

A Trusted Advisor

An Interview with Robert I. Bodian, Esq.,
Managing Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

EDITORS' NOTE Robert Bodian has received awards and national recognition for his innovative approach to management. He is also a seasoned trial lawyer with an active litigation practice and decades of experience covering a number of areas including employment, commercial disputes, private equity, financial services, insurance, securities, real estate, sports law and banking. Bodian has extensive experience defending companies and their directors and officers in securities litigation and related matters, including claims arising out of acquisitions, going-private transactions, restatements, and allegations of financial irregularities. Bodian earned his B.S. in accounting, *summa cum laude*, from the State University of New York – Binghamton and his J.D. from Stanford University.



Robert I. Bodian

FIRM BRIEF Mintz (mintz.com) is an Am Law 100 firm with around 530 attorneys and offices in New York, Boston, Los Angeles, San Diego, San Francisco, Washington, D.C., and London. It has practices in intellectual property, litigation and investigations, transactional, healthcare, and regulatory and advisory. Mintz is recognized as a top-tier law firm in U.S. News & World Reports' Best Law Firms list.

Will you highlight the history and heritage of Mintz?

Mintz was started in 1933 in Boston by three Jewish lawyers, Mintz, Levin and Cohn. They were Harvard Law School graduates who were associates at a prominent firm. In those days, Jewish lawyers realistically could not become a partner at many prominent firms, in Boston and elsewhere. For 70 years, it was primarily known as a Boston firm and Boston still is our largest office. The firm always has been entrepreneurial and scrappy because that is in our DNA. In the '70s, the firm opened a Washington D.C. office headed by Charlie Ferris, who had served as head of the FCC. Ever since then, we've had a strong communications practice.

In 2000, the firm expanded to New York and then to San Diego and Los Angeles and most recently to San Francisco. We also have a small office in London.

What are the primary practice areas for Mintz?

We have very strong and deep practices in litigation, transactional and intellectual property. Our focus has become much more industry-based, and we are probably best known in the life sciences and healthcare industries.

Does Mintz's industry expertise provide opportunities to work with other law firms?

We have around 530 attorneys, many of whom have worked at the bigger firms. For example, I started my career at Simpson Thacher. I left as a fifth-year and started my own firm, which afforded me the opportunity to try a couple of cases per year, while running a small firm.

The large Am Law 20 firms bring our firm in on life science and healthcare deals from time-to-time because we have deep expertise in these. They get to know us and we team up with them, and that leads to strong relationships.

We're also a good referral resource for Am Law 20 firms because we have the quality that their clients are accustomed to getting, but at a different price point. So, in litigation for example, if a company counsel needs another firm to represent the board or the CEO or COO, we're a good option for that.

What are the keys to building client loyalty?

I think of institutional clients as people, even though they are corporations. The corporations are run by people who are no different than other people. Everyone prefers to work with professionals who they feel comfortable with. If you are very comfortable with your doctor and have a 20-year history with him, you're not going to switch just to save a few dollars.

The trick is to be the trusted advisor and constantly work to understand the client's business so they trust you and, hopefully, like you. You have to be positive and solution-driven. If you do all that, clients are not likely to go to someone else just based on a lower billing rate, or some other extraneous factor.

Will you discuss Mintz's service culture?

I am pretty sure they still don't teach this in law school, so we established Client Service

University (CSU), which more than 100 of our partners have now gone through. It is a multiday program that includes outside speakers. It teaches things that should be obvious, like calling clients right back, even if you know that they will be asking about something you don't yet have an answer to. Make it clear that you care. CSU is a pretty innovative approach, since we feel that a service mentality can be taught.

How important is diversity and inclusion at Mintz?

Diversity is a core value of Mintz. We need to bring different people into the room so that not everyone is saying the same thing. We really spend a lot of time and effort trying to make our workforce more diverse.

Our policy committee has an automatic seat for the head of our diversity committee. We actually give billing hours credit to associates for doing work to increase diversity. If our senior attorneys spend time sponsoring a diverse attorney, they get billable time for it. As a result, our metrics on this are above average across the board. Our recruiting has a special focus on diversity, and we provide scholarships for diverse law students.

Diversity gets the right mix at the firm, and inclusion is making sure they all are actually part of something. I personally mentor some of our diverse partners to help them be the best they can be, so when diverse associates come in, they have successful diverse attorneys as role models.

What type of commitment has the firm made to pro bono work?

Community service has always been a big part of the firm. We are a big part of our communities. We have been one of the leaders in asylum for a long time. We were front and center challenging the Administration's immigration policies and teamed up with the ACLU to successfully block the initial immigration restrictions in Massachusetts in federal court.

We are very active in fighting domestic violence. We got the shockingly lenient law on domestic violence changed in Massachusetts. We recently led the way with LGBT rights in Massachusetts as well.

We also make our pro bono program available to clients and invite their in-house counsel to team up with us. ●