

PROFILE

Leader devoted to law firm

By WILL ASTOR

Elected managing partner of Harter Secrest & Emery LLP some three months ago, Craig Wittlin finds himself at the helm of a firm that not only rode out but prospered through a time that humbled some of the largest and most prestigious U.S. law firms.

"I'm in this great spot where I don't have to fix anything that's wrong," says Wittlin, 48. "My biggest challenge is not to screw up a really great thing."

Ranked first on the Rochester Business Journal's list of the region's largest law firms since 2008, Harter Secrest has some 120 lawyers and employs 260 people in all. In addition to its 106-attorney Legacy Tower headquarters, it has long maintained offices in Buffalo and Albany and more recently opened offices in Corning in the Southern Tier and New York City.

For many law firms, the 2008 bursting of the real estate bubble ushered in a dark time. In the ensuing deep recession, some of the largest and most prestigious U.S. firms met an unexpected comeuppance whose aftershocks have persisted.

"More law firm layoffs are likely," the American Bar Association's ABA Journal warned in January 2016. The problem: Firms are not able to secure enough work to keep staffs busy.

That same month, Reed Smith LLP, a \$1 billion international law firm with offices in New York City and elsewhere around the globe, announced a "right-sizing" initiative in which it terminated 45 lawyers.

A different strategy

Beginning in 2008, Wittlin says, Harter Secrest's management committee considered the new landscape and decided on what seemed a bold and possibly risky course.

