

LAWYERS AT WORK:

Nicholas Richter

An Interview by John Loukidelis

*L*ifehacker.com regularly interviews knowledge workers about the way they work and get things done. I thought it would be interesting to do something similar with lawyers. I picked Nicholas Richter as my next victim, after David Thompson. The following is my interview with Nicholas, which was conducted via email for the most part. My questions are at the beginning of each paragraph, in italics.

Describe your practice generally.

The best way to describe my practice is that I work on large, complicated cases with lots of documents that generally take a long time to get to trial. The cases could be civil or criminal. On the civil side, my main areas of practice are agriculture litigation, commercial litigation, defamation, professional negligence, and securities litigation. On the criminal side, I do mostly white collar crime.

What does your typical work day look like? I don't really have a typical day. Unless I have to be somewhere, I don't set an alarm. I usually read a couple of online newspapers before getting up, then check my e-mail to see whether any emergencies came in overnight. If so, I head straight to the office; otherwise, I plan my day around what I want to accomplish. I place a high priority on exercise, and I know from experience that, if I don't exercise before noon, it isn't going to

happen. Some days, I exercise first thing in the morning; other days, I put in a couple of hours of work first and then exercise. Unless I have court or clients, I go home for lunch and sometimes run errands along the way. I try to put in a good chunk of work in the afternoon, and try not to work in the evening unless I have to. I sometimes work Saturdays, but I try to take Sundays off. That being said, if I'm in a crunch or a trial, I work night and day, seven days a week, on very little sleep.

What time does a typical day start?

When does it end? I typically get up sometime between 6:00 and 8:00 a.m. I usually start work sometime between 6:30 and 10:00 a.m. depending on when I exercise and whether I am working at home or at the office. I usually knock off by 5:00 or 5:30. Sometimes I deal with e-mail in the evening, and sometimes I don't. I usually go to bed between 10:00 and 11:00 p.m.

How do you organize your day?

I think a litigation practice is a lot like a hospital emergency room. I do triage from the time I get up until the time I go to bed. If something is urgent, it gets my immediate attention; if something is less urgent, I work on it during lulls in the action. Most days, I try to have one primary and one secondary task. The primary task is my top priority for the day. If I reach a good stopping point, or am waiting for

instructions or a response from opposing counsel, I switch to my secondary task. I generally keep my e-mail closed and only check it when I am taking a break.

What time of day do you do your best work? I have always been a morning person, and still do my best work then.

Where do you do your best work? It varies. If I have a long task for which I need peace and quiet, like a factum, I may work at home (assuming that my family isn't around). The rest of the time I work in my office, although I have been known to hide out in the HLA library if I need to get away from the office.

Describe your workspace? How have you arranged it to help you get work done? At home, I work at the kitchen table. At the office, I have a long, relatively narrow desk that I custom-ordered to fit my needs. The desk faces the wall so that I won't get distracted. My laptop sits in the centre of my desk with lots of desk space on either side so that I can spread out my work. Whatever I am working on is on my desk; everything else is on a table in the corner of my office.

What apps, software or other tools can't you live without? What makes them useful? How do you use them? I use Outlook and Word every day. I am a big believer in Excel, which I find is

underutilized by most lawyers. I use it for anything numbers-related. For example, I use it for calculating pre- and post-judgment interest, damages in commercial cases, gains and losses from stock options and share sales in broker claims. The ABA put out a great little book called *The Lawyer's Guide to Microsoft Excel 2007*¹ I have used Amicus Attorney every working day for over a decade to manage my practice and to keep me out of trouble. It keeps everything in one place and syncs with my iPhone. It also makes it really easy to keep notes of my interactions with clients and counsel. When I sue lawyers, I am always amazed at how few lawyers keep proper notes on a file. On large files with lots of facts, documents, and data, I use CaseMap² to keep everything organized. I also use it to prepare affidavits of documents. I use NoteMap³ to prepare all of my notes for things like court, discoveries, and presentations. Its killer feature is that you can drag and drop your notes, which makes it very easy to move things around on the page.

Are you a mobile lawyer? Yes, I was an early adopter of the iPhone. I use my laptop every day. So far, I have not been able to persuade myself that I need an iPad.

What's tips or tricks do you use to get work done? What is your productivity secret weapon? Monotasking is my secret weapon. Most people try to multitask, which is a very inefficient way of working. You think you're getting lots of stuff done, but you really can't focus well on more than one thing at a time.

