

Well-Being? Me, Solo/Small Firm Gal-Guy? *Who Are You Kidding?* I Don't Have Time for "Me", or Well-Being!!!

TRUE OR FALSE: Solo/ Small Firm (SSF) lawyers don't have the time or the luxury of thinking about their own well-being? It would not be unfair to call that a *trick question*. It would also not be unfair to say there is no wrong answer to the question.

I tire of *buzz* words and phrases and while it is a little disingenuous (another word I don't believe a lawyer should ever utter) for me, a member of the state bar's

Well-Being Committee, to say I have tired of the phrase *well-being* might qualify as disingenuous. Like the word "awesome", just hearing the words, "well-being" can be *not-so-good* for my well-being. I fear when we hear *well-being*, we stop listening.

I want to come at it from another direction. I want talk about being ***Selfish***. I will take it a step further and say, I want to talk about not just being selfish but being a little ***Self-Centered***. I want to talk about *us lawyers* – not the lawyers working in big firms or lawyers who work for agencies or judges or district attorney's and public defender's offices where the opportunity to take some time for "you" is more possible -but the SSF lawyers who are fighting-the-fight (the practice of law) alone, or with just a couple of you. It is important to note that around 50% of the New Mexico bar is solos or small firm outfits.

Maybe the Answer to My True / False Question is True

I would suggest as a *starting point* that to sell well-being to lawyers in general is a *hard sell*. Lawyers by training,



by plain reading of the Rules of Professional Conduct and the realities of the practice of law have always (that may be too strong, but too often) put the client first and their lives last on their "To-Do" List. For the SSF lawyer, that has been particularly true.

The SSF is all alone – in business for him/herself – trying to attract clients, tend to those clients' legal needs which means deadlines, court schedules, keeping the client happy, attracting new business so there is always a flow of income because there is a payroll for legal staff (and, hopefully for the SSF), not to mention their family (kids and spouse) and we do all that trying to *look good and as if we were taking it in stride*.

I attended YMCA camp as a kid (Camp Edwards in East Troy, WI) and at the end of the camp session I was sent home with a card with a motto on it and a nice note from the camp counselor - **I'm Third**. It was a YMCA camp so you can figure out on your own what it was supposed to mean, but it fits nicely here to support my theme of being a little selfish and self-centered.

Yes, I know the Rules of Professional Conduct and the oath we take as lawyers makes clear that our professional obligations to our clients appear to take priority. And our families and loved ones are right in their fighting for our attention, and to be equally a priority – which they rightly deserve. But if everybody is in front of us – if I’m **Third** – how does the SSF pull it off? As Pam Moore told us in her January 26, 2022 article, “*What’s Next*” The New Mexico Well-Being Committee’s 2022 Campaign, a lot of us do not do it well.

The author of this article is a *recovering drunk* – I have some skin in this game, I have been there. I thought I was doing the right thing, the “good lawyer” thing by trying to put everyone and everything in front of me, but I was fooling myself. Not taking care of “Me” first led to me letting down clients, my family and those in my life I loved the most.

That is my bad news, but here is some more bad news from this lawyer. Even after having found that ledge¹ in my life and making a lot of changes, I am not doing enough.

For the SSF, answering the TRUE/FALSE question, TRUE, would not be a wrong answer, but maybe the TRUE/FALSE question is a *trick* question, and there is another answer.

Little Leaps of Faith

Zuni lore reflects the following advice being given to young natives when they are initiated into adulthood: *As you go forward into your life, you will come upon a great chasm. Jump. It is not as wide as you think.* That involves some *faith*, and we will address faith in a bit.

The challenges that confront the SSF discussed above are real, and trying to convince you to put yourself **first**, in front of clients and family etc., or at least on a level tier, isn’t going to be persuasive. But maybe you can be talked into some *Little Leaps* (baby steps) of faith.

I am too much of a storyteller, but I remember 1968-69 and my last years in college when I was taking 18 semester hours to maintain my 2S draft status and the classes were all the hard courses I had put off till the end and there was no more putting them off. I had a part time job and there was a lady in my life that received much attention, and I was involved in a host of campus activities, and every weekend was full of events that cannot be discussed in this

polite company. I was stretched in every direction, and it turned out to be my best semester in college.

Since college, there have been other occasions where there were too many spinning plates, yet it all worked out. Those times when you had trials on three court’s dockets with overlapping Scheduling Orders, and it all worked out. It was those times when I did my best stuff.

Just an observation, but do we have too much time, or is too much time bad, or, for the purpose of my message, do we have time to put ourselves **first**, to be a little **selfish** and **self-centered**? The chasm may look wide, but let’s take a leap of faith.

This is the first of two articles focusing on the SSF lawyer. The article that follows next month and the related Podcast present ideas/possibilities for *Little Leaps of Faith*.

Endnotes

¹ In the Recovery World, people often refer to *finding their bottom*. I believe on the way down we find *ledges* – that place where there is an opportunity to make changes in our lives. Unfortunately, we too often don’t make those changes, and we do find our *bottom*, and that is death. Too many in our bar have found that *bottom*.

Briggs Cheney: Following graduation from law school at UNM and for the better part of his 49 years of practice, Briggs’ career has been that of being a lawyer’s lawyer and helping lawyers throughout New Mexico - defending them in the civil arena and guiding them through the disciplinary process.

