



AMERICAN
BANKRUPTCY
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2021 Consumer Practice Extravaganza

Ethics and Well-Being: How to Balance and Manage Competing Obligations

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ETHICS AND WELLBEING: HOW TO BALANCE AND MANAGE COMPETING OBLIGATIONS

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1

LYNN'S STORY

By All Appearances	Mental Health Journey
Emory Law School J.D. Order of the Coif	Had depression since 16/no talk family
Associate Sutherland Asbill & Brennan	Began therapy, still ongoing
Associate Paul Hastings	6 month cycles of alternating depression and stability for many years
Lived in Hong Kong 1994-98	Had third of 3 children, continued to struggle
General Counsel Norfolk, VA mortgage subservicing company	Divorced/hit bottom in 2008 – couldn't eat, sleep or breathe/lay on floor of office
In house Sentara Health System	FMLA 10 weeks Shepard Pratt for major clinical depression, generalized anxiety disorder, bipolar I, panic disorder, complex PTSD and binge eating disorder NOS
Counsel McKenna Long	Hired in 2011 1 year after Director of second inpatient facility said I would never work again and to apply for SSD/wrote <i>Southern Vapors</i>
Counsel BakerHostetler	"Everything I Know about Suicide" published in law.com May 2021

2

IDENTIFYING THE PROBLEM

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3

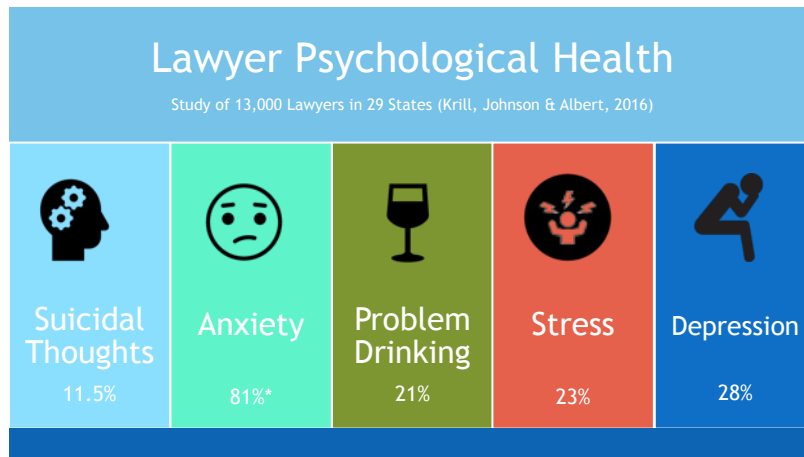
NEED I SAY MORE?



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4



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5

COVID Statistics

- ▶ Percentage of US adults reporting symptoms of anxiety or depression:
 - ▶ January - June 2019: 11%
 - ▶ December 2020 - June 2021: 42%
 - ▶ (<https://www.nature.com/articles/d41586-021-00175-z#:~:text=But%20by%20December%20the%20service,stress%20related%20to%20COVID%2D19>)
- ▶ The number of people looking for help with:
 - ▶ Anxiety - 93% increase from 2019-2021
 - ▶ Depression - 62% increase from 2019-2021
 - ▶ (<https://mhanational.org/issues/state-mental-health-america>)

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6

MORE COVID Statistics

- ▶ Changes in prescription medication:
 - ▶ 34.1% increase in anti-anxiety medication orders (over prior 12 months)
 - ▶ 18.6% increase in antidepressant medication orders (over prior 12 months)
 - ▶ 14.8% increase in sleep medication orders (over prior 12 months)
 - ▶ All of these numbers were steadily declining from 2015-2019
 - ▶ Anti-anxiety medications down 12% from 2015-2019
 - ▶ Sleep medications down 11.3% from 2015-2019
 - ▶ (<https://newsroom.cigna.com/americas-state-of-mind-use-of-mental-health-medications-increasing-with-spread-of-coronavirus>)

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7

Stresses Specific to Lawyers

Some of the things that lead to burnout and “impairments” are the very things that got us to law school in the first place

- ▶ Perfectionism coupled with time constraints
- ▶ Overachievement
- ▶ Compulsive Behavior
- ▶ Highly competitive
- ▶ Skilled actors (wearing the mask)
- ▶ Over-identification with the job: Not “I failed,” but “I’m a failure.”
- ▶ Ability to compartmentalize
- ▶ Secretiveness
- ▶ Preference to look outward, not inward
- ▶ Imposter Syndrome

