

Enter the life of a corporate in-house attorney, where daily pressures are real. Numerous demands on your time, client requests coming from every direction, circumstances you cannot control, tight deadlines, pressures to be more efficient and agile – the list can go on and on. And that’s just at work. Friends and family have their own expectations about your time and facing their disappointment if you can’t meet those expectations can be especially stressful. To add to that, as an attorney, you may feel under pressure to be perfect, stay on top of things, maintain your professional and personal brand, and overall have all your affairs

in order. Who has time to think about their well-being? You feel lucky if you get five hours of sleep a day. To make matters worse, your colleagues seem to be doing just fine – successful in dealing with daily pressures of their professional and personal lives. So, you feel like you are all alone in this – convinced that opening up about your challenges may be viewed as a sign of weakness. As a result, you may be internalizing your struggles, perhaps becoming more stressed and anxious by the day and maybe even turning to alcohol, food, or other substances to cope with this pressure.

SAY YES TO

HOW DAILY INCREMENTAL CHANGES CAN TRANSFORM OUR LIVES

By Olesja Cormney, Jill Kalliomaa, and Jeffrey Compangano



CHEAT SHEET

- *The problem.*

Lawyers are at increased risk of struggling with stress, depression, anxiety, alcohol abuse, and eating and sleep disorders.

- *Corporate solutions.*

Corporate legal departments working toward creating a healthy work environment should create wellness programs that have buy-in from leadership, focus on reducing mental health stigmas, are incorporated into many practices, and help team members “own” their well-being.

- *Individual solutions.*

Lawyers can increase personal well-being by taking time to pause and reflect, focusing on their physical health daily, valuing their meaningful connections, establishing boundaries, and asking for help.

- *Getting started.*

There are various vendors and platforms that can offer trainings on well-being for individuals or companies, but first inquire about what programs or assistance your organization already offers.

WELL-BEING:

The bottom line is our profession is falling short drastically when it comes to well-being.

This picture may seem a bit too bleak, but there are recent studies to back this up. For example, a 2016 study of about 13,000 practicing attorneys revealed that 28 percent of those polled were struggling with depression, 19 percent had anxiety, 23 percent were experiencing stress, and between 21 and 36 percent had harmful and alcohol-dependent drinking habits.¹ Other studies indicate attorneys also experience pressures from tight deadlines, perfectionism issues, lack of concentration, control issues, eating disorders, and insomnia/sleeping disorders.² The bottom line is our profession is falling short drastically when it comes to well-being.

Of course, you may not be feeling quite like that, but many of us have experienced the weight of daily pressures, and some level of burnout and stress. In fact, even those of us who try to prioritize wellness sometimes get off track and need readjustment. And although our busy lives may often get in the way, the basic truth is that to be a good lawyer, you must be a *healthy* lawyer. There is simply no way around this. There may be temporary fixes to your stress, but the only way to have a healthy long-lasting career is to be making healthy choices every day.

We've been encouraged by the recent growth in attention to attorney well-being. In 2017, the American Bar Association (ABA) created the

“Working Group to Advance Well-Being in the Legal Profession” to examine the current state of attorney mental health and substance use issues and to help legal employers create and maintain healthy work environments. The working group defines “well-being” as “a continuous process whereby lawyers seek to thrive in each of the following areas: emotional health, occupational pursuits, creative or intellectual endeavors, sense of spirituality or greater purpose in life, physical health, and social connections with others.” In short, well-being is not just mental or physical health — instead, it is a holistic, 360-degree view of a person’s wellness.³

This working group has been calling upon legal employers, including corporate legal departments, to pledge to work toward creating a healthy work environment by focusing on education, value examination, and creating proactive policies to support their legal professionals. While many law firms and law schools have signed this pledge,

only a handful of corporate legal departments have made the commitment — perhaps because many department leaders are not even aware of this initiative (let’s spread the word!), some may not see the well-being initiative as a priority for their workplaces, and others may be hesitant to pledge due to lack of resources.

ACC has been involved in the discussion on attorney well-being for several years now as well, with the most recent Annual Meeting in Phoenix, AZ, featuring several sessions on mental health and mindfulness, including case studies of effective efforts. Below is one such case study of how an ACC chapter is making well-being of its members a priority.

