

Present Tense

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The practice of law is inherently stressful. Subrogation is no exception. In fact, the argument can be made that a contingency practice (which is usually the case with subrogation) is even more likely to induce stress.

The reasons for anxiety in our line of work are extensive:

1. We do not control our own destiny. We are dependent on claims people, witnesses, experts, insureds, and others. Any of these people have the ability to destroy our case at an inopportune time.
2. We do not control what the opposition will do. We cannot make them be reasonable or respond logically to our case.
3. We cannot guarantee that an arbitrator, judge, or jury will see the case as we do.
4. We cannot be assured that our clients will make the right decision to accept or reject a settlement offer (or accept our advice).
5. We never know when we will receive another file that has good potential.
6. In addition to constantly making sure we don't make mistakes, or miss deadlines, we have to worry about our support team making errors.

All of these stressors are on top of the fact that the law is constantly changing. Our clients' work rules and requirements are constantly changing. The people we work with switch positions, causing us to have to learn how someone else wants their files handled.

So, how do we handle all of this? Some days we have no problem with stress. Other days it is stifling. It is really more about us than what we are doing. Stress will always be there. Our reaction to it is the variable.

Recently, I went to a concert at a friend's house. The performer was a singer named Francis Dunnery. He tired of the concert scene and now travels the world putting on home concerts. I had never heard of him before and was not clear what the evening would entail. In addition to being a fine entertainer, he was also somewhat of a philosopher, sharing his ideas on life learned from a tough existence on the road.

I found his ideas on stress to be particularly enlightening. He said people get into trouble handling their problems when they dwell on the past or the future. Those people who stay in the present are always in a better frame of mind.

I think this applies to our world as well. We can deal with our stresses more easily when we stop fretting over our past issues or worrying about what tomorrow may bring. When we live in the moment and focus on the task at hand, life becomes more manageable. The reality is, we can only really deal with one issue at a time anyway. Worrying about tomorrow or yesterday is a waste of energy.

All our issues listed above can be managed. The results cannot be guaranteed, but we can still do all we can to strive for success. The real key to dealing with stress is to deal with the issues as they arise, and not fret about the past or the future. Whether we win or lose, tomorrow is always another opportunity to live in the present.