Speaker 1 (00:00):

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Speaker 2 (00:14):

Hello and welcome to today's GT Social Justice Action Academy program, a courageous conversation on mental health challenges and approaches. Our speakers today are Marcia Narine Weldon, lawyer, executive coach, and founder of Illuminating Wisdom LLC, and our conversation will be guided today by Daniel Taylor, a diversity, equity and inclusion manager at GT.

Daniel Taylor (00:37):

Thank you. Welcome everyone. Marcia and Tim, thanks for joining us and we're looking forward to hearing what you have to say. I am, as my intro said, a DEI manager based in Minneapolis. Marcia, I'd love to hear a little bit about yourself and your background and what resonates with you within this space.

Marcia Narine Weldon (00:57):

Well, first of all, thanks so much for having me. I'm thrilled to be here. In a former life before I went to law school, I was a paralegal in New York. I've been practicing law for 31 years. I am [inaudible 00:01:07] a happy lawyer for 31 years. So when I talk about stress and courageous conversations, all my stress came from my personal life. But part of the reason that this is so important to me is that over a period of time, I was hospitalized six times in six years for what doctors thought were heart attacks or strokes because I didn't know how to deal with stress issues. So I have a big law background. I've been at Cleary, Gottlieb in New York as a commercial litigator, Morgan Lewis down here in Miami doing labor and employment. I spent 12 years as an in-house lawyer dealing with corporate governance compliance.

(01:38):

I was a chief compliance officer, chief privacy officer, general counsel of a startup. We're not doing much right now so luckily I have time to be on this call and I'm a full-time law professor. And finally, I'm also an executive coach for lawyers, people in professional services firms, people who feel like they can't fail, people who feel like they can't make mistakes. And why I love doing presentations like this, I just did one for the Florida bar last week on similar topic, is that it's my goal to help change the profession, because a lot of lawyers and people who work with lawyers are miserable and unhappy, and I don't think it has to be that way. And a lot of it is due to the inability to think about stress in different ways and because of the burnout. So I know we're going to have some of those conversations and I'm really excited to dig into it.

Daniel Taylor (02:20):

So that's fantastic. I think we should maybe level set and provide some context here. The ALM recently published a mental health survey and showed that there was, I believe a 10% increase in participants saying that they have felt mental health problems. This seems to be increasing year over year. From your perspective, do you think these are mental health issues on the rise or is this a response to perspectives changing around that openness?

Marcia Narine Weldon (02:49):

So I think it's a little bit of both. And although I don't plan to do any reading during this, I am going to read off some of the statistics because I think it's really important, right? So I work with lawyers, but I work with others that are in professional services firms. Everybody is feeling a level of anxiety and we're feeling more comfortable talking about it. Even on LinkedIn, lawyers, people in professional services firms are talking about mental health well-being. May is mental health awareness month, right? So it's becoming more common. But lawyers and people who work with lawyers have some particular challenges.

(03:21):

So every year the ALM does a mental health survey of the legal profession. And I just want to give you some statistics. And this report just came out the past couple of weeks. 49% of respondents and they interviewed 3000 lawyers, said there's a mental health crisis in the profession, mental health and substance use. 71% of the lawyers said they had anxiety. That's a 5% increase. By the way, that is much higher than the general population. 45% said that their morale has not changed since the pandemic. Because during the pandemic, everybody was feeling anxious, nervous, but people are saying it's still similar. 38% say they've dealt with depression. The number of lawyers who struggled with another mental health issue has more than doubled, 31% up from 15% in the last year. That could be due again to more awareness, people seeking more help. 44% say they know a co-worker who struggles with alcoholism.

(04:13):

And for the younger lawyers here, the statistic from the bar association is that 32% of lawyers under the age of 30 have a problem with alcohol or substance use. 15% of lawyers survey say they know somebody who has died by suicide in the past two years in the profession. Lawyers, by the way, fourth highest rate of suicide. More than 50% of lawyers, and I want you guys to think about whether this is you, said they felt a sense of failure or self-doubt, lost emotion, increasingly cynical and negative, decreased satisfaction. A third of lawyers feeling helpless, 60% say they feel overwhelmed, irritable, exhausted with struggles to concentrate. And interestingly about vacation time, 28% of lawyers survey they said they used all their vacation time, but only 31% said they could fully disconnect while on holiday.

(05:00):

I remember years ago when I was an in-house lawyer, I was on the Great Wall of China with my son and I was taking a work email. It was the most spectacular moment he could ever experience. He says, "Mom, look at this." I'm like, "I got to respond to this email." Because we just don't know how to disconnect and that's a problem. 76% of lawyers blame their work environment for their problems with a large part of the ability to disconnect, lack of sleep, which is something we're going to talk about. 51% of lawyers said they'd feel comfortable talking to an offsite professional, maybe like EAP, but only a third said they felt that they could take a leave of absence to take care of the mental health. Whereas if you had a baby or you had to get surgery or you were getting cancer treatment, you'd have no problem doing that.

