

WALS

Lawyers Now



Chair's Message | *Teresa Schiller*

Dear Women and the Law Section Members:

We're excited about this inaugural issue of our restyled newsletter! We feature articles designed to inspire, educate, honor, hear from, and support you.

Free CLE Texas Supreme Court Update (Sept. 24)
Legal Mojo Wisdom for Women about Estate Planning
Skills Savvy Zooming in on Client Development
Wellness Ten Tips -- Stress, Mental Health, and Substance Use
Decisions Council Meeting Highlights
Gifts Membership Gifts
Cheers Members' Honors
Squad Section Leaders
Sections Hispanic Issues Section – LAWteria (Sept. 16)

So take a few minutes, and see what's here! Bet you'll be glad you did!

Sincerely,
Teresa Schiller, Chair
State Bar of Texas Women and the Law Section



September 2020
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Skills Savvy | *Zooming in on Client Development*

Sharla Frost*

Balance? What Balance?

We have spent a tremendous amount of time discussing women lawyers' work-life balance during the past decade. Now, with COVID, that discussion has taken on new emphasis. The legal profession continues to grapple with the changes resulting from the ongoing lockdowns. Work-life balance discussions have shifted from how to juggle the demands of office life with the demands of home life. Those lines of demarcation have blurred to the point that there is almost no break between the two—they proceed simultaneously with the addition of new requirements: school, childcare, cooking, cleaning. For women, it as if the 1950s have merged with 2020 like some professional version of that old commercial about peanut butter in my chocolate.

Balance has always been about control. For women lawyers in particular, the ability to have that control depends on the ability to direct the work and control the schedule. Control depends on your ability to make decisions. Control, in other words, requires clients. Your own clients. In addition to the piles of work and obligations of home, you need to also devote time to business development during the enforced confinement of the pandemic.

Upside to the Pandemic Prison

You are probably thinking as you read this, "I'm locked in my house. The kids are whining. I have work to do. I don't have time to think about business development." However, the crisis presents an unusual window of time to develop relationships and expand opportunities in a way that a busier, more normal time does not. Your need for work will extend beyond the current crisis. As law firms evaluate their staffing needs, those lawyers with their own clients stand a better chance of long-term employment than those who do not. The need for clients in your own column on the balance sheet increases in times of uncertainty. That is certainly true now.

The pace of work and deadlines has slowed enough that you have the luxury of personal contact in a way that is hard to justify when the judicial system demands a 24 hour, 7-day-a-week focus. The time spent glued to your computer terminal provides a chance to reach out to your friends and colleagues by email or social media to ensure that they and their families are safe and well. Analyze your contact list and identify those old friends, clients, and colleagues you have not talked to in the past year.

Pick Your Favorites

Prioritize the clients you have most enjoyed working with. Make a list of them and create a schedule to contact them. Not only will the schedule help give you some structure to your business development efforts, but it will also give some definition to the endless weeks. That list should comprise the people who have provided you with assignments in the past and those who either have or may refer work to you. Remember: work comes from people who know you and know your work. Business relationships are personal relationships.

The pandemic may provide you with a once-in-a-lifetime opportunity to focus on the personal and professional relationships that lead to work of your own. You should update your firm biography and your LinkedIn listing. Those are necessary building blocks for your personal brand but take time that you may not ordinarily have. Build into your week an allocated amount of time to work on your post-pandemic professional life. For now, you can visit clients and contacts without the cost of an airplane ticket or the scheduling difficulties of an in-person meeting. You can develop business without the usual financial costs. You do not have to ask

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Legal Mojo | *Where There's a Will...* *Wisdom for Women About Estate Planning*

Tiffanie Clausewitz*

Historically, estate planning has been a “man’s” issue. Back in the day, men incorporated tools in their estate plans intended to “protect” the women in their lives; that protection usually involved having others manage the women’s money!

