

**Bridge the Gap Mentoring Program
Introduction to Career Satisfaction
Resource 15**

Resource 15 will facilitate a discussion about finding career satisfaction through balancing career and personal life, putting daily pressures into perspective, and reconciling job expectations with actual experience.

- Share with the new lawyer techniques to create and maintain balance between personal and professional life. Share your won experiences, including successes and failures, in finding balance between your personal life and career.
- Discuss strategies to achieve the following components to balancing personal and professional life:
 - How to create expectations for your employer and clients that are compatible with a healthy and balanced lifestyle.
 - How to give your all at work while saving energy and emotion for family.
 - How to plan for personal time.
 - How to maintain physical health with a busy schedule and how doing so contributes to your productivity and success.
 - How to make nutritious choices at home, at work or on the road and how doing so maximizes performance and energy levels.
 - How to plan ahead for the challenges of caring for children or aging parents.
 - How to develop and maintain friendships or other relationships when time seems to be in critically short supply.
 - How to foster professional relationships.
 - How to be efficient and productive at work, as well as how to prioritize and delegate tasks.
 - How to set limits at work in order to prevent burn-out.
 - Share stress management techniques. Discuss the attached articles. Sullivan, Pat. "You can find time to de-stress." Law Practice Today Feb. 2000, Hagreen, Kenneth, J., "Lunch with AMI: Helping Lawyers Overcome Stress." GPSOLO, January/February 2011, Zbylut, Greg, "The 15 Minute Sabbatical." GPSOLO, January/February 2011, Lawless, Gregory J., "Ride the Wave, Balance Your Practice," GPSOLO, January/February 2011, Allan, Rick, B., "Life Can Be Difficult, Misery is Optional," GPSOLO, January/February 2011, and "Ready Resources Just for You," GPSOLO, January/February 2011.

Resource 15

- Discuss how to reconcile job expectations with the actual experience at work. Discuss the new lawyer's expectations for her/his job, identify the aspects of his or her job which do not meet those expectations, determine together whether the expectations are realistic, and discuss ways to changes which will positively affect the work experience.
- Discuss ways to maintain a positive attitude at work and create a positive work environment to maximize enjoyment of work.
- Discuss the importance of identifying an individual in the work setting who can help answer questions about the culture of the office and how to balance your career and personal life. If mentoring inside, help the new lawyer identify that person (if it is not the mentor).
- Discuss ways to positively deal with the criticism of employers and clients.
- Discuss how pro bono work may contribute to having balance in a new lawyer's life.
- Share with the new lawyer tips for succeeding in the practice of law. Discuss the suggestions made in the attached articles. Levy, David. "Surviving your "junioring" years: Twenty Lessons for Lawyers Starting their Careers." Law Practice Today. March. 2005.
- Discuss how to endure the sustained demands for high achievement that accompany the practice of law. Discuss this attached article's relevancy to the practice of law. Loehr, Jim & Tony Schwartz. "The Making of the Corporate Athlete." Harvard Business Review. Jan. 2001. (See Resource 14.)
- Discuss the "do's" and "don'ts" of leaving a job because of job dissatisfaction, including the following tips:
 - Do work hard until you leave. If you are in the process of looking for another job, it will be easier to find one while you still have one.
 - Don't burn bridges by leaving on bad terms. You never know when and how you will have to interact with a member of your old firm in the future, or whether you will want to come back to your old firm.
 - Do be careful about the reasons you say you are leaving. To keep the relationships you have built in tact, keep your reasons for leaving focused on the positive growth you expect by moving on rather than the negative experience you have which caused you to want to leave.
 - Don't forget to mend difficult relationships before you go. Find something nice to say and shake hands with those you had problems with at your old employer so that you will be remembered as pleasantly as possible.

Resource 15

- Do stay in touch with your old employer. Maintain the good relationship you built because an old employer always has influence over your career and your reputation.

Suggested Resources

Life in the balance: Achieving equilibrium in professional and personal life, American Bar Association Young Lawyers Division 2002-03 Members Service Project. American Bar Association. *American Bar Association: Young Lawyers Division*.
<http://www.abanet.org/yld/about/writtenguide03.pdf>

Abrahams, Sharon M. "100 Plus Pointers for New Lawyers on Adjusting to Your Job." ABA: 2004.

Kaufman, George W. "Lawyers guide to balancing life and work: talking the stress out of success." ABA: 2006

Morris, Kathy, et al. "Ask the career counselors...answers for lawyers on their lives and life's work." ABA: 2003

Morris, Kathy, et al. "Direct examination...a workbook for lawyer career satisfaction." ABA: 2001

Vogt, M. Diane, et al. Keeping good lawyers: best practices to create career satisfaction. ABA: 2000.

Resource 15

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Law Practice TODAY

You Can Find Time to De-Stress

by Pat McHenry Sullivan

February 2006

We spend the majority of our waking hours either preparing for work, working, or recovering from work. Being at work often feels like being Steven Covey's proverbial woodsman with a dull saw. Once we take the time to sharpen the saw, we'll work more efficiently. But how can we get away from the ever-growing workpile long enough to sharpen our tools or our wits?

"Every time I take a break," said a nurse, "Work is more satisfying and I'm better able to serve my patients. But we're so short staffed that there's always something urgent that needs attention right now."

Fortunately, it's possible to find wisdom for work without abandoning your responsibilities, even in the midst of whatever chaos confronts you right now:

Breathe deeply and with awareness. Under stress, it's easy to repress your breath. When your breathing is shallow, your energy level, your mental alertness and your confidence all drop. Conversely, when you breathe deeply, you become more alive. As you breathe consciously, you naturally trade concerns about the past and future for awareness of the present.

The connection between breath and vitality is honored in most of the world's religions. The Hindu physical yoga tradition teaches many different breathing exercises to increase physical and spiritual alertness. The ancient Greek word "pneuma" and the Latin "spiritus" both can be translated as breath or spirit. Throughout the Hebrew Bible are verses reminding us that without breath or spirit, we are dead; with it, we come alive.

Challenge the legal "dragons." It's as if the legal world is under the spell of two wisdom-and energy-draining dragons. The fire-breathing one's message is "hurry up, there's always more to be done." The one with the paralyzing breath warns, "Be careful. Everything you do could be wrong."

There's only one way to handle the dragons. Face them, and admit the truth of what they say. There is always more we can do, and everything we do could be wrong. But when we accept this reality of human existence *and* commit to doing our best, we can tap our wisest, most efficient self.

Challenge all your beliefs about work and discern which tasks are essential and which are not. Underlying a workaholic schedule may be repressed longings to feel appreciated or important. Much potentially productive time is wasted complaining about how overworked we are, or bragging about how hard we work.

In an effort to demonstrate loyalty to his firm, a senior partner in one firm said he had missed the births of all four of his children. Upon hearing that, another partner could no longer ignore the gnawing career dissatisfaction that until then she had kept at bay by being busy. Not long afterward, she found work that allowed her to have a satisfying life while she made a satisfying living.



LUNCH WITH AMI: HELPING LAWYERS OVERCOME STRESS

By Kenneth J. Hagreen

Most lawyers know that hard work is an essential ingredient to success and that stress is our number-one motivator to work hard. They generally acknowledge that too much stress over too long a period of time may lead to job dissatisfaction and burnout, but many are unaware that chronic stress opens the door to depression, other illnesses, and substance abuse—and substance abuse may trigger a dormant addiction or speed up an existing one. Some lawyers believe they are immune from these stress-related problems and that enduring increasing levels of stress is a measure of their law-
-rly prowess. Long workdays and work-
-weeks become the lawyer's "red badge of courage." These men and women are often blindsided when chronic stress morphs into job dissatisfaction, burnout, stress, ruined relationships, disciplinary complaints, and malpractice suits. Some lose their families, their jobs, and their licenses. Some die. These are intelligent, educated, capable men and women. What happened?

