



# inSIGHT

Thrive in Law, Thrive in Life • ISSUE NO. 126 • SPRING 2025

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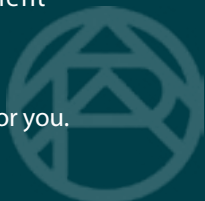
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## Lawyer Well-Being: The How-To of Managing Distress

By Douglas Querin

Distress defies easy definition.<sup>1</sup> When asked, some lawyers might say, “I can’t define it, but I know it when I feel it.” Others know the term but are oblivious to its presence in their own lives. Still others suffer significant distress, know they are distressed, but have no idea how to cope. For some, it is the simple irritation of a commute in heavy traffic. For others, it is the crushing weight of anxiety, overwhelming pressure, or the anguish of painful memories.

In the context of well-being, particularly within the legal profession, significant distress is no small matter. Studies<sup>2</sup> show it is a major contributor to problematic alcohol use,

The OAAP is a confidential service of the Professional Liability Fund  
for all members of the Oregon legal community.

depression, anxiety, and other physical and mental health conditions, all occurring within the legal profession at rates much higher than in the general population. The good news is that distress can be identified, avoided, managed, or even removed from one's life.

Rather than using a strict definition, "distress" will be described here by examining how it often manifests within the legal profession. Distress avoidance techniques, prevention, and coping strategies will also be discussed. As with most well-being recommendations, their value comes not because they are necessarily new information, but because they are important reminders that each of us has the power to significantly affect how we feel and experience our lives.

## Stress vs. Distress

There is a difference between experiencing stress and being distressed, though they are closely related and often overlap. Stress is the normal physical and psychological reaction to the demands of modern life. A moderate amount of stress is generally considered a normal, even necessary, part of living. This positive stress, known as "eustress,"<sup>3</sup> is often characterized as challenging but manageable, fulfilling, and even rewarding. For legal professionals, it might occur when preparing for a client meeting, getting ready for a court appearance, or researching an important legal issue.

Distress, on the other hand, is a negative state. It is a product of the disparity between the demands required to complete a task and one's ability to meet those demands. Demands may come from anywhere—one's job, family, or social environment, or from unpleasant or painful memories that call for attention. Distress can occur whenever challenges are perceived as beyond one's ability to handle without significant physical or psychological discomfort.

## Distress: Common Lawyer Activities

Innumerable activities require a lawyer's professional attention. Some are mundane but necessary, others are unavoidable. Some are

## Women's Trauma Support Group

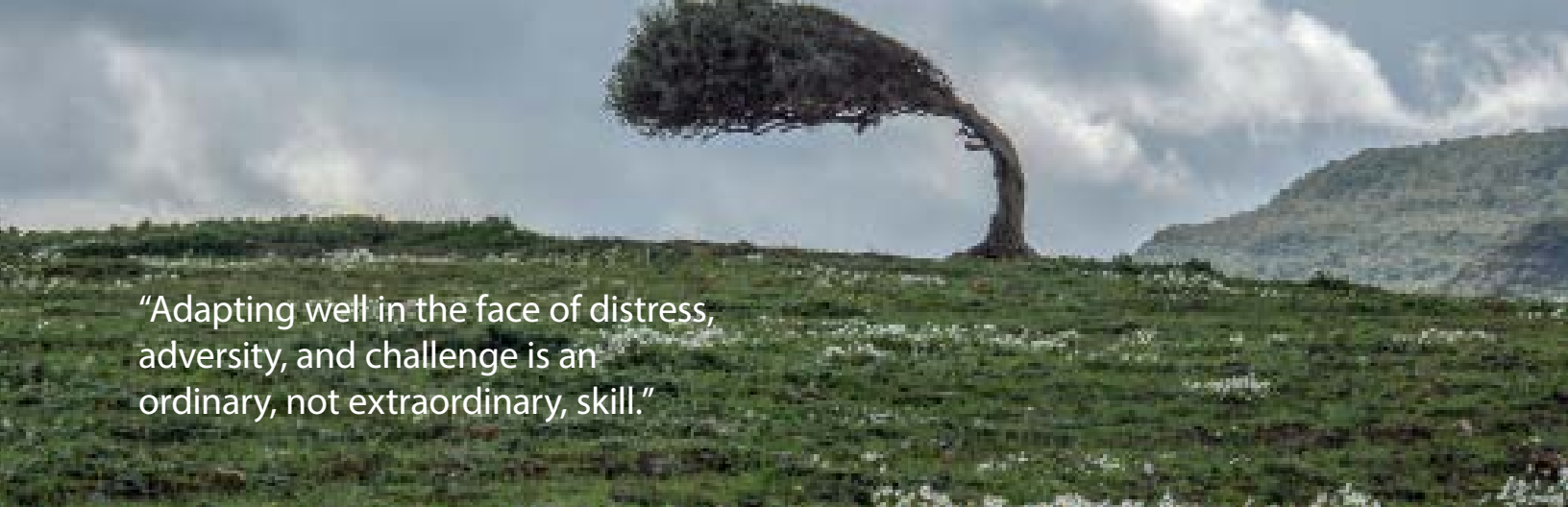
Starting **Spring 2025**, the OAAP will facilitate a confidential support group for women who have experienced trauma, including volatile relationships or childhood trauma, and/or who have struggled with a loved one's compulsive behaviors. Topics will include the process of trauma, power and abuse, grounding and self-soothing, and healthy relationships.