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8

Barriers to Wellness for Lawyers

Attorney Training	Consequences
Value productivity	Focus on the bottom line
External success vs intrinsic goals and internal indicators of well-being	Emphasize salary, prestige, class rank in law school over meaningfulness, helping others
Critical analysis, linear thinking	Defensive argumentative communication style. Ignore, devalue emotions
Practice self-sufficiency	Don't ask for help
Seek and present information	Poor listening skills
Competition	Weak collaborations; avoid blame; zero-sum game
Toughness	Ignore own health and wellbeing; avoid help-seeking
Urgency	Failure to relax; neglect respectful engagement

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9

The Perfectionist	↔	The Optimalist
Journey as a straight line	↔	Journal as an irregular spiral
Fear of failure	↔	Failure as feedback
Focus on destination	↔	Focus on journey and destination
All or nothing thinking	↔	Nuanced, complex thinking
Defensive	↔	Open to suggestions
Faultfinder	↔	Benefit finder
Harsh	↔	Forgiving
Rigid	↔	Adaptable, dynamic

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Ben-Shahar, T. (2009) The Pursuit of Perfect: How to Stop Chasing Perfection and Start Living a Richer, Happier Life

10

Stigma: Impact on Access to and Use of Care

- ▶ Stigma is so fundamental that it is embedded in our language: “nut job, crazy, insane, mental, hysterical, nuts, deranged, psycho, certifiable, out of his/her mind, unhinged, off his/her rocker, stark raving mad, sicko, have you lost your mind, are you deranged?”
- ▶ National Institute of Mental Health: “Research shows that mental illnesses are common in the United States, affecting tens of millions of people each year. Estimates suggest that only half of people with mental illnesses receive treatment.”
- ▶ <https://www.nimh.nih.gov/health/statistics> (August 2021)

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11

THE ETHICS OF HEALTHY LAWYERING

- ▶ Model Rule 1.16: Declining or Terminating Representation
 - ▶ (a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:
 - ▶ (1) the representation will result in violation of the rules of professional conduct or other law;
 - ▶ (2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
 - ▶ (3) the lawyer is discharged.

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_16_declining_or_terminating_representation/

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12

THE ETHICS OF HEALTHY LAWYERING



Model Rule 1.1: Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_1_competence/

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Model Rule 1.3: Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client

•https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_3_diligence/ 13

THE ETHICS OF HEALTHY LAWYERING

- ▶ Model Rule 5.1: Responsibilities of Partner or Supervisory Lawyer
 - ▶ (a) A partner in a law firm, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct.
 - ▶ (b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.
 - ▶ (c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if:
 - ▶ (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or
 - ▶ (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_5_1_responsibilities_of_a_partner_or_supervisory_lawyer/

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14

THE ETHICS OF HEALTHY LAWYERING

- ▶ Model Rule 1.4: Communications
- ▶ (a) A lawyer shall:
 - ▶ (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;
 - ▶ (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
 - ▶ (3) keep the client reasonably informed about the status of the matter;
 - ▶ (4) promptly comply with reasonable requests for information; and
 - ▶ (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.
- ▶ (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_4_communications/

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15

THE ETHICS OF HEALTHY LAWYERING

- ▶ Obligations to adopt measures to prevent impaired lawyers in the firm from violating the model rules
- ▶ Obligations when an impaired lawyer in the firm has violated the model rules
- ▶ Obligations when an impaired lawyer no longer in the firm

https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/clientpro_migrated/03_429.pdf

If a lawyer's mental impairment is known to partners in a law firm or a lawyer having direct supervisory authority over the impaired lawyer, steps must be taken that are designed to give reasonable assurance that such impairment will not result in breaches of the Model Rules. If the mental impairment of a lawyer has resulted in a violation of the Model Rules, an obligation may exist to report the violation to the appropriate professional authority. If the firm removes the impaired lawyer in a matter, it may have an obligation to discuss with the client the circumstances surrounding the change of responsibility. If the impaired lawyer resigns or is removed from the firm, the firm may have disclosure obligations to clients who are considering whether to continue to use the firm or shift their relationship to the departed lawyer, but must be careful to limit any statements made to ones for which there is a factual foundation. The obligation to report a violation of the Model Rules by an impaired lawyer is not eliminated by departure of the impaired lawyer.

