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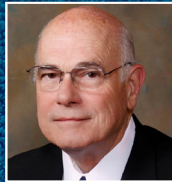
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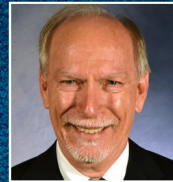
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Exciting 2019 happenings for the NMJLAP are: a presence at the June Judicial Conclave, July Bar Exam, and August State Bar Annual meeting. Look for upcoming details on our October Town Hall Meeting, NEW Facebook page and Twitter account. Visit our website at www.nmbar/jlap.org or call (505) 797-6003 to find out how you can get involved.

In the articles that follow we hope you find something that gives you pause, education, encouragement, or just makes you laugh. NMJLAP loves the NM legal community...we are **Changed Lives, Changing Lives**. Visit www.nmbar.org/JLAP for more information.

A Lawyer's TOOLBOX

by Briggs Cheney

We are trained to help others. When asked “what do you do?” I have sometimes responded, “I make a living dealing with people who can’t get along or are unwilling to compromise or, otherwise, are unwilling to accept life on life’s terms.” I admit to sarcasm and an unfair generalization. It has been the rare occasion that a client did not genuinely believe in his or her cause. Too often clients are wonderful people who deserve for some wrong to be righted, and because of unfair laws, economics, or the realities of the legal system there is little a lawyer can do. It is a rough racket and it often takes its toll on the lawyer.

As in other professions, lawyers have their *tools*: Westlaw; PowerPoint; SOPA; PC Law and the list goes on—the “tools of the trade.” But it is a *rough racket*, and a lawyer needs a *personal* toolbox with tools that help the lawyer cope with the stresses and challenges of the practice of law. Having represented over five hundred lawyers in 46 years, I have seen almost every conceivable mistake that can be made by a lawyer and I have concluded that every lawyer should have a personal toolbox.

My practice of forty-six years has focused on helping and representing lawyers. I am also a recovering alcoholic and I have been in recovery for a very long time. The disease of addiction is very complicated, and it is not fair to blame my alcoholism on the stresses of the practice of law. It is fair to say that a significant part of the solution to the disease of addiction is learning how to live life on life’s terms, and this approach is completely transferable to the practice of law. It’s a great example of a skill that belongs in a lawyer’s personal toolbox. I am always learning about myself, and life, and adding new tools to my personal tool box—some that you might consider for your own toolbox.

“Control is an illusion, and we all struggle with letting go of the handle and just accepting where the winds of life carry us.”

Overcoming Fear

Law is a helping profession. People bring us their problems to fix and we are supposed to know what to do. Too often the solution is not clear, or we don’t know what to do. We are stuck, fear sets in, and we do nothing. It is the rare occasion that doing nothing is the correct decision. When I am afraid and unsure—when I am stuck—I think back to a long-ago friend we called *Biker Steve* who was fond of saying: **“Nothing changes if nothing changes.”**

Another friend, *Ilse*, now in her late 80’s, offered me her several acronyms for FEAR: that we should not **F... Everything And Run**, but remember that often it is a case of **Future Events Appearing Real** and that we are **Forgetting Everything’s All Right**.

Lawyers have no control over opposing counsel, witnesses, the judge or the jury, yet the lawyer feels a duty to control the outcome. When I forget this, two of my favorite tools are George Addair’s wisdom—**“Everything you want is on the other side of fear”**—and Gilda Radner’s (of *Saturday Night Live* fame) reminder:

“I wanted a perfect ending. Now I’ve learned, the hard way, that some poems don’t rhyme, and some stories don’t have a clear beginning, middle, and end. Life is about not knowing, having to change, taking the moment and making the best of it, without knowing what’s going to happen next. Delicious Ambiguity.”

Said less gracefully by a guy we called *the Preacher*, “**I learned how to kiss by getting slapped; I learned how to ride a bike by falling off; I learned how to fight by getting beat up.**”



Acceptance

Years ago, concerned about me, a lawyer friend, Katja, gifted me with pencil sketch by story teller and artist Brian Andreas. The sketch was of a stick person at the tiller of a small sailboat and included the following words: “**If you hold on to the handle ... it’s easier to maintain the illusion of control. But it’s more fun if you just let the wind carry you.**” Control is an illusion, and we all struggle with letting go of the handle and just accepting where the winds of life carry us.

