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Oregon Attorney Assistance Program

# In Sight for Oregon Lawyers and Judges

Improving the Quality of Your Personal and Professional Life

*Domestic Violence in Families of Professionals*
Page 1

*Returning to Work After a Health Leave of Absence*
Page 4

*OWLS and OAAP 8th Annual Womens' Retreat*
Page 7

*Lawyers in Transition Calendar*
Page 8

**Oregon Attorney Assistance Program**

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## DOMESTIC VIOLENCE IN FAMILIES OF PROFESSIONALS

*It started soon after the wedding. I told my spouse I was going for a haircut after work. He was red-faced and almost shaking with anger. I had never seen this side of him. I tried asserting myself – it's my hair and I can get it cut if I want to. He became more angry. I tried to negotiate – I would just cut a few inches; it would probably grow back quickly. In the end, I didn't get it cut. It was easier. "Maybe this was the give and take that people talked about in a marriage?" I thought to myself. After a few more incidents, I suggested marital counseling. He refused. I stayed anyway. I couldn't get a divorce after six months over a haircut argument. I must be overreacting, and what would people think?*

*His career stalled, and he became more sullen and unpredictable. He blamed his problems on work. I was sure I could help get him through this low point and things would get better. Wasn't that a wife's job after all? I planned fun activities to try to make him happy. I took on more household tasks. He said he hated shopping, so I did all the shopping. I handled the cooking and cleaning and family finances. One night I was making dinner with lima beans in it, and he became enraged because he doesn't like lima beans. I said he should eat something else. He was angry for weeks, and I was on pins and needles never knowing whether Dr. Jekyll or Mr. Hyde would come home at night. I threw myself into my legal career. As his career was fizzling, mine was growing, and one year my income was higher, which escalated his erratic behavior.*

*Around this time, the coercive sex started. He demanded sex, accusing me of being a bad wife, calling me names, making life miserable so that it was easier to sometimes give in. "Maybe I was a bad wife if I didn't provide sex?" Then he started putting his hands around my throat. Even then, I was in denial about how bad the situation was. I still thought, "maybe this is how all marriages are?" Plus, a child was on the way. After giving birth, I stayed home for a while and was vulnerable physically and financially. He took advantage. He spent our limited income freely, and his screaming rage fits were followed by puppy-dog eye apologies, followed by more anger. He agreed to counseling in one of his apologies, then told the counselor he blamed our problems on my shortcomings as a wife. Nothing was his fault, and he bore no responsibility for his actions. My confidence was so shattered I nearly thought it could be true, but a good counselor helped me see the future only held more of the past.*

*One night, his anger turned on our baby. That was it for me. Leaving was one of the hardest things I've ever done. I knew my life would be changing drastically. Family and friends only knew the carefully manicured image he created for them, and of course I hadn't told anyone what was really going on. But I left, with support from a few close family members and friends. Even years later, I'm embarrassed to talk about the situation. How could a successful female lawyer be in such a situation? If I could be in such a situation, was I really the strong woman I thought I was? Weren't "abused" women low-income and uneducated? Family and friends had a hard time believing it as well. I didn't fit their image of domestic abuse. I lost many friends. But I gained my life back day by day.*

*(Continued on page 2)*

*My life now revolves around my child. I focus my time and attention on providing a happy, peaceful, safe environment. Having gone through what I experienced, I enjoy every minute with my child, and I especially appreciate the loving snuggle moments. There were times when fear reigned and happy moments didn't exist, so I don't take them for granted any more.*

Domestic abuse knows no income or education barriers. Men and women are abused, although statistics are difficult to obtain for abuse of men because it is reported even less often, and women are more often the victim. One in four women will experience domestic violence in their lifetime. Sexual assault or forced sex occurs in approximately 40-45% of abusive relationships. There are thousands of women lawyers in Oregon. Statistically speaking, then, hundreds of women lawyers in Oregon are currently in, or have been in, abusive or violent relationships. We rarely discuss it, but we must, because it affects all of us.

Domestic violence is the use of physical, sexual, threatening or emotional force to frighten, intimidate, and control an intimate partner. Domestic violence is a pattern of abusive behavior that occurs over time. This abuse often escalates and may become worse with time. Abusive partners use combinations of behavior to control a survivor. Even if you have never experienced physical harm by a partner, but are afraid and controlled by your partner's actions (shouting, throwing things, or threats), you are being abused. Source: **www.womenhelpingwomen.org**.

