

## Clear the Obstacles to a Balanced Life

By Ellen Ostrow, Ph.D.

*Are you a perfectionist? A pessimist? An all-or-nothing competitor? If so, you may be headed for burnout. Avoid these traps, and you'll have a shot at long-term career satisfaction and personal happiness.*

The average number of hours that Americans spend at work has increased about 10 percent in the last 25 years. [1] Ideas about how to address today's "time famine" fill pop psychology books, news articles, and cocktail party conversations. We're told that the trend is driven by the competitiveness of the global economy, technology-created 24/7 availability and demand, increased costs of employee benefits, and our insatiable consumerism. But the tide of overwork has not been stemmed by the surfeit of explanations and admonitions to change our ways. Lawyers seem particularly resistant to "take time for your life" advice. In fact, many lawyers tout their workaholicism as a badge of honor, bragging to peers about the number of hours logged in at the office or courthouse each week.

Evidence suggests that the profession's long hours and singular stresses are taking their toll. [2] The incidence of depression among lawyers is nearly four times that of the general public and the highest of 104 occupations surveyed. [3] Lawyers are also at greater risk than the general population for substance abuse, suicide, anxiety disorders, divorce and stress-related illnesses like hypertension, heart attacks and strokes. [4] The Japanese have a word for it – karoshi. It means death from overwork.

Lawyers face some unique obstacles to achieving balanced lives. To understand these obstacles and how they can be overcome, it is important to clarify what I mean by "balanced." Much of the popular literature suggests that a balanced life is one that fits together all the "right" pieces of the life puzzle – for example, work, exercise, religion and family. It is like making sure your diet matches the latest FDA recommendations. In fact, trying to follow some recommended formula is likely to cause more stress, rather than leave a person feeling more balanced and in control.

When I talk about balance, I'm really talking about biology. [5] The body's physiological and biochemical responses are all geared toward maintaining a state of balance or harmony. "Stress" refers to events that upset this balance. When your brain responds to stress, it triggers the release of hormones and chemicals from your nerves and glands. These make your heart beat faster and the hair on your skin stand up. When you experience an optimal amount of stress, your attention is focused and your vision becomes crystal clear. But inescapable exposure to many different stressors simultaneously can lead to what is commonly referred to as "burnout." Chronic, high stress increases a person's risk for depression, hypertension, stroke and heart disease – the very occupational hazards to which lawyers are the most vulnerable.

The antidote to stress is what is generally referred to as "happiness" or "well-being." A large body of research indicates that happiness prolongs life and improves health. [6] By happiness, I do not mean transitory pleasures. Rather, I mean feeling that your life has purpose and meaning; doing work that is challenging and engaging and allows you to develop your strengths and potential;; enjoying supportive and intimate connections with other people; accepting yourself – your vulnerabilities and mistakes as well as your strengths and successes; having clear, personal standards that guide your actions and protect you from the judgments and expectations of others; and living your life intentionally, so that rather than operating on auto pilot, you are conscious of the moments of your life and grateful for the small blessings one misses without such mindful awareness. [7] Certain realities of the professional life of a trial lawyer make experiencing this kind of well-being particularly difficult.

### **Perfectionism**

Kathy Morris, the director of the ABA's Career Resource Center, points out that changing careers doesn't necessarily provide a lawyer with a more balanced life. Morris once commented to me that when a lawyer tells her that he or she wants to change careers, she advises, "If you're a perfectionist and won't delegate, balance will be elusive in any career." Actually, the term "perfectionism" has a variety of connotations. [9] When it refers to the tendency to have extremely high, self-imposed standards and to place great value on high levels of achievement, it can appear adaptive since it leads to constructive striving and, often, and excellent work product. When perfectionism prompts you to excel while still accepting personal and situational limitations, it may create worry and stress but is not necessarily destructive. A "normally" perfectionistic lawyer can derive a sense of pleasure from work-related efforts and accomplishments.