OAAP Director Kyra Hazilla, JD, LCSW, and OAAP Attorney Counselor Associate Kirsten Blume, JD, CMHC Intern, will be the group facilitators.

Please watch for more information on our website, **oaap.org**, or in a broadcast email.

anxiety-producing, others are stimulating and rewarding, and still others may be both challenging and distressing. Such activities may include:

- Meeting billable hour requirements or, for solo practitioners, generating sufficient monthly income;
- Dealing with difficult clients;
- Case management;
- Personality conflicts within firms;
- Traumatic content in cases;
- Unpredictable/long work hours;
- Perfectionism and fear of failure;
- Conflicts with opposing counsel;
- The duties of office administration;
- Court appearances/litigation responsibilities;
- Fear of malpractice/professional mistakes;
- Performance concerns/competition; and
- Work-life balance.



“Adapting well in the face of distress, adversity, and challenge is an ordinary, not extraordinary, skill.”

You will rarely find unanimous agreement in the profession about which activities cause significant distress and which do not. Of any two lawyers, one may find the pressure of billable hours to be overwhelming, while another may view it as simply an unpleasant, though tolerable, aspect of law practice. The lawyer distressed by billable hours, however, may enjoy trial work, while the other finds litigation highly distressing. In short, perceptions and opinions vary.

## Distress: Signs and Effects

Peoples’ physical and emotional reactions to distress likewise differ significantly. Below are common symptoms and behavioral responses that often accompany acute and chronic distress.

- **Emotional Overwhelm:** Intense emotions, such as anxiety, depression, sadness, anger, or fear
- **Physical Symptoms:** Physical manifestations, including increased heart rate, sweating, nausea, insomnia, or fatigue
- **Cognitive Disruption:** Difficulty concentrating, making decisions, or thinking clearly
- **Behavioral Changes:** Procrastination, irritability, substance misuse, or social isolation
- **Loss of Control:** Feeling helpless or unable to manage required tasks effectively
- **Short-Term Focus:** A tendency to focus on immediate relief of symptoms rather than long-term solutions

These symptoms of chronic, untreated distress are red flags, reminders that distress must be appropriately recognized and alleviated.

## Developing Distress Tolerance

“Distress tolerance” is the ability to endure and manage emotional, physical, and psychological discomfort without resorting to unhealthy coping mechanisms or experiencing emotional dysregulation. Although you may not be able to completely eliminate distress, it can often be substantially reduced.

Distress tolerance is a multifaceted skillset. It includes knowing potential causes and triggers, recognizing its presence, building resilience, and implementing effective coping strategies. Listed below are research-based recommendations considered most effective in preventing and reducing unhealthy levels of distress. These are the essentials of an effective distress management program.



## Recognizing Distress

Awareness is the first step. Some distress may be avoidable, like unhealthy relationships, overcommitting, perfectionism, or procrastination of an important project. For unavoidable distress, however, it is important to be mindful of the emotional and physiological signs, such as anxiety, fear, anger, increased heart rate, restlessness, or feelings of overwhelm.

## Managing Distress

Once you are aware of distress, there are multiple ways to manage it.

