



The Update

Risk Management for you and your Practice

Spring 2009

Transitions: We are Not Alone

Andy Elliott

Every so often a lawyer must take a long hard look at himself in the mirror. As I recently set about this task, one characteristic came to fore. My ever graying hair belies my relative youth. While this premature onset of distinguishing coifery likely has more to do with my Norwegian grandfather than with the stress of practicing law, the practice of law may well be at fault. After all, nobody says it's easy.

There are many stresses involved in being a lawyer. The practice of law is an inherently dynamic activity. As lawyers, we are responsible for other peoples' problems. The answers to questions are often uncertain. The law itself is ever changing, and much of our job is to try to push that change. No wonder practicing law is so much fun.

In addition to the dynamic nature of the law, the practice has its own ever changing aspects. In a manner of thinking, all lawyers are constantly going through career transitions. Whether it is researching a new argument, moving into a new practice area, or taking on more managerial responsibility, we are continually shifting our focuses and comfort levels. This too can be stressful. Nevertheless, I love being

a lawyer.

When I first started practicing I was also a business man. Upon entry to the bar, I hung out my shingle and started an office. This move was partially inspired by observing the lifestyle of my self-employed parents. In truth, it was partially inspired by my inability to find a job in which I was interested. Regardless of my motivations, I embarked in my pursuit of the American dream.

Over time, certain realities presented themselves. Although my skill in law progressed rapidly, my skill in business did not. Upon reflection, I was forced to admit that I simply had little interest – or proficiency – in running my own office. Therefore, I decided I should transition into a firm setting.

Ironically the thought of this transition was quite daunting. While running a law office with no experience in either practicing law or in running a business had seemed challenging, the idea of closing the office and moving on was even more so.

I had all the worries anyone has when looking for a new job. Would I like the people? Could I find work as interesting

as what I was doing? Plus, I had grown accustomed to being my own boss. I worried that stricter office hours would require uncomfortable changes in my family life. And I worried about being told what to do.

I also had professional worries. What did I need to do about my bank accounts? What about conflicts of interest? What about closing down my phone number and email address? Could old clients contact me if they needed to?

Once I decided I was serious about making a transition, I did what any resourceful person would do. I looked for someone who could just tell me the answer. First stop, WSBA.

I made an appointment with Pete Roberts in the Law Office Management Assistance Program - LOMAP. I had met with Pete four years earlier when I was thinking about opening my office. He had been very helpful in taking the fear out of that idea. I hoped he would have some good ideas.

Not surprisingly, he did. I showed Pete my resume and talked about the job hunt.

Continued from page 1

Mostly, I wanted to talk about closing down my firm. His advice was straightforward and helpful. I also voiced my concerns about professional responsibility, so Pete put me in touch with Chris Sutton, who at that time was the WSBA's Professional Responsibility Counsel and had an office right next to Pete's.

Both Pete and Chris helped me have the confidence to go out and make a move. The heart of their advice was simple. Yes, it was not actually that difficult. Of course, I am hardly the first lawyer

to have done something like this. Indeed the banality of my story is the most inspiring part. People make these transitions all the time.

In these uncertain times, chances are that even more lawyers will be making career transitions of one kind or another. The fact that none of us is alone in these transitions is reassuring to me. I don't mean this in a metaphysical way either. None of us are alone because of the resources available through the WSBA. Be it LOMAP, LAP counseling, a peer counselor, or a job seekers group, there are many

resources available to WSBA members.

Every lawyer and legal career is unique. It stands to reason that every career transition is unique. I don't mean to minimize the importance of or the stress involved in any such transitions. For me, however, it is reassuring to know that the community of lawyers is full of resources who can guide these transitions. This community won't bring back the dark hair of my youth, but maybe it will slow the graying process.

What's Up in LOMAP

The MAC has come to LOMAP! Due to the increasing usage of MAC computers by WSBA members we felt it was important to provide information and instruction on using a MAC in the legal setting. We have added a new module to the list of classes we present through the bi-monthly Computer Clinics.

The new addition to LOMAP is a MacBook 4.1, Intel Core 2 Duo, 2.1 GHz with 2 GB of Memory and hard disk space of 100 GB. We also purchased two software programs for the MacBook called Circus Ponies NoteBook and Daylite, both of which can be utilized as Case Management programs.

Circus Ponies NoteBook is the award-winning application that helps Mac users manage notes,

calendar entries, emails, documents, spreadsheets and more.

Daylite is a business productivity manager. It lets you see everything in one place, collaborate on projects, share calendars, delegate tasks, and streamline your work flow. Daylite offers easy accessibility, allowing you to move your business forward.

Our first showing of "Using A MAC in the Law Office" was on April 14, 2009 and we had a great turnout. Attendees included members contemplating the purchase of a Mac, brand new Mac owners, and experienced Mac users. We learned valuable tips and information from members that we intend to pass along.

Here are two useful web sites for Mac users:

The MAC Lawyer, Using Macs in the Practice of Law: <http://www.themaclawyer.com/>
The MacAttorney: <http://www.macattorney.com/>

We have additional articles on this topic in our office, so please give us a call at 206-733-5914. The next "Using A MAC in the Law Office" will be July 13, 2009 from 10:00 a.m. to 12:00 in the WSBA Conference Rooms. Please see the sidebar on LOMAP's web page at www.lomap.org for a list of the other upcoming Computer Clinic classes and contact Julie Salmon if you wish to reserve a seat for any computer clinic at juliesa@wsba.org. We hope to see you there!

Save the Date

April 16 — 18, 2010
LAP/LaSD Statewide Conference
Campbell's Resort
Lake Chelan

Hello, My Name is...

