Firm's managing partner helps his clients 'solve problems in advance'

By Brian Cox

When David Lenz became managing partner of Schneider Smeltz Spieth Bell, he was only 38 and knew he was going to have his hands full as he transitioned into the role of leading the 156-year-old Cleveland law firm.

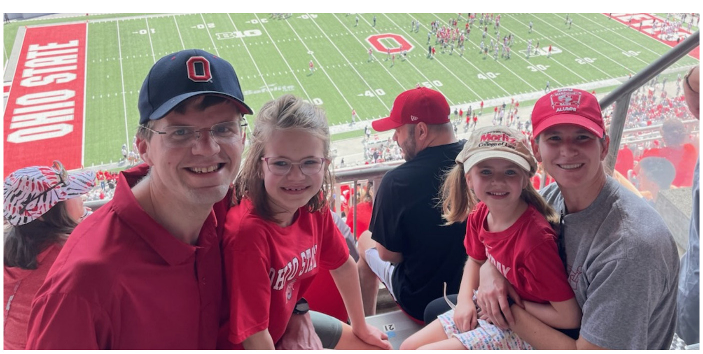
What he couldn't have known was that his hands were soon to be full to overflowing.

Lenz was named managing partner in January 2020. He had only 2-1/2 months to get his bearings before the COVID-19 pandemic hit with an unprecedented force that brought many law firms and other businesses across the country to their knees. Lenz remembers the regular partners meeting the first Thursday of March where it was decided to make remote work possible for the entire staff "in case COVID becomes a thing."

Ten days later Lenz told attorneys and staff they were not required to work in the office.

Seven days after that, he sent everyone home except for himself and the office manager. For several months, they were the only two working in the downtown office.

"It's been an interesting journey dealing with COVID," says Lenz, who over the course of a year sent out daily emails to the entire firm providing updates on the latest pandemic information, any firm news, and hopeful reassurance. "We didn't have a playbook, so I would essentially say, 'Let's try to figure this out together.'"



David Lenz and his wife, Jennifer, with their two children, Clara and Annette, at the Ohio State spring football game. Both David and Jennifer are double Buckeyes with 15 years and 5 degrees from OSU between them.

Lenz's leadership under crisis helped bring the firm through the pandemic.

His daily email has become a permanent part of his managing style — although now he only sends it out every Friday.

Schneider Smeltz Spieth Bell is the only law firm Lenz has worked for during his legal career. He joined Schneider, Smeltz, Ranney & LaFond PLL as an associate straight out of law school in 2006. The firm merged with Spieth, Bell, McCurdy & Newell Co., LPA 10 years later. The merger brought together two of Cleveland's oldest and highest quality law firms and created one of the largest trusts and estates practice groups in Ohio.

Despite his path to managing partner appearing to run in an efficient straight line, Lenz is hard-pressed to say when he decided to become a lawyer. It was a bit of an organic process. That his practice should focus on trusts, estate planning, and the administration of wealth transfer for individuals and families, however, is likely connected, in some regard, to as an early teen his learning the importance of financial planning.

Lenz grew up in Mentor, a town in northeast Ohio that sits alongside the shore of Lake Erie about 25 miles east of Cleveland. His father worked in life insurance and financial planning for Lutheran Brotherhood, which was a forerunner to what is now Thrivent Financial.

Lenz was 14 when his father died unexpectedly of a cardiac episode. His father practiced what he preached professionally, says Lenz, and left the family financially able to maintain "an even keel."

"The main way that experience has affected my practice, now working in the estate planning world, is understanding the reality that major events could happen at any time," says Lenz. "It's important to have planning in place because we don't know when our time is up."

After high school — where he excelled as a trombonist in the band — Lenz attended Ohio State University, majoring in economics and political science.

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"Somewhere around that time I decided I was interested in law," says Lenz. "And I had an inkling that I wanted to go into the planning side of law. I'd rather help people solve problems in advance, not fight about them after the fact."

He was accepted into several prestigious law schools, including Penn, but when the Michael E. Moritz College of Law at OSU offered him a full scholarship with a stipend, the choice was clear.

During law school he worked for the university's office of planned giving for a year and then for the university's general counsel office and the Ohio Department of Education. He recalls with a laugh interviewing for a clerkship with the Minnesota Supreme Court.