Rather than hunkering down, "we decided to increase hiring," says Wittlin, a

Craig Wittlin was elected in January as managing partner at Harter Secrest

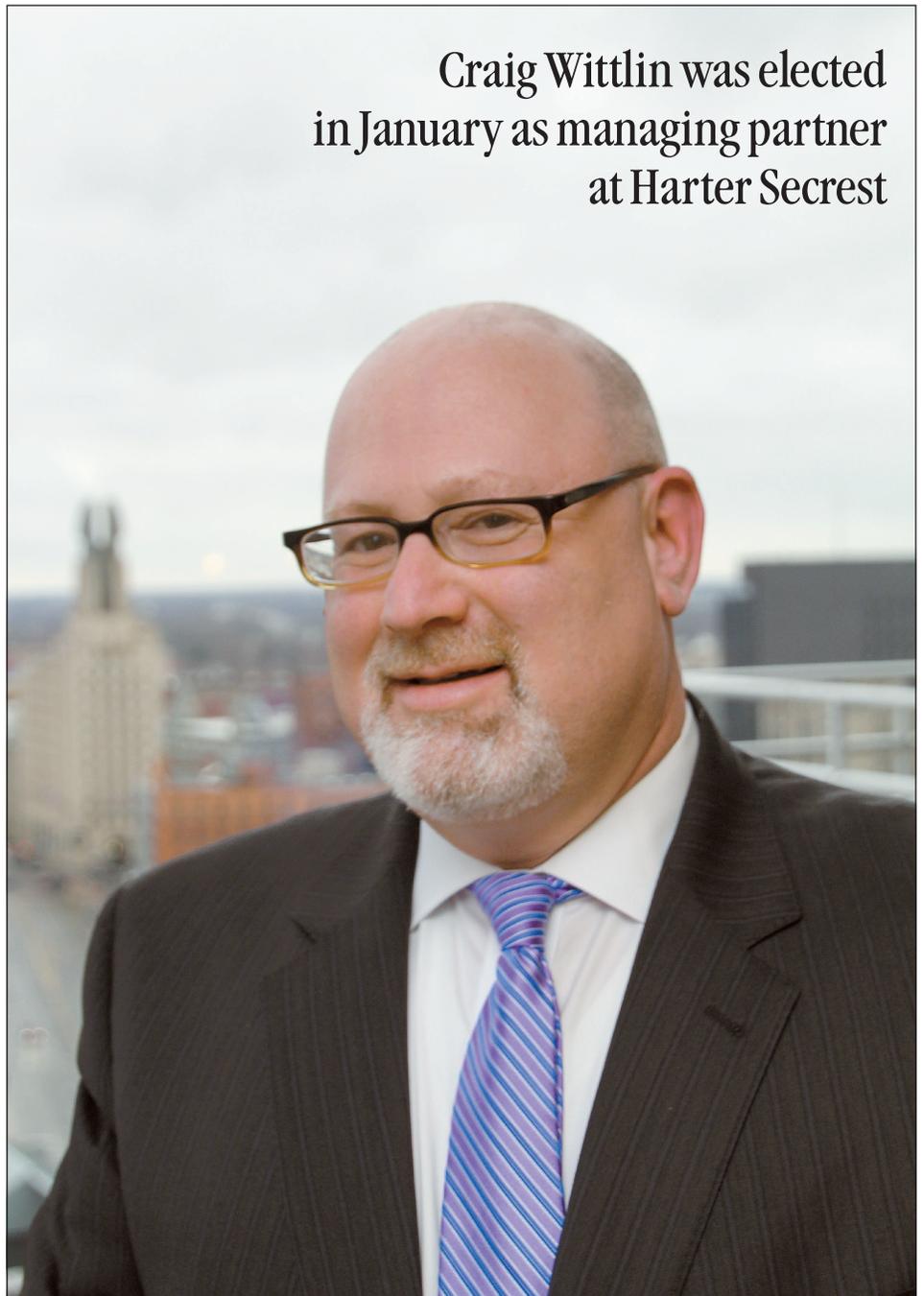


Photo by Kimberly McKinzie

longtime committee member.

Top-tier law firms typically had had their pick of first-class law school graduates, most of whom viewed landing a first-year associate job at Reed Smith or a similar firm as the ultimate payoff for putting in three years at a prestigious school.

If Harter Secrest could lure some of the top-tier associates big name firms were shedding, the management committee reasoned, it could inject valuable new blood into its talent pool.

Rochester's hidden-gem attractions—an easy commute from suburbs with affordable housing and good schools, an array of cultural features and a short hop to Finger Lakes scenery and wineries—would be a key selling point.

Since beginning a recruitment drive some six years ago, Wittlin says, the firm has lured roughly 20 associates who used to work for bigger name firms in big cities.

A Harter Secrest partner since 2014, litigator Paul Greene started as an associate in 2009. He had been working as associate for Alston & Bird LLP in New York City since his 2004 graduation from Fordham University School of Law in New York City.

Greene had started investigating firms in 2007 and kept looking when the 2008 crash came.

Although he loved his work at Alston & Bird, Greene says, he had decided he wanted to land at a firm where he could end his career, and the grind of a typical path to partnership at a big New York City firm did not appeal to him.

At the top New York City firms, Greene says, the full-partner track leads through a non-equity proving-ground phase during

which associates get a more prestigious title but continue as salaried workers. Once they achieve equity partner status, compensation is most often by the so-called eat-what-you-kill rule, a model in which partners are paid according to the work they bring in and for which they can take credit.

Still, Greene limited his initial job search to big firms and major metropolitan centers. A regional firm such as Harter Secrest would not offer the breadth of experience he was after, he thought.

“A number of nationally prominent clients have found we can deliver just as high quality work as the big firms.”

But when a headhunter he had hired to scope out opportunities arranged an interview at Harter Secrest, Greene says, he was impressed.

A Rochester native, he did need to be sold on the area's virtues. What sold him, he says, was the unexpected quality of the firm's legal work and its compensation system.

Under a compensation model known as lockstep, Harter Secrest partners split profits without regard to who brought business in or handled cases. More senior partners get bigger shares than those with fewer years of service, and each partner gets the same amount as colleagues with the same years of service.

Whereas eat-what-you-kill can undermine cooperation among partners, lockstep makes for collegiality, “which is what I was looking for,” Greene says.

A changing field

Under what some large big-city firms call the new normal of law firm downsizing, Harter Secrest saw another opportunity, Wittlin says.

Before the recession, corporate clients routinely shelled out big sums to pay the high-three-figure and low-four-figure hourly rates top partners at the most prestigious firms charged. But as the economy tightened, corporations became more parsimonious, demanding more service for less money.

Another change: Corporations as a rule used to hand most of their legal work to a single firm with hiring decisions often hinging on top executives' relationships with senior law firm partners. In the new normal, legal hiring decisions are more often made by budget-minded corporate counsels who parcel work out among several firms.

Taking note of such changes, Wittlin says, Harter Secrest, which traditionally

relied on smaller, regional firms as its meat-and-potatoes customers, aggressively and successfully marketed itself to large national corporations.

Like many U.S. law firms, it has adapted to major corporations' increasing cost-consciousness by offering a menu of billing options that includes alternatives such as flat-rate deals as well as the traditional open-ended by-the-hour arrangements.

