

## THE RESILIENT ATTORNEY

By Stephen Sideroff



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Lawyers populate a very difficult profession, highlighted by conflict, cynicism, pressure to prevail, and tremendous economic competition—often with an intensity and urgency absent from most other professions. Harrison Barnes, an attorney, notes that the profession fosters the role of “destroyer,” which is to criticize, depress, and tear down. While this doesn’t apply to everyone, it’s easy to come to the conclusion that there is simply no way to avoid the stresses faced by the average attorney.

The impact of this mélange of stressors is expressed in the greater than average rates of depression, suicide, substance abuse and other physical and emotional problems. More attorneys than ever before express dissatisfaction with their work. In the December 2008 issue of *The Bottomline*, Richard Carlton notes that there may also be a natural self-selection in which people with certain personality traits, such as high achievement orientation, perfectionism, and obsessive-compulsive characteristics, are drawn to becoming an attorney. Thus, the perfect storm of personality characteristics and high stress and work requirements of the legal profession foster emotional and behavioral disabilities.

The good news is that you are not doomed to a life of unmanageable stress and dissatisfaction. While it does appear that the cards are stacked against good health and resilience, I have identified the reasons for this state of affairs and have worked with a number of attorneys to find a path through these land mines to a happier, more fulfilling, and even more productive life.

### Obstacles to dealing effectively with stress

One of my attorney clients is a good example of what gets in the way of managing stress. Jim had been working in a law firm for 15 years and had recently become a partner. Although experiencing many stress-related problems that included sleep difficulties, frequent headaches, and irritability, he resisted getting help. It was only after they affected his performance—forgetting important meetings, increasing disorganization, difficulty concentrating, personal conflicts, and growing levels of anger (these symptoms didn’t particularly bother him until one of his partners made a comment)—that he decided he needed some help.

Jim was so focused on his deadlines and billable hours that he couldn’t take time for himself. Whenever he thought of taking a break, his critical inner voice would reprimand him. This would be  
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reinforced by his office's culture in which work came ahead of everything else. With so many demands on him for product and results, he thought he must simply double his efforts. So, there was no time to relax or unwind.

As I began teaching him ways to relax, a strange thing happened. He became very uncomfortable and wanted to stop, and he was unable to practice relaxation exercises outside my office. Why should that be? Wouldn't one expect that engaging in the relaxation process would feel good and, well, relaxing?

My client's resistance highlights another difficulty we face as we try to establish balance in our lives. As we try to turn off our minds and relax, our emotional unfinished business (feelings that have been ignored and not addressed) bubbles to the surface. We experience these emotions as uncomfortable. Well, if trying to relax feels uncomfortable, why do it? Said another way, for many, engaging in stressful behavior serves to distract us from our emotional issues.

Another factor at play here is what I refer to as superstitious behavior. Ironically, success itself perpetuated Jim's addiction to stress. Every time he engaged in the pressured, tense behavior surrounding an important case, and he was successful, unconsciously he was making the association between stress and success. This reinforces neural networks representing this association: stress leads to success.

## **MAKING A COMMITMENT IS ABOUT TAKING A CALCULATED RISK AND BEING WILLING TO TRY NEW METHODS AND STRATEGIES**

Even when he contacted me, Jim did it reluctantly. His first comment to me was, "I am having some difficulties, but there really isn't anything to do about them—my work is very stressful, I deal with very difficult people, from my clients to my staff to my partners. I know that they aren't going to change."

If I had encountered this person earlier in my work, I

might have headed for the door. But by now I saw this as a typical executive refrain: I'm stressed, it's tough, but that's the way it is. At the same time, here was a person really in need of help.

### **Making a Commitment**

My first step with Jim was to get a commitment from him to be open to the possibility that something good can come out of our work, and that it just may be possible to change his experience without moving to Montana.

Let's examine this first idea. We all get stuck in our ways. Attorneys have a professional culture that reinforces stressful behavior and thinking patterns. Making a commitment is about taking a calculated risk and being willing to try new methods and strategies. It also requires an acknowledgment that you want to be less tense and happier. For Jim, making a commitment—which started tentatively and later became a full commitment—meant that for a specific period of time he would listen, be open to new ideas, and do his best to follow through with the plan we created.