“And acceptance is the answer to *all* my problems today. When I am disturbed, it is because I find some person, place, thing, or situation—some fact of my life—unacceptable to me, and I can find no serenity until I accept that person, place, thing, or situation as being exactly the way it is supposed to be at this moment.” *The Big Book of Alcoholics Anonymous* 417 (4th ed. 2001).

But acceptance may be the most important tool in our toolbox and, often, the hardest to reach for.

I have had to remember too many times, personally and professionally, as another friend once said, that “**it’s too late to make a better past.**” While there are occasions when I can use the sandpaper or the file and round off some corners, “**sometimes you just have to hug the cactus.**”

Letting Go of Resentments

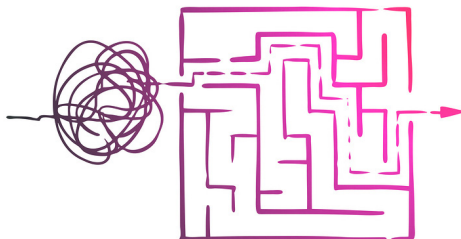
I steadfastly refuse to let another person or institution or situation ruin my day or my serenity. But that is so hard to do. It was many years ago I heard it said, “**When I let another person get me mad or angry, I am letting that person be my guru – I am letting that person control my life.**” I quickly stuck that tool in my toolbox and since then I have marveled at lawyer colleagues and lawyer clients who let an opposing counsel drive them to distraction—sometimes by design and sometimes just by doing their jobs of advocating for their clients. Either way, lawyers who allow themselves to be derailed by the opponent do a disservice to the client, not to mention to themselves. “**For every minute you are angry you lose sixty seconds of happiness,**” or so said Ralph Waldo Emerson.

Resentment comes in different forms. The law business is often less than kind, sometimes cruel, and prone to gossip. I often call on the tool I picked up twenty-two years ago: “**What other people say about me is none of my business.**” When that tool doesn’t work and I am really torqued, one of my favorite tools is remembering that “**having a resentment is like taking poison and waiting for the other person to die.**”

Specialty Tools

Every tool box has its basic tools—the hammer, screwdriver etc. The practice of law often requires specialty tools.

Too often we show up the morning of trial with our Trial Notebook with its tabs and witness outlines and opening and closing mapped out, only to have the judge grant a last-minute motion *in limine*—and the Trial Notebook is rendered useless. Years ago, a retired Marine reminded me of what he was taught in Marine OTS and a tool I have not forgotten: “**All plans disappear with the enemy’s first shot.**” (Military strategy from the 19th century Prussian military Commander Helmuth von Moltke).



For the occasion when you ask the wrong question, or your witness gives you the wrong answer, remember the wisdom of *Sting’s* pianist and arranger, Gil Evans: “**There**

is no such thing as a wrong note. It’s the note that follows what you think is a wrong note that’s important. Because any note you choose by accident can be given a context that makes it right.”

And for those occasions when you have the chance to outsmart your opponent and be just a little “too” smart, stop and think: “**Sometimes it is better to be wise than right.**” Scott Simon, NPR *Morning Edition* 12/13/14.

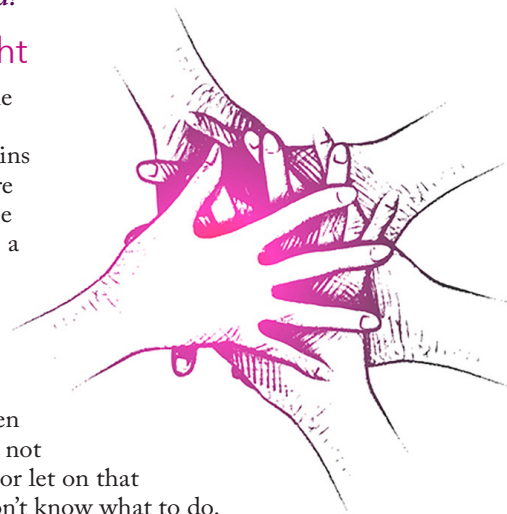
And, sometimes, in the end, none of the tools do the trick and we need to reach for the tool that reminds us: “**Don’t judge the result – did I do the best I could?**”

