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We're all set to go. Okay, well, Hello, everyone. My name is Jim Eisen. And I'm here to give you a talk on your competency requirement for MCI Lee. This talk is called Running on Empty professional burnout, and how to refuel. I wish I could take credit for the title of this talk. My wife is an internist, Dr. Pamela abrar. And she co presented this talk at Cal Western last week. And this was her, I'm going to give her the credit for the title. As a physician working in a very busy startup. She is well acquainted with burnout. So it's not just us, you know, it's not just us attorneys. If you're all attorneys, you know, physicians and other professionals to experience burnout, I'm going to try to cover what my wife covered in general toward the beginning of the talk, and then dig into this talk. So I want to be clear, this is my bio, I am not a psychologist. I'm not a psychiatrist. I'm not a physician. So I'm here to give you anecdotal observations, some information about mental statistics for our profession based on different credible resources like the APA. I'm here to give you some solutions that are offered by the experts. And I'm here to tell you about some of my own experiences to the extent that's helpful or relevant. And maybe we'll hear some things from you, too. Who knows. So I just want to make sure you understand that I work with physicians, but I'm not a physician. And this is anecdotal in nature. Okay. So what I'm going to talk about today, first of all, is professional burnout. Now, why professional burnout? Why don't we talk about mental health in general? Well, I'm sure I'm not surprising you to tell you that mental health in America, and I'm sure in other countries, too, is connected with stigma. So I think as Americans with very hard time, identifying ourselves as struggling with a mental health issue. It can feel shameful. And I guess we could do a whole talk about America and our history. And, you know, our sense of bringing ourselves up by our bootstraps, and why mental health is a tough issue for this culture, because we'd like to think everyone can make it on their own if they work hard enough. But just like an infection, if you have a bad infection of a of your body, your arm, you can work really, really, really hard. But if you don't take medicine, the infection gets worse. And for some reason, with some illness, we accept that and we don't attach blame. But then we get into the area of

mental health, whether that's some sort of a diagnosis, or perhaps it's addiction, perhaps it's depression. All of a sudden, we trigger this part of our culture in ourselves that says, well, what's the problem? Now? They're just not working hard enough. They're just looking for a handout, or if they just tried harder, they'd be okay. So, when we reframe the issue as professional burnout, it's my hope and my own sense that it's a little easier. You know, not many people are going to raise their hand and say, Yes, I have an addiction problem. But I think we can more easily say, Yes, I might be burned out, you know, if you're in a party, or you're talking to friends, it's easy to say, yeah, I'm a little burned out, or, you know, if you're talking to your family, it's a lot harder to say, yeah, I think I got bipolar disorder. Doesn't land as well. So, so I'm gonna frame this as professional burnout, because I think it's a little more approachable, and it's easier for us to all digest. I'm going to start off with some mental health statistics. I don't mean to depress you, which would be ironic in a mental health sock. But I want you to understand, and I like to remind myself that this is a real issue, that it's really out there, and it's more prevalent than we might think.

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I'm going to talk about then legal profession burnout, why do we have our issues? What is it about being a lawyer that can be particularly difficult to manage? And then I want to focus on how to refuel, so I didn't want to just leave the talk with Okay, have a nice day. This is really bad. Good luck out there. But I wanted to give you some tips, tips from credible resources, and also my own tips, too. And maybe you have tips, because we'll we'll have some discussion. So this is now the warning. This is a little bit depressing. Us mental health statistics. So murder, 41,000 people commit suicide annually. Now, that's a big number. Right? Like when we think about trade, I always talk about traffic deaths. You know, you always talk about well, there's about 35,000 traffic deaths in the US every year, but suicides even bigger, and that's really surprising. And then when you look at some of these other statistics to There's active mental disorder, particularly depression that's likely untreated. sobering 43 point 8 million adults experienced mental illness in a given year. One in five adults in America. That's a pretty big statistic. You know, when I was giving this talk at Cal Western, you remember the talk in law school, look to your left, look to your bar passage, which was pretty depressing. Maybe, maybe we do this to ourselves. But um, that's a big number one in five, nearly one in 25 adults in America live with a serious mental illness 10 million. That's a big number. Depression is the leading cause of disability worldwide and is a major contributor to the Global Burden of Disease. So, again, we think of depression as maybe something someone's doing wrong. Like they're doing something that's making themselves depressed. It's important in this subject to try to pull that judgmental aspect of our own nature away, and look at it as illness because it really is a version of illness, and then it helps us be clear about what to do about it. One in 100 American adults live with schizophrenia. That's a pretty big number. 2.6% of Americans live with bipolar 6.9% live with major depression, and 18%. Live with anxiety disorders. Is there any reason to think that as attorneys we'd be immune to this disease?

