

# Stress Management – An Ethical Issue in the 21st Century

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Take a look at the Texas Lawyers' Creed:

"I am a lawyer; I am entrusted by the People of Texas to preserve and improve our legal system. I am licensed by the Supreme Court of Texas. I must therefore abide by the Texas Disciplinary Rules of Professional Conduct, but I know that Professionalism requires more than merely avoiding the violation of laws and rules. I am committed to this Creed for no other reason than it is right."

I see the results of lawyers not taking care of themselves every day. The Texas Lawyers' Assistance Program (TLAP) receives hundreds of calls each year from lawyers (and those concerned about them) who need help dealing with the big whammy: drug abuse, alcoholism, clinical depression. Increasingly, we are receiving calls from lawyers who are bummed out, stressed out and burned out. They call because the stress and pressures of practicing law are taking a toll on their physical health and mental wellbeing. As this happens, lawyers are finding it increasingly difficult to meet the aspirational standards of our Creed and, sometimes, even the baseline ethical standards set out in our Rules.

**Stress.** Stress is not something that happens *to you*. We invite it into our lives with our rigidity and our urgent need to control. We accept it as part of the practice - as the price for success and as the catalyst for productivity.

Stress is important in our lives. It prompts us to take action, usually either fight or flight. All of us at one time or another find ourselves in high pressure situations in which our stress level rises above our comfort level. We act or react and the stress dissipates, an occurrence that is manageable without much help from

anyone else. The problem, though, comes when stress levels remain consistently high with little opportunity for the body to return to normal. When the stress becomes chronic and there is no biological or emotional relief in sight, we become *distressed*.

When we're distressed, we feel defensive, depressed, defiant, and dependent. We are disorganized and indecisive. Important aspects of our lives (sleep, diet, relationships, spirituality, the professionalism of practicing law etc.) get out of balance. Life, work, family – everything - seems unmanageable. Fun and enjoyment are out the window. You may even forget about the Texas Lawyers' Creed.

**Distress.** Distress is often something we do to ourselves. So, much of the time, we can do something about it. Three ingredients that go into our experiencing distress: 1) the situation (external stressors); 2) our perception (internal stressors); and, 3) our response.

Our jobs, deadlines, clients, and the day to day practice of law, family needs, and financial demands - all of these are stressful situations. Even with many external situations, however, we are the ones who set them up to be stressful. We agree to meet deadlines we know we can't meet. We accept tasks for which we have no time. We make promises we know can't be kept. We can remedy some of the excess stress by changing our habits. But changing the situation alone will do little to change your distress level in the long run.

Instead, focus on changing your perception of the situation and, based on the revised perception, determine your response. Stressful situations become distressful based upon our perceptions and responses. **The more we**

***perceive the situation as a threat*** (particularly to our self-esteem, our security, or our relationships) **and the less we *perceive* we have any ability to constructively respond, the more distress we will feel.**

**Solutions.** We attempt stress management every minute of every day. Everything we do in life is an effort to reduce our stress level or prevent an increase in our stress level in the future - from brushing our teeth to going to work to paying a traffic fine. We make the judgment, consciously or unconsciously, that the action we have chosen is or will be somehow less stress-producing than the alternatives.

For stress management to be effective over the long haul, the key is not learning certain little tricks that only address the symptoms (although these can be important tools in dealing with your immediate response). **The key is in learning to live your life, and see your world, in a way that makes distress less likely.** In other words, like so many other things in life, stress management is not an event, it is a process.

Here are some principles and suggestions that, when practiced on a daily basis, will help you perceive stressful situations as less threatening and help you regain a measure of control over your ability to constructively respond:

**Suggestion 1. Take responsibility for your life, your behavior, and your stress.** If you don't, you effectively delegate it to someone or something else (consciously or not). This means you effectively delegate control over your life - and your stress level - to someone or something else.

**Suggestion 2. Identify your principles, values and goals - what's important to you and what you want out of life - and behave consistently.** If a strong family life is most important to you and yet you repeatedly take on tasks that make it impossible for you to be

with your family, you will feel distress. The more your behavior matches your values and principles, the less distress you will experience. When judging your adherence to these goals, be flexible enough to allow for your being human. If you feel like you must be perfect and never make mistakes, you will live your life in a constant state of distress.

**Suggestion 3. Practice acceptance in your life.** Things just won't always go the way you want or need. Focus more of your attention where you have influence and can affect the outcome. Learn to accept the rest (which means learning that you are human and not all powerful – darn!).

Remember the Serenity Prayer:

God, grant me the serenity to accept the things I cannot change,  
the courage to change the things I can  
and the wisdom to know the difference.

**Suggestion 4. Conduct an inventory of yourself and identify your own personal internal stressors.** Are you a "people-pleaser" who has a hard time saying "no"? Are you a perfectionist such that every mistake takes another notch out of your self-worth? Self-awareness is the first step towards self-improvement.

