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Shifting TIDES: Turning Generational Differences into Success

MISHA LOGAN-JOHNSON

Moderator

LEAKE ANDERSSON LLP

New Orleans, LA

mlogan@leakeandersson.com

MOLLY TEAS

HIGGS FLETCHER & MACK, LLP

San Diego, CA

mhteas@higgslaw.com

ALAN EASTERLY

LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC

Chattanooga, TN

alan.easterly@leitnerfirm.com

PHILIP DAVIDSON

HINKLE LAW FIRM LLC

Wichita, KS

pdavidson@hinklaw.com

Presentation Overview

Today's transportation litigation teams often include Baby Boomers, Gen X, Millennials, and increasingly Gen Z. Each group brings different communication styles, values, expectations, and comfort levels with technology. Those differences can either create friction or become a strategic advantage—especially in high-stakes trucking and transportation matters.

This session explores how multi-generational teams can improve case development, client relationships, and trial outcomes, including how different generations perceive and persuade juries. The focus is practical and conversational, using stories, examples, pop culture references, and audience participation rather than lecture-style delivery.

Objectives

By the end of this session, participants will be able to:

1. Identify key generational traits (Baby Boomer, Gen X, Millennial, Gen Z) that impact work style, communication, and decision-making in transportation litigation teams.
2. Describe at least three ways multi-generational teams can collaborate more effectively in case preparation, client management, and trial presentation.
3. Recognize how different jurors of different generations may perceive counsel, corporate defendants, and evidence in trucking cases.
4. Apply practical strategies to align generational strengths for more effective storytelling, examination of witnesses, and use of technology at trial.
5. Leverage generational diversity in their own firms, in-house teams, or litigation groups.

Generational Backgrounds

Working definitions (approx.)

- **Baby Boomers:** Born 1946–1964
- **Generation X:** Born 1965–1980
- **Millennials (Gen Y):** Born 1981–1996
- **Generation Z:** Born 1997–2012

These definitions are not rigid, and individual variance is significant. The session emphasizes tendencies, not stereotypes.

Common Traits (Tendencies, Not Rules)

Baby Boomers

- Emphasis on loyalty, work ethic, commitment to organizations.
- Often comfortable with hierarchy and in-person communication.

- Deep institutional knowledge and trial experience.

Gen X

- Independent, self-directed, skeptical of institutions.
- Often serve as “translators” between analog and digital worlds.
- Value efficiency, directness, and practical solutions.

Millennials

- Collaborative, feedback-oriented, purpose-driven.
- Comfortable with technology, remote work, and rapid communication.
- Strong interest in work-life integration and culture.

Gen Z

- Digital-native, video-first, mobile-first.
- Highly attuned to authenticity and social values.
- Expect rapid access to information and transparency.

Multigenerational Teams

Typical Sources of Friction

Common points of tension in mixed-age teams may include:

- Preferences for communication (phone vs. email vs. text/chat).
- Attitudes toward technology (paper files vs. e-discovery platforms, demonstratives, trial tech).
- Expectations about feedback, mentorship, and autonomy.

Turning Friction into Strength

Generational diversity can be leveraged to:

- Combine long-term industry knowledge with modern data tools (ELDs, telematics, video, analytics).
- Pair seasoned trial judgment with fresh perspectives on juror expectations and storytelling.
- Use different communication styles to relate effectively to carriers, drivers, insurers, in-house counsel, and risk managers of different ages.

Reverse Mentoring

One of the easiest ways to turn generational differences into a strength is through reverse mentoring — creating intentional opportunities for people at different career stages to learn from each other. Instead of assuming knowledge flows only from senior attorneys to junior lawyers, the idea is to make learning a two-way street. Convert everyday tech and culture gaps into continuous competitive advantage.

- Younger generations can help their more senior counterparts as follows:
 - Introducing tools that make collaboration with clients easier (shared dashboards, quick updates, visual summaries).

- Demonstrating faster ways to track information, manage documents, or communicate with teams.
- Sharing how younger professionals prefer to receive information — quick summaries, visuals, or short updates rather than long memos.
- Helping teams understand how different generations perceive communication tone in emails, texts, and meetings.
- In exchange, senior personnel can provide mentorship:
 - Showing how to translate information into practical judgment and strategy.
 - Teaching how to read the room during client meetings, negotiations, and difficult conversations.
 - Demonstrating how experience informs risk assessment and long-term decision making.
 - Modeling how to build trust and credibility with clients over time.
 - The advantage: your strategy improves faster because every generational gap becomes a learning loop, not a source of quiet frustration.
- When this exchange happens consistently, clients benefit because:
 - Communication becomes clearer and more responsive.
 - Updates are delivered in ways that fit different leadership styles within the client's organizations.
 - Teams combine speed, technology, and experience rather than relying on just one approach.
 - Solutions come faster.