- **Build Resilience.**<sup>4</sup> Adapting well in the face of distress, adversity, and challenge is an ordinary, not extraordinary, skill. It involves maintaining perspective, staying flexible, and bouncing back from frustrations and disappointments.
- **Cultivate Positive Relationships.**<sup>5</sup> Social connections create buffers against distress by providing emotional support, encouragement, and a healthy perspective. Friends, family, colleagues, and mentors can serve as valuable allies in navigating difficult times.
- **Prioritize Self-Care.** Regularly attending to one's well-being combats the negative effects of distress. An elaborate regimen is not necessary—only consistency and focus.<sup>6</sup> Effective self-care may include physical activity,<sup>7</sup> balanced nutrition, journaling,<sup>8</sup> listening to music, having a pet,<sup>9</sup> and connecting with others.<sup>10</sup>
- **Establish Healthy Boundaries.**<sup>11</sup> Overcommitment is a common source of distress. Learn to say “no” and prioritize to avoid overwhelm. Creating and enforcing clear boundaries is invaluable in preventing distress.
- **Use Relaxation Techniques.**<sup>12</sup> Techniques like deep breathing,<sup>13</sup> progressive muscle relaxation, meditation, and mindfulness have been scientifically demonstrated to calm the nervous system and lower distress levels. Acupuncture, massage, tai chi, qi gong, and yoga have also been shown to be helpful.

## Finding Meaningful Work

The OAAP holds a periodic 6-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating a personalized job search plan, developing a mission statement and elevator pitch, learning and practicing networking skills, and honing job search skills.

The next group will start in **Spring 2025**. Sessions meet virtually through videoconference. To participate or for more information, please contact OAAP Attorney Counselor Associate Kirsten Blume, JD, CMHC Intern, 503.226.1057 ext. 11, [kirstenb@oaap.org](mailto:kirstenb@oaap.org).

These and other body calming activities<sup>14</sup> reduce one's physical and/or emotional arousal.

- **Focus on Problem-Solving.**<sup>15</sup> Breaking large, overwhelming tasks into smaller, manageable chunks can reduce distress and restore a sense of control.
- **Develop a Routine.** Structured routines reduce uncertainty and create predictability, which helps manage daily demands more effectively.
- **Use Positive Self-Talk.**<sup>16</sup> Positive thinking decreases distress. Negative thinking promotes it. Current research<sup>17</sup> demonstrates that replacing negative thoughts with positive affirmations helps reframe distressing situations.
- **Practice Gratitude.**<sup>18</sup> Research<sup>19</sup> demonstrates that focusing on thoughts, feelings, and expressions of gratitude and affirming goodness outside ourselves are useful tools to manage distress and replace it with feelings of well-being.
- **Practice Self-Compassion.**<sup>20</sup> Developing self-compassion (treating oneself as one would a friend) may not come naturally for most lawyers. Many view this practice as

antithetical to successful lawyering. Like a gratitude practice, however, self-compassion is well-researched,<sup>21</sup> with many studies confirming its value in distress management and promoting well-being.

- **Limit Stimulant and Alcohol<sup>22</sup> Use.** The survey of attorneys<sup>23</sup> referred to at the beginning of this article clearly demonstrates that alcohol use by lawyers is problematic and needs to be addressed.
- **Emotional Regulation.<sup>24</sup>** Learning to effectively control one's behaviors, thoughts, and emotions is crucial for successful distress management. When confronted with distressing situations, emotionally regulated people are better able to maintain a measured outlook and respond appropriately. Those without such skills often experience elevated levels of distress.
- **Seek Assistance.** Distress often results in social isolation and reluctance to reach out to professionals,<sup>25</sup> close friends, or family members—the people most willing and able to provide support and encouragement. Successful distress management requires seeking assistance when appropriate.

## Distress Management: The Bottom Line

Distress is an inevitable part of life, but it need not derail one's well-being.

Integrating the strategies discussed here into daily routines can create a protective buffer against the unique pressures of the legal profession. By prioritizing distress management, lawyers can achieve a healthier work-life balance, improve their performance, and cultivate a deeper sense of fulfillment, both personally and professionally.

– DOUGLAS S. QUERIN

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## OTHER WORKS BY DOUG QUERIN AT OAAP.ORG

### *inSight*

- Sober Curious: Questions We Can Ask Ourselves (Fall/Winter 2024)
- Is “Happy Lawyer” an Oxymoron? (Spring 2024)
- Social Connections: An Essential For Well-Being (Winter 2023)
- How Anxiety, Depression, Stress, Drinking Impact Lawyers (Spring 2023)

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## OAAP Lending Library

Did you know that the OAAP maintains a wide variety of books available for members of the Oregon legal community to borrow? We have titles on diverse topics such as career, stress, anxiety, burnout, relationships, mindfulness, recovery, and retirement that can help you thrive in law and in life.

To learn more, call Jeanne Ulrich at 503.226.1057. We invite you to stop by and peruse our shelves!



# Communicating for Understanding and Connection

By Kirsten Blume

In law school, we learn the tools of constructing, supporting, and presenting legal arguments. Some of us become so talented in this arena that we find ourselves presenting arguments beyond legal briefs and outside the courtroom. Suddenly, points “a” through “c” work their way into discussions of dinner choices or the best location for a fun weekend away. While analytical thinking and argument formation are crucial in our legal careers, their use in other areas of our lives can impede our relationships with others when we are seeking connection.