Anonymous

Hello, my name is...and I'm an alcoholic. I may be like a lot of guys you know: family history of alcoholism, had my first hangover in my early teens, binged throughout my college years, but settled down to get through law school. As a young lawyer in a big firm, I would join the boys after work for a drink, which always ended up being a lot more than one. I "settled down" after marrying, not drinking as heavily, but drinking daily. The marriage ended after 12 years, prompting me to become very depressed and to drink alone, in the "comfort" of my home. When I did date, everyone I dated was a big drinker, too, so the disease went on unabated. I was even on the board of a facility for recovering alcoholics, and after board meetings I would come home—and drink. Many times I would pass out, with no memory of whether I had eaten dinner or not. I would have a beer on my bedside table every night to "help me sleep."

Although I had tremendous hangovers and depression, I was always able to convince myself that I wasn't an alcoholic. I didn't drink in the morning or during the day and was able to practice law without any problems. I was athletic and competed ably with the guys at the health club. I knew some folks who were "friends of Bill W.," including one of my brothers, but I was quite different from those guys, and I had never known a woman who was an alcoholic. Yes, I am a woman.

Several pivotal moments led me to sobriety in 1993. One was sitting in district courts in the tri-county area (Wayne, Macomb, Oakland), representing clients in civil matters and listening to cases of drunk drivers and realizing that I could be one of those defendants if I continued to drink and drive. I love practicing law and could not imagine having my law license suspended or revoked. Another was always feeling lousy in the morning and wondering if the alcohol that I had consumed the night before could be smelled by others, leaching through my pores. I also considered how my mother would feel if she knew I "had a problem" with alcohol. Would she blame herself for not recognizing my problem? She had done all that she could to get our father sober, but nothing worked. He embarrassed me at more events than I can list and died at 60 in 1973. What if my drinking did that to my family or to my friends and colleagues?

In Yogi Berra parlance, the "final finale" that led to my ultimate sobriety was meeting another athletic woman (I will call her "Gena") at a competition, who happened to be the friend of a friend in New York, and inquiring whether she intended to stay after the competition for a beer. She easily shared with me that she would not because she was a recovering alcoholic and avoided the temptation. Instead, we had coffee in a nearby restaurant, and she generously shared her

experiences as an alcoholic and as a woman in recovery. It was during that lengthy conversation that I was able to recognize my addiction, family history, and need to get sober. As anyone will tell you, it is not easy, but it can be accomplished. It is up to the individual and—as with my father—no one can do it for you.

When I am urged to "just have one" at a party, I will sometimes offer, "Thanks, but I think that I drank enough alcohol from 20 to 40 to last until I'm 60." I am happily married to a great guy (also a lawyer) who has never enjoyed alcohol. I am forever grateful to Gena for sharing her experiences with alcoholism and recovery so that I could face my addiction and find recovery. It was a tremendous challenge, but the best thing that I have ever accomplished. It is interesting to me that my old friend in New York has not seen Gena in many years. Do you believe in angels?

Postscript: When I first considered writing something for the *Michigan Bar Journal*, I thought that I might make a case for women having a harder time getting sober than men. However, I now think that there are so many different facts and circumstances in each case that such a clear gender distinction does not exist. I shall leave that to the experts.

Reprinted with permission from the May 2008 issue of the *Michigan Bar Journal*.

What's Up in Ethics

The volume of calls to the Ethics Line continues to be high – roughly 20 per day, 100 per week. Professional Responsibility Counsel makes every effort to return calls to the Ethics Line within two business days. Our new outgoing message underscores the confidential nature of inquiries. This has resulted in callers leaving more detailed messages to which we can respond via voice mail, which is streamlining the process considerably. We appreciate the patience of the callers.

What's Up in LAP

Help for Job Seekers

LAP is running two different groups for lawyers looking for work. The monthly session meets on the second Wednesday of each month at noon at the Bar offices, sixth floor. We usually have a guest speaker who discusses topics like informational interviewing, networking, social networking, and resumes. Lawyers out of the area can attend via conference call. The focus is on the nuts and bolts of the job search process. This group is open to all; no RSVP is required unless people want to participate by phone.

The weekly groups meet for eight consecutive sessions. In addition to the how-to job search aspects, we also address motivational issues and how to proceed if you're not sure what you'd like to do. Members of

the weekly groups get a lot of practical and emotional support from one another. Some are even finding jobs!

In addition to groups, one-on-one career consultations and counseling are available from LAP staff. This has always been an active part of LAP services and continues to be as we weather these unusual economic times.

We've been asking Peer Counselors if they are willing to help job seekers with their interviewing skills. If we haven't asked you and you are willing to be someone's "guinea pig", please let Dan Crystal danc@wsba.org or Rebecca Nerison rebeccan@wsba.org know. This exercise is for practice purposes only; your interviewer will not ask you for a job.

Speakers Available

Do you belong to a group that needs occasional speakers? Dan and Rebecca are available to speak on a wide range of topics, including stress management, managing anxiety in troubled economic times, dealing with difficult people, addiction issues, and other topics related to a healthy, balanced lifestyle. Let us know if we can help.

Scenes from the Annual Statewide Conference



Lawyers Assistance Program (206)727-8268

Barbara Harper, MA, LMHC, LMFT, Director
Peggy Harkrader, Lawyer Services Coordinator
Dan Crystal, Psy.D., Psychologist
Rebecca Nerison, Ph.D., Psychologist

Law Office Management Assistance Program (206) 727-8237

Pete Roberts, Advisor
Julie Salmon, LOMAP Coordinator

PRP/Ethics Line

David Powell, Professional Responsibility Counsel
(206-727-8284)

Darlene Neumann, PRC Program Coordinator
(206)733-5923