The Stress-Performance Link: Strategies to Increase Resilience and Avoid Burnout

PAULA DAVIS-LAACK, JD, MAPP
DAVID N. SHEARON, JD, MAPP

• Search and apply for more than 1,000 high-quality legal jobs nationwide
• Upload your resume for review by hundreds of potential employers
• Receive email alerts when new jobs are posted that meet your search criteria
• Or post a job if you have an open position to fill.
• Free monthly webinars offering career development and job search tips
  ▪ Career Advice Series
  ▪ Career Choice Series
  Visit www.abalcc.org today!

Your Presenters
**Agenda & Welcome**

- Overview
- The 5 Challenges of Law
- Burnout Basics
- Resilience
- STRONG Strategies to Practice
- Wrap up / Q&A

**Flow Chart of Life**

- Adversity
- Resilience

**Entering Law Students**

No significant differences from other college graduates going on to post-graduate work.
Depression Among Law Students
(Benjamin et al., 1986 Am. Bar Found. Research, 235)

Stressed Out Lawyers
- Feb 2016 study
  - ABA + Hazelden Betty Ford Foundation
  - Patrick Krill
  - 15,000 lawyers across U.S.
  - "Between 21% and 36% drink at levels consistent with an alcohol use disorder"
  - "3-5 times higher than the government estimates for alcohol use disorders in the general population"
  - Highest incidence: among L's in first 10 years of practice
  - Stress → drug & alcohol abuse, anxiety, depression, divorce, suicide

Law's Five Challenges To Thriving
- Values Conflicts
- Zero-Sum, High Stakes
- Adversarial Skills
- Necessary Evils
- Culture
Values

Schwartz Values Framework

Family Security
Social Order
Loyal
Responsible
Social Justice
Equality

Social Power
Wealth
Enjoying Life
Excitement
Privacy
Freedom

Zero-Sum,
High Stakes
Zero-Sum, High Stakes

Lose
• Sad
• Angry
• Hurt
• Bitter

Win
• Not as sad
• Not as angry
• Not as hurt
• Not as bitter

Adversarial Skills
Finally I am winning!

Why is everything an argument now?

Necessary Evils

Use of skill and training to cause another physical or psychological pain in the service of a higher good.

Margolin & Malinsky (2005)

Examples:
- Cross-examining the victim in a child sex abuse case
- Advising employer how to lay off employees
- Negotiating from “good enough” to “best”
High Skepticism
• Doubt everything, including the motives and loyalty of others

Low Resilience
• Take everything personally, “my fault”

Low Sociability
• Uncomfortable making new social connections
The 3 Dimensions of Burnout
(Drs. Christina Maslach & Michael Leiter)

- Exhaustion (lost energy)
- Cynicism (lost enthusiasm)
- Inefficacy (lost confidence)

The Burnout Problem

- ~70% of people showing up to work not engaged
- ~40% of WI public defenders scored in the clinically significant range of burnout
- Burned out lawyers less committed to the organization & report lower ID with org goals

Burnout Defined

* A chronic process of exhaustion, cynicism and ineffectiveness caused by an imbalance in demands, resources and recovery.
The Burnout Curve

Based on work by Drs. David Posen & Peter Nixon

THE HUMP

STRESS LEVEL

Performance

Boredom

Stress Sweet Spot

Fatigue

Exhaustion

Illness

Breakdown

Gender & Burnout

(Houkes et al. (2011). BMC Public Health)

Women

Men

- Exhaustion
- Cynicism

- Cynicism
- Exhaustion

- Inefficacy...time out
- Keep right on going...

Burnout Warning Signs

The Big 3 +

No downtime/lack of recovery

Disengaged/consistently checked out

Sick/physical symptoms more than usual

Every curveball is a major crisis
What Are Job Demands?

Aspects of your job that require sustained effort and energy
- Rainmaking
- E-mails
- Meetings

Examples of Job Demands
(Bakker, Demerouti, & Sanz-Vergel, 2014)
1. High work pressure and workload
2. Emotionally demanding interactions with clients/colleagues/opposing counsel
3. Lack of autonomy
4. Role conflict & role ambiguity
5. Lack of HQ connections
6. Unfairness/organizational & firm politics
What Are Job Resources?

Aspects of your job that (a) help achieve job goals; (b) reduce the cost of job demands; and (c) stimulate growth and learning

- Knowing you really helped a client
- Loving what you do
- Achieving an important goal (e.g., closing a deal; winning at trial)

Examples of Job Resources

(Bakker, Demerouti, & Sanz-Vergel, 2014)

1. High-quality relationships with colleagues
2. Decision authority
3. Feedback
4. Time and job control (autonomy)
5. Opportunities to learn new things
6. Leader/partner support
7. Skill variety

Recovery

What is Recovery?

