

**DELAWARE STATE BAR ASSOCIATION**  
CONTINUING LEGAL EDUCATION



# **BEHIND THE COOL IMAGE:**

## **LAWYERING IN THE 21ST CENTURY**

**LIVE AT DSBA WITH ZOOM OPTION**

SPONSORED BY THE DELAWARE LAWYERS ASSISTANCE PROGRAM

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**WEDNESDAY, NOVEMBER 16, 2022**

**12:00 NOON – 1:00 P.M. SPEAKERS AND DISCUSSION**

**1.0 Hour CLE credits in Enhance Ethics for Delaware and Pennsylvania Attorneys**

Visit <https://www.dsba.org/event/behind-the-cool-image-2022-2023-lawyering-in-the-21st-century-workshop-2-inter-alia/> for all the DSBA CLE seminar policies.

*Please note that the attached materials are supplied by the speakers and presenters and are current as of the date of this posting.*

# BEHIND THE COOL IMAGE: LAWYERING IN THE 21ST CENTURY

## ABOUT THE PROGRAM

Inter Alia: Among other issues, Rational Thinking or How to Challenge Your Flawed Thoughts and Wellness: Mayberry Style

Resilience thrives on positive thoughts not negative. Learn tips and skills for overcoming toxic thinking in our discussion. Plus, an insightful look into Wellness: Mayberry Style

## CLE PROGRAM

### WORKSHOP 2 - INTER ALIA

#### MODERATOR

Carol P. Waldhauser  
*DE-LAP Executive Director*

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#### SPEAKERS

Rich Lombino, Esquire LCSW  
Ronald Poliquin, Esquire  
*Author of Wellness: Mayberry Style*

Charles Slanina, Esquire  
*Finger & Slanina, LLC*  
David A. White, Esquire  
*Office of Disciplinary Counsel*

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# Moderator

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Carol Waldhauser  
*DE-LAP Executive Director*



Carol P. Waldhauser has been the Executive Director for The Delaware Lawyers Assistance Program (DE-LAP) since September 2006. DE-LAP offers confidential assistance to Judges and Lawyers to help them identify and address problems such as depression, stress, substance abuse/dependence, gambling addiction and other illnesses and to assist them in developing effective solutions to enhance both their quality of life and work.

Ms. Waldhauser came to DE-LAP with more than eight years of professional employee assistance experience as Assistant (Deputy) Director of the Maryland State Bar Association's Lawyer Assistance Program where she assisted hundreds of individuals in Maryland's legal community focusing on substance abuse/dependence, stress management and employee assistance programs (EAPs).

She has a Bachelor of Science degree in pre-law and business from Stevenson University (f/n/a: Villa Julie College) and extensive graduate work in public policy, law, organizational counseling/employee assistance, substance abuse and addiction from the University of Baltimore's School of Business and Law, as well as The Johns Hopkins University. Moreover, Ms. Waldhauser received certification status from the University of Maryland, School of Social Work as certified international employee assistance professional.

As an International Certified Employee Assistance Professional and Certified Wellness Inventory Coach, Ms. Waldhauser is trained and/or certified in the following areas: Mediation and Conflict Resolution, Divorce Mediation Skills, Grief Counseling, Substance Abuse Professional/Federal DOT regulations for Substance Abuse Professionals; Wellness Inventory Facilitator and Coach; Suicide Prevention and Crisis Intervention (trained in Critical Incident Stress Debriefing by Jeffrey Mitchell, the developer of the process). Moreover, Ms. Waldhauser received executive certification from the University of Notre Dame, Mendoza College of Business for Nonprofit Fund Development and Grant Writing.

In addition to her education, Ms. Waldhauser has more than 20 years of law office experience in the small firm/solo environment. She has written many articles that have been published in legal journals throughout the country; speaks to the judiciary and attorneys on problems and solutions regarding quality of life in the legal profession and lawyers' assistance program specifically and is executive producer of the DE-LAP PODCAST Attorney Buoyancy.

# Panelists

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Rich Lombino, Esquire LCSW

Ronald Poliquin, Esquire

*Author of Wellness: Mayberry Style*

Charles Slanina, Esquire

*Finger & Slanina, LLC*

David A. White, Esquire

*Chief Disciplinary Counsel*

*Office of Disciplinary Counsel*

# Charles Slanina

## Finger & Slanina, LLC

Charles Slanina, a native Delawarean, graduated from the University of Delaware and Catholic University School of Law. He is admitted to the Bars of the Supreme Court of the State of Delaware, the United States District Court for the District of Delaware, the United States Court of Appeal for the Third Circuit, and the United States Supreme Court.

Upon graduation from law school, Mr. Slanina was the sole law clerk for the Delaware Family Court statewide. He then joined the Delaware Department of Justice. During his eight-year tenure as Deputy Attorney General, he prosecuted a range of trials from speeding charges to death penalty cases. He headed criminal trial units, including the Family Court, Medicaid Fraud and Patient Abuse Units and as a Civil Division Deputy, he represented administrative agencies.

Mr. Slanina next spent four years at the Office of Disciplinary Counsel. As Chief Disciplinary Counsel, he investigated and prosecuted violations of the Professional Conduct Rules as well as Unauthorized Practice of Law matters.

