

Alexis Robertson:

Welcome to The Path & The Practice, a podcast dedicated to sharing the professional origin stories of the attorneys at Foley & Lardner LLP. A full service law firm with over 1,000 lawyers across the U. S. and abroad. I'm your host, Alexis Robertson, Director of Diversity and Inclusion at Foley. In each episode of this podcast, you'll hear me in conversation with a different Foley attorney. You'll learn about each guest's unique background, path to law school, and path to Foley & Lardner. Essentially, you'll hear the stories you won't find on their professional bios. And of course, you'll learn a bit about their practice. Now let's get to the episode.

Alexis Robertson:

Today, I'm speaking with Jay Rothman. To merely say that I was thrilled to get Jay on the show would be an understatement. Because Jay is the Chairman and CEO of Foley & Lardner. In the moments before we began recording the show, I took a moment to tell Jay just how happy I was to have him. And he jokingly responded to me, "Alexis, you need to get a hobby." To which I said, "Jay, this podcast is my hobby." But while I think of Jay as the firm's CEO, Jay is also a partner and transactional lawyer in Foley's Milwaukee office, where he focuses on M&A and capital markets. He's a member of the firm's management committee and former chair of the firm's transactional and security practice.

Alexis Robertson:

Interestingly, Jay's been practicing at Foley for the entirety of his career beginning in 1986. And in this conversation, we cover a number of things. Jay talks about growing up on a farm and how from the ages of eight to 22, he jokes at least that he was his father's primary employee. Jay also reflects on what he learned while clerking for the Seventh Circuit. Something I found to be especially interesting given that Jay's a corporate transactional lawyer, clerkships just aren't as common for someone on that path.

Alexis Robertson:

But as you'll hear from Jay, the time he spent clerking was one of the most important professional experiences in his life. And what he learned about putting people first is something that he has kept in his mind ever since. And of course, because Jay's CEO, we talk a lot about the unique culture and values of Foley & Lardner. And I haven't had an opportunity to reflect on how I was exposed to those values as a summer associate at the firm. Additionally, Jay shares a ton of wisdom and insight about how to best navigate a legal career. He talks about patience, passion, and setting a path, but also remaining flexible. I hope you enjoy the conversation. Jay, welcome to the show. As I was just telling you, I am so excited to have you here.

Jay Rothman:

It's great to be with you today, Alexis. I look forward to our conversation.

Alexis Robertson:

Well, we're going to start this, like I start every other episode, which is me asking you, if you can give your professional introduction.

Jay Rothman:

Absolutely. I am a merger and acquisition and capital markets lawyer. And I spend most of my time working with the C-suite officers of companies and boards of directors in affecting transactions, dealing with other governance issues. And basically helping businesses grow and achieve their strategic objectives. And that's what I've done most of my career. And I'm now at a point in my career where I spend most of my time in the advising and counseling side, which is the part that I really enjoy. And hopefully I can bring a variety of experiences to the table in that part of my professional career. And the other great part of that having that opportunity is to also be able to bring what I've learned in my role as Chairman and CEO of Foley to the table. It's a learning experience for me watching our clients go through their processes. Which have helped me, I think be better at my current job at the firm.

Alexis Robertson:

Well, thank you so much for that. As you know, one of our goals today is to really figure out how it is that you became who you are today. How it is that you're able to give that professional introduction. And I want to start at the very beginning, which is where are you from? Where did you grow up?

Jay Rothman:

I grew up in the North central part of Wisconsin, outside a little town called Wausau. And that was home for 18 years before I went to undergraduate at Marquette in Milwaukee. Which was my first real experience of spending time in Milwaukee and then out to the East Coast to Harvard for law school. I was a summer associate at Foley & Lardner after my second year. And then went to a judicial clerkship in the Seventh Circuit for a year and then came back full time to Foley in 1986.

Alexis Robertson:

And as you know, I'm not going to let you get away with just summarizing your whole life in about two minutes. So we are going to go back and unpack a little bit of that. And as you also know, I grew up in Wisconsin as well.

Jay Rothman:

Yes you did.

Alexis Robertson:

So I'm a little familiar with Wausau, not very, but what was it like growing up in Wausau? What was your childhood like?

Jay Rothman:

I had what I would consider almost an idyllic childhood. My parents both worked, but my father's goal was to have a farm. And while he continued to work in town as a dentist, he bought a farm from one of his patients. And we had 80 acres and he was a gentleman farmer. And I think I was his full-time employee so I was less than a gentleman farmer. But at one point we had about 40 head of beef cattle and about 20 horses, sundry other animals. And I farmed from the time that I was a young kid. I was eight when they bought the farm and I was a farmer in the summer through the time that I was 22.

Jay Rothman:

So I have just a little bit of feel for the great work that farmers do in this country and the hard work that it is. Our livelihood was not dependent on the farm, which was probably a good thing, if I was the person predominantly in charge. But it was a great experience for me to live and have that connection with the land and have that connection with the animals. It taught a lot of self-reliance. It taught a lot about work ethic. And it taught me a true appreciation for manual labor. And it was a great way to grow up and I was really privileged to have that opportunity.