(05:41):

So one of the things that I hope that the profession starts to change and that law firms like GT and others who can be a leader in this space is let people know that if you need to take that time, you need to take that time. There's ethical issues. If you are a lawyer and you are operating impaired, right? If you were the 40% of people with a substance use issue, you're likely operating impaired. How are you going to deal with your ethical duty of competence? Do you have duties to withdraw? So all of these are things that, is it getting worse? Absolutely. Is awareness heightening? Also, absolutely. And you might

see higher numbers because more people are going to get help and get diagnosed. That's the cheery way to think about it. But with all the societal pressures going on, I definitely have seen it. I see it with my students, I see it with my colleagues, and I see it with the lawyers that I work with.

Daniel Taylor (06:28):

I'm curious, where do you see the change, as it were, needs to start? And we'll get into grit in a little bit, but I wonder about those people who came up in a system, that's a very grinding system and they said, "I put in my dues. I know that it's stressful, but it made me a better lawyer." Versus when is it actually more harmful maybe to your ability to be a successful attorney. My question, I guess, in other words, is it up to the older generation or the younger generation to really know how to navigate this?

Marcia Narine Weldon (07:00):

Right now, the current workplace is there's five generations of people in the workplace. I work with some of the people who are going to be feeding into GT and other firms, and I purposely give them a ton of work and they're like, "I'm stressed, I'm overwhelmed." I said, "Wait until you get to the firm. Nobody's going to pay you hundreds of thousands of dollars if you don't expect to get the work done." But we don't necessarily train them. I tell them, "When my generation dies off, then you're probably going to be working less or fewer hours." But I don't think we have to wait for people like me to die off, because I think when you have, this is why I'm so glad that GT is doing this and why I talk to lawyers and firms all over the place, it just takes one partner or one practice group or one shareholder to be able to change the culture of that practice group so we don't need to. And that person could be 70 years old who says something doesn't have to be this way. It could be the in-house lawyers, right?

(07:50):

Very little that you all are doing for your clients, because I've been an in-house lawyer. Unless you're dealing with a dawn raid or the government is there or there's a major immigration sweep, there's not a lot of huge emergencies that have to be done in the time sensitive way that we do it. So I think if the profession starts to think about how we're prioritizing, where you're putting boundaries, is this important or is it urgent? Just even having those kinds of things, thinking about workflows, things can change. The short answer is and the hope for the junior people is you don't have to wait for my generation to die off. But my generation also was the generation of team no sleep, right?

(08:24):

When I was the first year associate at Cleary, we had a jury trial. I was excited. At second year, I was going to be a single mother though, I was pregnant. There were times when I built 21 hours a day when we were preparing for trial. And this was difficult because my doctor would say, "This is not good for the baby." I went into preterm labor twice. And then as soon as that case settled in the middle of trial, after two weeks, I was on bed rest for seven weeks. And then the minute I got off bed rest, I went into labor. So a lot of times, the profession, and that's how I was trained, and by the way, people are like, "You're such a good lawyer." That's terrible, but that was 27 years ago. It's still happening today. And until we start thinking about she really doesn't need to be here 21 hours a day or I mean literally 2100 hours a day, I built 2100 hours the year I was sick with mono on leave because by the way, I kept working, right?

(09:16):

So those are the things that we have to change that mindset of what it means to work, what it means to be competent. Because if you look at the statistics about why lawyers don't kids connect when they're on vacation, is they're afraid that they're going to miss out. They're afraid that if Daniel doesn't see me in the office or doesn't see me checking in, maybe I'm not going to be in needed anymore. And that's

where issues can become very difficult. And that's why you see the lawyer saying that they're miserable. And a lot of it is self-imposed by us, by the way, because we feel that nothing can go on if we're not involved. And some of that is some mental mindset work we've got to do ourselves.

Daniel Taylor (09:51):

So fascinating because almost a catch 22 that constant need to be part or to be included or to feel like if I don't show up, I'll be left out on the next pitch, the next matter. But on the other hand, there's a real sense of isolation. That I'm alone in this experience, that I don't have the resources to connect. Can you speak a little bit to that duality of this connectedness and isolation all wrapped up?

Marcia Narine Weldon (10:16):

Well, it's interesting. We are more connected than we've ever been between the devices and the Slack and the Discord and the emails and the internet and the social media. But we've also got a major loneliness epidemic, the CDC, others will tell you about that. And I think for lawyers, it's especially difficult because other than doctors, there's not a whole lot of people that put the level of stress that we have, that we feel like it's a life-and-death thing or it's super important or we just can't fail. There are very few other professions whereas a profession, perfectionism is a virtue. And I don't think that that should be the case. I think you can have where you want to be accurate, you want to be correct, but nobody is perfect. And so when we try to tell other people, "I've got all this work to do." and people say, "Just take a break, it's going to be okay. The firm would be fine without you." We don't live in a culture that encourages that.

(11:07):

And by the way, whether you're in big law or small firms, etc, your solo practitioners by the way have the highest level of burnout, partly because of the loneliness. And I also look at things like the return to work policies, right? I'm sitting here, I'm looking at the ocean right now because, and I'm perfectly happy to never go into work, but when I do go to work, I do actually feel a connection. And the studies are also showing that most workers, although they don't want to necessarily be in the work five days a week, coming back two or three days a week helps bring that connection because we as human beings are social human beings. We are hardwired.