In private practice since 1993, he has focused on professional responsibility counseling and disciplinary defense. As a lawyer for lawyers, Mr. Slanina defends disciplinary complaints, issues written advisory opinions, testifies as a professional responsibility expert, assists attorneys and firms in starting up offices and practices as well as advising attorneys and firms on law firm break ups. Mr. Slanina also represents applicants before the Board of Bar Examiners and respondents in unauthorized practice of law matters. In addition to representing lawyers, Mr. Slanina represents non-attorney professionals with disciplinary and licensing issues including health care professionals, social workers, real estate agents, insurance brokers and others.

He also practices in the area of civil litigation including toxic tort litigation. In addition, Mr. Slanina has served as a special prosecutor for the New Castle County Ethics Commission. He was named one of Delaware's "Top Power Attorneys" in *Delaware Today* magazine.

Mr. Slanina is a frequent speaker on legal ethics and professional responsibility topics at seminars, conferences and classes sponsored by the Delaware State Bar Association, Delaware Trial Lawyers Association, University of Delaware Academy of Lifelong Learning, National Organization of Bar Counsel, Superior Court Trial Practice Forum, and Delaware Supreme Court Pre-Admission Conference and the Delaware Law School where he is an adjunct professor.

Since 1994, “Ethically Speaking,” his monthly column discussing legal ethics issues, has appeared in *The Journal* of the Delaware State Bar Association. Those columns have been widely re-printed.

Mr. Slanina is a member of the American Bar Association, the Delaware Bar Association, the Association of Professional Responsibility Lawyers and the Rodney Inn of Court where he is the current president.



**David A. White**  
**Chief Disciplinary Counsel, Office of Disciplinary Counsel,**  
**Delaware Supreme Court**

Mr. White is a frequent speaker/moderator in the areas of legal ethics and Alternative Dispute Resolution. In March 2021, the Delaware Supreme Court appointed Mr. White Chief Disciplinary Counsel of the Office of Disciplinary Counsel (“ODC”), and Arm of the Court.

The ODC, which functions as an educational and professional resource for members of the Delaware bar, receives, evaluates, investigates, and when necessary, prosecutes complaints of lawyer misconduct and the unauthorized practice of law. The Office also recommends sanctions for attorney misconduct to the Board on Professional Responsibility and the Court.

Previously, Mr. White was in private practice and was the office managing partner in the Wilmington, Delaware office of McCarter & English, LLP. There, he was a member of the firm’s business litigation, products liability, and bankruptcy practice groups. A substantial portion of his practice was devoted to ADR and representing lenders in the areas of commercial loan workouts, commercial litigation, commercial real estate, and related bankruptcy issues.

Mr. White was a Superior Court Commissioner from 2001-2008 and for several years he taught a civil litigation course for the University of Delaware, Division of Professional and Continuing Studies, where he was awarded Excellence in Teaching awards in 2007 and 2008.

Mr. White has served on the Executive Committee of the Delaware State Bar Association for many years and he is also an Honorary/Volunteer member of the Professional Guidance Committee.

**Education:**

Widener University School of Law, J.D 1986

University of Delaware, B.A. 1982



# **BEHIND THE COOL IMAGE: LAWYERING IN THE 21<sup>ST</sup> CENTURY - 2022-2023**

*We Are Making Our Case: A Blueprint to Physical, Mental, Emotional and Spiritual  
Wellbeing: - Engage, Equip and Energize*

<https://www.youtube.com/watch?v=Tr90d0ZcrCU>

<https://connecticut.news12.com/connecticut-attorney-accused-of-assaulting-fellow-lawyer>

# BEING A LAWYER



**According to the Rules of Professional Conduct an attorney must be fit. The astute attorney, however, understands that fitness means more than just fitness of legal expertise; it means also those qualities of physical, mental and psychological health that enables a lawyer to carry out the demands and the responsibilities to their clients and to their profession.**

**More specifically, the fit attorney practices law while practicing personal wellness. Wellness leads to a balanced life-style. Data supports that without a balance life-style; lawyers are at high risk to burnout.**



Carol Waldhauser 1998

## OUTLINE:

### Problems:

1. *Demands: Culture/Peers/Clients/Family*
2. *Bumps In the Road/ Vulnerabilities*

### Solutions:

1. *Lawyer Wellness -Self-Actualized through Wellbeing*
2. *Adapt and thrive or fall behind*



# Mind/Body

- How Well Do You Take Care of Yourself?
- **You cannot do your best if you don't feel your best**



# WHY THE BIG DEAL FOR LAWYERS?

Lawyers live with stress.

Clients come to lawyers when they need help,  
when they are upset.

1999 Harvard Business review coined this: Toxic  
Handlers -

Problem solvers or “fixers” in the workplace.

Thus, you know, or should know that Lawyering is  
stressful. So, accept and harness the stressful  
(distressful) environment



