

CORPORATE COUNSEL NEWS

Spring 2023

Virginia State Bar Corporate Counsel Section

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MESSAGE FROM THE CHAIR

Greetings to all of my fellow corporate counsel section members. It has been my pleasure serving as Chair for the Corporate Counsel Section of the Virginia State Bar. The best part of my position is connecting with all of you at networking events, CLE programs, and State Bar meetings. The goal for my tenure as Chair was to bring the section members together more. Many of us work in very lean legal departments, which produces a heavy workload, and long days. In addition, thanks to COVID, many work from home (myself included). Therefore, it's more important than ever to step away from our desks (and couches) and connect with our peers. I hope you can join the section's

Networking Committee at our next event on May 31, 2023, 6-8pm, at Brambly Park Winery in Richmond, VA (click [HERE](#) to register). We will be joined by members of the greater Virginia chapter of the Association of Corporate Counsel National Capital Region. This is a great opportunity to make new connections, connect with old friends, and learn about new positions as many in attendance know of various openings.

The section committees are continuing their good work serving members, including the CLE Committee who generates timely webinars; the Corporate Counsel Award Committee who continues to distribute a \$3,000 award twice each year to law students to offset expenses such as the bar exam application, bar preparatory courses or materials, and the first year VSB membership dues; our Newsletter Committee who are responsible for keeping us informed throughout the year; and the always popular Law School Panel Committee (LSPC) who enjoyed sharing their stories and answering questions from students in several law schools across the state, led by Adam Hark, Counsel for Maxient LLC. Adam will be rolling off the Board of Governors this year and I want to publicly thank him for all of his hard work in leading the LSPC through a pandemic, arranging several panels across the state, attending many of them when other section members were not available, and for his friendship.

It has been an engaged and collaborative year, and I am so very proud of this Board's commitment to serve the bar community. I look forward to serving with this Board for one final year and connecting with the section members as often as I can.



Stephanie J. Gilliard
Chair
VSB Corporate Counsel Section
2022-2023



How Ombuds Services Can Benefit Your Organization

By Geetha Ravindra, Esq.

Today, corporations, government agencies, universities, and organizations are experiencing a number of challenges including pandemic related issues, the “Great Resignation”, a hybrid workforce, bullying, harassment, and sexual misconduct concerns, diversity and inclusion issues, and various other social, political, economic, and technological changes. Disruptions such as these create the potential for conflict in the workplace. In addition to these broader challenges, the workplace brings together people from a variety of backgrounds and experiences, with different perspectives, communication styles, and decision-making approaches, which often lead to misunderstanding. According to a study by CPP Global, the publisher of the Myers-Briggs Assessment, U.S. workers spend more than 2.5 hours per week on interpersonal conflict and miscommunication costing businesses an estimated \$359 billion per year.

Addressing workplace concerns, keeping employees engaged, and creating a positive and productive work environment are priorities for human resources professionals and managers. A “psychologically safe” workplace, a term coined by Professor Amy Edmondson at Harvard Business School, is one where employees believe they won’t be punished or humiliated for speaking up with questions, concerns, or mistakes. Despite leadership efforts to create a psychologically safe environment where employees are empowered to speak up, most employees do not report a workplace concern due to fear of retaliation. As a result, important workplace issues are not addressed in a timely manner because they are not known. This in turn affects employee morale, productivity, and teamwork. When employees do elect to file a formal complaint, it is because things have become intolerable, or they believe there is no alternative. At this point the matter is far more complex, difficult to resolve, and costly.

An important resource that can help organizations address workplace conflicts impartially, informally, and effectively is an Ombuds. Ombuds serve companies, federal agencies, international

organizations, hospitals, universities, and a variety of other organizations. Ombuds are trained conflict management professionals who do not replace but rather complement other resources within an organization (e.g., human resources, ethics, legal, employee assistance programs) by providing important conflict coaching and problem-solving expertise that empowers employees to constructively address conflict at a lower level. Ombuds are often the first stop for employees, managers, and executives in seeking guidance and information to address a workplace matter. Ombuds services include but are not limited to:

- Providing a safe and confidential forum to surface individual, group, and systemic problems;
- Listening to and helping clarify concerns;
- Helping identify underlying issues and interests;
- Exploring possible options through informal or formal channels;
- Providing information on an organization’s policies and procedures;
- Referring employees to appropriate organizational resources; and
- Collecting general data on emerging trends and patterns in the organization

An Ombuds often works in concert with different services in an organization to help with resolution of concerns but does so in a manner that preserves the confidentiality of the individual(s) who seek ombuds’ services. Ombuds are not advocates for management or employees; they do not give legal advice; and, they do not make any decisions. The Ombuds helps employees help themselves and only when asked will they intervene to provide facilitation, shuttle diplomacy, or other informal and collaborative dispute resolution services. In this time of accelerated change, Ombuds are trusted neutrals who can assist organizations in addressing workplace conflicts proactively and support a positive and productive work environment.



Geetha Ravindra
Vice President for Ombuds Services
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ACC NCR Greater Virginia & VSB Corporate Counsel Happy Hour

May 31, 2023

6:00 – 8:00 p.m.