ACC Southern California Chapter makes strides in well-being

Jill Kalliomaa and Jeff Compangano, active members of ACC’s Southern California Chapter, had noticed that the general stress level of their corporate counsel colleagues seemed to be escalating. The reasons for



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this are unique to each person, but there is no argument that the ubiquity of smart electronic devices in our professional lives gives a new meaning to the traditional workday, and this constant accessibility only escalates the many stressors associated with our work. Kalliomaa and Compangano also noticed that the attorney events they attended typically included unhealthy food, emphasized alcohol, and provided little or no healthier options.

Although they each approached stress management and well-being from different perspectives — Compangano has a 36-year background in fitness and nutrition, and Kalliomaa has an interest and practice in mindfulness, meditation, and mind-body connection — they both sensed that there would be great support for this initiative among corporate counsel in Southern California. They proposed that the chapter create a committee dedicated to well-being for its members, and the chapter board approved the initiative.

In May 2019, ACC’s Southern California Chapter formally launched the Attorney Well-Being Committee, recognizing that while our work as corporate counsel can be exceptionally rewarding, it is often challenging to find effective, healthy ways to manage the stress inherent in the fast-paced in-house law practice with myriad clients. The new committee has seen great momentum and support in its first year, now with over 25 active committee members. The committee’s mission? To provide activities, information, and resources focused on managing stress and work-life balance, increasing resilience, and creating and maintaining healthy lifestyles. After assessing their membership’s interest and needs, the committee selected three focus areas:

(1) Mindfulness/meditation and related activities as a stress reduction tool;

(2) Fitting in physical fitness activities into our busy days as corporate counsel; and

(3) Making choices that support high quality nutrition.

Highlights of the committee’s activities so far include chapter email blasts providing well-being tips to chapter members, mindfulness presentations and exercises at the board meetings, and CLE presentations “Mind Over Matter: Mindfulness, Communication, and the Workplace” and “Managing Stress and Burnout in the Legal Profession.”

What’s next for this committee?

Future planned activities include a yoga class, with complimentary healthy smoothies afterwards; an early morning hike followed by a healthy breakfast; and a group session at a “bootcamp” fitness center (including healthy green juices) with proceeds benefiting a local pro bono legal services organization. Refreshment at events will emphasize healthy nutritious food and drink and deemphasize alcohol. Critical to well-being is the support of loved ones, so family members and significant others are invited to participate in these events as everyone navigates their wellness journeys.

Interested in launching a well-being program for your legal department?

In 2019, several international law firms and corporate legal departments have become the frontrunners in the well-being arena by establishing well-being programs for their employees. 3M was the first in-house employer to sign the ABA well-being pledge, inspiring several other in-house teams to follow that lead. Ready to take the next step? Here are some ideas for inspiration.

Build foundation with commitment from the top

Your department leadership must recognize that attorney well-being is a priority and should be willing to allocate resources to this initiative.

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Formalize your commitment

Establish an internal well-being committee or consider hiring a wellness consultant dedicated to carrying out wellness initiatives. Don’t have the appropriate resources within your department? Check if your company already has an existing well-being program. You may be in luck. Or explore resources available through your local ACC chapter or bar association.

Start the conversation with your team

Internal resources

A good place to start is to offer a session for your team on the already existing wellness resources and benefits available to your employees (e.g., Employee Assistance Program, medical benefits for mental health counseling, meditation classes). You can also invite your team members to share their well-being tips amongst themselves. These simple conversations will help spike interest in your well-being initiative and create momentum you need to build a flourishing program.

External resources

Once you are ready to magnify your efforts, consider bringing in external presenters on various well-being topics like work engagement versus burnout, stress management, substance abuse issues, suicide prevention, etc. Make sure to tap into resources from your outside counsel contacts, ACC chapter, local bar association, and local lawyer assistance program.

Are you a legal department or ACC chapter leader and don't know where to start? Check out these resources.