Through the past 30-plus years, I have

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worked with small-town lawyers and international law firms. I have found that most lawyers enter the practice of law with high ideals, a desire to help others, and a healthy ambition to succeed. It appears that some of these lawyers gradually lose their way and one day find themselves in a blind alley of dissatisfaction, dysfunction, substance abuse, depression, addiction, or worse. They are ensnared by the rapidly changing, technologically driven, hyper-paced nature of the law; its increasing complexity and the inability to know everything; unrealistic client expectations coupled with increasing dissatisfaction of clients who may have been accorded procedural due process but perceive a lack of procedural fairness; increasing willingness of clients to sue their lawyer; the decline of collegiality coupled with a growing competitiveness and a combative environment (even within a law firm); less direct, personal contact as communication increasingly takes place through advanced technology; and the drain on emotional health resulting from the daily frustrations of providing legal assistance to many clients whose lives remain entangled in dysfunction, mental illness, and addiction (commonly known as "compassion fatigue").

It is a wonder that more lawyers are not in worse shape after suffering the physical and emotional beating inflicted

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upon them by the practice of law. But, the fact remains, many lawyers appear to be doing just fine. Why is it that some lawyers fall into a pit of distress and despair and others do not?

Perhaps the answer lies with the individual. It is well known that a person's current physical health, lifestyle, and mental health influence his or her reaction to life's continuous stream of events. Throughout most of my life, I endured anxiety that alternately interfered with or enhanced my ability to function as a lawyer. It could paralyze me or motivate me. This anxiety generally manifested itself as perfectionism, procrastination, and codependency. I believe my anxiety has a neurological basis, which was amplified during my childhood by a perceived need that I should not make mistakes. As a young adult, my experimentation with alcohol and other mood-altering drugs acted as a form of self-medication. During this period of time my anxiety often disappeared. However, relief was temporary. As my addiction progressed, my anxiety returned, and my stress levels rose in proportion to my increasing work responsibilities and declining professional abilities. I worked longer hours, often seven days a week, in order to protect both my job and my need to drink and drug. I know others who had similar ex-

periences as a result of depression, gambling, and other disorders. My point is that some lawyers are more vulnerable to stress as a result of illnesses that they neither asked for nor wanted. These illnesses eventually interfere with their ability to work effectively and efficiently. The stress builds as lawyers fail to keep up and feel their life is spiraling out of control. The alcoholic drinks more; the depressed get more depressed; the pathological gambler keeps gambling.

Although most lawyers do not suffer from addiction or depression, nearly all struggle from time to time with feelings of being under stress. This is usually the result of temporary circumstances in their lives, such as an increased workload or family obligations. Weak time-management skills coupled with a hectic schedule that results in loss of sleep, no time to relax, skipped meals, poor diet, and lack of exercise set the stage for feeling overwhelmed and no longer in control of one's life. As the stress builds, it degrades the lawyer's quality of life until his or her normal routine returns. The danger is that, for some, there is always something else to be done that claims priority over a healthy, balanced lifestyle. If not careful, these lawyers become workaholics and enter a world of constant stress.

And, finally, there are lawyers who may or may not be addicted, depressed, or struggling with a hectic lifestyle but are encumbered with personality traits that increase their levels of stress (e.g., perfectionism, low self-esteem, procrastination, worry). The truth is that these personality traits may be the outer signs of deep-seated negative emotions: anger, fear, and guilt. Without help, these lawyers will continue to struggle through life and may later suffer from depression, substance abuse, or other illnesses.

What can be done to help these lawyers?

Enter Ami

I first met Amiram Elwork in 1997 when Pennsylvania's lawyer assistance program (Lawyers Concerned for Lawyers of Pennsylvania, Inc., or LCL-PA) added stress and depression to its help-line outreach services. Ami, as most friends call him, is

WARNING SIGNS OF DISTRESS

- Sleeping too much or sleeping too little
- Insomnia
- Sudden weight gain or weight loss
- Increasing levels of irritability and impatience
- Regularly using alcohol or other drugs to relax or to fall asleep
- Using more alcohol or drugs to either obtain the desired effect or to feel normal
- Regularly feeling angry or fearful
- Having increasing feelings of hopelessness and self-pity
- Engaging in unsafe or inappropriate activities
- Feeling alone and misunderstood
- Increasing isolation and dropping out of social activities that you used to enjoy
- Difficulty concentrating, remembering, or making decisions
- Loss of energy and motivation
- Thoughts of ending your life

the director of the Law-Psychology Graduate Training Program (JD/PsyD) at Widener University and the author of *Stress Management for Lawyers* (now in its third edition, Vorkell Group, 2007). By profession he is a psychologist, teacher, and public speaker. I'm a lawyer who in early 1983, at age 32, was shoved into recovery for alcoholism and drug addiction (it didn't stick until mid-1984). I practiced law from 1977 until I went to work for LCL-PA in 1990. Ami and I have different family and personal histories, educational backgrounds, career paths, and experiences helping lawyers in distress. Ami sees the world through the eyes of a clinician trained in recognizing and changing maladaptive learned thoughts, emotions, and behaviors. I view life through a 12 Step pair of glasses supplemented by an informed layman's understanding of the influence of neurochemistry on how we think, feel, and act. Despite our differences, we share the same passion for serving lawyers in distress.

Over the years we have collaborated on several continuing legal education programs. Our conversations were collegial and informative, although for a long time I struggled with reconciling Ami's talks on learned behavior with my knowledge of the role of neurology in causing alcoholism. Most 12 Steppers have an innate skepticism of psychologists when it comes to treating alcoholism. I'd always sneak into the conversation that therapy does not cure addiction and that the safest course for alcoholics is abstinence. However, in all other areas of our discussions regarding helping the distressed lawyer we were in full agreement.

My Experience

When Ami and I discuss what can be done to help lawyers in distress, we generally validate what we each know. For example, I function better when I keep a regular sleep routine (i.e., go to bed at the same time and get up at the same time with an average of eight hours per night). I feel better when I exercise, moderate my intake of caffeine and sugar, and don't overeat. I do my best when I avoid HALT—that is, getting too Hungry, angry, Lonely, or Tired. HALT throws

off my body's chemistry, lowers my resistance to stress, and interferes with my ability to cope. Also, I use worrying as an early warning signal to work smart. I immediately list all of my projects, deadlines, and priorities. I prepare a short to-do list for each project; identify problems, scheduling conflicts, and where I need additional support; prepare a more detailed action plan; and then get to work. At that point I am usually too busy to worry; however, should I continue to worry, I ask myself what is the worst thing that can happen to me and can I survive it? With age has come the wisdom of knowing that I can probably survive anything. It may not be pleasant and I may not like it, but I can learn to accept it. Should I continue to worry, I know it is time to seek professional help, as my worrying may be the symptom of an anxiety disorder or depression.

Speaking of anxiety, mine was often accompanied by lack of self-confidence and fear of failure. I thought I wasn't as good as the other lawyer. This was a major source of my stress. I also thought I had to win every case, solve every problem, and help everyone who came through my office door. I worked hard and I had many successes, but they were never enough. To add insult to injury, my low self-esteem undermined my ability to charge and collect legal fees.

Just this side of bankruptcy I landed a job as in-house counsel with a real estate development company, and my career took off in a new and profitable direction. Nevertheless, my anxiety and lack of confidence followed me. This time it popped up disguised as codependent behavior. In other words, I thought it was my responsibility to solve any and all corporate legal problems that were brought to my attention. I had no work boundaries, and as a result, I worked more hours than anyone else in order to complete my assigned work and the extra work I felt obligated to do. My personal time was sacrificed for the good of the company (or so I thought).

One day the other vice presidents conducted an intervention of sorts—they pointed out that although I work hard, I did not work smart. Having a knack for expressing myself concisely, I gave them

My own anxiety was often accompanied by lack of self-confidence and fear of failure.

Ami had found his own Rosetta Stone enabling him to engage both therapy and recovery.

a two-word reply and left the room. After I cooled off, I apologized and asked one of the guys for help. He showed me how to identify and organize my priorities and create a realistic work schedule. I finally had a proper set of priorities and work boundaries. I quit trying to solve everyone's problems.

Although I now possessed the basic skills to work smart and set healthy boundaries, I still hadn't mastered my low self-esteem. It fueled my perfectionism and tendency to procrastinate. It was many years later before I discovered that by working smart, I could identify a reasonable amount of time, energy, and other resources to be devoted to a project based on its importance and due date and then give myself permission to do the best I could within those parameters. It did not have to be perfect. This reduced my stress dramatically and had the added benefit of nearly eliminating my procrastination. As my friend Ami recently said, he strives for continuous improvement and excellence—not perfection. This dovetails perfectly with my 12 Step recovery program, which speaks of claiming progress rather than perfection.

