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Managing Stress With Mindfulness

Managing stress is a constant struggle for many of us. The relentless pressure to satisfy work and personal responsibilities can be immense and taxing. Long hours, complex work, obligations to satisfy professional mandates of conduct, volunteer commitments, and taking care of our family and ourselves all take time and a toll on us. Although we may not recognize it, we each have a relationship with stress that cannot simply be eliminated or avoided.

Psychiatrist Dr. Murray Bowen believed that life includes an inherent “chronic anxiety,” which he describes as the way we habitually or automatically respond to a threat; in other words, stress. We learn to work with stress, yet, at times, we may do so in a way that is no longer useful to us. Many of us know this from experience. We have seen that while stress can be a catalyst for action, constant or long-term stress eventually leads to burnout.

Science sheds a lot of light on the impact of stress and our reaction to it. From a neuroscience perspective, chronic stress is detrimental to the functioning of our brain. For example, too much cortisol (commonly known as the stress hormone) can diminish the size of our hippocam-

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pus – the part of our brain responsible for memory and emotion. In another branch of science known as epigenetics (the study of heritable changes in gene expression), there are studies that show the way we experience or respond to stress may be inherited.

Understanding how stress affects us and creating a lifestyle that allows for balance between work and life demands are all helpful steps to managing stress. There are many different ways we can make our work and personal life fit together (“work-life fit”) and avoid chronic stress, whether it is restructuring our schedule to be home more often, reducing our workload and commitments, or finding more space for rest and relaxation. The art of mindfulness is one approach that often gets overlooked, yet it can have a profound impact in allowing us to better manage our relationship with stress.

Mindfulness has substantially gained popularity in use and reference in the West since the late 1970s. It has been a long-standing practice in the traditions of Hinduism, Buddhism, and Jainism. According to Dr. Jon Kabat-Zinn, a leading researcher and teacher of mindfulness, it is the state of purposefully paying attention to the present moment in a nonjudgmental way. “Purposefully” paying attention to the present moment means being intentional about directing one’s attention to the here and now. The term “non-judgmental” refers to the act of not placing a value on the occurrence of a thought, emotion, or bodily sensation. One form of mindfulness that is often recognized is meditation. In meditation, a person uses a certain technique to train the mind to focus its attention and affect the functioning of the body.

Regularly practicing mindfulness can be extremely helpful for regulating our emotions and re-

structuring our cognitive function in a positive way. It does so by allowing us to increase our ability to hold awareness without judgment while retaining a positive state of mind. In their research on effective therapies to recover from substance use disorders, Drs. Marianne Marcus and Aleksandra Zgierska describe mindfulness as encouraging awareness and acceptance of thoughts, feelings, and bodily sensations as they arise, and recognizing their impermanence. As a result, individuals change the way they relate to, or view, their experience in the present moment, and they can choose to act with purpose rather than respond reactively. Mindfulness has also been shown in clinical work to be helpful for reducing or managing stress, anxiety, or symptoms of depression; boosting the immune system; and improving one’s ability to make decisions or to solve problems. In a study led by Dr. John Minda and his colleagues, lawyers who participated in an eight-week mindfulness program reported lower levels of depression, anxiety, stress, and negative mood, as well as increased levels of positive mood, resilience, and workplace effectiveness.

Mindfulness is at the core of Kabat-Zinn’s Mindfulness-Based Stress Reduction (MBSR), which was originally developed to help patients with chronic physical and mental health challenges. MBSR is now a well-known, empirically supported technique that involves body and sensory awareness meditation, breathing awareness, thought awareness, and yoga movements. Studies of MBSR document its success in reducing stress and depression.

Mindfulness is also used to support recovery. In a study of Mindfulness-Based Relapse Prevention (MBRP), Marcus and Zgierska found that those who participated experienced a greater “decrease in

ADDITIONAL RESOURCES

- *The Anxious Lawyer*, Cho, J., & Gifford, K. (2016), ABA Publishing.
- *Meditation Is Not What You Think: Mindfulness and Why It Is So Important*, Kabat-Zinn, J. (2018), Hachette Books
- *Wherever You Go, There You Are: Mindfulness Meditation in Everyday Life*, Kabat-Zinn, J. (2009), Hachette Books.
- *Mindfulness for Law Students: Using the Power of Mindful Awareness to Achieve Balance and Success in Law School*, Rogers, S. (2009), Mindful Living Press.
- *The Mindful Parenting Collection*, Siegel, D. & McCarty, M. (2012), Penguin Random House.
- *Mindfulness and Legal Practice: A Preliminary Study of the Effects of Mindfulness Meditation and Stress Reduction in Lawyers*, Minda, J. P., Cho, J., Nielsen, E., & Zhang, M. (2017).

craving, and greater increases in acceptance and acting with awareness” than those who followed the customary treatment.

