

# LIFE, LIBERTY, AND THE PURSUIT OF EQUITY —ADHD AND ME: STRATEGIES FOR LAWYERS WITH EXECUTIVE FUNCTIONING CHALLENGES<sup>1</sup>



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Organization is not my strong suit. Never has been, never will be. When I was a child, my parents regularly chastised me about my cluttered room, which was always noticeably worse than the bedroom shared by my three gross brothers. The first time my now-husband came into my apartment during law school, he laughed out loud when he inadvertently discovered the room I jammed all of my junk into before his arrival. Angry and embarrassed, I promptly ejected him from the apartment. Despite these organizational deficits, I was always the overachiever. I did well in school, I participated in all the (non-athletic) clubs, and excelled in competitive speech.

When I began my career as an associate at a law firm, work felt ... different. Harder. School is a carefully constructed environment where there's usually a defined correct answer to a problem. Alas, that's not the way litigation works. Wanting to ensure I had the correct answer to every issue, I found myself getting mired in the weeds researching every tangential issue until I had read so many cases I felt paralyzed analyzing all of the conflicting case law. Balancing competing deadlines for multiple partners proved challenging, as well. A "people pleaser" at heart, I

could no longer make everyone happy despite my best efforts. In school, I could procrastinate on class assignments until the night before they were due and then pull an all-nighter to finish them. This process I found unsustainable with competing deadlines for multiple partners. On top of all of that, I had to account for every working moment of my day in six-minute increments. For years, my outward successes masked my procrastination, indecision, perfectionism, and anxiety. Those character traits that contributed to my success as a student (at least the perfectionist part) were suddenly hindering my career.

About 10 years and three kids later, things weren't getting any easier. Shockingly, keeping three small humans alive also requires an immense amount of planning and organization. When my oldest started elementary school, it became clear that she was struggling. She was bright, but it seemed like she wasn't paying any attention in class, her desk was a complete disaster, and 20 minutes of homework would take two hours and a lot of tears. To my surprise, she was diagnosed with Attention Deficit Hyperactivity Disorder (ADHD). Her symptoms didn't resemble what I knew about ADHD. She

wasn't bouncing off the walls and having a hard time staying seated. It just took her 20 minutes to find her way to her seat. As I started learning about how ADHD presents differently in girls and women versus boys and men, I saw myself. That's how this highly functioning, but sometimes scatterbrained, lawyer came to be diagnosed with ADHD at the ripe old age of 39.

Unfortunately, I'm not alone in my belated diagnosis. Over the past year, five attorneys that I know told me that they have been diagnosed with ADHD. They are all women. This did not come as a surprise. The majority of undiagnosed adults are women. And, as in my case, overachievers are able to hide it well. (Though, to be fair, I could hide anything really well in my disaster of a room.) Only within the last few years has the medical profession become more attuned to the common ADHD symptoms in women such as inattention, procrastination, anxiety, and perfectionism. Young Black girls, in particular, often go undiagnosed. Symptoms such as inattentiveness and impulsivity are chalked up to laziness and defiance.<sup>2</sup>

Adding fuel to the fire, the pandemic has exacerbated the difficulties faced by individuals struggling with ADHD. As Lisa Walker observed in an *ADDitude* article, "We are suffering a distorted sense of time. Hours pass in the blink of an eye. Days crawl like cold molasses. For many adults with ADHD, the pandemic robbed us of 'normal' time, structure, and routines—not to mention spiking stress, anxiety, and grief."<sup>3</sup>

ADHD brains often cycle quickly between zones of both hyperarousal and hypoarousal. Stress triggers a "fight or flight" response in our bodies making people feel hyperaroused, anxious, and irritable. But we cannot function in that zone indefinitely. When stressors cannot be eliminated (like the never-ending pandemic) our brains get overwhelmed, shut down, and move into the hypoarousal mode which is characterized by feelings of paralysis, numbness, and dissociation.<sup>4</sup> Individuals with ADHD who seemingly functioned fine prior to the pandemic, with

routines and accountability structures in place, have come unmoored.

Because the legal world seems to attract neurodiverse individuals like myself, the mental toll of the pandemic and the modifications to our work environments have proven challenging.<sup>5</sup> Many report feeling overwhelmed and, not knowing where to start, lose all motivation to work. If you have ADHD or executive functioning challenges,<sup>6</sup> there are a number of things you can do to help yourself stay on task, become more productive, and feel better.