Recent surveys reveal the majority of Americans do not have any estate plan in place. I continue to be surprised every time I learn of our colleagues in the legal profession who are part of that majority. While estate plans for important for everyone, today more than ever it is critical women formulate estate plans which protect their assets and their families. Why? Consider the following:

- Women tend to live longer than men.
- Women tend to earn less during their lives than men.
- Most custodial parents are women.
- Women are business owners and professionals.
- Women are wealthy.

As a business attorney also practicing probate law, I have been honored to help family members navigate the probate process following the death of their loved one. In doing so, I have witnessed the devastating effects of inadequate estate planning, or even worse, failure to plan at all. When a person dies intestate (without a will), their assets are distributed according to state law, with no regard given to the decedent’s wishes. More often than not, women bear the brunt of these effects.

As a result of my experiences, I have become passionate about educating and empowering women to face their mortality, make estate planning a priority, and develop a plan that best serves and protects their loved ones. Here are a few key points I recommend women consider when they are beginning the process of putting together an estate plan.

Talk to your family. Communicating with adult family members about your estate plan can yield unexpected effects and can also prevent much heartache. If you are married, cooperation in setting up an estate plan is essential. If you have adult children, let them know your plans now to avoid confusion and hurt after you are gone. And if you have parents, find a way to discuss whether they have an estate plan in place. Initiating these conversations is intimidating because we are forced to confront our mortality, but they are critical for effective estate planning.

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Cont’d | *Zooming in on Client Development*

permission from your firm or from the marketing committee because it is possible to make connections without cost. Email and social media connections cost nothing. And, you do not have to request budget approval for a free, 40-minute Zoom call, for example. Invest some of your time into developing the business you need for controlling your life in the years to come.

Sharla Frost, a strategic counsel in Houston, recently published a book entitled Power at the Table: The Women Lawyers Guide to Developing Clients and Control. She can be reached at sharlafrost@gmail.com.

Wellness | *Ten Tips for Lawyers Dealing with Stress, Mental Health, and Substance Use Issues*

Chris Ritter* **

For those practicing law in Texas, it may be no surprise that lawyers suffer very high rates of mental health and substance use disorders. Attorneys have the highest rate of depression of any occupational group in the United States.*** A 1990 study indicated that attorneys suffer depression 3.6 times as often as the general population. With regard to alcohol use, researchers have found that attorneys have almost double the usual rate of problem drinking.

Regarding suicide, lawyers have historically topped the list of all professionals in suicide rates. They have been found to be twice as likely as the average person to die by suicide. A study of almost 13,000 employed attorneys showed that 45.7% of attorneys reported suffering from depression during their careers.

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Cont'd | *Where There's a Will...*

Tackle the hard decisions. No one wants to think about what will happen when they die, especially if they have young children. But as heartbreaking as it may be deciding who will be your children's guardian if you are gone, the consequences of not doing so are more devastating. Equally important is choosing the executor of your estate. No one can fill your shoes, but there are those close to you who will do their best. You owe it to yourself and your family to make the decisions now while the ability to do so is still in your hands.

Think through disposition of your assets. Many wills just generally divide the estate assets between heirs, without regard to certain items which can cause the greatest conflicts among beneficiaries. Also, many beneficiaries are not ready or able to manage what you are leaving them. Talk to a professional and take advantage of many tools available to ensure your wishes are met while protecting your beneficiaries at the same time.

Plan for liquidity. Many types of financial accounts are frozen immediately after the owner's death, and it may be several weeks or months before those funds are made available. Talk to a professional about utilizing estate planning options which ensure resources are available upon your death to assist with probate of your estate.

Get it Done. It has been said that "failing to plan is planning to fail." Thinking through your estate plan is a great first step, but good intentions mean nothing unless critical estate plan documents are executed. This includes not only your will, but also powers of attorney and advance health care directives. Make it a priority to meet with trusted advisors and take the steps necessary to put your plan in place as soon as feasible. Your family and loved ones will be grateful you did.

Tiffany Clausewitz primarily practices business, labor and employment law, and estate planning and probate law as the owner of Clausewitz Law Firm in San Antonio. She can be reached at tiffany@clausewitzlaw.com.