High-Stakes Communication: Generational Dynamics in Catastrophic Accident Response

In the transportation and trucking industry, catastrophic accidents frequently occur outside normal business hours and require an immediate, coordinated response. Consider the following scenario:

At 3:00 a.m., a catastrophic crash occurs involving a commercial motor vehicle. The accident has resulted in serious injuries and significant property damage. Within minutes, multiple stakeholders must be notified and engaged, including:

- The client
- Claims representatives
- Outside counsel
- Accident reconstruction experts
- Risk management personnel.
- Potentially law enforcement and regulatory agencies

In these moments, communication style, decision-making speed, and information flow become critical. Multigenerational teams may approach these tasks differently depending on their professional experience, comfort with technology, and expectations around communication.

For example:

- Some professionals prefer immediate updates as information becomes available, even if facts remain incomplete.
- Others prefer to wait until information has been verified before communicating upward or outward.
- Some instinctively reach for a phone call, while others prefer text messaging, collaboration platforms, or shared digital dashboards.

These differences are often influenced by generational norms, professional training, and organizational culture. When understood and managed effectively, these differences can strengthen crisis response and improve outcomes for both legal teams and their clients.

Generational Approaches to Crisis Communication

Research on workplace communication patterns shows that generational groups often display different preferences in how they gather and share information during high-pressure situations.

Common patterns include:

- **Baby Boomers**
 - Often prioritize direct phone communication and chain-of-command reporting
 - May prefer confirmed facts before sharing updates
 - Typically value structured decision-making and experience-based judgment
- **Generation X**
 - Often acts as a bridge between traditional and digital communication styles
 - Comfortable with both direct calls and electronic communication
 - Frequently emphasizes efficiency and practical problem solving
- **Millennials**
 - Often prioritize rapid information sharing and collaborative problem solving
 - Comfortable using digital tools, messaging platforms, and shared documents
 - Tend to prefer continuous updates rather than delayed reporting
- **Generation Z**
 - Highly comfortable with real-time digital communication
 - Often rely on visual tools, data dashboards, and rapid information access
 - May expect immediate information flow even while facts are still developing

These communication tendencies can create tension in urgent moments if expectations are not clearly aligned. Recognizing these differing expectations allows teams to proactively structure communication protocols that serve both operational needs and client expectations.

Early Strategic Decisions in Catastrophic Claims

The first several hours following a catastrophic trucking accident are critical to both litigation positioning and risk management. During this time, legal teams and clients must begin evaluating key strategic decisions, including:

- Whether the driver should be prepared early for recorded or video statements
- Whether separate or conflict counsel should be retained for the driver
- When to involve accident reconstruction experts
- How to preserve and review electronic data such as ELD records, telematics, and dash-camera footage
- How to coordinate communication between the carrier, insurer, and outside counsel

Generational perspectives can influence how quickly these decisions are made and which sources of information are prioritized. When perspectives are combined effectively, organizations benefit from both rapid data gathering and seasoned judgment.

Client Perspective: Leveraging Multigenerational Teams

From a client standpoint, the most effective crisis response teams combine:

- Experience and institutional knowledge
- Technological fluency
- Clear communication protocols

In practice, this often means pairing team members with complementary strengths. When organizations intentionally integrate these strengths, crisis response becomes faster, more organized, and strategically stronger.

Practical Solutions for Multigenerational Crisis Response

- **Establish Clear Communication Protocols Before a Crisis**

Clear expectations should be established in advance regarding:

- Who receives updates
- How frequent updates occur
- Which communication channels should be used

Pre-defined protocols eliminate uncertainty during high-pressure situations. This protocol should be discussed with the client. Each client is different and the protocol may need to be adjusted based on the client's organizational needs and internal protocols.

- **Clarify Roles Within the Response Team**

Teams function most effectively when responsibilities are clearly defined. For example:

- One individual may oversee data gathering and documentation
- Another may manage legal strategy
- Another may handle communication with corporate leadership

This clarity prevents duplicated efforts and reduces communication overload.

- **Recognize Situational Communication Needs**

Different phases of an incident require different communication styles. For example:

Early response phase

- Rapid information gathering
- Short, frequent updates

Investigation phase

- More deliberate verification of facts
- Detailed written reports

Litigation phase

- Structured analysis and formal documentation

Recognizing these shifts allows teams to adapt communication styles accordingly.

Generational Differences and the Impact on Trials and Juries

Expectations by Generation (Conceptual, Not Deterministic)

- **Older Jurors (often Boomers)**
 - May respect traditional courtroom decorum and seniority.
 - Often patient with longer testimony and detailed timelines.
 - May place significant weight on personal responsibility and credibility of the driver and corporate representatives.
- **Gen X Jurors**
 - Often skeptical of both plaintiffs and corporate defendants.
 - Value directness, consistency, and perceived fairness.
 - May be sensitive to spin, overstatement, or overly slick presentations.
- **Millennial and Gen Z Jurors**
 - Comfortable processing information visually and quickly.
 - May expect data and technology (videos, black box data, telematics) to support narratives.
 - Often attuned to corporate culture, safety practices, diversity, and authenticity.
- **Transportation Litigation Themes**
 - In trucking and transportation cases, generational differences intersect with:
 - Reactions to large corporate defendants vs. individual drivers.
 - Expectations about safety culture, training, and monitoring.
 - Responses to nuclear verdict narratives and social inflation dynamics.