Alexis Robertson:

So you're eight years old, your father's a dentist by day, but a farmer, I would call it by night, but by probably the rest of his time.

Jay Rothman:

He enjoyed being out on the land and doing those things. But as a practical matter, he was able to help on the weekends and sometimes in the evenings when he would get home. But a lot of the basic farm work, I had a fair amount of responsibility for dealing, even at a relatively young age. I've talked to my parents who are fortunate, they're both still alive in their 90s. But I have asked them from time to time, what were they thinking in terms of complicating their lives? My mother was a school teacher, so she'd be back with us in the summers and certainly did a lot of work on the farm as well as did my dad and my brother and sister. But it was an interesting experience, to say the least and it added complication, but a whole lot of context to life.

Alexis Robertson:

I promise we will move forward. But I just have to say, as someone who grew up in Wisconsin, often people who are from the coast in particular think actually pretty much anyone who lives in Wisconsin must grow up on a farm. And they start thinking of cows and cheese. And I don't want to perpetuate into stereotypes here. But I do want to ask, what type of tasks would you be doing, briefly as a younger kid?

Jay Rothman:

Well, we had to grow and harvest crops. We would make hay predominantly, we didn't raise corn. But we raised oats so we'd have to plow. In the spring or in the fall, we'd plow the field and we'd get them ready for planting and we would plant. And then twice during the year, we'd go over the land and cut the hay and then bale the hay and put it into the barn. The technology has changed drastically since I was in that role as whatever kind of farmer one could call what we were doing. And then it was really taking care of the animals too, just animal husbandry. So you'd have anything from a cow having trouble with the delivery of a calf, to being sick. And with the horses, we actually showed the horses.

Jay Rothman:

So we were in competition most weekends during the summer months. So the horses would have to have shoes put on. There was always issues in terms of dealing with vets. With horses having issues trying to watch feed, particularly with both cows and the horses. Making sure you had the right feed mixtures and all sorts of things. And we were not at all sophisticated farmers. My best friend growing up was a dairy farmer. And there was an entirely different level of sophistication and efficiency in terms of farming. But it was just a great experience to be outside, to have that manual labor. To have an appreciation for what farmers do for all of us and continue to do to this day in a very different way. But certainly some of the basics haven't changed.

Alexis Robertson:

Absolutely. I appreciate you sharing a bit more about that because as you already said, I know it more than planted the seeds for work ethic. And resilience and things, I'm sure you've since applied in your legal career. My next question though is, when did you decide you wanted to become a lawyer?

Jay Rothman:

I had thought about that as I was finishing high school. I liked to write, that made sense to me. I loved history and still love history. When I went to Marquette, I majored in political science and I had a couple classes in constitutional law. I had an advisor there who was very helpful in helping me think through going to law school. So that was the next path for me. But I have to be

honest, I didn't realize that firms like Foley & Lardner existed. And the size and breadth and depth that the firms had, even at that time. Foley has grown as have other firms in that period of time. But I didn't realize that those types of firms actually existed.

Jay Rothman:

I was accustomed to one and two-person law offices, that's what I was familiar with. Those were the lawyers that I knew growing up. So when I first started, a clerk for a small firm in Minneapolis after my first year in law school, actually in St. Paul. And then came to Foley after my second year of law school for the summer program. And really got a taste of what it was like to be in, what is big law, I guess, is the best way to describe it. And understanding the sophistication and the depth and breadth and how these law firms actually function.

Alexis Robertson:

And we're going to get there, because I also think your observations on how the legal industry has changed. And how much Foley has grown, for example, over the time you've been here, is something I want to hear about. But I also just want to pause for a moment because what you described was, growing up in Wisconsin, helping to run a farm, going to Marquette. And then you went to Harvard for law school. And I realize it was some time ago, but I'm just curious what that was like for you to leave the State for law school. And then also your decision to come back to Milwaukee or as I assume you could've gone other places.

Jay Rothman:

It was interesting, at least for me, it's interesting who knows for anybody else. But when I got the opportunity to go to Harvard, I said I would give it a shot. And in some sense, here's this guy who grew up in a rural part of Wisconsin. It was intimidating, but I met some great people there. And it was a terrific experience, friends that I have to this day. And then after you've been there, you go through your first year, you start to think about, "Okay, what am I going to do? And where am I going to end up?"

Jay Rothman:

And for a long time, I just thought I'd end up in New York. Because that's what a lot of my classmates were doing. And that was the logical thing for me. And I did an interview in New York and spent some time there. It's a great city. We've got a great office there, but for me, that was not something that I thought... I wanted to be a little bit smaller city. And I looked at Chicago and then I started looking at Milwaukee and Minneapolis. And what struck me was ultimately the quality of the firm. In that day when you went to a firm, you didn't move a whole lot. And if I came back to Wisconsin, I wasn't going back to New York. That's probably not true today where

people are more mobile. But that's really the way the structure of the profession was at that point.