"It was me at one end of the table and all seven justices at the other end and three of them were Justice Anderson," he says.

When he graduated, Lenz faced a critical career choice. He was offered an associate position with the Trusts and Estates Group at Schneider Smeltz at the same time as a post with a federal judge on the Court of Claims in Washington, D.C.

Lenz chose to build his practice — and his life — at a historic firm that was well established and carried a sterling reputation in his home state. He appreciated the firm's general culture that held high expectations for its attorneys but also valued them as well-rounded people who were active in the community.

He proposed to his wife, Jennifer, the week before taking the bar.

"She was rather shocked that I wasn't focusing on the bar exam and was proposing to her at that time," says Lenz with a wry smile.

The couple met as freshmen at OSU and played in the athletic band together. Lenz says the "universe kept bringing them together" over the course of their undergraduate years. They married not long before she finished veterinary school in 2007. They now have two children. Clara is 9 and in the third grade and Annette is 6 and in kindergarten.

Lenz and Jennifer were both active with the Lutheran Campus Ministry at Ohio State, a ministry site then sponsored primarily by the three Ohio synods (regions) of the Evangelical Lutheran Church in America (ELCA).

Lenz's family had been regular church attendees in Mentor and when his father passed away, Lenz says he found comfort in the routine and stability the church offered. His faith has remained an important component of his life.

A lifetime of service and leadership in the church began his freshman year at OSU when he was asked to serve on the board of Neighborhood Services Incorporated, which was a food pantry that was established and operated by churches in the area.

"I'm 19 years old, and what do I know about being on the board of a food pantry?" says Lenz. "My main qualification was that I was a freshman, so I'd be there for a three-year term."

He wound up serving a second three-year term when he stayed for law school. "The service components of the faith life that get the church out from just Sunday mornings in the building became important to me doing that work," he says.

When there was a push to close the campus ministry and merge it with another program, Lenz and Jennifer helped lead a successful effort to keep it open. The campaign made Lenz more aware of the governance of the greater church and when he returned to Cleveland after law school, he joined his home congregation's council, becoming president at the age of 28. He also continued his passion for service in hunger ministry, working with Jennifer to establish a partnership between Advent Lutheran and St. Andrew Episcopal churches in Mentor to operate a food pantry that is going strong 13 years later.

He was later elected to a young adult position on the Northeastern Ohio Synod Council and then to two three-year terms as its secretary. He is now four years into a six-year term on the Church Council, the ELCA's national board of directors.

"I'm pretty happy with where I am in life right now. How I view the world, and a lot of who I am has been driven by my faith and my involvement with the church, and I'd like to be able to share that with other people," Lenz says about the degree of his commitment.

Attorney David Lenz receives the Exceptional Service Award from the Estate Planning Council of Cleveland in 2018 for efforts to educate magistrates, judges and attorneys on Ohio's new digital assets law.

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Earlier this year, he was appointed to sit on the Commission for a Renewed Lutheran Church, which is tasked with looking at the governing principles of the denomination in its constitution with an eye toward making recommendations as to whether the church should hold a reconstituting convention.

Lenz says as a lawyer he is able to bring an important set of skills and understanding to dealing with governance concerns and constitutional documents.

"I enjoy the work, and I'm good at it," he says. "The church and my faith have been very important to me, so it is important to me that the church be able to continue to do that for others. And obviously there are a lot of headwinds against the church and faith in general in American society."

In college, the long-limbed Lenz discovered his natural penchant for distance running. Initially getting into running for exercise, he now tries to run one half-marathon in the spring and another in the fall. In 2021, he took first place in his age group at the Towpath Half-Marathon.

He ran the Buffalo Marathon with his brother in 2013, determined to finish in under four hours. He met his goal with 12 seconds to spare. His official time was 3:59:48. Two years later, he ran the Las Vegas Marathon in 3:59:36.

"I've finished two marathons in under four hours," says Lenz, "but neither one under 3:59."

In his 16-year career working with clients to identify their estate planning needs and helping families communicate their goals and purpose to the next generation, Lenz has learned that transparency is often the best tactic for avoiding later conflict.

