
Legal Enemy No. 1

"If you lose the power to laugh, you lose the power to think."

~ Clarence Darrow

BY SARAH MYERS, ESQ., LMFT, LAC

The term "public enemy" has been used for centuries to refer to outlaws, and it saw expanded use in the 1930s when particularly notorious criminals were designated "public enemy no. 1." The phrase has evolved to include dangers to public health and safety in general. Like the term "patient zero," the concept is simple: find the source of something that negatively impacts a large group of people, and you can find a solution to the problem. There's a large body of research on maladies related to and impacting lawyers. But what's "legal enemy no. 1?" It's too much seriousness, Seriously.



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The Seriousness Trap

It turns out Mr. Darrow was correct: when we overthink, ruminate, and perseverate on problems, irritants, or resentments, we lose connectivity to the parts of the brain where humor, executive

functioning, solutions, creativity, logic, pragmatism, and compassion dwell. Screenwriter, novelist, and filmmaker Anthony McCarten points out that "seriousness is dangerous, not just for ourselves, but also in society. . . . [T]he forces of seriousness, of humorlessness, would limit us to narrow thinking, rigid ideology, cruelty, and a tunnel vision, whereas humor obliges us to have an open mind. It obliges empathy and forgiveness."¹

Neuroscience and cognitive research are clear on this subject. We can't stress ourselves smart; we can only "stress ourselves stupid."² When we are chronically stressed, the cognitive and emotional results of an overactive nervous system include responses governed by different parts of the brain. Over time, our body responds to psychological stressors the same way it would to life-threatening, immediate danger. The parts of the brain responsible for thinking and memory shrink, and the parts of the brain responsible for our "fight or flight" response grow. These changes alter our personality (making us more agitated and angry); reduce our cognitive skills and ability to think critically; negatively impact our memory, either through memory loss or creation of "altered" memories tainted by anxiety (things are remembered worse than they really were); and weaken our immune system, leading to physical illness and disease. You might have heard of Dan Harris' book, *10% Happier*.³ In this case, how about getting at least 10% more humor into your day? If you're wondering where to find the time or energy for humor, how about borrowing it from the time and energy you dedicate to stressful thoughts, anger, resentment, overwhelm, and confusion? Are you willing to refocus your thoughts and perspective for a few minutes a day? If so, you'll be making an enormous difference on not only your cognitive abilities and your performance as an attorney, but also your physical health and your relationships.

Perfectionism and Imposter Syndrome

In addition to increased stress, attorneys report experiencing negative thought patterns and behaviors at a much higher rate than the general public.⁴ Conditions like imposter syndrome, perfectionism, and social anxiety rank high among those who have higher education, who were raised in families that expected high achievement, or where praise and criticism were alternated in a dizzying rate.⁵ I've yet to meet a lawyer who hasn't felt—at least at some point in their career—that they were underperforming in their professional or personal lives, that they were "winging it," that they knew less than those around them, and that



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their mistakes were unacceptable, shameful, or embarrassing. For some, the subtle, sometimes partly unconscious, feelings of inadequacy and unworthiness started in law school. But for many of us, the tendency to be extraordinarily hard on ourselves was cultivated years before that and was polished and perfected in both law school and then in the practice of law.

Imposter syndrome and perfectionism are not diagnosable disorders, and yet they often coexist with diagnoses such as anxiety, depression, and substance use disorders. Simply put, imposter syndrome is the feeling that we don't know everything we should, that others know more than we do, and that at some point we'll be "found out" as a fraud.⁶ Perfectionism is the need (real or imagined) that things must be a certain way. Both are occupational hazards for lawyers. Logically you know you aren't a fraud; you have the education and experience to justify what you do. But this is a feeling.⁷ It often creeps up in conjunction with perfectionism—you feel that what you're doing isn't good enough, that you don't have all the information you need when you walk into court, or that those around you know more about what is being discussed or argued. You might even

feel like it would be safer to stay silent.

In that way, imposter syndrome and perfectionism can also be linked to a type of social anxiety.⁸ We worry what others think about us and might even alter our behavior as a result of our assumptions. Some lawyers deal with these pressures by covering them up with bravado and, in extreme cases, bullying behaviors. But most of us cope by working long hours, double-checking emails we've already sent, agonizing over the brief, and spending too much time second-guessing ourselves, or berating ourselves for past mistakes. And some of us cope by emotionally numbing, isolating, and self-medicating with drugs or alcohol.