A Last Thought

We all suffer with the condition of “Legal Egotism.” Some strains of that “condition” are unattractive, but I use the term referring to a lawyer’s belief that he or she, alone, has to fix or save their client. “**Alone**” is the operative word. When we feel alone, we are not supposed to show it or let on that we are scared and don’t know what to do.

We forget we often can’t change a client’s circumstance, and we get angry. I don’t have the answer for that other than: **none of us are alone.** I acknowledge that the tools above are just borrowed words and wisdom. Missing are the “magic directions.”

Probably there are none. Instead, the magic is in believing we aren’t alone, “letting go of the handle,” and experiencing life’s “**Delicious Ambiguity.**” ■



Briggs Cheney practices with Sheehan & Sheehan, P.A. in Albuquerque. His practice has focused on the representation of lawyers in the civil and disciplinary arenas and he has been active in local, state and national bars in all matters relating to lawyers and the legal profession.

Improve your practice and LIFE.

Empathy helps build connection!

by Caitlin Dillon



Interacting with human beings will always be the most difficult part of being a lawyer. Even the most experienced practitioners can be derailed by an individual in crisis. Human beings are inherently emotional creatures and, unlike the law, don't follow precedent and or move in predictable patterns. People come to lawyers in times of legal crisis, and there is an expectation that lawyers are the fixers. Lawyers are the people who are supposed to negotiate problems in a logical, professional, and diligent manner. How can lawyers most effectively communicate with clients in crisis - to really hear their problems? How can lawyers best build a client relationships? They can start by practicing empathy.

There is a growing body of research grounded in neuroscience and psychology that suggests that empathic interactions improve human interaction in general. Empathy is a process with both cognitive and affective components which enables individuals to understand and respond to others' emotional state which contributes to compassionate behavior and moral agency.¹ Empathy is a vital component of human connection. When individuals feel with others, care about others and act with compassion, their communications and outcomes improve. Helen Riess says "empathic capacity" requires specialized brain circuits. When people show empathy for others, they are usually good at perceiving what others feel, able to process the information, and able to respond effectively.²

In the legal realm, a client's emotional recitation can leave the lawyer feeling anything from discomfort to outrage. Even though the lawyer was not physically present for the trauma, the brain registers the client's emotional and physical pain. The client's feelings are perceived by the lawyer who sees their facial expressions and body language and hears their tone of voice. Often in this moment the lawyer may feel overwhelmed by the trauma or feelings being conveyed. Riess describes the importance of taking care of the listener's own human reaction before trying to help. She suggests starting with an inventory of physical reactions that can include sweaty palms or a racing heart. The lawyer should recognize their own emotional reactions in these

difficult conversations. To manage these reactions, it is helpful to take deep breaths and to engage with curiosity. To engage with curiosity, draw out the client with statements such as "tell me more about how you feel." Brené Brown says empathy is about connecting to the emotions that underpin an experience. "If you've ever felt grief, disappointment, shame, fear, loneliness, or anger, you're qualified."³ Empathy occurs when a person, such as a lawyer, connects with the emotion that the client is feeling, not with the specific event or situation.⁴

It is important to remember that empathy is very different from sympathy. A good visual illustration of the difference can be seen in Brown's 2013 video on empathy.⁵ She discusses how empathy creates connection between individuals and how sympathy creates distance and disconnection. She points out that sympathy is the moment when someone

tries to make things better by saying, "at least you still have x, y, z," or by forcing a silver lining into the other's perspective. Lawyers tend to default to sympathy; however, they cannot begin to fully understand a problem unless they make a connection with the client who is sitting right in front of them. Empathy can be the foundation of that connection.⁶

Consider and reflect from the client's perspective. How many times have you shared something difficult and been told, "Look at the bright side" or "At least you still have ..."? How did that sympathetic response make you feel? Conversely, how many times have you shared something difficult and the response was, "That is really hard," or even, "I don't know what to say"? Did the empathetic response make you feel more connected than the sympathetic response? According to Brown, it just takes looking into someone's eyes and seeing yourself reflected back in an engaged way.⁷ Empathy is not about saying the right thing, or making the other person feel better. It is about connecting to the emotion the other person is feeling.

