

## **Randall L Kinnard-** *Lessons from the Courtroom*

Randall L. Kinnard is a partner at Kinnard, Clayton & Beveridge, located in Nashville, Tennessee. He focuses his practice exclusively on plaintiffs' personal injury and wrongful death litigation, assisting people who have been harmed by the negligence of others in matters involving medical malpractice, motor vehicle accidents, and defective products. During his career, Mr. Kinnard has been able to obtain numerous significant settlements and jury awards for his clients, including \$22.2 million for a surgical error that led to his client being paralyzed from the waist down. It was reported at the time that this represented the highest medical malpractice award ever given to an individual by a Tennessee jury.

# R - E - S - P - E - C - T

By: Randall L. Kinnard  
KINNARD, CLAYTON & BEVERIDGE  
127 Woodmont Boulevard  
Nashville, Tennessee 37205  
[rkinnard@KCBattys.com](mailto:rkinnard@KCBattys.com)  
(615) 297-1007

## I. INTRODUCTION

As Aretha Franklin says, “All I’m askin’ is for a little respect . . .”

Everybody wants it: Respect. It is part of being human.

When we were all young, someone taught us, “If you want respect, you have to be respectful.”

This outline and my talk will discuss the importance of being respectful.

The five entities/persons whom I suggest in this topic that you be respectful to are:

1. Your Opponent
2. The Court
3. The Jury
4. Your Client
5. Yourself

## II. RESPECT

From Wikipedia, the free encyclopedia.

“Respect is esteem for, or a sense of the worth or excellence of, a person. In

certain ways, respect manifests itself as a kind of ethic or principle, such as in the commonly taught concept of [having] respect for others or the ethic of reciprocity.

Esteem for, or a sense of the worth, or excellence, of a person, a personal quality or ability, or something considered as a manifestation of a personal quality or ability: I have great respect for her judgment.

Deference to a right, privilege, privileged position, or someone or something considered to have certain rights or privileges; proper acceptance or courtesy.”

### III. LEGAL WORK IS HARD

In the extremely difficult circumstances you are faced, it is very hard maintaining respect at all times. But you need to.

### IV. ANGER

Anger impairs good judgment. It interferes with rational thinking, and it makes you act in a disrespectful manner.

The topic of respect cannot be adequately addressed without first talking about anger. Anger is the root of most disrespectful acts.

An expert witness (psychiatrist) once told me that 50% of all people who seek counseling have problems dealing with anger. Anger can shatter judgment. It can destroy communication and tear apart relationships. It can ruin health. Oftentimes, people tend to justify the anger instead of accepting responsibility for it.

We all wrestle with anger, to different degrees.

Being angry and respectful at the same moment is almost impossible.

---

GOOD JUDGMENT

ANGER TRIGGERS



YOUR THINK TANK



---

Learn healthy ways to move your anger triggers down--making it harder for anger to erupt and wipe out good judgment. This is not “bottling up” your anger. It is learning to deal with the triggers that make you angry. See Appendix A for some tips by professionals on how to deal with anger. I will spend a fair amount of time during my presentation, offering you suggestions on anger management.

---

GOOD JUDGMENT

PUSH  
YOUR ANGER  
TRIGGERS DOWN



YOUR THINK TANK



---

ANGER TRIGGERS

At the seminar, I will give you some examples of “angry” moments by lawyers. We will discuss how these bad situations could have been avoided.

## V. STRESS

Without a doubt, stress makes you tense. When you are tense, your anger level comes higher and is easier to get to. Appendix B has some thoughts on stress management.



## **VI. COMPETENCY**

Always remember that before you can get any respect in this profession, you must first be *competent*.

You can respect people all you want, but if you are not competent, you will get little respect.

The fact that you are reading this and/or attending this seminar should be a clear signal to you that you are working towards the impossible-to-obtain goal of perfect competence. You are headed in the right direction. The learning curve is steep. Keep climbing the curve!

## **VII. RESPECTING YOUR OPPONENT**

Of all the five persons/entities we will discuss today, giving respect to your opponent is probably the most difficult one.

### **A. YOUR “OPPONENT”**

Most parties to lawsuits actually are good persons. They deserve to be treated with respect, most often. (Obviously, there are exceptions, and you will know those exceptions when you see them. Even still, you should not be disrespectful, but being extremely aggressive can be not only tolerated, but needed.)

At the seminar, if time permits, I will tell you about two examples of when the other side was utterly disrespectful towards my clients, and I will explain how this disrespect backfired on them.

### **B. EXAMPLES OF BAD CONDUCT AT DEPOSITIONS**

I will explain who the players are at these actual depositions before you hear and see them.

[ Play video.]

The witnesses in the depositions who were subjected to these angry outbursts have opinions about lawyers that they probably will take to their graves.

Each opposing counsel who was present at these debacles will remember them a long

time. Hopefully, anyway!

The court reporters will never forget. The court reporters likely will talk about these lawyers the rest of their career. Badly.

What could each lawyer have done to avoid this eruption? I will discuss options and tips during the presentation.

### C. DEALING WITH RAMBO AT A DEPOSITION, VIDEO TAPING

“In the heat of litigation, emotions and zealous advocacy sometimes get the best of an attorney. I have rarely seen aggressive conduct be effective . . . Rather, respectful and reasoned presentations are much more persuasive”.<sup>1</sup>

If you have tried all the techniques you can to deal with a particularly bad acting lawyer on the other side at depositions, and those techniques have failed, consider using audio-visual recordings of depositions with such an attorney.

