# LABOR AND EMPLOYMENT LAW

## CALIFORNIA LAWYERS ASSOCIATION

*presents*

## 40th Annual Meeting of the Labor and Employment Law Section

Better Lawyering Through Mindfulness

Friday, July 19, 2024
3:15 p.m. – 4:45 p.m.

Speakers:

Jeena Cho

**Conference Reference Materials**

# Better Lawyering Through Mindfulness

# About Me

- 15+ years of law practice
- Co-author of The Anxious Lawyer book (ABA)
- Korean-American, Immigrant
- Coaching Certificate, UC Davis
- Education for Racial Equity
- Somatic Experiencing
- Mindfulness-Based Stress Reduction
- Spirit Rock, retreats and education

# Be

# Here

# Agenda

1. The Numbers
2. Duty of Competence
3. Stress + Anxiety
4. Social Anxiety
5. Introduce mindfulness
6. Specific strategies for reducing stress/anxiety
7. Practices for being more present

# 28%

Lawyers are 3X more likely to suffer from depression than an average adult

# Almost 1 in 4

19% of lawyers experience anxiety

# 21%

Are problem drinkers

# 63%

Report mental health negatively impacts their work

Krill PR, Thomas HM, Kramer MR, Degeneffe N, Anker JJ. Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk. Healthcare (Basel). 2023 Feb 11;11(4):536. doi: 10.3390/healthcare11040536. PMID: 36833071; PMCID: PMC9956925.

**47%**

Lawyers of color reported work stress because of their race and/or ethnicity

**53%**

Women of color reported work stress due to race/gender

**35%**

Black lawyers felt anxiety due on their race

**61%**

Black lawyers felt isolated in their law firms, compared to 53% of white lawyers

# Rule 1.1- Competence

(California)

A lawyer shall not intentionally, recklessly, with gross negligence, or repeatedly fail to perform legal services with competence.

For purposes of this rule, "competence" in any legal service shall mean to apply the (i) learning and skill, and (ii) <u>mental, emotional, and physical ability</u> reasonably necessary for the performance of such service.

