
RESILIENT LEGAL ORGANIZATIONS - LEADING THROUGH RELATIONSHIPS

BY AMY PHILLIPS, MBA, LCSW, LAC

To say the legal profession is fraught with suffering would be an understatement. From dealing with difficult people to handling client stress, graphic evidence, and constant deadlines, the well-being of the legal community can be negatively impacted daily. During uncertain times like these, we need resilience and positive coping strategies to manage the health crisis, the resulting isolation, and the sense of uncertainty (for professionals and clients alike). It is during times of heightened stress that we can all become leaders, helping our co-workers, colleagues, and employees experience a sense of thriving despite difficult times and developing a healthy new normal.

Clinical and medical effects such as secondary trauma, compassion fatigue, and burn-out due to daily exposure of stress are becoming more widely understood. As a result, many legal employers are looking to address, prevent, and mitigate these issues by improving the resiliency—“the capacity to cope with stress and serious challenges” — of attorneys and staff, according to Dr. Patricia Fisher in her book *Building Resilient Teams*. But, as compassion fatigue expert Francoise Mathieu asserts



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in *Beyond Kale and Pedicures*, developing the resiliency to cope with a highly stressful profession is more involved than eating that titular kale and getting a pedicure. The toll is real and we can no longer afford as a profession to leave our employees to their own devices to self-care their way to well-being.

With this in mind, how do we as organizations sustain employee well-being on a good day, let alone from a forced remote-work environment, so we can provide services with integrity for our clients and communities while

promoting employee resiliency? Viktor Frankl, a world-renowned psychiatrist and neuroscientist who survived the Holocaust, went on to write extensively about human suffering and thriving in the wake of extreme suffering. From this, he developed his theory on human resiliency, logotherapy (*Man's Search for Meaning*). Taking a lead from Frankl, we can start by intentionally tending to our people, capitalizing on part two of Frankl's logotherapy – relationships. The following five focus areas will put you on the road, as a leader and an organization, to thriving in the wake of the hurt our field often swims in.

1) Know where you stand: Whether you are leading from a formal position of authority or a position of influence, it starts at ground zero. How is your own resiliency? What resources are you utilizing to cope when you struggle? Are you suffering in silence? Do you allow your stress to negatively impact your relationships or your health and well-being? Leading by example is the best way to create change. You could speak to a mental health professional, such as at your free and confidential Colorado Lawyer Assistance Program (COLAP), about how you can work through areas where the cumulative toll of trauma and chronic stress are impacting your health and performance. Or you could make plans with trusted colleagues and friends or family to discuss what's impacting you. Don't white knuckle it until it becomes too out of hand.

Know where your people stand: Where is your company thriving and where is there room for improvements to well-being? When things get tough, is your company socially supportive, or do people deploy avoidance strategies?

Tip: Reward the *intrinsic* behaviors you want to see: outward behaviors that better the company, show investment, and are driven by internal motivation due to the individual's high level of loyalty or buy-in to the company's mission. Employees will attrition less and engage more if they believe in your agency's vision and the meaning behind it. It is thus important to foster intrinsic motivators. One way is by sharing anecdotal stories of those successfully served, bringing data to life, and tying it back to the agency's mission. Positive recognition that is intentional, tailored to and meaningful for each individual is key to your people coming together and thriving in the face of trauma but, as Dr. Patricia Fisher notes, it is "one of the first casualties of a stressed environment" (*Building Resilient Teams*).

Communicating appreciation is essential during a period of remote work. Checking-in on a more frequent basis when possible, acknowledging the adjustments, and laughing over the little things during meetings will help your staff and co-workers feel supported even if the current state of affairs is largely unknown. Your teams will appreciate your investment in their well-being, leading to increased loyalty. Cohesion in groups improves when they can look back on tough periods of time and remember how they pulled together and how their leaders pulled through for them all.

