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Finding work-life balance as an attorney

By Aaron B. Sokoloff

It's 5 a.m. on a Wednesday. You unexpectedly wake up well before your alarm goes off. The first rays of sun are coming through the blinds. Your spouse sleeps peacefully beside you. Your first thought is a panicked, "Did I remember to include that provision in the contract?"

We have all had these moments, some of us more than others. They are stressful and yet, in a way, reassuring, since having these kinds of moments proves to ourselves that we are good, conscientious lawyers who are constantly on the lookout for anything that might slip past us.

In another sense, this kind of experience is an instance of poor work-life balance. No moment is safe from the intrusion of anxiety over our work product.

I realize that this is not how work-life balance (WLB) is typically understood. WLB often seems to be a shorthand for the particular circumstances of attorneys who are the parents (especially mothers) of young families. However, we all have a stake in WLB, regardless of family status: we all struggle with the difficulty of separating mentally from our work, and there can be no WLB in any meaningful sense if you are unable to mentally detach from work, even when you are not at the office or checking email remotely. I would venture that whether you're in attendance at the kids' soccer game is less important than whether you're actually able to pay attention to it while you're there. While the difficulties in doing so are partially a function of smartphone culture, that is not the sole culprit. I've sometimes felt the hardest time focusing on

what's in front of me when I didn't have my phone on me, because I feel the nebulous dread of emails piling up in my inbox, or a generalized concern about a project that I'm working on.

There are certainly habits of setting boundaries and expectations externally (with clients or senior attorneys) that many of us have perhaps tried with varying degrees of success. While these do have value in many situations, it is often not practical or realistic to resist client and senior attorney demands, especially when many clients seem to value "responsiveness" above all else. It is thus important for attorneys to find other avenues of improving WLB.

I can't speak to everyone's experience, but one method that I've found useful in improving WLB is investing time working on good forms and template documents. Unlike the boundary-setting practices, this isn't something that requires conflict or pushback with clients or senior attorneys – it actually makes attorneys more efficient and productive by reducing the time it takes to complete projects. Just as importantly, having a good starting point reduces the instances of the "Did I forget about XYZ provision" anxiety.

One area in my own practice where I've been able to achieve some improvements of this type is in drafting venture financing documents off of the National Venture Capital Association forms. The NVCA documents are a frequent starting point for venture deals. While they are a useful resource, they contain dozens of explanatory footnotes, rarely-used provisions, and decision points on low-level items. Also, like many attorneys, I have some provisions that I add as a matter of course



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for these kinds of documents. When drafting documents off of the NVCA forms, I would find myself, over and over, making the same set of changes, or revisiting low-level decision points. It would probably add an hour or two every time I had to prepare a set of documents on the NVCA forms, and there was always the possibility that I would forget one of my "standard" additions. Thus, I have created a set of modified NVCA forms with my standard edits already baked in, so that I can just focus on the specific customizations for any particular deal. On a similar note, I use a standard checklist for VC financings, which has reduced the instances of "did I forget to do XYZ?" While none of this is particularly complicated, I find that attorneys make less use of templates and basic process management techniques like this than one would expect.

Obviously, forms and checklists can't solve all of the WLB issues we face as attorneys, but if they can make our drafting more efficient and thereby put us in a position where we are less stressed

about missing a particular deadline or forgetting to include a particular provision, then these are valuable incremental gains that improve both work product and WLB. I would encourage all attorneys to think about what templates and checklists would help them in their day-to-day practice, and to think about WLB in this broad sense.

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