# What is Stress?

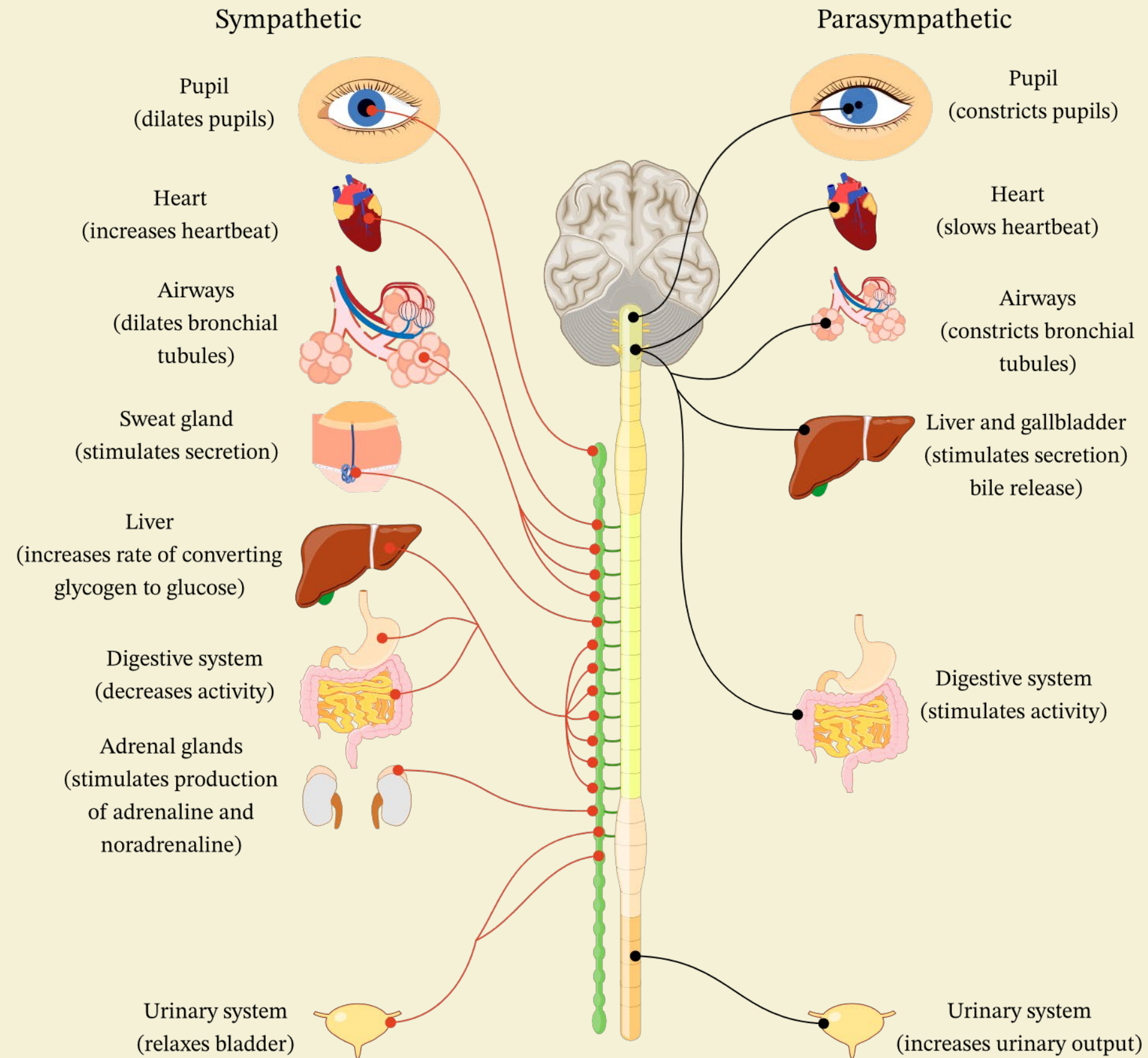Stress is a reaction to a stimulus that disturbs our physical or mental equilibrium.

# What is Anxiety?

Anxiety is the subjectively unpleasant feeling of dread over anticipated events.