(11:38):

So even if you take out the people should be in the office for mentoring or people should be in the office for those casual conversations of the water cooler, etc. It's really more of the connection with other people. To be able to bounce ideas, to be able to be creative. And I think that helps with some of the loneliness. So I'm not saying that everybody's got to be at work five days a week, but there is something to be with your comrades and to be with your colleagues once a week, twice a week, which will also help you with the loneliness.

Daniel Taylor (12:05):

That's great to hear. I know this is a courageous conversation. GT really prefers or encourages, I should say, people to be in the office. And as somebody who transitioned here a year and a half ago from a firm that was a little more flexible, we'll say, it's been really great to meet people here and to feel that connectedness and it makes me happy to come into work each day. So that's my personal anecdote and preference.

Marcia Narine Weldon (12:32):

And I encourage it. And especially for people who are a junior and just getting started, because that's the way you'll get to meet people and people will get to know you beyond the matter you're dealing with or that bankruptcy case, because if you're doing things just by email or by Zoom or whatever your internet is, you're not necessarily going to have those chatty conversations because I've got to go to my 10:00 call then my 11:00. There are days when I'm on Zoom 13 hours a day and it's exhausting. And actually just physiologically, we're not meant to look at our faces like this. That's part of the reason we have Zoom fatigue.

(13:02):

So just for another reason in terms of making you feel better physically and mentally, being able to have a face-to-face conversation or a phone conversation, but a face-to-face conversation is actually probably going to make you feel physically better as well. And that's why when I talk to people, it's like if you can be in the office a few times a week, you're actually probably going to feel less exhausted. Even though you may have a commute, physiologically, you're probably going to feel a little bit better.

Daniel Taylor (13:27):

Also, don't have that constant fear that I'm going to freeze in the middle of a sentence just ruining my punchline or smart point or whatever. So that's great. Well, so I'm interested in how stress impacts lawyers. Do you notice a difference in, and actually professional staff as well, I should say, we all work in a very, as you said, perfection-driven industry. Do you notice a difference in terms of big law solo practitioners in-house or outside counsel? Is the stress the same? Are the influencers the same across the board?

Marcia Narine Weldon (14:04):

It's interesting. When I left big law to go in-house, people are like, "Oh my gosh, your life is going to be so cushy. You've got that cushy in-house life." Not true. I actually worked more hours and had more "stress" when I was an in-house lawyer because you're right there next to your client. Your client is the business. You're walking to the bathroom and somebody starts asking you a question and you're expected to know things all the time. You might be dealing across different time zones. You've also got to think of the business issues. You become the business partner. It's a very different kind of environment. And I think a lot of outside counsel don't necessarily realize my client's making these unreasonable demands. It could be because your client was on the way to the bathroom minding her own business, and then the CFO said, "I need X." And then all of a sudden that trickles down to you.

(14:43):

For a small firm, I speak to a lot of small firm practitioners. They've got to worry about, "Am I going to make the payroll?" I've got to be the accountant, I've got to do all these other things. How am I going to get business? People who work in government can be particularly stressed. So I think the field itself, even if you're not billing hours, the feeling of "being always on." And that's another thing that the ALM survey talked about. And by the way, because I know some of the people here are not lawyers, right? When I was a paralegal and we had major cases, we were dealing with discovery. I was sitting there just as stressed and exhausted side by side with the associate and the partners. So I think it is the profession, not necessarily the position that causes the issues.

Daniel Taylor (15:26):

What things within the profession are being done to help blunt some of that stress? I think of something like ERGs, employee resource groups as an opportunity to bring people together through affinity so that

they can kind of relate. But the risk in those is that you offer a space that can become a toxic complaint session or complaint zone. How do you keep those positive and productive?

Marcia Narine Weldon (15:52):

Productive is the most important thing. And I think if people feel empowered to say, "All right, I'm a member of this ERG or this affinity group, we've got some suggestions to make things better." And if management says, "You know something, we want those suggestions. We may not take all of them, but we're going to take them into account." Just feeling empowered makes a difference because I think a lot of people, regardless of what level they are, unless they're the managing partner of the firm, sometimes they feel that they're powerless to make change. And one of the things that causes people to get burned out, we talk about stress, but there's also burnout. If you think about stress as something, I really care about this and it's not going the way I want it to go, that is the Sesame Street version of the way to think about stress.

(16:34):

So example, I have two critically ill parents right now. My father had a medical emergency last week. If I tell you that, you care about it because a human being, but you're not going to be really thinking about it. You're not going to be stressed about it because it's not something that affects your daily life. We think of everybody's got stress, but then we think about chronic stress. That term that goes to long-term stress. Regular stress is going to cause the physical manifestations. It's going to cause you're not sleeping well at night. You might be vomiting, you might lose hair, all of those things. Then it goes into burnout. Burnout is that chronic stress that you can't get rid of. That's the time of situation where you just don't feel like you want to get out of bed in the morning. It often has more of an emotional toll.

