I appreciate your confidence in me to get the job done.

Mr. Boomer: Slow down. . . I want you to take the lead on this project, but I don't want you doing all the work. I want you to supervise Mel on this project. This'll give you a great opportunity to mentor him. I see real promise in him. Reminds me of me back in the day . . . fighting the man! He just needs a little guidance on how to navigate the law-firm environment. I'm hoping you can show that kind of leadership, Xavier.

Xavier [crestfallen]: Yes, sir.

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Scene Two: Mel's Office

[Xavier walks to Mel's office, where he finds him with headphones in his ears]

Xavier: Mel. [no response]. Mel! [nothing] [Then Xavier jerks the headphones out]

Mel [angrily]: Hey!

Xavier: Listen, I need you to draft a response to a TRO motion on that copyright case. Well, I really don't *need* you to do it. Boomer wants you to do it. and he wants me to make sure you do it right.

Mel: Sure, no problem. when do you need a draft? 2, 3 weeks?

Xavier [smirking]: 6 am Sunday morning.

Mel [horrified]: Whoa! No can do! Boomer was right about that Green Peace rally. It goes on all weekend. I'm out of here at 4 pm on the dot. Jon Stewart is going to be a guest speaker. I've already got my signs made up. [Holds up sign that says "Make love, not carbon dioxide"]

Xavier: That's cute, but work comes first. 6 am Sunday morning. No excuses.

Mel: But that's not fair! I already worked 35 hours this week. Don't be surprised if you get a call from my mother.

Xavier: Great. I can't wait to get some parenting tips from her.

But, seriously, I want to help you. That's why I'm going to give up my plans this weekend to make sure I'm around to give you the guidance you need to not screw this up too badly.

Mel: What, you, skipping out on your kids all weekend? Shocker. But, sure, if you want to help, I'm happy to share the load. Let me think about it, then let's talk in the morning to see how we can split up the work.

[Xavier leaves Mel's office, and Mel picks up Banjo Billy's TRO brief]

[Narrator: Mel spends the rest of the afternoon outlining a response to the motion. Let's listen in on his thought process.]

Mel [talking to himself]: We really need to create good precedent here. We don't want to win based on a fine-grained analysis of the songs in this case. That won't do anybody any good since fair-use cases are so fact dependent. What good is a favorable decision on that ground to other up-and-coming artists?

I know what we'll do. We're going to argue that sampling just the hook of a song that's forty years or older is fair use as a matter of law. I mean, really, who could argue with that? It's doing those old musicians a favor anyway. The only guys that know this music are practically in adult diapers.

I bet I can get Mr. Boomer on board—I've seen the pictures of him at Woodstock. Who would have pictured him wearing tie-dyed boxer shorts? But his office has been dark since the crack of noon, so he's not going to sign off on this now.

I think I'll just call the general counsel of Twangy Twilight Trio's record label. I haven't met him, but I'm sure he cares about up-and-coming artists as much as I do.

[Dials phone]

General counsel: Geffen here.

Mel: Hi, Mr. Geffen. This is Mel, with Boomer, X'er and Young. You probably know that I'm working on the Twangy Twilight Trio case for you.

General counsel: Twangy who?

Mel: You know, the Twangy Twilight Trio. The country group that got sued by Banjo Billy—that ancient cowboy who apparently hates the Constitution. I'm your lawyer.

General counsel: Oh, yeah. I remember now. I thought I gave that case to Boomer.

Mel: You did. I work with him.

General counsel: Ok, what do you need? I was about to take off for the weekend.

Mel: I won't keep you long. I just wanted to run this argument by you real quick. I think we have a great chance to really build strong precedent to help out new artists facing these haters from decades past—I call them copyright trolls. I think we should argue that it's fair use as a matter of law to sample the hook of any song that's forty years old. I clerked at the court of appeals in this circuit—I think they would be very receptive to this argument. What do you think?

General counsel: What! I may not have been an appellate clerk, but I know that's crazy! This label owns the catalogue to the Rolling Bones and Dead Zeppelin. Do you know how much money we'd lose if every loser with a guitar could swipe the hook to those songs?