4821-7129-1901

16

WHAT TO LOOK FOR

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17

Identifying Stress, Depression, Anxiety and Substance Abuse CHANGES

- ▶ More withdrawn
- ▶ Less talkative
- ▶ Not paying attention, distracted, inward focused
- ▶ Unexplained changes in schedule, erratic schedule, erratic absences
- ▶ Visible agitation in relating personal anecdotes
- ▶ Visible (even if minimal) lack of self care
- ▶ Hopelessness
- ▶ Isolating
- ▶ Displaying low self esteem
- ▶ Taking risks (because nothing matters)

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18

Subtleties to Watch For

- ▶ Disconnect between what your colleague says and what he/she means
- ▶ Often people are afraid to ask for help, so they try to connect in ways that don't make sense
 - ▶ Lynn: "I really shouldn't be driving this car."
 - ▶ Translation: "I am not okay; I need help."
- ▶ Denial vs. a last rebellious gasp
 - ▶ Sharp pushback against an offer to help does not mean that you shouldn't try again. Sometimes an aggressive pushback indicates that the person is at the tipping point of accepting help. Sometimes it indicates entrenched denial. There is no way to know other than reaching out again

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19

Suicide Awareness and Prevention

- ▶ Robin Williams
- ▶ Kate Spade
- ▶ Anthony Bourdain



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20

Lawyers Are Not Immune

Baker McKenzie Leader to Temporarily Step Down Due to Exhaustion

Paul Rawlinson, chairman of the global legal giant, will take leave to focus on a personal medical issue.

By Rose Walker | October 22, 2018 at 09:42 AM | Originally published on *International*

'Big Law Killed My Husband': An Open Letter From a Sidley Partner's Widow

The wife of Sidley Austin partner Gabe MacConaill shares her story.

By Joanna Litt | November 12, 2018 at 09:00 AM

Suicide Blamed in Death of DLA Piper Partner

Bruce Wicksam, a Pennsylvania native whose body was discovered off a Massachusetts marina, was a longtime partner in DLA Piper's Boston office.

By Meghan Tiller | September 21, 2018 at 04:31 PM

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21

The Impact of Stigma and Secrecy

- ▶ 'Big Law Killed My Husband': An Open Letter From a Sidley Partner's Widow
- ▶ “Looking back on the things Gabe confided in me, I now know I missed a lot of signs. He told me he felt like he was doing the work of three people—and I think that’s being generous. He told me the deal to resolve the bankruptcy kept changing. He also felt that while a senior partner in Chicago was heading the case, a lot of pressure fell directly on him...”
- ▶ <https://www.law.com/americanlawyer/2018/11/12/big-law-killed-my-husband-an-open-letter-from-a-sidley-partners-widow/>

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22

Suicide Warning Signs

Hotline: 1-800-273-8255 / Text Home to 741741

- ▶ Warning signs are indicators that a person may be in acute danger and may urgently need help.
 - ▶ Talking about wanting to die or to kill oneself;
 - ▶ Looking for a way to kill oneself;
 - ▶ Talking about feeling hopeless or having no purpose;
 - ▶ Talking about feeling trapped or being in unbearable pain;
 - ▶ Talking about being a burden to others;
 - ▶ Increasing the use of alcohol or drugs;
 - ▶ Sudden swing from hopeless to carefree

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Factors and signs from The National Suicide Prevention Lifeline

23

“Everything I Know About Suicide By Lynn Garson

- ▶ [included in your materials]
- ▶ <https://www.law.com/americanlawyer/2021/05/05/a-lawyers-thoughts-on-and-of-suicide/>

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24

ADDRESSING THE PROBLEM

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25

Education: Dispelling A Myth

- ▶ The Myth: never to ask someone if they are contemplating self-harm, because it may push them over the edge. In fact, asking someone directly if they are thinking about or planning on self-harm is a good idea. It will not put a thought into someone's head that wasn't already there or push them over the line. It may save their life.

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26

Education: Dispelling Another Myth

- ▶ The Myth: Mental illness/substance use disorders are readily curable - the person just needs to stop dwelling on their problems so much, make him or herself get up and about. They need to stop using and/or take meds and maybe go to rehab for a week or 10 days...
- ▶ Recovery from mental illness/substance use disorders, even suicidality, is possible, but it is not linear and it is not quick. While thinking a person "should be better by now" after a long course of treatment seems logical, it is erroneous. It often took decades to get sick; expecting recovery in 3 weeks or 3 months or even 3 years is unrealistic.

