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December 2018 Newsletter

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NH LCL Monthly Meeting

Lawyers Concerned for Lawyers is a monthly meeting on the
SECOND TUESDAY OF EACH MONTH
of NH lawyers, judges and law students who come together for
free, confidential peer support for any issue that interferes with
professional competence. Absolutely confidential.

December 11, 2018 6:00 p.m.

The Airport Diner, 2280 Brown Ave, Manchester

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LAWYERS AND BURNOUT

Lawyers are prone to burnout because the practice of law is practically a working definition of risk factors attributable to burnout: strong identification with work as one's primary identification; high workload requiring consistent overtime; little or no control over work demands; and high expectations for performance in a helping profession. Sound familiar?

There is no diagnosis of burnout per se for medical professionals. There is, however, a growing understanding that burnout is a real condition and many in the mental health community are pushing to have the Diagnostic and Statistical Manual of Mental Disorders (DSM) adopt burnout as a diagnosable mental health disorder.

Burnout is a special type of work-related stress. It is a state of physical or emotional exhaustion that also involves a sense of reduced accomplishment and loss of personal identity. Merriam-Webster defines burnout in two ways which makes it easy to understand:

Noun: Exhaustion of physical or emotional strength or motivation usually as a result of prolonged stress or frustration.

Verb: To cause to fail, wear out or become exhausted especially from overwork or overuse.

Burnout is not something that happens overnight. It is more like the boiled frog, the frog that hops into cool waters and doesn't notice that the water temperature slowly and steadily rises until the frog is dying in boiling water. The practice of law can certainly feel like that. In the beginning, the cases start coming in, the work is challenging but manageable and fulfilling. Then the cases come in faster, the workload becomes unmanageable and there is little opportunity to pay as much attention to each detail as one would like. One day you are sitting at your desk wondering how you got to the point that you dread coming to work and when exactly it was that you lost all love of practicing law.

Symptoms of Burnout:

Fatigue Lack of energy to be consistently productive;

Cynicism Feeling that nothing you do really matters or is having any impact;

Sense of Inefficacy Exertion of significant effort with a feeling of no real progress or recognition;

Lack of Attention Trouble getting started and trouble staying focused on work;

Do you feel like you must drag yourself to work?

Are you irritable or impatient with clients, coworkers or support staff?

Are you using food, drugs or alcohol to feel better or to simply not feel?

Are you having difficulty sleeping?

These feelings are all too common for practicing lawyers. They are the primary driving force behind those that chose to leave the profession for good. Not everyone has the luxury of changing careers in mid-stream. Mortgages, student loan debt, child support and a myriad of other financial obligations can keep one stuck where one is in a constant state of stress.

Although the emotional toll of burnout is what most know something about, the physical toll of burnout is very serious. Medical studies have linked burnout to coronary heart disease (CHD). One such study found that those identified as being in the top 20% of the burnout scale had a 79% increased risk of CHD. Dr. Sharon Toler of Tel Aviv University, the leading researcher in this study finds these results "alarming" and "more extreme than predicted." Thus, burnout is a stronger indicator of CHD than classical risk factors

such as smoking, blood lipid levels and physical activity. This is likely due to the lower cortisol levels associated with burnout. Cortisol helps restrain the activation of the immune system and stress response. With chronic stress, the immune system is compromised leading to hyperactivity and inflammatory immune responses. This translates to a variety chronic diseases cardio vascular diseases, diabetes and cancer as well as CHD.

Research also indicates that the persistence of burnout over time arises from a vicious cycle in which its physiological affects feed back into the brain (proinflammatory cytokines) further contributing to exhaustion. English translation- the emotional response to burnout feeds the physical response fueling the downward health spiral associated with burnout.

There needs to be a multidisciplinary approach to addressing burnout. It is not simply a matter of creating healthier coping skills in response to workplace stress. A successful response to burnout must also address the physical aspects of chronic inflammation, sleep disturbance, diabetes treatment and cardiovascular health.

Finally, there must be honest organizational assessment and implementation of corrective measures of the workplace to create a healthy atmosphere.

EMPLOYEE BURNOUT IS A PROBLEM WITH THE COMPANY, NOT THE PERSON.

The consequences of burnout costs US employers \$190 billion annually in medical costs, workers compensation claims, and lost productivity. It is much higher when factoring in turnover and absenteeism.