Ami's Insight

Much of what Ami and I talked about was nothing new to either of us, but we enjoyed one another's company as we exchanged ideas for new educational programs. Then, at a recent lunch meeting, he shared with me a personal revelation—something that changed his outlook on life. He talked of experiencing a deeper insight into the role that being true to oneself plays in a person's life. Now, this is not to say that Ami did not previously understand and promote personal values as a therapist. He has always acknowledged that having good values is commendable and has lived his life accordingly. What had changed for Ami was his understanding of the emphasis to be placed on honoring one's personal belief system. He clearly saw that a very important source of good health and happiness is found in how we live our lives. Ami went on to explain how both 12 Step programs and therapeutic techniques such as cognitive therapy ultimately bring us to the same

point: to an understanding of what we really believe in and who we want to be, and to an inspiration to do our best to be that person in all of our affairs. Right thinking and right action lead to healthy feelings, which reinforce our right thinking and right action. In other words, we think and live our way into a continued state of good physical and emotional health (this relationship, by the way, is backed up by scientific studies on neural plasticity and epigenetics).

I was ecstatic. Before me was a therapist with the courage to challenge years of formal psychological education, training, and experience in a quest to find out if there was another "truth" that could more effectively help those in distress. In the process, he bridged the gap that often exists between the therapeutic community and 12 Step fellowships—an all-too-often formidable schism between those with valuable and effective psychological techniques and those who have gone through the crucible of the 12 Step recovery experience but who are skeptical of anyone who has not walked in our shoes. Ami had, if you will, found his own Rosetta Stone enabling him to effectively engage both therapy and recovery. For example, Ami talked about how lawyers can reduce stress by becoming "emotionally intelligent," that is, by developing a greater awareness and understanding of their (and others') negative emotions and learning how to effectively respond to them. He discussed the three types of negative emotions (guilt, anger, and fear) that plague many of us and seem to pop up automatically from nowhere to undermine our peace of mind. Ami emphasized how both cognitive therapy and working a 12 Step program can address these issues. I then shared how my freedom from these negative emotions occurred gradually through 20-plus years of "working the Steps," but how I experienced a quantum leap in my recovery when I began applying the principles of cognitive therapy and motivational interviewing to my daily life. Once I became fully aware of how subconscious fear, guilt, and anger entered into my day-to-day existence, understood what erroneous thoughts preceded these feelings, and began to challenge these

thoughts, I was freed from hanging onto these feelings. And with that freedom, my low self-esteem all but disappeared.

By the end of our conversation, it was clear that Ami and I understood each other in a way that transcended our different life experiences.

A Shared Commitment

At our most recent lunch meeting, we revisited our discussion on values and how we can assist individuals in aligning their lives with their core beliefs. Ami reminded me that we may use a different jargon, but the tools of the therapist and the 12 Stepper are the same. Both approaches are based on certain timeless, universal principles that always effect change: awareness, understanding, intelligent analysis, and action. We both acknowledged that these are the keys to changing your life from one of distress, dysfunction, depression, or addiction to one of improved health and increased happiness. We took turns sharing how each of us used these principles to free ourselves from the bondage of perfectionism and, also, for me, from anxiety and addiction. We acknowledged our gratitude and our desire to share these "open" secrets to happiness with others. Our conversation was personal as well as professional.

We then discussed how any man or woman whose life does not conform to his or her core values will ultimately suffer feelings of guilt, anger, and fear. These feelings generate high levels of distress and discomfort that will cause the perfectionist to obsess even more over work, the worrier to lose even more sleep, and the substance abuser or addict to pick up a drink or drug—all of them acting in the only way they know how in an elusive quest for relief. But we agreed that lawyers are intelligent and capable of change. Upon recognizing the symptoms of distress, depression, or substance abuse, the lawyer can seek out a qualified professional to assess the true nature of the problem as well as the current level of risk for harm and make suggestions on how to improve the quality of his or her health. The keys are to become familiar with the general warning signs of distress, to be vigilant in keeping an eye out for them,

and to use these warning signs as a signal to seek help and make the appropriate changes. (See the sidebar on page 44.) Sometimes all you may need is a self-help book. Other times may require professional help to treat anxiety, depression, addiction, or another disorder.

And for those who believe that taking your life will not matter to anyone, please know that we do care about you, we want to help you, and some of us once felt as you do now. But we have found a new life where hope and happiness are a reality. Getting help only takes a phone call to your local lawyer assistance program or crisis hotline. Making that call can be difficult. But it will pay off. Had I not accepted help, I would never have met Ami Elwork, I would not have enjoyed his friendship, and my life would not be as enriched. I also wouldn't understand the role conditioned learning played in my life and how by becoming aware, understanding those subconscious triggers, and taking action I have freed myself from the past. Thank you, Ami. **GPSOLO**

Ami reminded me that we may use a different jargon, but our tools are the same.

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THE 15-MINUTE SABBATICAL

By Greg Zbylut

I'm livin' in a world that won't stop pullin' on me./I'm not complaining but it's true./It's like I owe my time to everyone else./'Cause that's all I seem to do. —Keith Urban, "What about Me?"

Pssst. Hey. Look over there. No, not there, *there*. You know what that is? It's a neat little invention called a *window*. Yeah, pretty nice, eh? You can see things, like trees, and flowers, and other fun stuff. Oh, and look over there. Another neat invention. It's called a *door*. You can actually open it and walk through it. It takes you places. Pretty cool, huh?

What's that? What are a door and a window for? Oh, boy. I've got some work to do here.

Where to start? Hmm. . . .

Well, there are these things called *breaks* that people—uh, people other than you—take from time to time. What's a break? Yeesh. Well, since you're a lawyer, why don't we start with defining the word *break*—in a non-legal sense. You know, like the rest of the world. According to Merriam-Webster's 11th Collegiate Dictionary, it's a verb deriving from the

Middle English *breken*, from the Old English *brecan*, akin to the Old High German *brehhan* and the Latin *frangere* (who knew?) and meaning, among many other things, "to interrupt one's activity or occupation for a brief period, <break for lunch>."

See, wasn't that fun?

Okay, so maybe it was a bit dry. But have you taken a closer look at that milk carton lately? That's a picture of you on the side, under the caption, "Have you seen me?" You've been so bogged down in work (or is it panic?) lately, that you haven't taken any time for yourself. And that's not a good thing. Seriously. Science has shown that not taking a break can be bad for you, and you know you can't argue with science.¹ Heck, there was that kid who died after doing nothing but playing video games for something like four days straight. At least he was doing something interesting. How would you like this for your epitaph: "Attorney dies after spending four days straight writing a brief." Can you imagine? You'd finally make it on *The Tonight Show*—as the butt of a joke. Hey, maybe you'd even get on *Letterman*. After all, an attorney keeling over at his desk is bound to make even the snarkiest host laugh.

What's that you say? Your life's goal isn't to be the butt of a joke? Then you really need to learn how to look/walk away from the computer and take a break from time to time. Online shopping, playing

¹ Well, maybe you can, but roll with me on this

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By focusing on something else, you can actually be more productive.

video games, or checking your Facebook/Twitter/Match.com account doesn't qualify. You need to get away from the computer—or as one former co-worker's screen saver used to say, "back away slowly and no one gets hurt." Even if it's only for 15 minutes, a break can be a good thing. You can recharge your batteries, clear your head, and maybe even have a Eureka! moment on that brief you're writing (or whatever it is you're doing).

So without further ado, here are ten things you could do in the next 15 minutes to clear your head,² brought to you free of charge (woohoo!!! A lawyer giving FREE advice!³) by people with a combined experience of over 35 years of loafing, occasionally punctuated by actual work.⁴

1. Look out the Window

It's big. It's transparent (uh, you can see through it). And it presents you a world of possibilities. Let your imagination flow. Does your office look out onto a street? Imagine what those people are doing as they walk by your office. That guy in the long coat, walking by himself? Jason Bourne,⁵ on a mission to stop the CIA from its latest evil adventure. The woman, with the kid? Well, you come up with that one.

Maybe your window looks at the San Gabriel Mountains.⁶ You can imagine taking a walk in the mountains, or maybe skiing (not me—I like all my parts in one piece), or camping, or . . . it's really up to you.