Jay Rothman:

So that was a pretty big decision to make in some sense. But what caused me to do it was, I spent time learning about Foley & Lardner and understood that it had already grown outside of its Wisconsin roots, where it's been for 178 years. And it was starting its national expansion at that point. And I felt I could get a very equivalent experience to what I might've gotten in New York, just given the type of clientele that the firm has.

Jay Rothman:

And for me it was the right balance. But it was really driven by the firm at that point and not by necessarily the geographic location. I've grown to love Milwaukee, but it wasn't, boy, I want to live in Milwaukee. It's, I've found this place called Foley & Lardner that had these broader aspirations about what it wanted to be in the long run. And that's what was particularly intriguing to me because it gave me the balance of living in a bit smaller city or a lot smaller city in some respects. But also the sophistication of the practice that I was hoping to have. And I have not been disappointed by that decision. That was the right decision for me.

Alexis Robertson:

We're going to bookmark the bat and come back and talk a bit more about the firm in general and your thoughts on it as CEO. But before we do, I want to ask, did you know corporate practice was always the practice for you? And if not, how did you end up focusing on it?

Jay Rothman:

Yeah, I think so much of law school tends to be more focused on litigation skills. Because I think just by their nature, you do trial advocacy, you do con law, you do those types of things, at least the focus I had. So originally I thought I would look at litigation. And in my first summer, I spent some time doing litigation work and I love our litigators to death. But for me, the ability to have long-term relationships with clients, because litigation can be episodic. Not every litigation is an episodic relationship. But certainly on the corporate side, some of these relationships are really long-term. And there are clients that I started working with fairly early in my career that I still have a connection with, 35 years later. Which I think is really interesting and really, that excites me. And also helping, which is what we do. We work with our clients to help them grow and help them achieve their strategic objectives.

Jay Rothman:

I just found that, that challenge to me was really interesting. And I started doing more corporate work at Foley. And quite frankly, part of it was also, I had mentors who very early in my career showed me why they had a passion for their practice. And were teaching me not just the substantive skills, but the soft skills about being a lawyer, about judgment, about how do you deal when you're in a boardroom? How do you deal with the chief executive officer, for example. How do you approach problems and work out and find solutions? And I just found, I really liked the people I was working with and that was the niche for me. And I always looked at it and said, "I'll try this for six months or a year. If I don't like it, I'll see if I can shift within the firm." And I never got to the point where I ever even thought about switching. For me, it was the right fit. For others, it might not be, but for me it certainly was.

Alexis Robertson:

The former litigator in me though, looks at your background and says, "Then why did he clerk?"

Jay Rothman:

The clerkship was interesting because it's a fair question. Because at that point I had decided I was probably going to be a corporate lawyer. But I was intrigued by the judicial process and had the opportunity to clerk for Judge Harlington Wood Jr. on the Seventh Circuit. And when I got that opportunity, that was one of the greatest experiences of my life. He was such a gentleman, such a great jurist. Had fundamental fairness and integrity just drove everything that he did. And it was just an incredible, incredible introduction to the legal profession for me.

Jay Rothman:

And yes, it is not necessarily what you'd expect on the resume of a corporate lawyer per se, but I would do that again in an instant. And certainly as people think about that opportunity, if you find a judge that you've got a good connection with. It was just an incredible experience. And my only regret is I didn't appreciate what an experience it was when I was in the middle of it. And now I reflect back on what I learned from Judge Wood and how he approached things and how he approached people with such respect, regardless of their Latin life. And that was a great lesson. I just wish I had more perspective to be able to understand how privileged I was to have that opportunity.

Alexis Robertson:

And if you wouldn't mind, could you give an example of something? I know you've stated what you learned, but are there any examples you could share that you learned through him?

Jay Rothman:

I learned through him that you help people, which is what he did. People would show up in his chambers and they'd just show up, which was interesting. And it was in the era before enormous security and everything else. And he had chambers, both in Springfield, Illinois, which was home for him and in Chicago. But in Springfield where he had grown up, people would come in and say, "I have this problem. Can the judge help?" And I remember one day he asked me and one of my co-clerks. There was somebody who'd come in, they were down on their luck and he said, "Help them." They needed to get back to Chicago and they needed to get into some form of the governmental assistance.

Jay Rothman:

And he said, "Your job today is to make sure this person gets back to Chicago and is hooked into the governmental assistance program." And that's what we did, which was... You just don't even think about that. But people would have that great respect. I saw him deal with contentious situations where he would be respectful. The discourse was always civil, even where there was disagreement. I learned that from him, just his sense of fundamental fairness, because he would say, "How do we get to the right result?" He'd said, "Listen, I believe in the rule of law and I'm not here to make new law or to legislate. But my gut tells me we should end up here. How do we get there? And can we get there in a fashion that is consistent with the precedent that governs our decisions?"

