

Chicago Daily Law Bulletin®

Volume 160, No. 124

A business generator

Swanson, Martin & Bell's Nickels requires all attorneys in the firm to be their own rainmaker

BY JOHN FLYNN ROONEY

Law Bulletin staff writer

At Swanson, Martin & Bell LLP, Timothy G. Nickels and his colleagues create their own individual business plans.

"Business development is not just a couple of people's responsibility," said Nickels, the firm's managing partner since 2006. "It's everyone's responsibility."

So the firm's 114 lawyers must draw up a business plan and update it annually.

The lawyers can focus on their respective practice areas, but they also can suggest other practice areas that interest them.

For instance, the firm's employment, intellectual property and entertainment law practices were created as a result of the business plans, Nickels said.

"It's the philosophy that we want the lawyers to pursue their dreams," he said. "We encourage all of our lawyers to develop their own opportunities."

With 12 practice groups, the Chicago-based firm typically represents defendants in personal-injury matters. Its lawyers defend against product-liability and medical- and legal-malpractice claims. The firm also handles commercial litigation and defends toxic tort litigation including asbestos-related claims.

"One of the hallmarks of the firm is a pretty vibrant trial practice," Nickels said.

The firm's lawyers have tried 10 jury cases to verdict this year.

It was founded in 1992 by nine partners who left Edwards, Wildman, Palmer LLP — which was Wildman, Harrold, Allen & Dixon LLP at the time.

Nickels left Wildman, Harrold after 20 years in 2002 to join his former colleagues at the spinoff firm. At that time, Swanson, Martin & Bell had about 40 lawyers.

"It was a good opportunity for me to work with an excellent group of trial lawyers," Nickels said.

Brian W. Bell, a founding partner of Swanson, Martin & Bell, said Nickels brings energy, integrity and ability.

Bell and Nickels worked together at Wildman, Harrold when Max E. Wildman was that firm's managing partner.

Nickels possesses much of Wildman's spirit as a managing partner, Bell said. That includes encouraging lawyers to be the best they can be and allowing them to choose their practice areas.

"He fosters an environment that encourages young lawyers to become entrepreneurs," Bell said.

In the past decade, Swanson, Martin & Bell has more than doubled in size.

The firm hired eight lawyers in 2013. Another five lawyers joined this year.

Nickels, who primarily represents clients in medical-malpractice cases and other professional liability matters, has tried three cases to verdict this year. Those matters include two defense verdicts and a \$1.1 million verdict



Timothy G. Nickels

Managing Partner, Swanson, Martin & Bell LLP

- **Location:** Chicago, with small offices in Lisle and Libertyville
- **Revenue:** Declined to provide 2013 figures
- **Lawyers:** 114
- **Age:** 56
- **Law school:** University of Notre Dame Law School, 1982
- **Organizations:** Member, Chicago Bar Association Judicial Evaluation Appellate Review Committee; member, Chicago Volunteer Legal Services 50th Anniversary President's Committee; member, Notre Dame Law Association Board of Directors
- **Interests:** Relaxing with his wife and their four children, running and cooking Sunday dinners

against his client in a medical-malpractice case entered by a Cook County Circuit Court jury last week.

Clients are not just hiring the firm to try cases, Nickels said.

"I believe the current trend is how can we as lawyers facilitate a solution that does not involve eight years of litigation," he said. "Most clients want us to resolve their disputes short of a trial."

Many clients are seeking resolution of their matters through mediation and arbitration, he said.

In his management role, Nickels helps prepare the firm's budget with its chief operating officer. He also is involved in personnel matters including oversight of the associate and recruiting committees.

Nickels tries to bring law firm employees together and help them see the other side of a position to solve problems.

He also tries to move about the firm's downtown offices to meet with employees face to face.

"If I have to deliver bad news, I want to deliver it to them in person," he said. "Even if they don't like what they're hearing, I want them to know what I'm thinking."

Nickels is not a fan of e-mail as a communication tool with employees.

"E-mails can be misconstrued," he said. "The problems seem to get worse rather than better with e-mail."

Spending about one third of his time on management matters, he balances his management and practice responsibilities by relying on other executive committee members when he's involved with a trial.

"When you're going to trial, you have to lean on your colleagues to run the show," Nickels said. "When I'm done with the trial, I focus on management responsibilities."

Nickels also represents a wide variety of companies in business disputes. He declined to identify major clients of the firm.

Kevin G. Burke — a partner at Burke, Wise, Morrissey, Kaveny — has represented plaintiffs in three cases against Nickels. In the one medical-malpractice case involving Burke and Nickels that went to trial in the Daley Center, the plaintiff was a quadriplegic.

The jury awarded a \$10 million verdict to the plaintiff. But the jury returned a verdict of favor of Nickels' client — a radiologist.

While examining the plaintiff on the witness stand, Nickels asked him a few questions.

"But he treated him with great respect and warmth," Burke said. "I believe each of the jurors related to his approach."

jrooney@lbpc.com