(17:11):

As a matter of fact, the World Health Organization has now called it a syndrome, which means you can't, by the way, take workers' comp for burnout, but it's, think about how that affects you as a person and think about how it affects your client services, because you no longer have the joy in doing it. And when people feel like they have no purpose, which is getting back to the resource groups and the affinity groups, people have to feel like there's a shared purpose, that there's a commonality and they have the ability to do something. So when firms go wrong is that they'll set up resource groups or affinity groups or they'll have a lunch and learn and they'll bring in the mindfulness person for the day or whatever, and then the next day everything is forgotten. It was kind of like a check the box exercise.

(17:51):

And so where I think resource groups can be really helpful is if, "Hey, we've got a problem that we need to solve, we'd like your suggestions and we really will take them seriously, but come up with a bunch of different options." Because otherwise, if you get people excited that there's hope and then you don't do anything about it, that's actually even worse. And that's where a lot of firms are also going wrong. They're bringing things in, bringing people in and bringing resource groups in, bringing consultants in, but it's really still business as usual. And the people that are dealing with the stress or the people that are dealing with the burnout, they get even more disengaged. And a lack of engagement at work is really the biggest issue.

(18:28):

And if you feel passionate about it, but you've now started to lose your sense of passion, then it's a circular thing. Is that where the depression coming in? Are you losing your passion because you're depressed or are you depressed because you're losing your passion for the work? That's where affinity groups can really be helpful, but should be more like cheerleaders not like in a toxic positivity way, but

in a way that let's try to do some constructive change because we're all in this together. We've got this social contract of being a GT or being at this law firm. How can we make things better?

Daniel Taylor (18:56):

That is such a great point about being heard and not necessarily that management needs to react to every suggestion, but to sit and listen and that feeling like you've got buy-in at all levels of an organization. That's a great point. Once somebody is along the path of burnout, is there any saving them from an organization or a personal standpoint or is it just it's best for everyone just to move on? Is it reversible?

Marcia Narine Weldon (19:26):

Burnout's reversible, but it takes a lot of work, right? Because remember, you don't get burned out... Remember, let's think, we got the continued gut stress, chronic stress, and then we get to the burnout. You only get really burnt out if you really, really cared about it but now you've lost that passion. So that is not something that I can say, take two aspirin and call me in the morning. It might require therapy, might require coaching, but it also may require a thought of, I always tell people, you've got to figure out what your values really are, because a lot of time when people deal with their chronic stress and burnout, the job no longer fits. It no longer aligns with what their personal values are.

(20:00):

And as lawyers and legal professionals, we get so intertwined. We care more about the clients than we do ourselves. We care more about the client and client service than we do our own families. And so sometimes people need to step back and which is why that statistic about whether people could take a leave of absence. Sometimes when you're gone on your vacation, you sit there saying, "I really missed that." or you say, "Wow, I don't miss that at all." And sometimes you might need to step back, but I don't think you can deal with burnout by just saying, "This too shall pass." Because it's just going to get worse. And when we see the symptoms of burnout are very much like the symptoms of depression and others, that's why you see these high levels. When you see the statistics saying people are not satisfied with their work, that's because I think much of the profession is in a state of burnout. So it's not irreversible, but it's not something that happens overnight to change.

Daniel Taylor (20:54):

How do you know when you're burning out versus when you are gritting it? You're always going to deal with a bit of adversity in your career. And when does it become too much?

Marcia Narine Weldon (21:04):

I think it becomes too much. Like I said, when it's having physical manifestations. When you are not sleeping properly, when your hair is falling out, when you're sitting in your car or sitting in the Zoom call saying, "If I have got to talk to Daniel Taylor one more time, I'm going to stick a needle in my eye." Right? Something like that. That's when it becomes, but also you'll see when you're not able to sleep. And one of the things that... It's not a quick fix, but one of the best things people can do, because stress and burnout take a physical toll on the body, is if we understand how our brain works, how our chemicals work, how the neurotransmitters work. Some of you that are on here may be on antidepressants that deal with your serotonin level. But there are ways, and again, I am not a doctor, but there are ways to think about how can I naturally work on the neurochemicals? Whether that's dopamine.

(21:53):

So dopamine for example, if you guys have ever gone into a casino and you hear the pings and the dings, dopamine is that reward chemical. There's ways that you can naturally, make sure you speak with your mental health and medical professional, help to increase your dopamine in a good way without going too much. You've got your serotonin, which helps regulate the mood. So there's different things that you can do looking at light, looking at sleep. There's things that can help you so that your body is dealing with it. Because what's happening is your body is so beaten down that it's saying, I just can't take anymore. So even if you're able to be at work, and many of you might say, "I don't know anybody who's burnt out." Chances are you're sitting around people who are burnt out right now. Doesn't mean you can't function, but you've lost the joy in doing it, which means by the way, you might start making some careless mistakes or you're no longer able to be the perfectionist. And that's also going to have an impact on client service.

Daniel Taylor (22:44):

What can we do to support our colleagues who may be burning out or maybe we think they're burning out, but we just, how do we recognize in our colleagues?

