

# Well-Being in the Bigger Firm

## *“Leash the Dog, Secure the Scene”*

By Briggs Cheney

Before joining the State Bar JLAP program as its Clinical Coordinator, Tenessa Eakins was an EMT in San Diego. Tenessa is subtly stoic, wickedly bright and has a sense of humor that can cut you to the quick. She frequently reminds us at JLAP and the Well-Being Committee of the EMT mantra, “Leash the dog, secure the scene.” Where does that fit into well-being and big firms? Good question. First, if you got this far, it got your attention. Bear with me.

As Tenessa explains, when an EMT arrives on a scene, before doing anything else, they are trained to make sure the dog is leashed or there is no active shooter. This is EMT training jargon, but you get the drift – before the EMT can render aid, they first must make sure they are safe. “Okay, but well-being in big firms – I don’t get it?” you ask.

Fair question. This out-of-left-field EMT training cliché provides me a way to test a hypothesis – a personal hypothesis that may not be correct and a hypothesis that will provide our podcasters (members from two of our state’s oldest big firms) something to chew on and probably spit out.

After almost three years of working on the Well-Being Committee, considering how different legal communities address – or don’t address – well-being, conventional wisdom (or just an assumption) was that Big Firms already had this figured out and they must do it better. After all, “bigger is always better,” right? Of course not, but it does make some sense that a larger firm would have the resources to focus on promoting their lawyers’ well-being. And my conversations with lawyers in two of our state’s larger firms confirm that is the case. If you look outside of New Mexico to the Denver’s, Phoenix’s, Dallas’s, Houston’s and keep going east, what the really big firms are doing is pretty impressive. <https://www.americanbar.org/groups/journal/articles/2022/law-firms-are-using-wellness-programs-to-recruit-new-lawYERS/>

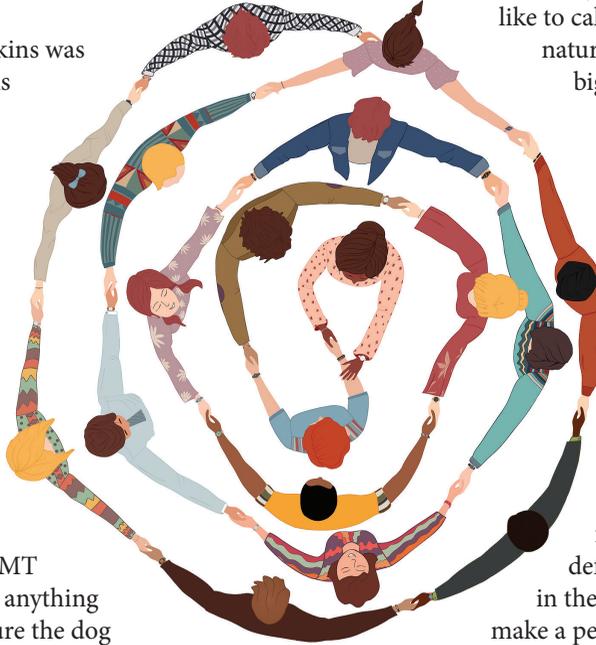
Here comes my hypothesis: Well-being – what I like to call “being selfish” – does not come naturally or easily, and although the bigger firms have the resources to offer more opportunities for lawyer well-being, it’s an inside job and requires being intentional. We are in the wild west, so let me put it in cowboy terms: “You can lead the horse to water, but you can’t make it drink.”

Let me be even more direct: I do not think it matters whether the lawyer works for a big firm or is a solo or small firm practitioner or a public defender or prosecutor or works in the public sector, the lawyer must make a personal decision that well-being is important to them. They need to learn what

Tenessa learned as an EMT – to make sure the dog is leashed or the scene is secure – to worry about themselves first.

In talking with some bigger-firm lawyers—a statement that sounds pretty lousy—I know well, I heard some interesting terms: business model, culture, entrepreneurial and middle-roaders. Bill Slease combined those terms nicely when he suggested well-being in the bigger firms “is a personal journey versus professional obligations versus professional success.” This refers to the tension that arises between the lawyer’s personal life, the lawyer’s professional obligations to clients and the lawyer’s success in the firm (partner/shareholdership, compensation formulas, anticipated/expected billable hours, etc.).

