

HARRIS ST LAURENT

The ‘Today’ Normal: Re-entering the Somewhat Familiar With a Mindset for Success
The New York Law Journal
July 19, 2021

By Monica Delgado

This article explores how lawyers can enter a “today normal” mindset, remain in it and leverage the benefits as they navigate any uncertainties that lie ahead.

“The world isn’t just the way it is. It is how we understand it, no? And in understanding something, we bring something to it, no?” —Yann Martel

What happens if you don’t understand your world? When your daily customs, environment and access to resources are unrecognizable? In 2020, COVID-19 moved in and took over. The rhythm of our daily life was halted and within a few weeks, the term “New Normal” began to be used by all. Second to case counts and death rates, it was the big topic of conversation, “What will the “new normal” be like?” and “what parts of the ‘old normal’ will still exist?” “When can I resume my life?” Uncertainty was palpable with tsunami stress waves.

Fast forward to Summer 2021. Dropping infection rates and easing restrictions have allowed us to reopen, yet our operating systems still need to reboot. Therefore, we ask, “is this the ‘New normal?’” Many lawyers have become adjusted to and even comfortable with staying home, and teleworking with less social contact. For example, court appearances—which had always been in person and a big part of litigators’ routines—could now be conducted from home. When mention of returning to the office or court, or a new COVID-19 strain variant is brought up, suddenly the dark cloud of uncertainty returns. For many this gives rise to the stressful cycle we have lived and the realization that the old normal is gone and uncertainty about the ambiguous new normal.

We must welcome the “Today Normal”: a mindful reality-based approach to life for lawyers. The today normal is grounded in the current reality, is mindful of who we are and acknowledges that we have transitioned through a global crisis. Being present-focused is a skill that requires work and dedication, just like other important lawyering skills. Centering your emotional equity and allowing optimism to exist with the purpose of succeeding is critical. The today normal approach satisfies the basic nature of the mind by reflecting on the recent past, taking a glance towards

the short-term future in assessing our safety, yet remaining grounded in the today without compromising readiness.

This approach is especially valuable to anyone dealing with legal proceedings, managing clients, or relating to counsel on the other side of a deal. It provides the best perspective because it facilitates a present-centered, non-emotionally reactive platform from which realistic optimism can emerge.

Below is a discussion of how lawyers can enter this “today normal” space, remain in it and leverage the benefits as they navigate any uncertainties that lie ahead.

Witness Your Own Mind

The great Marcus Aurelius wrote, “You have power over your own mind – not outside events. Realize this, and you will find strength.”

Lawyers spend so much of their time absorbed in their clients’ deals and problems—obsessing over how a judge may rule, a client may perceive the situation, or a party on the other side may react—that it is easy to forget that it is necessary for each of us to be internally grounded and to focus on things we can control, rather than events outside our control.

Begin by witnessing your own mind. Watch yourself, your mental processes as if you are a witness to it. A witness is not burdened by the emotional history that created the crisis and its accompanying reactions. Instead, the witness observes and forms a narrative.

Resilience research has found that by creating a narrative that includes the successful proactive aspects of our current situation versus dwelling on the past trauma reduces our sense of helplessness and allows proactive creativity to thrive. Often focusing on what we have learned from lived experiences and articulating these lessons clearly can give rise to questions about our motivators and can provide payoffs regarding what we are able to accomplish. This is particularly important if one is feeling unsure or at a loss in the context of one’s professional practice or in major aspects of life.

If this applies to you, ask yourself why you are in your professional role. Acknowledge that you have selected to be in this professional role and can take measures to adjust. Assess your professional and personal principles. During this exploration, return to the fundamental ethics that govern your role as you work out your understanding of where you stand today in any system in which you are engaged. You get double the return through this healthy assessment and going through these inner negotiations can improve not only your internal world but also your outward conduct.

Morning Rituals

How many lawyers wake up each day and check their iPhone for emails from their clients, colleagues and adversaries? Truthfully, for so many it is the last thing they do before bed, the first thing they do when they wake up, and what they sometimes do in the middle of the night. This is not healthy—and we all know it. Try a new ritual:

Wake up each day remembering to smile and take a few deep breaths, keeping a slow and steady rhythm. Take a moment to collect yourself rather than responding immediately by jumping out of bed and checking your phone. This step helps remedy the dilemma of the ever-frenzied mind and allows you to get in the zone. If you realize later that you have forgotten to do this, then take that moment now and SMILE at having invested in a healthy practice. All those messages on your iPhone are now ready for you!

Here are some additional tips:

- Write down distracting thoughts
- Don't mentally formulate your rebuttal while addressing your concerns
- Make eye contact with yourself in the mirror and with others
- Keep an open posture (no closed arms)
- Invest in Trust
- While many non-lawyers think law is a profession about mistrust—lawyers know that exactly the opposite is true: It is a profession largely based on trusting your partners, your clients and counsel on the other side. Most importantly, practicing law is about showing that you are a person who can be trusted.

2020 was the poster child for mistrust, with conflicting information cascading in part due to the speed that information was being shared. The Today Normal daily routine begins with ourselves and is rooted in investing in personal and professional trust. Become your own personal fact checker! Ask yourself, "How impeccable is my word? Do I follow through in the manner I promised? When I say I will do something, do I do it? Is there a difference between what I commit to doing for others versus myself?" Would I trust me?"

Can you recall an experience when you or someone else fulfilled their commitment and the effect of this becoming a repeated pattern in the relationship? In life, and the law, the value of your word is your life's currency.

Acknowledge Your Feelings

Every lawyer knows that feelings and emotions drive so many decisions, yet lawyers so often push these to the back—behind some discussion of a case, legal principle, or economic rationality. People matter and feelings matter.

Acknowledge your feelings in the equation of life and do so daily. Focusing on logic, reason, love of self and love of what you do helps to reduce burnout, improves mental and physical well-being, and reinforces the daily commitment of a healthy balance that includes having fun.

When we love someone or something, we feel a bond that keeps commitment as part of the equation. In doing so, we acknowledge our feelings and renew our commitment through loving what we do and why we do it even if it isn't all a bed of roses. It's crucial that you acknowledge your emotions—whether they're justified—so your brain feels like it's been truly heard.

If you disregard where you are at emotionally it will only inflame negative feelings. Often just acknowledging your emotions will be enough to calm them down and allow you to focus on the active steps that will allow you to transition out of self-doubt.

The great jazz guitarist and real example of resiliency, Joe Pass, put it like this, "Experience is unquestionably the best teacher, but it should not be the serious student's only access to new knowledge." The Today Normal approach gives you the recognition and respect of having successfully lived through one of the most difficult times of your life and can contribute towards your sense of empowerment.

Monica Delgado holds a doctorate of psychology and is an executive coach. She works with clients of the New York law firm Harris St. Laurent & Wechsler during critical and stressful stages of their cases.

**Reprinted with permission from the July 18, 2021 edition of the "New York Law Journal"
© 2021 ALM Media Properties, LLC. All rights reserved. Further duplication without permission is prohibited. ALMReprints.com – 877-257-3382 - reprints@alm.com.**