

Managing Stress, Anxiety and Depression for Lawyers

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Presenters:

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- MADISON PORZIO, ESQ., LL.M
- MELISSA CAVALIERE, ESQ.



The Mental Health and Wellness Committee of the Queens County Women's Bar Association Presents,

Managing Stress, Anxiety and Depression for Lawyers

- Dixie J. Brown, PHD, LADC, LCAS, AADC, ICAADC, CCS
- Madison Porzio, Esq., LL.M.
- Melissa Cavaliere, Esq.

Queens County Women's Bar Association a Recognized Chapter of the Women's Bar Association of New York

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MEDITATION WITH DR. BROWN



MADISON PORZIO, ESQ., LL.M.

Co-chair QCWBA Mental Health and Wellness Committee

Rule 1.3: Diligence

- Client-Lawyer Relationship
- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.
- (b) A lawyer shall not neglect a legal matter entrusted to the lawyer.
- (c) A lawyer shall not intentionally fail to carry out a contract of employment entered into with a client for professional services, but the lawyer may withdraw as permitted under these Rules.

Rule 1.15: Safekeeping Property

- (a) A lawyer shall hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property. Funds shall be kept in a separate account maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of [five years] after termination of the representation.
- (b) A lawyer may deposit the lawyer's own funds in a client trust account for the sole purpose of paying bank service charges on that account, but only in an amount necessary for that purpose.
- (c) A lawyer shall deposit into a client trust account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred.
- (d) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.
- (e) When in the course of representation a lawyer is in possession of property in which two or more persons (one of whom may be the lawyer) claim interests, the property shall be kept separate by the lawyer until the dispute is resolved. The lawyer shall promptly distribute all portions of the property as to which the interests are not in dispute.

Scenario 1 - Overwhelmed

Attorney is currently on track to make partner by the end of the year. She also has a 4-year-old child at home. Though her partner has been able to be there for child care and even volunteer at their child's school once a week, Attorney is feeling daunted by meeting both her responsibilities at work to advance her professional career and be there for her family. She is feeling increasingly rushed and pressured at work to fulfill her duties and be home to spend quality time, such as dinners with her partner and child. How can she better cope with the feeling of being overwhelmed and guilty?

Advice from Dr. Brown to manage feelings of being overwhelmed while still remaining diligent for clients

1. **Prioritize and break tasks down:**Start by identifying the most important tasks and break them into smaller, manageable steps. Focusing on one task at a time will help reduce the feeling of overwhelm.

2. **Create a to-do list:** Write down all the tasks you need to accomplish. This will help you visualize your workload and stay organized.

3. **Delegate when possible:** If you have too many tasks on your plate, consider asking for help or delegating some responsibilities to others who are capable of assisting.

4. **Take breaks:** Regular breaks are essential for maintaining productivity and reducing stress. Schedule short breaks throughout your day to relax and recharge.

5. Practice time management: Use techniques like the Pomodoro Technique (working in focused bursts with short breaks) to make the most of your time and increase productivity.

6. Adopt relaxation techniques:
Use deep breathing exercises,
meditation, or mindfulness
techniques to calm your mind and
reduce stress.

7. **Get enough sleep:** Make sure you are getting sufficient restorative sleep to support your physical and mental well-being.

8. Seek support: Talk to a trusted friend, family member, or therapist about how you're feeling. Sometimes sharing your concerns and getting an outside perspective can help relieve overwhelm.

 Say no: Learn to set boundaries and say no to additional responsibilities or commitments that you cannot handle now.

10. **Take care of yourself:** Make space every day for self-care activities like exercise, eating well, staying hydrated, and engaging in activities that bring you joy. (Even if just 10-15 minutes) Taking care of yourself contributes to your overall well-being and helps build resilience.

Scenario 2 - Depression

Attorney has been stressed for a long period of time and is suddenly struggling to fulfill her responsibilities at work. She feels tired and a sudden lack of motivation all the time and struggles to get out of bed and make it to work on time. She does not take time for herself to exercise or participate in group activities, as she doesn't feel like socializing. Her weight has fluctuated greatly. She feels sad and on the verge of tears a lot of the time and doesn't want to bother her friends or family with her negative feelings about her life. How can she better cope with the feelings of being depressed?

