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Self-care in a sea of demands

RECOGNIZING BURNOUT SYMPTOMS AND PREVENTING BURNOUT BEFORE IT HAPPENS

There are many problems with burning out, but one major problem is that you only know you are burnt out *after* it has already happened to you. There are physical, emotional, mental, and behavioral symptoms of burnout. Each symptom of burnout can drastically affect your ability to provide excellent client representation.

Physically, you feel exhausted, and you are tired throughout the day because you cannot get a good night's sleep. Emotionally, you get overly angry at simple problems that require simple solutions. Mentally, you become negative, your mind is blank, and you find it hard to concentrate while at work. Behaviorally, you are no longer mega superwoman when you are burned out, but rather avoidant, short with people, and not performing optimally.

Female lawyers experience higher rates of burnout than men

Female lawyers reported that they spent 5.6 hours per week on self-care, compared to 8.9 hours per week reported by male lawyers, according to Bloomberg Law's biannual *Attorney Workload & Hours Survey*. The article also mentioned that female lawyers said they felt burnt out in their jobs an average of 56% of the time, compared to 41% of the time by male lawyers. The reason is clear. Female lawyers are not just managing caseloads and court appearances, we are also coping with stressors and invisible workloads outside of the office that male counterparts do not experience. The invisible workload for most female attorneys is being a wife, a mom, and ensuring the household runs smoothly, loved ones are safe, nurtured, and well fed.

Being high performers at all times is imperative when fulfilling our duty to our

clients. It is inevitable that we will all experience burnout symptoms in our careers, especially as a female attorney. Implementing self-care practices throughout your day will assist you in ensuring you do not experience the emotional, mental, and behavioral symptoms of burnout as easily. Ensuring that you have time for yourself is essential to succeed in your career, for the benefit of your clients. When practicing self-care, it is important to implement self-care activities that will benefit you *emotionally, physically, mentally, and behaviorally*.

The California State Bar created Rule 1.1 Competence, found in the Rules of Professional Conduct. In summary, the rule states that a lawyer cannot intentionally, recklessly, with gross negligence, or repeatedly fail to perform legal services with competence. The California State Bar defines the term "competence" to include the mental, emotional, and physical ability reasonably necessary for the performance of your legal services. Self-care is a value we, as trial attorneys, embrace, and it should always be embedded into our way of life. When we allow self-care to waste away, ultimately burnout takes over.

Take care of yourself first

Our duty to our client is priority number one. However, there is that wise adage that must be reckoned with: "Take care of you before taking care of others." We must be cognizant that as lawyers we need to prioritize our own well-being and health, so we have the mental, emotional, and physical capacity to ferociously represent our clients. Self-care is intentional, thought out, and planned well in advance so burnout simply does not happen. The California State Bar includes Rule 1.3 Diligence in the Rules of Professional Conduct. This rule

mandates that lawyers must act with reasonable diligence and promptness when representing clients, requiring us to actively pursue our clients' cases without unnecessary delay or neglect, thus ensuring clients receive effective legal representation and fostering trust in the legal system.

As attorneys, our clients depend on us to seek justice for them every single day. Our job requires us to use good judgment, make decisions, think on our feet, and interact with a variety of different individuals every single day. As litigators, our daily tasks include meeting discovery deadlines, filing pleadings and motions, taking and defending depositions, attending court appearances, ensuring you are diligently reading through thousands of pages, etc. Our profession is very complex and requires us to draw upon a combination of cognitive abilities such as analytical thinking, critical reasoning, problem solving, strong verbal communication, and the ability to interpret and apply legal principles. Being an attorney is a combination of skills that require a high level of cognitive function across multiple areas and personality traits for professionalism. We are required to perform such cognitive abilities and interpersonal skills on a daily basis with *reasonable diligence*.