[Brambly Park Winery](#)

Please join us for an in-person happy hour and celebration of Spring. It's been quite a year already and we are ready to raise a glass to Summer! We hope you can celebrate with us. All attendees are required to comply with ACC NCR's COVID-19 Duty of Care.

Register for Happy Hour



The
**CORPORATE
COUNSEL
AWARD**

Planning to take the Virginia Bar Exam and aiming for a career as in-house counsel?

The Virginia State Bar's Corporate Counsel Section wants to support law students and future lawyers in Virginia with an award to relieve some financial pressure at the beginning of their career. To that end, for each Virginia Bar Exam (February and July), one successful applicant will receive **an award of \$3,000.00**, intended to defray such early career expenses as the application fees for the Virginia Bar Exam, bar preparation courses or materials, and the first year's bar dues.

The selection of a winner is determined by a reviewing committee of the Section solely on the basis of a 300 word (or less) essay that answers the following question:

“Presuming you have landed your ideal in-house corporate legal job, how do you now improve the practice of law in Virginia?”

Essays should be submitted, along with the applicant's name and contact information, via email to vsubsections@vsb.org, by the application deadline set by Virginia Board of Bar Examiners for the exam for which the applicant is sitting (**May 10 for the July 2023 Virginia Bar Exam**). Please include “Corporate Counsel Award” in the subject line. A winner will be announced in the same month as the exam.

Interview with Andrea Short of Verizon

By Jessica R. Lehman, Esq.

Andrea Short is Verizon's Chief Litigation Counsel with responsibility for managing the company's litigation and government investigations docket. She recently celebrated her 18th anniversary with Verizon. Andrea graciously agreed to sit down with me on the heels of my own one-year anniversary as a counsel in Verizon's Public Sector Group to discuss her path to becoming Verizon's Chief Litigation Counsel. She also spoke about how her practice of law evolved to match changing technologies and regulations, as well as how her legal practice progressed during her transformation from individual contributor to leader.

Q) How long have you been at Verizon and what was your position when you started? What was your practice area?

A) I had my 18th anniversary last month. My first role was as an individual contributor in the litigation group of MCI, which was subsequently purchased by Verizon.

Q) What initially attracted you to your first in-house position?

A) I had practiced at two different law firms, and honestly wasn't sure if practicing law was for me. I then came in-house after receiving a cold call from a recruiter with MCI. What attracted me to the role was it presented an opportunity not just to litigate but also to give advice on avoiding litigation through having a longer term relationship with the client.

Q) Is there any specific skill or craft to which you can attribute some or all of your success?

A) Problem solving. I come into any conversation with a client or colleague wanting to understand the root of what the business problem is before I even think about the applicable law or legal strategy. Sometimes they need legal advice, but sometimes they need help with risk assessment, or a critical thinker to help them find their own way to an answer. Leading with curiosity – with a sincere “how can I help” – rather than assuming the law is the

right tool for the problem deepens the way I interact with clients.

Q) Did you experience any notable obstacles in proving yourself to others or convincing decision makers that you were the right person for each of your respective roles?

A) The first barrier to coming in-house [at Verizon] was that I was not a telecommunications attorney-- I had not practiced in that space. I had to develop industry expertise in order to be maximally effective. Later in my career, as I aspired to move up in the organization, the key was understanding not just a particular case but the bigger picture – what any given case or docket meant to the company's strategy or business model. I'm a “do-er” in the sense that I like to litigate cases, like to negotiate contracts, I like practicing law--- and I'm pretty skilled at it, thankfully. To run an organization, you need to not only do the work but manage how it gets done and, most importantly, manage people – that's a different skillset than you need to excel as an individually contributing attorney. And, if you're someone who likes doing, it is a challenging jump to make.

Q) What is one new area of the law you've found yourself having to further develop your subject matter expertise in as your career progressed?

A) Coming into the company, it was telecommunications law. As I moved on and moved up, I moved to supporting and eventually leading Verizon's Public Sector business—but I had not grown up as a government contracts lawyer. I had litigated government contracts cases, but in order to lead the team, I needed to gain expertise in government contracts and procurement.

Q) And how did you go about developing and gaining expertise in these new areas?

A) When you step into a new subject matter area, particularly when you're leading a team focused on an area in which you aren't a subject matter expert, I think you need to take a two-pronged approach. First, you owe it to yourself and your team to do your

own learning—go to the books and computer, take CLEs and other courses, invest time in studying the discipline. But also, ask for help. I don't believe in faking it till I make it. Honor the expertise of your colleagues, team, and mentors, and ask them to help guide you in getting smart about the particular area. I admit what I don't know and lean on, with respect and humility, the expertise of my team. A current example since I moved over to litigation is patent litigation—I never litigated patent cases – there was nothing to be gained by pretending to be an expert in it. The patent litigation team has been incredibly generous in spending time immersing me in the law and docket, doing case deep dives, but I am also making my way through my own “curriculum” of online articles and CLE courses.

