

## Deliberate Wellness— The Resilient Lawyer

In late February 2020, I enjoyed a fantastic latte at Goddess and the Baker in Chicago, Illinois. I was in Chicago to speak at ABA Women of Legal Tech and teach yoga at ABA Techshow. After my Women of Legal Tech presentation, I met my law clerk for the latte. Ten days later, I was home in Omaha canceling trips because of the outbreak of the COVID pandemic. Days after that, I took my law office mostly remote and worked endless hours to help people navigate the COVID-19 crisis. During the first week of the pandemic, almost every call brought me near to tears. The first week was lay-offs, and almost every client I had ever worked with asked immediately for updated health care powers of attorney and wills. The second week was business after business shutting down or figuring out how to function as an essential business amid a pandemic.

The practice of law is challenging in times that don't include a pandemic. Lawyers often arrive at the office to an inbox full of e-mail, a voicemail full of messages, and an inbox full of urgent items to address. A lawyer's day is filled with meetings, deadlines, demands, and urgency. Amidst all that, a lawyer must function at a very high level in terms of work product and communication skills. When an already-challenging professional lifestyle collides with a pandemic that results in a sudden and unplanned transition to remote work, zoom meetings, drive-by document signings, and clients in a state of panic, you have a recipe for testing the resilience of even the most resilient lawyer.

I have dedicated a lifetime to fitness, meditation, mindfulness, yoga, coaching, and healthy living. My long-time mantra has been "never compromise a workout or healthy activity for work." I found my resilience tested at an all-new level during the pandemic and since. In the first few weeks of the pandemic, despite my long-time mantra, I found myself struggling to find the time to engage in my long-time practices. My phone started to ring in the wee hours and continued all day, every day. I wanted to be able to take care of



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everyone who called. There was so much suffering and so much concern. I asked all that I could of myself and those who worked with me to support clients trying to find their way through the pandemic. On top of the legal demands, my home life faced challenges. I focused my energy on the pandemic, and I was susceptible to personal attacks.

By the end of week four of the pandemic, I was tired, cranky, and irritable. My shoulders hurt. My neck hurt. And I was becoming short with those who were trying to support me. I recall being on the

phone one day with someone I value and catching myself noticeably impatient. I recognized that the pandemic stress was getting to me.

For me, years of work on resilience paid off. I was able to see what was going on. I made a conscious decision to stop, breathe, and find a way to engage in the practices that had created resilience in my life.

While the pandemic brought the need for resilience front and center, the fact is that being a lawyer, a partner, a parent, a friend, a family member, and a member of the community requires resilience even in times that don't involve a pandemic. This article intends to provide a working definition of resilience and some practices that you can engage in to improve resilience.

### What Is Resilience?

Resilience involves the ability to overcome negative emotional experiences and difficult life experiences by adapting to the changing demands of stressful experiences. A resilient person can meet life's challenges regardless of significant demands made. A resilient person bounces back from adversity. A resilient person also grows from challenges.

The good news is that anyone can develop resilience.

### Resilient People Have Strong Relationships

Nurture relationships. Supportive and positive relationships matter, especially when you are going through a difficult time. Those who have resilience have invested in building relationships with those capable of supporting them through life challenges. When life is challenging, it is imperative to surround yourself with those who love you as you are at that moment. It is really easy to let the legal profession's demands get in the way of building relationships.

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Make time for building relationships with people who love you exactly as you are. There is little in life as valuable as someone who sees you in your darkest hour and says, "I love you. You will find your way."

### **Gratitude Practice**

Engage in a regular gratitude practice. One of my favorite approaches is from positive psychology. The approach involves identifying, each day, three things that went well and expressing gratitude for that which went well. In addition to identifying what went well, it is essential to recognize why something went well. The reason something went well may be simple. For example, perhaps you had a client that called you in immediate need of a health care power of attorney. You were able to

get one executed by the end of the day because you showed up at work, took the phone call, and coordinated with a paralegal. Another example of something that went well can be as simple as a positive interaction with someone at work. You may have had a positive interaction because you recognized that a colleague was having work-related challenges, and you took the time to encourage them.

### **Self-Awareness**

Self-awareness is about taking a breath and noticing what is going on internally. Stop, breathe, notice your thoughts. Are your thoughts helping you with the situation, or are you giving in to thought traps such as catastrophizing? Can you identify how you are feeling? Can you identify your

behaviors and reactions, what is helping you, and what is harming you? Are we attuned to the connection between emotions and physiology? Self-awareness also involves being aware of one's strengths and achieving better outcomes using those strengths.