Marcia Narine Weldon (22:55):

So how do you recognize, I'm going to think about, how do you recognize it? You'll know. Well, actually you might not know, but think about that person who's not speaking up so much in the meetings. That person who has a very flat affect, like they used to be smiling, they used to be, but they can't even fake it anymore. The person who's no longer interested, maybe you guys are coming into the office because you want to have some connection and there's the happy hour and that person who wanted to go before doesn't want to go now. Now by the way, what can you do? Ask. Hey, is everything okay? Can I help you?

(23:27):

Now, I'm also been an employment lawyer for 26 years so I know the employment lawyer's like I don't want to hear anything about their depression, their anxiety, their this, because what am I going to do with that? But there's a way to do it, and I think every leader should read the work of Brené Brown who talks about vulnerability. And she's worked with people in the military, with heads of industry. And when you have vulnerable leaders that are willing to say, "I experienced this and this is how I dealt with it." As opposed to the, "Well, you got to pay your dues. You got to suck it up like me and one day X, Y, Z. Everybody's got to do it. I did it. You can do it too." That attitude just perpetuates the problems. But imagine if you had somebody higher up on the firm that said, "You know something, I dealt with a serious issue of burnout or you know something, I dealt with the alcohol situations." Now, you might say this will never happen, but imagine if it did, because I know coaches who are working with... One of my friends is a coach, who's working with a very major company that you would know, their executive team has made it a point to talking with their lawyers first, of course, to reveal when there's issues.

(24:30):

This is how I dealt with when such and such happened. Not just my mother passing or my father having cancer or those kinds of things, but I felt like I couldn't get out of bed. I felt like I was worried that I might take my life. This is what I did. And many people are going to say, "I can't be that vulnerable." But even if you admit, you know something, first time I turned an assignment to a partner when I was a second year associate, it looked like a crime scene, a sea of red just read all over the place. Even that showing that you've made mistakes makes it safer for other people to come in as opposed to fix this, which is like the kiss of death to a junior person. I don't know what I did wrong. I'm scared. I'm not going to ask any questions.

(25:12):

So sometimes just being vulnerable, "Hey, how are you doing?" Smiling. Can you bill for that? No. But what you're going to get from your team members is a different sense of compassion, of loyalty, of empathy, and those are the people who are going to be willing to walk through fire because you care. Saying things like thank you. Every year Gallup does a survey, the largest survey of employees around the world, and they have seven reasons that are the things that'll tell you whether people will stay and are engaged. Being praised, being told good job, that's a huge thing. How often do we hear that? Or even a thing like thank you. And by the way, thank you, looking in the eyes. Not like thank you and then you don't even pay attention. Just the eye contact, just that human connection like we talked about before can really help you feel like, "Okay, there is a purpose. What I'm doing does contribute."

Daniel Taylor (26:01):

I know you mentioned Brené. She talks often about authenticity, which I think is so important in organizations these days, especially for the new generation of professionals coming in they talk a lot about authenticity. How does that fit into the mental health conversation? What's an appropriate amount of organizational authenticity? How do I bring my authentic self, but also respect your authentic self in an organization?

Marcia Narine Weldon (26:24):

The reason that so many people are unhappy and miserable is because they can't bring their true self to work. Okay, as a lawyer, I've got to look this way, I've got to speak this way, I've got to wear these things. And yes, if you're going to court, if you're meeting with a client, absolutely, but if more leaders would model who they are authentically, and it might even just be taught the little things, start small. Because I know lawyers are risk averse, so let's start small. Just, what are your hobbies? What are your interests? What's something interesting that happened when you grew up? And then also, how have you dealt with failure?

(26:54):

Serena Williams, every athlete will talk to you about coming back from failure is the mark of a true champion. And even how do we define failure. Is a mistake in a document a failure? Is a few typos a failure? Maybe. But if you make people feel that they can never fail, and if you don't debrief and say, "Let's talk about what went right, what went wrong." people will feel afraid to even bring issues to you. They can't be authentic because every human being makes mistakes. But if the shareholder or the senior associate or the head of marketing doesn't say, "You know something, I made a mistake here." or doesn't say, "I don't know." All of those are things that make people say, "Okay, I'm modeling after that person. I'm never going to admit a mistake." And by the way, from an in-house lawyer perspective, people that don't admit mistakes, it's a huge fear from a compliance perspective because they're going to cut corners. They're not going to admit when something went wrong.

(27:51):

And if you look at a lot of corporate scandals, that's how it happened. The leadership made it clear there will be no mistakes and there is no excuse for a mistake. And there is no excuse for I don't know. That infamous Paul Hastings slide from a senior associate that Paul Hastings has completely disavowed. But I recommend you take a look at it because it was a kind of, this is how it is to work here. You're online 24/7, everything is error-free. The client is always right. And you might say, "All sounds good to me." But again, you're dealing with a very different generation that's coming in right now. And without understanding some of those generational differences, it also becomes a little bit untenable.