A deposition may be video recorded, unless the Court orders otherwise. Rule 30.02(4)(B) T.R.C.P.

Any lawyer or the lawyer’s agent may operate the equipment. *Id.*

This means that you can pack the audio-visual camera in your own briefcase, set it up at the deposition, and run it yourself, at no particular expense (other than buying the equipment, which you can always use to record your children’s swim at the beach on vacation).

An audio-visual recording of a lawyer’s bad conduct is far more persuasive to a Trial Judge than a cold transcript--on a motion.

It is my experience that when the camera is rolling, the bad conduct is always reduced, and is usually avoided.

The full rules of civil procedure concerning audio-visual depositions, as discussed in this outline, are attached hereto as Appendix C.

---

<sup>1</sup> Judge John P. Erlick, “Professionalism in the Courtroom, a View from the State of Washington, Oklahoma Bar Association, Article, 8/7/2009.

I asked a fellow trial lawyer what he does in respect to videotaping and he offered this idea:

“When opposing counsel starts "acting up" during a deposition (e.g, starts making faces, mocking me, etc.), I ask the videographer (if the deposition is videotaped, of course) to put the camera on opposing counsel until they finish. I will do it ten times if I have to. However, the most I have ever had to do it is three. Others suggest bringing a small camera of their own to the deposition and putting it on opposing counsel if they start acting up. Among these three suggestions, this one has been the most effective in curtailing --- if not elimination --- bad conduct.”

I do not know about the propriety of filming the face of a defense lawyer, but if you can get away with it, it is a great idea!

#### **D. TERMINATING THE HOT DEPOSITION**

If Rambo really gets out of hand, and you have had all you can take, or your client has had all he/she can take, and you are confident that the conduct will not stand scrutiny, terminate the deposition pursuant to Rule 30.04 T.R.C.P.

“Upon demand of the objecting party or deponent, the taking of the deposition must be suspended for the time necessary to make a motion for an order.” Rule 30.04 T.R.C.P.

So, as an example of what you could do in case Rambo is out of control:

State on the record, “Your conduct has become unprofessional and unreasonable. You are oppressing this witness and being totally disrespectful. Pursuant to Rule 30.04, I am terminating the deposition. I will file a motion as soon as possible that the Court take appropriate action.”

You could tell the witness to sit tight and tell Rambo that you will give him a few minutes to calm down and then invite him to discuss the issues with you outside the deposition room and perhaps you can come to an agreement about continuing the deposition. Tell him your genuine, sincere concerns. Calmly.

It has been my experience that taking this step alone usually results in the lawyer gaining control of himself, and the deposition can continue. Of course, once the deposition starts back up, put on the record that you are not waiving the right to terminate the deposition, but that out of respect for everyone, including the witness, the deposition may continue at the present time.



If the cooling off period is not agreed to and if Rambo does not agree to talk informally to you about the problems you perceive, then you need to contact the Court. It is likely that you will not be able to reach the judge on the telephone.

If you are able to reach the judge or obtain a visit with the judge at the courthouse, you should not do so unilaterally (ex parte) but allow Rambo to hear what you say at the same time.

Tell the judge that you want to file a motion and in support you want a transcript (and/or audio-visual recording) of the contentious conduct in order for Court to rule. That way you will not have to appear in Court that instant and watch a hearing dissolve into a hopeless, "he said, she said" argument, which likely would result in the judge's not ruling for you. Later on, with the record, you could present a sound, supportable argument.

Be advised that judges hate these sorts of motions. And unless the conduct of Rambo is really egregious, the judge is not likely to get too exercised over your motion. Judges consider a squabble over the conduct of lawyers at a deposition like an argument between children.

Keep in mind also that sanctions can be awarded against you if your motion fails. On the other hand, if your motion succeeds, you are entitled to sanctions. See Rule 37.01(4) which applies to such motions. Rule 30.04.

#### **E. NEVER CALL A FEMALE LAWYER "LITTLE LADY"**

In asking for examples of how some lawyers have been disrespected at a deposition, one female plaintiff's attorney (formerly a defense attorney) responded as follows:

"Yes, it has been a long time ago and it wasn't someone from Nashville. It was a guy from Knoxville who called me "Little Lady" in a deposition and threatened to walk out because I was asking a deponent about a fraudulent insurance claim submitted by his client. The deponent was the plaintiff's brother-in-law. I just told the guy he was free to do whatever he thought was best, but the deposition would continue without him. The witness then said I had told him very clearly that I was not his lawyer, that I represented the defendant, and that I had advised him to seek the advice of his own personal counsel as he was essentially admitting to participating in a fraud. This was really a wild, and long-lasting case."

## F. HIDING THE BALL AND HOW TO DEAL WITH IT

When Rambo wants to hide the ball, another attorney had some good thoughts about how to deal with Rambo. Here is his suggestion:

“We all encounter the dishonorable, and to be frank about it, lying lawyer. I don't know of a method inscribed in stone to deal with one to the next. What I have learned the hard way is to *stay composed* and be firm in my dealings with such a person.

On a more specific note, the misbehavior I deal with in medical device cases is dumping of thousands of documents in response to doc requests. These come in a disorganized state under guise of "kept in normal course of business" when that is a blatant lie. In these circumstances, I carefully present my objections to defense counsel (and we are often required to consult by rule) avoiding confrontation even in face of blatant obstruction, carefully research the procedural points in the case law. There is much good stuff in the federal decisions. I then present to the court which I find to be much more effective than wasting time, energy and enduring stressful emotion engendered by confrontation. With one or two good rulings, typically you see an attitude adjustment from other side, even if grudgingly. Like Cool Hand Luke, you gotta get his mind right.”