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27

Understand Framework for Resources/Continuum

- ▶ Wellness[prevention] -->
- ▶ Mental health support[intervention]-->
- ▶ Suicidal ideation[crisis]
- ▶ Recognize each stage and act accordingly, i.e. self-help strategies that are great for wellness no longer work when we need proactive and external mental health support
- ▶ The propensity of lawyers is to overuse self-help even when it is no longer appropriate

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28

Give Yourself Permission To Be Less Than 100% Effective

- ▶ “Great is the enemy of good.”
- ▶ Some things are easier than they were in February 2020 and some things are exponentially more difficult.
- ▶ Children who in some ways “missed” a year
- ▶ Remote vs not remote
- ▶ Extra stress for people of color.

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29

Tips from the Expert

Meditation

Social Connection

Service to Others

Positive Self Talk “You can argue with reality and you will lose, but only 100% of the time.”

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30

At a Granular Level

- ▶ The traditional ways to address anxiety/stress/burnout are nothing new: yoga, meditation, mindfulness, exercise, nutrition, sleep, but in today's times people are not often able to take large chunks of time that you normally need for these things to work optimally.
- ▶ Commit to doing the smallest of things:
- ▶ 1 minute of breathing, 2 minutes of stretching, 5 minutes of a meditation app. Anything to break the stress buildup.
- ▶ When you get overwhelmed, STOP. Take a few minutes. Have a ritual.

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31

Mindfulness

- ▶ Mindfulness fosters cognitive and emotional flexibility, which are important factors for resilience and optimism. Videos:
 - ▶ All It Takes Is 10 Mindful Minutes
 - ▶ The Art of Stillness
 - ▶ The Practice of Mindfulness
 - ▶ The Mindful Way Through Depression
 - ▶ Mindfulness and Healing
 - ▶ Mindfulness in Schools
 - ▶ How Mindfulness Meditation Redefines Pain, Happiness, and Satisfaction

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32

Listening



“Most people do not listen with the intent to understand; they listen with the intent to reply.”

- Stephen R. Covey
*The 7 Habits of Highly Effective People:
Powerful Lessons in Personal Change*

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33

Good Listening

- ▶ Don't listen so that you can respond and fix it (which you can't and will frustrate all concerned). Listen to be present to that person's distress.
- ▶ DO NOT FLINCH
- ▶ Don't hide from their pain, don't dramatize it and don't inject your own pain or experience into the conversation unless invited [DON'T MAKE IT ABOUT YOU].
- ▶ IF invited, strike a balance between support and over-sharing/burdening.

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34

“OUT OF THE BOX” TIPS FOR COMBATting STRESS AND BURNOUT

- ▶ Find peace in unusual places:
- ▶ “In Brussels, Doctors Are Literally Prescribing People Trips to Museums to Help Them Cope With Pandemic-Related Stress”
- ▶ https://news.artnet.com/art-world/art-stress-relief-2004852?utm_content=from_www.artnet.com&utm_source=Sailthru&utm_medium=email&utm_campaign=9/2%20US%20Afternoon&utm_term=US%20Daily%20Newsletter%20%5BAFTERNOON%5D
- ▶ Scroll through YouTube and choose a video that transports you - travel, animals, fashion, whatever works for you
- ▶ Keep a puzzle at your desk for breaks
- ▶ Take up witchcraft (don’t ask me, I’m only the messenger)
<https://www.welcometothejungle.com/en/articles/how-to-overcome-burnout-strange-and-unique-ways>
- ▶ Learn something completely new, even if it’s only via 5-minute increments on YouTube

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35

INSTITUTIONAL “OUT OF THE BOX” TIPS FOR COMBATting STRESS AND BURNOUT

- ▶ If you have cloud-based email, ask your organization to enable the feature that pops up a bubble for emails sent after a certain hour asking whether the email really needs to be sent right now
- ▶ Suggest that everyone in your organization be taught the “delay” function for email

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36

Employee Assistance Programs (“EAP”) and Lawyers Assistance Programs (“LAP”)

- ▶ The ABA Commission on Lawyer Assistance Programs (“COLAP”) offers extensive resources and links on its website, *available at* http://www.americanbar.org/groups/lawyer_assistance/resources.html
- ▶ LAPs listed state by state: “The Commission maintains a directory of state and local lawyer assistance programs (LAPS) throughout the country. LAPs provide confidential services and support to judges, lawyers and law students who are facing substance use disorders or mental health issues.” https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/
- ▶ *Note: EAPs and LAPs presently are very overloaded. Many states have “Peer Volunteer Programs” that can help.*