Mel [confused]: I'm not sure why you'd say that's ripping anyone off. I mean, it's not like they're breaking into anyone's house. The music is all out there on the cloud. You just click "download" and it's there, ready for you to use. Fairly.

General counsel: Listen up! There's no way we're saying it's ok to steal any song just because it's forty years old. Does Boomer know about this? How come he's not on the phone?

Mel: He's tied up. I appreciate your concern, but this case is about more than just your record label. It's about freedom. Freedom!

General counsel: It's about money. Money!

Mel: I don't think you're hearing me. I have to go now. Jon Stewart's speaking soon. But let's face the facts. One of us clerked, the other didn't. I'm sure you'll agree with me once you see the argument. Bye! [Hangs up]

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Scene Three: Xavier's Office

[Narrator] It's now Sunday afternoon, the day before the response is due. Xavier is in the office, working hard on the TRO. He hasn't talked to Mel all weekend.

Xavier: That good for nothing little brat. I've been here all weekend! And he's MIA! Doesn't even have the decency to call! But it's ok, Xavier. You don't need anybody else—you've got this on your own, just like always.

[Mel walks in, angrily]

Mel: Why didn't you answer any of my texts? What was all that junk about wanting to give me guidance and make sure I learn and all that?

Xavier: What are you talking about? I've been here all weekend. I showed up at 9 am on Saturday morning to talk, just like we agreed. But you never showed. Eventually, I realized I was going to have to do this myself. I should have known that's how it would be!

Mel: What are you talking about? Why would I come into the office on a Saturday? Does the AC even come on? Why didn't you answer my texts?

Xavier [picks up his smart phone and looks at it dumbly]: what are you talking about? I don't see anything.

Mel: I sent you like a dozen snapchats? How did you miss them? I installed it for you, remember?

Xavier: Oh, yeah. My wife didn't want me getting messages that disappear after a few seconds. So I had my kids turn off the notifications. I couldn't figure out how to do it.

Anyway, how are we supposed to plan out a response to a 50-page brief by text message? Can't you call someone like a real person? Or at least answer your phone? I left three messages.

Mel: Yeah, I'm not really a phone person. I check my voicemail every few weeks.

Xavier: Anyway, how were you planning on drafting this response without coming into the office? Don't you know we need to collaborate on our strategy? And exchange drafts?

Mel [laughs in disbelief]: Are you serious? I have everything I need on my laptop at home. And what I don't, my assistant scans and sends me a pdf—she's amazing! I haven't touched a hard paper draft of anything since the first semester of law school. Why do you think we have a redline function in Word? I thought you were going to be my mentor, but maybe it should be the other way around. You are the poster child of inefficiency.

Xavier: Look, we can argue about this all night or we can just get down to business and crank this thing out. You say you finished a draft?

Mel: Of course I did. My stellar online research skills made it a piece of cake. I shared it with you on Sharepoint on the cloud. Did you not get that, either?

Xavier: What are you talking about? How do you put a brief on the cloud? Are you skywriting this thing?

Mel: Sorry, I should have translated that into “ancient.” The brief is on the Internet. The INTERNET [loudly and slowly]. Do you get it?

Xavier: Can’t you just print me a copy? How am I supposed to edit it? [Waves around red pen]

[Xavier then proudly produces his own 50 page print out and hands it to Mel, who stares at it blankly]

Mel: What is the deal with this? Is it finished?

Xavier: Almost. A few edits left, and I was considering rephrasing the introduction, just for flow.

Mel: So you printed it? Why? What about the trees? Did you even think about the trees? Why didn’t you just email this to me? Or put it on Sharepoint?

Xavier: I’m sick of dealing with you. Here’s how it’s going to be. You edit your draft on “the cloud,” however you do that. I’ll deal with my stack of paper. We’ll give them both to Mr. Boomer tomorrow morning and let him decide which one he thinks is best.

Mel: I guess that will work. . . .

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#### Scene Four: Senior Partner’s Office

[Narrator: It’s now Monday morning, in Mr. Boomer’s spacious corner office.]

