



Let's Talk Trial

I love trial. Always have, and presumably always will. However, my love for trial is due to amazing mentors who taught me how to take care of myself in trial. Yes, you read that correctly. There are ways to try a case and not destroy yourself in the process.

I have watched so many trial lawyers completely immerse themselves in trial to the detriment of every other part of their lives. We know these people – they don't sleep, eat terribly, drink copious amounts of coffee, and run on adrenaline until the jury reads its verdict. I believe there is another way.

I am at my personal best when I am working out, eating well, meditating, sleeping eight hours a night, and connecting with my family and friends. And, when in trial, I want to be at my personal best. Trial lawyers must react to unexpected developments, manage their case in light of new information, work with opposing counsel, and be able to respond in real time to things for which they are not specifically prepared. That is in addition to being prepared and ready to react to the things that they know are coming. Trial, at least for me, takes a lot of intellectual and emotional energy. And sitting in a chair for eight hours a day never makes my physical body feel good. With all of that going on, doesn't it make sense to take steps to be at our best?

For me, this is what it looks like to operate at my best in trial:

- Stick with my workout schedule. I frequently practice my opening and closing statements while walking on the treadmill. Yes, people look at me as if I am nuts, but it helps me prepare and move my body before having to sit all day. I bring a yoga mat and practice at least a short amount every night before bed.
- I eat a healthy breakfast and limit coffee. Those who know me know that I can be a *little* high strung. The adrenaline from trial magnifies that. So, I am very mindful

about caffeine consumption.

- I drink water throughout the day. That means having to awkwardly request consistent bathroom breaks, but staying hydrated is important if I want my brain to operate at the highest level.
- I get eight hours of sleep and I insist on this. I am not effective if I am sleep deprived. I do this by preparing effectively before trial, asking colleagues who are not in trial with me to help research issues that may pop up, and bringing my yoga mat to wind down before bed.
- Last, but perhaps most important, I connect with my family. I make sure to touch base with my kids every day. I call my fiancé to talk about anything other than trial. I am blessed with someone who makes me laugh and reminds me that trial is hard and intense, but it's not the most important thing in my life.

I feel strongly about modeling these behaviors when I try cases with more junior lawyers. I want my colleagues to enjoy trying a case as much as I do. I also want junior lawyers to know that there is another way. Trial doesn't have to be grueling. It is almost always hard and intense, but it should also be fun. It should be energizing and build confidence.

There is no one-size-fits-all. What do you do to be your best at trial?

This blog post was drafted by [Jamie Cotter](#), an attorney in the Spencer Fane Denver office. For more information visit www.spencerfane.com.