

# Lawyers in Love:

## Practicing Law With Your Spouse

by Lauren O'Neil and Trevor Carolan

It is 3:00 a.m. and Mike Lammers has a million thoughts running through his head. Who should he hire? Is this a good trial strategy? What tie should he wear to his client meeting tomorrow? Lucky for him, he doesn't need to go far to get some advice. His law partner, Katie Lammers, also happens to be his wife.

Mike and Katie, partners at Heimerl & Lammers, are part of a growing number of spouses entering the practice of law together. They join the ranks of many other couples in the Minneapolis-St. Paul area who have decided to practice under the same roof. Surprisingly, however, it wasn't the law that brought them together. "Everyone assumes that we met in law school or something," Katie explained, "but we actually didn't. We met at the Bannigan's in St. Louis Park." That does not mean that the law hasn't played an enormous role in their relationship. Katie graduated from Hamline University School of Law in 2006, two years before Mike. "She was my first mentor," explained Mike laughing. Unlike most law students who have to navigate the horrors of cold calls and all-nighters alone, Mike and Katie had each other's sympathy. While they disagree on how much advice was exchanged during this time (Mike argues he needed a lot of help, while Katie believes it was hardly any), both fondly recall a frantic middle-of-the-night wake-up call. One of the two had an unfinished brief that was due in mere hours and the other was brought in for reinforcement (and a little assistance). We will let you decide who was who.

For another Minneapolis couple, the legal profession has always been at the center of their relationship. Toni Halleen and Larry Schaefer of Schaefer Halleen, initially met during law school in the 1980s. While Larry seemed to remember Toni well, Toni stated, "We were friends, I guess..." After graduation, both went their separate ways, becoming successful employment law attorneys and marrying other people. Larry became a champion for plaintiffs, while Toni represented businesses in her employment defense practice. In 2007, after over 20 years of practicing employment law in the Twin Cities, the two encountered each other for the first time since law school at an employment law conference where Toni was a presenter. Larry saw sparks fly the moment he heard Toni speak. He stuck around after the presentation and followed Toni to a table where she was eating lunch with some of her colleagues. The two of them began to talk, and the rest is history. They began dating shortly thereafter and were married in 2009. While things have been great since the two of them reconnected, Toni stated what a blessing it was that she did not encounter Larry in the courtroom, because the meeting would certainly not have ended in marriage.

### Becoming Partners-in-Law

Many of you may be asking yourselves how spouses could practice law together, let alone why they would voluntarily chose to do so. While it might seem commonplace for two attorneys to enter into the bonds of marriage, it is a wholly different scenario for them to decide to enter law practice together. This may explain why becoming co-workers was not an automatic for Mike and Katie; rather, it developed out of necessity. "I don't know if Katie was, but I was definitely nervous about the idea of working together," said Mike. At the time, he was practicing personal injury law, which meant getting paid on a contingency basis. This created peaks and valleys in terms of income, a situation that was hard for a new firm to handle. Enter Katie. Mike recalled the partners thinking that it made business sense to bring on hourly billing to steady the revenue stream. "Because I knew she was a great attorney, I thought she would be a cool addition," said Mike. Despite wholeheartedly supporting his wife coming on board, Mike admitted that he was "nervous about them being



under the same roof." Therefore, the two did not share office space. Rather, Mike continued to practice in Maplewood and Katie went to work at a satellite office in Edina. Katie joked that the real reason for this separation was unknown to her. She had always assumed it was for client convenience. When the couple eventually realized that they could work together, they moved to their current location in the North Loop area of Minneapolis.

Toni and Larry's evolution to co-working spouses is a little different from that of Mike and Katie. Coming from different sides of the same field, Toni had a perspective that was surely lacking in Larry's firm: the defense perspective. "I can see the defense's point of view and what perspective the jury would be thinking, which is a side that Larry cannot necessarily see," Toni explained. This allowed Larry to begin seeing his cases from a different angle that was not always initially apparent to him. Eventually for this couple, the business started seeping into their personal lives and they began to recognize that a professional partnership was unavoidable. After realizing that they wanted to go "all in" and run the firm together, Toni left her employment defense firm and began taking a more active role in Larry's business. Larry acknowledges his weakness in the non-legal, but extremely important, aspects of running a business: creating handbooks, doing marketing, running facilities, and handling finances. That is where Toni's expertise comes in handy.

While things were going extremely well for Larry and Toni, outsiders were skeptical of the arrangement. Larry recalled many conversations where, upon learning the news, "People would

## Another Perspective:

### Judge Toddrick Barnette and Gretchen Hoffman

What issues come up in the professional and personal lives of a district court judge hearing criminal cases and his wife, who is a supervisor in the county public defender's office? Surprisingly, fewer issues than one might think. For Judge Toddrick Barnette and Gretchen Hoffman, a carefully crafted set of personal standards helps them steer clear of conflict situations.