Usually, physical symptoms are not enough of a motivator to overcome resistance, particularly with attorneys. This is unfortunate. Typically the attorney client will come to me only after there is a crisis arising out of some behavior, performance, or legal issue, such as substance abuse. It seems that this is the only sufficient motivational factor that can overcome a rigid pattern driven by insecurity, peer pressure, and financial concerns.

As I present my model of resilience, I hope to demonstrate three points:

1. You run a great risk of burnout if personal emotional issues are not addressed.
2. It is possible to perform optimally and at the same time take care of yourself.
3. True optimal performance requires self-love and acceptance.

### **A nine-component model of resilience**

As a result of my research into stress and resistance managing it, I chose resilience as a more positive focus and life strategy. Resilience is a concept that developed out of research into how children dealt with trauma, major crises, and disasters. The resilient child was one who handled these traumas with minimal damage.

If we think of resilience as simply the ability to

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bounce back after stress and our daily hassles, then this concept can be applied to all the stresses in our lives. Stresses are cumulative and can have a growing impact if not addressed. If we learn to handle all these daily factors more effectively, we achieve both good health and greater productivity.

Out of this concept, I developed a nine component model that organizes resilience into three general areas: Relationship, Organismic Balance, and Mastery and Process, or how we interact with the world. Each encompasses three components.

**Resilience component #1:  
The first component is your relationship  
with yourself**

At the heart of resilience is *your relationship with yourself*. How do you treat yourself? Are you judgmental or accepting? Supportive or undermining? Since most attorneys engage in critical behaviors, it is easy to fall into a similar, negative pattern with yourself. As we began working, while Jim was critical of others, he was just as hard on himself. He spent very little time appreciating his successes. Instead, he quickly shifted his focus to what didn't go right, or to the next project, and to deadlines that needed to be met.

We know from research on marriages, that there needs to be a healthy balance of five positive statements and behaviors for every negative one. When a marriage drops below this 5 to 1 ratio, the relationship is in trouble. Jim's ratio, in his relationship with himself, was more like 1 to 5!

Let's cut to the chase: how well we handle stress depends on how well we treat ourselves. Your internal voice, or self-parenting, is a critical component of this relationship. The key aspects include being supportive, accepting, and loving. It is *never* helpful to put yourself down. Unconsciously you may have come to believe that this is the way to get yourself to do better. This is a myth. When we put ourselves down we actually undermine our capacity to meet the demands in our life.

What Jim needed to learn was that accepting himself didn't mean he doesn't want to be or do better. In fact, accepting, as I use the term, simply means recognizing, "this is where I'm at, at this moment. Just as the laws of physics state, I can't be in two places at the same time." Most of us get caught thinking we should be better than we are, smarter, more effective, etc. I sug-

gest that to get to where you want to be, you first must accept where you are. Otherwise, this discrepancy between reality and expectation will undermine your self-esteem and trust in yourself. This can only interfere with your improvement.

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*Suggestion to improve component #1: Cultivate a healthy internal voice, one that is supportive, accepting, and caring. Find people who do this well, and use them as models. Start monitoring your positive and negative comments to yourself. See how close you can get to the magic 5:1.*

**Resilience component #2:  
The second component is your relationship  
with others**

Your stress response gets triggered whenever there is a sense of danger, threat, or uncertainty. The quality of your relationships determines if you will be guarded and tense, or able to stay calm. As an attorney, Jim accumulated relationship conflict in his legal work. Many of his daily encounters were adversarial, and these elevated his adrenaline, tensed his muscles, and raised his blood pressure. He was triggering his "fight or flight" response, similar to our hunter-gatherer ancestors of 25,000 years ago. The difference is that Jim had no outlet for that mobilization of energy. He was stuck holding it inside.

