

Heather Becker

Captivated by Complexities in Employment Litigation

by Jo Layne

Heather R.M. Becker loves a challenge. In the past 18 months, she has had four jury trials — an unusual and significant number since labor and employment cases don't go to trial very often.

The first case stands out to Becker, 38, a partner at **Laner Muchin, Ltd.**, in Chicago, because rather than represent an employer, or a “faceless corporate entity,” she was representing two college professors who had dedicated a combined 56 years of their lives to educating students.

The case originally involved 16 counts and multiple defendants associated with a local community college, but Becker and her team were able to get all but one of the counts dismissed using motions to dismiss and motions for summary judgment. The only remaining count was intentional infliction of emotional distress against the two professors.

When the jury reached a verdict in their favor in January 2015, Becker was ecstatic that she was able to successfully defend clients who had been very emotional about the claims made against them.

“It was a significant victory because it vindicated these two professors who had been dragged through years of litigation for doing nothing more than caring about and trying to educate their students,” she says.

Since 2006 when Becker joined Laner Muchin, she has primarily represented public and private sector employers before state and federal courts and administrative agencies in cases involving employment discrimination, harassment and retaliation, workplace accommodations, civil rights, wrongful discharge, wage and hour disputes, employment contracts and employee-based torts.

The complexities that go along with any lawsuit are what drew Becker to litigation, and the disputes she encounters every day continue to keep her engaged in her thriving employment litigation practice.

“For any client that I represent, the starting point is trying to understand the big picture as quickly as possible — what's my client's business, what are my client's goals, and what options do we have in reaching those goals,” she says.

Becker is captivated by each new complaint and by the process in which she begins to explore the people involved in the case and their stories. She spends the



next one to two years — or sometimes up to six or seven years — understanding the ins and outs of the business and connecting with the witnesses, all while gathering vital information and crafting an effective litigation strategy.

“One of the best parts of my job is getting to know my clients and having the time to develop that relationship of trust with them, to understand where they are coming from and how I can help,” she says.

Family Values

Becker was born the youngest of three kids in the small town of Bronson, Michigan, which has a total population of about 2,300 residents. Her parents also grew up in Bronson and instilled in her many of the values she carries with her today.

Neither parent attended college, but they made clear to their children that nothing was more important than getting a good education. After being recognized as one of her high school’s valedictorians, Becker joined her siblings at Michigan State University and graduated at the top of her class with a bachelor’s degree in business administration in 2000.

Becker moved to Chicago in 2000 to attend DePaul University College of Law. Her most significant accomplishment in law school was serving as the editor-in-chief of the *DePaul Law Review*. In that role, she managed the 40 to 50 law review members who were responsible for writing, cite checking, editing and publishing four volumes of the journal in just 12 months.

Becker met her husband, Jeffrey Becker, through the law school’s mentorship program. Jeffrey, then a first-year law student and now her husband of almost 11 years, is a partner at Swanson, Martin & Bell LLP in Chicago and the chair of its Entertainment and Media Law practice group.

In 2003, Becker graduated from DePaul, *summa cum laude* and Order of the Coif, and joined Schiff Hardin LLP. At the time, Schiff Hardin was unique in that it allowed first-year attorneys to “float,” or pick up work, in any of its more than 20 practice groups. During her first year, Becker practiced in several areas of the law, including corporate, general litigation, insurance coverage, and labor and employment.

Becker’s father had been a member of the International Brotherhood of Electrical Workers in Michigan for his entire career, so she was already attuned to many workplace and labor issues from the employee standpoint. Even though

she worked on the defense side at Schiff Hardin, for three years she brought her perspective of growing up in a union family to her labor and employment practice.

In March 2006, Becker moved to Laner Muchin, drawn to the firm’s exclusive concentration in labor and employment law and litigation, business immigration and employee benefits. Today, she focuses her practice on employment litigation, largely representing public sector clients and government officials, as well as private sector employers and their managers. In addition to her litigation practice, Becker also works with her clients on a variety of day-to-day employment issues and provides training when necessary.

“While I love litigation, litigation is not always the best or the right path for my clients,” Becker says. “Many days I am working with them on simply how to have open and honest communications with their employees when problems arise.

“There are countless reasonable solutions and compromises that can be made when employers and their employees understand

“While I love litigation, it’s not always the best or the right path for my clients...(often) I simply work with them on how to have open and honest communications with their employees.”

what the law provides and keep the lines of communication open,” she adds.

While building their law practices, Becker and her husband have also built a family. Becker gave birth to her daughter, Ruby, in 2009, and became partner the month after she returned from maternity leave, on Jan. 1, 2010. For her, it was the next logical step in her career and a testament to her success at Laner Muchin.

Becker gave birth to her second child, Brady, in 2011. Having a family and a busy law practice presents its own set of challenges, Becker explains, but she tries to incorporate many of her small-town values in her own home — starting with a commitment to being involved in her kids’ day-to-day lives.