Empathy is not an innate trait.⁸ It can be learned by anyone at any age, and mastered with courageous and regular practice. "While it hurts not to be loved, it can be unbearable not to have our deepest selves be seen, acknowledged, accurately understood, and embraced." Yet, lawyers tend to "talk to" rather than "talk with" a client. A client can be overwhelmed when the lawyer talks to them using legal jargon and procedures. When that happens, a lawyer misses the opportunity to build a relationship. "Empathy is the accurate understanding of another person's internal experience. It has nothing to do with agreeing or disagreeing with that experience."⁹ Stepping into another person's life and experience is a delicate business. It is that delicate business in which lawyers are engaged every single day.¹⁰ To solve problems, lawyers must listen to and be attuned to non-verbal cues which vary from client to client. To effectively practice empathy, lawyers must engage in self-reflection, becoming aware of their own emotional triggers. With awareness, the lawyer can acknowledge their

continued on page 8

Making the Connection

Our legal training
leads us to stiff-arm
not only our clients and each other,
but ourselves.

Connect to reality
not judging, not being judged,
living with the challenges we have.

Connect, then, and communicate.
When you miss the mark, step back, accept the hurt.
Say, "I'm sorry, now I know how I came across."

And, fortified,
connect, and
communicate.
If you can communicate,
you can help.

- Susan E. Page
February 2019

Susan E. Page is retired from the state, and serves on the Bernalillo County Behavioral Health Initiative Steering Committee, representing the Harm Reduction Subcommittee. She received the State Bar's Pro Bono Award in 2018. She lives with bipolar disorder.

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Why Lawyers, Why Mindfulness, Why Now?

by Michelle DuVal

As the classroom begins to fill for my mindfulness class at the UNM Center for Life, I once again notice an interesting trend. Younger and younger faces are starting to find themselves in need of some inner peace.

Two of these faces belong to a couple of late forty-something men, both trim and in good shape, and they greet each other with strong claps on the back and some booming banter. Traditionally, people seeking meditation and the calm it promises are people who have discovered that a great career, great kids, or great contributions to their community are not in and of themselves enough to guarantee them happiness or immunity from the psychic pains of older life. In the past, the only people seeking meditation were the 60 plus crowd, the folks who had been there and done that, and now were looking for something that could satisfy their souls after the main thresholds of busy living had been crossed.

And another trend I've been witnessing? A heck of a lot of this younger crowd seem to be lawyers.

Patrick Griebel is one these men. He's a practicing litigation attorney, former defense attorney, and in recent years he's been on a path toward mindfulness, because in his words, after a divorce and the challenges of his career and young children, "I needed a reset."

Later on in the class his friend Joseph Sapien, a founding partner of Sapien Law, brought me an article about lawyers and mindfulness, and I was especially struck by the first line: "How ironic it is that many of the qualities that makes us great lawyers can be toxic to us as human beings."¹ Like his friend Patrick, Joseph was also looking for something to help him deal with the day-to-day stress of such a contentious work environment.

And just the other day when I gave a presentation at the law offices of Hinkle Shanor, I asked the group if they've ever had the experience of feeling their mind being pulled in ten million different directions, with few of them being positive ones. One the lawyers chimed in, "That sounds like my life on a daily basis."

So what exactly is mindfulness, and why are so many lawyers being drawn to the practice right now?

What is Mindfulness?

