



PROGRAM MATERIALS
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A Lawyer's Guide To Mental Fitness

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**A Lawyer's Guide To
Mental Fitness**

Jonathan Z. Cohen





Key Objectives

Define Mental Fitness

Identify Self-Sabotage Behaviors

Stress Management Ecosystem



Resilience Protocol



What is lawyer well-being?

A continuous process in which lawyers strive for thriving in each dimension of their lives: emotional, spiritual, occupational, intellectual, physical, social.





Main findings from surveys



Impact of stigma:

41 % would not discuss mental wellbeing concerns with their employer for fear it may have a negative impact on their career.



Lack of Training

82% of institutions say they take mental wellbeing seriously – only 16 percent provide training for senior management



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say their work has a negative, or extremely negative impact on their wellbeing

Reasons why people don't speak out:

32.1%

Fear of being treated differently as a result



24.1%

Employer does not sufficiently recognise mental wellbeing issues



17.2%

Fear of not being believed/taken seriously



28%

want to see improved workplace culture: to create a culture of mutual respect and address poor behaviour.

Tackling the Mental Health Crisis in the Legal Profession

New Jersey Lawyer, Feb. 2024

Root Cause

- Many lawyers struggle to prioritize their own well-being


Attorneys under 34 y/o 4x more likely to report depression than lawyers over 65 y/o

Symptoms

- Inability to disconnect
- Lack of boundaries
- Feelings of isolation
- Burnout
- Attorneys under 34 are **four times more likely** to report depression than those over 65

Industry-Wide & Corporate Policy Recommendations:

- Start the conversation to normalize mental health discussions
- Increase outreach and education on well-being
- Offer CLEs focused on mental health
- Address stigma through workplace culture change
- Introduce wellness initiatives at the law school level
 - Provide speakers on attorney well-being
 - Integrate wellness into legal education
- Encourage use of available mental health resources




Applicable Model Rules of Professional Conduct

Competence

Competence: A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation. (*model rule 1.1 of Model Rules of Professional Conduct*)


Rule 1.16(a)(2), Withdrawal is required when “the lawyer’s physical or mental condition materially impairs the lawyer’s ability to represent the client”.





Mental Fitness Defined

The ability to manage thoughts, emotions, and behaviors that support long-term well-being, high performance, and intentional decision-making, especially under pressure.






The Absence of Mental Fitness

- **Burnout**
- **Attrition**
- **Quiet quitting**
- **Malpractice risk**
- **Substance abuse**




Mental Fitness is about Perspective

- **Daily processing time**
 - **Emotional Curiosity**
 - **Self Distancing**
 - **Psychological**
 - **Physical**
 - **Self Coaching**
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Byproduct of Mental Fitness as Infrastructure

- **Reduces attrition**
 - **Reduces reactivity**
 - **Increases belonging**
 - **Increases psychological safety**
 - **Experience growth & autonomy**
 - **Increases performance durability**
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Culture Mirrors Leadership

