

STRESSBUSTERS **SANITY SAVERS AND PRACTICAL TIPS**

By Ron Profit

There are many aspects of our legal profession that cause stress. There are the pressures of billable hours, collection of fees, long hours and the detailed and exacting nature of our work accompanied by consequences if otherwise. Increasingly, there is the expectation of a quick turn around. Often we work with conflicted, upset or disturbed clients in an adversarial environment where a fellow lawyer is paid to attack you and your client, to try to prove you wrong and sometimes stupid. Yet, your client who is to pay you for your brilliance, abilities and superior advocacy skills. In this environment, I sure can use stressbuster tips.

I have been helped by many in our profession and elsewhere towards a less stressful and more rewarding legal practice – by their example, their personal reflections and their advice. All I need to do is listen, observe, note, remind myself and to practice these stressbuster tips. Not always so simple.

To make it simpler, this paper passes along stressbuster tips that I have picked up along the way – to better my life, my job, my relationships with family and friends. I hope these stressbuster tips help you.

Some tips have universal appeal, and some help a few. Some tips really, really help me, and some do little for me. Some tips I have always used, and some never occurred to me - and yet make so much sense, I wonder how I missed them.

Here they are:

A. **FINANCES**

1. **Get Paid:** Wrongly placed empathy, not having retainers and/or not receiving fees lead to long, stressful and unpaid hours.
 - (a) Limited Concentration -- Tell clients it is easier to concentrate on one matter at a time. Concentrating on getting paid means you cannot concentrate only on the file's legal matters.
 - (b) Credit Cards -- Have clients sign a credit card authorization.
 - (c) No Obligation Consultations -- Do a no obligation introductory consultation for a fixed amount (taxes included). Also, provide a package of materials and a boiler plate letter about the law, your firm and about yourself.
 - (d) Manage Fee Expectations -- Most complaints, most lawyer/ client problems, are basically fee disputes. Starting with the first meeting and with your Retainer Agreement, communicate frankly and often about your hourly rate and estimated legal fees. Be proud of the services you provide and be proud to tell your clients the value of your services.

2. **Record Time:** Faithfully and completely record time. If you write down your charges, do it when billing, not when recording.

3. **Know When To Say No, To Dump, To Pass On:**
 - (a) Lawyer's Nature -- Far too often, it is our nature to give individuals one more chance or to be honored to be asked, and thus to say "yes" to continuing or taking on a file. Far too often, it is in our nature to think no one else can do it as good, to not delegate, to not trust. Far too often, we second guess our gut and take on the bad file.
 - (b) Exchange Files -- Every so often, exchange with an associate a troublesome file that can not be ended.
 - (c) "No" -- Practice how to, and then say, "no". Listen to your gut.
 - (d) This Is For You -- Pass to staff, some activities we normally do ourselves. Empower others with new responsibilities and privileges.
 - (e) So-Long -- Every few months, get rid of the two or three worst clients. Clients to consider concluding are those who are unethical, liars, questioning your advice, over demanding or do not pay.

4. **Plan:** Planning is critical to control and to enhance your practice, your life and your contentment. Fantasize and be creative when planning.
 - (a) Annual Planning -- Beginning each year, plan your billable hours, your hourly rate, your community/volunteer time, your vacation times, your special family times, your recreation/entertainment, etc. Ask what are your expectations of your legal practice, the legal system and of yourself. Determine how much you want to earn, and accordingly gauge the billable hours. Review your annual plan throughout the year, at least quarterly.
 - (b) Vacations -- Schedule long weekends and annual vacations of at least 4 weeks. Do not enter the office during your vacation - assign, delegate or schedule the work upon your return. Some offices insist that a three or four month sabbatical be taken every few years in addition to normal vacation times.
 - (c) "I'm Out of Here" -- Spontaneously take the day or afternoon off. You have earned it.
 - (d) Realism -- Set realistic expectations of yourself and others.

5. **Income:** Enjoy your income.
 - (a) Play Money -- Each month put aside some income, no matter how little, for play money.
 - (b) Spend -- Do not skimp to save for your "adult" children.