Q) *Have there been any changes to the practice of law as a corporate counsel that have created unanticipated challenges?*

A) An area that rapidly has gone from a specialty practice to being table stakes for any in-house counsel is information and cybersecurity. In my opinion, you have to at least have a basic or maybe even 201-course level knowledge of this area, no matter your area of practice.

Q) *The new Virginia Consumer Data Protection Act went into effect on Jan 1. You have a wealth of experience in Public Sector with respect to evolving security and privacy standards, but what are some of the ways corporate counsel in VA and elsewhere can lead their organizations to keep up with changing standards?*

A) It's a two-step process: 1) It is incumbent on corporate counsel to follow and take CLE courses and other industry courses; and also 2) partner with your IT and security team. Our information security team, like our legal team, are, at bottom, problem solvers – just a different type of problem or threat. A strong partnership between legal and information security benefits the organization. You can explain the law to

them, and they can explain the technology to you and together you solve for risk.

Q) *What other areas of the law have you seen increasing regulatory and legal burdens that have impacted the way you practice law?*

A) I can't pinpoint a particular regulatory or legal burden that has changed the practice generally – and I think that answer would vary by industry in many respects. A trend that has and will continue to impact how we all practice is the rapid evolution of technology and the exponential increase in data. Just as schools are struggling to respond to technology such as ChatGPT, industries, including the legal industry, have to think carefully about how to use the technology and attempt to game out the consequences we haven't yet considered.

Q) *You are the current and newly appointed Chief Litigation Counsel for Verizon, and your roots are in litigation. Have you noticed any new trends or practices emerging in the way corporate disputes are settled now compared to earlier in your career?*

A) Much of the motion of litigation is the same—there are some things that have changed—especially e-discovery versus the days of boxes of paper. Increasingly on the minds of companies is third-party litigation financing companies who invest in and will finance litigation which creates different incentives than exist when disputes are purely between two parties. Third-party financing changes the dynamics. The legal debate is about what disclosure obligations there are when a third-party is financing.

Q) *In your career journey, you ventured out of the litigation department for several years before returning to lead the group. How does it feel personally to come full circle?*

A) It feels wonderful to come full circle. When I started with Verizon 18 years ago it was my dream job to lead the litigation function, so that's incredibly satisfying. For in-house counsel in particular, practicing in different functions is incredibly valuable because it

gives you a broader perspective, which yields benefits in the way you think and advise clients. Having fully dedicated groups within the legal department is common for a big corporation, so rotating functions mimics what solo general counsel and smaller legal departments do. There are real benefits to being a generalist. Whether you are in a company large enough to enable specialization, or if you are at a smaller company, being a bit of a generalist actually enhances your practice, and you shouldn't feel as though you ought to be specializing.

Q) If you could offer one piece of advice to corporate counsel of any sized company to best position their organizations in the event of a dispute going to litigation, what would it be?

A) Litigators oftentimes are advising business counsel with the benefit of hindsight, which business counsel simply doesn't have when they're making decisions in the midst of a transaction or business relationship. The best general advice I can give borrows from a phrase that I learned as part of Verizon's leadership training: agreements, not assumptions. Spend time training and talking to your clients about the importance of documenting – even informally – compromises, adjustments, unexpected developments that arise in their business dealings. When business people do this, it can help shine a light on how, and how differently, each side is interpreting the events and bring the dispute to a head while there's still time to align or negotiate a resolution short of filing suit.

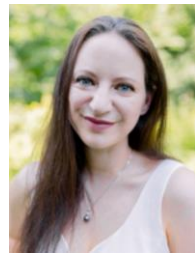
Q) What was the best mentoring support you ever received and what was the best mentoring support you ever gave?

A) I think the most powerful mentoring I've benefited from was through opportunities that leaders gave me based on my potential, not my past performance. This takes the shape of being handed a case or a negotiation that is "above your paygrade", which can be terrifying. But when it's done with coaching and support from the leader who is asking you to step up, it's incredibly

empowering. As a leader, it inevitably takes more of my time and involvement when I pay this forward, but I find it has an exponential payoff in them seeing that time and involvement create not just a better lawyer, but a better leader of talent and work.



Andrea Short
Chief Litigation Counsel
Verizon



Jessica R. Lehman, Interviewer
Government Contracts Counsel
Public Sector
Verizon



To get involved with the section, consider volunteering by serving on one of [these committees](#).

Want to contribute to the next newsletter? The editors are seeking responses to the following prompt:

What key lessons have you learned in managing people (and not just matters or documents)?

Send submissions to mrалston@vsb.org



2023 ANNUAL MEETING

VIRGINIA STATE BAR **JUNE 14-17 2023**
VIRGINIA BEACH

You're Invited

Registration is open for the 2023 Virginia State Bar Annual Meeting in beautiful Virginia Beach. View registration information, the schedule of events and more on the [Annual Meeting website](#).

Your Corporate Counsel Section is hosting lunch for section members on **Friday, June 16**, at [The Atlantic](#) restaurant at **11:45 a.m.** At this lunch meeting, section members will vote on the slate of board members for the 2023-2024 bar year. RSVP for the luncheon by selecting it during registration for the Annual Meeting.

Corporate Counsel Section Board of Governors 2022-2023

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