Internal + External = Recovery

Survey Says...

Survey of 10,000 people...

What % said they had “a great deal of energy yesterday.”


Your Burnout Prevention Plan

**STEP 1:** List your Job Demands
- How do these Job Demands impact your energy levels and effectiveness at work? At home?

**STEP 2:** List your Job Resources
- What Job Resources could you use more of?

**STEP 3:** What steps are you taking to effectively Recover each day?
What Helps?

Resilience Defined

Resilience is your capacity for stress-related growth.

TWO Key Aspects to Resilience:

1. Durability (stress-related growth during every day stress, challenge and adversity) (“Little A”)
2. Bounce Back (stress-related growth after a trauma) (“Big A”)

Resilience Enables...

- Healthy coping strategies
- Goal achievement
- Mental toughness
- Self-efficacy
- Development of high-quality relationships
- Effective problem solving

So You Can...

- Manage your stress and prevent burnout
- Tolerate the effects of uncertainty and change
- Know yourself in a way that enhances leadership capabilities
- Take good risks and capitalize on opportunity
- Perform at your peak
- Actually thrive in a tough profession


Army Strong

Resilience Building Blocks
STRONG: STress Resilience ON The Go™

Find the Good Stuff

What Went Right?

- Do 3-5 x / week; takes about 5-10 minutes
- Make sure to reflect on the good thing
- Great family/team activity!

**BENEFITS:**
1. Better sleep
2. Better relationships
3. Higher life satisfaction
4. Lower depression

Martin E.P. Seligman, et al. (2005)
Change Your Passwords

Practice 4-7-8 Breathing

Take a Tactical Pause
(Bob Stahl & Kilda Goldstein, A Mindfulness-Based Stress Reduction Workbook)
Add Resilience to Your Organization

1. Resilience/burnout prevention training & workshops
2. Group resilience coaching for transition points
3. Resilience Train-the-Trainer programs
4. Informal conversations – normalize stress
5. Resilience instructional videos housed on-site
6. Resilience courses for family members
7. Host programming & include clients!
Q&A

CONNECT WITH PAULA

E: paula@pauladavislaack.com
W: www.pauladavislaack.com

E-Books:
1. Addicted to Busy: Your Blueprint for Burnout Prevention
2. STRONG: Stress Relief Strategies When You Have 10 Minutes or Less
Connect with Dave

E: dave.shearon@thrivinglawyers.org

Book:
Smart Strengths: Building Character, Resilience and Relationships in Youth

-----

Upcoming Career Advice Series Webinar

- Friday, June 9, 2017, 1-2pm ET, Master the Art of Success

Upcoming Career Choice Series Webinars

- Friday, May 19, 2017, 1-1:30pm ET, Product Liability Defense
- Friday, June 16, 2017, 1-1:30pm ET, Food, Drug, and BioTech Law
- Friday, June 23, 2017, 1-1:30pm ET, Domestic and Sexual Violence
Twitter Chat

#LegalCareerChat

LAWYER JOB SEARCHING

WEDNESDAY, MAY 17 • 2 PM EST

SPECIAL GUEST
Kathy Morris (LawyerCounsel)
Former Ninth Circuit Judge

HOSTED BY
ABA LEGAL CAREER CENTRAL

Meet the LCC Board

Chair:
Mark Weber,
Harvard Law School,
Cambridge

Adviser:
Kathy Norris, Under
Advisement, Ltd.,
Chicago and New York

ABA LCC Staff:
Emily Roschek,
Chicago

ABA LCC Board Members:
• Casey Berman, Leave Law Behind, San Francisco
• Avery Blank, Avery Blank Consulting, Philadelphia
• Derek Davis, Harvard Law School, Cambridge
• Susan Fine, George Washington University Law School, Washington, DC
• Skip Horne, Santa Clara University School of Law, Santa Clara
• Carol Kanarek, Kanarek & Brady LLC, New York
• Betsy Munnell, EHMunnell, Boston
• Tom Schoenherr, Fordham University School of Law, New York
• Marcia Shannon, Georgetown Law, Washington, DC
• Liz Stone, The Dubin Group, San Francisco
• Rob Young, English, Lucas Priest and Owsley, LLP, Bowling Green

Check out http://www.abalcc.org/about/ to meet the LCC Board.