Free CLE | *Texas Supreme Court Update: A Review of the 2019-2020 Term*

Dori Kornfeld Goldman
Yetter Coleman LLP in Houston

September 24, 2020
12:00-1:00
Zoom

[Register Here!](#)

Trends on
Business in the Electronic Age
Freedom of Contract
Oil and Gas Contracts
Statutory Interpretation

Sections | *Hispanic Issues Section*

LAWteria

Virtual Fundraiser
September 16, 2020
5:00-6:30
Zoom

texashispanicissuessection.com

Proceeds to Benefit
Texas Legal Aid Programs
Helping Communities
Severely Impacted by COVID-19



Gifts | *Membership Gifts*

Thank you to our members who recently gave the gift of section membership to honor Texas women lawyers!

Grantor

Susan Fuertes
Judge Maria Salas-
Mendoza

Teresa Schiller

Beneficiary

Amy Choyke
Patricia Baca
Jo Anne Bernal
Jessica Vazquez
Kristi DeCluitt

Our section is stronger with you and your colleagues as members!
Let's lift each other as we climb!

If you'd like to give the gift of section membership,
(1) talk with the person you'd like to benefit,
(2) complete the [membership application](#),
(3) email it to memmail@texasbar.com, and
(4) if you are open to being recognized in this column,
please email us at sbotwomenandthelaw@gmail.com/.

Decisions | *Council Meeting Highlights*

Here are highlights of recent section council meetings. Thank you to the council for its efforts!

July 16, 2020

- Approved certain sections' request for the section to be a signatory to a press release (a) in response to comments by State Bar of Texas President Larry McDougal and (b) in support of a call to action by the African American Lawyers Section regarding these comments. The press release followed a joint statement by the State Bar of Texas and the Texas Young Lawyers Association.

July 28, 2020

- Reviewed chair's 2020/2021 plan to focus on "business and relationship development," helping section members to generate more revenue and gain more support from others.
- Approved a budget for 2020/2021.
- Approved an internal financial controls policy, which the State Bar of Texas has asked sections to establish.
- Decided "not to oppose" 28 legislative proposals of other sections.

August 19, 2020

- Approved Newsletter Committee's 2020/2021 plan, in concept.
- Approved Membership Committee's 2020/2021 plan, in concept.

Cheers | *Members' Honors*

Cheers to **Judy Ney**! She recently received the **Barbed Wire Award** for **lifetime achievement in Texas workers' compensation** from the State Bar of Texas Workers' Compensation Section. Judy is an administrative law judge at the Texas Department of Insurance Division of Workers' Compensation. She is a **co-chair of our Finance Committee** and has served in numerous other State Bar roles, including chair of the Workers' Compensation Section.

Do you have a professional achievement to share? Email us at sbotwomenandthelaw@gmail.com.

Cont'd | *Ten Tips*

Obviously, these are major problems. The following are ten practical tips which any affected attorney should consider:

- 1. Take Action!** Whether a lawyer is living in the darkness of depression or lost in a routine of substance abuse, there is a solution, but it depends on action. Taking action requires courage. By expressing the need for help to someone, the process to peace begins.
- 2. Set Boundaries.** Boundaries are important for a person practicing self-care. How does one establish healthy boundaries? Know that you have a right to personal and professional boundaries. Set clear and decisive limits and let people know what you expect and when they have crossed the line, acted inappropriately or disrespected you.

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Cont'd | *Ten Tips*

3. Connect with Others. Connecting with others who know first-hand what you are going through can help reduce the fear and hopelessness that is often connected to mental health and substance use disorders. A growing body of research shows that the need to connect socially with others is as basic as our need for food, water and shelter. Fortunately, Texas Lawyers Concerned for Lawyers support groups exist all over the state. For a schedule, go to www.tlaphelps.org.

4. Practice Acceptance. Acceptance is a big, meaningful word which encompasses a variety of important tools for a person seeking a positive life change. First, being able to honestly accept the place where you are at present is an important step in making a change. Acceptance of the fact that you have an issue for which help is needed is a major part of solving the problem.