Daniel Taylor (28:28):

It's all good, as long as it's productive it sounds like. We want to keep-

Marcia Narine Weldon (28:32):

Yeah, productive perfectionism, right? Perfectionism that doesn't make you feel physically ill. That doesn't make you feel like, I can't tell Daniel that I made this mistake and maybe they'll never find out. They're always going to find out. But if you as a leader, don't make it clear, "Hey, if you can't make the deadline, tell me as soon as you know you can't make the deadline. Don't wait until the last minute." Because I think having been in leadership roles in organizations and having been a person that used to terrify all of her employees, so I'm reformed now, because I was so strict, because I was so focused, and so... I had so much responsibility, people were afraid to mention when they were going to be late with something.

(29:12):

And for me, it was like from a planning perspective, you just tell me you're going to be late, I can work around that, but don't tell me the day it's due, it can't be done. But in a law firm environment, when time and billing and the pressure is, and the client needs this and we've got to get this out the door, we often don't realize that sometimes people need some grace.

Daniel Taylor (29:31):

We've talked a lot about how stress can have negative outcomes, but I think some of what you're alluding to here talks about some of the positives that could come from stress, kind of that hustle, that growth mindset, that grit. Can you speak to how we in our minds can center on the positives or channel that stress into a positive use?

Marcia Narine Weldon (29:52):

Yeah. So there's two ways to think about stress, right? Most of us grew up thinking stress will kill you because that's what everybody says, and it can kill you. And so can driving on I-95 in Miami, right? Anything can kill you. But if we sit there and focus on stress will kill you, it actually will kill you. So they've done actually some studies and they did a study over eight years where they looked at people, thousands of people around the world, and they would tell them, they asked about their level of stress and they looked at how they thought about stress, and they actually looked at death records. And the people who had a significant amount of stress, who had the mindset that stress will kill them had a much higher death rate. The people who had similar levels of stress but who did not think stress would kill them actually had much better health, even better than the people who didn't have a lot of stress at all.

(30:37):

So the stress mindset, and there's a lot of science. There's been work at Stanford and others that talk about how can you have a stress mindset, stress as enhancing. So you have distress, stress is going to kill me, stress is terrible, and you have eustress. I'm thinking about stress as a challenge, stress as an opportunity, and there's ways to train your mind to think about it. And they've actually looked at even the health issues, and this is timely for now. They did some experiments around the 2008, 2009 financial crisis, and they looked at traders in New York and there were going to be some layoffs. They gave some people information about how stress can be helpful to you, and they gave other people information about how stress can be harmful. And these were short videos and little bits of information. They checked their biomarkers, they looked at subjective and objective measures of stress. And at the end of

the experiment, the people who were told that stress can actually be helpful for you had a much better subjective view of what their life looked like. And objectively, their biomarkers looked different.

(31:36):

So how do we think about it? Look at athletes. The reason that you can find a person that plays soccer or football, however you like to call it, and who can make that goal at the last minute or who can make that basket at the last minute, that's a super stressful situation. They're not sitting there saying, "Oh my god, my heart is pounding. This is terrible." Scientists have found that if you sit there, say, my heart is pounding, great because it's getting blood to where I need it. I'm breathing heavy. Fantastic, I'm getting more oxygen to the brain. Versus, I'm breathing heavy, I'm about to have an anxiety attack. There's different ways. And just if you retrain your brain, because remember, we're talking to ourselves all day long, whether we know it or not. So it's much better if we can find ways to reframe what we're saying about ourselves. And when people do that over a sustained period of time, it dramatically changes how they look at [inaudible 00:32:21] stress and how they actually physically feel.

Daniel Taylor (32:23):

Are there any external tools, whether they be affinity groups or ERGs as we mentioned before, or something maybe with the ABA that lawyers and professional staff can tap into?

Marcia Narine Weldon (32:34):

Well, obviously you can use the American Bar Association, and if you have people from outside, you can look at others. One thing I want to recommend though, I think, Daniel, you asked me, how would you know about somebody? Yeah, if they're burnt out or stressed, you can probably see that. But what about other serious mental wellbeing issues? I am mental health first aid certified, and this is a training that anybody can go through for eight hours. I got it for the University of Miami. I know a lot of law firms do it as well, and a lot of companies do it, and you're not going to be diagnosing, but it's, how do I recognize if this person has this? What kinds of things can I recognize? Because a lot of times, just like we go through these statistics, you know somebody right now who's going through a serious crisis and you just don't know what to do. And often we'll sit there and say, "I'm just not going to do anything. That's not my issue."

(33:19):

But you could save a life and we're not, again, telling you to talk somebody down from the ledge, but it's so worthwhile, because even if you don't use it in your professional life, you will use it in your personal life. There's also nami, N-A-M-I, which is National Association of, I should try... not mental illness. I should probably have known it before I said it, but nami.org, which has tremendous resources. American Bar Association has a wellbeing and law kit. So there's so many resources that are available, but obviously, if you've got an EAP program, you should definitely use it. It's really important. If we can get our junior lawyers to understand the importance of protecting themselves and their own mental health and wellbeing, that is how the profession is going to change.