### **Plan ahead**

We all work differently. In order to plan your work days most effectively, it's important to understand your own energy patterns. There are three main "zones" of work:

1. The Genius Zone—Sustained focus. All important work that requires sustained attention should be done in the Genius Zone.
2. The Kinetic Zone—Feel an urge to move or is your mind churning? Do short, simple tasks that do not need as much focus in your Kinetic Zone.
3. The Recharge Zone—Full rest is needed. Focus on your Recharge Zone after the workday has ended.<sup>7</sup>

Start by monitoring your productivity. Try engaging in different tasks at different times of the day to determine when you are more likely to be in certain zones. Through trial and error, you will eventually see a pattern emerge. Many people find that their Genius Zone is in the morning, yet we often fall prey to starting our days checking and responding to emails which falls in the Kinetic Zone. Instead of wasting an hour or two of your Genius Zone churning out emails, try getting those emails out of the way late at night or after lunch.

Be precise when it comes to planning and what should be done within each Zone. Create specific goals such as writing a certain number words of your brief; answering a specific number of emails; or working uninterrupted for a designated amount of

time. Don't forget to schedule breaks! In his book, *Effortless*, Greg McKeown suggests breaking up work into blocks of time—no longer than 90 minutes per block—and planning to take a 10 to 15 minute break in between work sessions.<sup>8</sup>

As simple as it may seem, daily calendars or agendas can help you stay on top of things. Decide what feels best for you—whether it's a hard copy planner, an online calendar or app, or a combination. If you use an online calendar, consider printing your daily agenda each morning. An agenda can also be used to prioritize personal "to do" items such as chores, exercise, meditation, paying bills, picking up the kids from school, and all the typical things you do on a day-to-day basis. Having all of those things listed in one place reduces the burden on your working memory.

### **Reduce distractions**

Whether physical, electronic, or mental, distractions can easily derail an attorney with ADHD. To boost your productivity, consider reducing the following distractions.

- **Physical:** A disorganized environment can lead your mind to wander and try to complete multiple tasks at once. Remove as much visual clutter as possible from your desk and surroundings. Keep only the things on your desk that you are working on.<sup>9</sup> Maybe that means having an extra folder to place all of your sticky notes or doing some quick housekeeping at the end of each day.
- **Electronic:** Most attorneys spend the majority of their days in front of a computer screen. It's easy to get distracted every time an email notification comes in or to waste time during a "quick" check of your email. To stay focused, silence notifications or leave your email closed and only open it at designated times. Limit the windows open on your computer to those necessary for the work you're doing so you aren't tempted to surf the internet or work on a lower priority project.
- **Mental:** Don't allow yourself to get distracted by low-priority tasks that "need to be done." It is easy to avoid doing high-priority, difficult

work when we busy ourselves with low priority tasks. Use your daily agenda or calendar to stay focused on what really matters. In addition, reduce mental distractions by drawing boundaries. As impulsive people pleasers who struggle with time management, many ADHD attorneys agree to handle new projects even if they don't have capacity. Just say no if you already have too much on your plate. It is better to complete a few assignments to the best of your ability, rather than many that are lackluster.

### **Practice good mental health hygiene**

Self-care is critical for attorneys who struggle with ADHD. It is easier to stay organized, focused, and regulated when your brain and body are functioning at their peak. Here are a few ways to improve your overall mental health:

- **Sleep:** Approximately 25 to 50 percent of individuals who suffer from ADHD have accompanying sleep issues.<sup>10</sup> Many ADHD symptoms can also present as symptoms of sleep deprivation, causing individuals to suffer from increased depression, anxiety, hyperactivity, and inattention. To combat sleep deprivation, try to sleep seven to nine hours every night; go to bed and wake up at the same time every day; fit in more exercise during the day; and avoid stimulating activities that require hyper focus in the evening.
- **Meditation:** Meditation may seem daunting to individuals who struggle to focus. However, it is like exercise for the brain. It trains your attention while improving emotional regulation. There are many ways to incorporate a little meditation into your day from starting off or ending your day with it to spending some time meditating during one of your daily breaks. There are plenty of helpful meditation apps including Insight Timer (Sarah Blondin is my favorite), Calm (Tamara Levitt's 10 minute Daily Calm meditations are fantastic), or subscription apps such as Headspace and Woebot.
- **Mindfulness:** For those days when you can't fit in meditation or you need a "quick fix" to calm the nerves, try some mindfulness. Take a one-minute