Not not remarked? No, of course not. We're actually potentially prone to this. serious mental illness costs America course these are estimates $190 billion in lost earnings every year, nearly 60% of adults with a mental illness didn't receive mental health services in the previous year. So I guess the takeaway on this is untreated mental health problems is a very expensive mistake that we make, by not addressing it and treating it when we can. And that's not only on a policy level as a country, but it's also on an individual level too, and wants you to kind of evaluate yourself as an enterprise. And so to the extent that you take care of your mental health, you're protecting your enterprise, and its functionality. And likewise, when we ignore our mental health problems, we're jeopardizing the enterprise view. Because you simply can't function the way you need to for your clients or yourself unless you take care of yourself. 10 million have co occurring mental health. That's amazing. And 26% of homeless adults are coping with serious mental illness. I've done a little bit of volunteer work with the homeless community. Anecdotally, this is absolutely true. Before I did any kind of volunteer work in with the homeless, I had a certain perception of that, which might have been well, why don't they get a job, you know, but when you get into the homeless community, and you help out on any level, you start realizing that a fairly significant percentage of them have a serious mental problem. And they need help, it's not just going to go away with a job, they're going to lose that job. So

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mental health challenges and legal work. So let's look at what we do as professionals. So first of all, we have unforgiving deadlines, duties and expectations was stressful. I mean, I I've been an attorney for roughly 30 years, which it's hard to admit, it's been that long, but it's stressful. You have profound losses and financial stress, we deal with people, we can't always solve the problem, right? You know, whether it's a transaction, a lawsuit, a loss, a death, serious injury, or financial, someone going down, or credit or unpaid. We deal with very profound losses. And we can't always fix that. And that can affect us. We analyze and interpret reality, don't we? Whether it's a dispute or a transaction? Have you? Are you ever amazed at how people can have a completely different recollection of events? You know, I've taken plenty of depositions in my day, I'm sure you all have to if you litigate, or if you're transactional, attorney and you've negotiated deals. And isn't it stunning how to say otherwise reasonable people can disagree on what shall means or may or was it a red light or a green light or the speed of a car, or who witnessed an event? And we all if we've tried cases, I've seen people swear to God and testify and I suspect they think they're telling the truth, but I'm not quite sure they are. accurate. We all process reality through these things. You know, senses and brains, and they heavily impact what we think we see. And what we think we see. And what we think we hear isn't always objective reality. Just read the news lately. And you can see good examples of this, right? I'm trying to laugh about it. We so we analyze reality, and there's massive data intake and analysis loads, we read a lot of paper, how many times have you read a stack of paper this high and had to figure it out? or listen to a day of trial, or listen to a direct exam and try to really hear the witness and figure out what's the right

way to frame this or good cross examination? That's not entirely normal. We have to be almost hyper vigilant. We deal with conflict a lot, right? Whether it's a transaction or a dispute, we're trying to mitigate conflict. But sometimes we'll get sucked right into it. How many people here have been in a ridiculous discovery dispute? I'll say me. Yeah, it happens, and you get sucked in. And then all of a sudden, it's multiple motion time and a mediator and all that stuff. It's stressful. So we deal with uncertainties, and we can't guarantee a positive outcome. Unfortunately, wouldn't it be great if we could tell our clients, this is going to turn out great for you. We're going to win a trial, the other side's going to lose this transaction is going to be very profitable now. And in the future. We don't know. We really don't know. stressful, we have to anticipate risk and loss. You know, it's interesting in the materials, I read about law and mental health. It's such a strange thing. Can you imagine driving down a highway and having to look 10 miles ahead. But isn't that how we live our lives? In a sense, by the way we handle legal matters, we have to contemplate what happens next year, five years from now. So I was on the phone with a client today. And I was analyzing a Delaware limited liability company operating agreement. And he wanted me to tell him, what might happen based on some revisions, an investor made. So you got to read a lot of pages to get this done, right. I mean, I had to read two operating agreements plus a bunch of other contract documents, it was probably about maybe 80 pages of copy, and came to the conclusion that there were some risks potentially, in the way certain language was framed. A lot of detail, you know, and then you're talking to someone who's put a bunch of money in the deal. And he doesn't want to hear this, you know, he doesn't want to hear this. So, you know, there's parts of what we do for a living that are very stressful. And when we always are thinking of risk and loss, it can infect our thinking, how many times in our personal relationships or private life? Do we catch ourselves being a lawyer? Whether it's cross examining a loved one? Is it a true parsing words, this is particularly unpopular in my household parsing words. Or even just simply being negative in our expectations, you know that those pipes of polybutylene they're going to blow, we're probably looking at the entire piping. Because I handled a case like that.