While being a lawyer brings some advantages, like knowing the legal system, it also brings disadvantages. Advocates believe victims of domestic violence in professional and higher-income families are even less likely to report abuse. Wealthier families face great social pressure to keep abuse secret. Susan Weitzman, *Not to People Like Us: Hidden Abuse in Upscale Marriages* (2000). Wealthier women may not have been exposed to previous domestic abuse, making recognition, acknowledgement, and response more difficult. Or they may have been exposed to abuse in a family growing up, and learned that being a silent victim is required. Lawyer victims may know the attorneys and judges they would have to appear in front of and may fear career or personal damage, especially when the attorneys and judges hold the mistaken view that abuse victims

## Women's Empowerment Group

The OAAP will be facilitating an eight-session women's support group in Portland for women who have experienced volatile relationships, are recovering from traumatic relationships, and/or who have struggled with a loved one's compulsive behaviors. Participants will learn new tools and strategies. Topics will include self-compassion, role of shame and guilt, faces of abuse, healthy boundaries, regulating strong emotions, self care, and gaining hope and recovery.

The Women's Empowerment Group will meet at the OAAP from 12 to 1 p.m. beginning fall 2015 and will be facilitated by OAAP Attorney Counselor, Shari Gregory, LCSW, JD. All potential members will meet and talk with Shari prior to the group's beginning. Space is limited, so please call Shari Gregory at 503-226-1057 or 1-800-321-6227, ext. 14.

## Men's Work-Life Balance Workshop

If you find it challenging to achieve a healthy balance between work and the rest of your life, the OAAP is here to help. Our confidential men's workshop, "Practicing Law While Practicing Life," provides practical techniques for lawyers to use while exploring topics such as unhealthy stress; self-care; and balancing the demands of work, family, and friends.

This six-week workshop will meet at the OAAP from noon to 1:15 p.m. on Tuesdays, beginning September 22, 2015. The workshop facilitator will be OAAP Attorney Counselor Douglas S. Querin. There is no fee, but advance registration is required, as space is limited.

To participate in this workshop, please call Douglas S. Querin at 503-226-1057, ext. 12.

are low-income, uneducated people. Victims may be "go-getters" who see the abusive relationship as an obstacle to overcome rather than acknowledging its abusive character. Victims are embarrassed about the abuse, believing it should not happen to them or they should know better. The abusive partner may have the power and resources to punish the victim financially, socially, and otherwise. The abusive partner often has a good reputation in the community (a common control tactic) such that friends and family may not believe the abuser could do such a thing, undermining the victim's support system and making the victim herself doubt the severity of the situation. The victim may fear that divulging abuse will result in social isolation, damage to a career, or loss of financial resources, thinking that if she isn't smart enough to avoid an abusive relationship, is she smart enough to be a good lawyer?

Successful, educated women also may be prime targets for abusive partners. Control of a successful woman may be a prize for the abusive partner. "A marriage may begin peacefully, but then the abuse may slowly become more controlling and his anger more explosive. This behavior can recur in cycles, with the abuser unpredictably alternating between attentiveness and attack. Even if a pattern becomes clear and it may never, the victim often clings to a hope that things will improve." Evan Stark, *Coercive Control* (2009). Educated and wealthier women may avoid friends in order not to be questioned or tempted to divulge painful or embarrassing details. They may also avoid telling friends about the relationship problems, further isolating them from the help they need. Heidi Brown, "Domestic Abuse: What You Need To Know," Forbes.com (May 13, 2009).

## Some Signs of a Dangerous Relationship (only some may be present)

- You spend less time socializing, becoming withdrawn and isolated.
- You feel sad, depressed, anxious, unhappy, not yourself, on "pins and needles" around your partner.
- You avoid discussing home life, avoid your home life, or find excuses to stay away from home.
- You get calls multiple times per day from your partner, or your partner checks your e-mail and phone texts.
- You are not allowed to make decisions or purchases without checking with your partner.
- You must check with your partner before planning or doing anything.
- You let your partner cancel plans, especially at the last minute.
- Your partner threatens or physically hurts you, such as hitting, shoving, slapping, pulling your hair.
- Your partner becomes angry or has angry outbursts over minor things.
- Your partner minimizes your accomplishments and/or maximizes your partner's own accomplishments.
- Your partner insults you privately or publicly, calls you names, or puts you down.
- Your partner follows verbal or physical attacks with an affectionate apology.
- Your partner promises it won't happen again.
- Your partner blames the abuse on some external factor, including you, never accepting responsibility.