When we continue to work despite experiencing burnout symptoms, we are not providing legal representation to our clients with reasonable diligence. It is unfair to our clients when exhaustion affects our work. Arguably, one may say that continuing to work when experiencing burnout symptoms can easily lower your job performance and make you irritable at work and around people. Making time for yourself to incorporate a daily self-

care routine is a necessary essential ingredient in being a high performer, well respected within the legal community, and ensuring that we are providing legal representation to our clients with reasonable diligence.

When self-care becomes a way of life, you can gracefully overcome the communication challenges of burnout. One foundation of excellent lawyering is your duty to communicate with your client. The California State Bar created Rule 1.4 found in the Rules of Professional Conduct, which outlines a lawyer's duty to communicate with a client. Essentially, a lawyer must inform the client of significant developments, provide consultation as to how to achieve a client's goals, and explain matters in a way so the client can make informed decisions. If we put self-care into practice, our ability to communicate effectively and help our clients only optimizes success and ensures one to excel in this profession.

A landmark study by the World Health Organization and the International Labor Organization found that exposure to long working hours, theorized to result from increased psychosocial stress at work, is the occupational risk factor with the highest burden of disease, officially estimated to have caused the deaths of some 745,000 workers from ischemic heart disease and stroke in 2016. (Zok A, Matecka M, Bienkowski A and Ciesla M; *Reduce stress and the risk of burnout by using yoga techniques. Pilot study.* Frontiers in Public Health. (2024).) Studies have shown that occupational stress is a cause of depression and anxiety states, to which chronic stress significantly reduces the quality and productivity of work.

What is demanded of us is immense. Not only are we mothers, wives, girlfriends, daughters, grandmothers, and loving partners, we are also fierce, savvy litigators, result-oriented women, strong orators, law firm owners, law firm partners, and trial attorneys. We take care of the household, and we take care of the

business. When so much is demanded of you daily, there are easy and practical steps and solutions that you can implement in your lifestyle to promote self-care in a sea of demands.

Get organized

Managing your workload requires taking the time to get organized. If you walk into a mess, you will feel stress. Once you get organized your stress levels will go down. Take the necessary time and steps to organize your workload so everything is easy to find, tasks are understood, and deadlines are met. Organization ensures that you can make better choices and decisions on your cases. You will notice that your work performance will improve with good organization. Your job productivity will increase because your tasks are clearly identified, and deadlines are met. You will also be more efficient, saving you time in the long run. Once organization is mastered, you will likely find a better night's sleep than in the past.

Teamwork

As they say, "teamwork equals dreamwork." Always remember that you are not alone. The key to any real great success is mastering how you function in a group setting, get along with others, and to get your team to work together effectively. Have clear goals for each member on your team and delegate work appropriately. Recognize each team member's strengths and weaknesses and divvy up the work accordingly. You must create an atmosphere of trust and open communication. The reality is that mistakes will happen at work. But if you do not know about it, how can you fix it? You must tell your team that everything can be fixed, but they must trust you and come to you when a mistake or problem arises. If any team member needs help, offer it open-ended and make sure they come to you immediately.

Meetings

Meet with your team, but not too much. No one likes having too many

meetings, so strike a good balance and read the temperature of your team. You must meet with your team so there is collaboration in the workload with the specific goal of providing excellent and top-notch client advocacy. If you regularly meet with your team, you will feel momentum and less stress.

Physical activity

"Moving your body will do more for your brain than any riddle, math equation, mystery book, or even thinking itself." (Austin Perlumetter M.D., author of *Brain Wash* (2020).) This quote by Dr. Perlumetter means that physical exercise has more a significant impact on brain health than purely cognitive activities such as solving puzzles or reading mystery novels. Essentially, moving your body is more beneficial for your brain than simply engaging in mental stimulation alone. Given that our job requires us to perform a variety of cognitive abilities, incorporating physical activity on a daily basis is vital.

