



Burnout

The cost of having it all.

BY COURTNEY BARKSDALE PEREZ

In 2013, *Lean In*, a book providing Sheryl Sandberg's take on what women need to do to succeed in a male-dominated workplace, became an instant bestseller. Six years later, some women in the legal profession are leaning so far in we're trying not to fall on our faces, while others are simply struggling to stay upright under the weight of it all. The practice of law comes with particular challenges including intense client pressure, long hours, never-ending deadlines, building business, and the weight of bearing other people's problems to name a few.

Women carry additional burdens that make longevity in the profession even more difficult. In many firms and companies, there exists an "old boy network" that results in better deals and cases being assigned, greater client exposure, and better mentorship opportunities for male counterparts—all of which ease the path to promotion for men.¹ Women also face gender bias that makes us more likely to be interrupted, mistaken for nonlawyers, not taken seriously, and assigned administrative work.² To top it all off, as the article *The Horrible Conflict Between Biology And Women Attorney* explains, "the biological window for motherhood directly conflicts with the career window requiring the biggest investment of time and energy."³ Further, as research confirms, women still disproportionately bear childrearing and household responsibilities, the culmination of which is equivalent to a second full-time job.⁴

Women of color face a double whammy: We receive less compensation than our white counterparts, are denied equal access to significant assignments and mentoring opportunities, receive fewer promotions, and have the highest rate of attrition compared with white male and female attorneys according to an American Bar Association study.⁵

All of this considered, it is no wonder women are leaving the profession in droves. By the time women are 50, we make up only 27% of the profession. Nearly 50% of law school graduates since 2000 have been women, yet women represent only 18% of equity partners nationwide.⁶ Some women have managed to stay and, indeed, thrive but at what cost?

The challenges described above not only affect women's careers but also impact our health. Trying to have it all has left many women burned out, making us more susceptible to depression, anxiety, and other mental illnesses. According to Johns Hopkins University, lawyers suffer from depression at a rate 3.6 times higher than other employed persons. According to the Mayo Clinic, about twice as many women as men experience depression. Women also experience depression-related illness at a higher rate than men.⁷ These realities are not discussed within law firms or corporate legal departments. Consequently, these conditions are stigmatized and lawyers who are suffering often do so in silence.

Perhaps contributing to the stigma is the fact that burnout is not an official medical condition. Instead, it is defined as an "occupational phenomenon." Burnout is characterized by a cycle of negative emotions and withdrawal, exemplified by exhaustion, cynicism, and a sense of inefficacy. The symptoms of burnout include constant anxiety, depression, feeling overwhelmed, changes in personality, irritability, pessimism, obsessive thoughts, feelings of dread, difficulty concentrating, sleep disturbances, fatigue, disengagement, lost or diminished motivation, and heart palpitations. Stress is short-term and unavoidable. But unmitigated and unmanaged stress leads to burnout. And burnout is the enemy of longevity.

I have learned from personal experience some ways to prevent burnout in my own practice. Here are some tips I try to employ.

Ask for what you need. Women make good lawyers in part because we are highly capable of multitasking and work effectively. But we also tend to keep our heads down hoping to be recognized for our hard work while our male colleagues are building relationships. Fact: You cannot bill 2,000-plus hours annually while also devoting significant time to building relationships (that later turn into business and job opportunities) and outside pursuits that enrich your life (like raising a family) and expect not to burn out. We have to be more willing to verbalize what we need for longevity in our careers, whether that be assistance on a project, additional help at home, extension of a deadline, a more flexible or reduced schedule, or time off from work. Sometimes we don't have these things because we're unwilling to ask for them.

Give yourself some grace. The idea of "work/life balance" promotes self-loathing because it necessarily implies that there is a perfect balance to be maintained. This means that when you are out of balance, that is to say, devoting more time to one demand over another, you are somehow failing. Striving for a constant 50/50 balance is exhausting and unrealistic. You can be a superlawyer and a supermom, but not often on the same day. Sometimes you need to be 100% dedicated to the task at hand. The truth is, when I'm in trial or under a deadline in a big case, I rarely see my husband and children.

Other times, like when I'm at home with a sick kid, my family needs my full, undivided attention. Learn to let go of the guilt. It is self-defeating and largely self-imposed.

Treat yourself like a client. Self-care is not a luxury. It is essential to career longevity. Self-care does not always mean going to the spa or indulging in a retail sale. Self-care is any activity that renews your energy and puts you in a more relaxed state of mind. For some people, self-care may be a massage, a long run, a good book, or an hour of quiet meditation or prayer. If you have trouble making it a priority, the best advice I've received is to treat yourself like a client. Make regular appointments with yourself focused on your self-care and keep them.

Prioritize and delegate. We do not have to do everything ourselves. It is difficult for type-A personalities and perfectionists (like myself) to relinquish control. But longevity demands it. Regularly take inventory of your to-do list, prioritize your tasks, and identify which can be delegated. Doing so frees up your time and your mind to focus on high-priority tasks.

Focus on your why. Sometimes we get so caught up in the daily grind that we lose sight of why we're doing it. Find your why—whatever motivates you to come to work each day—and keep it at the center. Staying focused on why you do your work will help keep you motivated. It also helps to keep in perspective those things that truly matter and keep us from devoting too much attention to those that, in the grand scheme of things, don't matter much at all.