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That's hard to live like that. We make it hard on ourselves, the way we're wired. You know, and then I want to bring up perfectionism and procrastination. So how many people here consider themselves somewhat of a perfectionist? I do. I'm proud of you. I am anyone. No, yes. Because perfection is an procrastination go hand in hand, we want to get a gist, right? And when we want to get it just right, it means today's not the right day to do that. I didn't have enough coffee. I didn't I didn't go for a run. I'm not gonna do those today. I can't wait to now I'm not in the right frame of mind. I have my iPad Pro, but not my ThinkPad I need to really get that right. I've got to have everything just right. So we do that to ourselves, and then it adds another layer of stress. So some materials from the ABA. And what about our profession? Practicing lawyers exhibit clinical anxiety, hostility and depression at about eight to 15 times the general population. So there's a cost to everything I just surveyed with you. The fact that what we do is so stressful and such an

overload can at times challenge enterprise you significantly in a way that other enterprises aren't challenged 20 to 40% of loss students suffer from clinical depression by the time they graduate. What's really interesting about that statistic is they come in pretty much okay. So, when you look at this statistics, and they tested in the beginning, they're like, okay, we're pretty much in the statistical norm which if we're in America means one in five is still really struggling. But you know, give it a year or two have standing up and arguing against yourself or reading a 300 pages a day. This is what happens. Out of 104, occupational groups lawyers ranked the highest in depression. And it makes sense to me, you know, because we deal with so many things we really can't control. You know, the really good trial lawyers. Yes. And how did trial go? And what do they say? I got all my evidence and right, because that's the only thing you controlled, that's about it, the outcome, the verdict, how the jury looked at you whether the jury liked your shoes, whether the jury thought you were a jerk, or not a jerk incorrectly or correctly, or your client. We don't have control of that guys. But we get rung up for the result, or praised for the outcome. And I think we all know a little better. If we gather evidence, and we're doing great, lawyers ranked fifth in the incidence of suicide. So it's pretty high. And we exhibit high levels of substance abuse. So, so far, in this talk, what I hope that we've landed is, mental health is a serious issue in the US. There's statistics, so I'm not just making it up. And I'm not just you know, being the big bad wolf. lawyers do things that are particularly mentally challenging relative to the population. And it shows up in our numbers, you know, the incidence of mental health and attorneys is higher than in a lot of other professions. So we have a known risk. So as a good attorney, you're thinking, What's mitigate? What do we do to fix this? Okay. So there are a number of different articles that I found out there that really tackled this issue of attorney stress from the vantage point of burnout. And as I explained, I wanted to do this from a burnout perspective, because I just think it's a little more accessible. So let me start with this. How many of you feel burned out right now? Yes, yes. Anyone? A little. Okay. I'll say I'm a little, I'm not terrible, but I'm a little it happens. So I want this PowerPoint to be available to you, I think it will be so you can go in and grab the links and look at the articles, I think the articles are marvelous. And I just want to share some of the high points from them. So in this article, it talked about our burnout as a form of emotional exhaustion and disconnection, lawyer and can be lonely when you are reading 300 pages, that's not social time. You know, we're not collaborating with someone else we're reading. And, or if we're studying or researching an issue, or investigating and analyzing, it's, you know, it can be lonely, it can be disconnecting, and it can take big amounts of our time, and it can be exhausting. And because we don't control the outcome, it's very easy for us to feel ineffective. You know, we can feel like as hard as we've worked. Why didn't the senior partners see the value of that new client I brought in? Or, you know, why does it the client understand that my reasonable fees is perfectly situated to the outcome of this matter? And plus I did the work, you know,

