

Your are Not a Super -Hero, but Help is at Hand!

A CAUTIONARY TALE

Here is a cautionary tale. You may never see yourself in the same position, but your understanding and empathy may be exactly what your fellow lawyer needs.

Kian Hock is a solo, running his own financially successful litigation practice. A sound lawyer who understood the value of mediation and timely settlement, he had developed a sterling reputation among his peers and was well respected by the judiciary. However, under this professional mask, Kian Hock harbored a deep seated fear - that he was not really a very good lawyer and that someday his charade would be exposed; his clients and his peers would find out that he really was incompetent and had been fooling them all along. With this dread fixed in his mind, he worked tirelessly to avoid detection. Going over his research and documentation tirelessly, working late into the night and forsaking family and social life.

Recently it all seemed like too much. He had managed to function for many years on little sleep but even that was hard to achieve now. His appetite had gone from little to no desire for food. On some days he felt unable to get out of bed at all. A sense of futility and hopelessness pervaded his feelings. His work, always conducted with such meticulous care, became too much for him. He found himself missing deadlines and avoiding his clients.

Before long, he had two negligence claims brought against him. This proved his worst fears and he began to beat himself up mentally, believing himself a complete failure. His charade was beginning to unravel. He hated his life and felt trapped, but was too steeped in his isolation to seek help. Thoughts of suicide crossed his mind many times but he was saved, ironically, by a heart attack.

Confined to a hospital bed during his recuperation, he admitted to his fragile emotional state and sought psychiatric help. A psychiatrist diagnosed manic depression, along with an obsessive-compulsive disorder. With medication, professional counseling and family support, he was able to return to work some months later with a new view to balance in his life - self, family and work.

ACHIEVING BALANCE

Like everyone else involved in a highly competitive work environment, a certain amount of stress is an accepted part of working life. But when stress becomes overwhelming, our ability to cope becomes impaired; leading to more serious long-term alcohol and substance addiction problems and deterioration of emotional and mental health.

The legal services marketplace is now more complex and competitive than ever. Clients have become more demanding and sophisticated about their rights. Technology has profoundly changed how lawyers serve their clients. In addition, many solo and small practice lawyers undertake commoditised legal services on limited human resources, adding to the pressure of performing high volume legal work at low cost with all the attendant practice risks.

Law school imparts legal skills but I do not know of any undergraduate law course that teaches prospective lawyers on the processes and systems for the efficient delivery of commodotised legal services nor how to manage a law practice. From our claims data, we know that poor supervision, inadequate backroom support systems, poor communication skills and procrastination are key, underlying causes of negligence claims against lawyers. What we don't know and can only guess at is how lawyers, having been exposed to stress at unrelenting high levels over an extended period of time, suffer the cumulative effects of overwork and burnout.

If you are missing deadlines, losing sleep over work, feeling anxious and unable to cope - these are early indicators that you are not handling stress well.

Taking steps to manage stress is merely a small start. Staying healthy is also an essential part of maintaining a productive and successful professional life. And there is a bonus: a healthy lifestyle will

give you much more than a successful career. You will experience a boost in your energy level, an overall improved feeling about yourself and your situation.

Personal problems are a part of most lives at one time or another. Being equipped to recognize and deal with performance detractors such as illnesses or addictions can help prevent them from negatively impacting your personal and professional life.

More importantly, you need to want it to work. Decide what you need to improve, determine what you need in order to reach your goals, and then develop an action plan to help get you there. Striking the right balance between the demands of your personal and professional life is a never-ending exercise. Just when you think you have struck the right work-life balance, something changes and you need work at re-establishing the equilibrium again. Because our situations are dynamic, we need to constantly define what it takes to maintain a healthy balance. Maintaining that equilibrium while working as a lawyer is no easy task, so don't be shy to ask for help when you need it.

Acknowledging that you are not a super-hero is the next step and seek help under the various pastoral care initiatives run by the Law Society.

LAW SOCIETY INITIATIVES INCLUDING PASTORAL CARE

The Law Society of Singapore runs several initiatives to provide support and pastoral care for members in distress. These include -

(1) Pastoral Care Fund - This fund was established by the Law Society on 29 July 2005 pursuant to recommendations of the Pastoral Care Committee in response to increasing number of cases of professional misconduct and breaches caused by crisis in the lawyer's personal lives.

(2) Welfare Fund - This fund was established by the Law Society to relieve financial distress suffered by a member or his immediate family covering both one-off payments to alleviate dire financial need as well as financial assistance to tide the member over short term set-back.

(3) LawCare Counselling Scheme – This scheme provides for free or subsidized professional counselling service with the Society bearing the operational costs of the service, with a grant from the Society's insurance brokers, where the Counselling Centre determines that the Member requires financial assistance to pay for the sessions.

(4) Counsellor Scheme – a scheme where experienced lawyers volunteer to mentor or give guidance to younger practitioners to assist them in their practice of law.

However, these programs are self-referring and lawyers in emotional or psychological need are often too proud or too steeped in denial to seek professional help. Regrettably, in a culture that promotes self-sufficiency and self-reliance, mental healthcare professionals agree that there is still stigma attached to seeking psychiatric help.

Generally, the first sign of mental and emotional stress is a failure to perform at work - for example, displaying indifference to work output, progressively failing to deliver on deadlines, avoiding clients and alienating peers. Disciplinary records have consistently shown that lawyers in breach of professional conduct rules or facing negligence claims are also in the midst of personal crisis. These may comprise the cumulative effects of underlying long-term compulsive behaviors such as alcohol or substance addiction; others may be triggered by circumstances surrounding the lawyer such as partnership disputes, divorce or marital breakdown, death and illness in the family and personal financial problems.

In addition to professional counselors who provide guidance on a personal level, the Law Society has also proposed that pastoral care extend to providing members with practical advice from practice management consultants on managing their practice.

In January 2007, the Law Society will be launching a new pastoral initiative called Practice Management Support, where members may seek guidance and advice from practice management consultants on practice management issues.

Under this scheme, the consultants from Bizibody Technology Pte Ltd will provide practical advice on practice risk management, business planning, human resource and personnel management, and client relationships.

In all of the Law Society's pastoral schemes and initiatives, confidentiality is strictly observed maintained. The counselor/adviser/consultant keeps all matters disclosed by the client confidential and the client need not fear that the disclosures made over the course of the relationship will be used against him in a disciplinary proceeding or inquiry.

In addition to these schemes, Council members and the Directors of the Law Society are also available to speak to members on personal or professional issues on a confidential basis.

Do not be afraid to ask for help when you need help. Avail yourself to the Law Society pastoral and welfare schemes or seek out a professional counselor or a peer review "coach" who will act as your sounding board. Your "coach" will give you invaluable feedback from the standpoint of a neutral third party and help you put things in perspective. Get their feedback on how you are progressing; and keep a learning journal to record your work life targets and what you have learnt about your strengths and weaknesses in the process. With the right mindset and with help and support, you will be able to achieve that delicate work-life balance in your life.

Sylvia Low
Bizibody Technology Pte Ltd
E-mail: sylvia@bizibody.biz

To find out more about Practice Management Support and other pastoral and welfare schemes, please e-mail communications@lawsoc.org.sg or call Shawn Toh at Tel 6538 2500. If you wish to speak confidentially to a Council member or Director of the Law Society on any personal or professional issue, please call 6530 0236. All information will be kept confidential.