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Stress in the Practice of Law: Are There Any Solutions?

Lynn Garson

For young lawyers, the stress of practicing law is particularly severe. You have recently come out of law school, may not know your craft as a day to day practice very well yet, perhaps carry large debt and also had or continue to have a difficult time finding a job. A recent study has found that the time when a lawyer is most at risk for issues of depression, anxiety, high stress and other struggles is during the first 10 years of practice. In other words, if you are struggling emotionally as a young lawyer, it is normal and your feelings are shared by many of your colleagues. You are not alone.

What causes stress for lawyers? Many things, but the biggest culprit is the trap of perfectionism. Are you like I used to be, thinking that perfectionism is what makes you good at being a lawyer and as such is an asset, not a liability? It took me many years to figure out that, counterintuitive as it may be to some of us, striving for perfection will prevent you from becoming a great lawyer and also unwittingly carries seeds of self-destruction for some of us who practice its most rigid form. By now many of you have read the heart wrenching article by the widow of Gabe MacConaill, a young partner at Sidley Austin in San Diego who took his life on Oct. 14, 2018. If you haven’t, read it now. The widow, Joanna Litt, speaks of maladaptive perfectionism, which combines, in her words, "unrealistic standards of achievement with hypercriticism of failing to meet them." In her husband’s case, he paid the highest price.

Changing an ingrained pattern of perfectionism requires awareness, followed by a concerted effort to replace it with new, adaptive patterns. I was recently directed to an excellent resource on this topic, including the following grid:

Understanding the concept of forgiving myself in the context of perfectionism in my law practice was my personal turning point. Amazingly, I am now good-humored about admitting to a client that I made a mistake. Being on point most of the time and maintaining extreme vigilance to prevent mistakes when the stakes are high gives me latitude for the small failures. It also allows me to connect with my clients in a very personal way. They feel comfortable admitting their mistakes to me because they know they won’t be judged. Does this mean that my days are no longer stressful? Yes and no. I can’t imagine a law practice that carries little or no stress. Mine certainly carries plenty, particularly in this day and age of being on call 24/7. But that combination of fear and tension that used to dog me is gone, and that makes a huge difference.

Time constraints and the overload and intensity of responsibilities are another big area of stress. In the case of young lawyers, you are expected to manage your time and be responsive on client matters and be responsible for a number of administrative matters, etc. I can’t speak to all of it, but one thing I can say: you are changing the landscape by being vocal and adamant that you will not tolerate being treated as cannon fodder. Because of this, your group has had a great deal

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<thead>
<tr>
<th>The Perfectionist</th>
<th>The Optimalist</th>
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<tr>
<td>Journey as a straight line</td>
<td>Journey as an irregular spiral</td>
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<tr>
<td>Fear of failure</td>
<td>Failure as feedback</td>
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<td>Focus on destination</td>
<td>Focus on journey and destination</td>
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<tr>
<td>All or nothing thinking</td>
<td>Nuanced, complex thinking</td>
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<td>Defensive</td>
<td>Open to suggestions</td>
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<tr>
<td>Faultfinder</td>
<td>Benefit finder</td>
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<td>Harsh</td>
<td>Forgiving</td>
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<td>Rigid</td>
<td>Adaptable, dynamic</td>
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to do with a number of new initiatives on stress management and some older ones that are getting a lot more play than in the past. These initiatives include the wellness initiatives of the State Bar of Georgia and the American Bar Association, the six free counseling sessions available as part of the Lawyer Assistance Program and the Lawyers Helping Lawyers Program, which digitally matches peer volunteers with members of the Georgia Bar who are struggling with a variety of issues.

Before I comment on those, let’s look at ways to de-stress on a more intimate level. Here are some that have worked for me:

**Build a Community**

First and foremost, I have built a community of people, both inside and outside my firm, who can relate to the stresses of practicing law. Why is that important? Because I know from personal experience that the single most healing thing for any kind of adversity is community. When I entered a psych facility in Baltimore in 2008, I don’t think I had smiled for six months. I was severely clinically depressed and suffered from catastrophic anxiety. The first evening I spent in the facility, a group of us got together and played poker. We used Sweet’N Low and Splenda packets because money was not permitted. I relaxed and smiled for the first time in so long—all because I was surrounded by a community of people who understood me.

**Develop a Personal Practice**

On an individual level, it is important to develop a personal practice that de-stresses you in the moment. When I am overwhelmed, I force myself to stop, step back, breathe and make a list, prioritizing my projects. The mere act of writing the list helps to calm me (apparently there is scientific evidence backing that response). I then remind myself, literally, that I know how to read, and if worse comes to worse, I will read from one word to the next and then the next for as long as it takes. I know I can do that, so that thought helps to calm me as well. Then I choose something easy from the list that will not stress me out, something that can be done fairly quickly, and knock it out. I check it off the list. I may need to do another project like that. But pretty soon, the thing that was the “bear in the woods” freaking me out comes to seem like just another project, a complex one perhaps, but just a project.