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as solutions this article talked about is let's take a look at our work hours. How many people here

think they have effective work hours that they work just enough to get the job done? And the hours that you work work for you? No, okay, I kind of got this going. Right now I've got a gig going in Irvine. And this is working for me. But I've been in situations where the work hours don't work for me either. I feel like I'm being forced to be in a place that doesn't work for certain periods of time. And I'm thinking this is stupid, like, why am I here? Or maybe the equipment or the personnel? Are there's something about it that don't work. So this article talks about looking at your work hours to see are you working effectively? Has everyone heard of the analogy of the of the lumberjack, cutting down a bunch of trees, but not sharpening the saw, or not sharpening the axe? So you end up just whacking with adult blade against a bunch of wood and you get nowhere? Has anyone ever felt like they've done that in their legal work? I have. This is what we need to evaluate as attorneys. Are we working as effectively as we can? Do we give ourselves the resources and time we need and when we need to take a break? Do we take the break? You know, employees get a break. You know, there's a reason for that. Do you give yourself a break? I think sometimes we don't. This article also talks about taking a breather and taking a break and getting in some exercise. You know, every time we take a breath and we reset, we give our mind a chance to catch up, you know, to sort of pull this deal together. Where are we at them Emotionally, where are we at? cognitively? What am I dealing with? Has anyone ever gotten into a dispute? Because they didn't take a breather? Have you ever gotten sucked into a die? Have you ever been on the phone with opposing counsel? And instead of taking a break and saying, Let me give that some thought you raise a good point. Let me get back to you. You engaged? Hard. Yeah. So sometimes we do this. And I think it's important that we learn to take a break, and take a breather, and then exercise How many people here think they exercise enough? That you do? Does it help?

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I think so. Yeah,

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I try to exercise every day, I don't always get that done. It really feels like it helps. I feel like I'm taking an antidepressant, for lack of a better way to put it when I exercise. And actually, I've got a couple friends who are psychiatrists, and they tell me the first thing they do with a new patient, is they ask them if they're exercising. And the first thing they do before they put them on medication is they make them exercise. Because sometimes exercise and maybe some diet changes can lead to some health improvements, and avoid medication. Sometimes you can't avoid the medication, if you need the medication, take the medication. But if you don't exercise sometimes can get get it done for you. And then just to get help. How often do we think that if we're having a mental health crisis, we just have to white knuckle it, it's just us? You just figure it out? Well, you know what, we're not designed that way, you know, we're a primate, you know, primates aren't solitary creatures roaming the earth by themselves. We run in packs if you haven't noticed. And

sometimes we need the pack. And sometimes we need the Pac's expertise. So sometimes you need to talk to family or friends or your significant other. And sometimes you need to talk to your doctor. And sometimes you need to talk to a psychologist. And maybe you need to talk to a psychiatrist. And when you need to do that you should do it. Because it's just a matter of getting the help you need. All right. This was another article I found that I thought was cool how lawyers can avoid burnout and debilitating anxiety. I just love that picture. I don't know why it seems so artistic and tragic at the same time. So what this article talks about and focused on was perfectionism and pessimism, learning to deal with the fact that we are in a profession that affords no mistake or error. I don't know how you feel, but I don't think I can make a mistake. Like I, if I'm doing an opinion letter for a transaction, there's no room for the mistake, right? No room or if you're doing a transaction, there's no room for typos. There's just no room for that. Same in litigation. You know, if you're doing trial, there's really no room for, for example, misstating effect to the court. There's no room in that at all. So we have to deal with the fact that we have perfectionism inherent in our profession. And it can sometimes lead to a certain sense of pessimism. Do we get a little jaded? Yeah, we do. I remember in my first trial of significance, I was trying to case in San Jose, it was a bench trial. And my opposing counsel was the top litigator at Hoag Fenton. And I was a fairly young attorney. So I was lucky just to be in the game as far as I'm concerned. But it was going pretty well. The trial was going pretty well, at one point in the trial, one of the third party witnesses, a party not represented by either myself or the hope fenneman partner, pretty much, you know, lied under oath in a fairly victorious way. And so we took a break, and I said, Hey,