**Suggestion 5. Learn to breathe.** Try this short, relaxing exercise for at least five minutes every day for two weeks. Daily practice will make it almost automatic in stressful situations:

- Create a quiet and comfortable environment (phones off and door closed).
- Sit upright in your chair with both feet flat on the floor.
- Begin by feeling your feet on the floor and your body in your chair.
- Close your eyes and try to notice any areas of tension in your muscles and, to the extent you can, consciously relax those areas.

- Take a deep, slow breath to the count of four, hold it for a count of four, and exhale slowly and completely to the count of four. Repeat this "four count" breath two more times.
- Then, breathing normally, bring your attention to your breath and simply notice it. If your mind wanders, don't worry about it. Just catch it and bring your concentration back to your breath.
- Continue for five minutes.

**Suggestion 6. Become your own personal trainer.** The practice of law is physically demanding, requiring endurance, strength, stamina, perseverance and physical health. Add the stressors of practice to your continuing family obligations and existing personal financial commitments and it's clear that you should be "in training" for the staggering physical toll that the practice of law places upon you. Here are a few ideas that will help in this area:

**A) Eat well.** Treat your body like a friend. Eat well. Eat breakfast. Avoid excessive fatty foods. Eat lunch. Avoid excessively sugared food and beverages. Be your own mother: eat your vegetables! Think about the amount of caffeine you are consuming. Find and keep to a diet or way of eating that fuels your body rather than harming it.

**B) Get enough sleep.** Good sleep, which determines the quality of your day, starts with self-discipline the night before. And some simple math: determine what time you need to get up and count backwards seven to eight hours. That's "lights out" time.

**C) Move it or lose it!** Your health, that is (both mental and physical). If you don't already have an exercise routine, GET ONE! Incorporate it into your daily schedule. Put it on your calendar. Pay your secretary to get your tush out of the chair and out on the pavement. Hire a trainer. Buy a pedometer and use it. Join a club or team sport that requires you to show up at a set time.

Minute for minute, the benefits of exercise far outweigh any time spent away from your practice. It will help clear your mind for the times when you are in the thick of that discussion, negotiation, trial, or dispute. It is a proven technique known to reduce and alleviate the daily accumulation of stress.

**D) Quit Smoking.** Can you really think of a good reason to continue?

**Suggestion 7. Create balance.** Because the practice of law can be such a physical and mental endeavor, sometimes we have to go out of our way to pay attention to the other aspects of our lives. We must do this to be a good lawyer, but also to be a whole, kind, healthy, respected and stress resilient person. All the things we want to be! Here are a few things to remember:

**A) Spend some time alone.** All of us need some time alone—some need a lot, some only a little. This should be a time to refill your emotional reserves, a time to give your mind a chance to quiet down and rest. The better you can learn to quiet your mind of all the chatter about deadlines, delays, clients, judges, etc., and what you said (or didn't say), what you did (or should have done), the more beneficial your solitude will be.

Take some time to shut your office door and turn off the cell phone. Breathe deeply. Let go. Go outside and walk around the block. Enjoy the time by yourself. If you need some ideas about what to do, try some of the stress reduction stretches and other relaxation exercises at the end of this handout. Try meditation. TLAP has a link to some wonderful and short guided meditations on our website at: [www.texasbar.com/tlap](http://www.texasbar.com/tlap).

**B) Talk to someone.** Just as solitude is important, so is sharing your thoughts, emotions, hopes and fears, highs and lows, with someone else. Interact with others as a genuinely present human being. Connect with

them by conversing *with* them. Try to not practice your cross-examination techniques on them. Practice listening to someone else and really trying to understand what they are saying. Find a few people whom you trust enough to share the intimate details of your failures with as well as your victories. In short, your life is stressful enough without trying to do it all alone.

**C) Develop an interest outside of the law.** Try to develop, or maintain, interests completely unrelated to the practice of law. This helps to make you a far more emotionally well-developed and interesting person. It also helps you find a place within your community and provides you with a sense of commitment and responsibility. You can meet a host of new friends and contacts that will help give your perspective on your own life.

**D) Give a little back.** When feeling distressed, give a bit of your time and attention to someone else who may be facing a problem without expecting anything in return. When you give away without manipulation, you will be surprised how much your stress level decreases. Whatever measure you take, large or small, not only helps others, it builds your self-esteem, helps you put your own life in perspective, and serves to develop and maintain a vital connection with those around you.

**E) Develop or maintain your sense of spirituality.** Spirituality doesn't necessarily mean religion. Nevertheless, most of us believe in some sort of power greater than ourselves, that makes some sense of this world, and provides us with guidance,

direction, and a sense of belonging. So, inquire within, find what works for you, and then pay attention to it. If a particular religion or spiritual practice works for you, put it into action in your life. If getting out in nature is a spiritual experience for you, go regularly. Whatever you choose, let it give you some perspective on your life, helping to reduce anxiety, worry, and guilt.