Maybe your window looks out onto a restaurant. You could think about lunch (or dinner). One where you're not eating at your desk. A novel concept, I know.

Or maybe you'll just realize that your windows are dirty. Try Windex.

Whatever the result, it's not work. And that's the point—by focusing on something else, you can actually be more productive.⁷

What's that? Your window looks onto a brick wall? Where are you? Chicago? Okay, then maybe you need to . . .

2. Take a Walk

Science (there it is again) has shown that exercise is good for you. It improves your mood, clears your head, and helps you live longer. And walking is exercise. See? You can finally start that exercise program you keep promising to take up

every New Year's Eve! (Day?)

Seriously, taking a walk is a good thing. It gets you out of the office (unlike looking out the window, which doesn't, unless you happen to see someone breaking into your car, which I plan to cover in another suggestion-packed article elsewhere). And it can give you perspective.

Where should you go?⁸ Does it matter? The point is to get away from the computer (remember? "Back away slowly . . .") and get your mind off of work for a while. Even if all you're doing is walking around the block, you'd be amazed at how refreshed and recharged you'll be when you finally do get back to your desk. I highly recommend taking a walk whenever your writing is feeling a little forced or when you can't find the right words to make a point, or—and this is the best time—before you respond to your insane opposing counsel's ludicrous, inane, and totally wrong arguments.

By the way—for those of you reading this at home—that pile of fur in the corner? It's not a coat. No, that would be your dog, and he would probably be happy to get out of the house.⁹ If you're single, this is a perfect way to meet someone. Of course, that might lead to something called a *date*, which would lead to a *relationship*, which would result in you being gone for more than 15 minutes, so maybe let someone else walk Fang. You don't want to lose too much focus.¹⁰

2. Warning: While the point of this article is to suggest things to do for a quick, 15-minute break from work, the author is not responsible if you wind up having so much fun that you're gone for more than 15 minutes.

3. Not really; read the next footnote. No, not now. Wait until you get to it up there.

4. Suggestions courtesy of my nephews Ryan and Kyle; I was too busy to come up with this list. Of course, now that they're both in the U.S. Army, they need this article, too.

5. Or Matt Damon, who plays Robert Ludlum's character in the movies.

6. Mine does! Okay, you can envy me now. I give you permission. Right, that's long enough. Back to the article.

7. At least that's what I tell my girlfriend. I'm not sure she believes me.

8. If you're in a multi-office environment, you could try talking to the other people you work with, thereby becoming something other than "the weird person in the corner office who never talks to anyone."

9. The cat, on the other hand, would just like it if you left for a while. She's getting tired of your pushing her away from that really warm spot on the desk.

10. Then again, if you've named your dog Fang, you may already have limited your dating options.

It should also be noted that if you have kids, walking Fang is one of their purposes in life, though in reality they probably convinced you to buy Fang by promising to walk him every day but then never actually followed through, leaving it to you to walk him every day. So think of it as payback.

What's that? The walk didn't do it for you? The dog growled at you? Then . . .

3. Take a Drive

This is America, darn it! It's your constitutional right to drive! I should know—I'm a lawyer. And frankly, I'm close enough to Los Angeles these days that I am subject to what's known 'round here as the "Missing Persons"¹¹ rule: "Nobody Walks in L.A."¹²

So get in the car and take a drive. Where? How the heck should I know? That's up to you. Point in a direction and go. To the second star on the right.¹³ Or maybe you have a favorite spot for a drive. Turn on the radio if you want—thrash metal if you need to blow off some steam, or Sinatra if you want to chill out, or whatever works for you—or drive in silence.

Maybe you need to run an errand—go to the post office, the supply store, or the grocery store. Maybe you need to move the car to a shady spot, so it's not 110 degrees when you get in it to go home,¹⁴ only 109.

So where should you go? Honestly, it doesn't matter. Just make sure you fill up the tank first. Remember, this isn't about meeting the nice guy with the tow truck. It's about you getting some "you" time.

No car? No gas? (Hey! We have something in common!) Try this:

4. Pick up the Phone and Call a Friend

This one will involve a little effort on your part, because you'll actually have to 1) remember your friend's name, 2) recall their phone number, and 3) remind them who you are. But trust me, once you've done all that, you'll agree that it's totally worth it.

Once they realize who you are, that is. Oh, and if you're feeling really edgy and adventurous, try calling them by actually dialing¹⁵ the number. Scary, I know. But you can do this.

And if your friend hangs up on you, then see #3. You'll have a destination, at least.¹⁶ Or try . . .

5. Phone Your Spouse/Significant Other¹⁷

This one is for those of you who work somewhere other than your home. Because if you're in the living room and he/she is in the dining room, you're just gonna look like a total loser. And I'm not responsible for your relationship going into the toilet because you're too lazy to get out of your chair.

On the other hand, if your S.O. is busy all day with small children, he or she will appreciate hearing an adult voice and actually having an adult conversation involving multisyllabic words. Just stay away from "furthermore," "moreover," or anything else that might appear in a legal brief. Unless you'd like to read their legal brief, of course. But that might involve something accountants call an "unusual expense." You don't want to know. Trust me.

Not up for a conversation? Then maybe you need to . . .

6. Take a Nap

Another good idea,¹⁸ though it can be dangerous—you might wake up hours later. Consequently, I don't recommend this right before an important deadline.

Need help falling asleep? My S.O. claims my accounting texts work wonders. For me, her HGTV habit does the trick.

7. Do Laundry

This one is for those of you who work from home. Sure, nobody sees you. But that shouldn't be an excuse to never change clothes. How are you supposed to be inspired if you're still wearing what you woke up in? Of course, if that's you, you might also want to try 7(a) Take a Shower, 7(b) Eat, and 7(c) Shave/Groom. All of which have been shown to improve your mood and help form a good start to your day.

Oh, and studies show that if your clothes are clean, people are more likely to talk to you and less likely to think you're homeless. Which means you're more likely to get a new client (and thus more work) and less likely to meet Officer Friendly.¹⁹

8. Go for a Run

Or do Pilates, or yoga, or stretch, or whatever exercise you enjoy. It's not really about burning calories or building up

a sweat (both of which are nice, and not to be ignored), but about—wait for it—looking away from the computer/book/paper/whatever else you're working on for 15 minutes, and relaxing.²⁰

For example, to blow off some steam, my girlfriend and I like to play a game called "catch me if you can." That's where we go for a run, and one person chases the other. Winner gets to pick what we do afterward. She's a really fast runner. And we watch a lot of HGTV. Your mileage may vary. For your sake, I hope it does. On the other hand, I'm really liking Vern Yip's style on *Deserving Design*. You got a problem with that?

9. Try Retail Therapy

When I was in law school,²¹ one of my classmates regularly practiced what she called "retail therapy" after final exams. For the clueless among you, retail therapy is when you go to the retail outlet of your choice and buy something—anything—without regard to cost or credit card limits.

I thought this was silly until I tried it, and then I realized that it was strangely therapeutic and uplifting. Particularly if what you buy goes really, really fast, and comes with low, low payments.²²

10. Read a GPSolo Magazine Article

You might learn something or be entertained. This one will do. In fact, it's probably taken you about 15 minutes to read this, so . . . quit goofing off and get back to work! **GPSOLO**

11. They were a mid-80s band. Had a couple of hits. You may have seen pictures, or heard one of their songs. No? Then take a break and Google them.

12. That's actually the name of their biggest hit.

13. If it's good enough for James T. Kirk, it's good enough for you. Take a break and watch part of *Star Trek VI* now. On the TV, not the computer.

