

Law practice is demanding. Lawyers routinely encounter events that trigger anger, frustration, inadequacy and disappointment. Our workloads and responsibilities become overwhelming if we do not live our lives in a conscious way, and the accumulating stress levels may lead to burnout.

an antidote to **burnout**  
and  
**boredom**  
discovery practice  
**beyond the law**

by Peter Axelrod

photography by Mike Eller



# Vacations become intermissions

**T**he work also can take on the flavor of unending routine, and we may find ourselves in a rut and feeling stale. It is not unusual for a lawyer to experience life as a runaway train perpetually riding on a circular track. If unchecked, burnout and boredom or even a situational, low-level depression can ensue, and life is not what we want it to be.

If asked what causes the stress that leads to burnout and what is the best antidote for it, most of us answer “working too hard” and “taking time off for a vacation.” There is some truth in this, although the whole truth is not so obvious. If asked why we experience boredom, we may say it is because we do the same old thing, and life holds increasingly less purpose and personal meaning for us. In taking a closer look at what there is about working hard that causes undue stress and how we might avoid its ill effects, we also may ascertain ways to avoid boredom.

Working hard in a busy law practice produces myriad stressful situations. The stress is inherent in the everyday comings and goings of our law-related activities; there is no avoiding it. What is key, however, is the way we respond to stress. If our responses are not skillful, there is a build-up, suppression and storage in our bodies of increasing and tightly held tensions. The result is that we feel like we are carrying around a sack of rocks that weighs heavily on our psyches and physical bodies. We are rendered less

present and less effective, and certainly less happy, if we do not allow ourselves some perspective and respond skillfully to the emotional and psychological demands of law practice.

All of us have experienced how quickly this feeling of carrying the rock-filled sack returns when we return to work, seemingly renewed and refreshed after a vacation. Once we reach our desks, it is as if the time away never happened. Without that vacation to tell us how good we can feel, we might become forever resigned to carrying a burden of tension, as if it were a normal part of ourselves. Although getaway vacations can be welcome retreats from our everyday lives, if they serve as our only strategy for living

## About Steven Keeva

Steven Keeva has taught legal affairs reporting at Northwestern University's Medill School of Journalism and has written for magazines in Australia, Britain and Japan. His articles for the *ABA Journal* have been used as instructional materials by law schools and bar associations. Keeva speaks nationally on issues pertaining to law practice and quality of life. He also interviews attorneys and writes articles on their sometimes unique viewpoints on maintaining a sense of balance while practicing law.

all too short in a play that has gone on all too long.

a more relaxed and fulfilled life, such vacations become intermissions all too short in a play that has gone on all too long.

We have little chance to cope successfully with undue stress unless we have put into place active strategies for dealing with it wisely. Certain disciplines that have been used over the ages to enhance well-being, if they are undertaken with diligence and a life-affirming attitude, will transform our lives in positive ways. Such disciplines aid in providing perspective and an underlying personal purpose to the practice of law. They can give our work infinitely greater meaning than what is offered by starting and completing one seemingly routine case after another. As an antidote to burnout and boredom, the consistent use of any one of these or similar disciplines will allow us to prosper in the midst of the overwhelming and—at the same time—routine nature of it all.

— Steven Keeva, a senior editor for the *ABA Journal: The Lawyer's Magazine*, the official publication of the American Bar Association, has written a book titled *Transforming Practices, Finding Joy and Satisfaction in the Legal Life*. In his book, Keeva describes the kinds of personal disciplines that lawyers have brought to their law practices. As a result of a heartfelt and consistent use of these disciplines, the work lives of these lawyers have been transformed in ways they did not think possible. A summary

description of these disciplines, as Keeva recounts them, is useful in examining ways to counter burnout and boredom and to live more happily in our lives as lawyers.