WHIL is the leading well-being platform, offering live and digital training programs to help improve employees' mental well-being and performance, develop emotional intelligence, and get the most out of their lives. Type in "attorney" on www.whil.com to find content specifically mapped out for legal professionals. Whil's customized courses cover a wide range of topics — for example, ways to unlock positive thinking as a default mode, how to build concentration, tips on overcoming mental hurdles and managing depression, and many others.

Joe Burton, the founder of Whil and the author of *Creating Mindful Leaders* (a must read!), and his team have worked extensively with attorneys. He says: "Legal service providers are being impacted not only by the constant change and disruption in their own business, but by the domino effect of all of their clients going through rapid change and needing legal expertise to help manage the new norm. It doesn't matter how good you are at client service or your job. If you can't manage your thoughts and emotions and relax your nervous system, it's hard to have sustained success in the legal profession."

Not sure where to start? Sign up at www.whil.com to get on their mailing list and attend one of their free monthly webcasts on well-being and performance.

ECE ROI CONSULTING helps legal employers build effective wellness systems, making legal teams more effective and productive. Their approach is personalized and may be a perfect fit for smaller legal departments. The founder Helen Bukulmez, a practicing attorney, has also been leading change as a fearless leader of a nationwide attorney hiking group encouraging legal professionals to get outdoors and get active. "The high demands and stresses of our profession can take toll on our mental, emotional, and physical health. Nature and friends can counter that toll," Helen shares. Learn more about what Ece ROI Consulting offers at www.eceroi.com.

Focus on reducing stigma around mental health and substance misuse issues

One of the goals of the well-being program is to encourage an open and transparent conversation about mental health and substance misuse issues. Acknowledge that the mental health problem is prevalent in our profession and emphasize that seeking help is a sign of strength, not weakness. Finally, make sure to offer your team members a way to reach out for help in a confidential way.

Crystalizing the framework for your well-being initiatives

Look for ways to incorporate well-being into your team's daily practices

(e.g., starting practice group meetings with a "mindfulness minute" – taking deep breaths for a minute or sharing wellness ideas).

Send out wellness email reminders/tips to the team (focus on physical exercise, proper nutrition, taking time to decompress, ways to be more engaged at work, etc.).

Encourage your team to make commitments to wellness practices, perhaps creating a "wellness wall" where they can write down their commitments.

Create more opportunities for healthy social and community engagement.

Urge your department leaders to have periodic "well-being check-ins"

with their team members, asking questions like "How is your workload?"; "Are you feeling overwhelmed?"; and "How can I better support you?"

Inspire your team members to get accountability partners

The ultimate goal of your department's well-being program is to get your team members to "own" their well-being and for wellness to become an essential part of who they are. Accountability partners can help each other get there.

Six ways to increase personal well-being

As individuals, what we do every day matters. In fact, every choice we make during the day either positively or negatively impacts our well-being. Should you take your colleague's comments personally? Will you spend your lunch break browsing on social media or will you focus on your food and take a moment to close your eyes and breathe? Will you take occasional breaks to get up and stretch or will you stay glued to your desktop for hours? Will you go to bed earlier or stay up to watch the football game? The choice is yours. Below are some tips to steer you in the healthy direction — be kind to yourself and consider what well-being practices you can start today. Simply incorporate small, incremental changes daily to create true, lifelong well-being.

1. Inquire about your workplace resources

Find out what well-being programs your employer is offering. Does your company offer mindfulness training or an employee assistance program? Be proactive about learning what's available to you and your family members and take advantage of these resources, as needed.

2. Find time to be quiet

Take the time to just "be."

We spend our days busy, yet we are

Ready to start or elevate your personal well-being journey? There is an app for that! There are many great user-friendly apps to choose from, but here are a few of our favorites:

WHIL is a leading well-being platform, offering live and digital training programs to help improve employees' mental well-being and performance, develop emotional intelligence, and get the most out of their lives. Type in "attorney" on www.whil.com to find content specifically mapped out for legal professionals. Whil's customized courses cover a wide range of topics — for example, ways to unlock positive thinking as a default mode, how to build concentration, tips on overcoming mental hurdles and managing depression, and many others.

For mental well-being:

HEADSPACE is a popular app, offering a series of guided and unguided meditations.

INSIGHT TIMER promotes itself as "The largest free library of guided meditations on earth."