Mel and Xavier come in, shoulders slumped, obviously fatigued. They stand by the chairs directly across from Mr. Boomer’s desk, with Xavier holding his 50-page stack, while Mel is empty-handed except for a Post-It note with “The Cloud” written on it.]

Mr. Boomer: Oh, what a surprise . . . good morning, you two!

Mel/Xavier [in unison]: Good morning, Mr. Boomer

Mr. Boomer: What brings you two into my office bright and early on a Monday morning? Oh wait, is it time for the Inn of Court clothing drive again? Can’t we just do what we did last year?

Xavier: Uh, no, sir. . . .We’re actually here to discuss the response to the TRO that you asked us to work on this weekend. Remember the hearing tomorrow morning?

Mr. Boomer: Oh, yeah, I’m sorry. That must’ve slipped my mind after I dictated that memo to you both on Friday afternoon. You’re here for the details? It’s such a funny story. I was golfing with opposing counsel, Waylon, on Friday afternoon at the Piedmont Driving Club. We’ve been doing that for years. We’re both members.

Anyway, he tells me that his client wants to stage a comeback, and wants to open for Twangy Twilight Trio on their tour that's sponsored by Green Peace. He even wrote a new song for it, called "Make Love, Not Carbon Dioxide!" I love it. I thought that would be a great idea. I mean, we'd lose the litigation, but helping Banjo Billy get back on the scene makes me feel all warm and fuzzy inside. Plus, it turns out Waylon's black-sheep brother heads up Green Peace's lobbying arm. Turns out they are looking for new regulatory counsel, and for old hippies, they have a fortune to spend on lawyers!

Long story short, I used my powers of persuasion to convince our client's general counsel that this would be a great deal. At first he was kind of mad about some call he got last week from some really rude person claiming to be from our firm. I told him it must have been a crank call—or corporate espionage. I assured him I'm the only one who has any client contact at our firm. [Mel looks at the ceiling]

Anyway, after I calmed him down, he loved the deal and authorized me to accept! So, the TRO is off the table while we work out the details. Banjo Billy will withdraw the TRO motion this morning. That totally freed up my weekend. Great weather this weekend, by the way . . . I got some radical sky-diving in. Anyway, I dictated a quick memo to you both about everything being resolved. Why do you two look so confused? It should have been in your office mailbox. You got it, right?

Mel: No, we worked all weekend on our responses. We had no idea. We worked all day Sunday!

Xavier: Yes, I missed the lake with my kids!

Mr. Boomer: Well, back when I was coming up through the ranks, we never went to the lake on the weekends. We showed up at the office even if we didn't have anything to work on. But you shouldn't be so glum—Look on the bright side. . . . Mel, I'm sure you learned a lot about writing a great brief from Xavier by working with him. And Xavier, I'm sure you learned that mentoring associates is very rewarding. Anyway, fine job to you both.

Xavier, I was going to wait a little longer to make this announcement, but I'm proud to say that the partnership voted to make you a non-equity equity partner.

Xavier: Do what now?

Mr. Boomer: It's like equity because you get your corner office, and a share of the firm's liabilities. The partnership hopes that will help you learn what it means to be responsible for the firm. But it's not quite like equity equity because you'll be straight salary—your compensation won't be tied to the firm's profits. It's a new position we created just for you. Congratulations!

Xavier [hanging head]: Thanks.

Mr. Boomer: Don't mention it. And now comes the special part. After seeing how you both pulled together on this project, I know you're a special team. Mel, I have decided you should work with Xavier on a constant basis, as his assigned associate. To save on overhead, we're going to move Mel into that corner office with you to facilitate the mentoring process. You'll be together all the time now. Isn't that great!



# GENERATIONS IN THE WORKPLACE

## WHY CAN'T WE ALL JUST GET ALONG?



**ATLANTA IP INN OF COURT**

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## OVERVIEW

This evening’s program is intended to examine generational diversity in law firms. We hope that the skit serves as a tool to facilitate table discussions after the skit.

