

The Elusive Balance: Tips to Assess and Meet Your Work-Life Needs

By Deborah Epstein Henry



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Four parameters affect your satisfaction with work and life as a lawyer. The first parameter is the nature of the practice of law. Does the nature of your work lend itself to more erratic workloads that are crisis oriented, or is the work consistent and more of a steady flow? Is the work subject to many external factors that affect the pace and amount of your work, such as outside counsel, busi-

ness demands, or demands of the court? The second parameter is where you practice law and the way in which your employer supports your work-life needs. Are you in a law firm, in-house, government, or not-for-profit setting? Within any of those settings, does your employer pay attention to enhancing work-life satisfaction, and are colleagues considerate of your priorities outside of work? Do colleagues distribute work timely and effectively to avoid as many crises as possible? The third parameter is your home and how much support you get from your family, friends, and community. Home life and

demands include whether you have children and, if so, their ages and degree of dependency, your own age, marital status, care-giving responsibilities, financial demands, and community commitments. The fourth parameter is you and your ability to effectively manage your work-life challenges, stresses, and needs, and the circumstances upon which you thrive. The focus of this article is on the fourth parameter—how you can be more effective in managing your life to enhance your productivity, the quality of your work, and your satisfaction in life.

Five Work-Life Aspirations

In counseling thousands of lawyers over the years, I have heard the same five work-life aspirations. Not all lawyers seek all five goals, but they typically articulate at least one of them when they express the

need to improve their satisfaction both at work and at home.

First, and what I believe to be the most common source of dissatisfaction among law firm lawyers in particular, is lack of predictability and control. Many lawyers do not mind the long hours, but they want the ability to plan ahead or commit to a time when they will leave the office. In a comparison of the 2003 Quality of Life Survey and *The American Lawyer's* annual report, *Corporate Counsel* found that even though in-house lawyers are increasingly working close to law firm lawyer hours, the former reported greater work-life satisfac-

tion. The increased satisfaction was attributable to in-house lawyers' greater control over their schedules.¹ This craving for more predictability and control exists for lawyers working a traditional full-time schedule as well as those working reduced hours.

Second, many lawyers want flexibility. They view themselves as professionals, and they want the freedom to work more on their own terms. Many lawyers believe that if their work product is top notch and clients and colleagues are not negatively affected by their comings and goings, they should be able to work flexibly. The billable hour affords law firms tremendous flexibility because it enables firms to generate the same revenue from someone billing at home or at work. However, that flexibility has never been fully capitalized upon, partly because of the threat to the "face-time" culture. Employers have concerns that training and mentoring will suffer if they afford their lawyers broad-based flexibility. Employers also worry that if they grant more flexibility, they will lose control of their workforce and lawyers will not be accountable. However, if lawyers are properly trained to manage their flexibility responsibly, flexibility can maximize productivity and enhance satisfaction.

Third, some lawyers want to work fewer hours. With the expectation that some lawyers bill 2,000 to 2,200 hours or more, many lawyers are overwhelmed by the sheer number of hours' expectation.² With the 24-hour day as a fixed variable, the growing hours' expectation among employers is a moving target that continues to impede many lawyers' satisfaction.

Fourth, many lawyers do not find the long hours or lack of predictability problematic, but once they leave the office, they want the ability to be "off call" and to turn it all off. Technology has changed law practice though, and many lawyers are never "off call." With the gift of flexibility, technology has also brought the penalty of around-the-clock availability. The ease of technology creates the expect-

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tation of immediate responsiveness and accessibility, which has interfered with lawyers' ability to delineate lines between work and home.

Fifth, some lawyers may have the ability to work long hours, but they want flexibility in where they work. These lawyers either need to work in a certain location (typically near their homes or children's schools) or telecommute regularly.

Work-Life Tips to Tailor to Your Life

To improve your satisfaction, you need to first assess which of the above parameters you face and your work-life balance aspirations. With this understanding, what follows are tips to help you seek more control, productivity, and satisfaction in your life.

Being Indispensable and Delivering Top-notch Work. Lawyers seeking more flexibility frequently have the misconception that they are seeking an accommodation from their employers. Not so. The more talented you are as a lawyer, the more negotiating power you will have. The key to gaining more flexibility and control is to make yourself indispensable and demonstrate that you are a team player who steps up to handle crises when necessary.

