

PROGRAM MATERIALS
Program #3324
January 27, 2023

Focus on Physical, Social, and Emotional Energy for a More Ethical Law Practice

Copyright ©2023 by

• Douglas Leonard, Esq. - Douglas Leonard Consulting

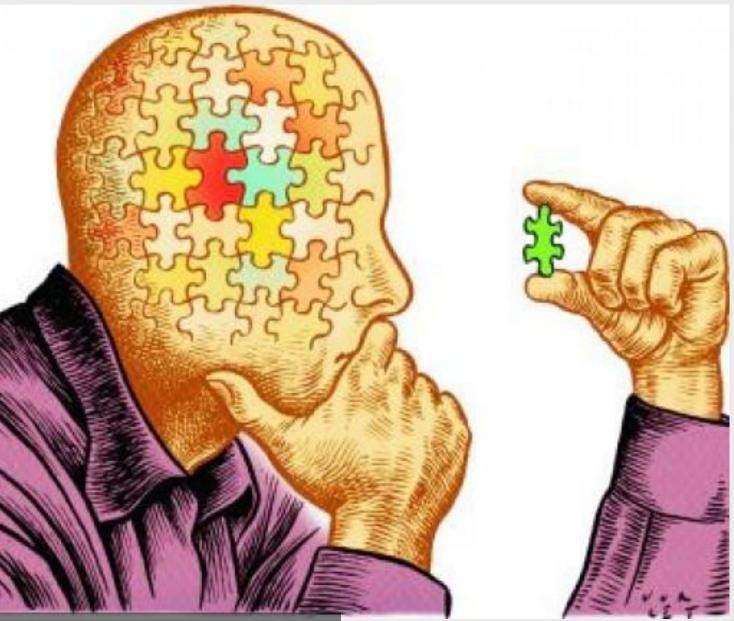
All Rights Reserved.
Licensed to Celesq®, Inc.

Celesq® AttorneysEd Center www.celesq.com

5301 North Federal Highway, Suite 150, Boca Raton, FL 33487 Phone 561-241-1919



Power is learning from what is inside you.



Self-Awareness

Manage Self

Manage Relationships & Situations



© 2019- 23 Douglas Leonard Consulting

Stipulations

- 1) The assessment tool I use in my practice and is modeled in this course is not a clinical tool. It is not designed to flag, nor can it evaluate mental health.
- 2) Lawyers who faced disciplinary action were never profiled. The case examples in this course are based on my experience with the behavioral traits I have observed in 25+ years of practice. I am extrapolating that to behavioral factors that lead to or contribute to the discipline.
- 3) When respondents bring a clinical expert witness in a disciplinary matter, those experts often use the word' anxiety' in their testimony. That use of the word is in a clinical sense. The assessment tells me what causes anxiousness and how it manifests itself, but not in a clinical sense.

Today's Process

 Each section will require you to self-score on multiple layers of behavior.

Typically, your first reaction to the descriptions is the most valid. You will score yourself for the following:

- 1) **Usual Behavior.** Thought of as your strengths. How you achieve results.
- 2) **Internal Needs.** Captures your expectations of how situations and relationships should be managed.
- 3) **Reactive Stress Behaviors.** Counterproductive behaviors you adopt when expectations are not met.

Today's Process

- The self-scoring helps you personalize the information and helps you become more aware of a spectrum of behavior in multiple layers.
- There are questions in the workbook for you to reflect on how those behaviors impact you personally, the relationships in your practice, and your interactions with clients.
- I will briefly share cases heard by the disciplinary board to demonstrate the importance of internal needs and the reactive behaviors that surface. Identities are kept confidential. No disciplinary documents or orders are used; no redaction is needed.



Pressure > Control = Failure

When my Needs are not met...

(I feel PRESSURE)