# Sympathetic & Parasympathetic Nervous System
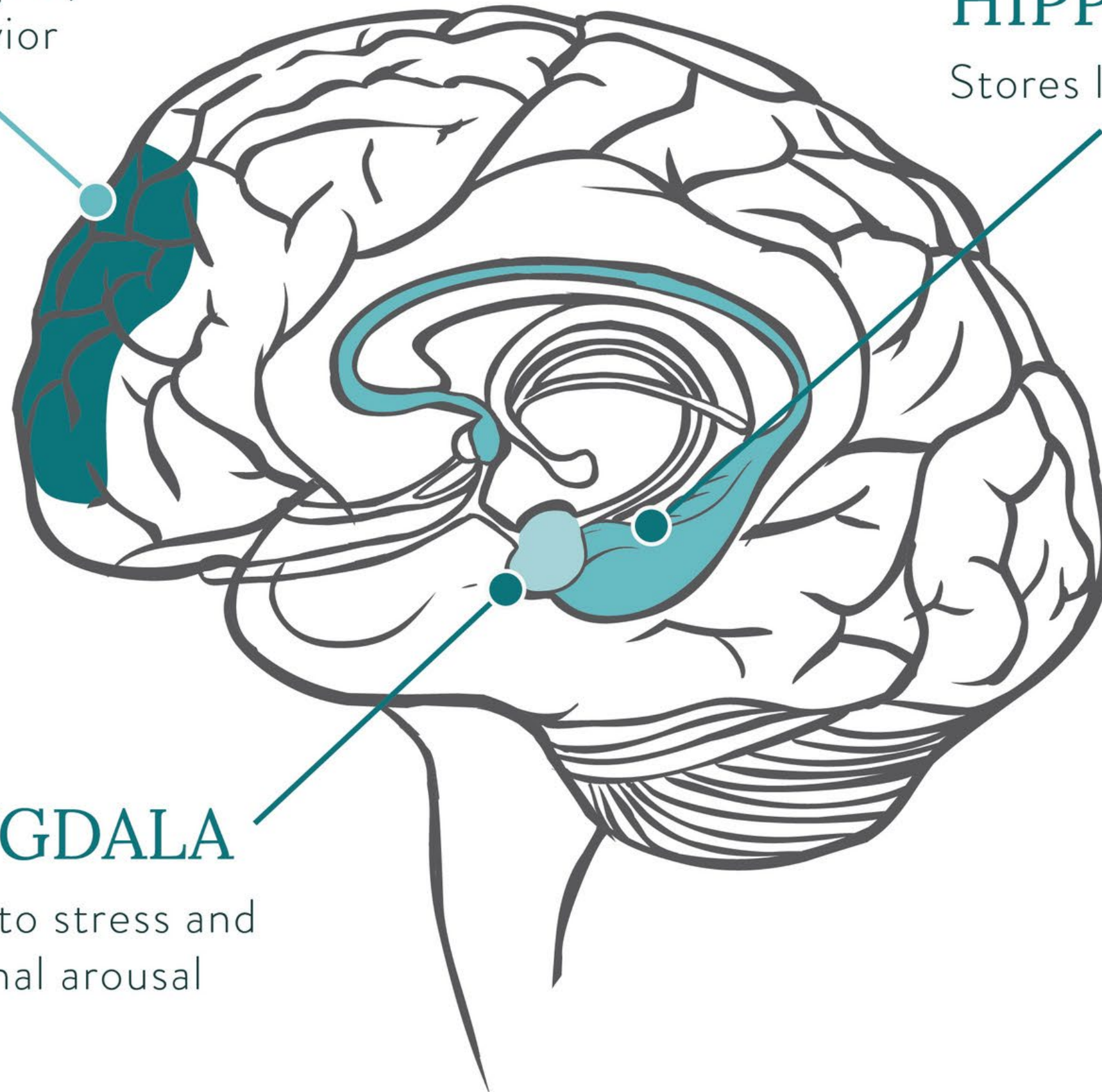
Sympathetic

Parasympathetic

Pupil
(dilates pupils)

Pupil
(constricts pupils)

Heart
(increases heartbeat)

Heart
(slows heartbeat)

Airways
(dilates bronchial
tubules)

Airways
(constricts bronchial
tubules)

Sweat gland
(stimulates secretion)

Liver and gallbladder
(stimulates secretion
bile release)

Liver
(increases rate of converting
glycogen to glucose)

Digestive system
(decreases activity)

Digestive system
(stimulates activity)

Adrenal glands
(stimulates production
of adrenaline and
noradrenaline)

Urinary system
(relaxes bladder)

Urinary system
(increases urinary output)

**PREFRONTAL CORTEX**

Structural changes including fewer and altered connections.

Functional challenges including difficulty regulating thoughts, emotions, behavior.

**HIPPOCAMPUS**

Structural changes including fewer connections, fewer new neurons created, and smaller volume.