High performance requires emotionally regulated leaders

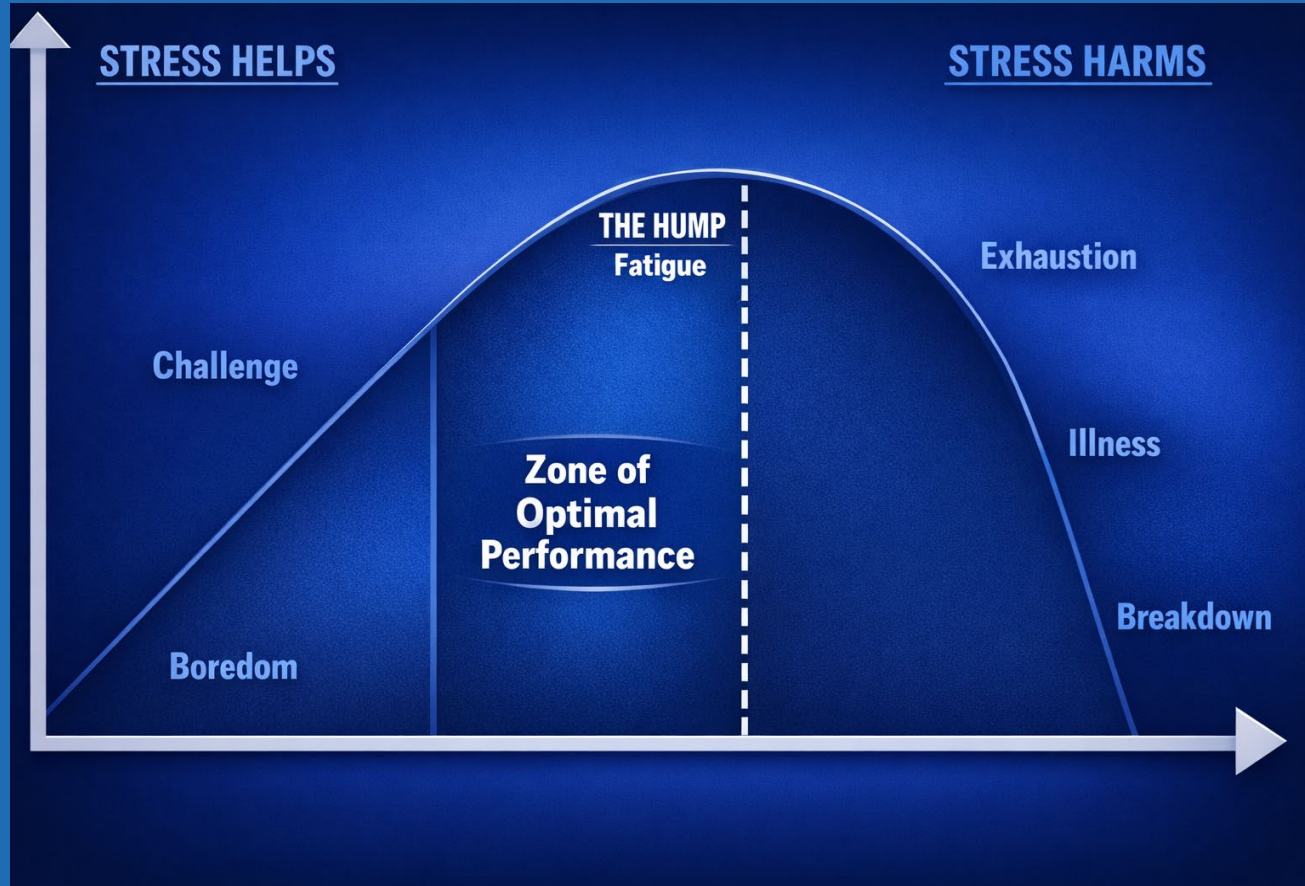
Reactive leaders create reactive firms.

Exhausted leaders lead to a burn out culture.

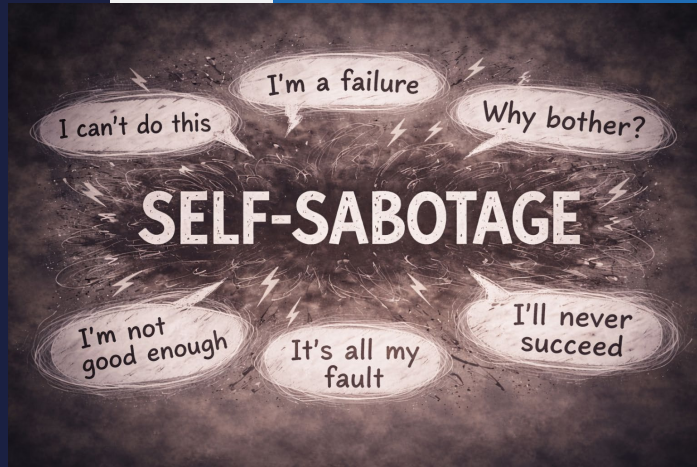
When leaders model self-regulation...

Resilience becomes culture.

How Stress Helps or Hurts...



Self Sabotage



Self Doubt

Imposter Syndrome

Perfectionism

Negative Self Talk

Fear of Failure

Procrastination

Avoidance

People Pleasing

Harmful Relationships

Fear of Commitment



INNER DECEIVERS

Inner Deceivers

The Internal Prosecutor

Misguided Protector

Never-Enough Engine

Neglector

Resilience Protocols

Tools to lead a purpose driven life.