If you Google mindfulness, you get a quite a heady paragraph, and though I'm not saying that definition is wrong, it definitely can and probably should be simplified. Mindfulness is simply Intentional

Awareness, i.e., developing the skill or the ability to stabilize your mind. Stated yet another way, mindfulness is the exercise of putting your mind where you want it to be, when you want it to be there. And because the cultivation of any type of skill requires some practice, that's what we do when we practice mindfulness meditation. We practice mindfulness. We practice giving our minds just one thing to do, just one present moment experience to focus on, and when we see our minds wandering off, we train the capacity to not only notice our wandering minds and relate to them kindly, but also to bring them back again.

We build these skills in our meditation, which is usually done in a simplified environment—for example, sitting in a chair or on a cushion in a relatively quiet space—so that we can eventually learn how to take that mental stability out with us into our daily lives.

And the result? People start to feel better. They start to feel more at ease and with a greater sense of calm. Because again, simply put, any time the mind feels out of control, we feel stressed, and any time the mind is focused and able to spring back, we feel more at peace. A simple idea, but not necessarily an easy one to master. That's why we need some training and practice.

Another one of my students, Chris Youngblood, is the CEO of the engineering firm Chaves Grieves. His company perennially wins awards for being one of the best and healthiest places to work. Recently, Chris implemented mindfulness training into the core of his company's wellness programs, which includes nutrition, physical fitness, and financial wellness. "Mindfulness," Chris says, "is a game changer, as far as I'm concerned. It's the missing piece. Because if your mind's not in good shape, it doesn't matter how healthy your body is, you're still going to struggle."

Lawyers and Mindfulness

After taking my eight-week Mindfulness Based Stress Reduction program, I chatted with Patrick about what he felt the benefits of mindfulness were for him as a lawyer, and why he thinks these practices are drawing in so many other attorneys. "Lawyers can get so wrapped up in the work, and any good lawyer tends to take things personally, which makes interactions with opposing counsel, the court and the clients sometimes way more heavy and negative than it needs





to be,” he said. Patrick continued, “We also tend to be really logical and analytical, which actually is what makes mindfulness a perfect fit for us. There’s a great logic to the practice. I mean, it makes sense. There’s no part of the training that asks you to make a leap of faith. Lawyers tend to like that. We want to see the facts and the proof, which mindfulness has a lot of.”

When I asked him how his own practice has helped him, he sighed, “How much time do you have?” Give me the top three ways, I tell him. Patrick explained, “One, I’m a lot less negative about my job and what I’m up against on any given day. Two, I’m a lot more focused at work, and when I lose focus, I can do a short meditation which immediately gets me back on track. And three, I’m a better dad.”

Once again, I feel that all too familiar lump welling in my throat. I’m always amazed and utterly inspired by how even just a short introduction to the practice of mindfulness meditation can make such a huge difference in a person’s life. I too, could go on and on about the benefits, the science, and the very practice itself, but words never quite do it justice. As with most things, to truly know it, you have to try it. And I hope so much that you do. ■

Endnotes

¹ Brenda Fingold, *Mindfulness and Well-Being*, TRIAL, Mar., 2018, <https://www.justice.org/what-we-do/enhance-practice-law/publications/trial-magazine/mindfulness-and-well-being>.

Michelle DuVal, MA, is the leading provider of Mindfulness Training in the Southwest United States, with her ongoing programs appearing in such top institutions as Presbyterian, Sandia National Laboratories, the University of New Mexico, the Albuquerque Public School system, the American Lung Association, and more.

Improve your practice and LIFE. Empathy helps build connection! *continued from page 5*

own emotions and practice empathy in the client interaction and still maintain appropriate professional and ethical boundaries. Practicing empathy doesn’t mean that lawyers sacrifice their own values and preferences. It means that lawyers “feel with” clients who are trying to explain their issues.¹¹ Engaging in this “feel with” process with clients creates better communication and also helps manage expectations. This framework and authentic connection allows lawyers to be the most effective advocates for their clients.