Take a walk

Adding physical activity as part of your self-care routine does not mean that you have to go to the gym every day. You can incorporate walks throughout your day to avoid that 3:00 p.m. crash. Seems simple, right? "When the workers rose most often, they reported greater happiness, less fatigue and considerably less craving for food than on either of the other days. Their feelings of vigor also tended to increase throughout the day, while they often had plateaued by early afternoon after walking only once in the morning." (G. Reynolds, *Work, Walk 5 Minutes.* *Work*, The New York Times, December 28, 2016.) These results suggest that "even a little bit of activity, spread throughout the day, is a practical, easy way to improve well-being," says Jack Groppe, a study author and a founder of the Johnson & Johnson Human Performance Institute.

For those of us who sometimes work from home, going on a 10-to-15-minute walk instead of a commute is a simple way to incorporate daily physical activity.

Instead of taking a 10-to-15-minute work break by scrolling through our phone, multiple 10-to-15-minute walking breaks can be highly beneficial when faced with those hectic days involving back-to-back depositions or deadlines. Taking a break from the screen to get some fresh air, be in nature, and get some steps in will help you in having the ability and the internal battery life – not only to continue working but to continue working competently.

Yoga

“Yoga promotes both physical and mental relaxation, which lowers anxiety and stress. It includes the practice of meditation, precise postures (asana), and controlled breathing exercises (Pranayama). The purpose of meditation-based practice is to consciously calm the mind by separating thoughts from each other and/or focusing on one’s breathing. Yoga’s emphasis on mindfulness, body awareness, and relaxation techniques can lead to shifts in brain activation that indicate reduced stress and improved emotional well-being.” (Zok A, Matecka M, Bienkowski A and Ciesla M; *Reduce stress and the risk of burnout by using yoga techniques. Pilot study.* Frontiers in Public Health. (2024).)

Yoga is a great self-care activity that is highly beneficial for attorneys as it promotes relaxation, and positively impacts mental well-being through deep breathing and mindful movement practices and essentially provides a holistic approach to physical and mental health.

Self-care in other means

When one thinks of self-care, the basic components that may immediately

come to mind include physical self-care that includes healthy eating, getting sufficient sleep, exercising, and taking care of your body. However, sometimes that may not be enough. Every single attorney has been through the work phases in which we feel as if we are drowning in work. We have all been there and experienced symptoms of burnout because we feel that we have time for nothing other than work. Here is a story that may sound familiar to you.

You have back-to-back depositions with back-to-back discovery deadlines, multiple court appearances in a week, a managing partner to report to, opposing counsel threatening motions, and clients calling daily. You are not spending time with your loved ones and close friends. You don’t respond to invitations to go out or take a vacation at all in a year. You are grabbing the easiest and fastest meals around or you are not eating at all. You are not getting enough sleep and working instead of exercising. You isolate yourself with work. Well, dear friends, all this self-destructive behavior ends now.

“A study of more than 66,000 people in Europe and Israel (average age 70), published online Oct. 25, 2021, by *Ageing & Society*, found that people with the highest levels of social connectedness (good friends) and engagement (activities) had the highest scores on cognition tests, compared with people who had the lowest levels of social connectedness and engagement.” (H Goodan, *Get back your Social Life to Boost Thinking, Memory, and Health*; Harvard Health Publishing (2023).) Human beings are social creatures. “Research shows your body releases endorphins during positive

social contact, similar to the physical response after a hard workout, which gives a boost of happiness, while reducing stress.” When thinking of how to incorporate self-care into your daily or weekly routine, it is important to also make time for spending quality time with friends and family. Being in social environments will help you in feeling supported and gaining back battery life to help you in continuing to thrive as the high-performer female attorney.

Take care of yourself and surround yourself with people who make you a better person and do activities that can release stress. Ensure that you get physical activity throughout your day. So, the next time taking a vacation is proposed at home or with friends, instead of thinking that you have too much work to complete to possibly take time away from work, you should be thinking that a vacation will save your career. Besides, you may have an ethical duty to enjoy a beautiful ocean view with your computer turned off.

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