## CAST

Narrator: Ingrid Hackett                      Mel N. Eealle: Seth Trimble                      Xavier: Chris Curfman  
 Mr. Boomer: Lou Isaf                      Jen Wye: Jennifer Miller                      Xander: Bernie Zidar  
 Geffen: Jason Stach  
 Pupilage Group Co-Chairs: Cortney Alexander, Amanda Hyland

## DISCUSSION

After the skit, we would like for each table to discuss the themes presented. The below table from Thomson Reuters article, “Managing Generational Law Firms,” may help facilitate the discussion:

	Motivations	Preferred Communication	Type of Tasks
<b>Traditionalist Born before 1945</b>	Stability, harmonious environment, clear direction	Personal notes, face-to-face interaction	Work which requires historical knowledge. Given their preference for clear direction, they prefer projects that are easily outlined and clearly defined.
<b>Baby Boomer 1946-1954</b>	Work/life balance, cooperation, understanding the bigger picture	Phone calls, face-to-face interaction	Tangible projects that will show immediate impact. Baby boomers want to make a difference, which also makes them great candidates for pro bono or human interest work.
<b>Gen X 1965-1976</b>	Creativity, autonomy, ideation, project variety	Voice mail, email	Matters where “out of the box” thinking is an asset. Given Gen X’s communicative skills, they are good at building pipelines and finding prospective clients.
<b>Millennial 1977-1992</b>	Recognition, optimism, the ability to multitask	Instant messages, text messages	Projects with high visibility. They thrive when projects directly address their career goals. Some might need guidance on developing effective interpersonal skills.

## DISCUSSION TOPICS:

Generational issues are causing more profound division within businesses now that there are four generations in the workforce. For the first time in history, many firms have 50 years between the oldest and youngest employees. Attorneys should be aware of the key differences and how they affect an employee’s work style, preferred communication methods, and motivational drivers.

Here are some topics for your table to discuss:

1. Do older generations understand Millennials' desire for purpose in work? Should the boomer generation allow that desire to influence the organization where possible?
2. How can workplaces balance Millennials' desire for a voice at the table with the previous generations' adherence to hierarchy?
3. How can organizations improve communications between generations in view of different preferred methods (e.g., in person, phone, email)?
4. How can workplaces fulfill Millennials' desire for real-time feedback in view of earlier generations' "annual review" mentality?
5. How to allow flexibility for all generations regarding office hours while ensuring that everyone is in the office enough to form effective relationships and provide mentoring and training for younger generations?
6. Where can each generation compromise its preferences to work effectively together?
7. Do Millennials have something to offer a workplace when it comes to IT and other technology? How can firms take advantage of millennial’s comfort with new technology?
8. What can Millennials learn from Generation X? What can Generation X learn from Boomers?

**Intergenerational Issues in the Law Firm**

**Atlanta IP Inn of Court – September 16, 2015**

**Pupilage Group 1**

Margaret E. McCoy, PhD

Mason Raphaelson

## **INTRODUCTION**

With the retirement age continuing to extend further into the “golden years,” four or possibly even five generations might be represented at a company at any given time. As a result successful companies must find ways to overcome barriers between intergenerational relationships that can negatively impact employee recruitment, retention, teamwork, morale, productivity and business growth. Many of these barriers can be overcome through awareness of generational differences and improved communication skills.

The way in which individuals interact and communicate has a tendency to change over time. Many of these changes can be attributed to the impact of new technologies, which tend to be adopted most quickly by younger generations, as well as cultural events that occur during a generation’s developmental stages. Although generational gaps are frequently used as a means of “stereotyping” workers, many individuals born during transitional periods of the traditional generational cohorts may possess attributes that fall somewhere between groups or possess attributes that are atypical from their cohort.

This memorandum focuses on intergenerational factors of the three major age cohorts currently in the workforce: the Baby Boomers (born 1946-1965), Generation X (born 1964-1976) and Generation Y (“Millennials”, born 1977-1994).<sup>5</sup> The memorandum is broken down into the following discussion sections: motivation for work, work-life balance, as well as technological changes and proper communication protocols.