Whether we are looking to improve communication with our significant others, friends, family, coworkers, or colleagues, there are better tools that foster understanding, build connection, and strengthen relationships. Often, these tools identify what people truly desire faster than an adversarial or argumentative stance. They can also be helpful in challenging conversations and in moments when we feel vulnerable but want the interaction to go as well as possible.

## “Supercommunication” Tools

Charles Duhigg, author of the book *Supercommunicators: How to Unlock the Secret Language of Connection*,<sup>1</sup> outlines an approach to interpersonal communication that includes assessing underlying intent, being curious to aid understanding, and proving that we are truly listening.

In Duhigg's theory, conversations typically fall into one of three categories: practical (What is this really about? How can we brainstorm together?), emotional (How do we feel?), and social (Who are we in relation to each other?). To find the underlying intent of a conversation, we must listen for clues or ask questions. Once the type of conversation is clear, it is easier to know what each participant is hoping to achieve in the conversation. People in practical conversations are often looking to problem-solve, make plans, or figure things out together. In emotional conversations, they are typically seeking empathy and understanding, rather than advice. In social conversations, relating to who we are and our place in society, people tend to want to be seen, and finding common ground is crucial.

Duhigg also describes a technique called "looping" to show people they are being cared for and actively listened to in conversations. Looping involves asking curious, values-based, open-ended questions ("I'm curious about...", "Tell me more regarding...", "Help me understand..."). The listener repeats back what they have heard, in their own words, then checks in with the original speaker to see if they have properly understood. The process repeats until both parties confirm they have been heard and understood. Duhigg's approach assessing the type of conversation, asking questions to better understand underlying values, and confirming active listening can be beneficial in promoting connection.

## The 36th Annual Recovery Dinner

The Oregon Attorney Assistance Program invites you to the 36th annual celebration of recovery dinner for Oregon legal professionals in substance use recovery and their guests.


Friday evening, **April 25, 2025**, Portland

Please join us for a very special evening of fun, fellowship, dinner, and stories celebrating sobriety in the legal profession.

For more information and to register, please contact Senior Attorney Counselor Doug Querin, [douglasq@oaap.org](mailto:douglasq@oaap.org), 503.226.1057 ext. 12, or Attorney Counselor Bryan Welch, [bryanw@oaap.org](mailto:bryanw@oaap.org), ext. 19.

We look forward to having you join us!

Discovering underlying emotions and values can also be a gateway to communicating to understand. The listener asks the speaker questions such as, "What values are being evoked in this experience or that story you shared?" or, "What experiences shaped those values for you?" The conversation then becomes more about understanding and connecting than persuasion or waiting to share your own perspective.



"While analytical thinking and argument formation are crucial in our legal careers, their use in other areas of our lives can impede our relationships with others when we are seeking connection."

## Vulnerability as a Communication Tool

Finally, vulnerability is contagious and can serve as an important antidote to contentious conversations, especially when we are seeking connection. Brene Brown<sup>2</sup> shares that curiosity is a crucial component to surrendering our favorite emotional armor (e.g., being a know-it-all, controlling, overly critical, angry, or a perfectionist). In moments of emotional distress, she encourages starting with curiosity. For example, Ms. Brown suggests sharing, “When you said or did ‘x’, I felt ‘y’ (name your vulnerable emotion). The story I told myself was \_\_\_\_\_. Can you help me understand what happened from your perspective?”

There are times when analyzing and developing a well-supported argument is necessary and vital to our legal work. But there are also situations in which the inclination to lead with an argument may not achieve our desire for

emotional connection. Our ability to distinguish between these settings and different types of conversations will help us better support our clients, colleagues, friends, and families. Further, it will make a real difference in how we feel leaving each interaction, with the goal being greater awareness of when to use tools to enhance understanding. Ultimately, the stronger connections derived from these practices will help support our community.

– KIRSTEN BLUME  
JD, CMHC Intern



### ENDNOTES

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## May Is Well-Being Month in Oregon Law!

In May 2024, the OAAP created a month-long program in recognition of National Mental Health Awareness Month and crafted an all new OAAP Well-Being Month in the Oregon legal community. Our team developed content, wrote blog posts showcasing resources and strategies around elements of well-being, hosted seven events, and served 120 participants in our live programming.

**In planning our content for 2025, we want to hear from you!** What is your firm doing in the area of lawyer well-being? What policies or practices have you seen legal employers putting in place to support staff well-being? Does your office have a Wellness Committee that organizes and plans activities or events?

