

IN SIGHT for Oregon Lawyers and Judges

IMPROVING THE QUALITY OF YOUR PERSONAL AND PROFESSIONAL LIFE

THANK YOU, MIKE!

After 23 years of dedicated service to Oregon lawyers, Mike Long is moving on to new adventures!

Mike brought to the OAAP a truly deep commitment to helping the legal community of Oregon. Because of his thorough approach, willingness to help lawyers, and insight into issues that concerned lawyers, the OAAP now offers assistance with career satisfaction, practicing law with ADHD, resilience building, compassion fatigue, retirement transition, and understanding health insurance.

His research on the retirement issues faced by lawyers and the issues involved in career satisfaction led him to survey Oregon lawyers to learn more about how the OAAP could help. These anonymous surveys proved invaluable to our OAAP program development and to many other lawyer assistance programs around the nation and made Mike realize that lawyers needed a resource for navigating a smooth and successful transition to retirement. Seeing that none was available, he collaborated with John Clyde and Pat Funk to write *Lawyers at MidLife: Laying the Groundwork for the Road Ahead*. The guide helps lawyers make the successful transition to the next stage of a satisfying life and is an excellent

example of how Mike spotted the needs of lawyers and stepped up to fill them.

Mike's many contributions included facilitating groups, workshops, and educational programs on career transition, compassion fatigue, and building resilience. He also personally assisted individual lawyers. His commitment did not stop with Oregon lawyers, as evidenced by his presentations at national lawyer assistance conferences, and his service on the education committee of the Commission on Lawyer Assistance Programs.

Mike's assistance changed the course of lawyers' lives in very profound ways, providing them with guidance and resources that supported a healthier and more satisfying life. We congratulate Mike on a job well done and wish him the very best as he now navigates the transition to his own next stage. We know that his exceptional career accomplishments have prepared him for a successful journey.



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OAAP ATTORNEY COUNSELOR POSITION

The Oregon Attorney Assistance Program is hiring an attorney counselor to assist lawyers, judges, law students, and other members of the legal community with a wide range of personal issues including substance use, career transition, behavioral health, and stress management. Primary responsibilities include individual counseling and referrals to community resources, facilitation of support groups, CLE presentations, and crisis intervention. Visit www.oaap.org < News for more information.

MINDFUL SELF-COMPASSION AND THE PRACTICE OF LAW

I know a lot of lawyers will think, “Self-compassion? Isn’t that for weaklings?” It is precisely this thinking that makes our profession suffer so much. Thanks to a recent study by the ABA and Hazelden, we now have empirical evidence of how the stress of the legal profession affects us.

Wouldn’t it be great if the act of honing and refining mental processes through higher education led to being free of the stress caused by fight-or-flight reactions? Sadly, even lawyers are not free of the evolutionary biology of our species. The ability to calm oneself or respond with mindfulness is crucial to staying present and acting with all of our faculties instead of reacting without thought.

Luckily, thanks to our prefrontal cortex, we also possess the ability to notice what our reactions are (mindfulness) and employ skills that activate the contentment and safety system when we need it (self-compassion). It is this ability to pause between stimulus and response that allows us to gather our faculties and represent clients more fully and completely, while also managing our own stress.

Rapidly expanding research demonstrates that self-compassion is strongly associated with emotional well-being; less anxiety, depression, and stress; maintenance

of healthy habits such as diet and exercise; and satisfying personal relationships. Being self-compassionate is also a proven antidote to interrupt negative and judgmental thinking.

Modern responses to our own reactivity: Fight, flight, or freeze

- **Fight:** Employing self-kindness instead of self-criticism or judgment.

Our evolutionary biology predisposes us to think negatively about a lot of things, including ourselves. In order to survive, we had to be hard-wired to expect the worst from the world. Instead of thinking positive happy thoughts about the unknown, we had to be ready to run. The mind’s tendency to expect the worst helped us survive in the past, but today causes us to be flooded with hormones that prevent us from thinking clearly.

