

# Stress Management for Lawyers: An Ounce of Prevention...

By Martha D. Burkett

**T**his article is intended to be a teaser for the State Bar Lawyers and Judges Assistance Program's upcoming Second Annual Evening of Enlightenment featuring keynote speaker Dr. Amiram Elwork. Dr. Elwork, the author of *Stress Management for Lawyers*, will speak about stress management and time management as preventative measures within the context of the legal culture. Please look for our ad in this issue.

Simply put, stress is the pressure that living beings feel in response to change. This pressure can be internal or external and, in and of itself, is not a bad thing. The manner in which we choose to respond to stress, however, can have a great influence on the mental and physical implications related to the effects of stress. In simple physiological terms, stress is defined as a response by your body to demands made on it.

The reality is that we are bombarded with stressors, situations, and circumstances that elicit a stress response, all day, every day. Some stressors are more intense or more challenging in terms of required coping than others. Some stressors are self-created, and others are imposed on us by outside forces beyond our control. Some are viewed as acceptable or even pleasant. Others are viewed as unwelcome or undesirable. It is the purpose of this article to provide you with general information about the physiology of the human stress response and the potential effects of cumulative stress.

As attorneys, you are aware of the enormous amount of responsibility inherent in the role you fulfill. You are involved in negotiating and litigating matters that are critical to the parties you represent, regardless of your specialty. Part of your responsibility to the public is to maintain your moral and character fitness. Another part of your responsibility is to assure that you can dem-

onstrate a comprehensive knowledge of the law. For you to do these things with consistency, it is imperative that you maintain optimal physical and mental health. Effective stress management is central to that maintenance process.

External and internal stressors are both potent. And, depending on the makeup of your personality and the way you process information, one stressor can easily morph into the other and create emotional pressure.

Imagine a lawyer who is expected to work in a busy environment 10–12 hours a day, dealing with emotional, demanding clients without adequate support staff. These are not unusual circumstances. They might be very much like your own present circumstances. It's true that a person can remove himself or herself physically from such an environment, providing at least temporary relief. How easy is it, though, to leave it all behind when you walk out the door? As humans, we are constantly bombarded with both internal and external stressors of varying degrees of intensity. So you may be mentally analyzing things even after you've removed yourself physically from the immediate situation. The external very easily becomes internal.

Stress can accompany both positive and negative experiences. Sometimes happy, positive experiences like getting married, graduating from college, having a baby, or passing the bar exam can be stressful. Fur-

thermore, certain life events can be experienced as both positive and negative, or bittersweet.

The point can be argued that stress has its purpose; a certain amount of pressure is appropriate in terms of motivation levels and productivity. If we didn't have deadlines, we might not get anything done.

The human experience is quite complex, and it is possible in most situations to experience a wide range of emotions in response to a single event. Your task is to approach it all in such a way that the cumulative effects of unresolved stress related to these events do not harm you.

Let's look at a more detailed description of the physiology of stress. In the face of a perceived threat, the body immediately accesses resources for strength and speed. Protectively, the brain dulls the body's sense of pain. Thinking and memory are improved. The pupils of the eyes become dilated for better vision, the lungs take in more oxygen, and the liver converts sugar that has been stored as glycogen into glucose. Heart rate and blood pressure rise, bringing extra fuel in the form of oxygen and glucose for power. The adrenal glands begin to secrete adrenaline—our fight-or-flight hormone. Extra red blood cells flow out, allowing the blood to carry more oxygen to muscles, and body hairs become erect (puffed up hair gives an animal the appearance that it is bigger and more dangerous).

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A few minutes after the fight-or-flight response, the body kicks in the delayed response and makes other accommodations to stabilize and replenish. The hippocampus (the brain's center for memory and learning) is stimulated to process the stress. The immune system is diminished, lowering the body's ability to fight infection, and the liver converts stored fat into usable energy. The adrenal cortex secretes cortisol, which regulates metabolism and immunity. Cumulatively, it can be toxic.

The body has to work hard in response to stress. Although these reactions are physiologically automatic, they do require immense amounts of physical and emotional energy. If the stress response is activated too often, it can damage the immune system, the brain, and the heart, each of which is vital to functioning. In this chronic condition, the cortisol secreted by the adrenal cortex in the delayed response stage becomes toxic to brain cells, presenting potential harm to cognitive processes. It also causes increased feelings of fatigue, anger, and depression. In this state, because of repeated suppression of disease-fighting cells, the immune system's ability to resist infection and illness is seriously compromised. Decreased blood flow in the intestine leaves the mucous lining vulnerable to ulcers, and prolonged elevation of blood pressure and heart rate damage elasticity of blood vessels.

Unresolved stress can be a precursor to migraine headaches, as well. Elevated heart rate and blood pressure take their toll on the arteries. Excess fats and sugars released by the liver stay in the bloodstream. These fats can build up as plaque inside of blood vessels, creating greater potential for heart disease and stroke, and high glucose levels can lead to diabetes. In very broad and general terms, people who suffer from suppressed immune functioning will be more susceptible to colds, flu, and respiratory infections, all of which affect morale and overall functioning, creating a circular effect.

To be in a state of constant or chronic stress is to subject oneself to a form of battery; it is physically and emotionally exhausting. Physical exhaustion generates more stress and is a precursor to mental and emotional exhaustion, which, in turn, can lead to depression or anxiety or both. In primi-

tive times, our fight-or-flight response was very useful on a day-to-day basis, and, in certain contexts, it still is. In our civilized world, however, the repeated activation of this elaborate physiological function in response to daily stresses is, simply put, overkill.