B. FIRM PRACTICE

1. **Courtesy:** Maintain courtesy and show respect for our fellow lawyers, our profession, associates, clients and for yourself.
 - (a) No Adversarial -- Remove the adversarial tone. "Kill with kindness" the difficult or rude lawyer. Use politeness and/or humour to respond to nasty letters and to problem clients ("Thank you for ..."). Striking back and expressed anger can be self-destructive and counter productive; and can cause burnout.
 - (b) Silence -- Use a long pause when the other lawyer's or individual's tirade ends. Let their voice echo off the walls or over the phone. Avoid the temptation to snap back. Count to ten. Say a prayer. Know when to remain quiet. Sometimes what you do not say is more important than what you do say.
 - (c) Talk Softer -- As the other lawyer or party elevates their pitch and volume, do the opposite -- talk softer.
 - (d) Apologize -- Take responsibility and appropriately apologize when you have done or said something wrong. Apologize if 24 hours later you are still justifying to yourself your behaviour. Apologies are impressive. Apologies also nurture serenity and friendships.
 - (e) Manage Feelings -- Do not sweat the small stuff. Maintain perspective. Manage your feelings so they are expressed appropriately and effectively. Post "Do not take it personally" on the fridge, work desk and/or notepad taken into Court.
 - (f) Resentment -- Rid yourself of resentment. Resentment is a burden. Resentment causes a rage response over nothing or from minor incidents. Resentment causes burnout.
 - (g) I Like You -- Preserve relationships, with fellow lawyers and others. Express your fondness, friendship and your gratitude.
 - (h) Fun Times -- Decorate the work place of your secretary, assistant, or an associate. Have a 1 hour lawyer/staff social at day's end or week's end (e.g. TGIF, Weepers).
 - (i) Humour/Laughter -- Create, invite and nurture humour and laughter. Humour and laughter are effective tools in your practice and personal life. Humour and laughter carries or enhances most other stressbusting tips.
 - (j) Be Positive -- Focus on, inquire about and comment upon the positive aspects or interests of your fellow lawyers and about your firm. Express compliments. Express thanks -- often.

2. **Manage Client Expectations:** High expectations and pressure go hand-in-hand.
 - (a) No "Yes-Man" -- Do not let your client's pressure and your empathy result in telling the client what they want to hear. When there is a grey area in the law, clearly tell your client. When you do

not know the law, tell your client and that you will examine the law; or refer your client elsewhere.

- (b) Disaster Files -- Communicate to your client, verbally and in writing, when the file is heading for disaster.
- (c) "Oh No!" -- Deliver bad news early in day.
- (d) Fees -- At your first meeting, tell clients about fees.

3. **Stay On Track:** Tips to keep on track and on focus allow you to take control of your practice and your life, and to better serve your client.

- (a) To Do List -- Update daily your to do list.
- (b) Double Time -- Double the time you think is required for each task. Do not cram too much in each day - be reasonable, be realistic.
- (c) Limit Files -- Limit the files you take. As need be for a time to get your existing work done, do not take new files or refer elsewhere the new files.
- (d) Commitments -- Keep your commitments, but make as few as possible. If commitments are made, commit to twice as long as you think it will take; and if you complete earlier, you will dazzle your client. If you cannot complete a commitment on time, then call and apologize as soon as possible – and before they call.
- (e) Do Not Disturb -- Post "Do Not Disturb" on your door, and do it frequently.
- (f) Musical Chairs -- For a day, shift to another desk or office to work on that one or two pressing files, away from interruptions and for a change of scenery.
- (g) Set Times -- Set times each day to return messages and to organize your next day's work.
- (h) Clutter Free -- Keep your desk and files free of clutter. Discard duplicates from files. Divide files into separate clips for letters, court documents, hand written notes, financial records, etc.
- (i) No Meetings -- Though still at the office working, do not schedule meetings on Fridays, Mondays and/or after 2:30 p.m. Keep Mondays and Fridays free of meetings, to organize, practice and work on files. More constructive and less emotional work can be done with clients in the first half of the day than can be done after client's workday.
- (j) Manage Technology -- Control, manage and time your use of technology – e.g. voice mail, e-mail, lap top computer, cell phone. For some, using a computer at client meetings results in client pressure to complete documents then and there, without the benefit of a second thought. Give your cell phone number to family only – clients are to contact you at the office only. Use home technology (e.g. computer) only for non-business activity. Voice mail allows better control of time, limits interruptions and ensures contact at least by message.

(k) Return Calls Same Day - - Return all messages on same work day.

4. **Manage Hours:** Managing work hours brings balance to life.

(a) 12 Hour Break -- Ensure 12 hours between work days.

(b) Lunch Break -- Schedule a lunch break everyday away from the office, and with lighthearted people.

(c) Your Hours -- Work hours natural for you. If a naturally late riser, then begin your day late.

(d) Part-Time -- If other commitments and interests make part-time work best, for example 3 day work-weeks or 5 hours per day, then go for it. Find, or start, the practice that allows you to work part-time.

(e) No Work Home -- Keep your work and files at the office.

(f) Free Weekends -- Work weekdays. Leave weekends for fun, frolic, fanaticizing, family, friends, fitness.

(g) Work/Play -- Separate, do not mesh, work and play.

(h) Staff Hours -- Consider variations on staff's work hours - e.g. begin workdays ½ hour earlier and take Friday afternoons off.

C. FAMILY

Partners, children, parents, siblings and relatives provide the most joy and can also provide the most consternation in your life.

1. **Nurture Relationships:** Take the time, and capture the opportunities to nurture your family relationships. It is family that will be there for you and affect you the most, now and in your later years. Enjoy your children. Set a good example by providing time.

2. **Family Time:** Schedule family time in your office daytimer. Do not schedule, or allow, business phone calls or meetings at home.

3. **Meals with Loved Ones:** Schedule everything around the one daily meal with family members, or with those close to you.

4. **Unlisted:** Provide clients with only your business (not home) phone number and business address. Keep your home address out of the phone book. The client that calls you at home, seldom pays.

5. **Roles:** Identify your most important roles. Then you, no one else, control these roles. Each week, take time to plan activities in each role.