14. You do know where that is, right? Lie if you must.

15. Careful, though. You might start a trend: People dialing their phones instead of using speed dial. The horror.

16. The author takes no responsibility for what might happen as a result. You're on your own.

17. Thanks, Shawn French.

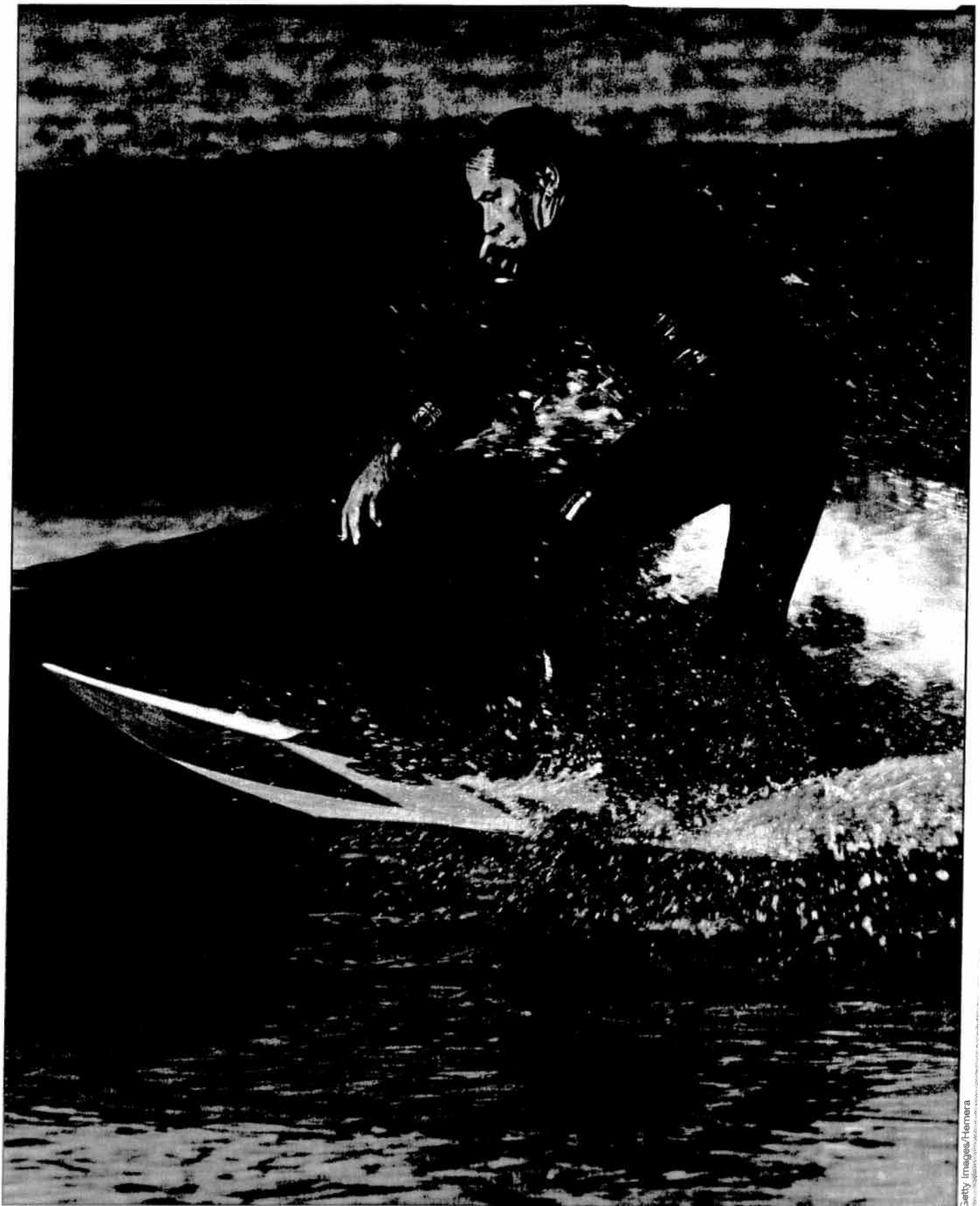
18. Courtesy of Rick Rutledge.

19. Of course, you could always call it "research" for an ABA article, but they're not likely to believe you. Not that I know for sure, of course.

20. You can do this. I know you can.

21. Hat tip: Faust, my contracts prof.

22. Disclaimer: The author is not responsible for negative reactions from your S.O., who may not approve of what you bought (particularly if it isn't for them).



Getty Images/Hemera

RIDE THE WAVE, BALANCE YOUR PRACTICE

By Gregory J. Lawless

Now and again, all attorneys have a defining moment that alters their practice of law. Sometimes for the good, sometimes for the bad, but regardless, after that moment things change. I personally had such a defining moment approximately 15 years ago, and it radically changed my law practice for the good. The attorney who brought about my revelations outlined below does not even remember the conversation, but sometimes that is how defining moments work.

I have primarily a real estate practice and was at a continuing legal education seminar. I was so busy I had planned on only staying for the first half of the seminar and then jetting back to my office, where I would return the dozens of phone messages that had probably come in or work on pleadings that were fast coming due. I anticipated working until late that evening. Again. I would not have been at the seminar at all except that I had put off getting my necessary CLE credit hours until the last minute. Though I recognized that I was burning out in my law practice, I did not know what to do about it. I knew I enjoyed the practice of law,

but the time demands and the lifestyle I was leading were wearing me down.

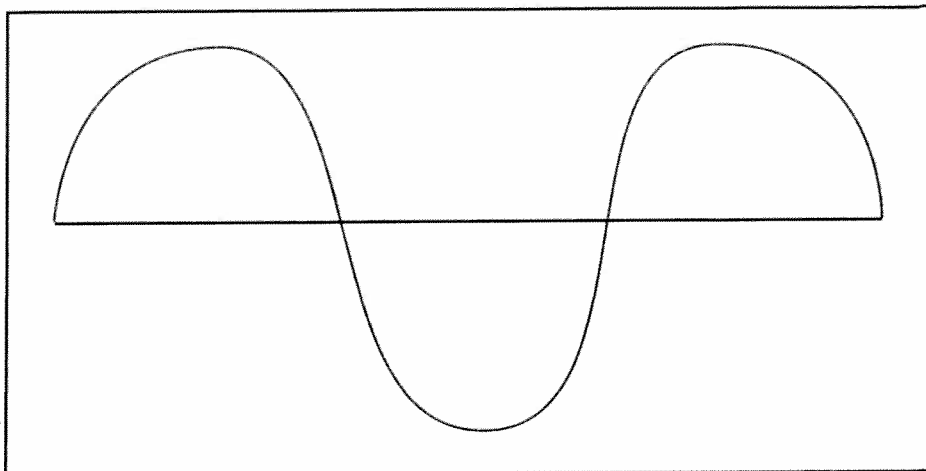
During a break I ran into an attorney named Joel Gordon. Joel is an excellent land use and real estate attorney practicing law in Seattle. He was in good spirits and seemed remarkably calm. I thought if I was obscenely busy, surely Joel must have my situation multiplied several times over. After attempting to engage in a mutual "ain't it horrible" discussion with Joel, he let me know that his practice was, in fact, under control. He had heard about something called "the sine wave law practice theorem," and after adopting it he has happy with his practice. Let me share with you what Joel told me in the hopes that maybe this article will have a similar positive impact on you.

As Joel explained, first picture a sine wave. For those of you who have shunned all math books since the third grade, imagine a graph with a horizontal line in the middle of the picture. The sine wave is a wave that fluctuates so that half the time the wave is below the line and half the time it is above. (See the illustration on page 14.)

As concerns a law practice, the horizontal line defines the perfect volume of business—the level at which you are busy enough to keep interested and profitable, but not so busy that you are feeling desperate or stressed. According to the sine wave theory, sometimes your caseload should be

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**You become a better lawyer
by having a more balanced
life and taking time
with each project.**



Sine Wave

below the line and sometimes it should be above the line, so that the average is a well-balanced law practice. Unfortunately, what almost every lawyer does is shift the line so that the bottom of the sine wave is as busy as the lawyer wants to be and the rest of the sine wave is always above the optimum line. As Joel explained, most lawyers have a terrible fear of not being busy enough. The solution to a law practice that is too busy—and too stressful—is easy: Take on less work. The hard part is mustering the courage to do it.

Ultimately, I think you become a better lawyer for having a more balanced life and being able to take time with a project rather than doing everything in a furious rush. So here are my suggestions on how to get there.

1. Fire the clients you do not like.

This was the first step that I took in getting my caseload under control. All lawyers have at least one client or one file that they absolutely loathe. You know the one. When your receptionist tells you that this client is on line 1, you consider running away rather than having to pick up the phone. So I put together a list of these clients, called them all, and withdrew from representation. I never did this when it would jeopardize a client or in the middle of any kind of litigation, but when things were calm, I let the clients know that I did not want to do any further legal work for them. I cannot tell you how much fun that process was, making me wish I had done it years before. To ensure no ethical conflicts, I worked with our local bar

association counsel to come up with a set of ethical guidelines for how, and under what circumstance, to let clients go. With most of these calls, the client would respond, "You can't do that"; I received an unseemly amount of satisfaction when replying, "Well, in fact, I can."