Jay Rothman:

Those are just things I learned, just that behavior. He was in the Justice Department during the Vietnam War protests in Washington. And he talked about how he would go out and meet with the protestors as they were looking for permits. And talking to them and trying to understand what they were doing. He went into Wounded Knee when Wounded Knee was being occupied and went in alone, unarmed to try to negotiate. But he had that level of respect because of his stature, because of his reputation, that he would exhibit that level of courage. But he believed in human beings. He believed in the goodness of human beings at the end of the day. And he would respect them. And he would try to find that. That was eye-opening, because that's not exactly what you'd expect from a federal judge, but that's the experience I had. And to this day, I know it has impacted hopefully, how I behave because certainly part of me thinks, "Okay, what would Judge Wood do in this situation?" And that's a good reminder for me.

Alexis Robertson:

Thank you so much for sharing that. I'm so glad I asked that question because I will say in the short time I've been with Foley, I think I've seen already some of that reflected in your leadership style. So that's really interesting to see where you're able to draw from as you lead the firm. Okay. So you clerk at the Seventh Circuit, you're back in Milwaukee, and we can't possibly go



through all, I don't know, 34 years of practice on this podcast. But I would like to get your reflections on what it was like joining the firm and really just navigating your career. Because as I mentioned before we started recording, in addition to the people at our firm listening, we have a number of law students who are starting to listen.

Alexis Robertson:

And I think from an outside perspective, looking at large law firms, looking at the CEO of a firm. It's easy to assume that someone like Jay Rothman was born into this world as a partner at a large law firm knowing what to do. So if you had any thoughts on, when you look back at the start of your career until now, really honing in building client relationships. So I just asked the world's most open-ended question, but it's intentional because I'd like to know what jumps to mind for you.

Jay Rothman:

I guess a couple of things. I came back here and I had an enormous amounts to learn and I had some sense of that. And for the first couple of years, there were times that I think, "Maybe I just don't get it." And you realize that some of this takes years of experience to learn and to put into context. So particularly with new lawyers starting out, be patient. You've done well in law school. You know what you're doing. You're a smart individual. Just give it time and give yourself that patience to learn. But view each of the experiences that you get as a building block. And then try to have them relate to each other. How does this last project relate to what I did a month ago? And what did I learn from that? And I think that to me was the first starting point is to learn the substantive area of the law.

Jay Rothman:

And with the securities laws as an example, but there are multitudes of different examples. It gets our clients... If the answer is no one and it's easy, they don't need to call us. It's when it gets into the minutiae, it gets into the gray areas, it gets into judgment. So the questions that you're dealing with out of the bat are not easy ones. And I think you have to give yourself some latitude to say, "Okay, I've got to learn this and I've got to figure it out and do my best to figure it out and learn it as quickly as I can. But that there is a fairly steep learning curve to start out with."

Jay Rothman:

And the second piece of advice for whatever it's worth I would share that I was blessed with were great mentors and firms. And we do the same thing, but firms assign mentors, they go through that process and sometimes that's fantastic and that works just great. But there are also informal mentor relationships that develop because you work with someone and you want to

build that relationship over time. And that's where not only did I learn the substantive pieces, but I learned the soft pieces of how to practice. About how you approach a situation. About how you think about business development. How you think about dealing with a contentious matter. Where do you push? How do you position it? Are you thinking three and four and five steps down the line? Are you being proactive with clients? Because I think part of what we can bring to the table is that being proactive and thinking about what their issues are and thinking about, "Okay, I've just seen three clients do it this way. Maybe I should call that fourth client and say, listen, just something for you to think about."

Jay Rothman:

We're not there to run their businesses by any means, but I saw my mentors do that. And one of the tricks that I used to use is when I was on a conference call, we didn't have video conferences at the time. We didn't have Skype and Microsoft Teams and everything else. But if I was primarily listening and making sure I was taking notes and documenting the conversation. I would watch how my partner mentors would respond to something. And if a client asked a question, I'd try to formulate a response in my own mind. And then I listened to what the partner would say.

Jay Rothman:

And invariably, I learned from that process. But it kept me engaged. It kept me active, but it also helped me expand my horizons. And I think that was a great thing in my mind, in terms of how you grow in this profession. And you got to view this in my mind, this is a marathon. This is not a sprint. This is a marathon. And one of the greatest things about to practice a law is you will learn something new every day.

Jay Rothman:

And I wonder how many professions you can really say that, but you really learn new things every day. The law changes. The circumstances change. You start getting into a new area because one of the clients you've been working with drifts into a new area. So you have to learn it as well. That is such a great thing. And the great thing about being in a firm like Foley is you have those opportunities in your career ebbs and flows. And if you are intellectually curious and you have a passion for that type of problem solving and enduring it, this is just a great profession. I blink and that period has gone by so quickly.