This physical activation alone can be manageable if Jim was able to recognize what was going on and was able, immediately after the conflict, to engage in

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some form of recuperation to restore his body to a place of balance. Instead, three things occurred that made this a problem: (1) he would keep reviewing the conflict in his head, maintaining his heightened level of stress; (2) he carried this energy into his other work relationships, for example, being abrupt with colleagues, getting annoyed at his secretary, and reacting when his expectations were not met; and (3) when he got home after work, his general annoyance generated stress in his home relationships with wife and children, again maintaining his stress and not offering himself the comfort of family contact that would help his rejuvenation.

*Suggestion to improve component # 2:*

1. After engaging in a conflictual encounter, notice the tension in your body and consciously let go. Identify and schedule what needs to be done next, delegate where appropriate, and then tell yourself that any further emotional energy devoted to this situation is only using up good energy. Take five breaths, and extend the exhale while feeling your muscles letting go as you release the experience that just ended.

2. In your other work-related encounters, try to be as positive and cordial as you can—even making sure to smile at others. Come up with as many positive statements and actions as you can.

**THE QUALITY OF YOUR RELATIONSHIPS DETERMINES IF YOU WILL BE GUARDED AND TENSE, OR ABLE TO STAY CALM**

3. When you arrive home, before entering, think of how you can positively engage the members of your family. If you are single, make sure to contact a friend or family member and do the same. If you are carrying feelings from the day, identify someone with whom you

can share these feelings as a way of releasing the tension around them and gaining support. Or, during your car ride home, consciously express all the feelings you are sitting on as a way of letting them go. Your goal is to increase the number of healthy supportive relationships.

**Resilience component #3:  
The third component is your relationship with “something greater”**

The “something greater” can be a spiritual belief or it can be some purpose in your life that takes you beyond the here and now. It extends your horizon so that your daily hassles are placed in a larger perspective. For many, a spiritual belief serves to take “the load off the back” when there is a God who has much bigger shoulders.

For many, this component is expressed in their volunteer work that brings them into contact with their community. Giving back is a way of expressing gratitude. This tends to generate a sense of personal balance.

*Suggestion to enhance #3: Identify your personal spiritual belief or some purpose that goes beyond your immediate environment and social network. Take some action that puts you in contact with this aspect of your life. Then, when you can, take five minutes to focus on a sense of gratitude for what you have, think of someone you love (even if it’s your dog), breathe slowly, and connect with your heart.*

**Organismic Balance and Mastery**

There are three areas requiring balance and mastery to experience resilience: physical, emotional, and mental: our *physical responses*, our emotional responses, and our thinking patterns. Let’s take them one at a time.

**Resilience component #4:  
Physical balance and mastery**

Our stress response affects every system in our body, either activating—such as heart rate, muscle tension, and nervous system; or turning off—such as digestive, immune, and reproductive systems. It stretches and uses up the resources of our body if we don’t allow the body to recuperate. Upwards of 70% of illnesses have a stress component. The problem is that we become addicted and conditioned to our stress response. We unconsciously believe that if stress is good, then more stress is better. In fact, since we only

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have one stress response, when the source of stress continues, our automatic response is the intensification of that response. The result is that we are always operating in the “red zone” of our personal engine. Over time, fatigue and impaired thinking and performance are just some of the consequences.

When I work with elite athletes, one of my main tasks is to help them achieve a state of calm focus and be able to control their tension. This is the path to optimal performance.

We get used to high levels of tension and actually lose the ability to relax, as another attorney client discovered as he began having difficulty falling asleep at night. The only solution other than a pill is to retrain your body to be able to relax. Here are some simple suggestions to gain mastery over the stress response:

1. Practice a simple relaxation technique for ten minutes each day. If you email me, I'll send you an eight minute practice. SSideroff@MoonviewSanctuary.com.
2. Find some way to remind yourself to check in with your body once each hour to notice tension. Take about five slow, deep breaths, allowing your muscles to let go on the exhale.
3. Think of these three variables in relationship to your stress response: Frequency, intensity, and duration. Pay attention to how you can reduce all three during your day.