(34:02):

Not because they're going to demand things, but because they're going to be taking care of themselves. And if you like, I know we had some questions about some specific tools that people can use, and I want to see if I can bring some of that up because I know we're running close to time and I really want people to leave with things that they can use today. The number one thing I'm going to recommend, and this is the hardest thing for lawyers, is sleep. Now, I spent much of my life going on three hours of sleep and being super productive. Doesn't mean it was healthy though, by the way. And I want you to understand

that when you have the brain, you've got the prefrontal cortex, that's the CEO of your brain. That's what helps you deal with functioning, judgment, everything that's important to people that work in the legal profession, whether you're a paralegal, legal, support, professional, whatever you do. It needs to shut down when you go to sleep. But if we don't go to sleep and if we've got our iPad next to us or we've got the pings and the dings, because somebody might text me, I might get another email, and of course you've made your partner the VIP. As soon as they message you, it pings. That light that gets into your eyes means you don't sleep.

(35:09):

And they have said that if you don't have... Some people, it's not necessary, it might be six to eight, six to seven, five to seven. But if you are consistently going with less than four hours of quality sleep, I mean quality sleep, you are at some point almost acting as though you are driving drunk. Your reaction time is 50% less. The later you are up, the poorer your decision quality becomes. So for all of you, and again, I am one of you, I was up till 2:00 in the morning working on a demand letter last night. So do as I say, not as I do, but I get it, right? But it's not consistent. Because the night before I had seven hours of sleep. The only reason I can do what I do and function is because I get enough sleep now.

(35:52):

And the other thing that's really important think about how you put a baby to sleep, right? It's dark, it's quiet. They don't eat a heavy meal. You give them a nice warm bath and they sleep like a baby, not because they have no problems in the world, but because you've actually made that. You don't have your cell phone or your TV going when the baby's sleeping. So if we were to do those same kinds of things, it actually helps you with the right kind of levels of melatonin.

(36:18):

The other thing, and I'm not a doctor, but I took a course for a year with neuroscientists and doctors, so I feel like I can say this right? Be super careful about melatonin. At some point, the amount of melatonin we get in drugs is too high for us naturally, and you'll get a melatonin rebound and it's not going to work anymore. Then you do more and more and it's not going to work. I used to take 40 milligrams of melatonin and a glass of red wine. I was like, "Why does this not work?" So if you've ever taken melatonin, you're like 40 milligrams, that would kill you. No, it didn't because my body got so used to it.

(36:47):

The other thing that neuroscientists will tell you is light in the morning, first thing in the morning, you want to get light in your eyes, not through your windshield, not through your sunglasses, not the light on your phone, because that's actually going to help have the proper level of cortisol, dopamine, melatonin, all the neurotransmitters that help you get productive. So if you can look at light, not look directly into the sun and go blind, that's going to help. Talk about building resilience. Deliberate cold exposure. Some people might have seen, they look on TikTok and like, "I'm going to get fancy, beautiful skin. I'm going to stick my head and the face with ice water." There's actually a better reason to do that. It's called the mammalian dive reflex. When you've deliberate cold exposure, you're actually helping to help you what's called the parasympathetic nervous system. It helps to bring your stress level down, brings those biomarkers for stress down.

(37:36):

So if you're in a situation, you're going to have a meeting with somebody. If you can just kind of stick your head in some cold water for as long as you can stand, that's going to help. Or even things like cold showers and it helps your immune system, but again, also helps. And they found that people who do deliberate cold exposure can have lower levels of anxiety, lower levels of depression, because all of these things, again, work with the various neurotransmitters that are in your body. I have more

suggestions, but I'm happy to Tim or Daniel if you have other questions because I could talk about some other things that are also very helpful that again, that people can kind of implement right away.

Daniel Taylor (38:12):

I'd love to continue to hear, especially practical solutions because I think we're all kind of grasping in our day for a way to get more sleep or to have a healthier meal, but it sounds like it's very achievable.

Marcia Narine Weldon (38:26):

It's achievable. And the other things to think of, and by the way, things like deliberate cold exposure, like, "I'm never doing that." Even if it's 10 seconds at a time, at the end of the shower a few times a week, they found that helps and it actually helps physically build resilience. One thing that I do is I, and I tell my coaching clients this, they don't listen, but I do it, do something scary once a month, right? And scary is in the eye of the beholder. So for some people, scary could be, I'm going to sing karaoke. I'm going to wear a bikini. For other people, it's I'm going to jump out of a plane. But the more scary things you do, so I literally can now say, I've jumped out of a plane. I sat in ice for six minutes, I slept with bats in a maloca in Peru. I can talk to this guy, right? Because literally your brain's like you can do that. If you do all these other things, you can do it. That's again part of building that resilience.

(39:13):

You want to calm down when you're super stressed. You don't have 25 minutes to meditate or you're the I hate meditation, I'll never do it. That's fine. Breathing is very helpful. Scientists have shown that one of the quickest ways to help bring your anxiety level down, to bring that parasympathetic nervous system, that when it's going to calm you down, to bring the heart rate down, is something that's called a physiological sigh where you breathe in two breaths in and one deep breath out. Because think about when you're sighing, right? When you sigh, you're sighing a sigh of relief. You're sighing that I'm finished doing this. You're sighing that the plane landed. When you sigh and when you breathe more slowly, you're telling your brain it's safe to be calm.