2. Fire the clients that are not paying you. There are some circumstances where you will work for a client and not get paid or not get paid promptly. These situations often involve pro bono cases in which there is motivation to represent the client for personal reason. I am not suggesting firing these clients. But otherwise, if you are not getting paid, it really makes no sense to continue representing a case only to increase your accounts receivable. You are stealing time that could be spent on enjoyable recreational pursuits, or on improving your office efficiency or administration, or on the cases of clients who actually *pay* you—all for the privilege of working for someone who is not going to give you a dime. In addition, you have the stress that goes with whatever that case may be and the exposure to any claims should something go wrong. The bottom line: There is no advantage in working for non-paying clients. Fire them.

3. Specialize in an area of practice you enjoy. You will find your practice more much pleasant if you focus on matters you actually find interesting. Almost as important, the process of weeding out cases or clients that are outside your area of specialization will keep your practice more manageable. If my area of practice

is real estate and someone calls regarding a domestic relations issue, I am not going to take that case. Specializing also makes you a better lawyer—it is much easier to stay current and effective when focusing on a limited area of law.

4. Have the courage not to be too busy. Even with the tips above, which will give you short-term relief, you will be surprised how your practice grows. Much to my surprise, I found that by becoming a more exclusive lawyer, I had become a more desirable lawyer. Nor had I counted on becoming so much more effective in my area of practice; by specializing, I was now more accessible to clients, and as I accomplished my work more efficiently, my turnaround time improved. So even if

you follow the tips above, you will find yourself getting too busy all over again unless you are careful.

As soon as you find yourself at your optimum practice level, stop taking new clients. One way I accomplish this is with our voice mail system: I always end my recorded message with the phrase, "I am not taking new clients at this time." That screens most of my incoming phone calls. My paralegal plays a role, too. She knows that I am not taking new matters, so if someone calls, she refers them out. I am now so used to this process that I've become comfortable doing it myself; when a new client calls or reaches me directly on the telephone, it is second nature to refer them to one of my many local colleagues who can

handle such cases. Both sides are happy: the clients because they have been referred to a good lawyer, and my colleagues because they welcome the referrals.

When you first stop taking new clients, you will find it extremely painful to turn away a matter that is within your area of specialty—especially when it is a lucrative assignment that you would have enjoyed handling—but you have got to do it. When in doubt, just remember the stress levels you had experienced before launching this program. Personally, I keep a picture of my wife and daughter on my desk at all times to remind me that although I might be interested in doing a particular real estate transaction for a new client, on balance I would rather spend my time with them. **GPSOLO**



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in f blog



Life Can Be Difficult, Misery Is Optional

Taking Responsibility and Finding the Solution Within

By Rick B. Allan

Seeing professional help in facing life's difficult or painful moments is often an excellent place to start the healing process; however, it is only the starting point. Diagnosis and even many helpful suggestions can be made by the professional, but if we are not willing to own up to our situation and take the actions necessary to initiate a change and bring it to fruition, the professional's help and assistance is of little value. Ultimately, it is an "inside job."

To begin the process of posi-

tive change in our lives, it is important for us to look within our very being, even our core values—to take inventory, if you will. The first step in our self-evaluation, one necessary to process our difficult or painful situation, is that we must face the facts and accept the situation. At this point we may need to define *acceptance* as used in this context: It does not mean that we approve of the facts that we have faced, we only have to accept the reality of their existence.

While as lawyers we are trained to evaluate and process the facts, the very nature of our training and experience can be a liability when we are confronted by difficult or painful life episodes. Rationalization and justification are often associated with troubling life experiences, especially when they have been brought about by our own mistakes, which we often deny. We must fight our professional instinct to build a case against the situation rather than accepting it.

You might say, "Okay, so I have faced the facts—so what? I am still miserable! You said I could be part of the solution and that I could find the answers within, but nothing is happening. The professional analyzed the problem, I have been

thinking, researching, analyzing, and thinking some more, and I still feel like I did when I first sought professional help: miserable." I agree. In the words of the famous saying (attributed alternately to Albert Einstein or Benjamin Franklin), insanity is doing the same thing over and over again and expecting a different result. The answer is to be found in taking *action*—action that may be difficult or previously thought to be contrary to that which we were convinced was part of our very being or core values so deeply ingrained by our upbringing or religious experience.

In my personal journey, I have been greatly helped by a quote attributed to Herbert Spencer:

There is a principle which is a bar against all information, which is proof against all arguments, and which cannot fail to keep a man in everlasting ignorance—that principle is contempt prior to investigation.

Having accepted the facts, I must open up my mind and my soul, if you will, to "new ideas," one of which might be "I could have been wrong." It may be surprising to find on occasion that those items we had held to so tightly and for so long may not have been assets as we had always thought, but may actually have been or have become liabilities. We must be willing to ask ourselves, as our friend Dr. Phil of TV fame suggests, "How is that working for you?"

The solutions to many of life's issues are simple; however, as stated above, we

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lawyers often are individuals with complex minds and educated many times beyond our intelligence. As a result, we have a tendency to overthink our lives because that is what we are trained to do. Pole-vaulting over ant hills instead of simply walking around them is our mind-set.

So having accepted the facts and recognizing that our "old ideas" are not working, what simple things can we do to address the misery that we perceive and the difficulty in our lives?

My friend the late Michael J. Sweeney, in an article titled "How to Manage Stress" (*Oregon State Bar Bulletin*, February/March 1993, volume 11), suggested ten simple ways we can reduce stress in our lives and in so doing face life each day. I would suggest that you not attempt them all at one time. Select one and practice it until it becomes a working part of your life, then move to another and incorporate it until you have progressed through them all.

1. **Watch your diet.** Obesity is not the only diet-related problem we must address. Certain foods contribute to the production of the "feel good" chemicals in our brain, whereas others merely provide empty calories. And we don't need to be dietitians to learn how to eat right; resources abound in book stores and on the Internet.
2. **Exercise.** Much of the stress in our lives originates in our instinctive "fight or flight" response. Physical activity reduces stress. We could discuss the scientific explanations for this, but we are trying to keep it simple, so let's just say, "it works."
3. **Learn time management.** Time pressure is inherent in our legal system. Don't fight it; learn to live with it. There are now many more tools for time management than there were when I began practicing law 45 years ago, but I am uncertain sometimes whether they have helped or added to our stress. One of Carl Horn's suggestion in his book *LawyerLife: Finding a Life and a Higher Calling in the Practice of Law* (ABA Publishing, 2003) is "Don't let technology control your life." However, it is

my opinion that technology can be used to one's advantage. Beyond technological solutions, there are more basic time-management techniques you can practice. First and foremost, watch out for procrastination: It is a sign that we are becoming overwhelmed. Take action. Start working through the pile—from the top or bottom—and do one thing at a time, even if it is a small accomplishment. Just start. Many time-management experts have said that it doesn't matter whether you use a paper planner or a computer program, so long as you use it consistently.

4. **Learn relaxation and breathing skills.** "Take a deep breath"—where have we heard that before? Even taking a few moments, maybe repeating a word or phrase that helps us relax, can break that stressed, uptight feeling. The relaxation response is the exact opposite of the stress response. Relaxation not only improves our health but also enhances our energy levels and clarity of thought.
5. **Learn to play and have fun.** I have always had a problem with this one. Raised in a family that taught that responsibility and work are the core of this life (at least that's what I heard), I had a certain amount of guilt when playing or having fun. I've discovered this is another of those "old ideas" about which I was wrong. There is a reason we had recess in kindergarten.
6. **Use positive thinking and self-talk.** Attitude is everything. I carry an Eeyore cartoon character pen in my pocket to remind myself not to complain and whine. (You might remember Eeyore, the donkey from the Winnie the Pooh stories with a rather dismal outlook on life.) I've also discovered that while I cannot always think my way into right actions, I often can act my way into right thinking.
7. **Develop a detached attitude.** I am not sure when lawyers and judges began to talk about incivility in our

profession, but the problem certainly has developed since I began practicing. I have not been able to determine the root or continuing cause, so I can only speculate about some of the reasons and hope for solutions. I am convinced that one of the causes is brought about by lawyers identifying themselves with the cases in which they are involved. We must not lose sight of who we are: We are called upon to be advocates, not protagonists and agitators. We must not *become* the matters in which we are involved. Try not to become emotionally involved in outcomes. Do the best you can, and let go of the results.