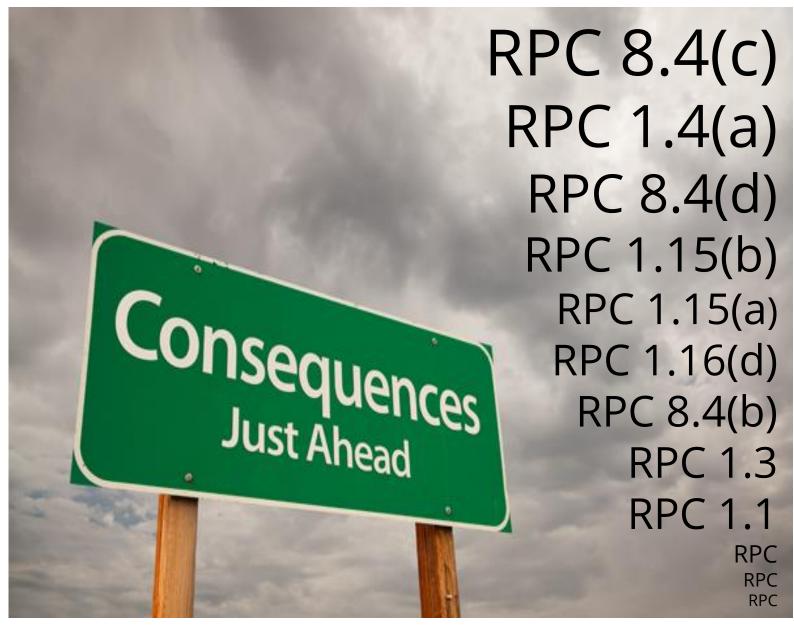
And when I fail to take steps to get those needs met or to communicate the importance of my needs to others who work with me...

(I lose CONTROL)

I then risk not getting the required results or damaging a relationship or...

(I FAIL)





8.4 Misconduct

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation

1.4 Communication



Not Surprised...

Every day I deal with my clients who are not doing something (either well- or at all)

Often it is not because they are incapable or not acutely aware that they are responsible for that something...

It is because what they need to do is outside their interest and/or their motivational needs are unsupported, misunderstood and that they are now functioning from their stress-reactive behaviors

Behavioral Topic #1: Physical Energy



Your **preferred pace for action** and physical expression of energy.

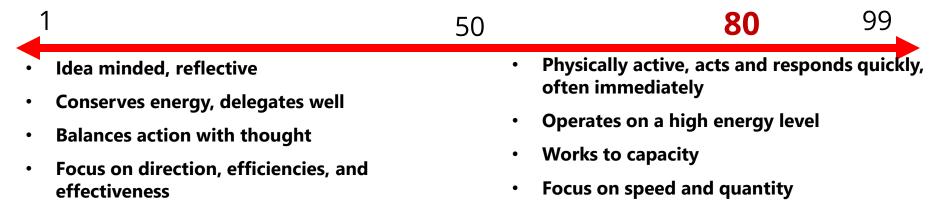
This behavior impacts issues such as:

- -urgency in decision-making,
- -the balance between thought and action
- -patience with the pace of work, planning and delegation.

Caseload-Workload Management

Physical Energy <u>Usual Behavior</u> [Physical & Mental Energy]

Action Orientation, Physical expression of energy, and their opposites



Self score; Select one of the three options:

Do you see yourself, and would those who know you best describe you by:

The left side of this scale

Some blend of the left and right side

The right side of this scale



Physical Energy <u>Usual Behavior</u> [Physical & Mental Energy]

Action Orientation, Physical expression of energy, and their opposites

Usual Behavior is outwardly visible behavior.

- The farther to the right of the scale, the faster people respond and start executing. For them, speed and quantity are paramount.
- To the left of the scale, people think about effectiveness first rather than how quickly. How efficiently can we use my/our time and resources? For them, it is 'direction' – before action; they want to know if we are even doing the right thing first.
- Most people see themselves on the right side of the scale. In the database, the median skews strongly to the right.
- The reason? Business favors a bias for action. You have been socialized (and probably rewarded) to take action quickly.

Physical Energy <u>Usual Behavior</u> [Physical & Mental Energy]

Action Orientation, Physical expression of energy, and their opposites

- Usual behavior is the easiest to manage since human beings are adaptable, and behavior can be modified by training and experience and through self-awareness.
- Although about you, the best validators of this layer of behavior are other people who know you and have worked with you.
- Others typically see usual behavior as effective, productive, natural, and possibly flexible. These behaviors come effortlessly to you.

Physical Energy Strengths- Application Questions

- How does your Physical Energy usual behavior (strengths) positively impact your practice?
- How might overusing that strength create challenges in your practice?
- Think about the lawyers you regularly practice with or against- are their strengths similar to yours or different?
- If similar, how does that similarity impact your work together?
- If different, how does that difference impact your work together?

Action Plan:

To expand your adaptability to more clients and circumstances, what behaviors could you add to your existing skill set that would balance your current strengths?

 Once you better understand the importance of Internal Needs (perspective) and reactive behaviors- reflect: how might your strength cause others to perceive that strength negatively?

1)/

Physical Energy Internal Needs [Physical & Mental Energy]

What a person needs to recharge their physical batteries. Often different than need.