In addition, the mind’s tendency to expect the worst is also turned against ourselves. When things go wrong, we think, “How stupid was that?” and experience anger at ourselves. This tendency toward negative self-judgment causes additional shame, self-blame, and other reactions that are neither useful nor healthy because they increase the stress response cycle discussed above (including lashing out at others). How easy is it to carefully and logically evaluate a client’s needs when your system is flooded with stress hormones?

Stress Response	Stress Response Turned Inward	Mindful Self-Compassion Response
Fight	Self-Criticism – the tendency to blame ourselves in a harsh or critical manner.	Self-Kindness – responding to feelings of pain with kindness and soothing.
Flight	Self-Isolation – the tendency to see our problems as unique: “No one else ever has this happen to them.” In this way, we see ourselves as abnormal and problematic.	Common Humanity – remembering we are neither alone nor abnormal and that all people have similar worries and problems.
Freeze	Self-Absorption Leading to Over-Identification – Self-absorption is obsessing about our own actions. Over-identification is when we become so wrapped up in emotional reactions that reality is left far, far behind.	Mindfulness – noticing without judging or attaching to what our mind is doing.

Treating ourselves with kindness when we notice this cycle has been triggered can help us activate the contentment-safety regulation system. This alleviates the suffering and soothes and comforts us when we are in emotional pain, rather than heaping more suffering on ourselves. By utilizing mindful self-compassion (MSC), we can increase our resilience.

- **Flight:** Remembering common humanity instead of isolating.

Many times when we are under stress, our response is to try to “go it alone” and isolate or to view ourselves as isolated from others. We see our suffering and pain as abnormal and unlike what others go through.

Recognizing that we are part of the larger human experience allows us to connect with our own humanity and recognize that others feel suffering just as we do. We are not alone and we are not abnormal. This recognition allows us to normalize what we are feeling and thinking.

- **Freeze:** Employing mindfulness rather than over-identifying.

When we go into freeze, our body reacts as if the situation we’ve imagined is actually happening. We can identify psychologically with the reality that exists only in our mind and get carried away with this story line. This is called over-identification.

Mindfulness allows us to interrupt this cycle by noticing what is actually happening in the moment rather than what we think is happening.

Applicability to legal practice

The ability to respond to stimuli in a measured way is key to self-management in stressful situations. Employing self-compassion goes right to the heart of the issue and defuses it – rather than trying to “white-knuckle” our way through a problem. The problem will not go away, but our own capacity for resilience and thoughtful response increases.

Studies show that self-compassionate people are more able to learn from their mistakes, demonstrate accountability and resilience, and exhibit authenticity

in conflict. Self-compassionate lawyers might therefore be more likely to have compassionate and clear conversations with clients, be accountable in their dealings, and experience improved client relationships.

Research also suggests that self-compassion helps reduce the stress and pain of perfectionism (related to self-criticism), which affects so many attorneys.

Some of the research into mindful self-compassion shows that self-compassionate people:

- Are more likely to engage in healthy perspective-taking (What is really going on in a situation? Are there other ways to look at it?);
- Are better able to cope with difficult situations such as crisis, trauma, divorce, or chronic pain;
- Tend to be more caring and supportive in romantic relationships, are better able to compromise, and are more compassionate toward others;
- Are more likely to engage in healthy behaviors such as exercise, eating well, drinking less, and going to the doctor regularly;
- Are more likely to take personal responsibility for their actions, and more likely to apologize if they have offended someone; and
- Are less fearful of failure because they don’t beat themselves up when they do fail.

These research findings have applicability not only to attorney-client and professional relationships but also to one’s own relationship with oneself. If we are kinder and more compassionate to ourselves, we find ourselves being able to be kinder and more compassionate to others. Think how happy you’ll make your family and your legal assistant.