Describe the people you work with. I have a wonderful law clerk who has been with me for over a decade. Within a month of starting with me,

1 John Tredennick, (ABA Book Publishing). See <http://goo.gl/4zBqsi>.

2 See <http://goo.gl/x15yOS>.

3 See <http://goo.gl/Br2iam>.

she was in court with me every day in R. v. Felderhof, also known as the Bre-X case. She has more trial experience than most lawyers. When I am in court, she reads my mind and knows exactly what I need next so she can hand it to me. She takes excellent notes. She has very good instincts and gives me helpful feedback as to how I am doing with a judge or a witness. She gets along well with court staff and opposing counsel, which makes it easy for me to focus on my trial preparation rather than worrying about courtroom mechanics. She also manages my clients at trial, who sometimes need handholding while I am tucked away somewhere preparing for court to resume. When we are not in trial, she keeps everything running smoothly at the office.

Are you good at delegating? Why? How do you do it? (Or, what could you do better?) Delegating is not my strong suit. When I was a young lawyer, I was encouraged to delegate, and I had many bad experiences where the delegatee either dropped the ball or did a lousy job. This reinforced my view that if you want a job done right, you have to do it yourself. That being said, once I have learned to trust someone I am comfortable delegating, which lightens my load considerably.

What are the biggest challenges you face when trying to get work done?

What do you do to manage those challenges? The biggest challenge is finding quiet time to work. The practice of law has too many interruptions, and technology just makes it easier to get distracted. Law offices can also be quite noisy, which is not conducive to getting things done. I spend a lot of time with my door closed, unfortunately.

How do you manage your files? Software? Paper and pen? Keep it all in your head and pray? I use Amicus Attorney to manage my files. It pulls together everything I need in one place, from contacts to file information to docketing to deadlines to e-mail and other communications. I still keep paper files, however, because I find it easier to work with paper than doing everything on screen. Once I finish a file, I keep an electronic copy and get rid of the paper file. I may go fully paperless one day, but I may also retire before then.

Do you listen to music while you work? What's on your playlist? No, I find it distracting.

What everyday thing are you better at than anyone else? I'm not sure that I'm better at anything than anyone else, but I probably work harder at trial preparation than most lawyers. I

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Anyone having knowledge of a Will for the late Gerald Steven Somerville, of the City of Hamilton, Retired Postal Worker with Canada Post, who died on August 26, 2016 is asked to contact Annette Celestini, Estates Clerk, Lancaster, Brooks & Welch LLP, P.O. Box 790, 80 King Street, St. Catharines, ON L2R 6Z1
Phone: 905 641-1551 Email: acelestini@lbwlawyers.com.

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was taught as a young lawyer that hard work wins cases, and I think there's a lot of truth to that.

What are you reading these days? I read a lot of books, basically anything that sounds interesting. I just finished reading Peter Singer's *The Life You Can Save*, which is about trying to eliminate world poverty.

How do you recharge? What do you do for fun? Don't take this the wrong way, but I use firearms to relax. My son (who is now fifteen) took an early interest in target shooting, so I got a firearms licence and we joined a gun club. Mostly we shoot rifles of various calibres, but we also recently took up sporting clays, which is like golf with shotguns. Shooting is a lot like yoga in that you slow down your mind and your body and focus on your breathing. I find it incredibly relaxing. When I'm not shooting, I may be fishing, mountain biking,

hiking, backpacking, camping, or canoeing. You may detect an outdoor theme here.

What's the best advice you've ever received? When I was a young lawyer at Torys, I was taught that a lawyer's greatest asset is his or her reputation. It takes years to build a good reputation, and you can lose it all in a moment of stupidity. Always take the high road; always do the right thing. Those are the words that I have tried to live by.

Is there anything else you'd like to add? I've been very lucky to have had excellent mentors as a lawyer, both formal and informal. At Torys, I learned a lot from Lorne Morphy, John Laskin, Kent Thomson, Richard Conway, and David (now Mr. Justice) Corbett. At Heenan Blaikie and Groia & Company, I continued my education as a litigator with Joe Groia, who is probably one of the best trial lawyers I have ever worked with. The only way

to become a good trial lawyer is with a good mentor. I see a lot of bad habits in the courtroom these days, and I worry that we are not doing enough to mentor our younger lawyers.

Name another lawyer you'd like to see answer these same questions.

Michael Bordin is the obvious choice.

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