5. Learn to Relax. For attorneys, relaxing can seem almost impossible. The mind is an instrument, but sometimes it seems that the instrument has become the master. Breathing exercises, meditation, and mindfulness practices have been very effective for attorneys who need to relax, or “quiet the mind.” TLAP’s website (www.tlaphelps.org) includes links to breathing exercises and other ways to relax.

6. Practice Positive Thinking. Studies have shown that taking the time to make a list of things for which you are grateful can result in significant improvement in the way you feel and the amount of happiness you experience. Try making a list of three to five things for which you are grateful each morning for a week and see what happens.

7. Help Others. Service work sounds like just one more thing to add to the list of things you do not have time for, but this is something helpful for you, so consider really making time to do it. Obviously, until you secure your oxygen mask, you should not attempt to rescue others, but lawyers have been found to gain “intense satisfaction” from doing service work, and studies show it helps improve mental health and happiness.

8. Live in the Present. This cliché phrase may be one of the most under-appreciated tools for the legal profession of any listed here. As lawyers, this sounds like a joke. Deadlines loom. Trials approach. How can this work? Try it. Consider during your day the things which you are able to do that day.

9. Expand your Spirituality or Consciousness. Whatever the variety, research has shown that expanding this area of life makes a major impact of the wellbeing of people, and particularly lawyers. Spirituality has many definitions, but at its core spirituality brings context to our lives and the struggles within them. For many lawyers dealing with the legal world and its many issues, expanding the spiritual life or a life beyond “self-focus” is invaluable.

10. Keep it Real. Recovering from a mental health or substance abuse problem requires honesty. If you begin to feel like you should be better than you are, but you are embarrassed to let others down by admitting your true condition, you are doing yourself a major disservice. Commit to be honest with someone about how you are doing so that you do not lose touch with those who can help.

If you or a lawyer, law student, or judge you know needs help, TLAP is available to provide guidance and support at 1(800)343-TLAP (8527).

* *Chris Ritter, J.D., M.Ed., is the director of Texas Lawyers’ Assistance Program in Austin. He can be reached at Chris.Ritter@TlapHelps.Org.*

** Originally published in Dallas Bar Association’s *Headnotes*.

*** For all citations of statistics in this article, visit

<https://www.texasbar.com/AM/Template.cfm?Section=Wellness1&Template=/CM/ContentDisplay.cfm&ContentID=30326>.

SQUAD | *Section Leaders*

Teresa Schiller

Chair

Nicondra (“Nikki”) Chargois-Allen

Past Chair

Leigh Goodson

Chair-Elect

Denise Alex

Vice-Chair/Membership

Sarah “Ellis” Iverson

Vice-Chair/Newsletter

Betsy Johnson

Secretary

Natasha Martinez

Treasurer

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Chronologist

Jessica Mendez

Website and Social Media Chair

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Judy Ney

Deborah Race

Council Members

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Lindsay Owens

Patricia Chapman

Cynthia (“Cindi”) Barela Graham

Summer Olmos

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Kirby Drake

Judge Maria Salas-Mendoza

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Advisors from State Bar of Texas

Board of Directors

Amy Welborn

Wendy-Adele Humphrey

Leigh Goodson

*Section Representative to State Bar of Texas
Task Force on Diversity, Equity and Inclusion*

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Nikki Chargois-Allen

Elizabeth Cantu

Awards Committee Co-Chairs

Deborah Race

Patricia Chapman

Tiffanie Clausewitz

Business Development Workshop Committee Co-Chairs

Laura Kugler

Lindsay Owens

Cindi Graham

CLE Committee Co-Chairs

Kirby Drake

Reagan Boyce

Finance Committee Co-Chairs

Natasha Martinez

Judy Ney

Membership Committee Co-Chairs

Denise Alex

Dori Kornfeld Goldman

Newsletter Committee Co-Chairs

Ellis Iverson

Susan Fuertes

Website and Social Media Committee Co-Chairs

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Alyson Martinez

State Bar of Texas Sections Department Liaisons

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