But you're in dangerous territory when the standards you set for yourself are unrealistic and accompanied by intense self-scrutiny; an inability to accept any flaw, fault or failure in yourself; and self-criticism for every mistake. This kind of perfectionism makes you intensely vulnerable to the experience of failure. A perfectionistic lawyer is always on trial. Life is about achieving perfection all the time. The lawyers who tend toward perfectionism do not limit this trait to their work life. They feel the same pressure to be perfect in their recreational pursuits. Every missed shot in tennis is an opportunity for self-criticism. Law has a way of dichotomizing human experience. You learn to think in terms of winning or losing; succeeding or failing; being rational or emotional, strong or weak.

For many law students, the Socratic method is a lesson in perfectionism. The experience of being publicly humiliated in front of one's peers can be so devastating that many law students, after they become lawyers, cope with the fear of a repeat performance by seeking perfection in their work. The pressure to be perfect is compounded if the person also believes that others maintain expectations of him or her that are difficult, if not impossible, to meet. When excessive standards are experienced as externally imposed but necessary to meet in order to win approval and acceptance, the situation can feel overwhelmingly uncontrollable. The result is feelings of failure, anxiety, and hopelessness – the perfect formula for depression. Perfectionism can be a tough nut to crack, but you can do a number of things to chip away at it. Try developing more realistic standards. You may need to get some input from others to do this.

- No lawyer is perfect, and hearing from other attorneys whom you admire about their mistakes and losses might provide you with a more practical perspective.
- Pay attention to the ways your perfectionism undermines your performance. You cannot be focused on your work and on your self-critical thoughts simultaneously. Try thinking of the self-critical voice in your head as your adversary or as an advisor who gives you very bad counsel. If following this advice always leads to disaster, why keep listening?
- If self-critical thoughts are a well-established habit, this "self-talk" is unlikely to simply disappear. But you can change how you respond to such thoughts. If you use your self-critical thoughts as an alarm to refocus on the task at hand, they're less likely to disrupt you. And if you dispute these thoughts with alternative interpretations (for example, substituting "This was a very tough case – the case law was ambiguous" for "If I were smart, I would have anticipated that"), your self-talk is less likely to distress and depress you.
- Having a goal other than perfection can be a useful antidote. If you're striving toward a larger goal, mistakes you make along the way are less likely to distract you from your sense of purpose. For example, your love of learning might lead you to the goal of continually learning new bodies of knowledge or acquiring new skills. Or, you might strive toward leadership roles in organizations dedicated to your most cherished values.
- Take a stance of radical acceptance. Imperfection is a reality. You cannot change it. Fighting it is like trying to struggle out of quicksand – the more you flail, the faster you sink. Use errors or failures as opportunities to affirm your humanity: You made a mistake – that's what

human beings do. What can you learn from the situation? How can you use this experience to further develop your strengths?

Resilient people do all they can to achieve their goals. They take control where they can, recognizing that not everything is within their control. This helps them bounce back from setbacks.

### **One-upmanship**

A win-lose mentality is a natural outgrowth of our adversarial system of justice. Many commentators attribute the decline of civility and increase in "Rambo"-style litigation to the competitiveness and one-upmanship endemic to our adversarial system of justice. As Gerry Spence once put it:

*Law has had me at war for 35 years. Every case I've had left me shell-shocked, fatigued, full of fight. One could say I've played all my life, because I like what I do. But, no, I've been sent to innumerable fronts of war. It hasn't taken genius to win. It has taken energy. Energy. [11]*

The emotional cost of this win-lose system on those who must work within it is high. [12] Lawyers are trained to be aggressive, competitive, judgmental, intellectual, tough-minded, analytical, and emotionally detached. Any feelings of weakness, vulnerability, and uncertainty must be suppressed. The predictable emotional consequences for the trial lawyer – who, like any human being, occasionally feels weak, vulnerable, and uncertain – are distress and discomfort. And for the perfectionistic lawyer, the loss of the appearance of strength, like a loss in court, will be particularly painful. Also, when losing is equated with failure, the lawyer, especially a perfectionist, will feel a loss in court keenly and is unlikely to see it as an opportunity for learning. Win-lose situations are – by definition – conflicts, and these tend to elicit strong negative emotions, particularly anger. Anger narrows our attention to identifying what is wrong and eliminating it. Thought becomes inflexible and intolerant, making it more difficult for litigating parties to find creative solutions to their conflict. Even more dangerous are the physiological responses to anger: for example, cardiovascular reactions that can lead to high blood pressure and heart disease.