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Paul,

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did you catch the doctor fill in the blank? lied? He said, Well, was it a big lie? Or was it a real lie? Or just you know, I didn't know that was just an acceptable? I don't think there are heady. But we can get pretty jaded, I think, after so many years of dealing with this stuff. And we need to watch for that. So what this article talked about was avoiding anxiety by taking action. So we have to acknowledge the fact that part of our problem as attorneys, is our lack of control of outcome. Is the client happy with our fees? Probably not. Does the client want to pay our bill probably doesn't really. Not always, you know, did the trial go? Well? Yeah. So but what we can do is we can take action for ourselves and decide how are we going to set our hours better? Are we going to exercise a little more if we need to? Are we going to check our diet and see if we're being as healthy as we could be? What can we do and take action, focus on the present moment and what we can control. So as much as we're all these AWACS, these lawyer radars, looking into the future predicting things for our clients, you need to, and we need to stop and focus on the present

moment, and really look at and assess what we can control. Now, these sound like truisms, and I don't mean to hit you with truisms. And these certainly don't treat depression, or bipolar or schizophrenia. But we're starting with a base level of action items that you can work with. Is this all you need? Maybe not for one in five Americans? Most certainly not. But we're going to just work on things we can start with. And then if we need more, we get more on health. are you focusing on your health? Or do you think your health is something you can just sort of take a backseat? Because the clients what matters or the trial or the outcome, but what about your health? You know, I've always thought to myself, having been self employed for many years, and then also with firms, that my product is me, you know, you're the product, right? Your brain, your insight, your instinct, your ability to analyze situations, to understand the law to make good judgments in certain situations. That's you, that's a thing that's a person. So if you ignore your health, you're degrading you, and you're degraded your delivery system. And that's not what you want. You want to be at your peak level of performance, it's hard enough to do this stuff. It's harder to do it if you've only got two out of four cylinders firing. You know, 20 years ago, I would have said six out of eight. But you know, I was trying to avoid dating myself. You have choices to make. Okay. This was another article recently on lawyer burnout, how to recognize and prevent lawyer burnout. This article talked about this as a disease of disengagement, you know, we just get too solitary, too caught up in our head, too caught up without family and friends and significant others, too focused on what we're doing for a living and what that's about. And our personalities in our profession put us at high risk. So this article talked about, do you take the time to recharge? You know, do you take a break? Do you try to let your mind and body reassemble to make sure you're being logical? Are you finding or creating more meaning in your life? How often do we get caught up in our profession thinking? What am I just gonna defend insurance companies, when cars get into accidents? And is that enough for me, in my soul, we can get really caught up in the mundane aspects of what we do, and not see the bigger meaning like, we're employing people, we're helping the civil justice system come to a rational conclusion, you know, we're helping make our country work better. We're the third branch of government. And let's face it, the other two look like they're struggling at times. we maybe have to step up, because one or two of those don't look so good. You know, so what we do can have a broader meaning. And we need to remember that it helps, you know, trying to forget perfection is something this article talked about, and self awareness and managing your energy. So you know, when it's six hours of deposition, and you're making no sense, you might want to take a break. Okay, you know, if you're in trial, and you feel like you're about to blow your top, and the judge might actually not appreciate that, you might need to take a break.

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Or if you're in a transaction, and you're negotiating, and you've read that agreement for the fourth time, and you can't figure it out, take a break. You know, because just beating yourself up or whacking that axe without sharpening, it is not working. And it won't work. Okay, last article,

