

A Conversation with Joseph Bjarnson About Balancing Many Roles During the Covid-19 Pandemic

Q: Your spouse is a registered nurse and experienced the COVID-19 pandemic on the front lines as a health care professional. What challenges have you and your family faced during this pandemic?

Witnessing the dedication of my wife and her colleagues as they boldly faced the tremendous challenges and stress of caring for the very sick has been a humbling and inspiring experience. In addition to the added stress of my wife's position at the hospital, everyone in the household has been adjusting to a new routine – the kids have all had to adjust to online schooling, while I have transitioned to working from home instead of the office. For us, the circumstances were an opportunity for growth.

Despite the challenging circumstances, as a family, we have tried to focus on the positive and avoid panic and worry. We have been able to spend valuable time together and focus more on being self-reliant as a family and providing for ourselves. Also, we have been able to reexamine our family's obligations to the community to help those in need and do our own part to help minimize the spread of COVID-19. As challenging as this experience has been, I think our family has grown stronger.

Q: How did you deal with the Firm's transition to working remotely and how do you think the pandemic has affected the legal industry?

As a Firm, we were very fortunate to have the capability to continue serving our clients remotely during the COVID-19 health crisis. Many other businesses and individuals have not had the capability, or the option, to work from home. I think I speak on behalf of everyone at the Firm and acknowledge that we are sincerely grateful for all of the heroic first responders, doctors, nurses and everyone on the front lines of the coronavirus crisis who have kept us safe, and allowed us to continue to work.

For me, the transition to working remotely at home went very well. As a Firm, we began preparing weeks before businesses were required to shut down by examining everyone's remote capabilities and addressing any potential problems. Our Firm ensured that all of our employees were able to effectively and securely access the Firm's servers and our clients' files. Our Firm's preparations allowed me to continue effectively working on our clients' matters and make sure that their needs were being met despite the difficult circumstances.

From my observation, I think this pandemic has shown all businesses, and especially those in the legal industry, that they need to be flexible and continue to reimagine the way they do business. The legal industry in New York and this country may never be the same as it once was. At the moment, the court system is conducting most of its business virtually by video or telephone. Conferences and depositions are being conducted remotely. Municipal boards are also conducting public hearings virtually. While these remote practices ensure everyone's safety, I think they are also, in many ways, more efficient and economical for our clients. For example, virtual appearances, conferences and hearing cut down on travel and personal appearance time.

Given that this is likely the new “normal,” we need to be ready to adapt and change habits and practices as necessary in order to take care of our clients and conduct business as usual.

Q: You have devoted yourself to a number of pro bono opportunities during your career. What role do you think pro bono and community service may play as the region begins its recovery from the COVID-19 health crisis?

Pro bono and community service play an important role at all times, but especially at times of crisis. During my career, and in my private life, I have tried to look for ways to assist those in need. I have tried to take advantage of many opportunities I have had for service, whether that has been in my capacity as a lawyer, a member of the community, or through my church as a lay clergy leader and minister. I think pro bono or community service can have a significant, positive impact for those who may have been affected by the COVID-19 pandemic.

Between 2010 and 2015, I worked on a pro bono human trafficking case with a team of attorneys and law firms. That case arose from the aftermath of Hurricane Katrina. In my opinion, that case can be instructive of the types of dangers that may exist during times of widespread, public crisis such as those we are experiencing now.

In that case, the defendant corporation specialized in building and repairing large offshore drilling rigs and barges in the Gulf of Mexico that were severely damaged during Hurricane Katrina. Facing a labor shortage caused by the Hurricane, the corporation conspired with labor recruiters to bring the plaintiffs, skilled laborers from overseas, to work in the United States under the H-2B guest worker visa program. The laborers were promised citizenship and a stable, well-paying job in return for substantial, illegal recruitment fees. Once in the United States, the laborers were kept in unsanitary labor camps and all of the promises of citizenship and good pay proved to be false. By taking advantage of these laborers, the defendant corporation was able save an estimated \$8 million in labor costs.

Ultimately, the case ended with a landmark judgment in favor of the plaintiffs. For me, this case was an example of a corporation and/or individuals that sought to use a crisis, and its destruction, as a means to take advantage of others for profit. The pro bono service of the attorneys and organizations our Firm worked with proved to be the only means the plaintiffs had to ensure their rights were protected and they were able to receive some vindication for their suffering.

Similarly, the COVID-19 pandemic has affected many who might find themselves in a vulnerable position or in need of help. Our Firm, for this very reason, has committed to partner with the COVID-19 Recovery Task Force that was established by Governor Cuomo. The Task Force will consist of a network of lawyers to assist New Yorkers on a pro bono basis with their legal problems resulting from the global COVID-19 pandemic. Hopefully, the efforts of the Task Force will help ensure that those affected by the COVID-19 pandemic receive the assistance they need.