### The Balanced Practice

Keeva tells us about Memphis lawyer John McQuiston, a busy litigator, who talks about taking control of his life by intentionally and carefully attending to how he spends the hours of each irreplaceable day. McQuiston consciously balances

the different parts of himself so that each one is well attended. Here are some of particulars of McQuiston's discipline, quoted by Keeva:

- He notices what parts of himself are being neglected and attends to them—his physical well-being, his spiritual side, making time for fun and friendship in his life, attending to his marriage and taking time for his internal life.
- He maps out his balanced day with time to meet each of

Consciously stop the train ride for a few minutes off, look around at the landscape and see where

## The Practitioner's Toolbox Aiming for Fulfillment

- The **Minnesota Women Lawyers** has published *The MWL Life Balance Resource Guide*, containing articles and sample policies for law firms, in-house corporate staff and public employers. Details and ordering information are available at <http://www.mwlawyers.org/newpage14.htm>.
- Available from the **ABA Press** is *The Lawyer's Guide to Balancing Life and Work: Taking the Stress Out of Success* by George W. Kaufman, for \$49. Also available is a three-part audio program based on the book. It is produced by the ABA Center for Continuing Legal Education and the Section of Law Practice Management and costs \$99. For more information and to order, go to [www.abanet.org/cle](http://www.abanet.org/cle) or call 800-995-1253.
- **Pepperdine University School of Law** publishes the online newsletter *Balance: Selections for Law & Life*. To read it or to receive it via e-mail, go to <http://law.pepperdine.edu/resource/balance>.
- **Steven Keeva's Web site** seeks "to explore sources of meaning and pleasure in law practice." If that sounds good to you, go to [www.transformingpractices.com](http://www.transformingpractices.com). The site includes descriptions of Keeva's book chapters, columns by him and others, exercises and resources. A recent addition to the site is Keeva's interview of attorney Jan R. Schlichtmann, the plaintiff's lawyer rendered in Jonathan Harr's best-selling book *A Civil Action*, the story of a toxic tort case over the contamination of the water supply in a Massachusetts town.
- Fulfillment in the Vermont woods may be just the ticket for an early autumn refresher. The **International Alliance of Holistic Lawyers** holds its ninth annual conference on September 6-9 in Ferrisburgh, Vermont. Titled "Shifting the Legal Paradigm: Being the Change We Seek," the conference seeks to help attorneys rediscover their ideals and improve their professional lives. For information or registration, call 802-388-7478 or go to [www.iah.org](http://www.iah.org).

his important needs.

- He asks himself, how could I spend my day in a way that would allow me to look forward to getting up in the morning?
- He does not wait until a large block of time is available but finds the time now to do what he wants.
- He charts out a week in his life and notices how much time he gives to the various activities of his life. He then asks himself if this is the way he wants it.

In his balanced practice, McQuiston takes the time to view his life consciously and thoughtfully, instead of being carried along by the capricious nature of daily activities. His life is important to him, and he honors it by mapping out and leading a balanced life. The result is that McQuiston feels fresh and renewed—good medicine for burnout and boredom.

### The Contemplative Practice

Keeva tells us that "for centuries, and in cultures all over the world, a contemplative practice has been considered basic, one of life's essential ingredients. Such a practice provides a dependable and gradual opening to the inner life and the riches it holds. Lawyers who regularly meditate, pray, practice yoga, read sacred texts, spend quiet time in nature or undertake similar pursuits find it helps them see the world

in order to get  
we are.

afresh.” Keeva suggests spending time acquainting yourself with the kinds of contemplative practices available and ascertaining which one feels right. He also suggests talking to people comfortable with their own contemplative practices to see how they might mesh with and enhance the reality of a lawyer’s life. He cautions the novice to start slowly and not to worry about being “good” at it—that is not the point. He suggests that the newcomer seek out helpful teachers and classes to advise and clarify.

A contemplative practice can bring a sense of calm and perspective to the often adversarial and sometimes disquieting activities in our lives as lawyers. Burnout and boredom are words rarely used in the vocabulary of the lawyer who consistently sustains a contemplative practice.

### The Mindful Practice

Keeva describes Florida plaintiffs’ attorney Warren Anderson, who disciplines himself “to be wholly present to whatever he is doing, thinking and feeling.” This is the mindful practice: staying present without getting lost in the future, the past, our projections or old habitual thinking patterns. Keeva explains some of the ways to begin a mindful practice:

- Make a mental note of how much time you spend in the future or the past.