burnout, avoidable and not inevitable. I thought this was helpful. It doesn't have to happen. This article talks about how we, as attorneys really get burned down by can do what needs doing. Do you ever feel like you just can't get it all done? There's too much work. There's too many things to read. There's too many things to write too many phone calls to return, you don't have time to return them. How about the emails? Okay, my wife is a physician, her email, I don't even look at her phone, because I'll get upset at the number inside that bubble. Because I don't want to go through I'm probably anxious. And you know, I'm probably OCD about it. So I go through those emails like but you know, how many times do we just get burned with emails and text came in return them all. There's no time in the day. So what this article talked about is a workable solution for attorneys to evaluate Is this what gives meaning to your life? How often do we do that? Not that often. So I have a 14 year old daughter In my life at as a freshman in high school, who was struggling with her workload, and with what to do with her grades, and how whether she's really cut out for a certain subject versus others, you know, she, she really wishes she could do science and healthcare because their mom's a brilliant physician. And her biological dad is an MD, PhD. And she's seeing as maybe all of us in this room as attorneys, we probably had that moment where we realized physics and math weren't our strongest subjects. I mean, there's always the outlier. I mean, I do know, there's attorneys that are incredibly gifted at math. But by and large, we were the short story readers and writers and history buffs. And one of the things I told Bella to consider doing is just making a list of everything she could be grateful for. So do you think you're grateful for everything in your life? No. Just super grateful at the rational response to that question. And she went on to really agree with me that she was going to work on coming up with a list of things to be grateful for. This is just good mental health for for anyone. Now, again, caveat, if you're struggling with major depression is not going to cure, you know, that's not going to cure you. It's not going to cure schizophrenia, or bipolar disorder. But there are things that we can do to make a stab at it in the meantime, and if we don't have major mental health to do preventative health, and I recommend it, stay in touch with friends, how many people here think they stayed in touch enough with all their friends and family? I do not. Somebody put my hand down. Again, our profession takes up a lot of our time. How many times are you saying, Oh, I wish I could go but I've got a thing. You know, I've got a hearing, you know, I'd love to go on that trip. But I've got depositions that got scheduled six months ago, and I can't move them. So stay in touch with friends, I will just tell you, it's not something that passively happens. In other words, if you take your foot off the friendship pedal, the gap, the friendship car comes to a stop. So when you don't return calls, when you don't return emails, when you don't say yes to go grabbing whatever at wherever the friendship train grinds to a halt. So you just have to remember that we have to put some energy into it or it doesn't happen. This article talks about scheduling vacations in advance, this is something that I'm bad at, that my wife's really good at. And it really helps us. So then I can think, wow, you know, we're going to fill in the blank and for months, and it gives me a little bit of a jolt sometimes when I need it. And this, like many other articles says, If you need help get help. And that's just the bottom line. So I want to sort of wrap up the the live presentation of this talk with just a few materials to remind you up. So the lawyers Assistance Program, okay.

So when I became a lawyer, I looked at this as this is for people who are serious alcoholics, and they're basically about to get disbarred.

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Alright, that's not an ad, that is not an accurate perception of this agency or the service. So the lawyers Assistance Program is here to provide us with support when we need it. And this is what the page looks like on the website. So go ahead and find this yourself and take a look at some of the resources. How many people here knew that as a California lawyer, you get two complimentary sessions with a psychologist who's trained in mental health for lawyers, doesn't cost you a dime. I didn't know that either. I didn't know it either. I was putting this talk together. And I ran into this in the articles I was reviewing. And I thought seriously, and there have been times in the last eight years where I would have taken that up, you know, no hesitation. So just be aware of that. I'm just putting that out there. So you know it that if you need a session or two, it won't even cost you any money. Also, anytime we communicate with the lawyers Assistance Program, it's fully confidential. It's codified in the Business and Professions Code. It's not discoverable. And so look at the two free sessions, and if you need it, take it. And then also you'll find with the lawyers Assistance Program, there are support groups. So if addiction is a struggle, there's a support group. If other issues are a struggle, there's a support group. Again, we're primates, okay. If you just look at the planet primates don't wander by themselves on savannas and hunt by themselves and whatever. We are communal creatures. That's how we're wired. So if you're out there all by yourself, you're, you're away from your pack, find your pack, whatever that might be. Okay, and this is just another landing page from the lawyers Assistance Program. I want to talk a little bit about some final refueling tips. And again, I apologize in advance these seem like truisms, I know, but they are useful, and they're a place to begin. So the lawyers, the law students guide from the ABA says how you react to situations the responses, you make the questions, the choices you make in your life, determine the type of lawyer you will become an influence your profession, your professional and personal satisfaction with life. I think that's really true. So it's all about focusing on your choices, are we going to choose to get into a mindless dispute with someone on the phone, who is not going to agree with us in the next 15? to minutes to an hour? Or are we going to choose to more effectively communicate, maybe take a break. And then think about where the middle ground is, you know, looking at it from the other side's perspective, we can choose to not exercise and not eat healthy, and hope that maybe in five years, we'll figure out some time. That's not a great choice. You may not want to make that choice. And frankly, even choosing ethics, you know, are we going to choose the ethical decision, The difficult thing to do that we know is the right thing, or are we going to be like, well,

36:26

but you know, maybe I can fudge that line this time. Okay, first of all, that's really stressful.

