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The Pursuit of Happiness

By
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Are you pleased with your career? Is your practice advancing the way you hoped it would? Are you able to avoid long hours, stress, conflict and fear? Do you leave all your work at the office so as not to let it interfere with family time? If so, according to our esteemed colleagues Ken Turek and Ben Bunn, you are in the lucky minority of lawyers.

Recently, these two longtime friends and supporters of CASD put on a seminar entitled "The Pursuit of Lawyer Happiness". The seminar was received so well by the fortunate attendees that I want to share with you what Ben and Ken so generously shared with us. Fundamentally, it would be interesting to ask yourself whether you are content with what you are doing. Are you happy, or would you leave the practice immediately if another opportunity came along? When Ken surveyed a group of lawyers, most informed him that they would leave the practice of law for a better opportunity. In fact, only 26% of the lawyers surveyed responded that they were intending to stay in the profession for the remainder of their careers.

What does that tell us? That most lawyers are unhappy people? I don't think so. But why are so many willing to change careers after investing so much to achieve them? We learned that the primary causes were identified as the long hours, the continual conflict, stress and fear. We also learned that for lawyers, who are perfectionists, there is an intense need to avoid failure. In fact, the research presented by Ken and Ben showed that these factors led to lawyers being more likely to suffer from depression than other professions.

So, how do we deal with these issues? We can't avoid conflict. After all, we work within an adversary system. We are trying to win our cases, while the other side is trying as hard as it can to cause us to lose. How do we turn our tendencies toward perfectionism into something positive, rather than something that causes us to be so hard on ourselves? Or is the pursuit of perfection a positive in this profession? How can it be, since none of us will ever be perfect? And what about fear? Can we put everything on the line for our clients and not be fearful that we might disappoint them, ourselves, our partners? Or is there a way to use fear to make us stronger? And how do we prevent fear from stifling that which we are trying so hard to accomplish?

Admittedly there are no easy answers, but Ken and Ben gave us some positive tools to put these

issues into perspective. For example, aren't our cases going to proceed more smoothly when we are civil, and indeed accommodating, with our opponents, rather than defiant with them? Doesn't it show strength to work with opposing attorneys toward the common goal of resolving the clients' dispute? And how do we do that with an opponent who appears to be uninterested in working together to accomplish resolution? If we try to understand the pressures and motivations of our opposition, won't it make it easier to create and sustain relationships with them? And if we have relationships based upon mutual understanding and respect, won't that minimize our daily conflicts? If we forgive each other's mistakes and understand missed deadlines, won't the stress of our daily lives be minimized? Ben and Ken think so and so do I.

What about fear? Can we be great lawyers without it? Could we avoid it if we wanted to? Since it can't likely be avoided, how can we prevent fear from interfering with our objective? How can we turn it to our advantage? Ken and Ben teach that once we accept fear, we can use it to become better advocates. They explain we experience fear before a presentation, before and during trial, before an important argument or otherwise, because we are moving outside our comfort zone. We are stepping out on a limb and we are afraid that we will not do our best, or that even our best might not be good enough. We are afraid we will not be as effective as we need to be; we might lose and disappoint ourselves, our clients or others. If we recognize the cause of our fear, though, we can embrace it as a tool to help us be the best we can be. We can use it to propel us toward excellence, by recognizing the need to be prepared, the need to work harder, and the need to get our "game on." And they showed us practical ways to work with our fears to increase our actual performance.

Ben and Ken addressed these issues and suggestions, along with so much more. What a privilege to learn from these two devoted warriors who generously shared their research, ideas and personal experiences to help their fellow CASD members pursue greater happiness – to enjoy the practice of law and their own lives more. We owe them a huge debt of gratitude for their friendship. Thanks, too, to all participants who courageously shared their own personal experiences. **Remember, you will never stand alone.**