- Instead of focusing on winning, try fixing your sights on the fact that you are serving a cause you know is just. [13] Even if the outcome is adverse, it will not eliminate the positive sense of self gained from doing work guided by an inner sense of virtue.
- Another alternative is to create a practice that reflects the way law was practiced decades ago, when the lawyer's role as counselor was emphasized and zealous advocacy was balanced with a commitment to providing community and public service. This approach has been embraced by trial lawyers who are part of the "comprehensive law movement," an umbrella term for several practice variations that emphasize nonadversarial resolution of legal conflicts. [14]
- It is essential to ask yourself what kind of lawyer you want to be. Perhaps you will decide that you can be of greater service to your clients by discouraging litigation or guiding them through a careful consideration of the consequences of alternative courses of action rather than simply carrying out their desire for vindication in court.
- Win or lose, each case is an opportunity for you to develop strengths like creativity, love of learning, fairness, and social intelligence. As one commentator has noted, "Authentic happiness comes from identifying and cultivating your most fundamental strengths and using them every day in work, love, play and parenting." [15]

## **Status Seeking**

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There's nothing wrong with financial success. But when it is your primary focus you are unlikely to be happy. Every experience we desire – be it the thrill of success, the pleasure of new possessions, or the excitement of passionate love – is transitory. We naturally adjust to whatever level of wealth and status we achieve and then require more to experience satisfaction. If we define success in these ways, we embark on a never-ending quest for happiness. Authentic happiness comes from doing work that is intrinsically interesting, challenging, and engaging. Work that enables you to realize your potential is a true source of happiness. Try writing your own personal vision statement. What legacy do you hope to leave? What work would you do even if you weren't paid to do it? Answering these questions is far more likely to help you balance your life than continuing to run on the "hedonic treadmill." [16] Will you get a lot of support from your colleagues and others in your profession if you take this approach? Perhaps not. But not living up to other people's goals and expectations never made anyone a failure. And remember, you should never let anyone make you feel guilty or inadequate for not being a workaholic. Workaholics are people with problems. Don't let them define success for you.

## **Pessimism**

Law may be the only profession in which pessimism is rewarded. And studies show that the rewards come early. Pessimistic law students perform better than their optimistic peers in law school, both in terms of grades and law journal success. [17] Pessimists tend to view bad events as pervasive, permanent, and uncontrollable. (It's going to last forever. It's going to undermine everything. It's all my fault.") In contrast, the optimist views these events as temporary and changeable. ("I can overcome this.") In law, a prudent perspective is required to anticipate every potential disaster in any transaction or litigation. A good lawyer is cautious and skeptical, anticipating problems and reducing risks. It helps to be pessimistic. Unfortunately, pessimism is a risk factor for feelings of helplessness, unhappiness, and depression – and even early death. To avoid having a pessimistic outlook control your life,

- Change your mental state each day as you move from your professional to your personal role – in effect, leading what one author calls a "dual life." It may be hard to imagine being less pessimistic and risk-averse in your personal life, but with help this can be done.
- This is a highly useful practice for other reasons as well. We all occupy multiple roles in our lives, each requiring different skills, perspective, and behavior. To live life intentionally means to choose how to live the moments of your life. Reminding yourself that you can be the kind of human being that you want to be, and that each moment of your life presents you with another opportunity to choose, will increase your optimism.

I don't mean to make it sound easy. And becoming self-accepting and optimistic – living a balanced, authentically happy life – is not some state of grace that any of us can achieve. Trying to do that is simply another perfectionistic effort. Rather, one must practice achieving balance as one practices law. The process is ongoing; when the moving parts of your life get out of alignment, you need to make adjustments. From an optimistic perspective, you know that a lawyer's life is bound to have its wins and losses. The most meaningful and controllable part is the time between them.