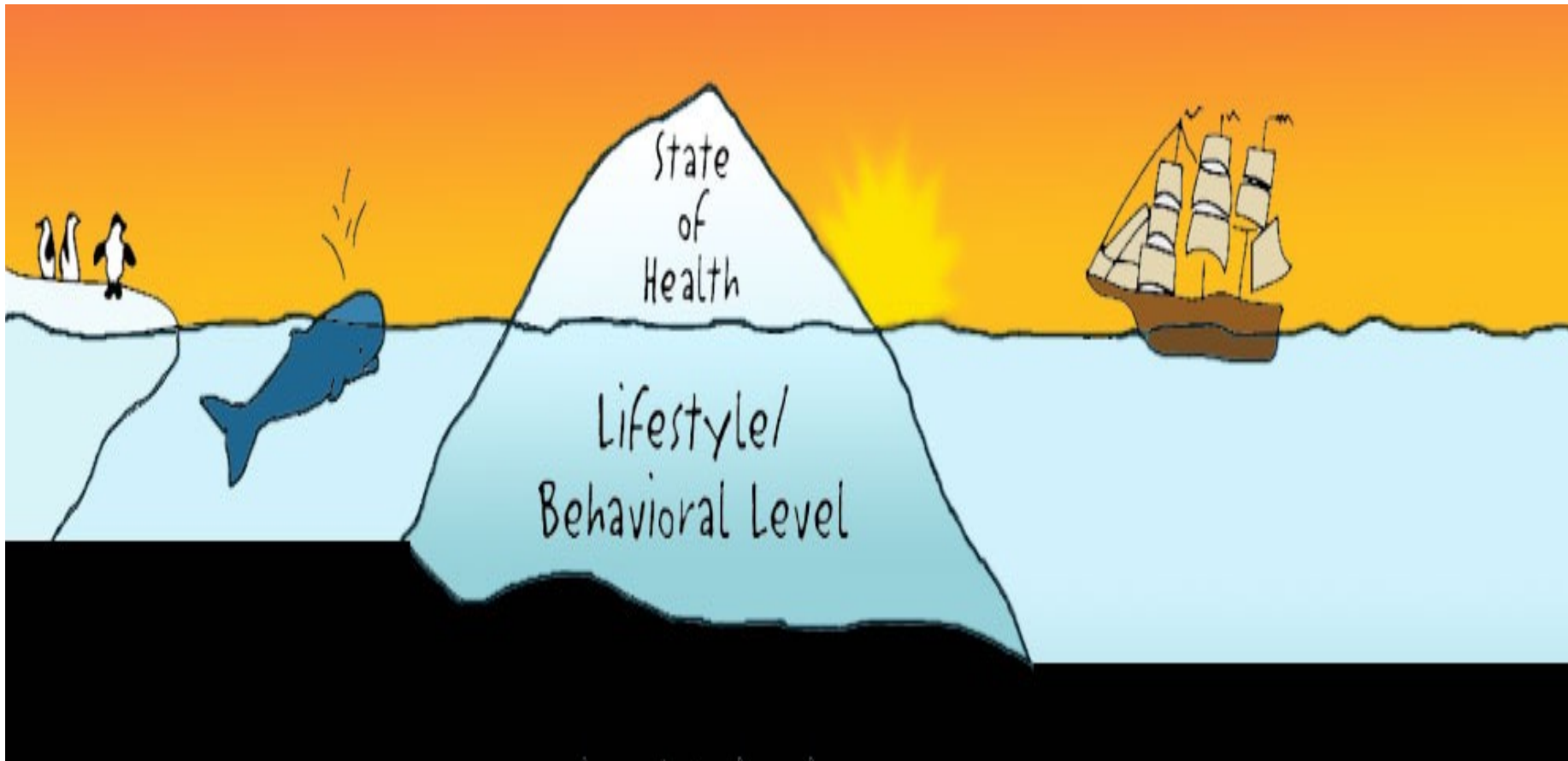
# The Iceberg Model of Health

Illness and Health are only the tip of an iceberg.  
To understand the causes you must look below  
the surface.