50 99

- Recharge by slowing down, stopping:
- May push themselves hard, yet need to control the pace of their own work
- Minimize prolonged physical and mental demands
- Has a 'pause' button

- Recharge by being active, busy:
- Expect others to keep up with you
- Need competitive outlets in both work and hobbies to burn energy
- No 'off' switch

Self-score; **Select one of the three options**:

How do you see yourself; what expectations do you have about how situations and relationships should be managed? (Despite how you have learned to succeed)

The left side of this scale

Some blend of the left and right side

The right side of this scale

Physical Energy Internal Needs [Physical & Mental Energy]

What a person needs to recharge their physical batteries. Often different than need.

This is internal behavior

- Needs help us understand what motivates you and how your expectations are defined. Insight into this inner need helps us understand how you 'recharge' physically and mentally.
- The farther to the left of the scale, the more a person needs to control the pace of their work. They fatigue from overwork or overscheduling by others. They may push themselves hard but are not as open to others pushing the pace on them.
- To the right people recharge by being active. They thrive on a busy schedule with lots to do. What tires them out is any prolonged inactivity. Events that do not include movement- too much sitting, long meetings (more sitting), and long flights, for example, all work against the high need.

Physical Energy Internal Needs [Physical & Mental Energy]

What a person needs to recharge their physical batteries. Often different than need.

- As many people have Needs to the left of the scale as the right.
 The median score for this behavior and all behavioral needs in the database is 50.
- Needs are always centered because they are not subject to social desirability.
- When a person's Needs are met, they are in the best position to make positive contributions through their usual behavior.
- When needs are unmet, it triggers stress-reactive behavior.

Physical Energy Needs- Application Questions

- How might your Physical Energy Need be affected differently if you are 1) a solo practitioner or 2) working for someone else?
- How might your Internal Need constrain the number of cases you can genuinely manage?
- What happens when a firm demands 2000+ or more billable hours of you? How many working hours are too many for you? When do you run out of gas?
- How does your Internal Need influence your approach to time and workload management?
- Are you comfortable articulating your need to others in your firm (or to others as applicable)?

Action Plan:

- What circumstances in your daily life do not meet your dominant needs?
- What can you do to manage these needs to avoid stress behaviors?
- Give examples of how you think people may not have understood your need
- What can you do to help other people understand these needs?
- Are you comfortable articulating your need to others in your firm?

17/

19

Physical Energy Stress Reactive Behavior [Physical & Mental Energy]

The behavior that is triggered when the corresponding need is unmet

1 50 99
Substitutes thought for action, creates delays • Acts without thinking, has difficulty

- outenates areagine for action, or cares ac-
- Experiences exhaustion
- Magnifies the tediousness of projects. Easily discouraged
- Becomes 'Horizontal' and/or burns out

- Acts without thinking, has difficulty delegating
- Wastes energy
- Generates restless tension
- Impatient, edgy when pressured
- "Tasmanian Devil"

Self-scoring: You are done already!

Why?

- Approximately 90% of the population in the database has the same Stress Reactive Behavior as their Internal Need.
- If you self-scored to the left or right or a blend of needs, you have already identified your stress.

1)/

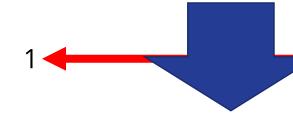
The ~90% Behavioral Shift to Reactive Behavior

50

Need

- Recharge by slowing down, stopping:
- May push themselves hard, yet need to control pace of their own work
- Minimize prolonged physical and mental demands
- Has a 'pause' button

- Recharge by being active, busy:
- Expect others to keep up with you
- Need competitive outlets in both work and hobbies to burn energy
- No 'off' switch



- Substitutes thought for action, creates delays
- Experiences exhaustion
- Magnifies the tediousness of projects.
 Easily discouraged
- Becomes 'Horizontal' and/or burns out

- Acts without thinking, has difficulty delegating
- Wastes energy
- Generates restless tension
- Impatient, edgy when pressured
- "Tasmanian Devil"

17/

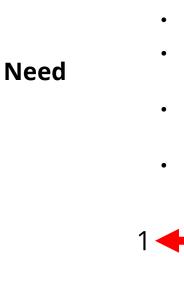
Stress

Reactive

Behavior

The ~90% Behavioral Shift to Reactive Behavior

50



- Recharge by slowing down, stopping:
- May push themselves hard, yet need to control pace of their own work
- Minimize prolonged physical and mental demands
- Has a 'pause' button

- Recharge by being active, busy:
- Expect others to keep up with you
- Need competitive outlets in both work and hobbies to burn energy
 - No 'off' switch



- Stress Experiences exhaustion
 - Magnifies the tediousness of projects.
 Easily discouraged
 - Becomes 'Horizontal' and/or burns out

- Acts without thinking, has difficulty delegating
- Wastes energy
- Generates restless tension
- Impatient, edgy when pressured
- "Tasmanian Devil"

17/

Reactive

Behavior

Physical Energy Stress Reactive Behavior [Physical & Mental Energy]

The behavior that is triggered when the corresponding need is unmet

Stress is also outwardly visible behavior.