CALM promises to help you "Sleep More. Stress Less. Live better."

CHILL provides daily mindfulness quotes and reminders.

AURA app targets stress, anxiety, and depression. It customizes meditation sessions to your current mood and redirects you to focus on gratitude and positivity.

For physical well-being:

TABATA TIMER – Tabata Stopwatch Pro

7-MINUTE WORKOUT (by Wahoo Fitness)

MYFITNESS PAL for calorie counting and nutrition

MYPLATE (by Livestrong)

"human beings" and not "human doings." For 10 to 15 minutes each day, give yourself the gift of simply being in the present moment. Silence your devices and sit comfortably with your eyes closed. Observe your breath and your thoughts — you don't need to sit cross-legged or "empty" your mind.

Just breathe.

Feeling stressed and overwhelmed by your ever-growing to-do list? Take three slow, deep breaths, closing your eyes and feeling the breaths and sensations in your body.

Try meditation.

We know it may sound intimidating, but it really does work. And, no, you don't have to be perfect at meditation for it to be beneficial. Brief, "informal" sessions will work, especially at the beginning. So, don't overthink it and just start. Download a meditation app or watch a how-to video on meditation. And then simply try it — at home, sitting at your desk, anywhere, in any comfortable position.

Practice gratitude.

Take a few moments each day to think about everything you have in your

Fresh air does wonders, so make it a habit to spend at least 15 to 20 minutes each day outside -- even if it means simply sitting on your patio or walking around your building.

life. Focus on simple things in life and the people you love. Gratitude leads to contentment, and contentment is the first and most essential step on the journey toward happiness.

Do regular self-checks.

Schedule (literally, put these on your calendar) periodic self-checks, and be frank with yourself. How have you been feeling lately? What's causing your anxiety? Are you taking things too personally? What is missing from your life? Jot down your responses, and then brainstorm about ways to address these issues.

3. Focus on physical health daily

Get outside.

Fresh air does wonders, so make it a habit to spend at least 15 to 20 minutes each day outside — even if it means simply sitting on your patio or walking around your building. Want to take this to the next level? Join a local hiking group for motivation or plan a hike for your local ACC chapter.

Stop those exercise excuses.

Don't succumb to the excuse that there is no time to work out — just “fit-it-in” by doing regular, short workouts ranging from four to 30 minutes each. In back-to-back meetings and then rushing home? Consider making a few of your meetings “walking meetings.”

Feed your body.

Consider nutrition with each meal and don't seek perfection. Just make better choices.

Limit alcohol consumption.

Be smart about what, how much, and when you drink. If you keep on making wrong decisions once you start drinking, do your best to avoid events where alcohol is free-flowing. If you find yourself reaching for alcohol as a way to cope with stress, anxiety, or depression, it is time to seek assistance. Your state bar association's lawyer assistance program is a great confidential resource. While alcohol may seem like a reasonable solution in the short run, alcohol dependency can be devastating and potentially career-ending.

Work on your “sleep hygiene.”

It's no secret that the benefits of regular, adequate sleep are staggering and that the lack of sleep can literally break us down. Try to prioritize sleep over no-value activities — is that television show really so important that you can't wait to see it? Create a pre-sleep routine for yourself and your loved ones and stick to it to yield significant health benefits.

4. Value meaningful connections

Check in with your family members, friends, and colleagues.

Next time you are walking by your colleague's desk, stop by and have a conversation. Inquire how they've been doing and take a mental note if you notice any changes in your colleague's mood or attitude. Do the same with your family members and friends. We need to be checking on each other; try to do this in person on occasion as emails or texts are not a substitute for eye contact and a smile.

Be an active listener at work and at home.

Stop talking and start listening. Really listening — when you look into the person's eyes and fully focus on the conversation. Not only will you learn something new and make a deeper connection, but you will also allow your mind to relax and get invigorated.

Get involved.

“Lonely” is a tough state to be in. Even when you are surrounded by people, you can still feel lonely. Getting involved in the community through volunteering or pro bono work (check out your ACC chapter's pro bono program for opportunities!) brings special purpose to your life and allows you to get immersed in serving a cause that's bigger than you are. Such experiences can also put your seemingly bad situation into perspective — when serving those less fortunate, you may realize your circumstances are not as gloomy as they once seemed.