The two met during law school while working as law clerks in the Hennepin County Public Defender's Office. Both of them were then hired as public defenders after becoming attorneys. They started dating and were married soon thereafter. Work dominated this period in their lives, including much of their conversation at home. Things changed, however, when Barnette moved to the Hennepin County Attorney's Office. The two had fewer things they could collaborate on, and the discussions about their cases diminished. Further normalizing their relationship was the birth of their children. "Once the kids came, we talked about the law less often," said Hoffman. Judge Barnette added, "When you come up from work, your kids could not care less about your day. They just do not want to hear about it."

The conversations about their work have been further restricted since Barnette was appointed to the bench. As a judge, Barnette is privy to information that cannot be shared with attorneys in the system. Hoffman understands this and does not ask him about those things. However, there are a lot of bad days in the criminal courts of Hennepin County, and even judges need to vent. "You have days in criminal court where you see parts of people's lives that the general public never sees. We are both consistently seeing people in terrible conditions, and having each other to talk to about these things is a good way to process them and be healthy about it," said Barnette.

As far as conflicts go, the couple tries to identify them before they happen. If, for instance, Hoffman is assigned to appear in her husband's courtroom, either she will find another attorney to cover the hearing, or Judge Barnette will find a different judge to hear the case. Extra caution is taken to ensure that the appearance of impropriety is absolutely avoided. Hoffman's motto regarding her husband is that, "between 8 and 5, he is not my problem, and anything that happens during that time period is not something that I am going to discuss with my attorneys."

As far as riding to work together, things have changed as they have progressed in their careers. As public defenders, they always rode to work together. Both expressed that it was a good time to decompress their days and get out all of the bad stuff before they picked up the kids. However, judges have more perks than just a gavel and a black robe. Judge Barnette now has free parking. He now drives himself and leaves Hoffman to fend for herself.

Just because her husband is a judge doesn't mean that Hoffman is immune from the full authority of the court. Although, Judge Barnette noted, "I ordered her to my courtroom once; she refused to come."





Katie and Mike Lammers

say to me, 'Larry, what are you doing, you have a great marriage, why would you get your wife involved in your business. This is terrible.'" But to Larry and Toni, it was a natural next step. Both of their parents worked together and assured their kids that while it was difficult, it was also extremely rewarding. All four supported Larry and Toni's decision. In fact, Larry's father-in-law told him, "I thought you were a pretty good attorney, and now that you are entering into practice with my daughter, I know you are a great one."

## Balancing Personalities

People always say that when it comes to love, opposites attract. The same is true for the couples we interviewed, which can make for an interesting dynamic within the office setting. "I am definitely a micro-manager," admits Mike. "We tried being on a marketing committee together for a brief moment and that blew up really badly," said Katie. "It definitely got pretty heated during some of those meetings." Katie and Mike both readily admit that the secret to their success may simply be that they practice in different areas of law. "The way we work is fairly different," said Katie. "I think if we practiced in the same area, there would be some feeling of competition there."

Toni and Larry agree that separation may be the key. Despite working at the same firm and in the same practice area, they each have distinct roles and responsibilities. This allows for a certain amount of independence, which is critical for couples who spend their days working together. However, this doesn't mean that they don't appreciate each other's differences. Both agree

that it is their ying-and-yang personalities that make them successful business partners. "He is more of an action guy," explained Toni. "I am more of a thinker and strategist." She believes that these differences force them both to "grow as people and improve our business for our clients." Like any good husband, Larry agreed with his wife's thoughts on this subject, adding only that, "When you are myopically focused on one side or the other, you see only the one side and there is no middle ground. We help each other come to the middle."

## What Employees Think

You may be thinking that you would never, ever want to work in a firm run by a married

couple. Talk about awkwardness. Whom do you complain to when one spouse decides to give you the difficult client or eats your lunch out of the fridge? The assumption would be that employees would feel that nowhere is safe with the other spouse in the office next door.

However, this simply does not seem to be the case. While we cannot be sure (because, stupidly, we neglected to conduct the anonymous office poll suggested by Mike and Katie), it seems that employees at either firm do not really care that their bosses are married. In fact, Mike recalled a time that one of their attorneys told him that he didn't "even consider him and Katie married." While the couple laughed at this, they agreed that it may be because of their "equal opportunity" attitudes. Katie explains that "Mike will come down on me for something that isn't right. He doesn't give me any preferential treatment and I don't give him any preferential treatment." This helps the two maintain trust within the office and, because they understand each other's personalities so well, neither one takes it personally.

Katie admits that she gets called to "Mike's carpet" just as anyone else would and that's completely okay, because the next week it might be the other way around. Larry and Toni agreed 100 percent. In fact, it seems that the employers are actually the ones who overcompensate for their marital status. Toni stated that when she joined Larry's practice, she was too hesitant at first. She didn't want the employees to think she was the spouse coming in to shake things up and so she kept quiet on certain issues she may not have otherwise. Katie Lammers took the opposite approach. While Katie explained she "wasn't nervous



Toni Halleen and Larry Schaefer

about coming on to work together at all," she admits she may have been "less nervous" than she should have been. "I think I got a reputation of kind of being a diva at first," Katie recalled. "I probably would not have been as forceful if I wasn't coming on to work with my husband."