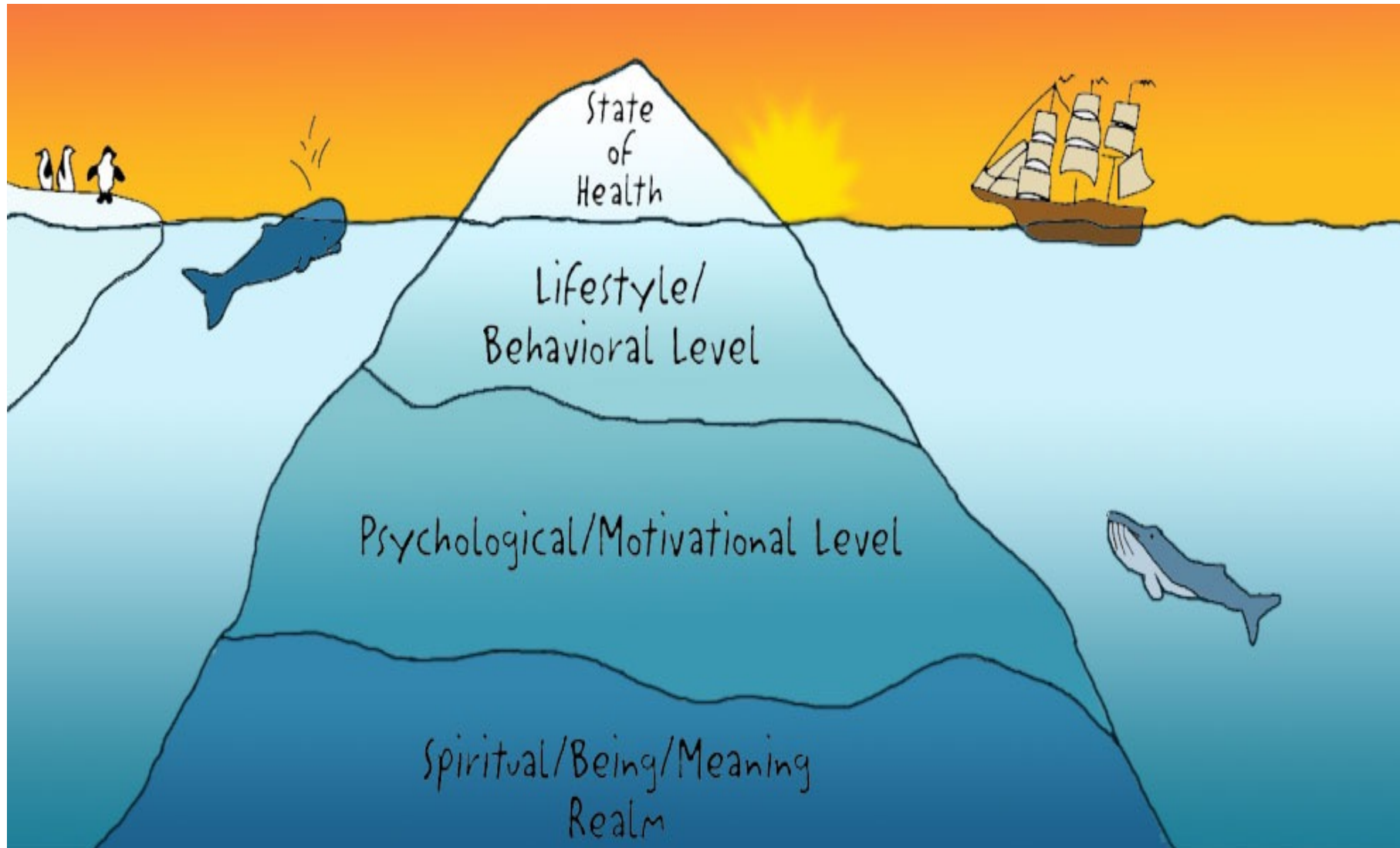


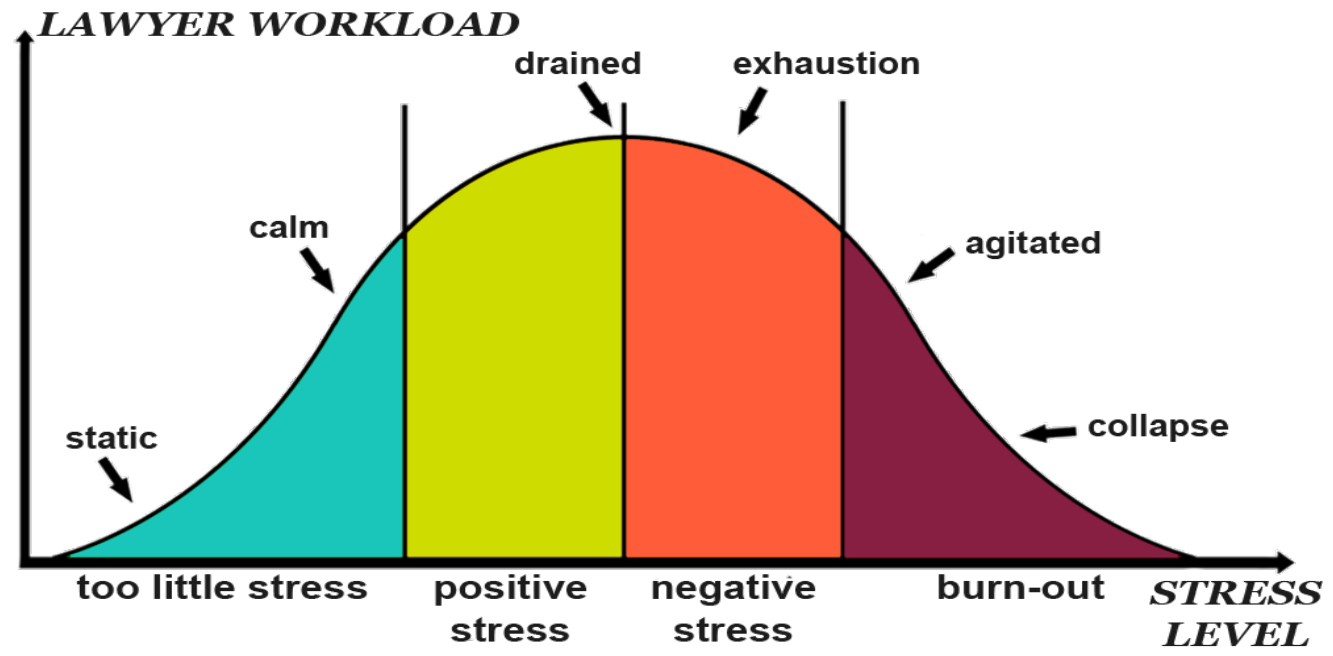


# The Iceberg Model of Health



# The Iceberg Model of Health



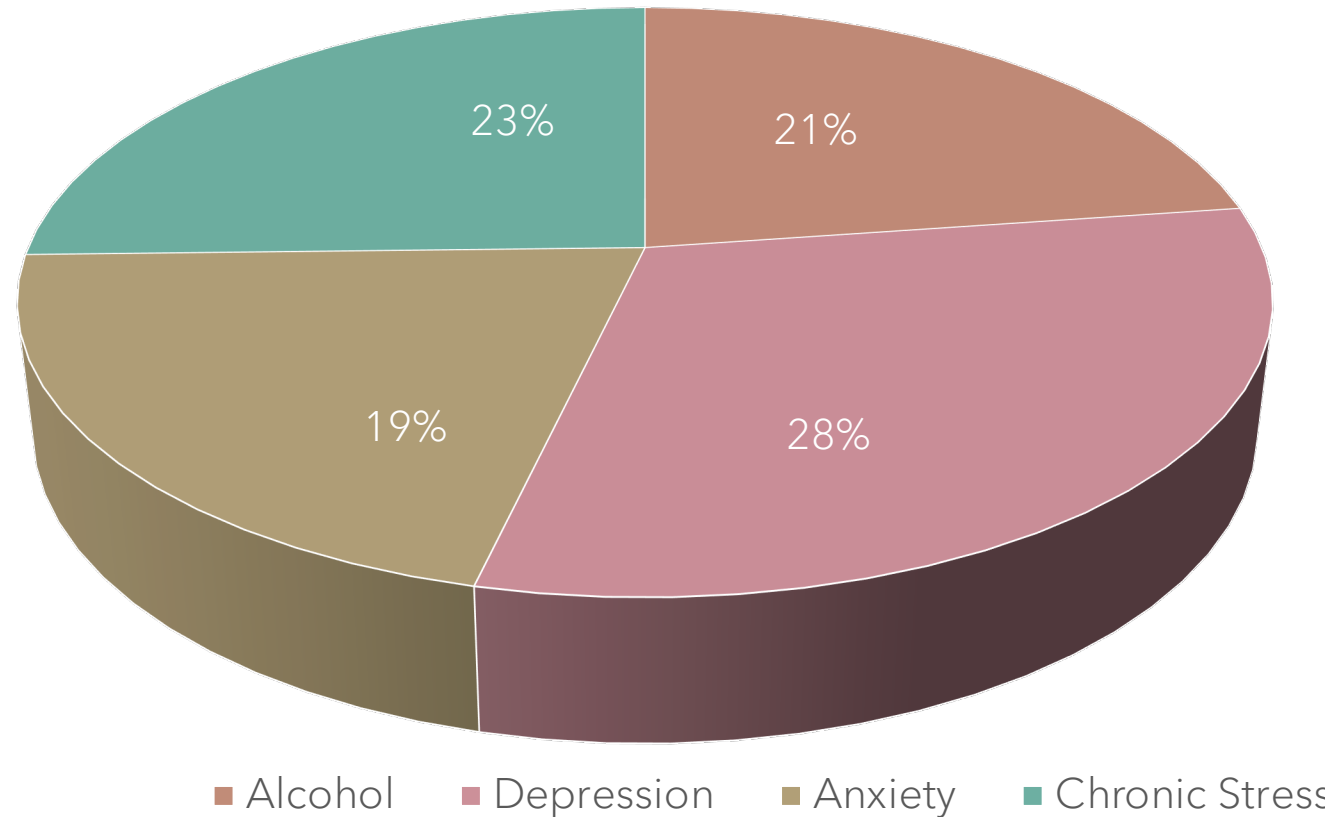


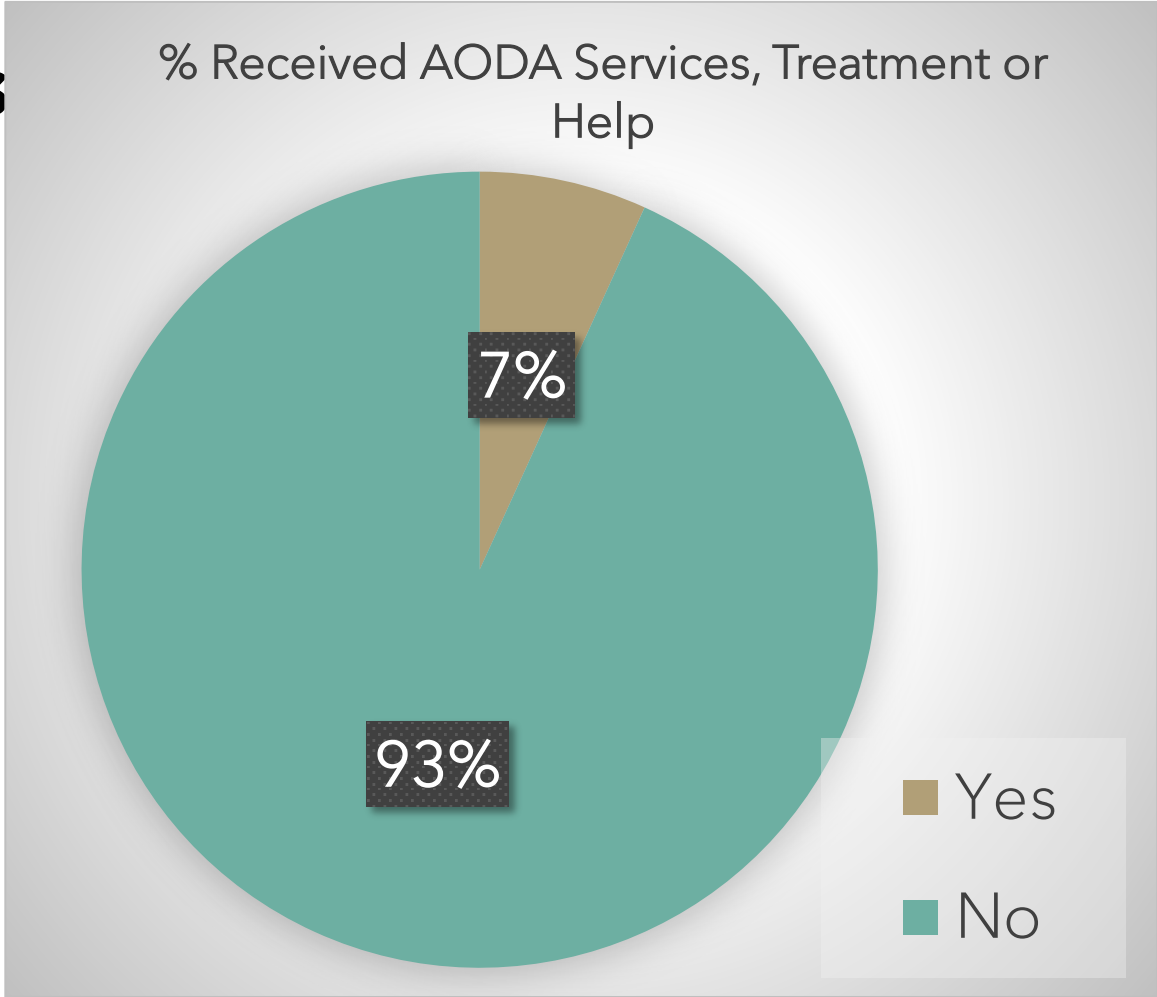
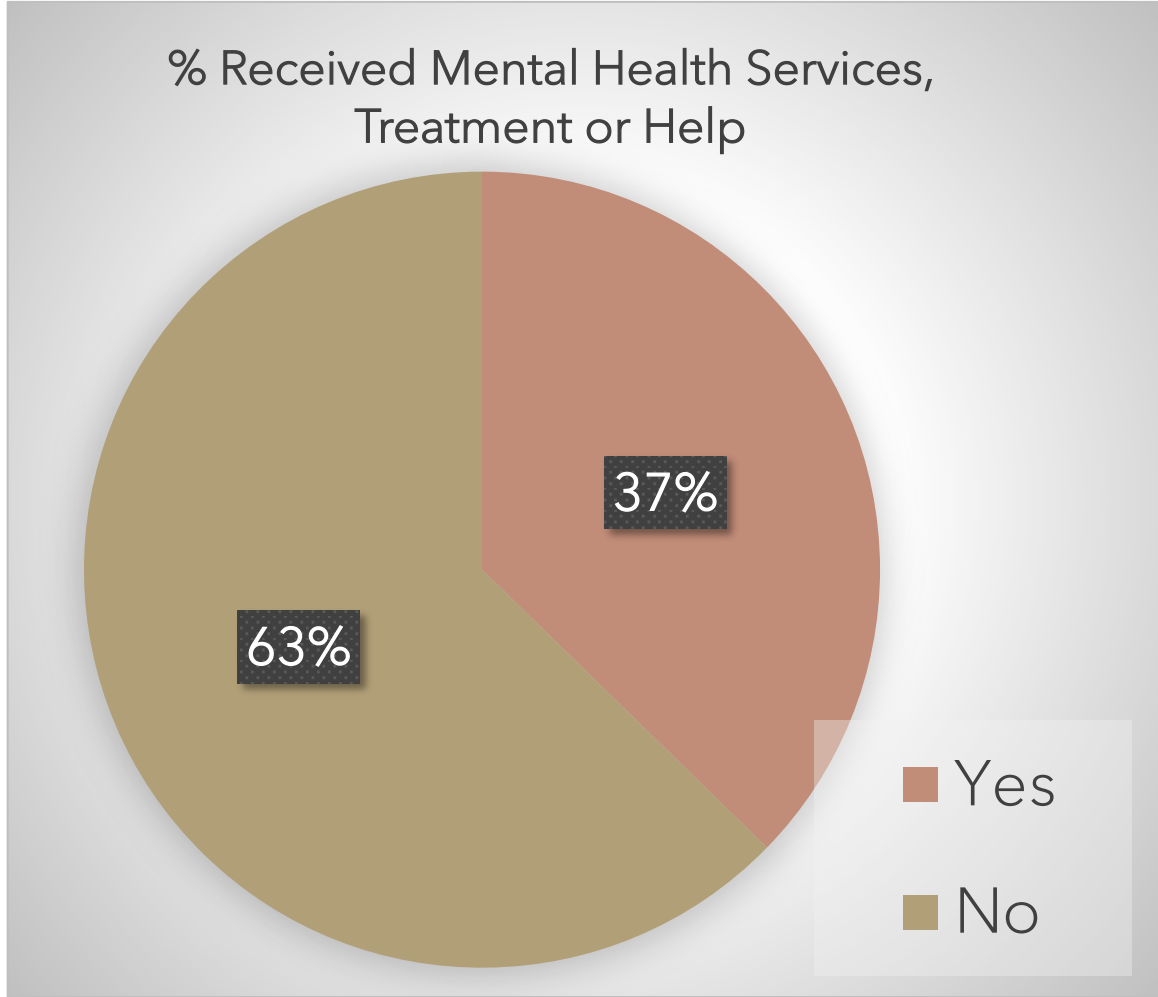
# Wellness Energy System



# 2016 National Study of 12,825 Licensed Employed Lawyers

*Funded by ABA, Hazelden Betty Ford Foundation*









## BEGIN A CULTURAL CHANGE!

**Stress - Learn to change it or accept it, own it and deal with it.**

**Otherwise, the effect of professional stressors, and life events, can and will make you physically sick, emotionally tired and simply “burned-out” - if you let them.**



# RELATIONSHIP OF ETHICS AND WELLNESS:

ABA Rules of Professional Conduct:

- Zealously Advocate

- Competent Representation

- Diligence

- Communications

- Prohibits Neglect of Matters

VS.