This last year, we have focused on legal communities and now we are looking at the big or bigger firms. The times are changing, of course, in New Mexico and big/bigger firms from other states are now opening offices here, but in terms of pure-bred New Mexico big firms, “big” has been around 60 lawyers. But 60 is a big legal community, and what I learned from my big-firm friends—which sounds better—is that each lawyer is different, and it was emphasized that diversity is important today. Well-being programs are not one-size-fits-all.



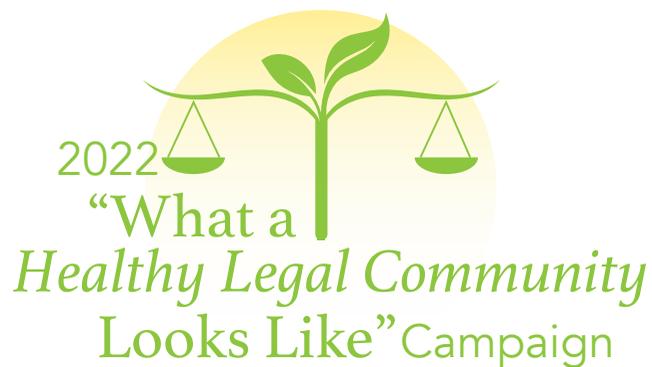
I want to jump back to those “interesting terms” I mentioned above: business model, culture, entrepreneurial and middle-roaders. Yes, lawyers in bigger firms are different and diversity is so important, but my big firm friends also emphasize that big firms’ economic survival depend on having a mix of lawyers – lawyers who are entrepreneurial and love the hard-charging, lawyers who are interested in the business model and perpetuating the firm tradition and the middle-roaders who maintain the fiber and culture of the firm. I am sure I am not capturing exactly what my big firm friends were trying to communicate, and I am not sure they knew exactly what they were trying to say. It is hard to make perfect sense of the law business – it’s magic. There are probably those who say the law business doesn’t make any sense, and they don’t try. I think Bill Slease got darn close when he observed that well-being in the bigger firms is a “personal journey versus professional obligations versus professional success.” For the big firm, there must be a tension that keeps it all going – the magic.

Enough big-firm mystical talk. The big firms do make a lot available for their lawyers and staff. EAP is available to those enrolled in the firm’s health plan, mental health services are available to include interactive, online software addressing mental health issues, firm committees planning and offering a whole host of wellness and social activities (I heard tales of corn hole and dessert competitions), gym memberships and the traditional office picnics and holiday events. But in addition to those more traditional benefits, these firms have sabbatical programs, flexible working hours, contracts for less than full-time work and, as you will learn from the referenced ABA Journal article, some firms provide professional coaching, lawyer-led mindful meditation sessions and the list goes on. There is a potpourri of well-being resources available which provides me a segue back to my hypothesis.

I still believe my proposed theory to be generally correct. Well-being, for any legal professional, not just lawyers, is an inside job; a personal and intentional decision to be a little selfish about yourself. Pam Moore often speaks of it being the State Bar and JLAP’s, mission to change the well-being culture in the legal community. It has taken this lawyer over two years to realize that Pam was spot-on. I had to decide to be intentional in taking care of myself – I had to decide to change my own person culture. That is an end-run back to my hypothesis that if lawyers begin to believe it is critical that they take care of themselves first (leash the dog, secure the scene), Pam’s dream of changing the well-being culture will slowly come to be.

One final thought about the big firms: They offer much to their lawyers – a potpourri of well-being – but they have one magic resource unique to being “big,” and that magic resource has two agendas. First, the big firms have an interest in their lawyers thriving – they want the lawyers to stay and grow with the firm – so they can stay big. But most important, and I heard this adamantly repeated from each of my big firm friends, they feel like a big family and each member of their family is important and they look after each other. ■

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#### Endnotes

<> “Magic” is this lawyer’s go-to-default when he can’t explain something in words – the blank tile in Scrabble® or the wild card in poker. Perhaps here, magic, is an undefinable mix that is part of a big firm for it to succeed.

<> The referenced ABA Journal article suggests that on the checklist of today’s prospective hires is “does this law firm care about lawyer well-being and what do they offer?”