In my work with Jim, each of these steps was difficult. He finally had success when he had his secretary schedule the 10 minutes, and then he programmed his PDA to click once each hour to remind him to check in with his body and to take five breaths. Interestingly, he was able to reduce the frequency of turning on his stress response by making it into a challenge in which he began counting the number of situations in which he *didn't* have a stressful response.

### **Resilience component #5: Emotional balance and mastery**

Why are we perfectionists? Why do we keep pushing ourselves and focus only on our mistakes? Our emotional insecurities drive our behavior. And unexpressed emotions that are held inside are just waiting for a trigger for their explosion. Emotional issues consistently impair resilience, leaving us less in control of our lives.

We try to compensate by using inappropriate ways of controlling—frequently by trying to control others.

## **WHEN ENGAGING IN A WORK RELATED PROBLEM, TRY RELAXING JUST BEFOREHAND, AND THEN KEEP REMINDING YOURSELF TO RELAX**

Hilary, another attorney, realized she didn't have effective or appropriate ways of releasing the emotions and tension of her work. She felt battered by unreasonable client expectations and then by antagonistic communication styles of others in her law firm. As a result, emotions built up and then were triggered at inappropriate times. This, in turn, created new and unnecessary conflicts simply adding to her “unfinished business.” Unfinished business refers to the emotional residue that we carry around when a conflict is unresolved. This distracts, adds stress, and drains one's energy.

We carry around unfinished business that goes back to our childhood. It causes many of our drives and tendencies, including Type A behavior, self-abusive behaviors, and being a perfectionist, to name just a few. My starting point with Hilary was to address more current emotional conflicts.

*Suggestion to improve component #5: First, it's important to remember that feelings are a normal part of life. We never have to justify a feeling, just as you don't have to justify being hungry. The important process is to notice your feelings, find some way of expressing them, and then let go and move on. Expressing your feelings does not have to involve another person. It is simply about giving your body the opportunity to have a physical and emotional release. You can yell at or beat up a pillow, imagining it is someone who angers you. This serves to release the tension held in your body.*

*Second, it is possible to separate the problem-solving aspect of a situation from your emotional response.*

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*If you have a difficult situation, while tensing your body is a natural response, it isn't necessary—it doesn't make solving the problem any easier, it just tires you out faster. When engaging in a work related problem, try relaxing just beforehand, and then keep reminding yourself to relax.*

## A RESILIENT PERSON IS ONE WHO HAS THE ABILITY TO MAKE ADJUSTMENTS WHEN LIFE DOES WHAT IT ALWAYS DOES: THROWS A CURVE

### **Resilience component # 6: Cognitive balance and mastery**

You may have heard the expression “catastrophic expectations,” which refers to imagining the worst possible outcome. This is the opposite of cognitive balance. It unnecessarily activates the stress response. As long as you are thinking of something negative, you will be triggering this response. Jim had the tendency to begin worrying about a court case, or even an encounter with a difficult client, a day or more in advance. The result was that a one-hour stressful meeting became a 24-hour stress response, which also affected his ability to get a good night's sleep.

While planning is an important strategic cognitive function, once planning is over, any additional thinking, which we can label “worry,” is not constructive and adds unnecessary stress.

In psychology there is a term, “locus of control,” that refers to whether we believe that it's the events out there controlling us or that we control ourselves. When it comes to stress, many of us have an external locus of control. We believe that event “A” causes our stress reaction “B.” This notion of an automatic process leaves us feeling helpless in doing much about our stressful life or profession.

In fact, what actually happens is a process that we can label: “A” (event) “I” (internal, cognitive appraisal of A) “B” (our stress reaction). Only when we appraise a

situation to be a threat, do we trigger the stress response. The fact that there is an internal assessment is very important. It shifts the process from one in which we are helpless victims of our environment (and by extension, our law practice) to one in which we determine whether an event should be experienced as stressful. How many of your daily situations require the elevation of your blood pressure or the tensing of muscles? This is a question for you to regularly raise with yourself.