- Depression/Stress/Anxiety

  - Executive Functioning

- Substance Abuse

  - Cognitive Impairment



# TIPS on how to Pencil yourself in:

SLEEP

REGULAR  
MOVEMENT

HEALTHY EATING

PRACTICE  
RELAXATION

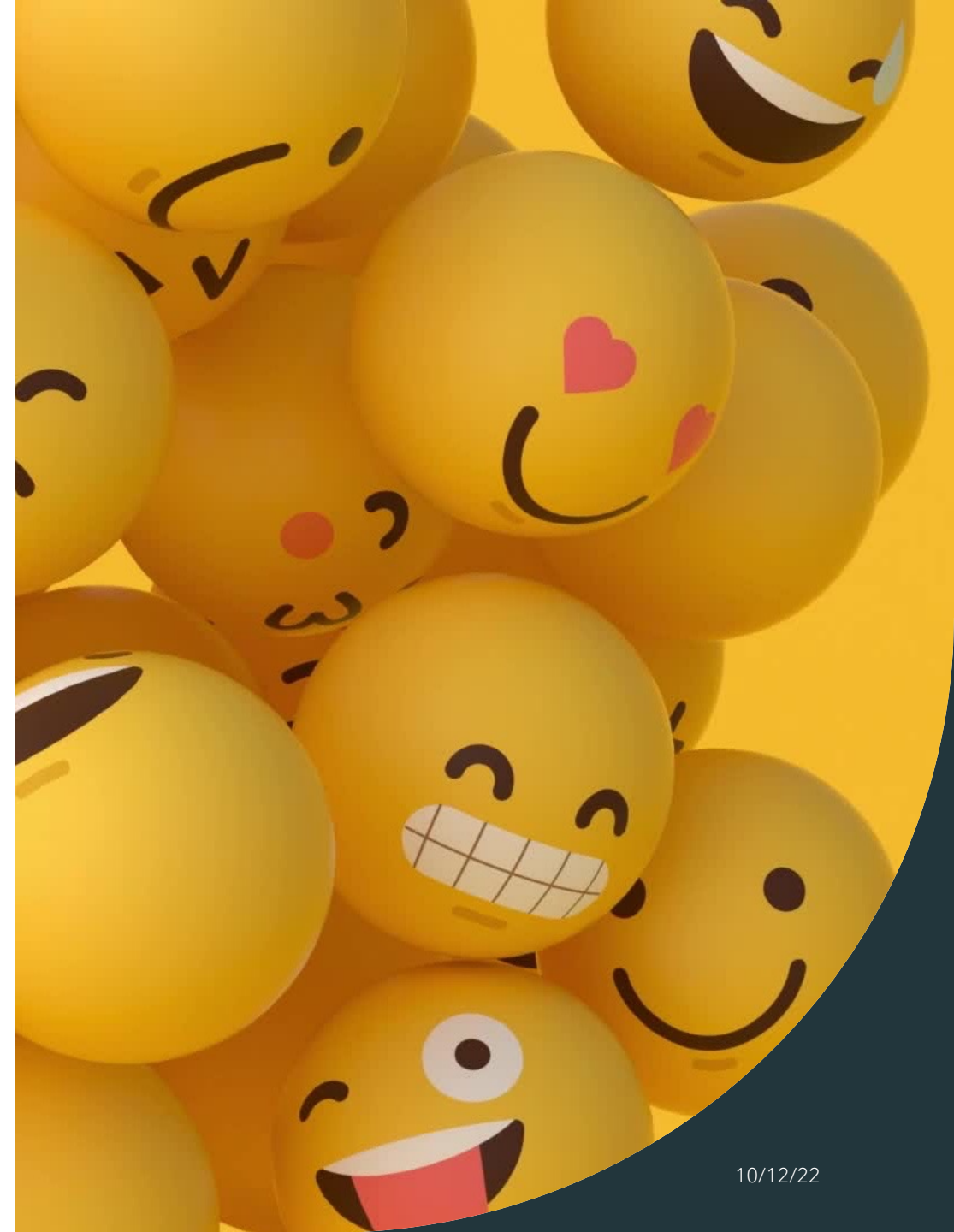
FIND HUMOR - laugh,  
laugh, laugh (watch a  
funny movie)