JILL GOLDSMITH

WORKPLACE SOLUTIONS NW

This article is reprinted with permission from “Mindful Self-Compassion (MSC) and the Practice of Law,” by Jill Goldsmith, posted June 6, 2016, at www.workplacesolutionsnw.com.

LAWYER PARENTS, THIS IS FOR YOU

In a TED talk by Jennifer Senior, she spoke about how parenting has changed and attributes the difficulties we feel about our parenting to two main causes: (1) children became economically worthless but emotionally priceless (i.e., children stopped working on the farm or in factories); and (2) we don't know what future we're preparing children for because change happens so fast nowadays. Ms. Senior then advises parents to embrace the "middle ground," which she describes as:

- Between helicopter parenting and hands-off parenting; between overscheduling children or yourself and under-enriching your children or yourself;
- Between following what other parents find acceptable and what you would otherwise choose; and
- Between authoritarian and permissive parenting.

What Ms. Senior didn't address is how to find and to stay in that middle ground – with your children and with your parenting partner. Family meetings provide a process to navigate and sustain the middle ground in these and many other facets of parenting.

I can almost hear you saying, "But we have family dinners almost every night; isn't that enough? Do I have to fit more into my already busy life?" First let me address why family dinner conversation may not fulfill the same purpose. Here are five reasons:

- (1) Quieter members tend not to participate – or only a little.
- (2) Dinner conversations tend to be reactive rather than proactive.
- (3) It may be difficult for children to bring up their concerns at dinner and have them addressed thoughtfully.
- (4) Some families prefer to preserve dinner time as a pleasant family time and subscribe to, "Emotions are fine but not when we dine," preferring not to end dinner with a scene.
- (5) Family meetings open the lines of communication. They can be less confrontational than we experience in dinner discussion. Dinner conversations are

Divorce Support Group for Lawyers – Washington County

Beginning Friday, September 8, 2017, the OAAP will offer a support group in Washington County for lawyers experiencing the challenges and issues of divorce. This eight-session group will be facilitated by OAAP Attorney Counselor Bryan Welch, JD, CADC I. The group will meet from noon to 1:15 p.m. at a location in downtown Hillsboro. There is no fee, but advance registration is required.

To participate in this group, contact Bryan at 503-226-1057 or 1-800-321-6227, ext. 19, or e-mail him at bryanw@oaap.org.

often more about conclusions and opinions than deeply discussing topics with dialogue and true understanding.

Family meetings are a method to help you "stay in the middle" with your parenting.

You already know a lot about good meetings. In your work life, on committees, and in many other contexts, you have attended meetings where you noticed what was done well and what was completely annoying about the meeting. Use this knowledge in your family meetings! Have an agenda, share the air time, and be respectful of others.

However, you'll need to do some things differently in a family meeting than in a business meeting.

- Ground rules are essential. Your children are accustomed to them from school. Ground rules keep family meetings a safe place to talk and a place where sibling or spousal competition is left at the door.
- Family interactions are more important than decisions. In a business meeting, achieving goals and covering the agenda are paramount – but not necessarily in a family meeting. Since family meetings are held over time, there is no need to come to a decision in a single family meeting.

- End on a positive topic. No one wants to attend meetings that are all about problems! That’s no fun. So have a positive item for the last topic of your meetings, like planning an outing or inventing a new holiday. Most people remember best the discussion that happened last.

- Ask for agenda items from both children and parents. You’ll be surprised at what children will bring up once they feel like this is their place to talk about what’s important to them. When children have a say in family life, they are less likely to need to rebel in their teen years.

- There are four types of conversations in family meetings: (1) current issues; (2) keeping up with the age/stage of your child; (3) planning and policy; and (4) hard times. We all know what current issues might be, but what about planning and policy? These are the discussions about requests that would otherwise be a series of “can I, can I, why can’t I?” conversations. As for the hard issues, have you noticed how

difficult it is to bring up sex, drugs, death, etc., in ordinary conversation or at the dinner table? It seems like such a big deal to take a child aside to “have the talk.” Family meetings are a natural place to bring up the hard topics, having practiced the easy ones over a period of time.