Toni did emphasize one piece of advice related to this subject, however. Much like in parenting, she stressed the importance of always backing up your spouse in front of the other employees. This is where the acting comes in. Even if there is a disagreement, pretending there is not is critical. A simple smile and nod can do wonders when standing in front of a room full of employees. Then the real conversation can be had behind closed doors. She explained that doing otherwise creates awkward situations and forces individuals to choose sides. "We are always taking care to make sure that this firm is run like any other business," reiterated Toni.

### Striking Out on Work-Life Balance

When the law is at the center of a couple's professional and personal life, one would wonder if separating the two is even possible. Both couples agreed that it is not. Katie and Mike

view this as both a positive and a negative. "It's definitely both good and bad," explained Mike. "It's good that we don't have to worry about the aspect of work-life balance, but at the same time, it never really shuts off." The couple joked that, at the very least, this means they never run out of things to talk about, which guarantees no awkward silences during date night. However, it can also lead to problems. Katie explained that every once in a while they will find themselves having a conversation about a topic "that should be addressed at work, that should be addressed in a partner meeting," and instead they "wind up talking about it on a Saturday night after a couple glasses of wine," which is neither productive nor enjoyable.

Toni and Larry agree that the firm is constantly invading their personal life as well, but they also see no problem with it. "The business is our baby," explained Toni, "and we don't have a child together so we talk about the business all the time!" However, they do set some boundaries. "We do put a priority on going on dates and going on vacations. When we are on vacations, we are really enjoying ourselves," explained Toni. "At the same time, if an email comes in while we are relaxing by the pool, it is efficient for the two of us to talk about that issue and then go back to having another Mai Tai or whatever ...

well, I mean, I don't think we have ever had a Mai Tai. That was just an example of what a couple might do on vacation!"

### Together at Home, Together at Work, but Not in the Car

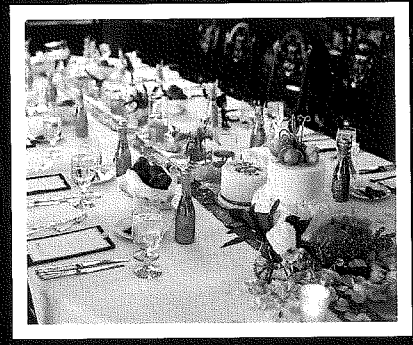
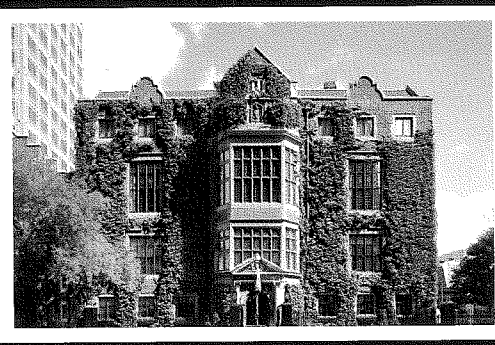
While the couples agreed that working together strengthens their professional and personal lives, there was one aspect of their lives that they prefer to do alone: commuting. Toni offered some advice, "if you work together, don't drive together!" For her and Larry, it is a difference of opinion about the method of transportation. "I bike to work every day, even in the winter," said Larry. For Katie and Mike, it is mostly for practical reasons. "On most days, we have very different schedules," said Mike. It does seem healthy to have at least some time apart from your spouse.

### Love before the Law

Despite all the success the couples have achieved as law partners, both stress that these successes mean nothing if their marriage isn't strong. "Generally, we have a really good relationship, so we are not going to let the other person stew for too long," explained Katie. "I know

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there have been times that we have walked out of a meeting and it has been tense. Normally though, we go back to our respective offices and then the person that needs to be doing the apologizing will come in within five minutes and say 'I'm sorry' and we will move on from it." They understand that work conflicts are bound to happen but they refuse to let them interfere with their relationship.

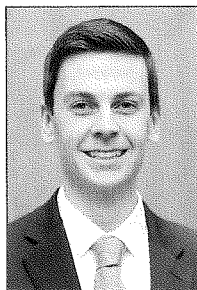
"By far the most important thing in our lives is our marriage and family," said Larry. He continued, "if the firm fails, I will not be devastated, but if my marriage fails, I will be." Having said this, Larry and Toni believe that working together has actually made their marriage stronger by improving their communication and understanding of each other. In fact, Toni is so enthusiastic about practicing law with your spouse, that she is willing to counsel other spouses who are considering making the move. "The positives certainly outweigh the negatives," she declares.

The couples we talked to agree that the components that make a good business partner are the same components that strengthen a marriage. This includes constantly pushing each other to be better both professionally and

personally. Practicing law together requires a certain level of respect and trust that is also imperative to be successful raising a family together. It is all about teamwork and working together to achieve a goal that is bigger than either of them could achieve alone. The same ideals that they hold close as business partners

are those that they rely on as life partners meaning that the practice of law only helps their marriage.

"I don't know why all spouses don't work together," exclaimed Toni, "it is so much fun!"



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