1. Juliet B. Shor, *The Overspent American: Why We Want What We Don't Need* 19-20 (1998)
2. See generally Amiran Elwork, *Stress Management for Lawyers: How to Increase Personal & Professional Satisfaction in the Law* (1997); Deborah L. Rhode, *In the Interests of Justice – Reforming the Legal Profession* (2000); Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 *Vand. L. Rev.* 869 (1999).
3. William W. Eaton et al., *Occupations and the Prevalence of Major Depressive Disorders*, *J. Occupational Med.*, 1079, 1083 (1990).
4. G. Andrew H. Benjamin et al., *The Prevalence of Depression, Alcohol Abuse, and Cocaine Abuse Among United States Lawyers*, 13 *Int'l. J. L. & Psychiatry* 233 (1990); Amiron Elwork & G. Andrew H. Benjamin, *Lawyers in Distress*, 23 *J. Psychiatry & L.* 201 (1995); Elwork, *supra* note 2, at 16.
5. See generally Esther M. Sternberg, *The Balance Within: The Science Connecting Health and Emotions* (2000).
6. See David G. Myers, *Pursuit of Happiness: Who Is Happy – And Why* (1992).
7. See Carol D. Ryff & Corey Lee M. Keyes, *The Structure of Psychological Well-Being Revisited*, 69 *J. Personality Soc. Psychol.* 719 (1995).
8. The names of the author's clients and the details about their cases discussed in this article have been changed to protect the clients' confidentiality.
9. See, e.g., Edward C. Chang, *Perfectionism as a Predictor of Positive and Negative Psychological Outcomes: Examining a Mediation Model in Younger and Older Adults*, 47 *J. Counseling Psychol.* 18-26 (2000); Gordon L. Flett & Paul L. Hewitt, *Perfectionism and Maladjustment: An Overview of Theoretical, Definitional and Treatment Issues*, in *Perfectionism: Theory, Research, and Treatment* 5 (Gordon L. Flett & Paul L. Hewitt eds., 2002).
10. See, e.g., Anthony T. Kronman, *The Lost Lawyer: Failing Ideals of the Legal Profession* (1993); Sol M. Linowitz, *The Betrayed Profession: Lawyering at the End of the Twentieth Century* (1994); Benjamin Sells, *The Soul of the Law* (1994)
11. See Richard W. Moll, *The Lure of the Law: Why People Become Lawyers and What the Profession Does to Them* 77 (1990).
12. See Martin E. P. Seligman et al., *Why Lawyers Are Unhappy*, 23 *Cardozo L. J.* 33 (2001).
13. Lawrence K. Krieger, *What We're Not Telling Law Students – and Lawyers – That They Really Need to Know: Some Thoughts-in-Action Toward Revitalizing the Profession from Its Roots*, 13 *J. L. & Health* 1, 19-20 (1998-1999).
14. See Mary Ann Glendon, *A Nation Under Lawyers: How the Crisis in the Legal Profession is Transforming American Society* (1994); Susan Daicoff, *Making Law Therapeutic for Lawyers: Therapeutic Jurisprudence, Preventive Law, and the Psychology of Lawyers*, 5 *Psychol., Pub. Pol'y & L.* 811 (1991); Jean Hellwege, *'Comprehensive Law' Makes the Case for a Kinder, Gentler Law Practice*, *Trial*, Apr. 2003, at 12.
15. Martin E. P. Seligman, *Authentic Happiness: Using the New Positive Psychology to Realize Your Potential for Lasting Fulfillment* (2002).
16. David G. Myers, *The Funds, Friends, and Faith of Happy People*, 55 *Am. Psychologist* 56 (2002).
17. Jason M Satterfield, et al., *Law School Performance Predicted by Explanatory Style*, 15 *Behav. Sci. & L.* 95, 100-01 (1997).
18. Walt Bachman, *Law V. Life: What Lawyers Are Afraid to Say About the Legal Profession* 74 (1995.)