One strategy to develop awareness is meditation. Meditation doesn't require that you sit on a mat and say OM for hours but requires taking a deep breath, noticing the breath, and staying in the present moment. I try to practice mindfulness throughout the day. If I am in a long line to check out at the grocery store, I use that time to take some deep breaths and notice what is going on in my mind and body.

Engage in self-evaluation. Work with a coach or professional who is a good fit for you and who will provide you

honest and direct feedback. Seek mentors who have focused on health and well-being despite choosing a challenging profession.

### Self-Regulation

Self-regulation is different from controlling emotions. When people overly control emotions, they essentially pile them up in a closet. The closet gets too full one day, and everything comes tumbling out. Self-regulation is about realizing that your fight-or-flight response is engaged but that there isn't really a battle. Resilience is about recognizing that you need to down-regulate all that fight or flight and calm the waves.

By way of example, you might have a conflict with your life partner. Perhaps she has a different view than you do about the actions of someone you consider a friend. The self-regulated person will see that the difference of opinion is simply a matter of differing perspectives. He will find calm, keep lines of communication open, and act following his values. A person who is not self-regulated may instead get himself worked up, attack his partner with unrelated issues, and let anger take control. The absence of self-regulation looks like a childish tantrum, but the person engaged in it may fail to see it.

Effective self-regulation strategies include mindfulness, cognitive

reappraisal, and ensuring one's actions align with one's values. To practice self-regulation, you must become aware of issues that trigger you and develop strategies to avoid triggers or manage reactions effectively. In every situation, you have the choice to approach, avoid, or attack. Approach is the skill of the resilient self-regulated individual.

### Mental Agility

Mental agility is the ability to look at things from multiple perspectives. As lawyers, seeing differing views is part of what we do. While we may find it easy to do when we are thinking about a client's problem, we may not always find it as easy when dealing with a situation involving our own emotions. At work, we are trying to manage multiple challenges and stay calm. It can be challenging to take the time to listen to an associate about a process the associate sees differently. Still, it is essential to engage in problem-solving in work and personal relationships as well as in client issues.

### Optimism

Optimism is a critical aspect of resilience. If you are optimistic, you are more likely to persist in finding solutions to challenges. Part of optimism involves identifying what you can control in a situation and what you cannot. A resilient person thinks about stressors as challenges rather than threats.

Optimism can be developed by becoming aware of mind traps and finding ways to counter them. Perhaps you catastrophize things. You receive a call from a client who has decided to use a different lawyer. In your mind, this becomes a catastrophe: "I will never be able to satisfy any client, and my career and ability to originate is over..." You can challenge this by becoming aware of the thought process and consciously shifting the thoughts. "This client was not a good fit for my practice area or me, and the fact that the client chose to move on provides me the ability to focus more on clients who are a good fit for me. I have several other clients who have stayed with me and value my work."

### Find Purpose

Sometimes we get lost in figuring out the meaning of life and our purpose in the process. We may look for some dramatic purpose. Resilient people find purpose in small ways every day. Perhaps an essential purpose in your day is simply taking the time to have coffee with your paralegal and provide him with some supportive comments about how he is making a difference for clients. Making a difference in a small way for one person a day can change many lives.

### Practice

I once attended a driver training course at a racetrack. The instructor suggested practicing what you would do in an emergency. He suggested that when you are driving daily, you should think about how you would respond if the car in the left lane suddenly swerved in front of you. His thought was that you could imagine how you would respond and build the skills. The same is true for difficult life experiences. You can practice making positive comments on a day when you are in a bad mood. What will you say to a client who just lost her spouse to COVID? What will you say to your life partner when he or she tells you how upset he or she is about something that happened that day?

### Take Amazing Care of Yourself

A healthy person is likely to be more resilient. It is easy to get caught up in the stress of a legal career, busy lives, taking care of a parent, or challenging relationships. When a lot is going on, it can be challenging to take care of yourself as you should. When you are dealing with many life stressors, it is more important, not less, to take care of yourself no matter what. Schedule time in your calendar to work out, make time for food preparation, connect. I was taught to schedule my wellness time early in my career. I have done that for my entire career. Doing so matters. As much as I value my work, I value my health, wellness, and resilience first. Work is the rubber ball of life. If a rubber ball is dropped, it bounces back. Health and relationships are crystal balls that break when dropped. ■

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