*Suggestions for enhancing resilience component #6: Make it your intention to focus on the most positive outcome for each upcoming event in your life, or your day in general. Yes, of course you need to prepare for all eventualities, but once you do this, focus on the most positive. In addition, simply notice where your mind tends to go—is it a positive thought or a negative one? Simply notice how frequently you dwell on the negative or have a hostile, angry thought.*

*Awareness is the first step in the change process. Most of the time, our tendency is to automatically continue a pattern—such as the way we think—out of habit, or to avoid uncomfortable thoughts. By not noticing, we make it impossible to establish new healthier ways. The more you become aware, the more you give yourself the opportunity for thinking or acting with intention.*

### **Process: How We Engage with the World**

The last three components have to do with our process, or how we engage with the world.

### **Resilience component #7: Presence**

Some people you feel attracted to and others seem to repel just from the energy they give off. Presence can be explained as the sum of everything we bring to the moment, which results in a palpable “energy” that we carry with us that is perceived by others. The more we carry around our unfinished business and emotions, the more we are distracted and less present.

Optimal performance is a function of how present we are. It determines our ability to focus and affects the quality of our relationships. This is sometimes referred to as an aspect of our emotional intelligence. In a law practice, for example, this may be the unspoken factor in determining who gets promoted.

It's possible to train yourself to be more present.

*Suggestion for enhancing resilience #7: make a conscious effort to pause before entering all your meetings. Take a moment to breathe, notice how you feel, notice any thoughts going through your head, and then let them go. Straighten into a more erect posture that projects a sense of confidence and make the commitment to yourself to project this image to each person you greet in the meeting. Smile inside to yourself, and let that smile show.*

### **Resilience component #8: Flexibility**

Do you adapt easily, or get bent out of shape if circumstances aren't the way you expected them to be? A resilient person is one who has the ability to make adjustments when life does what it always does: throws a curve. Attorneys often have difficulty being flexible as they become very attached to a position even when it isn't important. Getting locked into a style makes it difficult to be satisfied. Conversely, being flexible helps you minimize frustrations and emotional distress.

*Here are a couple of suggestions to begin strengthening your flexibility muscle: Wherever you have a strong position, give yourself the opportunity to experiment with the opposite position. Fully place yourself in the shoes of the other side. Second, do some of your daily routines differently. Use your opposite hand to comb your hair, brush your teeth, and handle utensils. Allow yourself in these situations to experience the discomfort with either amusement or fascination.*

### **Resilience component #9: The last of my nine components of resilience is Power.**

In my model, power is the ability to get things done. Here we get to the one area that most attorneys feel competent in—although for many, stress and burn-out begin to take their toll. Power hinges on the integration of persistence, courage, assertiveness, good communication skills, and the ability to do appropriate strategic planning and identify appropriate incremental steps toward a goal. Perhaps surprisingly, one aspect of Power often difficult for attorneys is appropriately owning, or accepting, their success.

Interestingly, this brings us full circle to your relationship with yourself. Resilience is strengthened by a good image of yourself and a positive assessment of your capabilities. To take full advantage of your success it is important to integrate these experiences into your sense of self. I have found that attorneys are hard on themselves and have difficulty fully owning their accomplishments. This isn't about bragging or self-promotion, but instead it's about appreciation and trust.

*My suggestion for resilience component #9 is to take some time—and this can be done periodically or after a success—to review some of the successes you have had. Identify all of your skills that contributed to achieving the particular goals. Make sure you don't dilute this by subtly shifting to mistakes or noting that the success was not perfect. Breathe and fully take in and own these skills and abilities that you are identifying. Allow yourself to feel good about each, as if this is emotional and mental nourishment that you will metabolize so the result will add to your good feelings about yourself.*

This process doesn't minimize, justify, or take away your mistakes or problems. But instead, it can help you better address them. Ultimately, it will contribute to your resilience.

Resilience and the nine components that I have presented are an approach to be continually striving to achieve. It will result in your being healthier, performing better, and ultimately enjoying life more. With the guidelines laid out in this article, you now have very specific actions that you can take to regularly and gradually enhance your resilience. Good luck.

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