Oregon lawyers are suffering and need help and support to survive abuse. As you read this article, you may recognize some signs of abuse in your own relationship or in a friend's relationship. If it's your own relationship, talk to a friend or counselor or call the Oregon Attorney Assistance Program. Take action before it gets worse. If it's a friend you are thinking of, take the friend to coffee; don't let him or her be isolated. Offer to help if he or she needs it and when he or she is ready. Give your friend a copy of this article, or send it to a safe address for your friend. Hospital staff are now trained to ask if people are safe in their home environment. We shouldn't wait for a hospital visit for the question to be asked.

### An Oregon Colleague Now Thriving

- *Oregon Attorney Assistance Program*
  *503-226-1057 or 800-321-OAAP*
- *National Domestic Violence Hotline:*
  *800-799-SAFE*

## RETURNING TO WORK AFTER A HEALTH LEAVE OF ABSENCE

Consider these scenarios.

1. A lawyer returns to work a month after a suicide attempt.
2. You, the managing partner, have orchestrated an intervention for a fellow partner and now, after two months, she's back from treatment.
3. A lawyer starts to receive help for severe anxiety and depression. During the course of treatment with a psychiatrist and counselor, he continues to work and confides to his colleagues about his experiences.
4. You start to attend a 12-step program to support your recovery, and you don't want your friends or anyone at your firm to know.
5. Your colleague takes a leave of absence to undergo chemotherapy and radiation treatment for cancer and asks you not to mention the reason to anyone else.

These are but a few examples of the challenges facing the Oregon lawyer who has sought help for a mental or physical health issue and now returns to the workplace and faces the friends who want to help and the co-workers who are simply curious. Recovery from major illnesses such as cancer, depression, anxiety, and substance dependence is a process, not an event. So what does it mean to the people involved? What are the tasks and challenges of a lawyer during the first year of recovery, and how can friends and colleagues help?

**Education.** The first days, months, and even the first year after returning to work from a health leave of absence present unique challenges to the individual lawyer. Whether in a firm, in solo practice, in government service, or unemployed, your tasks for staying healthy are similar. Most likely you have received education about your illness or condition, how it manifests in you, the expected recovery path, and what you need to do to stay healthy. Keep getting educated; it can only help.

**Professional Help.** Continue with your treatment plan, aftercare program, and counseling. You didn't get to this place overnight, and getting better takes time, too. You will need the advice and guidance of health and/or mental health professionals. Think of it as securing and maintaining your personal team of experts. Follow the advice of your healthcare team.

## Do You Know Someone Who Is Going Through the Disciplinary Process?

Dealing with a discipline complaint can be an extremely difficult, stressful, and isolating experience. From October 5 through November 2, 2015, the OAAP is offering a confidential, five-week support and discussion group to help lawyers through these challenging issues.

This five-week group will meet at the OAAP on Mondays from noon to 1:15 p.m. starting October 5, 2015. The workshop facilitator will be OAAP Attorney Counselor Douglas Querin.

There is no fee for this group. To participate, please call Douglas Querin at 503-226-1057, ext. 12.

**Process vs. Event.** The process of returning to health is just that – a process. You may bounce back quickly, or you may have a host of symptoms that manifest including memory issues, mood swings, fatigue, emotional sensitivity, sleep disturbances, physical issues, cognitive disturbances, and stress sensitivity. These may be part of the "normal" process, but pay attention to the expected route of recovery and the signs of relapse for your particular illness or condition. Contact your healthcare provider with changes or concerns. Get familiar with the principles of the acronym H.A.L.T., a tool that can help stave off any mini emotional or psychological crisis or even full-blown relapse. Once you know to check whether you are Hungry, Angry, Lonely, or Tired, you can address each area accordingly. Once you are fed, calm, supported, and refreshed, things will seem better.

**Support Networks.** Establish and maintain a support network of similarly situated individuals. Support groups can be helpful as they emphasize group participation, after-meeting camaraderie, activities, and friendship. The OAAP offers many types of support groups. The OAAP also connects people with resources statewide. Personal experience and scientific research both show that having a group of peers who intimately know similar challenges is beneficial and necessary for a successful return to health.

**Exercise and Stress Management.** Establish an exercise and stress management routine. Make sure you are healthy enough for physical activity, and if you are, don't hesitate to get started. Exercise is an extremely effective stress reliever and will help build your stress resiliency over time. Don't overdo it, but, at a minimum, plan to incorporate an exercise activity at least once a day for a half hour. Try different sports or activities, investigate old passions, or check out new ones. Whatever you choose, practicing a little bit every day will help you feel better faster. Stress management programs will suggest exercise as well as other activities to help with stress: prayer, meditation, biofeedback, and, of course, regular old-fashioned fun.