One way to address burnout is to survey employees to see what is causing undue stress. Use this data to come up with a concrete plan to identify problematic areas and work toward realistic solution. The fastest way to address burnout is to assure that workloads are in line

Causes of Burnout:

Lack of Control

Unclear Expectations

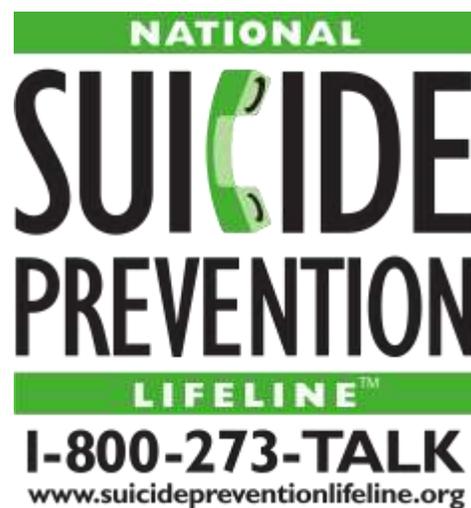
Dysfunctional Workplace Dynamics

Lack of Social Support

Work-Life Imbalance

with capabilities and resources. Remembering not to overburden high performing talent is another data point management can verify.

There are solutions available to address burnout. It does not have to be an inevitable consequence of a busy, practicing lawyer. Burnout doesn't need to develop into clinical depression, serious health problems, ethical missteps or general life misery. There is help. Don't wait until a problem becomes a crisis. NHLAP is here to help.



WHAT IS NHLAP?

We are a confidential, independent 501(c)(3) non-profit to assist NH lawyers, judges and law students with any issue that may impact or impair the ability to practice law. Many lawyers think we only help with substance misuse. Although that is a very important part of NHLAP, it is not the sole focus of our work. We help with anything that has become problematic. Just some examples are depression, anxiety and other mental health issues; grief; cognitive limitations resulting from aging; eating disorders; professional dissatisfaction and burn-out; work-life imbalance and time management strategies.

We are here to help before consequences of these issues become problematic, public or both. We are not part of the NH court system nor the NH Bar. Because we are solely funded by a per attorney mandatory assessment, we are akin to an additional lawyer insurance policy- we can help individuals or legal employers understand the risks in ignoring these very real issues and point to concrete solutions.

We are your resource. We are here to help make your legal practice something you enjoy, not something you endure.

QUICK TIP

Schedule Breaks

Having commitments from 8 a.m. to 7 p.m. is not realistic. Nor is it sustainable.

Play the long game.

Scheduling breaks is a simple, sustainable and easy way to avoid burnout.



Schedule a morning break to walk, stretch or get healthy snack.

Schedule uninterrupted lunch. Avoid eating at your desk. Try not to answer emails or return calls during scheduled lunch time.

Schedule a mid-afternoon break to walk, stretch or get a healthy snack.

Employees who took a break every 90 minutes had:



30%

higher levels of focus



50%

greater capacity to think creatively



46%

higher levels of health and wellbeing

THE DIRECTOR'S CORNER

TERRI M. HARRINGTON, ESQ.
EXECUTIVE DIRECTOR NHLAP

FILL YOUR CUP

As we move fully into the holiday season, I am keenly aware of the pressures, stressors and triggers that this season can mark for so many of us. It is easy to lose sight of not only the true meaning of the holiday season but also the opportunity this season offers to refill our spiritual cups. This time of year often becomes a test of our skills in multitasking, people pleasing, budgeting and work management rather than a time to really appreciate the relationships in our lives that sustain us.

Instead of rushing around trying to find the perfect gifts, remember that it really is the thought that counts. I have made a concerted effort over the past few years to give experiences rather than gifts for my immediate family. I would rather purchase concert, theater or event tickets for us to enjoy together than a “perfect thing.” Not only do I get to spend time with loved ones, I create mutual memories. In ten or twenty years, many will remember the time spent together. It is more than likely those same people can't remember gifts from last year, let alone what they got ten or twenty years ago.

There are so many ways to avoid the all-out commercial insanity of this season. Get a group of your friends to go to a local tree lighting and bring a thermos of hot cocoa. Gather up the family and go to a religious service before the high holy days and pop into bakery or café for a treat and conversation. Adopt a family in need as a group and spend time together picking out gifts. Talk about your favorite holiday memory of a family member who has passed on, keeping your own family history alive. Tell your kids what the season really means to you and why you think it your particular holiday is important to celebrate. Call someone you think about but haven't spoken with in years just to let them know they are still in your thoughts. Your spirit will thank you.



I am particularly blessed to have family traditions steeped in both Christianity and Judaism. We have a “typical” secular Christmas, but we also light the menorah and have a creche on display. While lighting the menorah this year with my son, who is a freshman, we had a long conversation about not only the origin of the Hanukah celebration, but about the similarities and differences in the religious ideas in both faiths. A rare conversation indeed now that he is a teenager. It is a memory that I will long treasure and one that would not have come about if I did not stop, pause and take the time. That is something all too easy to forget to do during the demands of this season.

These three quotes sum up, for me, what we should be focused on during the richness of this multicultural holiday season:

“May the spirit of Christmas bring you peace, the gladness of Christmas give you hope, and the warmth of Christmas grant you love.” -Anon

“We light the candles [of Hanukah] in testament that faith makes miracles possible.”- Nachum Braverman

“If you want to go quickly, go alone. If you want to go far, go together.” -African Proverb

However you chose to celebrate this season, remember to stop and fill your cup.