Being Responsive and Accessible. Employers are concerned that if lawyers have more flexibility and control over their lives, they will no longer meet the demands of practice. However, if lawyers are responsive and accessible to clients and colleagues, then the way in which lawyers seek to gain more satisfaction should be irrelevant. For example, when clients in a study were asked how they felt about working with reduced-hour lawyers, they said that as long as the lawyers were responsive and accessible, they had no concerns about their outside counsel's schedule.³

Learning Your Daily Rhythm and Developing Routines. Each of us has different times of the day when we are more productive or when we will be less distracted than others. To be more successful in managing your time, it is important to tap into your natural rhythms, plan around the outside distractions, and develop routines. For example, if you are a morning person or a late-night person or if you have less energy after lunch, you can carve out your concentrated work during peak per-

formance times and leave the less demanding work for times you are not at your best or times you know you will more often be interrupted. Also, by having a system in place to group your work tasks, you will minimize the inefficiency of rethinking how to organize your time every day.

Preparing "To Do" Lists and Making Priorities. The exercise of creating "to do" lists or lists of deadlines and otherwise prioritizing your work forces you to differentiate between "to do" and "to respond." Often, people can fill their day just responding to others' requests, and when the day ends, they feel as if they have not accom-

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plished anything. Keeping your "to do" list will help you stay on task for what you need to deliver. Many find it helpful to take a few minutes at the end of each day to make a list for the following day. In addition to daily lists, you want to look at the week and the month to plan your longer-term projects and deadlines. You want the list to be realistic in terms of tasks and time frames. Ideally, you want to leave a cushion in your schedule for unanticipated issues or spillover projects. It also helps to have "to do" lists for your family and community commitments. You can create lists for yourself as well as for your spouse, partner, or children.

Establishing Long-Term Goals and Linking Short-Term Projects. When you develop long-term goals, you need to consider your skills, interests, strengths, weaknesses, and aspirations. To make your long-term goals less lofty and far off, it is important to break them down into smaller tasks and set self-imposed deadlines to achieve them. Ideally, you should try to link some of your daily "to dos" to your long-term goals so that your daily work is connected to the direction in which you want to take your career. In this process, seek the help of people who will be instrumental in getting you to your goals.

Getting Organized. Using a scheduling system of some sort—day planner, calendar, personal digital assistant—is critical to keeping your commitments straight. Whether you keep your calendar or have an assistant manage it, you should share your calendar with the team with which you work, where appropriate. You also want to develop systems for managing files, information, articles, emails, phone calls, and correspondence that is intuitive to the way you think. For example, color-coded files may help you find certain documents. In managing your daily work, it often helps to group activities that share

similar qualities, such as responding to emails, returning phone calls, or drafting letters. Or, it may be better for you to work project by project and complete assorted tasks for the same project or matter before moving onto the next.

Multitasking. Multitasking can backfire and make you less efficient because you focus on too many things. However, multitasking in both the work and home settings can save you time when you do it right, to maximize the activities in which you are already engaged. For example, if you have to go to a continuing legal education seminar, you should always go with a friend, colleague, or prospective client. Or if you want to exercise and you do it with a friend, it can be that much more enjoyable. Multitasking also means making use of your downtime when you are waiting or going somewhere. For example, use the blocks of time commuting, waiting in court, or waiting at your doctor's office to catch up on reading or to return phone calls or emails.

Delegating Effectively and Building Support. It is critical that you delegate at both work and home. When you delegate at work, you want to be clear about deadlines and deliverables. Keep track of what you delegate and pay attention to how work is flowing once it leaves your hands.

If you are able to delegate to a multitude of persons, it will help build a larger base of support. On the home front, it helps if you and your spouse or partner have predetermined roles and responsibilities so that each time an incident occurs, there is not a discussion about who is responsible. Your spouse or partner should know your responsibilities so he or she knows the context in which you need help. Ideally, you should have backup systems in place (and extra child care if you can afford it) for the inevitable crises and emergencies.

Exercising and Negotiating Flexibility. To be successful in managing your time, you need to try to anticipate crises and be flexible when circumstances go beyond your control. If you are interested in negotiating reduced hours, you may have to put in your time and pay your dues first. An important starting point is that you be a team player. Being flexible also requires you to realize that work and home be in constant flux, which requires regular adjustments to the way in which you manage both.