- As with Needs, the median behavior for Stress is 50. As many people take on the Stress behaviors of the left of the scale as the right.
- While Usual behavior is distinguished by its evident, positive qualities and Needs provide essential information about underlying motivations, Stress is described negatively as frustrated, counterproductive behavior.
- Stress Reactive Behavior is the uncomfortable, less socially desirable counterpart that belongs to all behaviors we measure.

Physical Energy Stress - Application Questions

- What potential problem/s do you foresee if a lawyer (or you, your partner, or associate) is working from this Stress Reactive behavior rather than their usual productive behavior?
- Think of specific stressful experiences you have had in your firm/practice or even with clients -How might you personalize those experiences to the stress descriptions you just learned?
- What new insights might you have gained now realizing that you or someone you are working with or representing might be in a reactive behavior state rather than behaving by choice?

Action Plan:

• What self-management strategies can you proactively commit to should your stress-reactive behaviors begin?

1)/

24

Discipline

50+ Cases with Failure to Respond to Discovery Request

Violations: RPC 1.3, 5.1(a), 5.3(a) and 8.4(d)

Situation that set the stage:

Attorney had managerial and supervisory authority. The firm was retained to recover damages the client sustained in an accident. Defendant's counsel filed a Motion to Compel Plaintiff's Answer to interrogatories and Responses to Requests for Production of Documents. Judge grants motion and the respondent is given 20 days to comply. He did not.

Later, Motions for Sanctions were filed, and Judge granted them due to failure to comply. However, 31 days later, Respondent filed a Motion for Reconsideration. He claimed Motion to Compel was (unfortunately) not calendared on the computer system. Two months later (after a Motion for Summary Judgement was filed), the Judge held a hearing on the Reconsideration Motion.

The dam burst:

I had "too large a caseload."

Discussion/Lessons/Application

1)/

Behavioral Topic #2: Social Energy



Sociability, approachability, and preference for **group and team** participation

This behavior impacts issues such as:

- social enthusiasm,
- participation in meetings,
- comfort in interacting in groups,
- lines of communication
- spontaneous expression.

Relationship Management



Social Energy <u>Usual Behavior</u> [Social Enthusiasm and Inclusion]

Talkativeness, enjoyment of people in groups, approachability and their opposites

1 50 **80** 99

- Thinks and reasons independently
- Withstands group pressure
- Selectively sociable; works well on individual assignments
- A One-on-One or one-to few communicator

- Meets people with ease
- Socially comfortable around most people
- Actively seeks group affiliations, enthusiastic about team activity
- Enjoys group debate

Self-score; **Select one of the three options**:

Do you see yourself, and would those who know you best describe you by:

The left side of this scale

Some blend of the left and right side

The right side of this scale

Social Energy <u>Usual Behavior</u> [Social Enthusiasm and Inclusion] Talkativeness, enjoyment of people in groups, approachability and their opposites

These traits are outwardly visible behavior.

- People to the far right of the scale are socially comfortable around most people.
 They actively seek out others and meet them easily. They are enthusiastic about working in a team or in groups.
- People to the left of the scale are more socially selective. They prefer one-to-one
 or one-to-few interactions over groups. They are more self-directed and work
 well alone.
- Most people see themselves on the right side of the scale. In the database, the median skews strongly to the right.
- The reason? Business favors group interaction over independence and often prefers us to act socially, be friendly and actively build many working relationships. Therefore, you have essentially been encouraged to be open to social interaction.

1)/

Social Energy <u>Usual Behavior</u> [Social Enthusiasm and Inclusion] Talkativeness, enjoyment of people in groups, approachability and their opposites

This page is the same as it was in Physical Energy

- Usual behavior is the easiest for you to manage since human beings are adaptable, and behavior can be modified through training, experience, and self-awareness.
- Although about you, the best validators of this behavior are others who know you and have worked with you.

17/

29

Social Energy Strengths- Application Questions

- How does your Social Energy usual behavior (strengths) positively impact your practice?
- How might overusing that strength create challenges in your practice?
- Think about the lawyers you practice with or perhaps compete with for similar clientsare their social energy strengths comparable to yours or different?
- If similar, how does that similarity impact your work together?
- If different, how does that difference impact your work together?