Both generally and in family meetings, lawyer-parents need to keep in mind which skills we use every day and how they affect our parenting. Some lawyer skills are quite helpful and others quite harmful. For more information about how family meetings can enhance your home life and how to hold them successfully over time, refer to the recently published *Family Meeting Handbook: Here for Each Other, Hearing Each Other*.

KATHERINE FOLDES, JD

AUTHOR OF *FAMILY MEETING HANDBOOK: HERE FOR EACH OTHER, HEARING EACH OTHER*

Lawyering Skills That May Help or Hinder Parents’ Relationships with Their Children

HELP	HINDER
Ability to identify issues and frame them neutrally. Fact-finding.	Arguing to win. High intensity or duration “persuasion.”
Ability to explain, to articulate – especially to articulate what another person is saying.	Going to the logical extreme to illustrate consequences.
Ability to think beyond the words to the intent. High emotional quotient.	Thinking of one’s own reaction while another is talking – sometimes benignly characterized as “thinking on one’s feet.”
Once needs are expressed, ability to come up with win-win or creative solutions. Negotiation.	Overpowering another with a cascade of words.
Ability to follow through with decisions.	Forgetting to check for another’s understanding.
Keeping notes. Writing down agreements.	Never or rarely “backing down” or apologizing.
Collegiality within one’s “team” or group. Mediation skills.	Wanting a result on one’s own schedule or before all are ready.
Respect for rules.	Behaviors that communicate lack of respect.

I SURVIVED LAW SCHOOL DEBT – AND YOU CAN, TOO

When Seattle attorney Teja Lovelace realized that more than a third of her paycheck was going to student loans, she found a faster way out of debt.

Sitting on my ancient sagging couch, listening to the police sirens going by, I stared at the pile of loan papers in front of me and felt hopeless. How had I possibly reached a point where I had \$68K in student loan debt?

Realizing that you are paying over a third of your paycheck toward loans is a terrible feeling. I had sacrificed so much – for what? To live in an old apartment in a crime-ridden neighborhood and pay off my student loans for the next 10 years? Getting out of debt and being able to travel or buy a house seemed decades out of reach. I realized I could continue on with minimum payments and be miserable for 10 years, or I could do something now and be miserable for less than 10 years.

Gaining hope

I started researching debt repayment and reading everything I could get my hands on. Then my grandmother gifted me an online course on financial management. For the first time, I had hope. I pulled out one of my ever-present yellow legal pads and started writing down my expenses. What could I cut out? How could I increase my income, and what “extra” could I put toward my loans? I realized that if I lived on a very tight budget, I could get out of debt in three years. This meant no vacations or expensive dinners, but I was used to living on nothing. It wouldn’t be fun, but it would be worth it.

Gaining traction

The first several months were exciting! Every extra penny went toward my loans. I made multiple payments a month. The payments were never very large, but it surprised me how quickly payments added up. I started making a game out of it: How much could I cut down my expenses? Did I really need to see that new movie? All these little decisions added up in a big way. I sold old jewelry. I sold furniture. I sold everything and anything I didn’t absolutely need to survive. I worked overtime and got a raise – the extra income went straight to loan

Are You Going Through the Disciplinary Process?

Dealing with a discipline complaint can be an extremely difficult, stressful, and isolating experience. Beginning this fall 2017, the OAAP is offering a *confidential* support and discussion group to help lawyers through these challenging issues.

This four-session support group will meet at the OAAP on Tuesdays in downtown Portland from noon to 1:15 p.m. The workshop facilitator will be OAAP Attorney Counselor Douglas Querin, JD, LPC, CADCI.

There is no fee for this support group.

If you are interested in participating in this group, please contact Doug Querin at 503-226-1057 or 1-800-321-6227, ext. 12, or at douglasq@oaap.org, to set up a meeting.

payments, and I continued the same frugal lifestyle. Watching that first loan amount shrink smaller and smaller exhilarated me. I could do this!