## G. SOME LAWYERS JUST INSIST ON MAKING LIFE HARD

The below is an email received from a colleague who has had some bad experience with defense lawyers:

“The most recent example I have is a common one: Some defense lawyers who do anything and everything to gum up even simple tasks. Recently, I won a motion compelling a defense lawyer representing a doctor's group to produce two doctors who are members of the group for discovery deposition, principally to get facts on the record in preparation for expert disclosures (medical case). We had been working for a year to set their deposition. The judge clearly tells me to “pick a date” and grants the order. Then I work on actually consulting with all counsel (there are 3 defense lawyers), to work on setting dates by agreement. In order to prevent motions to quash, etc. The depositions are to be taken by the end of August. Over the course of the first week, the defense lawyer refused to agree to the very simple proposed order I drafted, reflecting exactly what the judge said. The objection was based on a



completely separate issue; why I wouldn't agree to let the defense lawyer talk ex parte with these treating doctor witnesses that he didn't even represent. Turns out, he wanted to represent them in the depositions. They didn't need counsel. The 3 year statute of repose had already run on the facts of the case and their treatment. Yet he insisted. The doctors secured independent counsel. Now, the defense lawyer claims that there's no need for an Order naming specific depositions of the doctors, and now claims that I didn't win anything in court, and that asserting an order is now a waste of time. I assured him the Court is waiting on an order, which is now overdue (in Memphis orders are due within 7 days of hearing). I have warned defense counsel that I am prepared to file my version and set a hearing if necessary. Of course, by the time that happens, the first of the depositions will have occurred. I'm concerned about making the judge mad by not getting an order in, but clearly, trying to work by agreement has led to unnecessary frustration and complications."

How would you deal with this problem? I think he should file a motion for entry of his Order. I expect the defense lawyer will then agree to entry - - if for no other reason than to avoid embarrassment with the Court. I believe the plaintiff's attorney will keep in mind that perhaps the best thing to do is to remember what occurred and when dealing with these same lawyers, forewarned is forearmed.

#### **H. CHATTANOOGA BAR ASSOCIATION GUIDELINES FOR PROFESSIONAL COURTESY**

Here is a copy of the two-sided card that the Chattanooga Bar Association issues to various lawyers. Both sides of the card appear below.





I want to get some of these cards and carry them with me and hand them out at the appropriate time to opponents when it looks like they could pay more attention to the principles espoused on the card!

#### I. SAY *THANK YOU* AND *PLEASE* WHENEVER YOU CAN

You are not showing any signs of weakness if you say *Thank You* or *Please*.

In fact, the use of those words is conducive to getting along and making your life easier, as well as the life of your opponent.

Recently, at the deposition of my clients (parents of a child who died from negligence), the opposing lawyer was always courteous to my clients. Although he was firm at times, as he was required to be, he never showed them disrespect. I sent him the below

email:

“Thank you for being courteous to my clients.

Can you please send me a copy of all the phone records you have obtained, without my having to request same via a request for production?

Thanks.

Randy”

Note that the opposing lawyer sent me the phone records I asked for, without my having to take all the time necessary to prepare a formal request for production. I saved time, he saved time. Could it be because we have been courteous to each other?

## **J. A VIEW FROM THE OTHER SIDE**

I asked a defense lawyer to give me some examples of when he has seen disrespect by a plaintiff’s lawyer. Here is what he sent:

“Here are some examples from my personal experience of what I consider to be disrespectful conduct. I have not used the names of the guilty parties.

1. The plaintiff’s attorney, for about 2 weeks bombarded our office with facsimiles, a large majority of which included baseless requests and/or motions. He then proceeded to essentially harass me by phone, refusing to leave voicemails and requiring that our staff pull me from whatever or wherever I was to speak with him, namely about a discovery dispute. On the phone, he would be unreasonable, unprofessional, and absurd, often resorting to cussing and then threatening sanctions, which he did eventually file for, but then never did set the hearing on. At the hearing regarding discovery, he didn’t oppose our position. He clearly knew before the hearing that he was not opposing the motion and thus there was no need for a hearing, yet he made us spend a half day in Circuit (in my opinion) just to harass us.

We countered this situation with consistent professionalism and with responsive motions based on the law. Being unable to get a rise out of us, he eventually calmed down and has now restored his sanity, at least for the moment.

The response to this situation was specific to the circumstance and the

individual involved. But, the moral of the story is there - I would say that typically, a heated situation involving another lawyer can be diffused if the response is not such that stokes the fire. The proper response for this situation was in large part to remain calm and confident in our position, almost stoic - plaintiff's counsel was looking for an emotional reaction. The response for another lawyer may be different. Regardless of the precedent that needs to be set with that lawyer, I think the key is to remain professional no matter what.

2. In another case, the plaintiff's counsel was extremely rude during some of the depositions. He raised his voice at the deponent and other lawyers. He also spoke over other lawyers who were trying to make objections during the depositions. He didn't even want the defense attorneys to make appropriate objections for the record. He even asked one doctor if he was using cocaine, without any basis for asking the question.
3. A plaintiff's attorney recently deposed a defendant. When the attorney was not satisfied with that defendant's responses, he made sarcastic comments to the defendant such as "am I speaking English?"
4. In a case years ago, my partner asked me to go depose some important lay witnesses in a case where we had huge exposure. (I had probably been in practice about a year.) Surprised to see me show up instead of the old man, the plaintiff's attorney told the witnesses that I was not the real lawyer, just a 'fill in lawyer.' His comment has motivated me for years. Every time I get one of his cases dismissed or get a verdict against him, I think (though I have never said it), 'It must be tough getting beat by a fill in lawyer.'