People become lawyers for many different reasons. Underlying the decision to practice law is most often a desire to help people or to create meaningful change. Gabor Maté writes that we are wired to be in tune with one another’s needs, which is one of the roots of empathy, and that meaning is found in pursuits that go beyond the self. “In our own hearts most of us know that we experience the greatest satisfaction not when we receive or acquire something but when we make authentic contribution to the well-being of others or to the social good.”¹²

Building an empathic connection with a client builds trust and improves outcomes for both the client and the lawyer. The client is happier, and the lawyer is less “burned out” because there is a greater sense of meaning found in their connection. Win or lose, most clients, and most people for that matter, just want to be seen and heard. ■

Endnotes

¹ H. Riess, J.M. Kelly, R.W. Bailey, E.J. Dunn & M. Phillips, *Empathy Training for Resident Physicians: A Randomized Controlled Trial of Neuroscience-Informed Curriculum*. 27 (10) *Journal of General Internal Medicine*, 1280 (2012).

² H. RIESS, L. NEPORENT & A. ALDA, THE EMPATHY EFFECT: SEVEN NEUROSCIENCE-BASED KEYS FOR

TRANSFORMING THE WAY WE LIVE, LOVE, WORK AND CONNECT ACROSS THE DIFFERENCES 10 (Louisville, CO: Sounds True, Inc.) (2018)

³ BRENÉ BROWN, DARE TO LEAD: DARING GREATLY AND RISING STRONG AT WORK 140 (New York: Penguin Random House, Inc.) (2018)

⁴ See BRENÉ BROWN, DARING GREATLY: HOW THE COURAGE TO BE VULNERABLE TRANSFORMS THE WAY WE LIVE, LOVE, PARENT AND LEAD (New York: Penguin Random House, Inc.) (2015).

⁵ Videotape: RSA 21st Century Enlightenment: Brené Brown on Empathy 2013 (Retrieved from <https://www.thersa.org/discover/videos/rsa-shorts/2013/12/Brené-Brown-on-Empathy>).

⁶ Id.

⁷ BRENÉ BROWN, DARING GREATLY: HOW THE COURAGE TO BE VULNERABLE TRANSFORMS THE WAY WE LIVE, LOVE, PARENT, AND LEAD 41 (New York: Penguin Random House, Inc.) (2015).

⁸ MADELINE LEVINE, TEACH YOUR CHILDREN WELL: WHY VALUES AND COPING SKILLS MATTER MORE THAN GRADES, TROPHIES OR “FAT ENVELOPES” 288 (New York: Harper Collins) (2012).

⁹ Id. at 290

¹⁰ Id.

¹¹ Id. at 293.

¹² GABOR MATE, IN THE REALM OF HUNGRY GHOSTS: CLOSE ENCOUNTERS WITH ADDICTION 415 (Berkeley, CA: North Atlantic Books) (2010).

Caitlin L. Dillon is a member of JLAP and a prosecutor in Bernalillo County.



Who knows what tomorrow brings?

How about some sunshine?

by Pamela Moore and William Slease

Two recent studies—one on law student well-being and the other on lawyer well-being—confirmed what the profession has suspected for years: as a group, law students and lawyers struggle more than the rest of the population with alcoholism, substance abuse and mental health challenges.¹ Virtually every lawyer at some point experiences periods of great stress, anxiety and significant work-life imbalance from practicing law. But identifying or quantifying these challenges is only the first step. What's next? How do we as a profession move forward in creating healthier lawyers? In this article we briefly discuss why the legal profession can and should create a brighter future for lawyer well-being.

Reed Smith, LLP, is a global law firm with over 1,500 lawyers—a number equal to one-fifth of the attorneys in New Mexico. In 2008, it launched “Wellness Works,” a program designed to support the well-being of the firm’s lawyers and staff.² The program offers training and support on physical fitness, stress management, work-life balance, healthy habits and mindfulness. Wellness Works also offers the same support for issues of substance abuse and mental health. Sandy Thomas, the firm’s Global Managing Partner, astutely observed “this firm’s most valuable resource is its people, which makes their health and well-being critical to our firm, our clients and our success.” Why is a well-being program initiated by a massive law firm important? Because it reflects the cultural shift that must take place if lawyers and legal employers expect to make meaningful changes in lawyer well-being.

There are many reasons for legal employers to reform the culture that historically was built around endless billable hours and tilted the work-life balance almost exclusively to work. It is a culture that encourages coping with stress by being “tougher” or by self-administering alcohol and drugs to ease the pain.