## DISCUSSION

### **I. Motivation for Work**

Motivation for work can be quite different between the three major workforce cohorts, often as a result of the unique cultural experiences and social norms of their respective generations. These motivations are important because they play a significant role in job satisfaction, teamwork and overall workplace morale. These factors also play into limiting turnover rates, which can dramatically impact an organization's reputation and growth.

The Baby Boomers can be roughly divided into two groups: those born between 1946 and 1954 ("older" Boomer group) and those between 1955 and 1965 ("younger" Boomer group). Partly as a result of the historical movements of the time, and partly due to the family structure and rearing of this generation by the Post-War Cohort, this "older" Boomer group, having lived through Woodstock, the Vietnam War, the civil rights movement, the women's liberation movement and the assassinations of Martin Luther King, Jr. and Robert Kennedy tend to be inspired and motivated by social revolution and rebellion against the establishment. The "younger" Boomer group, however, grew up during Watergate, the Iranian hostage crisis and a poor economy which created a characteristic distrust of authority and the foregoing of social revolutions for secure jobs in the establishment.<sup>4</sup> Thus, while the older Boomers will seek change and challenges in the workplace, the younger boomers may tend to be dedicated and loyal to one firm for their careers and more motivated by job security than personal goals and interests.

Generation X experienced such absent or split family parenting that it has been called the most "unsupervised generation in parenting history."<sup>4</sup> As young people, this group experienced the AIDs epidemic, the terrorist attacks of 9/11, and a heightened and extensive violence against children.<sup>4</sup> These social experiences led to a generation that hated the "workaholic" attitudes of their

absent parent(s) and a disillusionment with the economy, all of which created a highly independent, entrepreneurial and tech savvy cohort.<sup>4</sup> Not motivated to work in teams, this generation distrusts rules and the establishment, lending to a generation that is motivated not by money, but more by their own goals and objectives to excel in their fields.<sup>4</sup> This group tends to prefer independent responsibility, recognition, as well as personal time in order to support and encourage motivation in their work.<sup>1</sup>

The Millennials grew up during a period of intense terrorism, Desert Storm, the Gulf War, and the Arab Spring. They also experienced numerous school shootings and are more concerned with personal safety than earlier generations.<sup>4</sup> Millennials often live with their protective parents much longer than have recent generations.<sup>4</sup> As a result, Millennials more frequently lack the skill sets that come through experience with family responsibilities and independence.<sup>4</sup> Millennials sometimes struggle to manage work schedules, and the enhanced security of family and their parents' willingness to provide continued financial support enables this generation to be much more free to switch jobs for reasons other than compensation or security.<sup>4</sup> Consequently, motivation to work comes more from a sense of social contribution or personal interest than financial security or independence. This generation is also used to extensive and intensive use of instant and real-time technology. This creates a generation that is interested in immediate gratification and feedback and a desire to know how their work will quickly be applied and useful. As the Millennials are an impatient generation used to living in a world of rapidly changing technology and social norms, they do not tend to buy in to the paying-your-dues-first concept.<sup>1</sup> By focusing more attention up front, this generation can learn to meet expectations with speed and enthusiasm.<sup>1</sup> Additionally, Millennials sometimes fail to build meaningful interpersonal relationships. Millennials often benefit from mentoring by the Baby Boomer generation, which has shown an ability born of experience to work with and motivate the Millennials on long-term projects and interpersonal relationship-building

skills. Moreover, the technology literacy, in conjunction with the parent-enabled financial security of this generation, promotes a motivation to work more for self-interest than for career-minded objectives and goals. Motivation and retention of this generation will depend upon vision and clear-cut objectives by the organization.

Regardless of the generation, an important issue for law firms to realize and deal with proactively is, as described by law practice consultant Phyllis Haserot, a general “lack of intrinsic motivation which is often caused by perceptions of favoritism, managers not being held to the same or higher standards as employees, partners or senior associates failing to give credit to associates or staff for their suggestions, and people consistently feeling their concerns are not listened to”.<sup>1</sup> While the methods for engaging motivation may differ between these generations, the basic markers mentioned above will resonate with each of them. A specific point of contention between the generations is billable hours and the motivation to bill according to the traditional methods. Millennials tend to resist the current system of billing in set time increments.<sup>1</sup> One potential alternative to the billable hours system, and an option for motivating all generations to bring money in and create partner interest might be to set a “lump sum” fee for a particular matter, with the crucial addition of carefully-drafted changes clauses in order to accommodate unexpected circumstances (such as client untruthfulness), changes in the law or facts during the course of representation, force majeure, etc., which would protect the firm from unexpected losses. The fee could then ultimately be determined by various factors such as number of lawyers on the project, time spent, and unforeseen issues that may arise during the process.