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37

Other Resources

- ▶ Community Support Groups (12 step)
- ▶ Employee Assistance Program and Lawyer Assistance Program
- ▶ Groups (depression and bipolar support alliance <https://www.dbsalliance.org/>)
- ▶ Accountability Buddy
- ▶ Clubhouse
- ▶ Apps - Insight timer, Calm, Talkspace Headspace, Sanvello
- ▶ Dinner Party <https://www.thedinnerparty.org/> (for sibling survivors)
- ▶ Leadership

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38

ABA Wellness Initiatives

- ▶ AMERICAN BAR ASSOCIATION:
- ▶ List of Lawyer Well-Being Podcasts
- ▶ <https://abacolap.wordpress.com/2018/02/28/a-list-of-lawyer-well-being-podcasts/>
- ▶ *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* is a report by the National Task Force on Lawyer Well-Being (2017)
- ▶ “Lawyer Well-Being: A continuous process in which lawyers strive for thriving in each dimension of their lives.”
- ▶ <http://lawyerwellbeing.net/>
- ▶ ABA Well-Being Pledge
https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_working_group_pledge_and_campaign.PDF

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39

Look at Leadership

- ▶ Creating a safe environment for members of the organization to come forward without fear of penalty (achieving status change/loss of job)?
- ▶ Modelling, ie, hosting speakers for lunch programs, initiate wellness programs, model and reinforce the importance of taking a break, taking a moment to interact with colleagues, etc.?
- ▶ Displaying emotional intelligence?
- ▶ Signing the ABA Wellbeing Pledge
- ▶ ABA Well-Being Pledge
https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_working_group_pledge_and_campaign.PDF

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40

Emotional Intelligence

- ▶ “EI arguably accounts for as much as 80 percent of an individual’s workplace success, more than raw intelligence and expertise combined. Studies at Harvard and elsewhere have shown that high IQ does not necessarily translate into high productivity, while the ability to “get along with people” has been found to be more critical than intelligence, decisiveness or job expertise in achieving bottom-line results. This indicates that emotionally intelligent partners will be among your strongest performers.”
- ▶ https://www.americanbar.org/publications/law_practice_home/law_practice_archive/lpm_magazine_articles_v33_is5_an22.html (July/August 2007 issue)

4821-7129-1901

41

Institutional Best Practices

- ▶ Where there is an OSHA sign in your workplace, put an EAP and an LAP poster next to it.
- ▶ During orientation for new lawyers and staff, speak about EAP/LAP and include information in the packets.
- ▶ Have a representative of your EAP/LAP come speak about their services.
- ▶ Include the National Suicide Prevention Lifeline (**1-800-273-TALK[8255]**) and the Crisis Text Line (**text Home to 741741**) in your Firm Directory and phone list and inform your colleagues and staff of it.
- ▶ Foster a culture of watching out for each other.

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42

ABA Well-Being Pledge

- ▶ 1. Provide enhanced and robust education to attorneys and staff on topics related to well-being, mental health, and substance use disorders.
- ▶ 2. Disrupt the status quo of drinking-based events:
 - ▶ • Challenge the expectation that all events include alcohol; seek creative alternatives.
 - ▶ • Ensure there are always appealing nonalcoholic alternatives when alcohol is served.
- ▶ 3. Develop visible partnerships with outside resources committed to reducing substance use disorders and mental health distress in the profession: healthcare insurers, lawyer assistance programs, EAPs, and experts in the field.
- ▶ 4. Provide confidential access to addiction and mental health experts and resources, including free, inhouse, self-assessment tools.
- ▶ 5. Develop proactive policies and protocols to support assessment and treatment of substance use and mental health problems, including a defined back-to-work policy following treatment.
- ▶ 6. Actively and consistently demonstrate that help-seeking and self-care are core cultural values, by regularly supporting programs to improve physical, mental and emotional well-being.
- ▶ 7. Highlight the adoption of this well-being framework to attract and retain the best lawyers and staff.

4821-7129-1901

43

Q & A

4821-7129-1901

44

Attorney Biography



Lynn Garson
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Lynn Garson practices healthcare law at Baker & Hostetler in the firm's Atlanta office. Ms. Garson's areas of expertise include physician practice acquisitions, employment and related agreements, and regulatory research.

Lynn is also a mental health advocate and author. In July 2012, she published *Southern Vapors*, a memoir describing her journey from major clinical depression to recovery, and has since spoken widely, including a TEDx Emory talk: "Reforming the Approach to Mental Health in the U.S." and made numerous presentations to private and public organizations including the American Bar Association, local Bar associations, American Health Lawyers Association and a number of law schools.