Changing the culture is the right thing to do. Untreated substance abuse and mental illness ruin the lives of our colleagues, friends, families and selves. Ours is a profession dedicated to taking care of the needs of others. Shouldn’t we take care of each other?

It is also the economically smart thing to do. Healthy lawyers are more productive, competent and effective. They miss less work. They are more focused, engaged and energetic. They contribute to a positive work environment. Further, they are at lower risk for committing malpractice, thereby lowering the economic risks to both the lawyer and the firms for which they work.

Leaders of the profession recognize the importance of making meaningful changes to address lawyer well-being. For example, the Conference of Chief Justices in 2017 adopted a resolution stating its support for the goals of reducing lawyer impairment and improving lawyer well-being. The resolution encouraged every jurisdiction to review a report by the National Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*.³ If our leaders are actively engaged in this initiative, shouldn’t we all be?

There are obstacles to making the necessary changes. The most common and challenging is to encourage lawyers to use the available resources to help with their personal struggles and to overcome the stigma associated with seeking help for substance abuse or mental health challenges. This stigma remains the biggest hurdle to professionals receiving the help and support they need. The fear of being labeled or judged can be isolating and keep attorneys from reaching out for help. But it need not be that way. As individuals—whether you feel the effects of depression, anxiety, stress or another mental health condition—seeing and knowing that you are not alone is a vital component in recovery and can restore you to a state of positive health and well-being. And as connected human beings across the planet, what affects one, affects the entire group, organization and family. If you learned a peer, colleague or friend received a diagnosis of diabetes or cancer, would you shun her? Or would you empathize and reach out with compassion to let her know she is not alone and you will support her through this difficult time in her life? Which enables the person to heal faster and get back to a state of well-being? Addiction is no different. Evidence-based research proves addiction is a disease, not a moral failing.⁴

Having the courage to say something or take active steps to help when we see a colleague in trouble can cut through the fear and isolation and eviscerate the stigma. As human beings we are ALL going to struggle or feel overwhelmed at times. But it is critical that when you see a colleague who is not well, you reach out. Inquire “Are you ok?” Be prepared to listen. Taking action prevents the regret that inevitably follows when we fail to take action. In 2016, two UNM law school students took their own life to the shock of the law school and the entire UNM campus.⁵ What is startling is their fellow classmates acknowledged that they knew the students were struggling but chose to do nothing. These classmates now look back and wish they would have said something, done something. The New Mexico Judges and Lawyers

Assistance Program hears this about judges and attorneys. "I knew he/she was struggling and not well, it has been going on for years, but" But what?

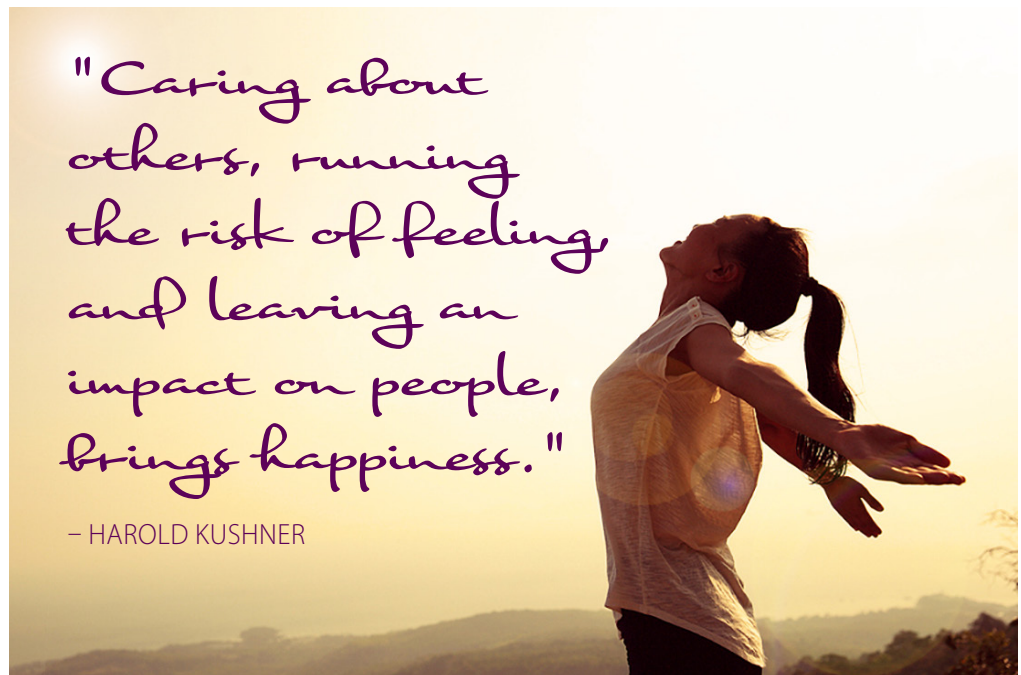
If you cannot bring yourself to act, you still have options. You can call NMJLAP or the Employee Assistance Program. All calls are confidential and you can remain anonymous. When NMJLAP has connected with a member of the legal community that is struggling, the overwhelming response is, "Thank you! I'm so glad you called and listened. I didn't know who to talk to and I do need help." Do not be someone who looks back with regret that you could have done something to help another, but chose to look away.