FORSTER  
RELATIONSHIPS

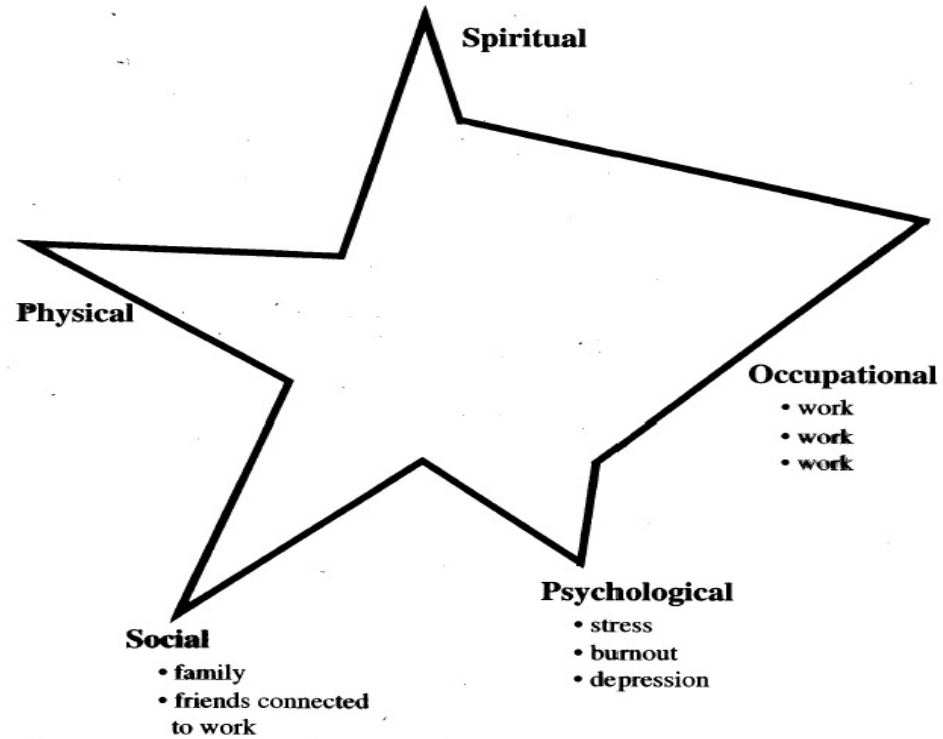
FIND MEANING

VALUE YOUR HEALTH

REMEMBER,  
EVERYONE  
RESPONDS TO  
STRESS  
DIFFERENTLY.

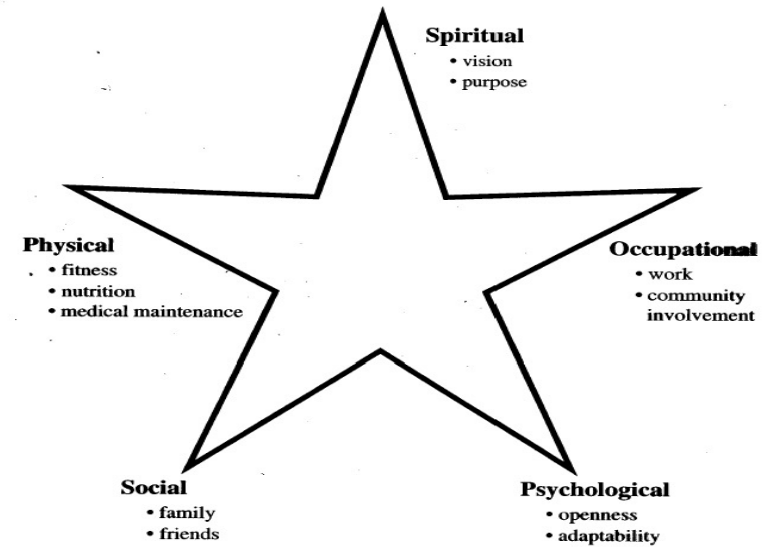


## Stereotypical Lawyer Life Star



Jim Brady, LCSW  
MOLAP 4/05

## Healthy Life Star



# Put Your Oxygen Mask On First On First



REMEMBER HOW TO BE A HAPPY (Well) LAWYER:

Take Time To Think: It is the source of power

Take Time To Play: It is the secret of perpetual youth

Take Time To Read: It is the fountain of wisdom

Take Time To Pray: It is the greatest power on earth

Take Time To Love and Be Loved: It is a privilege

Take Time To Be A Friend: It is the road to happiness

Take Time To Laugh: It is the music of the soul

Take Time To Give: It is too short a day to be selfish

Take Time To Work: It is the price of success.

REMEMBER - IT IS ABOUT PROGRESS NOT PERFECTION!



# DE-LAP

- Confidential assistance for judges and lawyers.
- Confidential assessment, referral, support and guidance
- Peer assistance is at the forefront of the program: lawyers helping lawyers/judges helping judges
- PRIVATE: (302) 777-0124
- E-mail: [cwaldhauser@de-lap.org](mailto:cwaldhauser@de-lap.org)
- [www.de-lap.org](http://www.de-lap.org)





Special Thank You to our panelist:

Alice R. O'Brien, LPCMH

Rich Lombino, Esq., LCSW

David A. White, Esquire, Office of Disciplinary  
Counsel

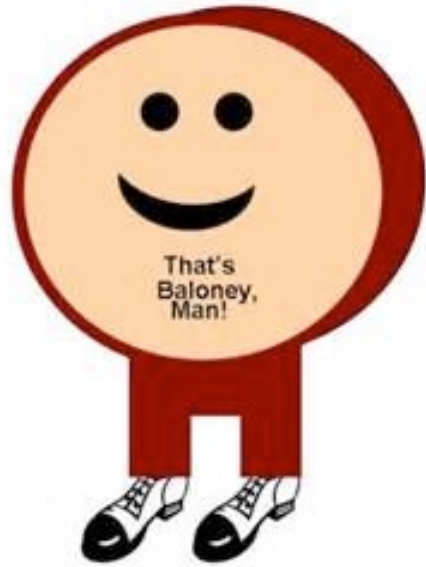
\*Charles Slanina, Esquire

\*R. J. Scaggs, Esquire

\*Ronald G. Poliquin, Esquire







**No Baloney:  
Healthy Lawyers Make for a Healthy  
Profession!**