Functional changes including difficulty with memory, contextualizing new situations and information, and storing new learning.
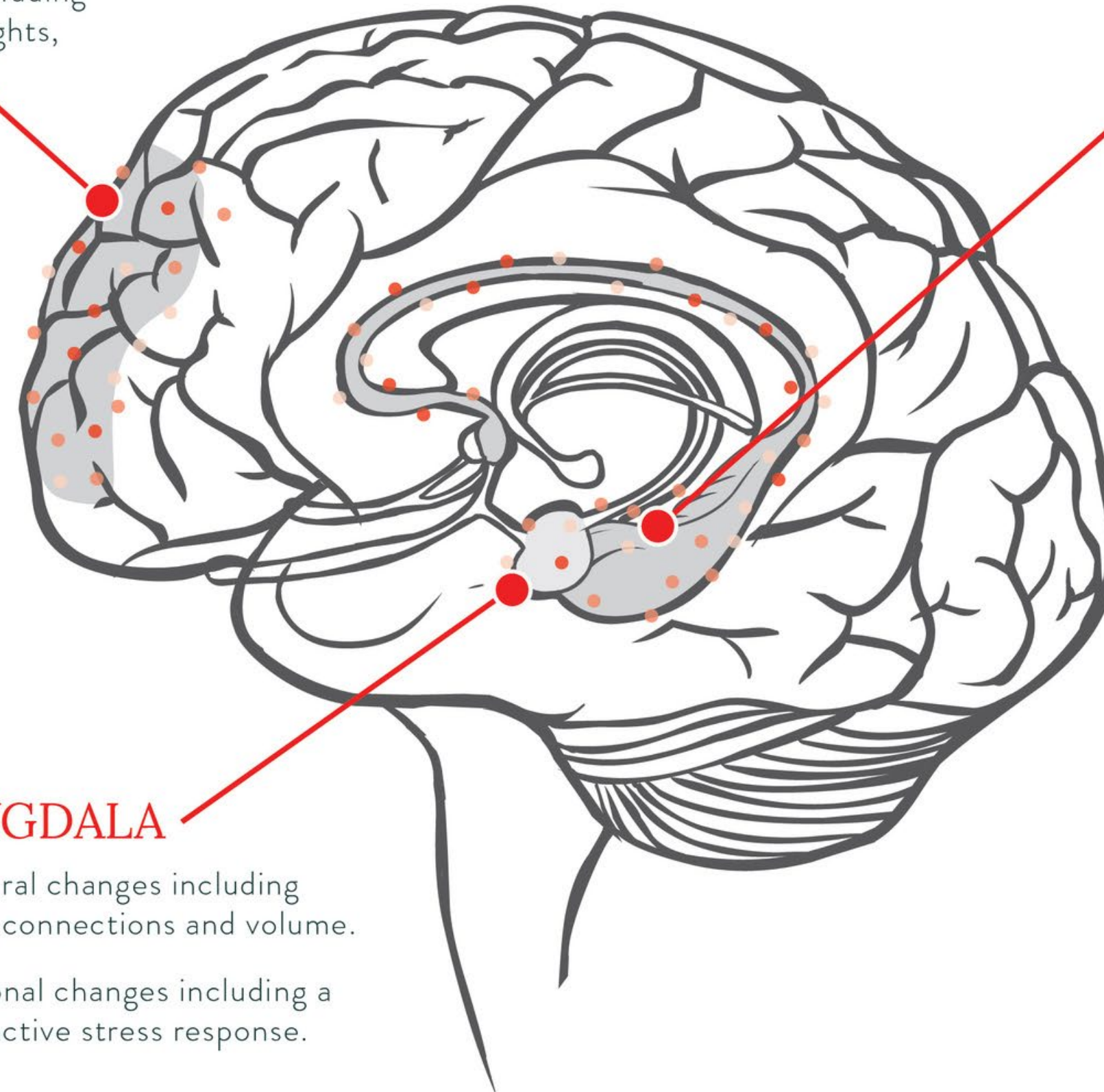
**AMYGDALA**

Structural changes including altered connections and volume.

Functional changes including a hyperactive stress response.
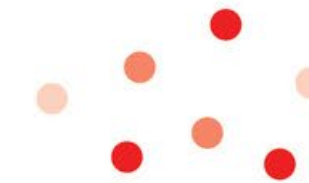
**STRESS HORMONE**
**CORTISOL**

jeena cho

# Let's Talk About It

How do you experience stress and anxiety?

- Cognitively
- Physically
- Emotionally

What strategies do you use to cope with stress and anxiety? Is it effective?

# What is Trauma?

"Trauma is the body's response to anything that it perceives as too much, or as happening too soon or too fast, or as lasting too long — and without receiving sufficient support, resource or repair."

Resmaa Menakem, My Grandmother's Hands: Racialized Trauma and the Pathway to Mending Our Hearts and Bodies