It is past time for a culture change in the profession on lawyer well-being. That change must come from all of the stakeholders in the profession: the judiciary, regulatory agencies, large law firms, public employers and every member of the bar. We are all responsible for fostering a culture that: (1) reinforces the importance of well-being and a proper work-life balance; (2) eliminates the stigma associated with seeking help for addiction or mental health challenges; and (3) emphasizes well-being and health as a priority for law students and lawyers.

There are steps every one of us can take, right now. Begin a well-being program at your workplace. Establish a well-being task force in your local bar association. Offer to host a "mocktail" hour with new members of the bar in your community to promote socialization not centered on alcohol. Mentor a new attorney and teach the importance of civility, professionalism and well-being in the practice of law. Encourage a friend or colleague in need to seek help before they become embroiled in the disciplinary system. Seek help yourself if the need arises. Commit to making your own well-being and that of your colleagues a priority by modeling and encouraging well-being behavior and seeking an appropriate work-life balance. ■

Endnotes

¹ See Organ, J, Jaffe, D, and Bender, K, *Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns*, Journal of Legal Education Vol 66, No. 1 (2016); Krill, Patrick R. et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, Journal of Addiction Medicine (February, 2016).



² See <https://www.reedsmith.com/en/news/2018/01/reed-smith-launches-wellness-works-globally>

³ National Task Force for Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (2017), available at <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>

⁴ Butler Center for Research, et al., *Advances in Neuroscience Have Evolved the Understanding of Addiction* (March 1, 2016), <https://www.hazeldenbettyford.org/education/bcr/addiction-research/brain-disease-model-ru-316>

⁵ Staci Zaretsky, *The Struggle: Two Suicides in Two Months at the Same Law School* (Aug. 23, 2016), <https://abovethelaw.com/2016/08/the-struggle-two-suicides-in-two-months-at-the-same-law-school/>.

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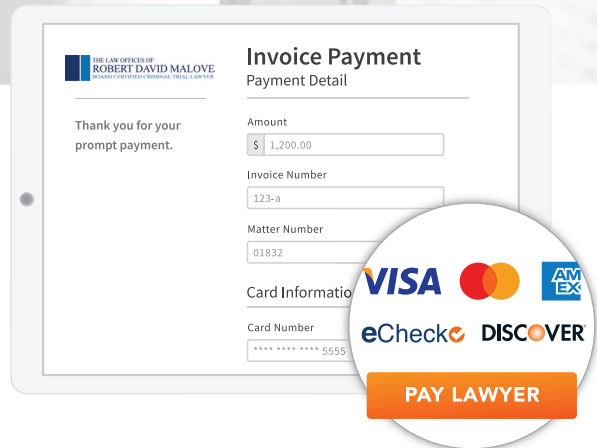
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