**Nutrition.** Pay attention to your nutritional needs. Some illnesses affect our bodies more harshly than others, and proper nutrition restores and nourishes the body. Eat in a healthy manner to fuel the body's processes and reap the benefits of practicing self-care.

## Top 10 Bar Exam Stress Management Tools

1. Deep breathing
2. Meditation
3. Connect with family and friends
4. Exercise
5. Humor break
6. Spirituality, religion, and connecting with nature
7. Gratitude
8. Good nutrition
9. Sleep
10. Doing something you love

If you would like more stress management tools, see the longer version with links and apps on the OAAP website. Go to **www.oaap.org**, click on *In Sight*, then on the June 2015 issue.

Reach out for help. If you have questions, concerns, or simply need to talk with someone, call the OAAP at 503-226-1057 or 1-800-321-6227.

**Telling Others.** Think about whom to tell and what to say about your re-entry, illness, or recovery. It's your life and your health. Push back from the stigma that encourages you to keep silent about your illness. If you work for a firm who has supported you during a medical leave, it will be important to talk to them about how and what is said to others. You have a voice in this discussion, so be assertive. Friends will be interested in your welfare and recovery, but you can also be selective about what you say to them. Not everyone needs to know everything. Loved ones and family should be kept in the loop – they are a critical part of your support system. Practice with group or individual support systems about how you will answer questions. Most people are rooting for your success and merely want to help.

**Speak Up.** Learn to ask for what you need – especially as it relates to your health. Most people can't read your mind and aren't thinking about your situation. In fact, if you look like you're okay, most people will assume you're doing fine. But if you don't ask for help or express what you need, no one will ever know. If you need special help at work or time off to get to the doctor or your support group meetings, let the appropriate person know. If you're ready to take on a special project at work or handle that big case, let your firm or colleagues know that you're feeling up to it and are ready for the challenge.

**Reputation.** Work to repair your reputation at work or in the community if it has been impacted by your illness. It may take time to reestablish any trust that was breached. You can do it as you rebuild relationships through consistent, thoughtful, and healthy actions over time. If your employer or firm requires monitoring or practice supervision, accept this as gracefully as possible. Demonstrating accountability will go a long way in rebuilding trust.

**Finding Work.** Transitioning back to a solo practice, a job change, or unemployment can be stressful situations for the lawyer returning from a health leave

*(Continued on page 6)*

of absence. The following is a list of suggestions to help with rebuilding your solo practice or finding employment while still following your recovery, treatment, or wellness plan:

- Consider a non-legal job if the return to a law practice is not immediately practical or feasible. Sometimes working a few months or longer at a job other than law can pay the bills, reduce stress, and provide some time for health to take hold. Get creative – brainstorm about job possibilities with yourself or friends. The OAAP attorney counselors are a great resource and can provide free, confidential assistance. Explore the possibilities.

- Get active in a support group for lawyers – it can reduce isolation and be an uplifting experience to be with others who have similar experiences. Call the OAAP to learn more and get connected to various groups. Network within your local bar associations, volunteer with a committee, or join a section of the Oregon State Bar. Getting involved will help keep you connected to the practice of law and will provide valuable interactions that may even lead to employment opportunities.

- Join the OSB Solo and Small Firm Practitioners section. This can be invaluable as both a networking tool and a source of useful practice information for a practitioner.

- Find a mentor within your area of law practice. There are lawyers out there who want to help, especially those who have received help themselves.

- Connect with helpful lawyers – bring coffee to them at their office or offer to take them to coffee, breakfast, or lunch. Talk to them about jobs, work, or clients that interest you. Learn to network and keep those bridges and doors open.

- Attend specialty bar association meetings, conferences, or seminars in your area of practice or other special interests. The smaller associations can be very welcoming, personable, and supportive.

*This article was adapted with permission from the Wisconsin Lawyers Assistance Program (WisLAP) and the Texas Lawyers Assistance Program (TLAP).*







## OWLS AND OAAP 8TH ANNUAL WOMEN'S RETREAT

Professionalism. Civility. Self-care. Happiness. Professional relationships. Personal connections. Easing our lives. Being kind to ourselves. These themes wove gently together to make a meaningful and rejuvenating respite among the trees and blooms of Welches, Oregon on April 24 and 25, 2015.