I'm glad that you are giving a presentation on respect. Sadly, many of our colleagues can't vigorously represent a client and still remain respectful to the opposing party, the opposing attorney, and the court."

## VIII. RESPECTING THE COURT

From a Judge:

"I prefer the advocacy of explanation and communication rather than argument and rhetoric. This is a matter of ethics and of effectiveness. Judges and jurors



want to have the case explained to them as clearly and simply as possible.

...

Then you wonder, why do lawyers so often employ argument and rhetoric? And why distort the evidence and the law? Why do lawyers use clever guile to cast a meaning on testimony contrary to the words of the witness?

...

It may be because lawyers mistakenly think this is what lawyers are supposed to do. Or it may be that lawyers think this is the way to fame and fortune.”<sup>2</sup>

If you have never been before a particular Judge, or tried a case before her/him, you should do research on that Judge’s customs, practices, and protocols. Try to learn the culture of that particular Court. This can be invaluable information.

[ At seminar--an example of appealing to the Court’s reasoning and sense of fairness instead of attacking an opponent personally at a hearing. ]

As one particular Trial Judge suggests, “Don’t address your arguments towards opposing counsel. Don’t turn to him or her and state, ‘I did so provide those documents to you.’ Such conduct rapidly turns up the heat in the courtroom; it personalizes an attack on counsel. Proper practice and common courtesy is to address the Court. Direct colloquy with counsel during argument is inappropriate.”<sup>3</sup>

A lawyer by the name of Bob Krivcher, whom I had the privilege of working for in law school, once told me about his biggest secret in life. As his law clerk, I went with him to a motion hearing. It was his motion. The brevity of his argument startled me. He had left out 90% of my suggested arguments, which I had given to him in a brief. While his opponent made his argument to the Court, I wrote a note to Mr. Krivcher, urging him to argue the constitutional law issues I had so carefully briefed. He had been staring at the Judge, and he glanced down quickly at my note and waved me off. When opposing counsel had argued for about fifteen minutes, the Court asked, “Mr. Krivcher, do you have anything else to add?” “No, Your Honor,” was Mr. Krivcher’s response. I was really disappointed because all that work and research I had done was never even argued.

Then the Court ruled in favor of Mr. Krivcher.

---

<sup>2</sup> Thomas M. Reavley, Senior Judge, United States Court of Appeals, Fifth Circuit, LITIGATION Spring 2009, Volume 35 Number 3.

<sup>3</sup> Judge John P. Erlick, “Professionalism in the Courtroom, a View from the State of Washington, Oklahoma Bar Association, Article, 8/7/2009.

The opposing lawyer jumped up and started arguing with the Judge--as if he were going to get the Judge to reverse himself. The Judge leaned forward and said, in a low voice, "I have made my ruling. Next case."

As we walked down the hall, Mr. Krivcher whispered to me, "Randy, the secret to life is knowing when to shut up."

Judges do not like it when a lawyer tries to get the Judge to reverse herself or himself when the death knell is sounding for the lawyer. Accept the loss and move on instead of continuing to argue with the Judge. In other words, accept with honor the fact that you have lost this particular issue. The Judge will have much more respect for you as a lawyer and as a person, and that respect will come in handy later.

What if you have been respectful to everyone in the courtroom, yet the Judge acts disrespectfully towards you or your client? What to do?

[ At seminar--an example of disrespect by a Judge. ]

As you can see from the example, any time anyone (including a Judge) is disrespectful, it usually backfires on the person showing the disrespect.

If you or your client suffer disrespect from the Judge in front of the jury, fear not! Hang in there. A jury knows when anybody is being unfair and disrespectful. Juries have a way of making things right. So, be patient and never return the disrespect.

In "Cry the Beloved Country" by Alan Paton, the narrator comments on a South African courtroom:

"You may not smoke in this Court, you may not whisper or speak or laugh. You must dress decently, and if you are a man, you may not wear your hat unless such is your religion. This is in honour of the Judge . . . and in honour of the Law behind the Judge, and the honour of the People behind the Law."

I think this quote demonstrates well the concept that ALL citizens are part of the legal system, and the court represents so much of that - that a incident of disrespect towards a judge or the court has much greater ramifications than that one isolated incident.

Respecting the Court, including the judge, the clerks, and everyone behind the scenes shows a respect for our entire legal system.

It seems as though jurors sometimes have more regard and respect for the courts than some seasoned and cynical attorneys have. Jurors are also very attuned to the level of respect that the attorneys show each other, show the judge, and show the court officers.

Disrespect for the court will affect not only the jurors' opinion of you, but also the other courtroom staff and probably the judge's opinion of you.

We cannot let ourselves ever get TOO comfortable in a courtroom or in front of a judge.

## IX. RESPECTING THE JURY

Of course, you never want to lose the respect of the jury.

Here are some tips on keeping their respect.

- Be professional.
- Know what you are doing.
- In voir dire, respect jurors' privacy. If you are considering asking a very personal question of any juror, rethink asking it. Do you really need an answer? Is it worth the risk of alienating that particular juror and perhaps the entire venire panel?
- Talk *to* jurors and never down to them.
- Respect the jury's space. You are ordered to do so in Federal Court, but in state court, you are free to move around. Do not take license with that freedom and do not get right in jurors' faces.
- Sometimes you can almost hear the jury moan when anyone causes them to leave the courtroom and go sit in the jury room while an objection is argued. While you are arguing, they are sitting idly, doing nothing, or worse, continuing to worry about personal problems, like, "Will I be able to get supper ready on time?" "Can I even afford supper?" "Will I be able to beat the downtown traffic today?" "Can I afford the insurance premium for my health insurance?"