break to focus on your breathing. Box breathing, in particular, has immediate benefits. Simply inhale for a count of four, hold the breath for a count of four, exhale for a count of four, and hold again for four. Repeat at least three times. The slow holding of breath allows carbon dioxide to build up in the blood triggering the vagus nerve (which connects the brain with the body), thereby producing a calm and relaxed feeling in your mind and body. Another way to easily incorporate mindfulness into your daily life is to practice being present during every-day activities. For example, if you love cooking, be present while prepping ingredients. If you enjoy playing games with your kids, set aside your screens and take the time to really be present during a game. When a worry or thought pops into your head, acknowledge it and move on or, if that proves too stressful, have a notepad nearby where you can jot the thought down so you can turn to it later and continue focusing on your activity.

- Self-compassion: People with ADHD often hide their difficulties and end up internalizing their legitimate struggles as moral failures. This only compounds the problem. When you notice negative self-talk creeping in, put a positive spin

on it by identifying one thing you are grateful for. Soon you will start noticing how often you engage in negative self-talk and, ultimately, will train your brain to see the silver linings.

Though ADHD certainly has its fair share of challenges, there are a number of advantages, as well. Take the time to identify both your strengths and unique abilities as well as your weaknesses. For me, organization is my kryptonite, so I immediately delegate anything I can that involves organization. On the other hand, I love connecting with people and public speaking, so I volunteer to take the lead on oral arguments and webinars. I know I've hit an ADHD stumbling block when I find myself routinely procrastinating on a project. At that point, I need to bring in backup by delegating the task or talking through my reservations with someone. (It's easier to spot unrealistic fears when you say them out loud.) Ultimately, it all boils down to leveraging your strengths and identifying other people or systems to compliment and offset your weaknesses. If only I knew that growing up, I would have been much less anxious. And, most importantly, I would have properly incentivized my brothers to clean my room. 🍷

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## Notes

- 1 Executive functioning skills are those skills required to plan and achieve goals such as planning, self-monitoring, self-control, working memory, time management, and organization.
- 2 Claire Sibonney, Racial bias limits diagnosis of ADHD in Black women and girls, *The Philadelphia Inquirer*, Jul. 20, 2021, available at <https://www.inquirer.com/health/adhd-black-women-girls-undiagnosed-20210720.html>.
- 3 Linda Walker, How to Manage Time in a Disorienting Pandemic: 4 Steps to Restore Order & Productivity, *ADDitude*, Dec. 30, 2021, available at <https://www.additudemag.com/how-to-manage-time-productivity-pandemic-adhd/>.
- 4 Michelle Frank, Can't Get Anything Done? Why ADHD Brains Become Paralyzed in Quarantine, *ADDitude*, May 20, 2021, available at <https://www.additudemag.com/polyvagal-theory-adhd-brain-cant-get-anything-done/>.
- 5 Approximately 4 to 8 percent of the adult population suffer from ADHD, but a whopping 12.5 percent of lawyers do. Patrick R., Krill et al., The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys, *Journal of Addiction Medicine*, Jan/Feb 2016, available at [https://journals.lww.com/journaladdiction-medicine/Fulltext/2016/02000/The\\_Prevalence\\_of\\_Substance\\_Use\\_and\\_Other\\_Mental.8.aspx](https://journals.lww.com/journaladdiction-medicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx).
- 6 If you suspect you may have ADHD, please see a professional for an evaluation. Do not allow pride or perceived stigmas surrounding mental health disorders prevent you from getting help. There is no shame in receiving treatment, including medication and therapy.
- 7 See Walker, *supra* note 3.
- 8 Greg McKeown, *Effortless: Make it Easier To Do what Matters Most*, Jun. 8, 2021.
- 9 See Walker, *supra* note 3.
- 10 Dana Wajszilber, et al., Sleep disorders in patients with ADHD: Impact and management challenges, *National Library of Medicine*, Dec. 14, 2018, available at <https://pubmed.ncbi.nlm.nih.gov/30588139/>.