Advice from Dr. Brown to manage feelings of depression internally while still remaining diligent for clients

- Seek professional help: Consult with a mental health professional such as a therapist or psychiatrist.
 They can provide you with appropriate guidance and treatment options.
- 2. Establish a support system:
 Reach out to your family, friends, or support groups who can offer emotional support and understanding. Share your concerns with them and seek their assistance when needed
- 3. Communicate openly: Share your struggles and concerns with your family and employer. It's important to communicate any challenges you face due to your mental health condition. This can help them provide necessary support and make accommodations if needed.

- 4. Set realistic expectations:
 Understand your limits and avoid overcommitting yourself. Prioritize tasks and responsibilities and learn to delegate when possible. This will minimize stress and help you balance work and family life.
- 5. Create a positive work
 environment: Talk to your employer
 about making reasonable
 adjustments at work to help you
 manage your depression. This could
 include flexible working hours,
 reduced workload, or a supportive
 environment.
- 6. Consider medication if needed:
 Depending on your situation, your
 healthcare provider may recommend
 medication to manage your
 depression. Always consult with a
 medical professional for their advice
 and guidance.

7. Take breaks when needed: Recognize when you need a break and allow yourself time off for rest and rejuvenation. This can help prevent burnout and aid in your overall well-being.

MELISSA CAVALIERE, ESQ.,

Co-chair QCWBA Mental Health and Wellness Committee

RULE 1.4

COMMUNICATION

- (a) A lawyer shall:
 - (1) promptly inform the client of:
 - (i) any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(j), is required by these Rules;
- (ii) any information required by court rule or other law to be communicated to a client; and
 - (iii) material developments in the matter including settlement or plea offers.
- (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
 - (3) keep the client reasonably informed about the status of the matter;
 - (4) promptly comply with a client's reasonable requests for information; and
- (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by these Rules or other law.
- (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Rule 1.1: Competence

Client-Lawyer Relationship

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Scenario 3 – Exhaustion & Self-care

Attorney's law firm is understaffed due to the recent departure of two of its attorneys who both switched areas of practice. Try as it might, Attorney's law firm has not yet found a replacement for either of the former associates. Attorney as well as her collogues and the partners, have had to split their former colleague's caseload. This includes performing depositions two additional days per week. After one deposition has concluded, it is time to prepare for tomorrow's deposition and prepare the client as well. At the same time, Attorney must write/oppose motions and return client communications.

Attorney finds it hard to eat healthy throughout the day, if she even finds time to eat at all. She has neglected her exercise regime. Her house obligations and bills are piling up because she is too tired to deal with them and now she is late in returning phone calls from clients because she is just too tired to concentrate. What can Attorney do to manage her health, professional responsibilities and personal obligations?

Advice from Dr. Brown to manage exhaustion and self-care, while providing competent representation and returning communications

1. Prioritize and set boundaries:

Assess your commitments and responsibilities and prioritize the most important ones. Learn to say no when necessary, and set clear boundaries between work, personal life, and selfcare. This will help you allocate time and energy effectively.

2. **Create a schedule:** Plan your day or week in advance, allocating dedicated time for work, personal activities, and self-care. Stick to your schedule as closely as possible to ensure a balanced routine.

3. Delegate and ask for help: If possible, delegate tasks or seek assistance from colleagues, family, or friends to lighten your workload. Sharing responsibilities can alleviate some of the exhaustion and provide you with more time for self-care.

4. Take breaks: Incorporate short breaks throughout your workday. Use this time to rest, relax, and recharge. Stepping away from work, even for a few minutes, can rejuvenate your energy levels. 5. **Practice self-care:** Make self-care a priority by engaging in activities that help you relax and rejuvenate. This can include exercise, hobbies, meditation, spending time with loved ones, reading, or taking a bath. Find what works best for you and be available for it regularly.