- Never be late and never keep the jury waiting.
- Look efficient. That means having your witnesses lined up and ready to go and that you never have a stop in the proceedings because of a failure to plan ahead.
- Have witnesses at the courthouse early, instead of at the anticipated time you will want them to testify.
- Show witnesses respect. Remember: the jury identifies with the witness--not you. If the jury perceives that you are bullying a witness, they will take it out on you.
- Most witnesses are trying hard to tell the truth. They deserve respect.
- Sometimes, a witness clearly is a gross exaggerator, or worse--a liar. It is permissible to be very firm with them then.

## X. RESPECTING YOUR CLIENT

"I never met a man I didn't like."<sup>4</sup>

"I never met a client I didn't like . . ."<sup>5</sup>

We all want the appropriately dressed, nice looking client to represent. That person seldom walks into my office. Most of the people that come to see me look distraught. They look disheveled. They are tired and sad looking. They do not look like someone you would want to take a seat next to at a bar and have a nice conversation with.

Regardless of how they look, deep down inside there is someone there that I find of interest and am happy to get to know.

These are all real human beings and they deserve my respect.

Once you enter into a professional relationship with a client, the attorney/client

---

<sup>4</sup> Will Rogers

<sup>5</sup> . . . except one." Randy Kinnard

relationship is established. Jenney Keaty in my office compares this relationship like that of a "horse and jockey." She has some good ideas on this, which include:

1. There must be great respect between a jockey and his horse for them to be a successful pair.
2. Each has a specific role to play - or job to do - and also has to perform well in that role. And each of them must respect this about the other and about their relationship.
3. They have consideration and regard for one another.
4. Communication is essential to their relationship, but they also employ care and caution in this communication.
5. If either messes up, they both lose.

Remember: you would not have a JOB if it weren't for your client! Without a client/or a cause to advocate for, you do not have a role or a purpose. So, remember those two things when you get frustrated with your clients, or when you are tempted to not be as respectful as you should be with your clients.

And always, always remember that no matter how many lawsuits *you* have, this is the *only one* your client has. Realize:

1. This problem is probably encompassing your client's life.
2. They probably think about it every night before they go to bed and every morning before they wake up.
3. They have been through something awful and terrible and unjust - or else you wouldn't have taken their case. And, because of that *alone* they deserve your respect:
  - A. Consideration
  - B. Deferential regard
  - C. Care; caution
  - D. Esteem
  - E. Communication
  - F. "Ethic of Reciprocity"

How does a client expect to receive your respect? (If you do these things, the respect you are showing your client will most definitely be reciprocated!)

1. Listen to them
2. Sympathize with their situation
3. Communicate with them
4. Explain the law and your theories with them
5. Enjoy them as a human being

A lawsuit is a journey, and hopefully there is an end that offers your clients some closure on this terrible thing that happened to them. In the meantime, be their guide on this journey; most of them may have never traveled this way before. Offer them ways to create their own closure - allow them to talk through their worries and concerns; they just might find their own way out of them!

## **XI. RESPECTING YOURSELF**

[ Play video of Bobby Jones.]

If you do not have respect for yourself, it will be difficult for you to earn the respect *of* others. And without self-respect, you may not be able to show real respect *for* others.

I think there are two parts to this:

1. Inner respect for yourself:
  - A. Be confident
  - B. Know that you are a good person, you do right, you work hard, and you deserve your fair shake
2. Outer command of respect of and for yourself:
  - A. Do not allow others to walk all over you - i.e., do not allow others to disrespect you.
  - B. Do not give others reason to disrespect you - i.e., because you were disrespectful first.

C. But, be humble.

1. As Penny White told new lawyers: "Don't take yourself too seriously. You are becoming a lawyer, not the diety. Many of us become too convinced of our own importance in this profession."<sup>6</sup>

D. One of the most powerful ways of showing self-respect is holding yourself to a higher standard - use a level of honesty and integrity that reflects the ideals you hold within yourself. Others will see this and you will earn their respect because of it.

Per the Ezine article: "Self Worth - 5 Steps to Respecting Yourself":

A. Do not let others invalidate your feelings.

B. Make your own plan.

C. Be passionate about your life

D. Do not be afraid of failure

E. Lighten up

As Professor Penny White said in 1993, "Becoming a lawyer does not require that you lose your humanity. So, act like a human. If you have forgotten how, fake it."<sup>7</sup>

Whether you are a religious person or not, I think you will agree the following words offer up good thoughts on how to live right.

*Strengthen and increase our admiration for honest dealing and clean thinking, and suffer not our hatred of hypocrisy and pretence over to diminish. Encourage us in our endeavor to live above the common level of life. Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with courage that is born of loyalty to all that is noble and worthy, that scorns to*

---

<sup>6</sup> "10 Things They Never Taught You in Law School," speech by Penny White to newly admitted Tennessee lawyers in 1993.