The de-stressing process I have described works well for me. Everyone is different, and each of us has to experiment with what works for us. There are a number of meditation/mindfulness/breathing apps that may be useful. One that I recently added to my phone is called "Stop Breathe Think.” It’s new so I can’t comment on it, but try some of the new apps out for yourselves.

As for the more institutional approaches to stress relief for lawyers, a few comments on each:

**Wellness Initiatives of the ABA**

The ABA Commission on Lawyer Assistance Programs (COLAP) has been focused on wellness for some time now. In 2017, COLAP published “The Path to Lawyer Well-Being: Practical Recommendations for Positive Change,” a report by the National Task Force on Lawyer Well-Being (http://lawyerwellbeing.net/). In the report, the task force confirms the lack of well-being in the legal profession and offers recommendations for improvement. It is worth the read. In addition, COLAP offers extensive resources on its website, as well as some extremely informative podcasts.

**Wellness Initiatives of the State Bar of Georgia**

Under immediate past Bar President Ken Hodges, attorney wellness has been a high priority for the State Bar over the past year. As a result, young lawyers can benefit from resources such as discounts at any number of workout facilities, yoga studios, cycling studios, chiropractor services and more. The site features a video on two quick techniques for relaxation and stress relief. This past January, the State Bar of Georgia sponsored a retreat in Arizona featuring speaker after speaker on the topic of attorney wellness.

The State Bar also provides a forum at www.lawyerslivingwell.org to view articles and resources related to wellness and learn more about Bar programs that help lawyers in their lives and practices.

**Lawyer Assistance Program**

The Lawyer Assistance Program (LAP) is a confidential service provided by the State Bar to help its members with life’s difficulties. In order to help meet the needs of its members and ensure confidentiality, the Bar contracts the services of CorpCare Associates, Inc., Employee Assistance Program (CorpCare), a Georgia-headquartered national counseling agency. Confidentiality of all communications to the LAP is of such paramount importance that the LAP has spent the last five years crafting and implementing new Bar rules that sever all links between LAP and the disciplinary arm of the Bar.

You may have heard of a new rollout of a superb initiative of the LAP that has long been in place, #useyour6. This refers to the six free counseling sessions per calendar year that are available to each member of the Bar in good standing. Counseling is provided by seasoned counselors under contract with CorpCare, some three hundred of them throughout the State of Georgia. The average years in practice among the group is twenty years, so these are experienced professionals. Independently and as co-chair of the LAP Committee, I strongly encourage you to use your 6 if you have an issue or issues that you’d like to discuss with a professional. I’ve been doing it for years and I can attest that talk therapy with a trained counselor with whom one connects is worth its weight in gold.

**Lawyers Helping Lawyers Program**

Georgia Lawyers Helping Lawyers (LHL) is a confidential peer-to-peer program developed by the LAP that provides colleagues who are suffering from stress, depression, addiction or other personal issues in their lives a fellow Bar member to be there, listen and help. At www.georgialhl.org, you can sign up to be a peer volunteer or use the
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The program is seeking not only peer volunteers who have experienced particular mental health or substance use issues, but also those who have experience helping others or just have an interest in extending a helping hand.

For more information, visit: www.GeorgiaLHL.org
It’s better for everyone—clients, the Bar and the lawyer him or herself—when a lawyer seeks help for mental health or substance abuse issues. The Bar encourages lawyers to get treatment or assistance when they need it. A request for help is confidential and the Office of the General Counsel is not informed when a lawyer seeks help through the program.

To ensure such confidentiality in the actual matching process, volunteers’ names and contact information are not available on the website, only identified by peer numbers, and only CorpCare has access to the identifying information that it keeps in an encrypted database.

Members of the YLD are welcome to join LHL as volunteers and the service is available to help any member in need. If the idea of talking to a peer appeals to you, please take advantage of this unique program.

Yes, we all are subject to stress in this wonderfully challenging and rewarding profession that we have chosen. The key takeaway that I hope you have gotten from this article is that you don’t have to suffer alone and you don’t have to suffer in silence. If you need it, please reach out for help.

Endnotes

1. Study on Lawyer Impairment,” https://www.americanbar.org/groups/lawyer_assistance/research/colap_hazelden_lawyer_study/. This important study, jointly commissioned by the Hazelden Betty Ford Foundation and the American Bar Association, was published in 2016. It paints a painful picture of our profession—a lot of silent misery and a lot of fear about seeking help. In addition to identifying the first 10 years of practice as the highest risk, the study reports that 21 percent of listners, 28 percent struggle with some level of depression and 19 percent demonstrate symptoms of anxiety. The collaborative research project marks the first nationwide attempt to capture such data about the legal profession, gathered from approximately 12,000 attorneys from 19 states and across all regions of the country.