



TIPS AND TRENDS INDUSTRY ADVICE AND DEVELOPMENTS

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Traveling Back on for Trials? Here's How to Book Smarter

The U.S. court system basically ground to a halt during the COVID-19 pandemic. Judges hustled to hold some hearings via phone and video chat, but the overwhelming outcome was gridlock. As vaccinations became available and positive case numbers declined, courts have revved up nationwide. However, law firms that used to have tried-and-true processes for booking their attorneys for out-of-town trials are running into new obstacles.



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The surge in demand — coupled with higher costs and staffing shortages — is creating difficulties for travelers and providers (airlines, hotels, ground transportation companies, etc.). According to the [Global Business Travel Association](#), prices for business air travel increased 48% in 2022. Another 8% rise is expected in 2023, which will take us above prepandemic levels. [STR](#) reports that the average U.S. hotel rate in spring 2022 was \$146.61, the highest monthly average on record. In high-demand cities, like Miami, the average rate in April was \$329.50, a 30% hike from April 2019.

The problems in the airline industry are even more dramatic. Higher costs, delays, schedule changes and overcrowded flights are causing global consternation. The United Kingdom saw 500 flight cancellations in one weekend in June 2022.

If you are on for booking travel, these three tips can make sure your out-of-town trial bookings go smoothly.

1. DIVE INTO THE DETAILS

Make sure you have all the information you need before you begin. Here are some questions to consider:

- What are the dates of check in and potential check out?

- What is the address of the courthouse, and how far away are the attorneys and staff willing to stay?
- How many sleeping rooms do they require, and will they need additional meeting or working space?
- Will they need AV equipment or special internet setups? Do they need any disability accommodations?
- Will they require 24-hour room service, the ability to bring in outside catering or laundry/dry cleaning options?
- Do they want guarantees that opposing counsel will not be in the same hotel?

Having a thorough understanding of the team's needs and preferences is key to ensuring the trip is a success and allows you to discuss everything upfront with each hotel you vet to avoid misunderstandings.

2. START EARLY

Book hotels as soon as you have the trial dates. Hotel occupancy rates averaged 66% nationwide in 2018 and 2019. As a result of the pandemic, they tanked to 44% in 2020 and 58% in 2021. These days, they are back at 63% and expected to hit 65% for 2023, according to the [American Hotel & Lodging Association](#).

While this is good news for the hotel industry, staff shortages (2022 employment levels are down 16% from 2019) and higher room rates are leading to frustration for many guests. This makes it essential to book early and to prepare your attorneys and supporting staff for possible hiccups in service.

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We always recommend sourcing at least five hotels to get a sense of the local rates and cancellation policies and to determine which ones will be able to best accommodate all the above needs.

If you need to book rental cars and/or drivers in the trial city, be prepared for higher costs and tighter supply there, too. Prices are expected to increase 4% in 2022, and an additional 3% in 2023, reaching levels above those seen prepandemic.

3. TAKE CARE WITH THE CONTRACT

Since trial dates can change, you should always ask providers about their cancellation policies. You want the hotel to hold the rooms — preferably with no money down — until you can confirm everything with the court. Keep the lines of communication open by letting hotel representatives know about any potential delays or changes in your requirements. Ask them for the same courtesy; for instance, they should let you know if they have any changes in rates or availability. You also need written confirmation that you will have right of first refusal before they release any of your rooms.

If you have provided a deposit and the trial date changes, let the hotel know as soon as possible. Cancellation fees are usually set on a sliding scale with higher amounts as you get closer to check-in. You want to make sure the contract entitles you to as much of your deposit as possible

and that any cancellation fees will be applied to a future booking. This is a win-win, as it reduces your financial risk and lets the hotel know to expect future business from you.

Your contract should also include an "early departure" clause. This will lower the fee the hotel charges if you check out early, which can happen if the case is dismissed or a settlement is reached. Negotiating a favorable cancellation policy can save you and your clients tens of thousands of dollars.

Following these simple steps will help ensure you arrange the best and least-stressful scenario possible so those traveling to the trial can focus on winning the case.



About the Author

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