<sup>7</sup> *Id.*



*compromise with vice and injustice and knows no fear when truth and right are in jeopardy. Guard us against flippancy and irreverence in the sacred things of life. Grant us new ties of friendship and new opportunities of service. Kindle our hearts in fellowship with those of a cheerful countenance, and soften our hearts with sympathy for those who sorrow and suffer.*<sup>8</sup>

*Be Happy always! In life, shortcomings, loss, and setbacks are inevitable . . . but . . . suffering, worry and sadness are all OPTIONAL. Be cheerful and happy always. Just take care of your health and family. Happiness will follow you wherever you go or be!*<sup>9</sup>

## XII. CONCLUSION

I thought some quotes here from some famous people would be a good way to wrap this up.

“The best thing to give to your enemy is forgiveness; to an opponent, tolerance; to a friend, your heart; to your child, a good example; to a father, deference; to your mother, conduct that will make her proud of you; to yourself, respect; to all men, charity.”<sup>10</sup>

“Men are respectable only as they respect.”<sup>11</sup>

“Would that there were an award for people who come to understand the concept of enough. Good enough. Successful enough. Thin enough. Rich enough. Socially responsible enough. When you have self-respect, you have enough.”<sup>12</sup>

“Respect your efforts, respect yourself. Self-respect leads to self-discipline.

---

<sup>8</sup> From the Cadet Prayer, U.S.M.A.

<sup>9</sup> “The Tip of the Day,” Stress Central #2340, By Mary from Singapore

<sup>10</sup> Benjamin Franklin

<sup>11</sup> Ralph Waldo Emerson

<sup>12</sup> Gail Sheehy

When you have both firmly under your belt, that's real power."<sup>13</sup>

Randy Kinnard  
Nashville, Tennessee

---

<sup>13</sup> Clint Eastwood



[X Home](#)
[The Group](#)
[Personal Growth](#)
[Political Action](#)
[Women's Stories](#)
[M4C Publications](#)


# How to Deal with Anger

## Anger Triggers

It's important to notice the signals our body gives us when we start to feel angry. If we can catch these signals we have a much better chance of gaining control of our anger before we hurt ourselves or someone else.

What are your anger triggers?

**External Triggers** are what happens to us, like when someone lies or puts us down

**Internal Triggers** are the messages we give ourselves, "self-talk," that get us all worked up. They are sometimes based on assumptions or incorrect information.

### The Anger Iceberg

Try this anger awareness exercise and see if it helps you understand this complicated emotion.

### Suggestion

1. Draw an iceberg on a piece of paper like the example below. Label the tip: "anger."
2. Think about a situation in which you felt angry.
3. Write what you did with your anger in the space above the water line.
4. See the "Taking Action" section on the other side of this sheet. What behaviour choices did you make to deal with your anger? What happened as a result?
5. Since anger is a secondary emotion, what were the underlying feeling(s)? Write them beneath the tip.
6. Was the problem solved OK? Do you still need to tell the people involved how you felt?
7. Evaluate your choices. What might have happened if you had chosen an assertive response to deal with your anger?

# APPENDIX A

### "I" Statements

Learning to talk about how an experience affects us can be a challenge. Using the following "I" statement formula might help you to communicate clearly what's going on.

I feel \_\_\_\_\_ when you  
\_\_\_\_\_, and I need you to  
\_\_\_\_\_.

Example: Jim tells a racist or sexist joke.

Option 1: "What an idiot, go get a life!"

Option 2: "I feel offended when I hear sexist jokes and I don't want to hear anymore."

Which response is constructive?

How could this work for other situations: sexual harassment, bullying, etc.?

## THREE Behaviour Choices

1. **AGGRESSIVE:** Anger is expressed either physically, emotionally or psychologically. The result is that someone else is hurt.

**Behaviour choices:** Hitting, kicking, harassment, using put-downs, threats, murder

**Message to myself:** My anger is not OK so I am going to take it out on someone else. I will blame them for my anger because I am uncomfortable with my own feelings.

2. **PASSIVE AGGRESSIVE:** Anger is repressed by internalizing and denying.

**Behaviour choices:** Cold shoulder, revenge, nasty rumours, depression. (Depression is defined as anger turned inwards.) Bottled up, it can eventually blow up.

**Message to myself:** My anger is not OK so I will deny it. I am afraid of my feelings.

3. **ASSERTIVE:**

A. Anger is expressed directly in non-threatening ways that do not

hurt

- a. ) yourself,
- b. ) another person or
- c. ) someone's property.

B. Anger is suppressed (Not repressed). Acknowledge the feeling and decide to deal with the situation at a more appropriate time in the near future (e.g., after s with your own feelings and to deal with them without hurting anyone. There is no such thing as bad anger or good anger. There are only choices as to how you deal with anger. You can either reject and harm others or accept and respect others and yportant part of who I am .

### Anger: The Second Emotion

Anger is actually a secondary emotion. The real challenge is to get in touch with the primary emotion(s) that are at the heart of the matter (i.e., under the tip o f the anger iceberg). Only then can the problem be dealt with in healthy and assertive ways.

Nobody "makes" you angry. In any situation you have the power to choose and the ability to get in touch with your own feelings and to deal with them without hurting anyone. There is no such thing as bad anger or good anger. There are only choices as to how you deal with anger. You can either reject and harm others or accept and respect others and yourself.

---

[ [Home](#) ] [ [The Group](#) ] [ [Personal Growth](#) ] [ [Political Action](#) ] [ [Women's Stories](#) ] [ [M4C Publications](#) ] [ [E-Mail Us](#) ]



Sri Chinmoy  
*Inspiration*



Self Improvement for daily Life

## 10 Powerful Ways to Deal with Anger

September 8th, 2007 | [inner peace](#) | Posted by Tejvan Pettinger -



Here are some practical suggestions for dealing with anger.