## **II. Work-Life Balance**

The generations exhibit dramatically different values regarding work-life balance (of course, personality types also influence this issue, regardless of the particular generation). Differences in

expectations regarding work-life balance can be critical to an organization, as failure to account for them may negatively affect employee retention and workplace teambuilding.

Boomers are characterized as ambitious workaholics who create their identity based on their work.<sup>4</sup> As the older Baby Boomers age into retirement, they tend to gravitate towards a stronger work/life balance, seeking to re-invent themselves and their goals as they enter into their retirement.<sup>4</sup> Permitting more flexibility in the work structure and setting may enable this generation to balance their work/life goals as they age, while still serving the needs of the organization and the requirements that their positions demand.

Generation X, due to their frequently isolated upbringings, often desire stronger work-life balance, in order to pursue their individual interests.<sup>4</sup> Generation Xers tend to be self-reliant. This can be positive (i.e., allowing them to operate without requiring a great deal of oversight) or negative (i.e., if it prevents them from effectively sharing workload with co-workers). Even though Gen Xers are willing to work hard, they desire efficiency in their work so that they can maintain a balance with their lives outside of work.<sup>4</sup> While Boomers are known as workaholics, Gen Xers may not thrive without adequate balance over the long term. Creating an efficient balance with this generation may require clear goals and expectations by leadership, as well as enabling creativity in how goals are accomplished.

Millennials, with their relatively sheltered and secure financial situations, combined with fewer family obligations (due to frequently postponing marriage and children), seek a more extensive and free work-life balance compared to the other two cohorts. This generation, with its technological savvy, does not see the same need for face-time in the office to achieve their goals as other generations. The instant-response capabilities provided by current technology enables Millennials to work from practically any place at any time. Organizations should strive to harness the

willingness of Millennials to plug in to work during historically “off the clock” times, while ensuring that Millennials are in the office enough to receive appropriate training and develop good working relationships.

### **III. Technological Changes and Proper Communication Protocols**

The introduction of new technology over the last several decades has created many dramatic and obvious changes to the practice of law and ways in which we communicate. E-mail, electronic record keeping, and Internet research are now the new practice norms and widely recognized as ways of improving efficiency. Blogs and other social media influence the way lawyers interact with each other and potential clients. Moreover, the change in communication methods dramatically impacts the level of detail placed into communications and the frequency of expected contact.<sup>2</sup>

Boomers did not grow up with much of the technology considered standard in today’s workplace. Boomers therefore learn new technologies on the job as part of their expected work performance. While some are quick to adapt, many are hesitant to adopt new technologies, especially ones they see as non-essential, and will typically be behind the technological curve. Since Boomers grew up during a time where most communication came through in-person meetings, telephone communications, or written letters, they favor face-time and meetings over e-mail chains. They also expect more detailed communications, even when utilizing newer technologies such as e-mail. They therefore may be nonplussed by the short Twitter-style responses they may get from the Millennial generation. Boomers are also more likely than anyone else in the organization to expect (and sometimes expressly demand) respect regarding the chain of command, and may take offense to Millennials not following the proper streams of communication.<sup>6</sup> If an organization has official protocols in place for communications between ranks (inside or outside the organization), these should be communicated during training. For more unofficial protocols (e.g., how to relate to

particular individuals), organizations should rely on more informal mentoring between generational peers.