"When I've seen an estate administration go badly, it's almost always because someone's surprised at what happened and they don't have the ability to ask Mom or Dad, 'hey, why'd you do it this way?'" says Lenz. "So, when clients ask me, "Should we tell our kids what we're doing or not?' I always suggest erring on the side of being transparent. It's better to give folks some idea of what's coming."

Lenz is one of seven attorneys at the firm who is a Fellow in the American College of Trust and Estate Counsel (ACTEC). He is also a member of the Purposeful Planning Institute, which explores ways for people to pass on their values in addition to their valuables.

Over the past decade, Lenz has become the Ohio expert on the handling of digital assets as part of an estate. His curiosity about the disposition of digital assets was piqued when a colleague died unexpectedly at the age of 40 and a few months later his profile popped up in Lenz's LinkedIn account. "What happens to that profile?" wondered Lenz. "Does someone take it down? Who? When? How?"

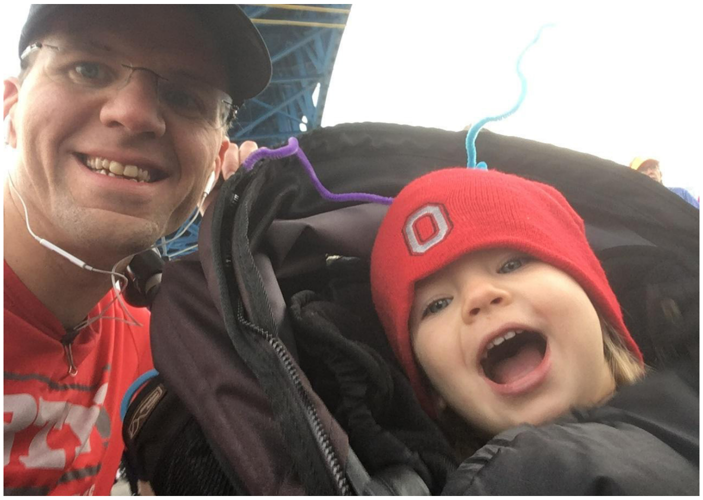
The puzzle led him down a rabbit hole and with the firm's encouragement, he began speaking and writing about the question. In the summer of 2012, he spoke at the Cleveland Metropolitan Bar Association's Hot Topics for Estate Planners seminar on what happens to digital assets, such as email and social media accounts.

All terms of service agreements are personal to the person, explains Lenz, so they are not designed for a fiduciary to step in. Questions arise around if the fiduciary even has all the passwords and, if they use the passwords, are they in danger of violating federal computer privacy laws.

"It was a mess of different legal issues touching probate, contract, and computer privacy," says Lenz, who began speaking widely at CLE events throughout Ohio and nation-wide. "There wasn't much legislation going on addressing these issues at the time."

In 2014, the Uniform Law Commission finally got into the act and wrote the original Uniform Fiduciary Access to Digital Assets Act, which met with strong opposition from technology companies as well as from privacy advocacy groups. The ULC later introduced a revised version that found wider acceptance from state legislatures.

Lenz served on a subcommittee of the Ohio State Bar Association that helped review and recommend the act prior to the state General Assembly ultimately adopting it in 2017. After the act was adopted, Lenz returned to the speaking circuit to explain what the new law actually said. He continues to follow new trends, now also speaking specifically on planning issues relating to cryptocurrency.



An avid runner, David Lenz and his daughter Annette, 3, get ready at the starting line of the Cleveland Metropolitan Bar Association's annual Halloween Run for Justice in October 2019.

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"Since 2013, I've done over 103 continuing education presentations," says Lenz. "More than half were on the digital assets topic."

On the wall of his office hangs a framed award that Lenz received in 2018 from the Estate Planning Council of Cleveland for Exceptional Service. The award is given to someone who over the past 24 months has made particularly important contributions to the estate planning community. The award recognizes Lenz's efforts to educate magistrates, judges and attorneys on the new digital assets law.

With the pandemic crisis receding into the past, Lenz can turn his focus to expanding the firm's brand beyond the estate planning it is widely known for in the profession.

"I want us to be a great firm that happens to have a great estate planning practice," he says, "so we're actively trying to build our excellent corporate and litigation groups as well to broaden the firm's reputation."