Practical Collaboration: The Generational Playbook for Trial

A. The Prep Play: Case Development

- Senior lawyers (often Boomers/Gen X) may:
 - Frame case themes, evaluate risk, and draw on prior verdict and settlement experience.
 - Anticipate opposing counsel’s moves and juror reactions based on decades in the courtroom.
 - Ensure that the client’s expectations are met while also keeping them informed as to the risks and challenges every step of the way.
- Younger lawyers (often Millennials/Gen Z) may:
 - Develop visual storyboards, timelines, and demonstratives.
 - Handle technology (e-discovery tools, data visualization, presentation software).
 - Conduct social media and online research on venues, jurors, or public sentiment.
 - Handle witnesses whose testimony may not significantly impact the case. This allows them to be viewed as an integral part of the team by the client and the jury while giving them hands-on experience needed to grow as a litigation attorney.

Use generational contrast to sharpen your case story.

- Pair a senior lawyer (Boomer/Gen X) and a younger lawyer (Millennial/Gen Z) to co-own case themes.
- Have the senior lawyer stress-test the story from a traditional, responsibility-focused lens (duty, experience, safety record).
- Have the younger lawyer refine it from a modern, values- and impact-focused lens (culture, transparency, data, human impact).
- The final narrative must persuade both of them; if it works across generations in your team, it is more likely to resonate across generations in the jury box and client base.

Turn generational differences into an intelligence asset before trial and major decisions.

- Designate at least one person from each generation as a “scout” tasked with answering:
 - “How would people my age view this theme, this witness, this settlement message?”
- Use them to preview:
 - Voir dire questions.
 - Corporate rep testimony themes.
 - Social media and public-facing statements in high-profile crashes.
- This pre-testing surfaces blind spots within each generation—for example, language that sounds fine to older lawyers but defensive or tone-deaf to younger listeners.

B. The Client Play: Working with Clients, Drivers, and Insurers

- To clients, deliberately presenting a multi-generational team signals:
 - Stability and experience
 - Innovation and adaptability
- More senior attorneys may excel at:
 - Building trust with long-time industry clients who value face-to-face meetings and continuity.
 - Navigating board-level communication and traditional reporting structures.
- Younger attorneys may excel at:
 - Providing more frequent, informal updates via email, messaging platforms, and collaborative tools.
 - Translating complex data into accessible, visual formats for busy stakeholders.
- The juxtaposition itself communicates: “We understand how the world used to work, and how it works now.”

C. The Culture Play: Reducing Internal Friction

Reframing “annoying” traits as strategic roles:

- “Over-prepared” → ideal person to stress-test cross-examinations and motions.
- “Always on the phone/computer” → monitor media, social platforms, and digital chatter about the case or client.
- “Skeptical and blunt” → reality-check for case value and settlement posture.

D. Takeaways for Attendees:

- **Pairing** : Intentionally pair a senior and a junior lawyer on each significant trucking case for shared ownership of strategy, storytelling, and technology.
- **Perspective Check**: Before finalizing openings, closings, or settlement messages, ask: “How would this land with a juror your parents’ age? Your own age? Your younger cousin’s age?” Determine where each generational strength lies within your office and assign a specific role based on those strengths (e.g., “visuals lead,” “story lead,” “client liaison,” “jury analyst”).
- **Role Clarity**: Determine where each generational strength lies within your office/team. Assign generational strengths to defined roles (e.g., narrative lead, visual lead, tech lead, client liaison, jury feedback lead).

Final Thoughts and Takeaways

Today’s transportation litigation requires fast decisions, clear communication, and coordinated teams. Because both legal teams and client organizations now span multiple generations, differences in communication styles, technology use, and decision-making approaches are inevitable. When recognized and managed intentionally, these differences can strengthen, not hinder client service and litigation strategy.

Key Takeaways

- **Align communication expectations early.** Determine when clients and team members want updates and the preferred communication method, especially during crisis situations.
- **Leverage multigenerational strengths.** Experienced professionals bring judgment and strategic perspective, while younger team members often contribute speed, technology skills, and digital organization.
- **Recognize that juries are multi-generational.** Diverse legal teams are better able to craft messaging and case themes that resonate with jurors of different ages and perspectives.
- **Establish clear roles and communication protocols before emergencies occur.** Defined responsibilities help teams respond quickly and efficiently when high-stakes events arise.
- **Treat generational differences as a strategic advantage.** Encouraging collaboration and knowledge sharing improves client service, decision-making, and overall team performance.

Ultimately, the goal is not to eliminate generational differences but to leverage them to build stronger teams, clearer client communication, and more effective litigation strategies.