Committees and Memberships:

- Chairperson of the Lawyers Assistance Program of the State Bar of Georgia
- Co-chair of BakerHostetler Atlanta Wellness Committee
- Member of American Bar Association Wellness Committee
- Member of Wellness Committee of the State Bar of Georgia
- Member of Mental Health Subcommittee of the Wellness Committee of the State Bar of Georgia
- Member of Suicide Awareness and Prevention Committee of the State Bar of Georgia

45

Attorney Biography



Kayla D. Britton
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4821-7129-1901

Kayla Britton provides general and transactional representation to mid-sized businesses and publicly held companies in various industries, including financial, agribusiness, manufacturing, distribution, insurance and professional services. She has specific experience advising agribusiness clients in credit workout and transactional matters. She advises debtors and creditors in and out of bankruptcy, including representing clients in national Chapter 11 bankruptcy cases. Kayla's experience includes business reorganization, restructuring, and liquidation and representing buyers, sellers, and lenders in distressed sales transactions.

Kayla represents debtors, creditors, committees and other interested parties in bankruptcy, including national Chapter 11 bankruptcy cases. She also advises companies and boards of directors on pre-bankruptcy contingency planning, working to develop out of court solutions while also laying the necessary foundation to a successful bankruptcy proceeding if necessary.

Her experience includes advising chapter 11 debtors in the agribusiness, real estate, for-profit college, finance and manufacturing industries. She also represents clients in defending avoidance actions, advising on debtor-in-possession credit facilities, and working with potential buyers in navigating the 363-sale process.

46

Thank you!

4821-7129-1901

47

Faculty

Kayla D. Britton is a partner with Faegre Drinker Biddle & Reath LLP in Indianapolis, where she provides general and transactional representation to mid-sized businesses and publicly held companies in various industries, including financial, agribusiness, manufacturing, distribution, insurance and professional services. She has specific experience advising agribusiness clients in credit workout and transactional matters. She also advises debtors and creditors in and out of bankruptcy, including representing clients in national chapter 11 bankruptcy cases. Ms. Britton's experience includes business reorganization, restructuring and liquidation, and representing buyers, sellers and lenders in distressed sales transactions. She represents debtors, creditors, committees and other interested parties in bankruptcy. She also advises companies and boards of directors on pre-bankruptcy contingency planning, working to develop out-of-court solutions while also laying the necessary foundation to a successful bankruptcy proceeding if necessary. Ms. Britton's experience includes advising chapter 11 debtors in the agribusiness, real estate, for-profit college, finance and manufacturing industries. She also represents clients in defending avoidance actions, advising on debtor-in-possession credit facilities, and working with potential buyers in navigating the § 363 sale process. In addition, she represents creditors in developing workout, reorganization or liquidation strategies designed to maximize recoveries while minimizing risk, and she manages distressed sale transactions, including navigating the unique issues and exigencies presented by a seller's insolvency and building consensus among multiple constituencies. She also represents clients in the agribusiness, automotive, manufacturing, and professional services industries in the preparation and negotiation of commercial contracts. Ms. Britton was honored as one of ABI's "40 Under 40" in 2020. She received her B.A. from Purdue University and her J.D. *summa cum laude* from Indiana University Robert H. McKinney School of Law.

Lynn S. Garson is counsel in the Atlanta office of BakerHostetler, where she facilitates a range of transactions and contracts for health care organizations. She has experience with physician practice acquisitions, employment and related agreements, clinical trial agreements and regulatory research. In addition, Ms. Garson is a mental health advocate and author. In July 2012, she published *Southern Vapors*, a memoir describing her journey from major clinical depression to recovery, and she has since spoken widely, including for a TEDx Emory talk titled, "Reforming the Approach to Mental Health in the U.S.," and she has made numerous presentations to private and public organizations. Ms. Garson assisted a multi-hospital system in the acquisition of several large medical practice. She also has taken primary responsibility in managing acquisitions by a multi-hospital system of small medical practices, including negotiating and drafting documents from letter-of-intent stage through final documentation. In addition, she advises a multi-hospital system on physician service agreements, consulting and employment contracts, leases, vendor contracts and clinical trial agreements, and she reviews, negotiates and drafts medical director and other agreements with non-employee physicians. Ms. Garson received her B.A. in 1975 from Tulane University and her J.D. in 1981 from Emory University School of Law, where she was a member of the Order of the Coif and was Notes and Comments Editor of the *Emory Law Review*.