2) Know thy best self: What does your authentic, best life *feel* like in action? This could relate to optimal performance, but it is so much more than simply winning or looking good on paper. What does home life, social life, and physical and emotional health look and feel like in this state? For example, Am I engaged with my kids, connected to my partner, participating in activities I enjoy and intellectually stimulated by work challenges? What tell-tale signs does your body, or your actions, give when you are in the flow versus when you aren't functioning at your best?

Know your personal workstyle: logical, organized, supportive, or big picture -- and how that lends to your strength when you are operating as your best self and how it can turn on its side when you aren't (Tate, Carson. *Work Simply: Embracing the Power of your Personal Productivity Style; WorkStyle Patterns* (WSPTM) Inventories).



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Remember to celebrate joyful moments; it's one of the most effective ways to combat stress and trauma. If we become too good at numbing out the hardships and pain, we risk also numbing out the good.

Know your agency's best self:

What are your company's humble brags? Do your brags resonate with your mission? Celebrating successes is key, but a beneficial celebration should support, not detract from, your values. Focus on things that uplift (i.e., the enhanced skill set an attorney gained from a difficult case) rather than on beating the competition or the other party getting what they deserved.

3) Transparency and communication:

When stress reaches chronic levels because of the current pandemic, being short-staffed, bad publicity hitting the press, etc., do your staff feel trapped due to the need to defend against the unknown alone? Hardship is much easier to cope with in a healthy manner if your employees believe there is open dialogue as opposed to wondering if leadership is hiding the ball.

Can employees trust their leadership to:

- a. Acknowledge, name, and normalize the struggle(s) at hand,
- b. Have a plan to address the concerns, and
- c. Guide their people to the light at the end of the tunnel?

4) Don't go it alone: It is normal to want to isolate under chronic stress and trauma exposure, but it isn't helpful in the long run. In *Dare to Lead*, Brene Brown attacks the myth of going it alone: "From our mirror neurons to language, we are a social species. In the absence of authentic connection, we suffer. And by *authentic* I mean the kind of connection that doesn't require hustling for acceptance and changing who we are to fit in." To be effective personally or organizationally, this must be a planned and intentional endeavor which is consistently exercised and honored over time, like any skill or muscle.

Tip: Create a culture that engages your staff by learning what is meaningful for them. For example, some introverts may prefer planned small-group formats while some extroverts may want to network in a more free-form fashion. This will discourage employees from operating on an island and ensure buy-in from both introverts and extroverts alike. Prioritize socialization through use of technology during times of remote work, whether the remote work is forced due to the recent pandemic or a normal option for your employees.

- Engage seasoned practitioners in mentoring new professionals and develop a relationship with the free Colorado Attorney Mentoring Program (CAMP).
- Rather than specializing certain difficult/high trauma case types (which isolates and exposes a few seasoned individuals to

particularly disturbing content for indefinite timeframes), share the load. Broaden your pool of experts and rotate both seasoned and growing professionals every couple of years to regulate exposure levels.

- Intentionally model moments of vulnerability. As you learn to navigate the ups and downs of workspaces invading home life (and vice versa), share them in a lighthearted manner with your teams. That pet or child invading the team meeting can be just the laughter we all need. It also is a great opportunity to model adapting on the fly (OK – I need to play with the kids before the big meeting starts to wear them out a bit) and shows that leaders are human just like the rest of us!

5) Take stock of your assets:

To continue the theme of not going it alone, in *Living Forward* Michael Hyatt and Daniel Harkavy promote consciously knowing what fulfills each of us at physical, mental, emotional, spiritual, and relational levels. Take stock of what is required to effectively cultivate those assets. Have you ever stopped to think which *authentic* connections are key for your own well-being? How about for your workforce? If those relationships were bank accounts, would they be fully stocked?

Ensuring our teams thrive and develop resiliency requires us to tend to both the relationships and the overall culture of the organization. This takes reflection, planning, and effort to maintain, but the reward is well-rounded resiliency to combat the curve balls life inevitably throws at us and our people. ●

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