Alexis Robertson:

That mindset is so important. As you probably know, after practicing for about eight years, I was a legal recruiter for a couple of years. And I still have a number of people, if they can catch me, who want to talk about their profession, like job advice. And for the lawyers, I often stress what

you just said, because although I had to not practice for 30 plus years. I worked with a lot of lawyers at different phases in their career. And I've seen it tends to be people that are definitely more than 10 years out. But maybe closer to 15 to 20, who really started having fun in their practice, because there is so much that you're learning and things are ever changing. But they've come to accept that it changes and find joy and intellectual curiosity and that changing. Whereas I do think, and that's a stereotype that at the more junior ranks, there's that feeling of being a bit unmoored and like, "When will I understand what's going on?"

Jay Rothman:

I think that's just natural. And I think if all of us are honest with ourselves, we've all gone through that period of feeling that, I kept looking at it and saying, "I thought I was relatively intelligent." And I'm going through this and saying, "How am I missing this? How am I not seeing that?" And I'll never forget, I was in Boston one time and this old lawyer, probably now my relative age so I date myself. But he came in and it was in an esoteric securities matter. We were doing an underwriting. And he cited some code, something under the Securities Act of 1933 and said, "Now don't forget that."

Jay Rothman:

And I sit back and say, "How the heck did he know that?" And it took me about a year or two to realize that he had gotten burned one time because he had forgotten that. And regardless of whatever else happens in his life, he is never going to go through that process again. And experience is so important to this profession and it takes time. And when you start out, you want to learn everything. You want to be a master. You want to show people you know this and you've got this and you've got to be fair with yourself. And you got to give yourself time.

Jay Rothman:

And the great thing with was my experience was people gave me time. They allowed me to learn. They allowed me to push and expand, ask questions, think about things. And I remember driving to client or flying to client meetings and having the chance to have that one on one time with a partner. Because the way our firm is leveraged, we have a lot of that interaction, which is great. And we talked about things. So I'd have partner say, "How would you approach this? What would you think about it? How would you react to this?" And then they talk about the culture of the law firm too, which was a way of just continuing to build that culture in the newer lawyers coming up. But my advice is, yeah, you're going to feel like you've been thrown into the deep end of the pool. And you need to learn how to swim and that will come in time.

Jay Rothman:

But you're not going to learn it in your first day. You're not going to learn it in the first year. It is a process. But as you look back over your first year, you'll look back and say, "Boy, have I learned a lot." And that's absolutely right. And you'll say the same thing after your second and third year. And eventually, you'll start feeling much more comfortable. And you're right, things change. And then you're more comfortable with the change. But the hard part is when things are changing, when you don't even know what the old rules were, and now there are new rules and to put that all in context. But that's the way of the world.

Alexis Robertson:

Yeah. That's absolutely right. And what you said earlier about that example of the partner, raising the thing from the Securities Act. That's a key, I think for young lawyers to understand... Hope this is fair to say, how a lot of partners operate, which is the things that are seared in their brains are the things that they learn the most, were probably something got messed up. And that's why they're asking you the second year, four times, if you triple-checked the case really said X. And I actually think understanding that allows you to have a lot more compassion and understanding for those that you work with. That a lot of times, it's not until you mess something up that you truly learn it. And also you talking about the mentorship.

Alexis Robertson:

So as you know, but our listeners may not know, I was a summer associate at Foley back in 2006. And yes, unfortunately my career took a different path, but I'm back now. But my time at Foley really was pivotal in my legal career. Because I remember I went to a short trial in downstate, Illinois with Jim Dasso. And I remember being in the car driving back to Chicago with him and a senior associate. And Jim really wanting to know my opinion, like really, really, really wondering my opinion on what had happened with their presentation. And me thinking, "I just finished my first year of law school. Why is this senior partner at the firm?" But I think it really was indicative of that culture that you're talking about. It starts at such an early, early stage in the firm.

Jay Rothman:

I think that's right. And I think as you spend more time in the profession, you understand that Jim was actually asking because he was serious about how you thought it went. Because as much as you think the partner's confident and knows everything that's going on. We all operate with some level of self-doubt. And that's just the nature of the beast. And quite frankly, I think that's an important part because it keeps you humble, that you don't know everything. There's always a different way to present it. There's always a different way. You can always think about how you make it better. And you get a broader perspective as you spend more time in the profession because you start to tie so much more together. But it's not like you have all the

answers. And if you ever run into somebody who says they have all the answers, probably good to be skeptical of that. There is the person who is never in doubt, but not always right, I guess is the best way to describe it. And it is a practice. That's why it's called a practice, you're always improving.

Alexis Robertson:

That's great advice. And before we talked, because as you know, you're the CEO of Foley & Lardner. We're going to have to talk a bit about the cultures and values of the firm. But before we transition to that, I'd like to learn a little bit more about you. And in particular, I know that you have kids and were also managing and balancing family life, as were navigating your career. I don't know junior you were. But I've heard some people share anecdotes with me that apparently you shared in the firm in the past about how you and your wife at certain times balanced family. And I would be interested if there's anything you could share about.

