

Interview with Dr. Ahnna Lake

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Laurie LeClair: You were writing about professional burn out in 1995. Why do you think it persists?

Dr. Ahnna Lake: It persists because the professional subcultures we work in still don't understand burn out and its costs—both to the individual and the organization. Burn out is not appreciated as the depletion of physical—and thus emotional—resources that it really is. This was not the prevailing view back in 1995 when I wrote about burn out for you. Since then my position on burn out as depletion has been vindicated repeatedly by scientific findings. Older views of burn out were that it somehow reflected one's not having "the right stuff" for professional life, or as some abstract personal crisis. Now that we know that burn out is really about surpassing one's *biological* limits—limits that every one of us has—we can no longer continue to ignore it.

Another important reason why burn out persists, is the belief most of us share that keeping a "stiff upper lip" and just "toughing out" problems is desirable and a sign of personal strength. This attitude keeps us from confronting important issues and allows the resulting neurochemical stress responses to go on too long. Uninterrupted stress damages bodily systems. The body can handle stress without this type of damage when the stress is broken up with effective means of recovery. Unfortunately, most people equate recovery with vacations, when what I really mean here is recovery built into each day. It is essential for professionals to realize that serious stressors cannot be ignored without paying a physiological price.

Studies show that almost 2/3 of lawyers are considering a career change. Is job dissatisfaction worse in the legal profession? Why?

Let's acknowledge first that while professional life is tough, it also offers rewards, both internal and external, that make it worthwhile. When people think about leaving a profession, it is generally because the personal costs of their work are outweighing the rewards. Burn out can be an important contributing factor here as it robs one of one's enjoyment of work. It also greatly increases the physiological burden of getting one's work done. Of course, this is only one of the factors that drive professionals out of their professions, albeit a common one. Sometimes shifts out of the profession occur for reasons of personality. A small percentage of lawyers find themselves not be a

good fit for the roles they have chosen. I know one lawyer who realized this and was much happier with a move into mediation.

In a letter summarizing the findings of a report on the future of the legal profession, the ABA Standing Committee on Professionalism made some sobering observations. They warned that the reality of professionals working "too fast, under too much time pressure, and with too little time to themselves and their families without the pressure of work," could not continue without consequences. "The inevitable 'burn out'," the letter concluded, "in whatever form it chooses to visit itself upon a particular individual, will take a tremendous toll on our capacity to live satisfying and productive lives and to undertake our work patiently, wisely, with civility, and with an appreciation for the 'big picture' which defines us as professionals." Vermont attorney Ellen Fallon authored that letter.

Until we start placing the issue of "sustainability" on the table when we discuss work conditions for lawyers, the problem of burn out will not be overcome. I will tell you, though, that professional discontent is not limited to lawyers. Doctors as well are suffering from widespread alarm over what has become of their work-life. Given the enormous talent pools found in the professions, better solutions to our work-life issues can be found—if we look for them.

If you'd like to read a firsthand account of why lawyers do choose to leave the profession, I recommend reading Deborah Arron's *Running From the Law*, in which lawyers tell their own stories.

The nature of legal practice is intense. Legal advocacy is, by definition, adversarial. So how can an attorney reasonably expect to stay in the profession, make enough money and improve her quality of life by decreasing stress? Isn't it true that most people don't change their situation because they feel they have no choice?

We need to change our approach to professional life, from diving in and hoping for the best, to consciously learning how to rise to its challenges. Only, when I say "rise to," I'm not implying some abstract, courageous act of will. I mean becoming adept at self-care, emotional self-management, and other techniques that will allow you to stay in control of your work life - and walk away from it in the end healthy and enriched. Unfortunately, these essential skills were not taught to us during our training.

When you feel you don't really have a choice about what you're doing, that in itself is a bad sign.

It's a harbinger of serious burn out, and definitely the time to find a counselor or coach. Feeling trapped is a stressor of the highest order and not something you can remedy easily on your own.

One way to reclaim the enjoyment of an intense workday, at a lower personal cost, is through applying the concept of the "flow state" (also known as the "zone") to the challenge. These are terms that some will be familiar with from athletic life. A flow state is the most focused, optimal, efficient state in which to perform any task. What we know about the flow state is that it is not only the most productive state, it is also deeply satisfying and requires the least amount of energy. Neurological tests have shown that the brain, in this state, is very quiet except for those areas concentrating on the task at hand.

Learning to harness the power of this ideal performance state is obviously a much better solution to the demands of professional life than leaving performance (and enjoyment) entirely to chance. Here everybody wins, the firm and the individual attorney. You can refer to James Loehr's excellent book entitled *Stress for Success* for an outstanding and practical guide to achieving this for yourself.