The culmination of the above research and many other studies support the conclusion that Mindfulness-Based Stress Reduction, Mindfulness-Based Relapse Prevention, and other approaches that incorporate mindfulness can be effective in assisting individuals to manage or reduce their stress, increase their nonjudgmental awareness, foster a positive effect, and achieve a healthier state of being.

If you have not yet considered a mindfulness practice, why not start now?

The skills of mindfulness can be learned or taught regardless of one’s religious or cultural background. You don’t need prior experience, and you can incorporate the practice into your daily life.

Below are five practical tips to help you get started:

- **TUNE INTO YOUR BREATH.** Pay attention to the air filling your lungs as you breathe in and the air leaving your body as you breathe out. Sense the rise and fall of your belly as you allow your breath to flow through you.
- **WHILE WALKING, TURN YOUR ATTENTION TOWARD THE STEPS YOU ARE TAKING.** Notice each step. Feel the weight of your shoes. Experience the sensation of bringing one foot down, then the other.
- **THE NEXT TIME YOU HAVE A MEAL, TAKE A MINDFUL BITE.** Pay attention to each movement you make as you gather your food with your hand or a utensil, and draw it closer to your mouth for a bite. Notice the shape of the food. Smell the deliciousness. Can you imagine it as if you had already tasted it?
- **WHILE DRIVING, TURN OFF YOUR RADIO, MUSIC, PODCAST, OR OTHER SOUND SOURCE.** Bring awareness to the moment by paying attention to the quietness in the air. What do you notice?
- **TAKE A MOMENT TO PAUSE AND SPEND SOME TIME SIMPLY BEING INSTEAD OF DOING.** Let go and let things be. Allow things to unfold on their own, at their own time, and in their own way. See if you can find a bit of stillness in this space of non-doing.

Each time you use the mindfulness methods, you develop and strengthen your ability to use it as a stress management tool.

For additional information and resources, see page 2 of this issue and contact the OAAP at 503.226.1057.

KAREN A. NERI, JD
OAAP ATTORNEY COUNSELOR



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Perspectives on Retirement

We recently interviewed several retired attorneys who were willing to share their experiences and perspectives on life before and after retirement.

We asked the attorneys why they started thinking about retirement, and here is what they had to say:

- I knew I wanted to retire when I was still healthy and could enjoy life. I wanted to travel and enjoy life with my spouse and friends. The decision to retire did not happen overnight, but was not a difficult one for me to make. I used my logical side to make the decision. I loved my job and my colleagues but wanted to do other things too.
- I had less patience with obstructive practices by opposing attorneys – it seemed like a sign. I began to feel a sense of sameness and routine. It gave me the vague sense that I could do the work without much effort and without utilizing my best skills. My interest was waning and, at times, I felt the challenge was gone.
- It was taking too long to bring cases to trial. At the state level, attorneys would not agree to expedite trials. At the federal level, the costs and time requirements to meet the various judicial, local, and FRCP requirements were increasingly daunting and expensive for clients.
- Technological changes started making impacts in a number of practice areas, and smaller, routine cases became more automated and rote.
- A time existed when I did not think about retiring, but then one day I realized I had to retire sometime.
- My contemporaries and I are getting older. Some of them were starting to retire. Others became ill. Still others passed away. Father Time was beginning to gain a bit. Mother Nature was taking a slow toll.

In terms of preparing for retirement, here are some insights and suggestions the attorneys offered:

- Invest in your health – it is an important foundation for a good life. Take care of yourself,

exercise, and hope you have good genes so that you can enjoy good health in retirement!

- I began preparations for an eventual retirement about four years beforehand. It was a slow process, but the early preparation helped me with the transition. The preparation reduced my anxiety and helped me avoid unanticipated consequences.
- Consulting with a financial planner gave me confidence in my financial future and helped me develop a long-term financial plan. Reviewing your finances really helps you know what to expect and, for me, that relieved a lot of anxiety.
- If you are in a firm and you are going to retire, talk with your partners so that everyone has time to plan and prepare both financially and emotionally. I discussed my retirement plans with my partners early in the process, so they would not be surprised. I did not want them to sign office leases or other obligations without knowing my timeline. Even though it can be difficult to approach these subjects, it preserves your relationships and saves a lot of upheaval in the firm. It also spares a lot of hard feelings, extra work, and expense. If it works, plan your retirement for the end of a lease!
- Have complete physicals taken and any procedures finished before retiring – a “total body tune up.” Complete your medical testing and procedures before you retire.
- Plan the first six months of your retirement, or create a to-do list for that time frame. I found it helpful to have a glide path for when I left work behind.
- Pick a date and then just do it. Once public, your retirement takes on unexpected momentum.
- Make a plan before you retire, so that you have something to retire to.