Generation X was the first generation to grow up using some of today's more prominent communication technology, such as e-mail. Generation Xers typically are not as reliant upon technology as their Millennial counterparts, and, for some technologies, may even be more technologically adept since they grew up understanding the nuts and bolts.<sup>6</sup> Generation Xers put emphasis on efficiency, so it is not uncommon to see them send short e-mails or leave short voice messages, just enough to get their point across. If something interferes with efficiency, they may not tolerate it for long. Despite this push for efficiency, Gen Xers tend to challenge others and be skeptical. They will often find it important not only to know the conclusion, but also how it was reached, counter-arguments, and what sources of information were used. Gen Xers may conflict with Boomers, who favor face time over electronic communication, or the Millennials who expect a steady stream of consistent feedback that a Generation X might find overly demanding of their attention.

The Millennials grew up in the age of social media. The impact social media has had upon them cannot be overstated. Millennials often lack what are considered by earlier generations to be strong traditional interpersonal skills. While they actually communicate more frequently than any generation in history, older generations frequently find Millennials communications to lack face-to-face time and be non-substantive – for example, by using texting abbreviations and other short words that are easy to type on smartphones. Millennials' reliance on social media norms may bother elder co-workers who do not use social media and may not appreciate responses to inquiries that would be better suited for Twitter than an internal memo or e-mail to a supervisor. Nonetheless, the members of this generation are eager to become involved at their firms and want their opinions to matter even if they have not yet spent a significant amount of time working their way up the

corporate ladder.<sup>3</sup> Even if the organization ultimately does not follow their suggestions, Millennials will appreciate older generations taking the time to explain why things are being done the way they are.

When trying to improve communication lines within a firm, remember that each generation can learn from the others. No generation is without its strengths and weaknesses. Millennials, as the newest entrants into the work environment, have the most to learn simply due to their lack of experience. Thus, it is important that Boomers and Gen Xers mentor and instruct their younger colleagues, explaining how and why things are done the way they are within the firm. Older generations, especially Boomers, will also gain a lot by listening to the younger generations, who know how to efficiently and effectively use newer technology, which can be key to improving productivity and communicating with younger generations. Not only will this help the organization work with Millennials internally, it will also boost its ability to work with other organizations (e.g., law firms will be better equipped to work with Millennial clients). Generation X has a very important role to fill as well, since they are often the middle ground between Boomers and Millennials and arguably have the greatest insight into how to bridge gaps. Some of the best methods for bridging the gap may be to generate strategies that play to the strengths and preferences of each generation, such as creating a single weekly in-person meeting about a subject that is followed by brainstorming throughout the week completed over e-mail or other types of messaging or collaborative-work systems.<sup>6</sup>

## **CONCLUSION**

In order to enhance recruitment, retention, and efficiency of employees and to create more fruitful work and team environments, recognition and encouragement of the strengths (and shortcomings) of each generation is useful, if not critical.

Baby Boomers seek recognition of their skills, contributions, opinions, and knowledge. As this group is characteristically good at people and client relationships, and has experience under their belts, they can make excellent mentors and life coaches.<sup>4</sup> This generation tends to seek out challenges because they want new learning experiences—including new technology—which can be a wonderful bridge between generations.<sup>4</sup>

Generation X desires strong work-life balance options, such as flexible work arrangements, and seeks constant feedback with greater individual responsibility on projects.<sup>1</sup> Increased training and development opportunities with communication on the organization's vision and values will strengthen, support, and encourage this goal-oriented and driven cohort.<sup>1</sup>

Millennials have been raised in highly structured family environments for extended periods of time and often find time management challenging.<sup>4</sup> Useful mechanisms for working effectively with this cohort requires clear goals, specific deadlines, and setting of priorities.<sup>4</sup> This generation will work to meet expectations with speed, enthusiasm and technological savvy, but seeks constant feedback and appreciation that their work is immediately applicable and valuable to the firm.<sup>1</sup>

A common thread between all generations seems to be a strong desire to interact with clients and to have a degree of control over what work is distributed to them.<sup>1</sup> This connectivity can be utilized to strengthen the intergenerational working relationships and build bridges between cohort differences. Additionally, informed dialogues on generational issues, enhanced fairness and generation-bridging workloads among teams in conjunction with clear expectations and guidance will promote a healthier, more effective intergenerational workforce.<sup>1</sup>

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