How can we assure that we follow the adversarial model and are effective in the courtroom/during negotiation/in our transactional practice during the day while continuing to be nurturing/supportive/cooperative/collaborative with our family and friends?

This is a very important question. An inability to drop out of a confrontational mode when required has been responsible for strained or failed marital relationships among many lawyers. Many find it difficult to change roles on demand.

Those having trouble shifting between personas at the day's end will benefit from developing one or more ways of *consciously* doing so. Many people require some alone time before or just after arriving home to effect this shift. Exercise is great for this purpose. Mind-body relaxation techniques such as meditation are also excellent. I'm only a novice at meditation yet can clear my mind completely in under twenty minutes using this technique. Each person needs to find, by experimenting, what works for them.

Most areas of legal practice are quite conflict-oriented. Do you think this significantly contributes to attorneys' malaise?

Only certain personality types operate comfortably in an environment of conflict. Others pay a heavy personal price for subjecting themselves to this type of discord. Unless the latter can learn to cope with this discord as the necessary cost of a worthwhile end, a better solution for them is perhaps to use their skills in some other way—such as in alternative dispute resolution, for example.

In your experience, have you observed any erosion or breakdown in effectiveness in attorneys over time due to "burn out"?

Professionals usually put their work first and it's often the last thing in their lives to suffer when they burn out. At first it's not quality of work that suffers so much as efficiency—everything just takes longer. Since work quality *can* remain acceptable until the problem is far advanced, people may not suspect burn out in themselves. Even when their health or relationships deteriorate, and they become an angrier and more sarcastic person or—alternately—a more insecure and anxious one, they may not suspect burn out. When things finally do fall apart, it can happen fast. For this reason, it's important not to fool yourself that you can't be burning out because your work is still fine.

Short of taking more vacation time (which is impossible for many people), what can Vermont attorneys do to improve their lives?

Ultimately, the answer doesn't lie in vacations, but in a satisfying day-to-day life. Besides, many professionals find that they hardly relax before their vacation ends. Vacations are a poor replacement for a three-dimensional life. Ideally, they would enhance your life, not fill a void.

This is a question that can't be answered in a paragraph or two. Improving work-life is a process one enters into, and it must be individualized. The people I know who have turned their professional lives around and now really enjoy their work, have all worked hard to achieve this end. There is a lot of good help that can be had on this topic from people and publications. I *can* tell you that the investment can reap a huge return. It starts by taking control of your schedule, and learning some concrete strategies about managing your practice more effectively—a topic we heard nothing about in school.

Do you think the biggest contributor to burn out is bad time management?

No, I think it's a failure to respect our biological limits and our body's recovery requirements. We ask ourselves to go flat out as we enter professional life and then keep on going flat out indefinitely. If I asked you to go outside and sprint, you could sprint for a while, but you couldn't keep up the pace. It is a question of *sustainability*.

Again, demands must be balanced with recovery. For example, a pathologist I know found that the long hours he spent looking through his microscope were tiring. He wanted a better solution than his ritual coffee, which didn't drive real recovery. Now, when the afternoon catches up with him, he takes a conscious break, walking outside for some fresh air and to stretch his legs. Afterwards, if he still wants a coffee, he allows himself one, but not *instead* of giving himself what he really needs. This is a much more significant step than it may sound.

Have you had any contact with professional coaching organizations such as "Atticus"? Do they work?

Yes, coaching services can help tremendously. It becomes difficult to see your own situation objectively after a while. Even if you can, it's altogether another thing to know what will improve your situation. The right coach or counselor will first challenge assumptions you are making about the way things have to be. They will help you reassess priorities and provide you with solid, intelligent options for improving the quality of your professional life. Through them you will also hear what worked for others in your situation. Professionals are often frustrated by advice given to them by people who do not understand their professional reality. It's a great relief to discuss things with someone who does. I have never worked with *Atticus*, but I am aware of their program and it sounds excellent.

Do you think there is room in the legal profession for an unconventional approach to the practice of law/law office life?

I think that we professionals have been embarrassingly uncreative about the way we conduct our work-lives. Think of the advanced problem-solving abilities we all have! The problem really lies in our belief that things have to be the way they are. Beliefs drive behavior. When we stop believing that we're just "victims" of our situation when we are really its *perpetuators*, then we will see a change. Another problem is our belief that we live two lives, one personal and one professional. In truth, our professional and personal lives are inextricably intertwined. It's artificial to see them as remote from each other.

Let me point out, however, that good solutions to work-life problems need not be radical even though I said earlier that you have to work at it. Many of the professionals I've worked with were a lot closer to enjoying their work than they realized. You'd be surprised how great an affect changing one factor in your life can have. This can be the resolution of a health problem, adjusting work to your personality style, or any number of other changes.