Whereas compliance with our ethical obligations is the safe zone, that's the happy place. That's the smiley face for us. Where we get to kind of say, it's not our fault, we just complied with our rules. Use that harbor. It's a great Harbor, how many times in my career and I'm sure in yours, too, you were faced with a very stressful situation that resolved, because you chose to do the ethical thing. And then when you did that, you're okay, because he did the ethical thing. And then every time you've been tempted to not do the ethical thing, how stressful is that? And now you're out there naked. No protection, no safe harbor, you're out there. You're crossing your fingers. That's a terrible place. Don't go there. So that's something we can do for all of us to enhance our mental health. Talking, going through the law students guide, because if they can cope, we can go to make time for friends. Make time for fun. Fun is I know, it seems so frivolous. Everyone needs fun. Everyone needs fun.

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It's okay. I like having fun. I give you permission to have fun, be nice. How often do we think well, you know, to be an effective lawyer, I can't be done.

37:49

I've been too nice.

37:50

I was too nice on the phone. I gave that extension and I didn't get something for it. What's my problem? Well, maybe you're just being healthy. And maybe that is not a problem at all. Maybe that's actually the right thing to do. And maybe it saved your client a bunch of money to you, by the way, they like you in trial. If you're nice, you know, people like nice people, this is what I hear. So if you don't practice at it, and then all of a sudden you're in trial, you may not be good at pretending you're nice, because you're really not. So think of being nice before trial is your preparation to being a likeable person who people want to listen to when you're actually speaking. Same is true in transactions. I've negotiated plenty of deals. And people like nice, people like nice, and I've dealt with people who aren't nice, and I don't like them. at all, I don't want to do any business with people that are nice. And I don't think I'm so unusual. So learn to prioritize, figure out what's important, what's not important. This is easily said hard to do. But you know, sometimes you had a typo and those special rods you sent out. It's just not the end of the world. Okay, it's bad. It's bad, but it's not people aren't going to die. Okay, the world's not going to crash into a crash, to try to move on. Beyond honest even when it hurts. So this is your safe zone honesty. Now I know there's this thing called Bad honesty where you tell people that they're fat and ugly. And it's actually a horrible thing. I'm not saying that. I'm saying be be straightforward. Be someone you want to do business with the viewer on the other side. Be part of

the team on emphasizing this communal thing now. I'm not saying close your solo practice and join a firm. Alright, because I was I've done a solo before and I had a team. You know, I had colleagues I had people I could talk to I had mentors. I had people I mentored. I had employees and family and friends. Make sure that you've got a team and if you're not in the right team, find the right team because it's going to get you better. If you're not in the right place, the passage of time is not going to change. People don't change. You know, I think part of where lawyers get stuck as we get into areas of law we don't like, or we get into professional environments we don't like, and then we don't change. But guess what I give you permission, you can make a change. So if the situation isn't working, you can change the situation. If you'd like to do a different area of law,

40:26
go check it out,

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you're pretty smart, you can probably figure it out. Okay, you're not stuck, you can make a choice. Family and friends come first, you know, how many times do we violate this, you know, I want to be a good spouse, but I have a deadline doesn't work. So you really need to put your system in the forefront and protect your health, you've got to make that a priority. If we let our health go, it's going to catch up to us. And we talked about never cheating, learning how to lose Well,

40:57
how many people here lose? Well, I sometimes do, and I sometimes don't, yeah, I'm kind of a mixed bag,

41:04
I work on it. Losing well means you have grace. Grace means you're nice. And nice means I want to listen to what you're saying. And I might want to do business with you. Right? And vice versa. When we're those people who like storm out of court or storm out of the boardroom, or, you know, shred documents or walk out of the deal. It's really nasty, you know, leaves a bad taste in everyone's mouth. We don't have to do that. So think about learning how to have circumspection. You know, really, as attorneys, what's our goal, I was taught as a young lawyer, the goal is to acquire judicial temperament. That at the height of our profession, we have acquired judicial temperament. And what is that? It means that we don't think one sides always right, and the other side's always wrong. We're open to the evidence, and we try to make rational decisions free of bias. That should be all of our goals, whether we ever serve as a judicial officer or not, we should

be striving to judicial temperament. And I think we should, okay, so that's my talk on I'm devoid of my lovely wife's scientific evidence. Let me just summarize it for you. If you let yourself stay in a lot of stress, you're gonna release cortisol in your brain, your hormones are gonna run amok and your health is gonna go down. Okay, that was pretty much it. She had the scientific slide that no one really could understand Cal Western. But I found myself mesmerized to just understand that inflammation leads to bad things in your body. And so when we allow stress to stay in our body, we're getting inflamed and bad things happen. So I'm going to stop right here and open this up for questions and answers. And I know that I may not have answers to your questions, but at least we can have a discussion. Does anyone have any questions or comments or their own insight on the subject? You know, you're as qualified as I am, frankly. So does anyone have anything they want to share? Or add?