So often in our profession we notice what isn’t working, what needs improvement, what still falls short. But individuals

and organizations across the state are doing great work in ways large and small to advance the health and well-being of the people and institutions that comprise our legal community. We want to acknowledge and celebrate that work. Help us by sharing your stories of well-being in Oregon law!

Email Kyra Hazilla, Director of the OAAP, at [kyrah@oaap.org](mailto:kyrah@oaap.org).





*"It is rare, in our profession of arguments and 'thinking on our feet,' to listen only for the purpose of hearing the other person."*

## What Is Mindful Listening and How to Build Your Listening Muscles

By Kyra Hazilla

Mindful listening is a practice that centers the awareness of sound with attentive and connected social engagement. Mindfulness is paying attention to the present moment, on purpose, nonjudgmentally. By applying mindfulness to listening, we can bring our entire awareness not just to the speaker's words, but also to their tone and sounds, the content of their speech, and their nonverbal and physical communication. When we listen mindfully, we are seeking deep understanding as we hold space for another.

It is rare, in our profession of arguments and "thinking on our feet," to listen only for the purpose of hearing the other person. Frequently, we listen while preparing our response—waiting to jump in, contribute, refute, share our experience with the topic, or demonstrate our expertise. With families, friends, and loved ones, though, the gift of undistracted attention is vital to healthy relationships. When we practice mindful listening, we are better able to understand another's point of view, emotions, and needs.

### How to Be a Mindful Listener

- **Offer the speaker your undivided attention:** Turn away from technology, turn off the running commentary in your brain, and turn toward (literally and figuratively) the speaker.
- **Listen:** Listen to the speaker's words, tone, expression, silence, and body language.

- **Gently bring your attention back when it wanders:** Like many mindfulness practices, we strengthen our skills by making mistakes. When your attention drifts—as often happens—bring it back with kindness. You are activating and growing the neural circuitry needed for mindful listening.
- **Ground yourself in curiosity and compassion:** Notice your natural curiosity when you are connecting with another person. Sometimes it is easy to fall into old patterns of urgency, judgment, boredom, or inclination to problem-solve. (Anyone who has ever been regaled with the entire plot of a Puppy Place chapter book knows what I mean.) Talkative young children can provide great opportunities to practice curiosity.
- **Respond with intention:** Use nonverbal cues of attention—such as nodding, leaning in, and eye contact—and verbal cues like, “uh-huh,” “yes,” and “right.” See if you can identify the intention, the meaning, and the values underlying the words themselves, and reflect those back to the speaker: “Are you saying...?” or, “Tell me more about....”
- **Foster an attitude of nonjudgment:** We are professional critical thinkers and rely on those skills in the legal community. But to be mindful listeners, we must build our awareness of how quickly judgment creeps into our thought processes and interrupts more helpful strategies. Utilizing our well-trained lawyer minds to increase nonjudgmental awareness—aimed at both ourselves and others—can improve our well-being and relationships.

## OAAP Open House

We made some updates to our space and look forward to welcoming the Oregon legal community to an Open House in the fall. Watch for an invitation this summer!

– KYRA HAZILLA  
JD, LCSW, Director and  
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## OTHER WORKS BY KYRA HAZILLA AT OAAP.ORG

### *inSight*

- How to Be an Ally for Nondrinkers (Fall/Winter 2024)
- Voices of Well-Being in the Legal Community (Summer 2024)
- Well-Being Month in Law: Recapping 2024 (Summer 2024)
- Parental Burnout Primer for Legal Professionals (Spring 2024)
- Fostering Connection in a Lonely Profession (Winter 2023)
- Meaningful Connections at Work (Winter 2023)





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## Career Resources from the OAAP

### FINDING MEANINGFUL WORK

The OAAP holds a periodic 6-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating a personalized job search plan, developing a mission statement and elevator speech, learning and practicing networking skills, and honing job search skills. Presently, sessions meet virtually through videoconference. To participate or for more information about the next group, please contact OAAP Attorney Counselor Associate Kirsten Blume, JD, CMHC Intern, 503.226.1057 ext 11, kirstenb@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 self-assessment, contact Senior Attorney Counselor Doug Querin, JD, LPC, CADC I, 503.226.1057 ext. 12, douglasq@oaap.org; Director Kyra Hazilla, JD, LCSW, ext. 13, kyrah@oaap.org; Attorney Counselor Bryan Welch, JD, CADC I, CMHC Intern, ext. 19, bryanw@oaap.org; or Attorney Counselor Associate Kirsten Blume, JD, CMHC Intern, ext 11, kirstenb@oaap.org.