Some firms have moved toward the comparatively simple solution of lowering the required annual billable hours. In Walt Bachman's excellent book, *Law vs. Life*, he argues that for every 100 hours a year a lawyer works above 1,500 billable hours, he loses 10% of his soul to work.

Clients are more demanding today than ever before. Is this an impediment to improving our lives as lawyers? Why do you think clients are more demanding today than before?

That's a tough one to answer. Doctors are facing the exact same problem and it is highly disconcerting to them. I think it's true that clients are more demanding today, and also less appreciative. Part of the reason is that consumers are better-educated now, and this is translated into a sense of entitlement. But I think there has also been a deterioration of courtesy and respect for others in general. This makes day-to-day interactions unpleasant and more tiring.

Just like in other relationships, though, I think the professional has got to set boundaries as to how he or she will be treated. We must also learn how to manage our time so that the people we work for feel heard, validated, respected. Somebody has to break this unhappy cycle of alienation between clients, their professionals, and vice versa.

For an interesting perspective on how societal trends have affected practice life over the last forty years, again I refer you to Walt Bachman's *Law vs. Life*.

In terms of the psychiatric forms burn out takes (adjustment disorders, major depressive episodes, paranoid disorder, impulse control and substance abuse) have you observed a disproportionate incidence in attorneys? In attorneys in certain disciplines? In female or male attorneys?

Due to the fact that burn out ranges along a continuum from mild to severe and so often goes unrecognized, we cannot really talk about its incidence accurately. I *will* say that I haven't seen a big difference in occurrence between the genders, although it's interesting to me that in my practice I see more men than women—even though women are known

to seek needed medical care more frequently than men. This tells me that the professional well-being approach appeals to men. This approach is not psychiatric.

In the field of Professional Effectiveness and Well-Being, we offer an alternative to the often stigmatizing approaches to personal problems that have traditionally been available to professionals. We operate under a different set of beliefs. We see professionals as an incredible, talented group of people taking on very difficult tasks. We see it as our job to help professionals in that endeavor, and to work toward removing obstacles from their path that could keep them from expressing the gifts they bring to their work. We view personal development as a natural part of professional life. We abandon stern labeling and the disease model in favor of down-to-earth concepts and a wellness philosophy.

Do you think that this phenomenon (burn out) is the cause of many attorney discipline cases (cases going to the Professional Conduct Board) or malpractice cases?

Definitely so. What we need to do is learn to recognize the signs of burn out earlier. Nowadays, I teach people to track four important indicators of health over time to help them do that. These include quality of close relationships, energy, general health, and satisfaction with daily life. When you notice, over a period of months, a decline in these impor-

tant indicators of the success and sustainability of your lifestyle, you need to make changes. We need to pay attention to feelings and symptoms that tell us something is wrong, not override them. In James Loehr's book *Stress for Success*, he asks if you would tape over your instrument panel if you were a race-car driver. Our bodies and minds give us signals for a reason.

The law firm culture would define long hours and no personal life as commitment, discipline, ambition; the mental health community would look at this lifestyle as a recipe for burn out. Can the two attitudes be reconciled?

They must be reconciled. This is what we're working on in the field of Professional Effectiveness and Well-Being. It's a myth that you should sacrifice personal needs to professional life in order to succeed. In the long run, repressing personal needs and driving yourself continually to your limit is more likely to compromise your performance than enhance it. No one wants to be the first to say so, but the law firm culture you describe above is dehumanizing.

Still operative in the professions and their schools is a "motivational" method built on hardheartedness, an abuse of power, and shame. We have yet to tap the potential of other motivational methods, such as promoting a professionalism based on maturity and productive good health. I think that many people still think that they must bully and

negatively pressure people to produce their best. I don't believe that this is necessary.

We need to be honest about the meaning of success. What have you accomplished if you've alienated those close to you, damaged your health, or broken your spirit?

Many attorneys who want to cut back or try an unconventional approach to their workday (Of Counsel, part-time, job sharing, telecommuting, working on a contract basis) are secretly afraid to do so because their peers would view them as not being able to "take it." How would you counsel these attorneys?

This is a good example of the intimidating pressures to conform that exist in professional life. Who says there is only one way to do good work? It's amazing how strongly professionals defend the same life that they may be just barely tolerating themselves. We have the same problem in medicine, and it helps me sometimes to see my own professional subculture as a cult that wants to perpetuate itself! Most often, the individual that has the courage to make a well-thought-out change ends up admired.

It's only the initial steps of change that are really hard, though. Once you're enjoying your work again, you won't believe it took you so long to make the necessary changes. Besides, many *can't* in fact "take it," hence all the burn out we're finding in the professions.