**INSPIRED
ACTION SYSTEM**

Stress Management Ecosystem



**Intentional Thought
& Emotional Control**



Mindfulness



Movement



Journaling & gratitude



Service & Community



**Conversations with
People of Wisdom**

Resilience Frameworks



Straight Line Method

Be Like Mike

Mental Aid Stations

Name Sacrifices

Evidence Frame

Me, Myself, & I



Evidence Frame

List all of the things that give you credibility in your chosen field.

Is it unreasonable for you to believe you are unqualified based on this evidence?

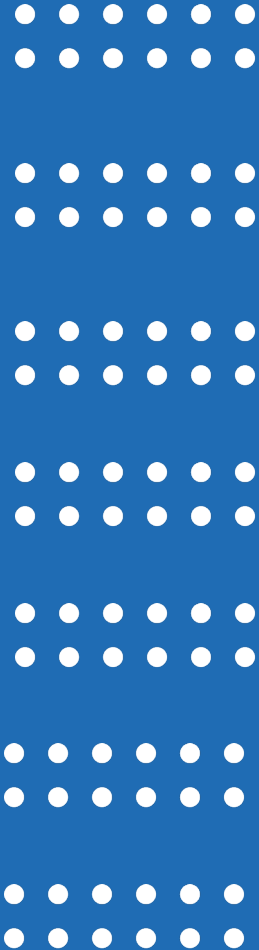




Me, Myself, & I

Imagine a dialogue between you and your best friend, witnessed by an impartial observer.

Recorder Method:
Record yourself offering advice as a friend would.

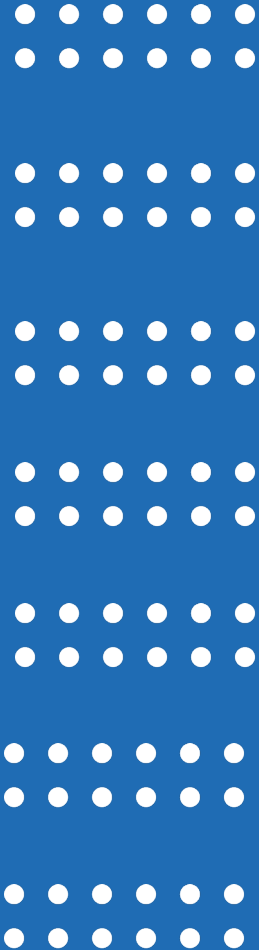




Be Like Mike

How can I use this emotion
to become the person I'm
striving to be?

Channel raw emotions
into productive energy.





Mental Aid Stations

List all of the things that
you'd do on a perfect day

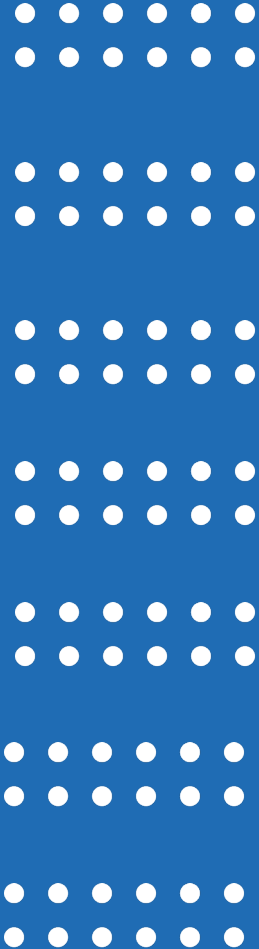
Circle how many of listed
tasks you can do daily





Name Sacrifices

List what you'll have to give up to get the thing you want.





Mental Fitness Infrastructure



**You Don't Eliminate Stress.
You Build Capacity.**





Mental Fitness Challenges

- 1. Model one recovery behavior publicly.**
 - 2. Normalize self-regulation language.**
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Mental Fitness Wrapped

Define Mental Fitness

Identify Self-Sabotage Behaviors

Stress Management Ecosystem



Resilience Protocol



INSIDE

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