Keynote speaker, Judge Jean K. Maurer, opened our program, our spirits, and our minds with an inspiring and informative discussion about the positive impact of civility and how it raises the quality of both our professional and personal life. Her guidance for navigating the balance of focusing on what is good for your client while also taking care of yourself, sparked a thoughtful discussion of boundaries, self-care, and tips for coping with uncivil lawyers. Recognizing that each situation requires a slightly different approach, the techniques offered included setting the tone for how you want the interaction to be ("taking the high road"), building resiliency by taking care of yourself ("showing up for yourself"), respectfully discontinuing the conversation ("regrouping time"), putting yourself in the other person's shoes ("perspective taking"), and taking the other person out to coffee or lunch as a way of shifting the dynamic and really getting to know each other ("breaking bread").

With the expertise of Lydia Byhardt Bolliger, LCSW, Michelle Ryan, JD, RYT, and Virginia Terhaar, PhD, we gained an understanding of how we can improve our coping skills as well as our ability to care for ourselves. We learned about the neuroscience of our brains and how to engage the parts of our brains that bring calm to a situation. We practiced exhaling (not sighing!) more deeply than inhaling, in order to trigger a sense of calm within ourselves. We also learned that our posture changes the emotional signals our brain sends. An easy way to shift perspective is to change our physical posture from a closed "turtle-like" posture (head tucked, shoulders in, heart protected) to an open and strong posture (head up, shoulders back, heart and mind open). We gained an understanding of the importance of being as nurturing with ourselves as we are with close friends and family, and that non-judgmental self-compassion is something that we all need but were never taught as part of our professional development. We were encouraged to let go of our perfectionism and our inner critic. We also learned that self-compassion is not selfish or self-indulgent and that being kinder to ourselves will not only decrease our anxiety, stress, and reactivity; it will also give us greater peace of mind, make us more productive, and allow us to build healthier relationships. Some of the many helpful practical tips we discussed included starting your day with at least five minutes of something that you find restorative, setting time throughout the day for short breaks, relaxing ourselves through deep breathing, and keeping a tidier house by saving only things that bring us joy. We practiced embracing this new perspective of feeding, protecting, supporting, and encouraging ourselves and found that we felt healthier and more joyful.

The retreat also gave us the opportunity to put these new perspectives into practice. Nature hikes, art, yoga, meditation, spa treatments, delicious meals, time for ourselves, and time with each other were readily sprinkled between these informative and moving presentations.

We concluded our relaxing and enlightening time together by sharing words that summarized our experience at the retreat: Restored. Centered. Inspired. Happy. Friendship. Grateful. Revitalized. Hopeful. Relaxed. Connected. Supported. Encouraged. Joyful.

Barbara Fishleder
OAAP Executive Director

## Mindfulness Group

Beginning July 8, 2015, the OAAP will be forming a six-session group for lawyers who want to learn how to implement mindfulness–based practices in their lives. The group will be facilitated by OAAP Attorney Counselor Kyra Hazilla, JD, MSW. If you are interested in this group, or for more information, please contact Kyra Hazilla at 503-226-1057 or 1-800-321-6227, ext. 13, or at kyrah@oaap.org.

**IN SIGHT** *for Oregon Lawyers and Judges*
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# LAWYERS IN TRANSITION CALENDAR

Lawyers in Transition is a networking, educational, and support group for lawyers and judges making job or career transitions. The group meets on Thursdays at noon in the OAAP offices at **520 SW Yamhill, Suite 1050, Portland.** If you are interested in attending, please contact Kyra M. Hazilla, 503-226-1057, ext. 13, or Mike Long, ext. 11. A guest speaker for Lawyers in Transition is featured on the first Thursday of each month. These meetings are open for anyone to attend. See the calendar below for scheduled speakers.

The OAAP also occasionally presents career workshops to assist lawyers, judges, and law students in identifying satisfying job and career opportunities. These workshops typically meet one evening per week from 5:30 to 8:00 p.m. for six consecutive weeks. If you would like additional information about the OAAP career workshops, call Shari Gregory  Kyra M. Hazilla or Mike Long at 503-226-1057 or 1-800-321-6227.

| July | Summer Break | |
|---|---|---|
| **Aug. 6, 2015** | **David Feeney** | **from private practice to academia, Oregon State University** |
| **Sept. 10, 2015*** | **Rachel Arnold** | **from private practice to Contracting and Provider Relations Manager, Health Share of Oregon** |
| **Oct. 1, 2015** | **Lynetta St. Clair** | **from private practice to OHSU attorney** |
| **Nov. 5, 2015** | **Rebecca Hillyer** | **from private practice to Director of Legal Resources, Chemeketa Community College** |

***Second Thursday of the month**

**For current information on upcoming Lawyers in Transition speakers and topics, please visit the OAAP website at www.oaap.org and click on CLEs/Workshops.**