Then came an offer I couldn’t refuse. My boyfriend (now fiancé) asked me to live with him. By combining households, my bills dropped dramatically, and I was able to pay off the smaller of my two loans (\$20K) roughly six months after we moved in together. I still remember the day I completed my tax return and discovered I was getting a much larger return than I had anticipated. With the \$5K coming in, I would be able to completely pay off the smaller of my two student loans. This was a turning point for me. I no longer wondered if I would lose steam or get tired of living on so little and quit my debt-free journey – I knew I could get out of debt. It was just a matter of how quickly.

Gaining freedom

Once the initial excitement had worn off, I experienced a feeling very similar to how I had felt my third year of law school. I was tired of being frugal. I started planning more outings into my monthly budgets to provide a little relief from the constant thrift. But

whenever I would relax the budget, I couldn't stop myself from calculating how much longer I would have to stay in debt because of it. They say a journey of a thousand miles begins with a single step – or, in my case, many small steps. Even my birthday check from my parents went toward the loan. Finally, one evening in January, I made the final payment. It was surreal. Afterward came the agonizing three-day wait for the payment to process... and then just like that, my sacrifice was over.

You can do it, too

Looking back, I am amazed how quickly it went by. \$68K paid off in 14 months is incredibly fast and two years faster than I thought possible. Looking toward the future, I no longer feel hopeless; I feel happy. Now I can plan my wedding without worrying about student loan payments. We can plan for a future and save for a house and the million other details of life that seemed so far away just 14 short months ago. The sacrifices I made will seem ridiculous to some, but the freedom I have now was worth every struggle. My paychecks are mine now. I'm not a slave to a particular job or a particular place because of my dependence on making a student loan payment every month. I'm finally free and can encourage others to do the same.

If you're working to pay off student debt, don't allow yourself to be overwhelmed by the enormity of the amount

you are facing. Remember, a journey of a thousand miles begins with a single step.

TEJA LOVELACE

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ADHD Support Group for Lawyers

Beginning September 18, 2017, the OAAP will offer a support group for lawyers experiencing the challenges of practicing law with ADHD. This six-session group will meet at the OAAP, 520 SW Yamhill St., Ste. 1050, Portland, OR 97204 on Mondays from noon to 1:15 p.m. The group will be facilitated by OAAP Attorney Counselor Bryan Welch, JD, CADC I, and will focus on providing peer support and practical skills. There is no fee, but advance registration is required.

If you are interested in participating in this group, contact Bryan at 503-226-1057 or 1-800-321-6227, ext. 19, or at bryanw@oaap.org.

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Career Self-Assessment Workshops

The OAAP offers career self-assessment workshops several times each year to assist lawyers, judges, and law students in identifying satisfying job and career opportunities. These workshops typically meet one evening per week from 5:30 to 8:00 p.m. for five consecutive weeks. If you would like additional information about the OAAP career self-assessment workshops, contact Shari Gregory, LCSW, JD, at 503-226-1057, ext. 14, or at sharig@oaap.org.

Lawyers in Transition Presentation Calendar

A “Lawyers in Transition” guest speaker is featured on the first Thursday of each month at noon at the OAAP, 520 SW Yamhill, Suite 1050, Portland, Oregon 97204. These presentations are open for anyone to attend. See the calendar below for scheduled speakers.

Sept. 7, 2017	Lea Kear	Litigation (criminal and civil) to appellate law
Oct. 5, 2017	Talia Stoessel	In-house union lawyer to law firm partner
Nov. 2, 2017	Ray Young	Private practice to the ministry to city manager
Dec. 7, 2017	Michael Purcell	How to set up and succeed in solo practice

For current information on upcoming Lawyers in Transition speakers and topics, please visit the OAAP website at www.oaap.org and click on CLEs/Workshops.