Action Plan:

- To expand your adaptability to more clients and circumstances, what behaviors could you
 add to your existing skill set that would balance your current strengths?
- Once you understand the importance of Internal Needs (perspective) and reactive behaviors, how might your strength cause others to perceive that strength negatively?

17/

30

Social Energy Internal Needs [Social Enthusiasm and Inclusion]

What a person needs to recharge their social batteries. Often different than need.

50

99

- Plenty of time alone or in small groups
- A minimum of group meetings
- One-to-One contact with a few close friends
- Time for quiet reflection
- Freedom from constant social demands

- Opportunities to work in groups and teams
- Large numbers of acquaintances
- Acceptance and support from groups
- Reassurance from others when tasks become 'lonely' or frustrating

Self-score; **Select one of the three options**:

How do you see yourself; what expectations do you have about how situations and relationships should be managed? (Despite how you have learned to succeed)

The left side of this scale

Some blend of the left and right side

The right side of this scale

Social Energy Internal Needs [Social Enthusiasm and Inclusion]

What a person needs to recharge their social batteries. Often different than need.

This is internal behavior

- It helps us understand what motivates you and how your expectations are defined. Insight into this inner need helps us understand how you 'recharge' socially.
- The father to the left of the scale, the more a person needs a break from people. If they are required to socialize all day, they can be reasonably capable, yet it is exhausting for them to continue that behavior. So they stop as soon as they can.
- To the right people recharge with or through people. They thrive on acceptance and support of the group/team. Being liked is important. When required to socialize all day- even beyond the end of the workday- they remain invigorated by that interaction with others.

Social Energy Internal Needs [Social Enthusiasm and Inclusion]

What a person needs to recharge their physical batteries. Often different than need.

This page is the same as it was in Physical Energy

- As many people have Needs to the left of the scale as the right.
 The database's median score for this behavior and all behavioral needs is 50.
- Needs always center because they are not subject to social desirability
- When a person's Needs are met, they are in the best position to make positive contributions through their usual behavior.
- When needs are unmet, it triggers stress-reactive behavior.

1)/

Social Energy Needs- Application Questions

- How might your Social Energy need impact how you socialize in your firm? With your existing clients? With potential clients?
- What happens if your firm demands that you spend more time with clients or more on rain-making activities outside 'normal' hours? Do you feed off that, or does that feel draining?
- How much socialization is too much for you? When do you 'disappear' from social functions?
- How does your score influence your 'away from work' activities?

Are you comfortable articulating your need to others in your firm (or to others as applicable)?

Action Plan:

- What circumstances in your daily life do not meet your dominant needs?
- What can you do to manage these needs to avoid stress behaviors?
- Give examples of how you think people may not have understood your need
- What can you do to help other people understand these needs?
- Are you comfortable articulating your need to others in your firm?

17/

34

Social Energy Stress Reactive Behavior [Social Enthusiasm and Inclusion]

The behavior that is triggered when the corresponding need is unmet

50 99

- Withdrawn and quiet in meetings
- Underestimates the importance of group dynamics
- Impatient with group and social time demands
- Makes it difficult to know the inner person

- Over values group opinion, dependent on group approval
- Talks too much and says what others want to hear
- Avoids close personal relationships
- Swayed by group opinion
- Unconcerned about individuals in the group

Self-scoring: You are done already!

Why?

- Approximately 90% of the population in the database has the same Stress Reactive Behavior as their Internal Need.
- If you self-scored to the left or right or a blend on needs, you have already identified your stress.

1)/

The ~90% Behavioral Shift to Reactive Behavior

- Plenty of time alone or in small groups
- A minimum of group meetings
- One-to-One contact with a few close friends
- Time for quiet reflection
- Freedom from constant social demands

- Opportunities to work in groups and teams
- Large numbers of acquaintances
- Acceptance and support from groups
- Reassurance from others when tasks become 'lonely' or frustrating



Stress Reactive Behavior

Need

- Withdrawn and quiet in meetings
- Underestimates the importance of group dynamics
- Impatient with group and social time demands
- Makes it difficult to know the inner person

- Over values group opinion, dependent on group approval
- Talks too much and says what others want to hear
- Avoids close personal relationships
- Swayed by group opinion
- Unconcerned about individuals in the group

The ~90% Behavioral Shift to Reactive Behavior

50

- Plenty of time alone or in small groups
- A minimum of group meetings
- One-to-One contact with a few close friends
- Time for quiet reflection
- Freedom from constant social demands

- Opportunities to work in groups and teams
- Large numbers of acquaintances
- Acceptance and support from groups
- Reassurance from others when tasks become 'lonely' or frustrating



Need

- Withdrawn and quiet in meetings
- Underestimates the importance of group dynamics
- Impatient with group and social time demands
- Makes it difficult to know the inner person

- Over values group opinion, dependent on group approval
- Talks too much and says what others want to hear
- Avoids close personal relationships
- Swayed by group opinion
- Unconcerned about individuals in the group

Social Energy Stress Reactive Behavior [Social Enthusiasm and Inclusion]

The behavior that is triggered when the corresponding need is unmet

This page is the same as it was in Physical Energy

Stress is also outwardly visible behavior.

