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Legal Eagles Fly In New Directions

by Claude Solnik

UNIONDALE - Jeffrey Wurst and Ruskin Moscou Faltischek spent years building a robust practice representing creditors, including large banks.

But in 2001, the firm noticed it was getting a lot of requests for representation from debtors. Rather than refer the work to others, Ruskin Moscou had to decide whether to represent people on the other side of the table.

It was a difficult decision. After all, Ruskin Moscou had worked hard to carve out a niche for itself with banks and other lenders seeking to recoup money from debtors. Representing firms seeking to renegotiate debt or file for bankruptcy entailed financial risks and conflicts of interest with existing clients, Wurst said.

In the end, the firm decided to enter the fray, and since then it has developed a thriving practice representing both debtors and creditors. Ruskin Moscou, in fact, handles some high-profile bankruptcy cases nowadays, including those of Lynbrook-based CyberRebate and Hauppauge-based Bound-less Technologies.

Ruskin Moscou isn't alone. Many Long Island law firms have decided to expand not just by fine-tuning their core competencies but also by adding new practice areas.

Some targets for new business? Intellectual property and trademark law, bankruptcy, energy and environmental law.

Those areas generally complement a law firm's existing business. A practice with real estate work, for example, might enter construction law, while firms with corporate clients do well to keep a close eye on Securities and Exchange Commission work.

"Making sure you do well what you already know how to do is the way to build a solid foundation," said Marc Hamroff, managing partner at Garden City-based Moritt Hock Hamroff & Horowitz, which has expanded beyond creditors' rights, bankruptcy and litigation law. "Once we had that solid foundation, other lawyers wanted to join us, bring their areas of expertise and network within the firm."

Sometimes it's client demand that drives a foray into new markets. Case in point: Moritt Hock brought tax, trust and estate specialists on board to cater to existing clients who asked for those services.

"We saw needs that our clients had and that the practicing attorneys here had and sought to fulfill those needs," Hamroff said. "We thought having the tax capability was important for our corporate and real estate clients. That tax capability is a unique area of expertise that we found most firms are lacking."

Jericho-based Kaufman, Schneider & Bianco, which provides labor and employment law services for many clients in the construction industry, is now expanding into that sector, said Peter Schneider, a partner at Kaufman Schneider.

Law firms also take on new turf when they find that existing staffers already have the expertise. That's what compelled Moritt Hock to enter intellectual property and trademark law.

Ruskin Moscou launched an energy practice after Managing Partner Michael Faltischek honed his expertise and built a reputation in that field by serving on the Long Island Power Authority's board.

"We were getting calls from clients," said Wurst. "We had most of the skills. That knowledge grew exponentially when [Faltischek] was on the board."

But firms don't just rely on the expertise of their own staffs when it comes to expanding into new markets. Sometimes they try to lure lawyers away from other practices. "We're almost more concerned about the people who are going to join us than the area," said Hamroff. "It's the people who will make it work."

Certilman Balin Adler & Hyman snapped up McMillan, Rather, Bennett & Rigano partners James Rigano and Barry Cohen in 2003 to launch its environmental law practice. The duo brought to the table a roster of clients and a long track record of working together.

Moritt Hock in 2000 entered tax, trust and estate law after adding four partners and a total of 10 employees from the tax, trust and estate practice of Horowitz Mencher in Garden City.

Three years ago, Ruskin Moscou hired Jim Glass, a veteran bankruptcy attorney, from Tenzer Greenblatt in Manhattan and Michael Amato, a senior associate, from Kalb & Rosenfeld in Commack. Today, six attorneys focus on debtor bankruptcy at the firm, and other staff lawyers, or "swing people," help them.

Kaufman Schneider went into construction law by hiring Andrew Richards, a then-partner at Manhattan Ross & Cohen who now leads Kaufman Schneider's construction practice along with partner Thomas Bianco.

Sometimes getting into the business of representing those on the opposite end of the spectrum from your existing clients is the best thing a law firm can do.

"I learned from Bobby Fisher in the famous Fischer-Spassky [chess] match," said Wurst. "Fisher would get out of his seat and walk to the other side of the table. He was looking at the board from Spasky's point of view. In the practice of law, to be effective, you have to look at a problem from the adversary's point of view."