### 1. When you are angry say nothing.

If we speak in anger we will definitely aggravate the situation and quite likely hurt the feelings of others. If we speak in anger we will find that people respond in kind, creating a spiral of negative anger. If we can remain outwardly silent it gives time for the emotion of anger to leave us.

“When angry count to ten before you speak. If very angry, count to one hundred. “

- [Thomas Jefferson](#)

### 2. Be indifferent to those who seek to make us angry.

Some people may unfortunately take a malicious pleasure in trying to make you mad. However, if we can feel indifferent to them and their words; if we feel it is beyond our dignity to even acknowledge them, then their words and actions will have no effect. Also, if we do not respond in any way to their provocation, they will lose interest and not bother us in the future.

### 3. Use reason to stop anger.

When we feel anger coming to the fore try to take a step back and say to yourself “This anger will not help me in any way. This anger will make the situation worse.” Even if part of us remains angry our inner voice is helping us to distance our self from the emotion of anger.

#### **4. Look kindly upon Others.**

Another visualisation, suggested by spiritual teacher Paramhansa Yogananda, is to see the anger-rousing agent as a 5 year old child. If you think of the other person as a helpless 5 year old child your compassion and forgiveness will come to the fore. If your baby brother accidentally stabbed you, you would not feel anger and desire to retaliate. Instead, you would just feel he is just too young to know any better. This exercise may be particularly useful for close members of the family who at times evoke your anger.

#### **5. Value Peace more than anger.**

If we value peace of mind as our most important treasure we will not allow anger to remain in our system. As [Sri Chinmoy](#) says:

*“You may have every right to be angry with someone, but you know that by getting angry with him you will only lose your precious peace of mind..”*

#### **6. Always try to understand those who are cross.**

Don't worry about feeling the need to defend yourself from their criticisms. If you can remain detached and calm they may begin to feel guilty about venting their anger on you. Inspired by your example of calmness, they will seek subconsciously to do the same.

#### **7. Focus on Something Completely Different.**

Suppose someone has done something to make you angry. Think about something which will make you happy. The best antidote to negativity is to focus on the positive.

#### **8. Breathe Deeply.**

The simple act of breathing deeply will help considerably with removing anger.

#### **9. Meditation.**

Practise meditation regularly to bring your inner peace to the fore. If we can have an inner access to our inner peace we will be able to draw upon this during testing times. – [How to Meditate](#)

#### **10. Smile**

When we smile we defuse many negative situations. To smile is offer goodwill to others. Smiling costs nothing but can effectively defuse tense situations.

Photo credit: Ranjit Swanson, [Sri Chinmoy Centre Galleries](#)

See also:

- [Seven Steps to Inner Peace](#)






Ads By Google [Anger Management](#) [How to Manage Anger](#) [Controlling Anger](#) [Anger Courses](#)

[HOME](#) » [Self Improvement](#) » [Anger Management](#)

[Submit Articles](#)  
[Members Login](#)  
[Benefits](#)  
[Expert Authors](#)  
[Read Endorsements](#)  
[Editorial Guidelines](#)  
[Author TOS](#)

[Terms of Service](#)  
[Ezines / Email Alerts](#)  
[Manage Subscriptions](#)  
[EzineArticles RSS](#)

[Blog](#)  
[About Us](#)  
[Contact Us](#)  
[Article Writing Shop](#)  
[Advertising](#)  
[Affiliates](#)  
[Privacy Policy](#)  
[Site Map](#)

[Advanced Search](#)

Ads By Google  
[Anger Management](#)  
[How to Manage Anger](#)  
[Controlling Anger](#)  
[Anger Courses](#)  
[Managing Anger](#)

Would you like to be notified when a new article is added to the Anger-Management category?

## How to Deal With Anger

By [Trevor Johnson](#)

Article Word Count: 533 [[View Summary](#)] [Comments \(0\)](#)

Ads by Google

[\\$65 Online Anger Class](#) Court Certified Certificate One price 1-2-3day class [www.AngerManagementSeminar.com](#)

[Evaluation& Counseling](#) Dui,MIP,Conduct ,Domestic Violence court,probation,Evaluation/treatmen [www.aces-counseling.com](#)

[Anger Counseling](#) Need Anger Management Counseling? Get The Help You Need Now. [CounselingDiscovery.com](#)

[Anger Management Children](#) Classic Child Anger Mistakes Discover All The Secrets Here [Quality-Answers.com/AngerChildren](#)

[Stop Tantrums in 3 Steps](#) How I stopped the defiance, lying, backtalk and outbursts in 3 steps [www.ParentLearningClub.com](#)

Ads by Google

[Online Counseling Degrees](#)

Study Counseling From Home And Earn A Degree. Request Free Info Today!  
[www.eLearners.com/Counseling](#)

[Control Your Anger](#)

Is Anger affecting your health & relationships? Contact us for help.  
[www.weccounseling.com](#)

[Anger management classes](#)

Certified fast-paced & in-depth for court/employer mandated students  
[www.WhatsGoodAboutAnger.com](#)

[10 Anger Management Tips](#)

Discover How To Manage Your Anger. The Latest Lifestyle Advice!  
[www.LifeScript.com](#)

[Anger Management Class](#)

Accelerated Class Certified by Anderson and Anderson  
[www.capitolangermgt.com](#)

[Overcoming Depression](#)

Is Closer Than You Think - Take Control Now With The Top Treatments  
[www.depressionscanning.com](#)

[Stop Bad Teen Behavior](#)

Tired of struggling w/ your teen? Trusted parenting tools work fast!