Take a vacation—seriously. For me, taking a day off here or there is as essential as taking a full week or two of vacation. Lawyers are not very good at taking vacations, and according to research, most Americans do not use all of the vacation time they're allotted. Time away from work is essential to renewing your energy and avoiding burnout. Do it. You won't regret it.

Unplug. Some of the most stressful times for me come when I have one foot at the office and the other at home. Prime example: half-listening to my 3 year old while answering an email at 7:30 p.m., or shushing my children in the backseat as I take a conference call. This is not only stressful, it's ineffective. While sometimes being available for emails and calls is unavoidable, many times it is not. We have become so conditioned to a 24-hour workday that it *feels* unavoidable. Find a certain time of the day during your waking hours when you completely unplug and are unavailable for any work purpose. Doing so will not only relieve some stress, it will help you focus on the present rather than the tasks awaiting you at the office.

Get an accountability partner. When you've had your foot on the pedal full throttle for years, stress becomes normalized and it can become difficult to recognize your limits. Find a person who knows you well and may recognize when you're overwhelmed before you're willing to concede that fact yourself. Everyone needs a friend or colleague who will truthfully check in, tell you they're concerned, and help you think through how to take some things off your plate even if only temporarily.

Having said all of this, coping skills alone will not reduce the alarming numbers of women leaving the profession. Self-care will not overcome an unsupportive work environment. I

am fortunate to go to work every day in an environment that provides emotional and developmental support. But institutional change is necessary. Although firms are beginning to institute policies designed to reduce pressures and burnout such as reduced or part-time hours, and remote working arrangements, research shows that oftentimes these policies are underutilized or ultimately unsuccessful at retaining women for three reasons: (1) the stigma associated with them, (2) lost opportunities for development, or (3) because, in reality, the pay is less while the hours and stress remain the same.

Firms and companies need to see women as assets rather than cost centers and recognize that investing in our long-term success is not only just plain fair, it helps the bottom line. The National Association for Law Placement reported that losing a single associate can cost a firm between \$200,000 and \$500,000. Firms and companies should, instead, make greater investments in recognizing burnout, reducing stigma, ensuring continued development of women, and effectively implementing alternative work arrangement policies until the attorney is ready to resume full-time practice. Most likely, these changes will not come in the form of sweeping cultural change, but one employer at a time.

In the meantime, if you are suffering from burnout, know that you are not alone. You don't have to leave all you have labored for to make your life work. This year, the Texas Young Lawyers Association is creating an Attorney Wellness Hub, a website of mental health resources for attorneys, judges, and law students, and programming focused specifically on women lawyers' wellness. You may also contact the Texas Lawyers' Assistance Program for resources and guidance at 800-343-8527 (TLAP) or tlaphelps.org. **TBJ**

Notes

1. Anusia Gillespie, *The Horrible Conflict Between Biology and Women Attorneys*, American Bar Association (2016), <https://www.americanbar.org/careercenter/blog/the-horrible-conflict-between-biology-and-women-attorneys/>.
2. Kim Elssesser, *Female Lawyers Face Widespread Gender Bias, According To New Study*, Forbes (Oct. 1, 2018, 3:34 PM), <https://www.forbes.com/sites/kimelssesser/2018/10/01/female-lawyers-face-widespread-gender-bias-according-to-new-study/#24e1bc144b55>
3. *Supra* note 1.
4. Liane Jackson, *Why do experienced female lawyers leave? Disrespect, social constraints, ABA survey says*, ABA Journal (Aug. 3, 2018, 7:50 PM), http://www.abajournal.com/news/article/why_do_experienced_female_lawyers_leave_disrespect_social_constraints_ABA; see also Maria Cohut, *Women "spend more time on housework, childcare than men,"* MedicalNewsToday (Oct. 10, 2017), <https://www.medicalnewstoday.com/articles/319687.php>.
5. *What Lawyers Need to Know About Gender Bias*, The Institute for Continuing Legal Education (1995), available at <https://www.upcounsel.com/lectl-what-lawyers-need-to-know-about-gender-bias>.
6. See also *Report of the Ninth Annual Survey by National Association of Women Lawyers*, National Association of Women Lawyers (2015), <https://www.nawl.org/p/cm/ld/fid=506>; see also Liane Jackson, *Minority women are disappearing from Big Law—and here's why*, ABA Journal (March 1, 2016, 12:15 AM), http://www.abajournal.com/magazine/article/minority_women_are_disappearing_from_biglaw_and_heres_why.
7. Dina Roth Port, *Lawyers weigh in: Why is there a depression epidemic in the profession?*, ABA Journal (May 11, 2018, 7:00 AM), http://www.abajournal.com/voice/article/lawyers_weigh_in_why_is_there_a_depression_epidemic_in_the_profession; see also *Women and depression*, Harvard Mental Health Letter, <https://www.health.harvard.edu/womens-health/women-and-depression>.



COURTNEY BARKSDALE PEREZ

is a trial attorney and partner in Carter Arnett in Dallas. She has three beautiful children, is married to the love of her life, and is the chair of the Texas Young Lawyers Association Board of Directors and president-elect of the NEW Roundtable. In her spare time, Perez practices self-care.