# Consciously stop the train ride for a few minutes in the landscape and see where we are.

- Spend five minutes a day cultivating inner stillness.
- Be aware of the quality of your presence and how it affects people. Are you keyed up, distracted, bored or frustrated? Just note these passing states of mind instead of reacting to them in unskillful ways.
- When you arrive at the office, be present by making eye contact, answering the phone as if it were the first time you had used one; stay tuned in to what is going on around you.
- Become aware when you drift off and get lost in your thoughts; then move yourself back to the present moment and be grateful you got there rather than condemning yourself for becoming lost.
- Keep in mind that efficiency and enjoyment are not mutually exclusive. They can, in fact, be a potent combination.

The mindful practice, if skillfully attended, allows us to bring a sense of spaciousness to daily life. We become far less reactive and give ourselves the opportunity to choose how to respond to the potentially stress-producing We are also able to see boredom for what it is—a lack of bringing our full and present attention to everyday life.

## The Time-Out Practice

Keeva reports the results of an interview of thousands of successful

retired professionals who were asked what they would have done differently in their lives. The overwhelming response was that if they could live over again they would be more reflective and be “doing” less. Reflection most often occurs on our vacation or retreat time, yet most of us have lives in which such luxury is infrequent. Keeva suggests that we “make time for moments of stillness during our day; moments that are out of the flow of the everydayness of life. Take a few minutes each day and spend it in quiet. View the time you are waiting for something to happen as found time rather than lost time, and use it to move into a place inside yourself. See what is going on there and just be with it, instead of doing something about it.”

The time-out practice allows us to consciously stop the train ride for a few minutes in order to get off, look around at the landscape and see where we are. We can then assess where we want to be, make the necessary course corrections, get back on board and move forward more wisely. Again, such a practice allows us to live in tune with ourselves, instead of following a course of often incongruent reactivity.

## The Healing Practice

Keeva recounts his interview with David Link, an award-winning lawyer for the Chicago firm Winston & Strawn and now dean of the Notre Dame Law School. “The

lawyer needs to seek out the spirit of the client and realize that what the client really wants is not to gouge someone, but to be at peace with his or her business transactions or personal life or whatever is involved. Historically, law, along with medicine and the clergy, has been one of the great healing professions. It is time for lawyers to reclaim their lives as healers and shift from the common perception that they are surrogate street fighters.” This can be done, says Keeva, “by making clear that healing is the goal of your law practice and enlisting the client’s help in determining what would be a healing result.” In addition, Keeva points out that in a healing law practice, the lawyer refuses to make the adversarial role a center point and advocates for the client’s true underlying interest.

Other significant attributes of the healing law practice pointed out by Keeva:

- Realizing the client is often in transition—ending one thing and beginning another—thus making the lawyer’s role one of helping set the client on a positive path forward.
- Being open to the possibility that what the client may need is deeper and wider than the ostensible legal issue at hand.
- Understanding the healing power of advocating for the client as a whole human being rather than seeing him or her as an interesting legal problem.
- Encouraging the client to find a

personal meaning behind the case, in addition to focusing on the legal results.

- Enhancing your listening skills, since many clients are often as interested in being heard as in the final outcome achieved for them.

The healing practice seeks to change the personal meaning of a law practice from one that seeks to win to one that seeks to heal. This has large implications for how we practice law. The lawyer who adopts a healing practice follows in the footsteps of our world's great spiritual and religious leaders. The sense of purpose and solace that comes with a healing practice is among the most powerful antidotes to burnout and boredom.

## The Service Practice

Keeva notes that “in every tradition that emphasizes the importance of an inner life, service is held up as a preeminent virtue. Those who through the ages have been revered for their wisdom and empathy—like Gandhi (a lawyer himself)—have been people who believed that the very purpose of life is to be of service to others. Lawyers often see personal enrichment as their purpose and miss the opportunity to turn a routine legal practice into an activity that reinforces their humanity.”

Some of the ways Keeva describes to bring a service approach to law practice:

- Consciously reframing the primary goal in any particular case to serving the whole person.
- Acknowledging the pain and turmoil of a client and letting yourself care about that person.
- Asking yourself if you have found someone or something to serve in your work.
- Asking yourself how you might bring more caring to your law practice.

The service practice can provide an overriding perspective of meaning to the seemingly routine activities of our lives. The lawyer who brings this ethic to his or her work sees the daily details of law practice in the light of purposeful service. Work is viewed for the good of others as well as self, and such an outlook brings the rich reward of belonging and connectedness with others.