**F) Lighten up!** Don't take yourself so seriously. No matter how important or successful you are, if you can't laugh at yourself, you're headed for trouble. At least once a week, do something fun that involves no competition. Try something new and get out of your "comfort zone." Watch the Comedy Channel and funny movies. Nothing relieves stress and tension better than a good laugh.

**Suggestion 8. Calendar it!** (Is that even a word?) As lawyers, we live and die by our calendars. If any of these ideas seem helpful, put it on your calendar just as you would any other important activity that you don't want to miss. Keep it up for a month and these suggestions just might turn into habits!

**Summary.** In short, take responsibility, act with integrity where you have influence, practice acceptance in regards to the rest, use your support systems, give back, and take care of your body. Know that you won't always do this right but that doesn't mean you should stop trying. Just focus on the daily process of stress management and over time you will begin to notice that the times of distress become fewer and farther apart.

## **STRESS MANAGEMENT TECHNIQUES:**

### **The Seventh Inning Stretch, Meditation for the Busy Lawyer & Deep Relaxation**

Whether you call it “stressed out,” “overwhelmed,” or just “a little crispy around the edges,” when the stress gets to be too much, you may find yourself in distress. You’re tired, tense, irritable, restless and discontent. Sound familiar? Here are a few suggestions on reducing and responding to stress:

***The Seventh Inning Stretch.*** This technique is designed to help you relieve the muscular tension that comes with stress. Reduce the muscular tension and the mind will follow. This technique is made up of five muscle stretches you can do just about anywhere, anytime:

- Sit up straight on the front edge of your chair with both feet on the floor.
  - Rest your hands on your knees.
  - Close your eyes and take two deep abdominal breaths. (When you breathe, your abdomen should rise and fall, but not your shoulders. This is called abdominal breathing. It is deeper and more relaxing than shallow chest breathing.)
  - Open your eyes, and begin with the first stretch. (While stretching each group of muscles, concentrate on the stretching and release of the muscles, while relaxing the rest of your body. Breathe through each stretch, holding each stretch for about three complete abdominal breaths. Between each breath, consciously relax your body for two complete breaths. If you experience any discomfort or pain at any time during any of these stretches, discontinue the stretching and focus on relaxing the muscle.)
1. With your hands still resting on your knees, let your head slowly drop forward, resting your chin on your chest, and hold this stretch. Slowly roll your head to the left, stretching your left ear down toward your left shoulder and hold. Then slowly roll your head back and hold. Slowly roll your head to the right, stretching your right ear down to your shoulder and hold. Return your head to its normal position and take two deep breaths.
  2. Join your hands together behind your lower back, entwining your fingers. Gently try to squeeze your shoulder blades together and hold for three breaths. Repeat.
  3. Raise your arms over your head and entwine your fingers. Slowly bend to the left, sideways at the waist, until you feel the pull of the stretch. Hold for three breaths and return to your normal position. Repeat to the right.
  4. Extend your feet out in front of you with your knees slightly bent. Inhale deeply, and on the exhale, slowly bend forward from the waist and reach your hands toward your ankles. Only go forward as far as is comfortable and rest your hands on your legs at that location. Hold for three breaths.

***Meditation for the Busy Lawyer.*** Often, when we are stressed, we tend to lose touch with the “here and now.” We even tend to lose touch with our body. You can practice this technique with eyes open or closed.

- First, direct your attention to the soles of your feet and try to feel the floor through your shoes. This reconnects you with your body and brings your thoughts “back down to earth.”
  - After a couple of seconds, bring your attention to your breath. Again, consciously use the abdominal breath and focus your attention on trying to feel your breath as it flows through your nose and hits the back of your throat. It will feel cool on the inhale and warmer on the exhale. Perform as many times as you can.
  - Bring your attention back to the breath when it strays and you start to get caught up in thought.
- Try this twice a day for about 5 minutes each time in a quiet place and you will find that your mental energy and concentration are greatly improved.

**Deep Relaxation.** When we are stressed, tense up physically. Unfortunately, as goes the body, so goes the mind (and vice versa). Mental tension makes us more irritable and we find it difficult to focus and concentrate. The Deep Relaxation technique is designed to give you a few moments respite from that tension and refocus your energy:

- Find a quiet place where you can remain uninterrupted for at least 15 minutes.
- Sit or lie down and close your eyes.
- Take three deep abdominal breaths through your nose.
- In your imagination, concentrate on your feet and ankles. As you continue to breathe, imagine your breath flowing down your body and into your feet, bringing warmth and relaxation to your feet. Continue concentrating on your feet for three breaths, each time, relaxing your feet a little more. - With each set of three breaths, move up your legs, torso, back, shoulders, arms and hands, neck, face and, finally, the top of your head.
- If you come to a muscle that is particularly tense, spend a couple of extra breaths releasing the tension. At the end, breathe deeply again for three breaths and enjoy this moment of relaxation!