- As with Needs, the median behavior for Stress is 50. As many people take on the Stress behaviors of the left of the scale as the right.
- While Usual behavior is distinguished by its evident, positive qualities and Needs provide important information about underlying motivations, Stress is described negatively as frustrated, counter-productive behavior.
- Stress Reactive Behavior is the uncomfortable, less socially desirable counterpart that belongs to all behaviors we measure.

Social Energy Stress- Application Questions

- What potential problem/s do you foresee if a lawyer (or you, your partner, or associate) is working from this Stress Reactive behavior rather than their usual productive behavior?
- Think of specific stressful experiences you have had in your firm/practice or even with clients -How might you personalize those experiences to the stress descriptions you just learned?
- What new insights might you have gained now realizing that you or someone you are working with or representing might be in a reactive behavior state rather than behaving by choice?

Action Plan:

 What self-management strategies can you proactively commit to should your stressreactive behaviors begin?

Discipline

A Rainmakers Drought

Violations: RPC 8.4(C) and RPC 1.5(a)

Situation that set the stage:

The attorney was a 'rainmaker' at one firm and actively negotiating to move to another firm. At that time, he received numerous referrals from 2 insurance companies. During those negotiations, he represented that he would continue to receive referrals from those companies.

Upon moving to the new firm, the cases from the insurance companies ceased to flow.

Telling Behavior:

His "confidence and self-esteem" was tied exclusively to his work as a lawyer (and his ability to attract client work)

He believed he was more connected to the referring parties than he truly was. He told the new partners what they wanted to hear.

Discussion/Lessons/Application

Behavioral Topic: Emotional Energy



Openness and comfort with **expressing** emotion

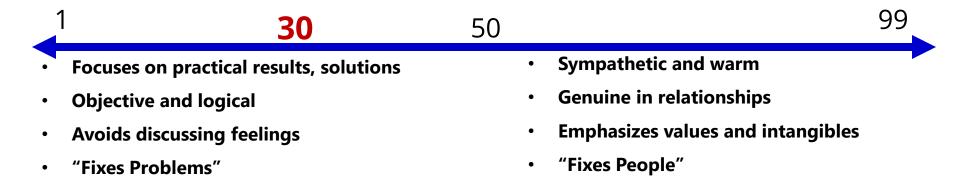
This behavior impacts issues such as:

- manner of addressing personal difficulties,
- logic vs. feeling
- controlled or expressive behaviors
- Practicality/creative ideas

Support the emotional needs of others

Emotional Energy <u>Usual Behavior</u> [Emotional Expressiveness]

Comfort with emotional expression, involvement of feelings how you show care and concern



Self-score; **Select one of the three options**:

Do you see yourself, and would those who know you best describe you by:

The left side of this scale

Some blend of the left and right side

The right side of this scale

Emotional Energy <u>Usual Behavior</u> [Emotional Expressiveness] Comfort with emotional expression, involvement of feelings how you show care and concern

These traits are outwardly visible behavior.

- People to the far right of the scale are solution focused and concentrate on the problem brought to them, not the person experiencing the issue.
- People to the far right of the scale are empathetic and peoplefocused. They listen to feelings and connect to what others are feeling/experiencing.
- Most people see themselves to the left side of the scale. In the database, the median skews strongly to the left.
- The reason? Business favors and rewards tangible solutions.

Emotional Energy <u>Usual Behavior</u> [Emotional Expressiveness]

Comfort with emotional expression, involvement of feelings how you show care and concern

This page is the same as it was it Physical and Social Energy

- Usual behavior is the easiest for you to manage since human beings are adaptable, and behavior can be modified through training, experience, and self-awareness.
- Although about you, the best validators of this behavior are others who know you and have worked with you.
- Others typically see usual behavior as effective, productive, natural, possibly flexible, and what comes effortlessly to you.

Emotional Energy Strengths- Application Questions

- How does your Emotional Energy usual behavior (strengths) positively impact your practice?
- How might overusing that strength create challenges in your practice?
- Think about the lawyers you practice with are their strengths similar to yours or different?
- If similar, how does that similarity impact your work together?
- If different, how does that difference impact your work together?