(39:51):

The average person breathes way too fast, and our normal pace of breathing is not normal in the rest of the world, and it keeps us more anxious. So if you want to calm down relatively quickly, you're going into deal with that difficult client or you've got to, it's the end of the month, you've got your [inaudible 00:40:08] in. Try some breath work where you take an inhale in through the nose and a longer exhale through the mouth. When you inhale through the nose and longer exhale through the mouth, that longer exhale is what's going to help calm you down. You need to get energy, do it the other way. So for those of you that have done yoga or breath of fire, you're like this, that hyperventilation that's going to give you energy. If you have asthma or any breathing issues, please don't do any of that. We should have that big disclaimer too.

(40:35):

Marcia is not a doctor. Please talk to your practitioners. But my final exam for that year long class with the neuroscientists was on breathing and breath work. So I feel good about it. And for those of you who are in church choirs or who sing, they have found that the vibrations when you're singing and when you're doing your breath work, the more you do that, it actually shows up on functional MRIs that it has an effect on the amygdala. That's the part of your brain that makes you scared. Chanting 12 minutes a day for 12 weeks, you can actually see changes on a functional MRI. So if you're in a church choir, and by the way, it doesn't matter if you can sing, it's just literally how you're moving your breath and the vibration in your body that they can actually see changes in your brains, in your biomarkers.

(41:14):

So those are a few, and we didn't talk about this because I think it's the thing that everybody always talked about is kind of meditation, mindfulness, self-care is really about taking care of ourselves. We're the ones that are responsible for ourselves. I always tell people to think about mindfulness, but it doesn't have to be sitting there with the lotus and chanting and sitting 25 minutes. It could be just mindfulness is just focusing on what's in front of you. And it might be, I'm going to look at a candle flicker for two minutes. It might be I'm going to chop the vegetables without any other distraction. I'm just going to be focusing. And what I have found that mindfulness has done for me is that instead of sending off that nasty ground to opposing counsel, when I'm thinking about it right away, I stop and I sit back.

(41:55):

I also do, and if you're saying somebody is coming to you with something that's a worry, if they're willing to get advice, I say, "Let's think about this. I know it's like a catastrophe right now, but in five days, what will this mean? In five weeks, what will this mean? In five months, what will this mean? In five years, what will this mean? If this is something that's still going to be a catastrophe in five years, yes, we've got to get on it right away." But if you're not even going to remember it five days from now, and then the last thing I tell people to do is, "Okay, this is the catastrophe, let's write it down. Let's write down the worst, everything that can happen like the world will end, you'll be fired. They'll take back your law diploma from 20 years ago." Write down everything that you think can happen because maybe there's a big meeting coming up in two weeks. Write on all the words and then go back and look at it two weeks later.

(42:36):

When therapists now they have found, they've asked people to do that, what happened in two weeks was I think like 90% of the time the thing didn't even happen or it was not nearly as bad as people thought, but sometimes just getting it out on paper is really, really impactful. And then you go back and then you're now training your brain to say, "Wait a minute, every time I catastrophize, it's not nearly as bad as I think it is." Because again, our brains are malleable. They grow, they change, and the messages that we give are particularly important. So that's another thing I do when somebody comes to me with an issue or a problem without dismissing it. And the toll is really going to be important. That's not going to matter in five years. It's you ask them, "If this doesn't change, how does this affect you in five days, five weeks, five months, five years?" And that's another way to help people reframe it and bring things back to earth.

(43:25):

And I'm going to give one last thing because I know we're short, but the people who say, "I'm not doing that half an hour meditation thing, I don't have time for that, and I feel like I'm just sitting there doing nothing." What I tell my coaching clients who are like, "I will never meditate. I don't care what you tell me." Some of them like something called tapping. It's EFT, emotional freedom technique. The US government uses it for veterans. There are over a hundred scientific studies, and you can learn it yourself. You can watch videos on YouTube. They're actually using it. You shouldn't do this by yourself to deal with serious trauma. And I have some colleagues that are actually in Ukraine right now teaching EFT to people who are dealing with literally a war. But there are lots of videos. There are apps, and basically you're tapping on different parts of your meridians.

(44:04):

If the US government is using it, if hospitals, Mayo Clinic, et cetera, are using it, then there's something to it. And doing that again is another way to help calm, bring down the anxiety, help get over fears. And

for people who's like, "I can't just sit there." when they're actually doing something, and there's very specific parts of the body that you're touching and that you're using, that can be another thing.

Daniel Taylor (44:22):

Thank you for your time and your expertise. I hope all of our attendees are able to pull at least one or two of these great ideas and practice in your own life personally. Active listening is going to be one that I'm going to really work on, a great reminder to just listen and not give those two cents of advice that I'm sure we all want to give because we're just the smartest people in the world. Also, I'm going to really practice meditation. I hate being alone in my own head with my thoughts, but at those crisis moments, you really want to have some practice and not just be there stressing out. So a great reminder to practice mindfulness. Great conversation.

Marcia Narine Weldon (44:59):

Thank you again.

Daniel Taylor (44:59):

Have a good one, all.