Jay Rothman:

The two kids who are now 24 and 22 were just a fantastic experience, I wouldn't trade them for the world. But both my wife and I were working full time when we had both of them. And it was a challenge. It is hard to find that balance. And you always feel like at some level you're riding just on the edge. Because if the caregiver gets sick or a kid is at school and you get the call from school, how are you going to manage all of that? And that does create a level of, because we're lawyers, we want to be thinking out all these multiple steps forward. We want to have a solution to everything. And sometimes life throws you curves and kids teach you that. And that was the balance that we had to find in our respective careers. And I can relate to people who go through those stresses and those anxieties. And the flip side, as I said, I would do that in an instant, if I were to repeat it, because it was one of the great blessings of our lives, are those two kids.

Alexis Robertson:

I'm happy to hear you say that. My children are seven and nine, I have two boys. And it's nice to hear that as adults you're like, "I wouldn't change it." Because there are times where I've just like, "I don't know kids. I don't know how to return to you right now, but I can't." No, I'm just kidding. I love them very much, but they do challenge me.

Jay Rothman:

Tell them those bad experiences. You forget over time, Alexis. So it's okay. That's the great thing about memory. You don't remember all of the really tough stuff. You remember the good stuff.

Alexis Robertson:

Oh, my gosh. Well thank you for sharing that. And as we transition our conversation a bit, I have to give a little bit of background. And I feel like so many people know this about me, but many don't. So I grew up in the Milwaukee area, North Shore of Milwaukee, Glendale, Wisconsin. And I was actually in Milwaukee in February for a Bucks game. And Jay and I got to speaking a little bit. And we realized that probably for, I'm going to guess for a good five to 10 years, we were neighbors. We were separated by a couple of blocks. Because you don't still live on a farm. You live in Whitefish Bay.

Alexis Robertson:

And I learned that I think you were like two blocks away from me in Wisconsin, which I just find so interesting. Because what's so fun for me about returning to Foley is I have a number of things in common with the firm. I grew up in Milwaukee. Foley's headquartered in Milwaukee. I was a summer associate here, my [inaudible 00:32:21] summer. And actually a good friend of mine, who I went to law school with is a partner at the firm. So I've watched him matriculate at Foley for the past 10 years. And something that has struck me, is one of the main reasons I was so excited to come back is I had a good sense of who Foley & Lardner was. And I don't know that a lot of people do. So I would love Jay to have you talk a bit about in particular, the values of Foley and particularly the focus on people and stewardship.

Jay Rothman:

Sure. And one of the things that we are proud of and protective of is our culture. And each firm has its own culture and we have ours. And I'm not going to say ours is better or whatever, but it is our culture and what we focus on. And we have eight core values that are living of those core values to find in my judgment, our culture. And just let me hit on just a couple of them. One is it all starts with people. And in a professional services firm, you have to have great people. So our focus right out of the gate is on people. What all of that means from professional development, from teamwork, from collaboration, from enjoying each other.

Jay Rothman:

When we're looking to bring new people into the firm, one of the things we look very hard at is do they fit within our culture? Because if they don't, regardless of how great a talent they may be, it's just not going to work. They're not going to be happy. We're not going to be happy, but that is the starting point. The second, and these are not weighted at any one way or the other, but our clients. Our purpose is to serve our. To serve their needs, to help them achieve their objectives. And we can never forget that purpose. That's why we get up in the morning. That's what hopefully inspires us. And I see that inspiration across the firm that people really enjoy working with our clients and helping them out, being their counselors.

Jay Rothman:

One of the greatest things you can have in our profession is when it really becomes difficult, that you're the first call that the client makes. Or that when the client's having trouble with a kid that has nothing to do with the practice of law, they'll call and just ask, "What do you think?" And you're not you're not billing, you're not doing anything. It's just that personal relationship that you've built. And I think those two core values really tie together, because it's the relationships that we have with each other internally. And it's that relationship that we have externally and it's around mutual respect. It's about dealing with people with integrity, with respecting people's differences, with trying to help them improve, to get better. And that's the same thing that we do internally that we do externally with our clients. The other one that we have talked about forever, and I think with a firm that's been around 178 years. There's got to be something that really holds that organization together. And for us, it's the concept of stewardship.

Jay Rothman:

And the best way I define that is the responsibility and the privilege of our current partners is to leave the firm better than they found it. And really we could have one core value in some sense. It could be that piece. Because then if you want to leave the firm better than you found it, you want to find great talent. You want to recruit great talent. You want to mentor and develop great talent. You're going to do what's right for your client every single time. It's not about, how much money can we make from this engagement? It's what can we do to help that client? Because that's going to build long-term client loyalties. That's going to be great for the long-term future of the firm.

Jay Rothman:

And that's one of the things that I have been proudest of. It's one of the things that attracted me to the firm in the first instance is that thought process that the firm was investing at that point because the firm started in Milwaukee. And Alexis, you mentioned the headquarters. We really don't even have a headquarters anymore. We have leadership across the country. And I'm proud of that. We happened to start in Milwaukee, but the firm has grown to be in the West Coast and in the Southwest and the East Coast and in the Southeast, in a way that I didn't envision when I first came here. And that has all been built on people making investments in the future. Because when you do a combination with another firm, there are expenses that are associated with that.

