



Focus on the Future

Guest Predictions: Craig McKee

Guest Predictions is a regular feature in which we ask leaders in a number of professions questions that affect us all.

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Q: What changes in the your professional environment in the past 3-5 years have you found to be the most beneficial?

A: The ease and efficiency of communication impacts what I do each day, and that has only grown over the past five years. Client expectations are driven by the speed with which documents or questions can be transmitted, always with the implicit expectation that a response should result with comparable speed. Nevertheless, the immediate access to information via the internet, the ease of legal research, the use of emails as an alternative to regular mail or telephone tag, all make for a better practice and happier clients. There are down sides, of course, but the legal practice is better for these changes.

Q: What changes have been the most troubling to you?

A: See above. Email etiquette is ever evolving, but caution is required to avoid sending unwise, precipitous responses that would have had an opportunity to simmer a bit before leaving the desk as a letter. Email is both personal and impersonal—it clearly contains the writer’s immediate touch most of the time, but it can be employed as an epithet shouted in an empty automobile as one drives down a highway excoriating some colleague or adversary. Rather than emitting steam to no one in particular, however, an email sticks, stays, is forever. Why would we ever write in an email something that we would be highly unlikely to say to someone across the table? Yet, we do.

I would also observe that is a discernible and growing divide between professionals of different generations with regard to expectations. I see this in the professions, for example, as lawyers or physicians get practices started and still expect the same perks and same rewards as their seniors. I don’t object at all to the evident emphasis on quality of life in a newer generation of professionals. We shouldn’t some of the old traditions that made professional employment a “sweat shop” of sorts and marginalized a person’s engagement with spouse, family, friends, and some of life’s pleasures. I am part of a bridge generation that never minded going home at night—this wasn’t always true for my seniors—but also understood that working five and one-half days a week, staying after hours for projects, and generally putting in the time to “earn” advancement were parts of the equation for success. When an interviewee’s first question is, “How much time off do I get here?”—and, yes, that happened—then I am concerned that the life

balance equation has been tilted in that person's mind. Balance entails exactly that: A balance of **work** and dedication to a profession with an equal emphasis and respect for a person's own welfare (down time, exercise, reading and continuing education, social time) and the welfare of those he/she loves most. I see young physicians today emerge from school with crushing debt and eager, to my surprise, to finance real estate purchases and automobiles that were beyond the reach of their predecessors or, more correctly, were postponed by their predecessors until the totality of their finances permitted some expansion and, dare I say it, extravagance.

That's a big change, and it's one that will become more evident in the years to come.

Q: How will globalization (e.g. the emergence of new global powers, such as China and India) affect your professional area in the near term?

A: It's hard to see an immediate impact of globalization on a small market legal practice just now, other than the enormous impact on the national economy and how we see the world. I would say the impact is more collateral than direct and not something we give much thought to, probably to our detriment.

Q: What significant challenges might be anticipated in your professional area in the next few years?

A: The legal profession is undergoing massive changes in terms of mergers at the current time, although this is confined to larger metropolitan areas. The news reports layoffs at large law firms. No one can convince me that there aren't too many lawyers without enough to do. I know that plays into the non-lawyer's image of things, but it has some merit. Popular culture and the media certainly have created an interest in the law for people, and they go off to law school with some Grisham-esque or Boston Legal view of things. Certainly, there will be opportunities for litigators and public servants in the years to come, but large firms get clogged with a fair amount of legal talent—brainy kids who have excelled in the education process—but without enough to do. I see this from time to time in terms of the "treadmilling" that goes on in a number of litigation matters—the process is the focus, not the outcome. Keeping a file alive or over litigating a matter produces hours, produces fees, produces partnerships and shareholder opportunities. I think we are now going through a process that will last some years, especially given the current economic climate, where the legal profession will be reallocating resources and people. There is always a need for legal services, of course, but little interest on the pro bono, legal services, public defender, or other fields where the need is greatest and the reward quite poor.

Q: What are the greatest challenges confronting young professionals in Western culture today?

A: See previous answers. There was a time when a professional was accorded high regard simply by being a doctor or a lawyer or a banker. Our popular culture and instant news media attention to the worst among us have managed to dilute that image. At least in the legal world, we've lost some of the civility—that chivalrous, courteous, deferential tradition that we tend to attribute to an earlier day—that elevated the profession. That's a loss, I think. While I haven't deviated from a personal commitment to that measure of professional civility, I see the pressures on all practitioners to confront and oppose and swagger for the sake of ego or to fulfill some image of what they think their peers and clients expect.