In fee negotiations, Wittlin says, Harter Secrest is helped by being able to start at a substantially lower rate than larger national and international firms while still offering high quality legal work.

“That we don't need to charge \$800 or \$1,000 an hour has helped us get a foot in the door,” he says. “I'm not comfortable identifying any by name. But a number of nationally prominent clients have found we can deliver just as high quality work as the big firms.”

Still, Wittlin says, Harter Secrest sees itself as a regional firm. Its New York City office is the law firm equivalent of a pied-a-terre, a Midtown space where upstate partners can do business in New York City. And, he adds, the firm doubled down on its Upstate New York commitment by opening the Corning office a few years ago.

While some might see the Southern Tier as a scenic delight but an economic backwater, “we see a lot of potential there,” Wittlin says.

He tends to credit entirely his three immediate predecessors in the managing partner position—Michael McEvoy, Maureen Alston and Eric Evans—for the firm's relatively comfortable position.

That is not entirely accurate, say partners who have served alongside Wittlin on the management committee—Wittlin deserves a big share.

“He's played a very significant role,” says Erika Stanat, management committee member.

Wittlin, who has never worked for any other law firm and never shown any inclination to do so, always has taken a personal interest in Harter Secrest's welfare, she says.

“I'm sure the firm is the first thing on Craig's mind when he gets up in the morning and the last thing when he goes to bed at night,” Stanat says.

“Craig is a product of our culture. He's lived and breathed the firm and he's a natural born leader,” concurs Jerauld Brydges, a management committee member.

As a transactional attorney skilled in mergers and acquisitions, Wittlin is business-savvy and has applied that expertise to helping steer the firm's course, playing a key role long before he became manag-

Craig Wittlin

Title: Managing partner, Harter Secrest & Emery LLP

Education: B.S., managerial law and public policy, Syracuse University, 1989; J.D., Albany Law School, 1992

Family: Wife, Siobhan; daughters, Jessica, 21, Rebecca, 18

Home: Pittsford

Activities: Collector of Camp Eagle Cove memorabilia, attending Buffalo Bills games, spending time at the family's Adirondacks home, president of the Town of Inlet Historical Society.

Quote: “My biggest challenge is not to screw up a really great thing.”

ing partner, Brydges says.

Concurring is Kenneth Payment, a retired litigator, who bowed out of the firm some eight years ago.

"Craig is an extraordinarily good lawyer. You have only to look at his age and the position he's achieved," Payment says. "That tells the story."

Unlike Payment, Brydges, Stanat and Greene, all of whom are litigators, Wittlin never saw himself in a courtroom except for a momentary flirtation with criminal law as an undergraduate.

Upstate roots

A Buffalo native who grew up in the suburb of Williamsville, Wittlin deeply admired his maternal grandfather, an attorney who maintained a practice in Lackawanna, Erie County, well into his 80s.

"He was a role model for me, but I did not initially want to be a lawyer," Wittlin says.

Good in math and interested in business, Wittlin started at Syracuse University as an accounting major. A law course in his junior year and a growing feeling he wanted more from a career than number crunching changed his mind. He ended up graduating with a bachelor of science in managerial law and public policy.

"I've come to realize that the ideas I had as a college junior about what accountants do were not accurate," he says. "They have just as meaningful relationships with clients as lawyers. But I've never regretted switching to law."

After earning a J.D. from Albany Law School in 1992, Wittlin says, he had no interest in trying for a big-city job and only thought of applying to upstate firms.

He thought about working in his hometown and flirted with the idea of Syracuse, where his wife, Siobhan, is from, Wittlin says, but when he interviewed at Harter Secrest and now a social acquaintance of Wittlin's. He also recalls good times at Eagle Cove, and the two were campy buddies, but Alle-son does not pretend to approach Wittlin's obsession with the camp.

"I started at Harter as a 25-year-old and I've been here ever since. It's the only real job I've ever had and I don't plan to ever work anywhere else," he says.

His love of the law is an intellectual attraction, stemming from "a love of legal reasoning," Wittlin says.

His attachment to Harter Secrest goes beyond an appreciation of its partners' intellectual or legal prowess, however. It is arguably an affair of the heart.

Rare in the U.S. law firm universe for its lawyers' esprit de corps and the collegiality of its partners, Harter Secrest is special, Wittlin says.