6. **Get quality sleep:** Ensure you are getting enough sleep each night. Establish a bedtime routine and create a sleep-friendly environment. Aim for around 7-9 hours of sleep to recharge your body and mind.

7. Eat well and stay hydrated:
Maintain a balanced and nutritious diet
to fuel your body. Avoid excessive
caffeine and sugar, as they may provide
temporary energy boosts but contribute
to crashes later. Drink plenty of water
throughout the day to stay hydrated,
which can help combat fatigue.

8. Practice stress management techniques: Find healthy ways to manage and alleviate stress. This may include deep breathing exercises, yoga, meditation, or engaging in activities that bring you joy and relaxation.

9. **Seek support:** Reach out to friends, family, or a support system for emotional support and understanding. Talking about your challenges can provide comfort and potentially generate helpful solutions or advice.

Scenario 4 - Anxiety

Attorney is involved in a high stakes case on behalf of her client that has been very contentious so far. Attorney must go to Court and argue her client's case in front of the Judge. The client will be present in the courtroom and has much to lose if Attorney is unsuccessful. Attorney knows the Judge to be tough, and the adversary is overly zealous. Attorney has spent weeks preparing for the argument and has adequately done so, yet she cannot sleep or stop thinking about this case because she is riddled with anxiety at the prospect of being unsuccessful or making a mistake. Despite her anxiety and stress, Attorney ultimately performs better than she could have hoped and her client was thrilled with Attorney's performance.

Just when Attorney thought the stressful part was behind her and she can breathe again, Attorney later learns that the Court decided against her, as the Court found an obscure case that is distinguishable on the facts from her case. Attorney now has to make the appropriate motions as well as appeal the Court's decision. In the meantime, Attorney's client is furious and expresses her disappointment with Attorney and blames Attorney. How does Attorney manage the stress and anxiety she feels going into a stressful performance moment for her client?? How does she manage the stress and anxiety she feels from her client's misplaced frustration?

Advice from Dr. Brown to manage feelings of anxiety internally while competently and diligently representing your client

- Understand your triggers:
 Identify the specific situations,
 thoughts, or experiences that tend to
 make you anxious. This awareness
 can help you anticipate and manage
 anxiety more effectively.
- 2. Deep breathing and relaxation techniques: Practice deep breathing exercises or other relaxation techniques, such as progressive muscle relaxation or guided imagery. These exercises can help calm the body and mind during moments of anxiety.
- 3. Regular exercise: Engage in regular physical activity, as it can help reduce anxiety and promote overall well-being. Exercise releases endorphins, which are natural mood boosters, and can improve sleep, which can also contribute to reduced anxiety.

- 4. **Mindfulness and meditation:** Practice mindfulness techniques or engage in regular meditation. These practices can help you stay grounded in the present moment and cultivate a sense of inner calm.
- 5. **Seek support:** Reach out to a trusted friend, family member, or therapist to discuss your anxiety. Talking to someone who understands and supports you can be beneficial in managing anxiety.
- 6. **Self-care:** Prioritize self-care activities that bring you joy and relaxation. This might include hobbies, listening to music, taking baths, or engaging in creative activities.

- 7. Challenge negative thoughts: Pay attention to negative self-talk and work on reframing those thoughts. Replace negative thoughts with positive affirmations and realistic perspectives.
- 8. **Get enough sleep:** Aim for a regular sleep schedule and ensure you are getting enough rest. Lack of sleep can exacerbate anxiety symptoms, so make sleep a priority.
- 9. Limit caffeine and alcohol intake: Consumption of caffeine and alcohol can increase anxiety levels. Limiting or avoiding these substances may help manage anxiety symptoms.
- 10. **Practice self-compassion:** Be kind to yourself and practice self-compassion during moments of anxiety. Treat yourself with understanding and patience, and don't hesitate to seek help when needed.

DISCUSSION

WITH Q&A FOR DR. BROWN

How to Contact us with Questions

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