If pursued with diligence and heart, any one of these briefly described transforming practices will serve as larger vessels to hold and reframe our lives as lawyers. As such, they are life-enhancing remedies for burnout and everyday boredom. 📖

---

*Peter Axelrod practices law in Tucson. He has an M.Ed. in Counseling and is a Life Coach for lawyers and others. He can be reached at (520) 622-6075. Web site: [axelrodcoaching.com](http://axelrodcoaching.com)*

*Excerpts from Steven Keeva's book Transforming Practices appear courtesy of the author.*



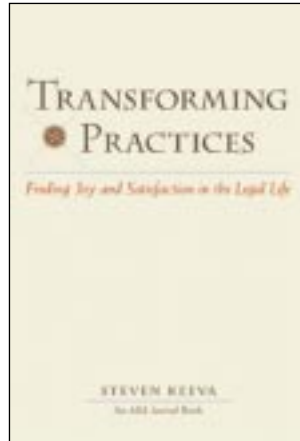
# Creating a Mindful and Humane Practice

## Excerpts from *Transforming Practices* by Steven Keeva

During the last two decades, the legal profession has placed an increasingly heavy emphasis on efficiency, on working “smarter” and faster. It makes demands not only on your outer life—in constant deadlines, billable-hour quotas, pressure to keep up with a rapidly growing body of new law—but on your inner life as well. The problem is that most lawyers have never developed the resources to cope with those demands, let alone find in them the kind of meaning that can make their work more rewarding. They hear only the blare of the trumpet and miss the sonority of an orchestra that can provide resonance and depth.

To find real pleasure in the legal life, you need to open yourself to all your sources of potential meaning. You will discover that understanding a client beyond her present legal problem does not detract from the technical job at hand; it gives the technical job deeper meaning by placing it in the context of a life. Contracts, after all, are about human relationships; briefs are about disappointment, wanting to be heard, needing to heal. Seeing these deeper meanings is not a threat to good work; it enriches the experience of doing the work, engages the lawyer’s heart, and makes the end product more likely to be compelling.

For most lawyers, the word *practice* means only one thing: *work*. You are, after all, *practitioners*. You practice law, and you are in the practice of providing legal services. With all the practicing you do, it may come as a surprise that you are profoundly in need of a second practice, one that gives greater depth to the first.



*Transforming Practices:  
Finding Joy and Satisfaction  
in the Legal Life*  
by Steven Keeva

Hardcover, 256 pages,  
\$19.96 September 1999  
Contemporary Books  
ISBN 0-80-922504-2  
Available at  
[www.amazon.com](http://www.amazon.com)

The purpose of this secondary practice is to bring out the best in you and help you get to know parts of yourself that have been overlooked or pushed aside in response to the demands of a frantic professional life. It will move you toward wholeness, toward accepting yourself for all that you are, so that you can bring your heart and soul to work, find the joy in it, and have more left to give others.

But it’s also about taking care of yourself, not in the sense of indulging your desires for bigger and better things, but by nurturing your deepest needs—for peace, love, meaning, and a certain quality of presence. If you are like most lawyers, self-nurturing doesn’t come easy to you. You work tirelessly to meet everyone else’s needs—clients, staff, family, the bar association—in what feels like a never-ending battle to cover your flanks and keep bad news at bay. Despite all the talk of avaricious lawyers, you end up feeling impoverished.

Only you can say what is truly nurturing for you. It may be taking a walk in the park, soaking in a hot bath, putting aside a few minutes for personal reflection, or spending a week in silent retreat. Perhaps it’s playing a set of tennis, watching your dogs frolic, listening to a Bach cello suite, or carefully threading a necklace of colorful beads. It really doesn’t matter what it is, as long as you engage in it fully, with not just your head but also your heart.

For countless centuries and throughout the world, some kind of spiritual practice was seen as an essential tool for educating the inner person, a basic ingredient in the experience of being human. These were time-tested methods for quieting the mind and accessing truths and levels of understanding that profoundly enhance even the most mundane activities of daily life. If playing golf happens to make you feel at one with the world, keep doing it. But there are other practices, most of which take much less time on a daily basis than a round of golf, that can enhance your relationships and deepen your enjoyment of your law practice (as well as your golf game).

*Reprinted with permission of the author.*