Her husband's love of the firm in the end boils down to a love affair with its people, Siobhan Wittlin believes.

Though skilled in the hard-edged calculus of due diligence, Craig Wittlin is a sentimentalist, she says. A devoted family man, he is as solicitous of his workmates as he is of his family.

Collecting memories

Wittlin still keeps a place in his heart for Buffalo as well. The family has Buffalo Bills season tickets and he cheers for the Buffalo Sabres. But his perhaps most cherished memories center on Eagle Cove, the now shuttered Adirondacks children's camp where he spent many of his childhood summers.

"I might be the world's biggest collector of Eagle Cove memorabilia," Wittlin says, pointing to a 1950s-era Eagle Cove baseball uniform shirt displayed on his office wall. There is more, he says, much, much more.

Some of it he has purchased. Other Eagle Cove items come into his possession as gifts from fellow alumni who have heard about him and donate items.

Run as a Jewish summer camp from 1943 to 1993, Eagle Cove mostly drew Buffalo-area campers. It sat on the grounds of a 19th century hotel. An old sign he found at the camp declared "Hebrews and other undesirables" were not welcome as guests, Wittlin says.

He is not the only Eagle Cove alumnus to hold the camp dear. Wittlin belongs to a Facebook group that includes alumni of his generation as well as older and younger camp veterans. He has attended Eagle Cove reunions along with scores of fellow ex-campers.

Few if any are likely to rival Wittlin's obsession with the camp.

Todd Levine, a fourth-generation owner of the athletic wear company Allesson of Rochester Inc., is a client of Harter Secrest and now a social acquaintance of Wittlin's. He also recalls good times at Eagle Cove, and the two were campy buddies, but Alle-son does not pretend to approach Wittlin's obsession with the camp.

"Didn't he buy one of the old cabins and move it to his property?" asks Levine.

Not exactly.

After being owned for some years by Lynn University, a small, private college in Boca Raton, Fla., the 30-acre Camp Eagle Cove tract was acquired a few years ago by a developer. The site is now called Eagle Cove Estates, an 11-parcel subdivision on which several high-end homes have been built while other lots await development.

A decade or so ago, when Wittlin heard the camp's old dining hall, a turn-of-the-century structure also used as a roller-skating rink, was about to be razed, he hired a

contractor to rip out the hall's hardwood floors and install them in his Pittsford home. The job also involved taking out the Pittsford house's perfectly serviceable hardwood floors.

"Oh God, oh mercy," says Siobhan Wittlin, when asked about the floor replacement interlude. "He asked me about it and I said, 'oh sure, go for it,' never imagining that he'd actually go through with it."

After arriving with the salvaged boards and ripping out most of their home's first-story flooring, the contractor spent months cutting, fitting and finally refinishing the old Camp Eagle Cove floor.

"You could see where they roller-skated on it," Siobhan Wittlin says.

The couple's two daughters, 21 and 18, were then small girls and doted on the contractor, who rented a place in Rochester for several months during the job, becoming a virtual fifth Wittlin family member.

At the job's end, "he said 'remind me not to say yes if Craig ever tries to hire me again,'" Siobhan Wittlin recalls.

But the contractor did come back some four years later when a burst washing machine hose ruined some of the flooring, requiring replacement from a stash of left-over dining hall flooring the Wittlins kept in their basement.

Now and then Eagle Cove alumni who have heard about the floor show up to look at it, Siobhan Wittlin says.

A few years ago, the couple bought a second home in the Hamilton County town of Inlet, which, while not in Eagle Cove Estates, has a view of Fourth Lake, the body of water on which the camp sat.

"It had to be there. There was never any question of it being anywhere else," Siobhan Wittlin says. "I've really grown to love it. I never went to summer camp myself, so I've kind of got to experience it vicariously."

Craig Wittlin is a former board member of Rochester organizations including Temple B'rith Kodesh, the YMCA's Camp Gorham, Geva Theatre Center Inc. and the Cerebral Palsy support organization, CP Rochester. He has taken on a new non-profit responsibility: president of the Town of Inlet Historical Society.

Levine was actually not completely off the track, Siobhan Wittlin says. Her husband had coveted one of two cabins still standing on the Camp Eagle Cove site, but after much calculation reluctantly concluded that moving the structure to Pittsford and reconstructing it on their suburban lot would not be practical.

She is not at all sure that he has totally given the idea up.

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