8. **Engage in prayer or meditation.** Understanding that this will vary with individuals, I am not suggesting that the reader needs to have any particular form of spiritual affiliation or belief. I am suggesting that, for those who incorporate spiritual practices in their lives, faith and prayer bring about the same kind of stress reduction as relaxation techniques.
9. **Develop a sense of humor.** Neurotransmitters and endorphins are released in the pleasure center of the brain when you laugh. Laughter is a natural stress reducer. The messages "lighten up and don't take yourself so seriously" are meritorious. Take them to heart—they may save your heart.
10. **Share your stress with someone.** It has been suggested that this is the number-one way to reduce stress. Amazing things can happen when we share our stress with someone else. It is helpful simply to "get it off of your chest," but, just as important, you may find that the situation is not as you had perceived. As the saying goes, 90 percent of the stuff we worry about never happens.

Just remember: Life can be difficult, misery is optional. **END**

Ready Resources Just for YOU

Searching for additional resources to help you take care of YOU? Take a look at the ABA publications and CLE packages below, and check out the helpful links to website resources hosted by the GPSolo Division and the ABA. To order any of the products listed below, call the ABA Service Center at 800/285-2221 or visit our website at www.ababooks.org.

Being Prepared: A Lawyer's Guide for Dealing with Disability or Unexpected Events

By Lloyd D. Cohen and Debra Hart Cohen (ABA General Practice, Solo and Small Firm Division; 2008; PC 5150423; \$104.95; GPSolo member price \$89.95)

This essential workbook and guide will help you protect your law practice against casualty or other unexpected events. It is a "how to" workbook designed to lead you through a series of active and immediate steps aimed at establishing your protection plan.

Minding Your Own Business: The Solo and Small Firm Lawyer's Guide to a Profitable Practice

By Ann M. Guinn (ABA General Practice, Solo and Small Firm Division; 2010; PC 5150441; \$125; GPSolo member price \$99.95)

Solo and small firm lawyers often get caught in the cross-fire of practicing law and managing a business at the same time. This book helps you learn to master the key elements of running a small firm, from finance to marketing to anticipating clients' needs.

Creating a Culture that Reduces Stress (Online Course)

By Diane Costigan, Susan Letterman White, Ellen Ostrow, and Douglas B. Richardson (ABA Center for CLE; ABA Law Practice Management Section; 2010; PC CET10CCTI; \$150; ABA member price \$135)

This program identifies the causes, signs, and symptoms of debilitating stress in law firm life today. It then addresses three approaches for sustaining a workplace culture that reduces stress and how that culture can help your firm serve clients better and improve its bottom line. Running time: 89 minutes; credit hours: 1.50.

The Creative Lawyer: A Practical Guide to Authentic Professional Satisfaction

By Michael F. Melcher (ABA Book Publishing; 2007; PC 1610160; \$39.95; ABA member price \$34.95)

This self-help and career-management book for lawyers of all levels of experience, written by one of America's leading career coaches who is himself an attorney, offers a step-by-step method for imagining and realizing your path to personal and professional satisfaction.

Dealing with Stress

By George W. Kaufman (ABA Law Practice Management Section; 2006; PC 5110527CHP51; \$19.95)

This PDF chapter from the ABA book *Flying Solo: A Survival Guide for the Solo and Small Firm Lawyer*, Fourth Edition, will help you learn to recognize the elements that constitute balance for you and the stresses that unfold when life feels out of balance. In addition, you'll also find some tools you can use to keep stress within manageable limits and balance within bounds. A list of additional resources on work/life balance is also included.

Directory of State and Local Lawyer Assistance Programs 2010-2011

(ABA Division for Legal Services; 2010; PC 3190039; \$45)

This updated directory from CoLAP lists state and local bar association programs addressing a range of personal problems experienced by lawyers and identifies more than 100 bar association committee chairs and program managers. They are the contacts for programs related to alcohol or drug dependencies, clinical depression, stress, gambling, marital and other domestic problems, and other personal problems. A special listing identifies lawyer assistance hotlines, many of which are toll-free, as well as such resources as the National Institute on Alcohol Abuse and Alcoholism, the National Council on Alcoholism and Drug Dependence, International Lawyers in AA, Alcoholics Anonymous, and Narcotics Anonymous.

How Good Lawyers Survive Bad Times

By Sharon D. Nelson, Jim Calloway, and Ross Kodner (ABA Law Practice Management Section; 2009; PC 5110695; \$79.95)

Worried about the economy? Are you a lawyer out of work? Are you afraid you will be laid off? Are you struggling to manage your firm through a down economy? This single volume will provide you with a wealth of tips, resources, and tools to help you survive in bad times, as well as teach you management, finance, marketing, and technology essentials necessary to succeed.

LawyerLife: Finding a Life and a Higher Calling in the Practice of Law

By Carl Horn III (ABA Book Publishing; 2003; PC 1610024; \$15; ABA member price \$12)

Drawing on his years of experience in a variety of practice settings, Judge Horn offers many suggestions for those seeking fulfillment in their legal careers. Topics covered range from the most practical to the historical and philosophical.

Lawyers, Anger and Anxiety: Dealing with the Stresses of the Legal Profession

By Rebecca Nerison (ABA Book Publishing; 2010; PC 1620441; \$59.95; ABA member price \$49.95)

Being a lawyer is stressful. This book will help you stay calm, develop healthy coping habits, eschew negative thinking, increase your social support, maintain your physical health, accept what is, and laugh more often.

The Lawyer's Guide to Balancing Life and Work, Second Edition

By George W. Kaufman (ABA Law Practice Management Section; 2006; PC 5110566; \$39.95)

This newly updated and revised edition is written specifically to help lawyers achieve professional and personal satisfaction in their career. The author offers philosophical approaches, practical examples, and valuable exercises to help lawyers reconcile their goals and expectations with the realities and demands of the legal profession.

The Lawyer's Retirement Planning Guide

By Susan A. Berson (ABA Book Publishing; 2006; PC 1620417; \$99.95; ABA member price \$84.95)

This practical book provides guidance on investing your money to produce sufficient funds for the lifestyle you want to lead, and then on managing your retirement withdrawals so that your money will last you a lifetime. You'll discover how you can combat inflation, plan for expenses, and protect against overall portfolio risks.

The Reflective Counselor: Daily Meditations for Lawyers

By Maureen C. Kessler and F. Gregory Coffey (ABA Book Publishing; 2008; PC 1620072; \$29.95; ABA member price \$24.95)

This 376-page, meditation-a-day book is designed to help lawyers recover from spiritual bankruptcy. Themes include overcoming fear, personal beliefs and values, maintaining integrity, personally defining success, dealing with difficult people, and common workplace challenges.

Strategies for Helping the At-Risk Lawyer

By Nancy J. Geenen, Reba J. Nance, Dan Pinnington, Linda Miller Savitt, and Michael H. Smith (ABA Center for CLE; ABA Law Practice Management Section; ABA Section of Litigation; ABA Tort Trial and Insurance Practice Section; 2008; PC CET08SFHC; \$150; ABA member price \$135)

This audio CLE product shows you the most effective techniques for dealing with the difficult situations raised by four common "at-risk" scenarios: a "bully" lawyer treating staff badly; a senior partner with failing billings; substance abuse/addiction; and depression/mental illness. Included are two audio CDs and printed course materials. Running time: 90 minutes; credit hours: 1.50.

Time Management for Attorneys: A Lawyer's Guide to Decreasing Stress, Eliminating Interruptions and Getting Home on Time

(ABA Section of Family Law; 2008; PC 5130157; \$79.95)

This easy-to-use guide compiles a host of time-tested techniques, real-life examples, exercises, and client case studies designed to help you take control, gain more freedom, and manage your time well. Also included is a CD containing more than 50 practice-specific forms.