“Most nights, I pick the kids up from school, I help them with their homework, and we have dinner together,” Becker says. “It may mean returning to the day’s work in the evenings and on weekends, but it is how I was raised, and I value that time with the kids.”

She also stays active in her kids’ school,

including room parent duties, helping with annual fundraising efforts, and serving as one of the leaders of her daughter’s Daisy Scout Troop.

“Being an attorney in private practice and an involved parent is not easy,” Becker says. “But I would not change it for anything, and I’ve learned a lot of lessons that I try to pass on to my co-workers and friends in the legal community who are just starting out with a family or struggling to find the right work-life balance.”

Key to Success

One of Becker’s most recent jury trials involved an age and gender discrimination lawsuit against four high-level officers for a public sector employer. The case had already gone up to the U.S. Court of Appeals for the Seventh Circuit and the U.S. Supreme Court on various issues when Becker and her team were asked to step in and prepare the case for trial.

They had multiple witnesses, thousands of pages of documents, and an aggressive plaintiff’s counsel on the other side. The key to trying the case was simplifying the issues and making the narrative easy for the jury to understand.

After a week-and-a-half-long trial, Becker and her team got a favorable outcome from the jury for all four officers on both counts.

Brent Stratton, chief deputy attorney general in the Office of the Illinois Attorney General, who hired Becker and worked with

her before and throughout the trial, was most impressed by the way she prepared witnesses. Even though all of the witnesses were lawyers — and lawyers don’t always make the best witnesses, he says — she knew how to relate to them and play to their strengths.

He was also impressed by her easy manner with the jury and the judge.

“It was clear that the judge respected her and the way she argued things, and it was clear that the jury totally believed in the way she was presenting our case,” Stratton says. “That was a tremendous comfort for me as the one who was sitting in the back.”

Stratton adds that her win was even more significant since she didn’t start from scratch on their case.

“We were handing her a case where she didn’t have a lot of ability to fix anything that may not have been done the right way or just hadn’t been done,” he says. “She had to play the hand that was dealt and just did a fantastic job.”

Becker points out that in this case and

in the case involving the two professors, it would have been easy to become bogged down in the details or go off on tangents. However, their arguments resonated with the juries because they gave a simple narrative of what happened and tied all of the facts together.

Becker credits much of her development as an attorney to two of her fellow partners, Jeffrey S. Fowler and Joseph M. Gagliardo. Fowler helped recruit Becker to Laner Muchin.

“Jeff Fowler pushes me every day to become better at my job,” Becker says. “Whenever we finish a task, whether it is a witness examination, a deposition or something as simple as a case status, he always turns to me and asks, ‘What could we have done better?’”

Gagliardo, the managing partner of Laner Muchin and chair of its litigation department, has taught Becker the client-driven approach to practicing law.

“My job is to understand the client’s business and its goals in any matter, and then help the client navigate the process to reach its goals,” Becker says. “It’s not about my ego or how much I can bill on a matter. It’s about getting the best result for our clients in a cost-effective manner. Joe has really ingrained that in me.”

Gagliardo agrees that Becker works

to understand her clients’ culture and dynamics. He says this is especially important in labor and employment cases because, as those cases move forward, they could affect how the public views the employer or alter the morale at the company.

In addition to providing practical business advice, Gagliardo points out that Becker knows how to distill complex issues so that clients, as well as judges and juries, understand them.

“She’s very highly respected within the firm and within the legal community, obviously in part because of her vast knowledge of employment law and in part because of her experience in trying a number of complicated employment cases,” he says.

“She’s also able to combine a number of different characteristics in a way where she’s very persuasive with judges and juries, and also has a quiet confidence, which creates a lot of trust in her by clients.”

In addition to her labor and employment practice, Becker is actively involved in the Chicago Society of Human Resources Management, also known as Chicago SHRM. Over the past two years, Becker and her partner, David A. Moore, have hosted the organization’s monthly roundtables,

which provide local human resources professionals with the opportunity to share ideas and discuss relevant topics in their field, such as effective recruiting techniques and employee retention.

“Being a part of these roundtables has been a rewarding experience for me,” Becker says. “I’ve taken away countless ideas and tips that have helped enrich my counseling practice, and I hope that the participants find value in the legal perspective that I add to the discussion.”

When asked what makes her a successful attorney, particularly in this area of the law, Becker says it is her understanding that her work has a real impact on people and their livelihoods.

“Many people identify themselves through their employment,” she says. “When issues arise in the workplace, it can be very personal and emotional for everyone involved. It is challenging and rewarding for me to help my clients resolve those disputes.

“And when they can’t be resolved and litigation is necessary, knowing that we’ve done all we can do allows me to be a fierce advocate for my client.” ■