Most of us are not in true peril on a day-to-day basis, but if our bodies prepare us for fight or flight in response to, say, our emotional reaction while stuck in a traffic jam, all the physiological activity previously described is not only wasted, it's actually harmful. Psychologically, unresolved stress related to relatively minor things like relationship quarrels, parenting struggles, traffic jams, and slow service at restaurants have huge implications with regard to the incidence of depression and anxiety.

Let's take a look at stress and the practice of law. We'll start with the role that competition plays in your professional life. Beginning in law school, the emphasis on competition is *huge*. Law students are taught that the professional world they are about to enter is dog eat dog, due in part to the growing numbers of attorneys in the profession. As a part of this culture, lawyers are taught not to show vulnerability and not to trust. The amount of personal and emotional vigilance required to survive and thrive in an environment in which showing fallibility is a weakness is arduous.

Lawyers are also faced with the phenomenon of psychic battering. This refers to psychic trauma, which results from situations in which attorneys are subjected, vicariously, to traumatic events (e.g., divorce, custody battles, child welfare cases, crime scene photos, recounts of rapes, murders, assaults) in their clients' lives. To maintain objectivity and professionalism, it is necessary to detach emotionally in such circumstances. It may be easy enough to disengage emotionally on a professional level, but difficult to engage emotionally on a personal level when it becomes appropriate and desirable. If one is able to gain mastery over this difficult and exhausting emotional transition—given that he or she will be called on to execute this transition repeatedly—it is inevitable that one will suffer some damage to the psyche as a result. This damage may show itself in the form of cynicism, disillusionment, anger, or depression and can compound stress enormously.

In his book *Stress Management for Lawyers*, Dr. Elwork cites perfectionism and control as two personality characteristics that are very closely related, stating that some folks come to the legal profession with these budding tendencies and that the nature of the work causes the tendencies to blossom. He indicates that because law is driven by rules, order, and organization, it

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requires logical thought, objective analysis, and great attention to detail. He also notes that the reality that mistakes can be very costly adds a great deal of pressure into the mental processes required to do the work. Dr. Elwork believes that this pressure lends to performance anxiety, which induces perfectionist thinking—which, in turn, leads to an obsessive dedication to work.

To an extent, this perfectionism serves a purpose. In proper balance, it pushes one forward to professional success, which leads to recognition and praise. If it becomes unbalanced, however, it can become counterproductive. It can lead to burnout and numerous other difficulties. Left unchecked, this perfectionism will inevitably show itself and damage personal relationships as well.

The schedule demands on attorneys are rigorous. All too often, attorneys compensate by deciding that there's not enough time and energy for everything, so they start cutting back where they feel they can; they may sleep less and start skipping meals. They cut back or abandon exercise routines. They spend less time with their families, less time in relaxation and recreational activities, and less time in meditation, prayer, and related rituals. And it costs them dearly. Unwittingly, they cut themselves off from that which might replenish them. Relationships with friends and family become strained and sometimes even deteriorate irreparably. Their bodies and their psyches are retaining stress and they get tired. Some are frequently ill. Some days they may feel like work *is* their purpose, and everything else is incidental. Self-perception becomes seriously distorted. It becomes easier to be-

lieve that personal value is completely tied to professional productivity, and that can be a very lonely, empty place. Some become clinically depressed. Some will even attempt or commit suicide.

Some stressed attorneys will attempt to cope by using alcohol, drugs, gambling, sex, or spending. Some will maintain a semblance of manageability in this regard, and others will go down the harrowing path of addiction. According to a 2003 study conducted by the North Carolina Bar Association, 23 percent of surveyed attorneys younger than age 36 admitted to daily drinking, and 21 percent of surveyed attorneys aged 36 years or older admitted to daily drinking.<sup>1</sup> Numerous studies have documented this problem. For example, a 1990 American Bar Association survey showed that 13 percent of surveyed attorneys stated that they consumed six or more alcoholic drinks per day.<sup>2</sup>

It is chilling to think about the levels of impairment among lawyers who are clinically depressed or abusing substances or both, and remain undiagnosed and untreated. It becomes extremely difficult for these individuals to maintain consistently appropriate, ethical functioning in their professional lives. It is estimated that 40–70 percent of attorney disciplinary proceedings and actions are linked to alcohol and other drug use or mental illness. These statistics speak only about depression, substance abuse, and addiction. They make no mention of eating disorders, spending, sex, or gambling addictions, each of which can be equally debilitating.

Mental health and substance-use disorders can affect anyone and have nothing to do with an individual's intellectual capabil-

ities, moral fiber, character, or worth as a human being. Sometimes these disorders run in families, and whether an individual is genetically predisposed or not, difficulties may manifest as a result of using substances as a coping mechanism for extreme or chronic stress.

Stress management is about finding what is good in life and seeking to balance priorities in a way that matches personal values. It is about giving yourself permission to find ways to nurture your spiritual and emotional life. Some attorneys have already struck this balance and are successful at maintaining it. If that's true for you, keep doing what works. If most of this is new for you, hopefully there is something of value that you can take away from this article. Dr. Elwork's book, *Stress Management for Lawyers*, is definitely recommended reading for any of you who have not already discovered it on your own. Please join us at the Second Annual Evening of Enlightenment to learn more about stress management and receive a complimentary copy of Dr. Elwork's book. ■



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## FOOTNOTES

1. North Carolina Chief Justice's Commission on Professionalism, *State of Profession and Quality of Life Survey* (October 2003), available at <[http://www.nclap.org/docs/State\\_of\\_Profession\\_QoL\\_by\\_age.pdf](http://www.nclap.org/docs/State_of_Profession_QoL_by_age.pdf)> (accessed February 18, 2010).
2. American Bar Association, *The State of the Legal Profession*, Report No. 1, at 17 (1990); see also Edelstein & Sollinger, *Twenty-Six Ways to Cope with Stress*, TRIAL, February 1991, at 102.