Transforming Practices: Finding Joy and Satisfaction in the Legal Life, Tenth Anniversary Edition

By Steven Keeva (ABA Book Publishing; 2009; PC 1620422; \$29.95; ABA member price \$23.95)

Author Steven Keeva skillfully examines how lawyers can find deeper meaning in their work, practice more compassionately, and discover more enjoyment in what they do, all by developing a greater awareness and respect for their inner lives.

GPSolo Division Links

"Bumps in the Road I," *GPSolo* magazine, July/August 2001: www.abanet.org/genpractice/magazine/2001/jul-aug

"Bumps in the Road II," *GPSolo* magazine, October/November 2004: www.abanet.org/genpractice/magazine/2004/oct-nov

"Bumps in the Road III," *GPSolo* magazine, October/November 2006: www.abanet.org/genpractice/magazine/2006/oct-nov

"Bumps in the Road IV," *GPSolo* magazine, October/November 2009: www.abanet.org/genpractice/magazine/2009/octnov

"Professionalism and Civility," *GPSolo* magazine, October/November 2005: www.abanet.org/genpractice/magazine/2005/oct-nov

Resource page for starting and running a law firm: www.abanet.org/genpractice/resources/startafirm.html

Sponsors page, featuring links to resources on liability insurance, practice management aids, and more: www.abanet.org/genpractice/sponsors

Popular Threads on SoloSez

"Getting Help When You Need It": <http://new.abanet.org/divisions/genpractice/solosez/Pages/PopularThreads.aspx>

Other Links from the ABA

ABA Commission on Lawyer Assistance Programs: www.abanet.org/legalservices/colap

ABA Economic Recovery Resources page: www.new.abanet.org/economicrecovery

ABA Law Practice Management Section's resource links for practice management issues: www.abanet.org/lpm/resources/management.shtml

November 2005


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Surviving Your "Junioring" Years

by David J. Levy
March 2005 Print This Article

Being an associate is not easy, particularly in your first year or two of practice. Law School and the Bar Admission Course provide you with limited preparation, expectations are high and the demands are great. While the learning curve is steep, and some growing pains are inevitable, the following guidelines should make your experience more enjoyable and more successful.

1. Work Hard

This surely goes without saying, but hard work is the cornerstone of any associate's success. Do not think you are doing anything particularly novel if you work evenings and weekends. While the quality of your work is surely more important than the quantity (see number 3 below), the number of hours worked will never be overlooked by your employer.

2. Take Initiative

Sitting back, doing only what is asked of you and generally "flying under the radar" may help you manage your time, but it is not going to advance your career. You need to take some initiative to get the experience you'll need to be successful in future years. For example, in a litigation practice, you may research the law for a motion, prepare an Affidavit of Documents before a discovery, or draft a pre-trial or mediation memorandum. You will doubtless be familiar with the file, but this knowledge is somewhat wasted if you do not also attend on the motion, discovery, mediation or pre-trial. While your supervising lawyer should try to get you involved in these events, he or she will not always think of it, and it is up to you to ask. Sometimes it won't be possible due to scheduling conflicts, other commitments, etc., but take every opportunity to assist more experienced counsel at significant file events. You may be able to do something substantive, or your role may be strictly as a spectator. Either way, you will benefit from experiencing the "big picture," and you will be better prepared to handle these events on your own when the time comes.

3. Stress Quality Over Quantity

As a junior lawyer, it will take you longer than a more experienced colleague to complete any given task. Accept that fact, recognize that it will mean that you will be putting in more hours than your more experienced colleagues (see number 1 above), and ensure that the work you do is of good quality regardless of how long it takes. If your supervising lawyer has a choice of you spending two hours on a task and performing it well, or spending one hour and having it full of errors and in need of major revision, which do you think he or she will prefer?

4. Be Realistic About What You Can Achieve

While initiative is good, it is also important to be realistic. You always want to

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appear eager to help, and never want to say "no" for fear of appearing lazy, unmotivated, etc. However, if you are taking on work that you cannot complete, you are ultimately doing a disservice to both the firm and yourself.

5. Move Your Cases Forward

This point cannot be overemphasized. It is easy to keep busy, but there is a big difference between doing enough to fill your day, and doing constructive work that helps push cases forward to conclusion. Remember that clients are looking for results and they want them quickly. Obviously, depending on the nature of your practice, it can reasonably take months or even years to achieve those results, which most clients understand and accept. What is unacceptable, and often leads to both sub-par results and unhappy clients, is the delay that could have been avoided. To ensure that your work is being completed in a timely manner, create and continuously update a file (or assignment) list, review it regularly, and, most importantly, ensure that every time you work on a file, you do something constructive to move that file forward. What you want to avoid is the situation where you review a file and then, for whatever reason, that file goes back on the shelf without any other action. If you are unsure about what to do next, ask someone. If you become distracted by another matter, ensure that you come back to the file in the immediate future, before time passes and everything must be reviewed again. Not only is it beneficial to your firm to have cases moved forward, unnecessary delay causes nothing but prejudice to the client, who will eventually become exasperated, first with the process and then with you.

6. Be a Team Player

Everyone wants to receive credit, especially in a competitive environment like a legal practice. But you will do far better in the long run if you are known as a team player. Don't look for personal "reward," go out of your way to accommodate those you work with, help your colleagues whenever you can, and always give others credit for their involvement, however small, in an assignment of yours. Your good work, humility, and "team" approach will all be noticed. On the other hand, your work product may be overshadowed if you develop a reputation of being interested only in promoting yourself.

7. Accept The "Joe" Jobs With A Smile

As a junior lawyer, you will inevitably get some assignments that have made their way to you because no one wants them and everyone above you has managed to avoid them. It's not always fair, and sometimes the product of nothing more than laziness on the part of more senior counsel, but it is going to happen. Just keep smiling. The lawyer who assigned you this task probably knows it is a "dog" (even if he or she won't admit it) and you will be appreciated for getting it done. Do these (and your other assignments) well, and soon your superiors will find someone else to do these unenviable tasks.

8. Do Not Be Afraid To Ask For Help

Your supervising lawyer should have an "open door" policy, and you should feel welcome to ask questions. It's part of the learning process and helps ensure that you stay "on track." There are two caveats. First, you have to be familiar with the file you are asking about – it is not your superior's job to brief you about background matters you could learn on your own. Second, you must have already made a reasonable effort to find the answer. You will be quite embarrassed if the answer to your question is easily found in the first place you should have looked (procedural details found in the Rules of Civil Procedure are

a prime example). If you have done both these things, feel free to ask.

9. Be Nice To Your Staff

Good office staff is a valuable resource. Good staff makes your practice easier and more successful, while less worthy staff will have just the opposite effect. This is particularly true for junior lawyers who will benefit from the experience of secretaries and law clerks, some of whom have been in the industry for many years. Most junior lawyers have never had staff working for them before, and there can be a tendency to treat staff as subservient, or otherwise with a lack of respect. This is a serious mistake! Consider your staff to be valuable members of your team and treat them accordingly. You will find that the quality of their work will be higher, and their motivation to help you during those inevitable emergencies will be greater. Treat your staff with disdain, and ... you can figure out the rest.

10. Confront Your Mistakes and Accept Constructive Criticism

While nobody wants to make a mistake, it is going to happen. None of us is perfect. When something has gone wrong, whether the error is big or small, deal with it immediately! Do not bury the problem and hope that it will go away. It won't. If you confront the mistake immediately, there may still be a way to fix or at least minimize the problem. By trying to hide from it, you can rest assured that when you are ultimately required to confront the issue (and you will be) the problem will be much greater. Your delay may even prejudice your insurance coverage in some situations.

One of the inevitable consequences of making an error is that you will receive criticism, hopefully of the constructive variety. Listen to what you are being told, and learn what is expected of you so you can avoid making the same mistake again. As long as your error was not the result of laziness or total carelessness, don't be embarrassed or focus on it endlessly. Your superiors made plenty of mistakes too, perhaps the same ones you have made. Above all else, don't argue or get defensive – accept the fact that you made a mistake, fix it (if you can) and move on.

11. Keep Learning

Whatever your practice area, the law is complex and constantly developing. Make sure that you take the time to read the legal literature available to you, which should always include weekly and monthly newspapers and magazines, and seminar materials relevant to your area of practice. It is your obligation to keep up to date on changes in the law, and you will be very happy to avoid uncomfortable situations that can arise from not doing so.

Top

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