Jay Rothman:

And if you wanted to maximize your income, you wouldn't spend that. But our partners in particular are focused on how do we build a better law firm? And I would hope, and I certainly believe that our partners want to look at this and say, "I want that firm to be successful when I've

retired from it." And take great pride. And I talk to our retired partners today and that's what they're focused on. They say, "How is the firm doing? Have you been able to carry on and expand on what we built?" That to me is what builds an organization that will survive for the long-term.

Alexis Robertson:

As you know, that's really heartening to me in my role at the firm is director of diversity and inclusion. And one of the reasons I was attracted to returning to Foley was having some understanding of those values. But as I got a refresher in them, and for example, watch the video of you Jay on our careers page, which I imagine is from a few years ago. But you took a moment to really talk about stewardship. And that means a lot to me because I think at it's core diversity and inclusion, work is about people and it's about leadership. And you can talk about it without ever even saying the words, diversity and inclusion.

Alexis Robertson:

So it really does mean a lot to me that that's so woven in the fabric. And we're candid. Like most large law firms, we have work to do in that respect. But I've just been so happy by the cultural foundations we already have and to be able to keep working with you and others to build upon those. And then also to keep sharing stories of when I was a summer associate at Foley. Because that's apparently what I think people want to hear. But I also had that really exhibited to me.

Alexis Robertson:

I remember writing my first real research memo. And at the time Mike Conway was still in Chicago, I believe leading the litigation group. And he marked it up and we sat down for a good 30 to 45 minutes, where he walked this summer associate through a research memo. And I know you reflected on working with the judge, maybe not fully appreciating at the time what a big deal that was. That was my mini moment where it's been a few years later where I really reflected on what a big deal that was for him. A busy partner at the firm, to take that kind of time to help me just finish my first year of law school and prove my writing. And I don't know if I appreciate it as much at the time because I was too busy being mortified at the things he caught, and the recommendations he made. But I look back and I really do think that's emblematic in many ways of who and what Foley & Lardner is. And to those listening thinking this is some weird sales pitch. It's really my time to nerd out and share how much I really valued that in my own professional trajectory.

Jay Rothman:



And I suspect that everyone in the firm who was here full-time has had similar experiences, because that's what binds. Those are the things that at one point in your career you might take for granted, or you might think, "Well, this is the way everybody does it." And I've learned, and I've had the privilege of having a little bit different perspective. That's not the way everybody does it. There is a focus on developing people to be great lawyers. And that takes time. And that takes exactly what Mike was doing for you, Alexis, is to sit down and have that discussion. And one of the challenges, quite frankly, in a digital world is that with clients needing us to respond faster, I'm not saying that they expect us to, they need us to. Because they're being asked to respond faster. You don't have as much of that time just to sit back and let's reflect on something.

Jay Rothman:

So you have to affirmatively make time for that. And I think certainly in the current circumstances where a lot of people are working remotely, maintaining those connections has been really important. But I've been proud of what our people have done. And I think that to me speaks so much to culture. I was probably late to this game, but it dawned on me four or five years ago, how critical it was to have that cultural piece really right. I had probably been raised in this culture and had taken it for granted, that well, you don't... But you have to feed and nurture it and focus on it. And I think when you go through a really challenging time, like we are as a country right now with the pandemic. That culture comes through in terms of how you relate to people, how you react, what you think about.

Jay Rothman:

And again, if you come back to that point, we were talking about earlier about stewardship. If you're focused on leaving a place better than you found it, what are the decisions that you need to make? As we all work through this unexpected challenge that we're all going through with enormous human cost and everything else that our country and the world is experiencing right now. But how do you try to make decisions that are consistent with your core values as you go through that? And the strength of the culture, in my mind has really been reassuring to me is as we go through and you look at a day, that is just uncertain. You don't know. When you think about what is next month going to look like? What is the month after that going to look like? You don't know. And in that environment, how do you continue to serve our clients well when they don't know?

Jay Rothman:

And part of it is again, if you love the problem solving aspect of it and thinking through. And maybe not even problem solving, but managing a dilemma, which in some sense, the pandemic is novel, creative thought. We've never been through this before. And it's one of the greatest

things I've seen in our organization that people have pulled together. They have collaborated across practice areas, across the offices. And thought about, "Okay, we've got this blank slate. Nobody's ever been through this before. How are we going to advise clients as they work through this?" And I have been so proud of watching my colleagues do just such extraordinary things for our clients. It's really-

Alexis Robertson:

I completely agree with you.

Jay Rothman:

And it's unfortunate that we're having to live through this, but that's the hand that we've drawn. And it is what it is from that standpoint. But given that those are the facts, how do we help our clients through it? And how do we react as an organization as we work through the pandemic?

Alexis Robertson:

Yeah, I completely agree with you. One of the smaller things that grew out of the pandemic is actually this podcast, which is funny. But also I would say it was maybe two months ago, I really sat. And I thought about just how amazing it is that Foley & Lardner, but all these other large law firms. We've moved so quickly to mobilize, to be in this virtual environment so that we can continue delivering client service. And I know it sounds really buzzwordy, but it really is amazing when you consider what the industry has done, what this firm has done.