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Lightening Up

Unfortunately, there's no magic solution for imposter syndrome, perfectionism, anxiety (social or otherwise), depression, shame, embarrassment, and any of the other common side effects of being bright, well-educated, and achievement-oriented. There are, however, several daily practices that are free and don't take much time. Research shows that each of these can reduce our suffering and increase and improve our productivity, efficacy, relationships, and quality of life. Try some of these exercises when "legal enemy no. 1" is getting in your way:

1. "Though you can see when you're wrong, you know, you can't always see when you're right." — Billy Joel.⁹ "When you catch a mistake or an error, ask yourself "what was done correctly or right," and focus on what you can learn rather than on what was done wrong. If possible, try to have some amusement and humor about mistakes, or at least find something ironic about the situation.
 2. "Remember that if you are feeling like an impostor, it means you have some degree of success in your life that you are attributing to luck. Try instead to turn that feeling into one of gratitude." — Arlin Cunci.¹⁰ Especially during moments of distress, take several deep breaths and come up with at least three things in the moment that you are grateful for or appreciative of. Research shows that people who focus on what they appreciate have higher resiliency to stress.
 3. "Don't let the sound of your own wheels drive you crazy; lighten up while you still can." — Jackson Browne and Glenn Fry.¹¹ When things seem overwhelming, repeat this mantra: "This is not the end of the world, it seems much worse than it is, and I have the
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resources and the problem-solving ability to figure this out.” Then distract yourself with something else, preferably something enjoyable. When you are no longer upset about the situation, you will be able to find the solution.

4. “Joy is the most vulnerable emotion we experience. And if you cannot tolerate joy, what you do is you start dress rehearsing tragedy.” — Brene Brown.¹² When you find yourself focusing on what could go wrong, imagine how things would look if they were going really well to balance out the negative.

5. “Without leaps of imagination or dreaming, we lose the excitement of possibilities. Dreaming, after all, is a form of planning.” — Gloria Steinem.¹³ Spend at least a few minutes every day focusing on your dreams and aspirations. They can be big or small, but create lists of them, or a vision board. Or simply put inspirational images and quotes in visible areas, like your work station, to remind yourself of possibilities when you feel stuck or stagnant.

Conclusion

I’ve seen claims that while children laugh upward of 300 times a day, the average adult laughs between 15 and 25 times a day.¹⁴ When speaking to legal audiences about the health benefits of laughing, I’ll often ask attendees to estimate the daily number of laughs for judges and lawyers. Responses over the past seven years have ranged from negative five to two times a day. While the work we do is important and can have serious consequences, it doesn’t mean you have to take yourself too seriously. In fact, you serve your clients, colleagues, families, friends, and society better when you lighten up; after all, your resiliency, grit, stress hardiness, intelligence, cognitive abilities, and professionalism rely on this ability! ●

NOTES

1. McCarten, “A (not so) scientific experiment on laughter,” TEDx (Nov. 2014), https://www.ted.com/talks/anthony_mccarten_a_not_so_scientific_experiment_on_laughter.
2. Fox, “Stress Makes You Stupid (The Neuroscience of Survival)” (Jan. 26, 2019), <https://blog.usejournal.com/stress-makesyou-stupid-the-neuroscience-of-survival8c19c25b0f3d>.
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4. Richard, “Herding Cats: The Lawyer Personality Revealed” (2002), https://www.lawyerbrain.com/sites/default/files/caliper_herding_cats.pdf.
5. Cuncic, “Imposter Syndrome and Social Anxiety Disorder,” Verywell (Dec. 9, 2019), <https://www.verywellmind.com/imposter-syndrome-and-social-anxietydisorder-4156469>.
6. Sampat, “A call to deal with imposter syndrome, a hidden source of attorney distress,” ABA J. (Nov. 20, 2018), http://www.abajournal.com/voice/article/a_call_to_deal_with_imposter_syndrome_a_hidden_source_of_attorney_distress.
7. Loewentheil, “The Imposter Syndrome Prescription,” Above the Law (Oct. 20, 2017), <https://abovethelaw.com/career-files/theimposter-syndrome-prescription>.
8. Cuncic, supra note 5.
9. Lyrics to “Vienna” (1977). 10. Cuncic, supra note 5.
11. Lyrics to “Take it Easy,” 1972.
12. Okura, “Brene Brown: ‘Joy Is The Most Vulnerable Emotion We Experience,’” https://www.huffpost.com/entry/brene-brown-joynumbing-oprah_n_4116520.
13. “81 Gloria Steinem Quotes To Celebrate Her 81st Birthday,” Elle (Mar. 25, 2014), <https://www.elle.com/culture/celebrities/news/a15345/gloria-steinem-celebrates-eightieth-birthday>.
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