The attorneys spoke about approaches and resources that were helpful leading up to retirement:

- Talk with current retirees.
- Develop your interests and friendships.
- Speak with your support network for both ideas and accountability.

- Meet with a financial advisor. I learned that I could afford to retire. So, I did!
- Attend or listen to retirement-related speeches, presentations, YouTube videos, TED talks, etc. Do the same with subject areas that are of interest to you.
- Consider if the time is right. When I first considered retiring, the thought made me worried and anxious. It didn't feel like the right timing. I am glad I listened to those warning signs. When I retired several years later, I looked forward to my next chapter of life. The right timing makes a big difference!
- Read about retirement and consult with the OAAP attorney counselors.
- Learn about and meet with consultants about Medicare and Social Security – well before age 65.
- Plan something fun for the first winter months of your retirement. It's a good alternative to sitting around in the gloom of Oregon winter wondering what to do and worrying that retiring was a mistake!

Retirement changed the attorneys' lives, sometimes in unexpected ways:

- Although I travel less than I thought I would, I am spending more time with my kids and grandkids than I expected.
- I no longer live on a tight schedule because of work. I find that I need to check my calendar to remember appointments and social visits, because each day is different. On many days, I have the luxury of no time demands and unscheduled time. That makes it is easy to forget about commitments that do have specific times!
- I was not expecting to find so much joy in being free to do what I wanted to do and when I wanted to do it. I felt great knowing that I no longer had to cram everything into the weekend!
- I missed having a regular routine, so I set up several things to do each week on a regular schedule. This is still a work in progress and is not yet a satisfactory replacement for a regular work schedule.

OAAP/OWLS 12TH ANNUAL WOMEN'S WELLNESS RETREAT APRIL 5 & 6, 2019

Register Now!

We are looking forward to our 12th Annual Women's Wellness Retreat for Lawyers and are pleased to announce that this year's retreat will be held on Friday, April 5, 2019, at 1:00 p.m. through Saturday, April 6, 2019, at 3:00 p.m., at the Oregon Garden Resort in Silverton, Oregon. Our theme is Transforming Ourselves through Self-Compassion and Creativity. Throughout the retreat we will enjoy plenty of relaxation, wonderful food, and free time to explore the gardens, enjoy a massage, swim, or soak in the hot tub. As always, we will be applying for CLE credits and anticipate engaging and informative speakers.

To make your room reservation at Oregon Garden Resort, call the resort at 503.874.2500, ext. 0. Reference group code: OAAP.

The room rates are \$109 plus tax. The room block ended on March 5, 2019, but the rates still apply based on availability.

To view the print flyer and mail-in registration form visit oap.org/event.

We hope to see you there!

- I do have more free time than I thought I would. This is my current challenge – being able to accept, embrace, and live with unstructured time.
- It feels like a big identity shift to identify myself as a “retired” or “semi-retired” lawyer. It is a challenge I did not anticipate.
- When I first retired, I committed to too many things. My biggest challenge was time manage-

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ment and learning the balance of activities and leisure time that would work best for me. I am getting better at it, now that I am in my second year of retirement, but I am still working on achieving the right level of structure and open time.

The attorneys spoke about how they currently spend their time in retirement:

- I work out several times a week at a gym.
- A couple of times each week, I try to catch up with existing friends or explore new friendships. I also read more, travel, plan future trips, take classes, catch up on home projects, and do my best to get out of the house at least two times a day.
- I volunteer at several nonprofit agencies and serve as a director on several boards. I've also taken on leadership roles at my synagogue.
- I balance my time between my family, projects, volunteer work, exercise, friends, and spending time alone.
- I visit with my kids and grandkids and enjoy time skiing, working out, and going to the beach. My Medicare plan comes with a free gym membership!

Finally, the attorneys shared a few personal feelings about their retirement:

- The thing that I miss the most about work is collegiality. Fortunately, I keep in touch with many former colleagues. I enjoy our informal lunches and “reunions.”
- I really enjoy the flexibility of my new life.
- I feel very fortunate to have had a good career,

ADDITIONAL RESOURCES:

- *The Next Stage: Planning NOW for the Retirement that YOU Want* – Available on the PLF website, www.osbplf.org > CLE > Past. This CLE examines the financial, business, practical, and emotional aspects of retiring from the practice of law.
- *Lawyers at Midlife: A Personal & Financial Retirement Planner for Lawyers*, Michael P. Long, John Clyde, Pat Funk – Available through the PLF order desk, 503.639.6911.
- *Preparing for a Status Change*, *inPractice*, February 25, 2019. <https://www.osbplf.org/inpractice/preparing-for-a-status-change/>

good health, and the ability to retire while I was healthy enough to live it fully.