Action Plan:

- To expand your adaptability to more clients and circumstances, what behaviors could you
 add to your existing skill set that would balance your current strengths?
- Once you understand the importance of Internal Needs (perspective) and reactive behaviors, how might your strength cause others to perceive that strength negatively?

1)/

45

Emotional Energy Internal Needs [Emotional Expressiveness]

What a person needs to recharge their emotional batteries. Often different than need.

50 99

- Logical solutions to problems
- Concrete, specific, understandable instructions
- Objective sounding board
- Support from those who are more theoretical.
- Matter-of-fact supervision

- Ongoing outlet for subjective issues and strong feelings
- Opportunity to confide inner feelings
- To be listened to, to be heard
 - Minimum of unexpected changes in significant relationships
- Supervision that understands you can have feelings about facts

Self-score; **Select one of the three options**:

How do you see yourself; what expectations do you have about how situations and relationships should be managed? (Despite how you have learned to succeed)

The left side of this scale

Some blend of the left and right side

The right side of this scale

Emotional Energy Internal Needs [Emotional Expressiveness]

What a person needs to recharge their physical batteries. Often different than need.

This is internal behavior

- It helps us understand what motivates you and how your expectations are defined. Insight into this inner need helps us understand how you look to others to show their care and concern.
- The father to the left of the scale, the more a person looks to others for tangible, actionable solutions. They respond best to logic and unemotional approaches from others. They begin to get increasingly uncomfortable when others are- in their estimation- overly emotional.
- To the right people count on others to support them by being a 'sounding board' and someone they can confide in. They want to be heard. They begin to get increasingly uncomfortable with people who feel aloof or distant because of the lack of emotion in their approach.

Emotional Energy Internal Needs [Emotional Expressiveness]

What a person needs to recharge their physical batteries. Often different than need.

This page is the same as it was it Physical and Social Energy

- As many people have Needs to the left of the scale as the right.
 The database's median score for this behavior and all behavioral needs is 50.
- Needs always center because they are not subject to social desirability
- When a person's Needs are met, they are in the best position to make positive contributions through their usual behavior.
- When needs are unmet, it triggers stress-reactive behavior.

Emotional Energy Needs- Application Questions

- How might your emotional energy needs impact how you seek support from others in your firm?
- Who supports your emotional energy need outside of work? How did they learn to support you in a way you best responded to?
- What has happened when you are working with someone with needs on the other side of the scale from you? Where the practicality of ideas and solutions -concrete, specific, logical supersede feelings, thoughtfulness, subjectivity, or vice versa?
- How does your score influence your 'away from work' activities?

Action Plan:

- What circumstances in your daily life do not meet your dominant needs?
- What can you do to manage these needs to avoid stress behaviors?
- Give examples of how you think people may not have understood your need
- What can you do to help other people understand these needs?
- Are you comfortable articulating your need to others in your firm?

17/

49

Emotional Energy Stress Reactive Behavior [Emotional Expressiveness]

The behavior that is triggered when the corresponding need is unmet



- Discounts people's feelings; loses sensitivity toward others
- Too concrete and unreflective
- Suppresses real feelings
- Minimizes problems
- Undue emphasis on immediate results

- Bases decisions primarily on feelings
- Sees the difficulty in every situation
- Emotions affect judgment
- Loses 'spirit' when pressed for quick results
- Feels discouraged, which may magnify problems and personal setbacks

Self scoring: You are done already!

Why?

- Approximately 90% of the population in the database has the same Stress Reactive Behavior as their Internal Need.
- If you self-scored to the left or right or a blend on needs, you
 have already identified your stress.

The ~90% Behavioral Shift to Reactive Behavior

- Logical solutions to problems
- Concrete, specific, understandable instructions
- · Objective sounding board
- Support from those who are more theoretical
- Matter-of-fact supervision

- Ongoing outlet for subjective issues and strong feelings
- Opportunity to confide inner feelings
- To be listened to, to be heard
- Minimum of unexpected changes in significant relationships
- Supervision that understands you can have feelings about facts

50



Need

- Discounts people's feelings; loses sensitivity toward others
- Too concrete and unreflective
- Suppresses real feelings
- Minimizes problems
- Undue emphasis on immediate results

- Bases decisions largely on feelings
- Sees the difficulty in every situation
- Emotions effect judgement
- Loses 'spirit' when pressed for quick results
- Feels discouraged, may magnify problems and personal setbacks

The ~90% Behavioral Shift to Reactive Behavior

- Logical solutions to problems
- Concrete, specific, understandable instructions
- · Objective sounding board
- Support from those who are more theoretical
- Matter-of-fact supervision

