

However, even after school finally reopens and I return to normal (whatever that means these days), this time spent with my grandsons, Archer and Orion, will remain the highlight of my COVID vacation. And the boxes will just have to wait!

Author

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Seeking “Mens Sana in Corpore Sano” in a Pandemic

For senior lawyers to achieve the “sound mind in a sound body” called for in the oft-quoted Latin phrase above can be especially challenging in a months- or—God forbid—years-long pandemic. As a 73-year-old trial lawyer with over 70 cases tried to a jury or court over a 45 year ongoing career, I personally understand the necessity of staying sharp and the challenges that our pandemic can place on doing that. In this short piece, I will share some routines I have tried to follow over the last seven months that I believe have helped me maintain a sound mind in a sound body.

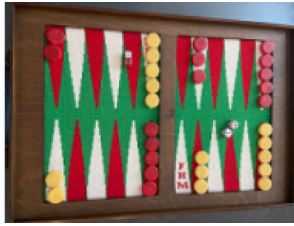
Pandemic Challenges:

For many of us—myself included—the pandemic-driven stay at home, social distancing and mask wearing mandates can lead to periodic feelings of isolation and concern about where all of this is going to end up. The political divisiveness and economic chaos, including within the legal profession, are real challenges to our collective and individual abilities to maintain a healthy mental outlook. If media reports are to be believed, then depression, anxiety, and other mental disturbances have become more common features of our national and professional lives. There are no panaceas for the pandemic challenges, but I believe that my routines of the last seven months have helped me and speak for themselves.

My “Strong Mind in a Strong Body” Routines during This Pandemic:

- **Keep in Close Contact with Loved Ones.** Not only do I spend time one-on-one with my wife of 50 years for daily walks and daily backgammon matches, I communicate on FaceTime daily

with my 98 year old mother who is 740 miles away, and I schedule weekly socially distanced, masked activities with my grandchildren including long walks, lunches, and virtual attendance at school events, sports, and other activities.



| Backgammon

- **Keep in Touch with Professional Contacts, Too.** Weekly virtual mentoring meetings with junior lawyers at my firm have kept me feeling plugged in while allowing them a non-billable opportunity to bounce ideas off a senior trial lawyer. Virtual firm social events have given me further opportunities to stay in touch with colleagues. I have also scheduled at least weekly virtual visual “catch up” meetings with clients, prospects, former partners, and friends with whom I have tried cases over my career. This has kept me feeling part of the legal community even as I have been stuck at home.
- **Keep Abreast of Current Events.** I spend time every day reading the *New York Times*, the *Wall Street Journal*, and selected online news. I also engage in professional reading in ABA publications and *Law360*. I have also been an avid consumer of CLE. I have found a wide variety of free and reasonably-priced virtual CLE offerings available, and I have enjoyed learning about topics ranging from the cutting-edge (*e.g.*, Artificial Intelligence and intellectual property law) to the seemingly-mundane (*e.g.*, Litigating Errata Entries).
- **Keep Contributing.** Yes, the piece you’re reading is also part of my “strong mind in a strong body” routine. My pandemic writing has ranged from professional publications like this one to pieces written for firm newsletters. Several have allowed me to draw from my personal experience to provide pandemic-related advice, whether advice for a strong mind and strong body or advice for post-pandemic jury trials. I am working with one of my senior-lawyer partners on a multi-part CLE program on advanced trial skills for our firm’s junior lawyers, which has been a wonderful way for me to think about passing on the knowledge I have gained over my career as a trial lawyer.
- **Keep Working.** When the pandemic hit, I was on the cusp of a jury trial. Although the case has been postponed, I have spent time every week reflecting on case issues, fine-tuning examinations, reviewing deposition transcripts, and strategizing about evidence. Even when I

have not billed this time, I have found it valuable to focus myself on preparing for a post-pandemic trial and thus to remind myself that the challenges we are currently facing will end.

- **Keep Healthy.** My daily routine over the past seven months has included a 3 ½ mile daily morning walk with my wife and an upper body workout routine. I have paired this physical activity with a strong focus on eating balanced meals on a regular schedule. I have made sure not to skimp on regular medical appointments (including specialties), daily medications, and dental care.
- **Keep Up the Habits That Have Made You Successful.** Don't ignore things that are common anxiety producers (*e.g.*, credit reports, investment reports, bank statements, etc.). It's better to address them head-on, take control of your worries, and give yourself peace of mind. Limit or cut out media that is upsetting to you because it unreasonably sets off anxiety or depression. Limit or cut out the use of alcohol as a stress reducer—it is a depressant and any temporary relief won't last very long anyway. Instead of self-medication, seek out care if you are feeling overwhelmed—many firms and professional organizations can provide help.
- **Keep Learning.** We are never too old to learn. Embrace technology because in a pandemic, used wisely, it makes a lot of difference in one's ability to feel connected to friends, family, and colleagues. Seize this moment in American history to broaden your horizons. I have benefitted from my participation in the ABA Antitrust Section “21-Day Racial Equity Building Challenge,” which has involved daily readings of about 20 minutes on important issues that might not otherwise have made it onto my reading list.

Some Final Thoughts:

My routines are common sense devices that help my productivity and more importantly help me avoid focusing on the chaos and divisiveness that this pandemic has brought to all our lives. I hope that you get some ideas from them. And in the spirit of staying connected and continuing to learn, I hope you will share those ideas with me and with other senior lawyers.

Author

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Duke Law Journal). He then practiced trial work at Day, Berry & Howard, LLP (nka Day Pitney, LLP) for 32 years before joining his present firm in 2007.

His trial work has included bench and jury trials in the following areas: patents (pharma, electrical engineering and plasma physics); trade secrets; trademark; products liability (aviation accidents; mechanical failures and toxic torts); professional medical liability; insurance fraud and bad faith claims; governmental corruption claims; commercial disputes and personal injury cases. He served a term as Corporation Counsel in West Hartford, Connecticut. He is a Fellow, American College of Trial Lawyers; certified by the National Board of Trial Advocates and ranked in Chambers for commercial litigation.

Life in the Time of COVID

I'm doing my best to ignore COVID. To the extent possible, I live just as I did before the pandemic. That means that on weekdays, I rise early, put on a suit and tie, walk my bulldog Albert, then report to my office to spend the morning doing what's necessary to produce the articles, columns, and podcasts I'm responsible for.

Concessions to COVID? As a condition of entering the premises, the firm requires a daily on-line confirmation that I'm infection risk-free, and I must wear a mask everywhere on the premises except when I'm in my own office with the door closed.

Effects of COVID? The firm is nearly empty. Normally, my floor might have 100 or so lawyers and staff at their desks, walking the halls, or at the coffee station. These days most of them work from home. During the eight-to-noon window when I'm present, I typically see no more than three other people. Some days I see no one. (I recently dreamed I was in a *Twilight Zone* episode: Unbeknownst to me, everyone else in the firm had died from COVID. Fortunately, I woke up.)

At noon I go home, walk Albert, work *The New York Times* crossword puzzle, eat lunch prepared by my beautiful wife, Dawn, and take a nap—exactly what I did before anyone ever heard of COVID.

I figure if I ignore it, it will go away.

Author