ACC EXTRAS ON... Well-being

ACC Docket

3 Ways to Reduce Employee Stress During the Holidays (Dec. 2019). accdocket.com/articles/3-ways-to-reduce-employee-stress-during-holidays.cfm

Lead the Way: Mastering the Balancing Act (Nov. 2019). accdocket.com/articles/resource.cfm?show=1505157

Beyond Stressed: A Lawyer's Guide to Managing Mental Health (May 2019). accdocket.com/articles/lawyer-guide-to-managing-mental-health.cfm

ACC HAS MORE MATERIAL ON THIS SUBJECT ON OUR WEBSITE. VISIT WWW.ACC.COM, WHERE YOU CAN BROWSE OUR RESOURCES BY PRACTICE AREA OR SEARCH BY KEYWORD.

5. Establish priorities and boundaries

Reflect on what's really important to you at the moment. This will help you set your priorities. Need to be there more for your aging parents? Perhaps that means spending a little extra time at home and working with your boss to find ways to cut excessive travel from your schedule. Your company may even be embracing remote work and flexible schedules. Empty-nested and have more time to focus on your career? Again, have a chat with your management and be vocal about your career aspirations. Of course, your priorities can evolve with time, so stay attuned to what's important to you at any given moment.

Set boundaries and manage expectations. If you don't create boundaries between your work and personal lives, nobody will. It is your responsibility. Good news — your boss and your clients will likely understand and respect your boundaries if you clearly communicate them, but they will not create them for you. This also applies to being mindful about the use of your devices. Being “on” all the time is not healthy and likely not necessary, so establish clear boundaries when it comes to your virtual availability.

Get rid of one (or two) of your goals. Most lawyers are overachievers. If you are one of those people who come up with a long list of self-imposed goals for each year or month and then stress out struggling to achieve them, maybe it's time to shorten your goal list. Have an honest chat with yourself and find at least one goal to eliminate.

Be kind to yourself. If you don't take care of yourself, who will? You don't have to be perfect or 100 percent at everything you do. Allow yourself to just be “good” or “OK” at something. Striving to be 100 percent in every aspect of your professional and personal lives is not only unhealthy but also unsustainable. Remember that your career is a marathon, not a sprint, and that

you are enough. This also includes forgiving yourself when you fail.

6. Know it's OK to ask for help

Allow yourself to be vulnerable. There is nothing more rewarding than being yourself — in the open without having to put up a front. Vulnerability is a sign of maturity and strength and not weakness. Being vulnerable means showing your human side; it frees you from having to portray an image of perfection and helps you build more meaningful connections with others.

If nothing is working, **seek help!** If you feel like you are losing control over what's going on in your daily life and hope is slipping through your fingers, we urge you to seek help. Whether you prefer to talk to your employer, employee assistance program reps, a medical professional, your state bar association's lawyer assistance program, or another external resource (e.g., US National Suicide Prevention Lifeline at 1.800.273.8255), do seek help. You are not alone.

The bottom line

The in-house practice of law is stressful, but to be a trusted and effective counsel to your clients, you must first take care of yourself. After all, a good attorney is a healthy attorney. We — as an in-house legal community — need to start paying attention to the well-being of our members and commence taking steps in the direction of long-lasting well-being. By making adjustments in your own life, you can inspire the change in your legal department and in our in-house community. **ACC**

NOTES

- 1 Krill, Patrick R., Johnson, Ryan, and Albert, Linda. “The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys.” *Journal of Addiction Medicine*, Jan./Feb. 2016, Vol. 10, Issue 1, pp. 46 – 52. https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx#epub-link.
- 2 Gordon, Leslie A. “How Lawyers Can Avoid Burnout and Debilitating Anxiety.” *ABA Journal*, July 2015. www.abajournal.com/magazine/article/how_lawyers_can_avoid_burnout_and_debilitating_anxiety.
- 3 www.americanbar.org/groups/lawyer_assistance/working-group_to_advance_well-being_in_legal_profession/?promocode=LIPP101AA%3fpromocode.