

Cases, Clients, and...Contemplative Lawyering?
**How the Practice of Mindful Lawyering Can Improve Lawyer
Wellness and Client Relationship Management**

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HOW THE PRACTICE OF MINDFUL LAWYERING CAN IMPROVE LAWYER WELLNESS AND CLIENT RELATIONSHIP MANAGEMENT

Alexander W. Yiu¹

INTRODUCTION

I begin this paper by referring to a basic fact for all practicing lawyers in Alberta: it is now a mandatory annual requirement to submit a CPD plan that touches on the topic of “wellness”. In fact, “wellness” is a required “competency”² that is listed on the Law Society of Alberta website. A regular meditation practice, for example, is listed as a recommended CPD activity that encourages lawyer wellness.³

Jennifer Freund, Policy Counsel at the Law Society of Alberta, recently penned a compelling web article entitled “CPD Tips: Wellness”⁴ in which she described the term “wellness” as a “broad all-encompassing word and each of us has our own definition of what wellness means. Wellness is vital to daily living and a key component of competency, as we cannot be competent and help others if we are not well.”⁵

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² CPD General Information, Law Society of Alberta, online: <<http://www.lawsociety.ab.ca/lawyers/cpd/cpd-general-information#wellness>> (date accessed: 21 March 2017).

³ *Ibid.* In addition to a regular meditation practice, the Law Society further recommends these additional CPD wellness activities: regular physical activity; engaging a personal trainer; engaging a life coach; attending a healthy eating seminar; attending a cooking course focused on healthy eating; an annual physical exam; quitting smoking; reducing alcohol consumption; improving sleep patterns; attending a sleep clinic; scheduling regular vacations; planning regular time with family and friends; scheduling “down time”; unplugging from electronic devices regularly; running or biking to work; taking regular lunch breaks; visiting with a counsellor; volunteering with ASSIST; implementing recommendations (in her workplace) from the National Standard of Canada for Psychological Health and Safety in the Workplace; taking an anger management course; attending a stress management class; signing up for financial management lessons; identifying substance abuse support services; and completing the Canadian Bar Association’s Mental Health and Wellness in the Legal Profession online course.

⁴ Jennifer Freund, “CPD Tips: Wellness”, Law Society Today, online: < <http://www.lawsociety.ab.ca/law-society-today/articles/articles-list/2016/03/08/cpd-tips-wellness>> (08 March 2016).

⁵ *Ibid.*

Ms. Freund then goes on to provide the following helpful commentary on the topic of lawyers and wellness:

This competency [of wellness] requires a lawyer to maintain awareness of his or her mental and physical health and wellness and identify ways to maintain a healthy practice. It can be challenging to eat healthy, get regular exercise, practice healthy sleep habits, stay on top of finances, respond to family obligations, and tackle work challenges all at the same time. Stress is a regular feature of our lives but it does not have to be overwhelming.

Through small changes, we can see positive outcomes. From going for a walk at lunch, to doing simple stretching exercises every twenty minutes, to scheduling time for friends, family, exercise, or entertainment, these small things add up to big rewards for our physical, emotional and mental health. As lawyers, we seem to believe that if we're not overwhelmed with work that we're doing something wrong or that we have to project an image of being busy at all times. If you are constantly overwhelmed with work, this is likely taking a toll on your physical and mental health. By addressing your own wellness, you may be more effective at work and able to reduce negative stress caused by your workload. By finding time to do something enjoyable such as taking a break to go to a movie, a school concert, a hockey game, or another enjoyable activity, you can relax, decompress and take time to put yourself first. We all need to look after ourselves or we won't be able to meet client needs and perform effectively in the office.

Many of us have seen the impact that physical and mental health issues and addictions can have on others. A number of lawyers have experienced these issues personally. These impacts can be devastating. By taking the time to include a focus on personal wellness within your Continuing Professional Development plan and within your daily life, you can improve your overall health, your effectiveness at work and your relationship with yourself and others.⁶

In addition to wellness, it is a further requirement for Alberta Lawyers to submit their CPD plan demonstrating their competency in the area of Client Relationship Management. The Law Society of Alberta specifically defines this competency as one that "...requires a lawyer to manage client relationships and interact effectively with clients in person, online and on the telephone. This involves managing client expectations, remaining in communication with clients and balancing the needs of all clients."⁷ The Law Society provides the following examples⁸ of learning and knowledge that apply to this competency:

- Manage client relationships, including establishing and maintaining client confidence and managing client expectations throughout the retainer

⁶ *Ibid.* [Emphasis is mine].

⁷ CPD General Information, Law Society of Alberta, online: <<http://www.lawsociety.ab.ca/lawyers/cpd/cpd-general-information#wellness>> (date accessed: 21 March 2017).

⁸ *Ibid.*