Alexis Robertson:

And we also get lawyers outside of the firm listening. I think everyone should take a moment to really think about that. Because it's something that we, I think all should marvel at and be proud of. I know it was driven by necessity, but that doesn't make it any less amazing that we did it. But now I'd like to switch gears a little bit as we're winding down our time together. I have two final questions for you, Jay. They may be similar, but I'd like to ask each of them separately. And the first one is, looking back on your career, if you could give your 18-year-old self or your 20-year-old self some advice on this long legal career he has ahead of him, what would you say to yourself?

Jay Rothman:

I guess a couple things. One is make sure you have the passion to do this, that you're doing it for the right reason. That you like the intellectual challenge. That you're intellectually curious. You have a passion for helping clients and helping build things. Because I think regardless of where your practice is, if you don't have that underlying who you are, then you have to think about, is the legal profession the right thing? I think we've talked about some of this already.

Jay Rothman:

One is be patient with yourself. Demand excellence of yourself, but understand you're not going to hit it, not every day. And that you're going to make mistakes, but learn from those mistakes. And I will tell you, as I reflected on some of the most challenging times I've had in my professional career and some of the disappointments that I've incurred. They have been great learning experiences and they have allowed me to be empathetic in situations where perhaps without those experiences I could've best been sympathetic. And that's important.

Jay Rothman:

And find your mentors and understand that mentorship is a two-way street. That there are times that you're going to have a full plate of work to do and your mentor is going to need something. Help your mentor out, in the same way that they're going to help you out. But find that person with whom you connect or persons with whom you connect that will help teach you, again, not only the substantive piece, but the soft skills. And finally be patient.

Jay Rothman:

This is a marathon. If you've done well through school, you've got the intelligence to do that, but there are other skills you need to develop over time. Be cognizant of those. Have a plan, but don't stick too much to your plan. Have objectives, but also be flexible because I think sometimes when we have objectives and we have a plan, we walk by a lot of doors that we should've opened. And it's sometimes opening that unusual door that opens you to an entirely different level of experience that is important. So have your plan, know what you want to do. But be open to being flexible and changing that plan when it makes sense.

Alexis Robertson:

That's fantastic advice. As you know the podcast is called The Path & The Practice. So have a path, but be open to considering and looking at others while you're on that path. And then lastly, and I think you've already answered this, but I really just like the idea of ending the podcast this way. To the many law students or even prospective laterals who are wanting to know about Foley & Lardner. In a couple of sentences, what are the things that you would like them to know about this firm?

Jay Rothman:

I guess a couple of things. One is, and again, sometimes it sounds trite, but it is not because this is who we are. Just the commitment to excellence is something that I have been extraordinarily proud of in this firm. Close enough is not good enough. It is a high standard that sometimes one does not always achieve, but you always strive for that. And that is, it underlies

our relationship with our clients in the quality of service that we deliver, the promptness. The thought process that goes into it. But excellence also is in terms of building human relationships internally, that you do the right thing. That's an important piece of who we are.

Jay Rothman:

And then I think secondly is the cultural piece, is that we have our culture. We are proud of our culture. We think it works for us. And if it's something that is attractive and something that you feel you'd like to be in with that. You're the appropriate person for us. There will be people look at that and say, "That's not who I want to be. That's not the culture I want to be." And we get that. But in terms of the talent we want in, because the talent drives this place. Absolutely drives this place. You cannot do great things. You can not achieve excellence without having great talent. It's as simple as that. And all I can share is my experience and what I've observed, but I made a choice a number of years ago. And I have never looked back and often I thank my lucky stars that I made the decision that I did some years ago.

Alexis Robertson:

Well, thank you so much, Jay. And also to those people who are listening, just keep listening to this podcast. It's a great insight, I think, into who the firm is. And that is one of the reasons I wanted to start it so that we could share that with people. But Jay, thank you so much for joining me today. If somebody had questions or wanted to reach out to you, I'm assuming the best way to find you is the Foley website?

Jay Rothman:

My direct telephone number and my email are on the Foley website. And I would welcome the opportunity to speak or communicate with anyone who has further questions or would like to delve into this conversation. But Alexis, thank you for having me today. This has been enjoyable.

Alexis Robertson:

Thanks Jay. Thank you for listening to The Path & The Practice. I hope you enjoyed the conversation and join us again next time. And if you did enjoy it, please share it. Subscribe and leave us a review because your feedback on the podcast is important to us. Also, please note that this podcast may be considered attorney advertising and is made available by Foley & Lardner LLP for informational purposes only. This podcast does not create an attorney, client relationship. Any opinions expressed here, do not necessarily reflect the views of Foley & Lardner LLP, it's partners or it's clients. Additionally, this podcast is not meant to convey the firm's legal position on behalf of any client, nor is it intended to convey specific legal advice.