
A Continuing Conversation with Leaders from the Legal Industry



[Sam Cortes](#), *Partner at Fox Rothschild*

Sam litigates commercial and insurance disputes in state and federal courts in Pennsylvania, often handling cases in the health care industry. He also assists financial services companies in obtaining necessary court approvals of business transactions. Additionally, Sam handles construction litigation matters on behalf of public and private owners, developers, contractors, subcontractors, manufacturers, and lenders. He has successfully defended builders and developers, and pursued claims on behalf of homeowners in construction defect cases. Sam also handles contract drafting and negotiation, and provides counseling to clients regarding risk identification, mitigation, and avoidance. Sam was included in the list of "Pennsylvania Rising Stars" by *Philadelphia Magazine* and *Law & Politics Magazine*.

Q: Describe your practice and how it has changed over the past five years.

A: My practice has grown over the past five years, thankfully. In general terms, I am a commercial litigator and have been since I started my career. Over the past five years, I have concentrated my litigation practice primarily in the following three industries: (1) construction; (2) health care; and (3) insurance/specialty finance. In these areas, I regularly handle contract disputes, including disputes involving non-competition agreements.

I have developed an area of emphasis working with specialty finance companies to obtain required court approvals of specialized assignment transactions. My Firm regularly seeks and obtains approvals of the assignment of lottery proceeds and/or structured settlement proceeds in several states, including, without limitation, Pennsylvania, New Jersey, New York, Delaware, Florida, Colorado, and Nevada. Our breadth of practice and national scope allow us to handle these matters, which are often time-sensitive, cost effectively and efficiently. We have grown this practice significantly and I look for continued growth in this area in the coming years.

Q: What is an important legal issue in your practice area and how does it affect your clients?

A: The law is not static. It changes constantly and we keep on top of these changes to best advise our clients. For example, we are currently awaiting a Pennsylvania Supreme Court decision relevant to the enforceability of non-competition agreements. This case could have major ramifications for employers and employees impacted by such agreements in Pennsylvania.

Likewise, the specialty assignment transactions that we handle involve both state and federal statutes and rules that can and do change. Also, in health care, regularly changing regulations and case law constantly affect our clients' businesses. Again, we need to remain on top of these changes to continue to provide the first-rate representation that our clients expect and deserve.

Q: What do you see as the greatest challenge facing law firms today, and how are you and your firm working to address that challenge?

A: Clients are increasingly rate-sensitive and alternative billing arrangements are on the rise. We constantly face the challenge of providing first-rate representation for our clients while remaining efficient, and cost-effective. We have excellent leadership at my Firm who continue to evaluate the legal marketplace so that we can meet and exceed our clients' expectations and offer a measure of cost certainty.

Q: What practices or thoughts did you have early in your career that you now see as being misguided, and what led you to move away from those practices or thoughts?

A: When I first started, I was of the mindset that the best path to success was to chain myself to my desk and work constantly. I learned that I was not correct.

It is true that any lawyer first needs to develop his or her skills and become an excellent lawyer. Staying chained to a desk, however, is a good way to remain anonymous. To succeed and grow a practice, your colleagues, both at your firm and in the bar, need to know you. The business community (if you are a business lawyer) needs to know you. The only way to achieve this is to "market" yourself both internally and externally. I learned quickly to get involved in areas of my community that I am passionate about as a way to find other means of branding myself inside and outside of my Firm. This has helped me to grow my practice and lead a more fulfilling professional life.

Q: Toot your horn a little – what is it about you and your firm that keeps clients coming back?

A: We consistently provide clients with the results they expect for a fee they can anticipate, bolstered by the excellent customer service they deserve. We are outstanding lawyers that take a pragmatic, business-like approach to the representation of our clients. We are a large firm with exceptional depth and “boots on the ground,” which allows us to provide remarkable competitive advantages with certain clients who do business nationally. We work long and hard to exceed our clients' expectations.

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