- I feel very blessed to have made it here. I can read what I want. Unscheduled days are easier to handle with some experience and practice. I no longer wear a tie. I wear more colorful socks.

Our thanks to the lawyers who shared their perspectives with us and to OAAP Assistant Director/Attorney Counselor Shari Gregory, OAAP Attorney Counselor Douglas Querin, and PLF Practice Management Advisor Lee Wachocki for their assistance with this article.



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Asking For Help

The truth is that most of us are not good at asking for help.

For one thing, the myth continues that asking for help makes a person appear weak. In fact, asking for help empowers the person because it allows them to face chronic problems head-on, instead of being stuck in a quagmire of secret misery.

Another misconception that discourages seeking help is the misbelief that highly successful people are “strong” and don’t need help. The opposite is true. Any great leader knows that he or she is not skilled at everything and that, to be successful, those with superior skills must be relied on too.

Asking for help is still not easy, especially regarding personal problems. Lawyers and judges can be particularly reluctant – or even resistant – to seeking help. We often are not comfortable surrendering to anything.

This is not surprising. In law school, we developed intellectual stamina and analytical skills that gave us academic confidence. While practicing law, we gained confidence in problem solving. The end result: We are not accustomed to asking others for help or admitting any weakness or difficulties. We are trained to solve other people’s problems, not handle problems of our own.

31ST ANNUAL DINNER FOR LAWYERS AND JUDGES IN RECOVERY

Please join the Oregon Attorney Assistance Program on Friday, April 26, 2019, at the 31st Annual Dinner Celebrating Lawyers and Judges in Recovery at the Hotel Monaco in downtown Portland from 6:00 to 9:30 p.m.

For a registration form or more information, call the OAAP at 503.226.1057 or 1.800.321.6227. The deadline to RSVP is Wednesday, April 24, 2019. Dinner is \$40 per person.



Our admirable attributes of independence and tenacity serve us well right up until we suffer a personal problem that can’t be outsmarted. Alcoholism, drug addiction, depression, and other physiologically-based chemical brain diseases simply can’t be defeated with analytical skills and confidence. You can’t “lawyer” your way out of chemical brain diseases. As such, the self-reliance that previously served a lawyer or judge well can stand in the way of a path to help.

In the end, and not just for lawyers and judges but for all people, fear is at the core of why most people are reticent to reach out for help: fear of being judged; fear that adversaries will obtain and use information against you; and fear of losing control of the situation.

While an internal struggle between seeking help and maintaining secrecy rages within individuals who need help, time is of the essence more than they imagine. Sadly, it is common that an individual will resist seeking help until the problem becomes a full-blown crisis. By procrastinating and not seeking help early on, more-serious consequences accumulate and the road to recovery becomes more arduous. In the worst scenarios, the inability to seek help costs the person his or her life.

All that said, help is readily available and there definitely is hope. Some of the happiest and most productive people in the legal profession found their way to a lawyer assistance program and received the help they needed. They are happy and healthy again and have escaped the darkness and isolation they previously suffered.

U.S. Supreme Court Justice Louis Brandeis said, “Sunlight is the best disinfectant,” and that holds true for dispelling old stigmas that impede one’s ability to seek help for alcoholism, addiction, depression, and other diseases.

If you are concerned about your, or someone else’s, substance use, alcohol use, depression, or other mental health condition, call the OAAP. Whether you need immediate help or general information, call us at 503.226.1057 and ask to speak with an attorney counselor. Our services are free and confidential. We are here for you.

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FINDING MEANINGFUL WORK

The OAAP holds a periodic six-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating and executing a personalized job search plan; developing a mission statement and elevator speech; learning and practicing networking skills; and honing job search skills. The group is facilitated by OAAP Attorney Counselor Shari R. Gregory, LCSW, JD. To participate, please contact Shari at 503.226.1057, ext. 14, or at sharig@oaap.org.

CAREER SELF-ASSESSMENT

The OAAP attorney counselors can help you assess your career path and career opportunities. If you would like information about a self-assessment, contact OAAP Attorney Counselor Shari R. 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 quarterly on Thursdays at noon at the OAAP, 520 SW Yamhill Street, Suite 1050, Portland, Oregon 97204. These presentations are open for anyone to attend. See the calendar below for scheduled speakers.

APRIL 4, 2019	JOEL CORCORAN	<i>Private practice to State Counsel and Constituent Services Director</i>
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For current information on upcoming Lawyers in Transition speakers and topics, please visit the OAAP website at www.oaap.org and click on Events.