43:14

I think he kind of asked us to answer his question. But I think you're saying that when you have a mental illness or problem, whatever, that that can lead to your physical body being unable to ward off other problems?

43:32

It's an interesting question. And I think ultimately, I would agree with you, but it may not be as direct as you're expressing it. In other words, when we allow our mental health to erode, we'll make bad decisions that will ultimately lead to poor health decisions. I don't know if there's a direct connection between for example, whatever may be happening organically, when I suffer from mental health and other health systems. However, what my wife would say, as a doctor is that when we allow our body to experience unmitigated stress, whether that's psychological or physical query, whether there's any difference, because it all gets processed up here anyway, or here and here, and that it does lead to systemic problems. So yes, the answer to your question is yes, it does. Other questions, other comments?

44:33

know for me in my journey, first of all, exercise, yeah, yoga is one of those things that does so many, I agree. But I, the other, the other thing that I see in a lot of State Bar materials, which are real good, this this also but there's there's also something that for good health is as good as any spiritual connection, or some type of someone who's Christian or Buddhist or Muslim or whatnot, it wouldn't be great to see the state bar. And I think you can see Mark can talk about that without violating the First Amendment and separation of church and state. Right. But that is, to me, it's such a vital component of good health.

45:31

Do you find that is a vital component of your Yeah, yeah, I, and I've been in places in my life where I've had that too. And I think when I step back and look at what's going on, well, what do you have, first of all, you have communal, so you have the support of a community of like minded individuals, you also have meaning, you know, your, your, your belief system is giving you a sense of meaning, it's a way to interpret reality, it's a way to, I don't want to say filter it, but framing, you know, so when we adopt a belief system, it gives us the peace of mind and comfort, knowing that we're looking at this vast universe, and we have an approach to it. And it gives us solace. And I I concur with that,

46:17

I would say it's something even mentioned even above that, Oh, those are, you know, on the level of us, setting our expectations, etc. And I think that, you know, spiritual compound, where do you recall? Right, it's something holy, above them. Right. And, and so I, I hope that the State Bar finds ways to talk about that,

46:43

yeah, he's in the in the coming years, it's a really tricky issue, isn't it? Because, you know, on the one hand, we don't want to, you know, sort of inject religion into, you know, part of the components of our curriculum, because religion is such a, I mean, separated by our Constitution. And second of all, we want to avoid the, you know, unintended embracing of a certain religious faith is dominant or valid, because, unfortunately, from a historical perspective, most religions seem to have been not entirely tolerant of other religions, because they seem to think the right, you know, so you know, I concur that a some level of spirituality on some level, it can be really useful, how we express that is subject to debate, probably debate that we won't get done in five minutes. But I understand what you're saying, I think it's a valid point. I think, for me, yoga is not a spiritual thing. But I know for some people, it really is, like, I look at it as an exercise, but I look at it as breathing, relaxing. You can do versions of yoga. You know, I read a word that I thought was fantastic, called Jim timid ation, when you're intimidated to go to the gym, because everyone looks ridiculously fit. And I think a lot of people need to exercise, but then you go into these environments in your gym, timid, ated. And it happens in yoga, too, right? Like, have you ever walked into a yoga class? And everyone's just ridiculous. And you're not? Yes, and that's what I mean. And so I would encourage everyone with exercise to look, even if you're home. You know, I remember reading on Facebook, there was a whole bunch of exercises that was put out there for people who are in prison. So people who do exercises within the confines of a box, and you can get ridiculously fit on your own, if you simply engage in those exercises, too. So there's a lot of different things you can do. You don't have to make yourself go to 24 Hour Fitness, you don't have to pump weight. You know, you can find ways to find exercise in whatever makes you

comfortable. And same with spirituality, you can look for what seems right to you, and what seems like resonates with your heart. I can help anything else, but I don't think you'd have to do that. But it's my going to record on that first amendment on any other comments. Any other questions? All right, well, thank you very much. I really appreciate having the time with you. Be as healthy as you can. And whether you or a colleague if you think they might need help. Might want to intervene in a polite, respectful and professional way. But first and foremost, take care of yourself because you're the product your clients and family and friends are depending on you. Alright, thanks.