- Ongoing outlet for subjective issues and strong feelings
- Opportunity to confide inner feelings
- To be listened to, to be heard
- Minimum of unexpected changes in significant relationships
- Supervision that understands you can have feelings about facts

Stress Reactive Behavior

Need

- Discounts people's feelings; loses sensitivity toward others
- Too concrete and unreflective
- Suppresses real feelings
- Minimizes problems
- Undue emphasis on immediate results

- Bases decisions largely on feelings
- Sees the difficulty in every situation
- Emotions effect judgement
- Loses 'spirit' when pressed for quick results
- Feels discouraged, may magnify problems and personal setbacks

Social Energy Stress Reactive Behavior [Social Enthusiasm and Inclusion]

The behavior that is triggered when the corresponding need is unmet

This page is the same as it was it Physical and Social Energy

Stress is also outwardly visible behavior.

- As with Needs, the median behavior for Stress is 50. As many people take on the Stress behaviors of the left of the scale as the right.
- While Usual behavior is distinguished by its apparent, positive qualities and Needs provide important information about underlying motivations, Stress is described negatively as frustrated, counter-productive behavior.
- Stress Reactive Behavior is the uncomfortable, less socially desirable counterpart that belongs to all behaviors we measure.

Social Energy Stress- Application Questions

- What potential problem/s do you foresee if a lawyer (or you, your partner, or associate) is working from this Stress Reactive behavior rather than their usual productive behavior?
- Think of specific stressful experiences you have had in your firm/practice or even with clients -How might you personalize those experiences to the stress descriptions you just learned?
- What new insights might you have gained now realizing that you or someone you are working with or representing might be in a reactive behavior state rather than behaving by choice?

Action Plan:

 What self-management strategies can you proactively commit to should your stressreactive behaviors begin?

1)/

54

Discipline

Emotionally Distraught

Violations: RPC 1.1, 1.3, 1.4(a), 1.4(b), 1.15(b), 5.3(b) parties stipulated to. 8.4(C) charged; respondent vigorously denied

Situation that set the stage:

Respondent primarily practiced criminal defense and plaintiff's work. His father was an estate practitioner. The two maintained separate practices. Father employed a paralegal for estate work. Father passes away. Son decides he will maintain his father's practice through paralegal and accountant and administer to his estate.

Telling Behavior:

Emotion-driven decisions. Freezing on his responsibility of supervising the paralegal and administrating his father's estate. "My father taught me everything...but he did not teach me to live without him."

Inability to deal with sudden changes in relationships

Discussion/Lessons/Application

Recap

- Self-awareness is key to creating a fulfilling lawyer life
- Most expend their Physical, Social, and Emotional Energy similarly
- People recharge their Physical, Social, and Emotional Energy differently
- Being able to manage your energy needs is crucial to resiliency
- Expressing needs to others is important
- When needs are unmet, we move into counterproductive behavior
- That counterproductive behavior can have us behave in ways that put our practice in jeopardy
- The ability to self-manage oneself out of their counterproductive reactive behaviors is an essential skill to learn.

1)/

56

Questions?



Contact Doug:

Phone: **724.612.0020**

Email: **Doug@douglasleonard.co**

I also facilitate this course- or modify it to your group's specific need- for your law firm, corporate law department, organization, agency, or bar association.

Virtually or on-site.

You have many choices for your CLE – **Thank you** for selecting this program for your professional development.



Who is Doug Leonard?

Business Experience

Behavioral Consultant/Executive Team Coach

- 25+ years consulting experience
- Evaluated thousands of behavioral profiles
- Certified and SME in The Birkman Method®
- Certified in Birkman Mindsets®
- Certified in Conversational Intelligence®
- Certified in Psychological Safety
- Domestic and International experience
- Engagements in a wide range of industries
- Public and private sector experience
- Clients with 10 to over 140,000 employees

Legal Experience

Law Firm, Trial Court, Mediation, Disciplinary Board

- 3 years law firm administrator
- 6+ years trial court administrator
- President of the PA Court Administrators Assn.
- Mediated child custody cases for 2 years
- 8+ years as a member, deputy chair, and chair of the Pennsylvania Disciplinary Board
- Member of IWIL (Institute for Well-Being in the Law), formerly the National Task Force on Lawyer Well-Being; Member of Governance Committee
- Founder of the PA Task Force for Well-Being in Law

Follow me on social media:

LinkedIn: Linkedin.com/in/dleonard17 Facebook: @DouglasLeonardConsulting

Twitter: @DWLConsulting

Call: 724.612.0020

email: Doug@douglasleonard.co