D. **FRIENDS**

1. **Positive/Enthusiastic:** Associate with positive enthusiastic people, inside and outside business. Avoid "doom and gloom" and "stressed-out" people.
2. **Confidential Group:** Join or form a group where sharing occurs and confidences are kept, and meet regularly.
3. **Service Clubs/Fun Groups:** Join a service club or fun group for fellowship and service. Do not overdo it. Stay away from Boards.

E. **FITNESS, FANTASIZE, FUN & FROLIC**

1. **Physical:**
 - (a) Exercise -- Exercise everyday for 30 minutes or more (not too much). Do stretches at your work station.
 - (b) Sleep -- Sleep 7 or more hours a day.
 - (c) Touch -- Get massages. Give massages. Take warm baths. Learn about pressure points. Experience the benefit of healthy touching. Go barefoot.
 - (d) Snoozes -- Take mid-day snoozes, anywhere.
 - (e) Food -- Eat the right quantity and quality of food.
 - (f) Addictions -- Know your addictions, inherited and otherwise. Surrender, get help. Help others. Call LPAC 1-800-667-5722.
2. **Emotional:**
 - (a) Reading -- Keep handy a book or cartoons (no lawyer stories).
 - (b) Movies -- See a movie involving romance, escapism, or lightheartedness (no lawyer movies).
 - (c) Humour -- Be involved in, look for and create humour; and laugh a lot (no lawyer jokes).
 - (d) No Shop Talk -- Do not talk work outside business hours, unless for therapy.
 - (e) Music -- Play your music, recorded or instruments. Sing, dance with reckless abandon and barefoot.
 - (f) No Regrets -- You will wither and die with regrets, misgivings, guilt. Accept that you did the best at the time.
 - (g) Counselling -- Know that the ones with their act together, are the ones that have gotten counseling for their troubles.
3. **Stress Breaks:**
 - (a) Breath -- Take deep, slow breaths.
 - (b) 3 Minute Stress Breaks -- Stop your work for a few minutes. Use breathing technique. Shut your eyes or look away from work

stimulants. Use silence, peaceful music, or relaxation tapes. Identify irrational or unreasonable thoughts affecting your stress level (e.g. perfectionism, control, dedication, regrets, guilt). Challenge and replace such thoughts with more realistic or reasonable thoughts.

- (c) Stress Habits – Examine, challenge and break the stress laden behaviors. If your response to a situation is stressful, stop repeating it.
- (d) Buddy Lawyer -- Have a "buddy" lawyer, inside or outside your firm, that on a moment's notice you can lament to, bounce ideas off, or share humor. Have a "buddy" lawyer that can work with you on a file, or exchange difficult files.
- (e) Grateful File -- Fill a special file with thank-you's, well-wishes and positive notes that you receive and, also, that you send. Send more than you receive. Send thank you's and congratulations often. Review this "grateful file", especially when down.
- (f) Grateful Display – Establish a shelf, credenza or wall for special gifts, thank you's and awards received.
- (g) 5 Grateful Events -- At day's end, as you lie in bed, reflect on 5 grateful events in your day. Eventually throughout the day, instead of focusing on the problems, you will be looking for grateful events for recollection and reflection at day's end.
- (h) Inspiring Quotes -- Keep a file of inspiring quotes.
- (i) I Did Good -- Once a day or more, pat yourself on the back.
- (j) You Did Good -- Once a day or more, pat someone else on the back with a compliment, kind word, congrats, a note.
- (k) Oh Boy -- Each day plan, anticipate and participate in a positive, fun or rewarding moment.
- (l) Nanny Forever -- Keep the nanny, even after the children leave.
- (m) Decor -- Make your work station pleasant with plants, pictures.
- (n) That's Enough -- Accept that your effort is enough for today, and be pleased.
- (o) Feel Good Events -- Identify when or why you feel good, and repeat it regularly.

4. **Spiritual:**

- (a) Be Alone -- Take yourself away from work, responsibilities and commitments. Be alone doing nothing. Go to a quiet place (e.g. church, stream). Reflect. Go on a retreat.
- (b) Broad Horizon -- Understand the breadth of your horizon, your options, your opportunities. You have strived much to become a lawyer. Do not now put blinders on. Take the steps and changes towards fulfilling your dreams.
- (c) Soul -- Daily nurture your soul, your spirit, the seed inside you. Whatever your religion or faith, or if none, find your higher power. Say the Serenity Prayer.

- (d) Your Life Story -- Have a vision as to where you want to be, together with learning what to avoid time on.
- (e) Less is More -- Eliminate unnecessary activities, things and clutter
- - less is more.

You are an individual with unique gifts, talents, needs and interests. Not all these stated stressbuster tips will work for you. There may be variations on these tips that work for you; or, there may be other tips that work for you. If you wish to share stressbuster tips, let me know and they may be included in future updates on this article for the benefit of our fellow lawyers. I can be reached at (902) 629-3908, or rprofit@coxandpalmer.com, or 20 Great George Street, P.O. Box 486, Charlottetown, PE C1A 7L1.