Managing External Factors and People. Although the nature of law practice is hard to change, you can be more effective in managing your work environment, deadlines, and expectations from colleagues and adversaries. If you initiate conversations with supervisors about their expectations and work habits, you will be better able to plan accordingly. Also, if you assume responsibility for scheduling when you work on a team, you can set internal deadlines and be more proactive in coordinating convenient meetings or time frames with colleagues, clients, and outside counsel.

Networking. When your networking is time-pressed, it is important that you be deliberate, plan ahead, and maximize each opportunity. This involves multitasking, where possible. You should go to key meetings or events with large attendance at your place of employment so you can mingle and interact with as many people as possible. When you select committees in which to participate, choose those that will give you visibility and a presence. Play an integral role in one or two committees or organizations that are meaningful rather than participate superficially in many.* Networking outside the office is

important for marketability, clients, and future job opportunities, but networking inside the office is also critical to build alliances and support for quality work, mentorship, and advancement.

Delineating Lines Between Work and Home. Success in delineating lines starts with how you work. Do you regularly work from home and are your work and home lives integrated, or do you try to separate your two identities (something that is increasingly harder to do)? Committing to outside interests helps take you away from work and prevents your home life from being consumed by work. Creating buffers is important, ideally by having an assistant be the go-between. Think twice about giving out your cell phone or home number. When you are not able to do something, it is usually not necessary to disclose the reason. Understand your employer's reasonable expectation of responsiveness and accessibility, and then place self-imposed limits on checking into the office based on what is reasonably expected. Have at least one time of day when you prioritize something not work-related, for example, taking the kids to school, exercising, taking a class, going to a board meeting, attending a cultural event.

Maximizing and Managing Extracurriculars. At least once a year, you should make a list of the outside responsibilities you currently have and your commitments. Determine which responsibilities you no longer want and where your roles are nonessential. Eliminate those commitments and keep these guidelines in mind as new opportunities arise. Make time for your outlet, whether it be dance, music, culture, or sports, and prioritize the community and professional organizations that you enjoy.

Recycling. Much of the work you do can be recycled. If you give a talk internally for your employer, it can often be converted into an external talk and article and may result in subsequent press. At work, you can often use your old documents as drafts or templates to write or create new ones. The key to recycling is seeing each project as an opportunity to build on something and expand its reach. The focus is on translating the old and developing the new, rather than repeating or redoing what already has been done.

Investing in Yourself. It is important that you assume responsibility for your professional development. This may mean investing in the training that you need at various points to upgrade your skills. This also will mean not losing sight of your long-term goals when you are buried in your daily "to do" list. You will need to advocate for yourself, self-promote, track, and report your contributions, and not be shy about taking credit where credit is due. Allow for relaxation and leisure time, and find a means to channel your stress by doing enjoyable things, which can have a rejuvenating effect.

Reflecting, Reassessing, and Redefining Success. After you finish with a matter or deal, consider the lessons learned, including what you should have done earlier in working alone or coordinating with others, and what you should have prioritized differently. Also, consider the crises that you regularly face and whether that can be managed better or whether it is suitable to your needs. Think about what you do and whether you love it and what defines success for you. This is likely a different model from what you initially conceived when you graduated from law school. Your redefinition of success should be based on your existing priorities that enable you to achieve greater productivity and satisfaction in work and life. ☼

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Endnotes

1. Eric Gardner, *Picking up the Pace*, *CORBIS*, (Nov. 20, 2003).

2. Scott Torow, *The Billable Hour Must Die*, *A.B.A. J.* (Aug. 2007).

3. CENTER FOR WORKLIFE LAW, UNIVERSITY OF CALIFORNIA HASTINGS COLLEGE OF THE LAW, PROJECT FOR ATTORNEY RETENTION, BETTER ON BALANCE? THE CORPORATE COUNSEL WORK/LIFE REPORT 51-52 (Dec. 2003).

4. For more information about networking when you are short of time, see Deborah Epstein Henry, *Business Development in a 24/7 World*, *DIVERSITY & THE BAR* (Mar./June 2007), available at <http://www.flextimeclawyers.com/ps/it/and.pdf>.