Email Address:

Your Name:

We will never sell or rent  
your email address

**Prefer RSS?**  
Subscribe to the  
Anger-Management  
RSS Feed:

If [www.TheTotalTransformation.com](http://www.TheTotalTransformation.com)**#1 Online Anger Class**

Get a Certificate at No Extra Cost. Trusted &amp; Guaranteed.

Enroll Now

[www.AngerClassOnline.com](http://www.AngerClassOnline.com)**How To Survive Infidelity**

How To Survive Infidelity Take Control of The Future of Your

[www.MarriageSherpa.com/Affair](http://www.MarriageSherpa.com/Affair)**Anger Problems?**

Learn ways to improve anger skills Clear and specific techniques

[www.outlookassociates.com](http://www.outlookassociates.com)

you always seem to be angry then it's maybe time that you found out how to deal with anger. Not just for your own sake but also for the sake of the people around you.

Sure, there are lots of things to be angry about in our busy modern day life. But is it worth it? You're winding yourself up and alienating the people who care about you most. Hopefully the next statement isn't going to wind you up further, but you're maybe also being passed over for promotion because of your anger.

So it's time to do something about it!

Get angry at your anger!

**1. Can you change the situation?**

If you're getting angry about something over which you have no control, why are you letting it get under your skin? Some things were meant to bug us - heavy traffic on the freeway, the way the queue you've joined always moves the slowest, that kind of thing. But if you can't change the situation, don't get worked up about it. Because that will likely make it worse. Road rage will make you a worse driver and more likely to have an accident. Shouting and cursing at the cashier will put them into even slower mode and make their attitude worse.

**2. Can you change how you react?**

Now this one is actually under your control. You decide how you're going to react to something. OK, at the moment it's maybe hard-wired into your system that you fly off the handle at the slightest provocation. But that's your decision. Ultimately, your anger is your choice. Make a different choice next time - even if it's only a short 5 or 10 second "time out" before you let loose. Experiment. Catch yourself starting to get angry (you already know the triggers) and change your reaction. Even if it's only for a few seconds at first. Don't get angry about this - you've taken years to learn how to be the perfect angry person, don't expect to change to Mr or Mrs Nice overnight.

**3. Small steps are often best**

The last thing you want is to be sent on an anger management course against your will. You'll just be there growling with a group of other angry people. So start making the changes yourself. Small ones are good because your natural instincts won't fight them off. Turn the volume of your shouts down a notch. Cut your anger session short by a few seconds. Remember to breathe! This last tip is a good one - take a long deep breath, just like your mother told you to do when you were upset as a child. Fill your lungs with air - but not in preparation to shout at the object of your anger, just to feel better in yourself if only for a moment or two.

#### 4. Congratulate and treat yourself when you control your anger

Chances are in the first stages no-one else will notice that you were less angry than normal. But you will. Congratulate yourself. Maybe even buy yourself a small treat. We work well with positive rewards, so give yourself a reward when you've curbed your anger.

Get more tips on [how to deal with anger](#) and start your way to becoming a person people want to spend time with rather than avoid. Get more [anger management tips here](#).

Article Source: [http://EzineArticles.com/?expert=Trevor\\_Johnson](http://EzineArticles.com/?expert=Trevor_Johnson)



#### Hot Stock Alert - EHSI

Profit From Healthcare Explosion. New Millionaires Created  
[EmergingHealthcareSolutionsInc.com](http://EmergingHealthcareSolutionsInc.com)

#### Mom's \$5 Anti Aging Trick

Dermatologists DON'T Want You Knowing About This Skin Care  
[FDXNews8.com](http://FDXNews8.com)

#### 1 Tip To Lose Stomach Fat

Follow This 1 Simple Diet Tip And Lose 9 Lbs A Week  
[CDKitchen.com](http://CDKitchen.com)

#### Mortgage Rates Hit 2.67%!

If you owe less than \$729k you probably qualify for govt Refi  
[www.SeeRefinanceRates.com](http://www.SeeRefinanceRates.com)

#### \$27/Hr Part Time Work

\$27/Hr part time jobs. Must have home computer, basic typing  
[hbwm.com](http://hbwm.com)

Sponsored Results

Ads by Google

#### \$65 Online Anger Class

Court Certified  
Certificate One  
price 1-2-3day  
class  
[www.AngerManagementSeminar.com](http://www.AngerManagementSeminar.com)

#### Anger Counseling

Need Anger  
Management  
Counseling? Get The  
Help You Need Now.  
[CounselingDiscovery.com](http://CounselingDiscovery.com)

#### Stop Tantrums in 3 Steps

How I stopped the  
defiance, lying,  
backtalk and  
outbursts in 3

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:

Rate This Article:



Reprinted with permission for personal or non-profit use. Visit [www.helpguide.org](http://www.helpguide.org) to see the article with links to related articles. © [Helpguide.org](http://Helpguide.org). All rights reserved.

This material is for information and support; not a substitute for professional advice.

## Stress at Work

### HOW TO REDUCE AND MANAGE JOB AND WORKPLACE STRESS



In this difficult economy, you may find it harder than ever to cope with challenges on the job. Both the stress we take with us when we go to work and the stress that awaits us on the job are on the rise – and employers, managers, and workers all feel the added pressure. While some stress is a

normal part of life, excessive stress interferes with your productivity and reduces your physical and emotional health, so it's important to find ways to keep it under control. Fortunately, there is a lot that you can do to manage and reduce stress at work.

#### IN THIS ARTICLE:

- [Coping with work stress](#)
- [Warning signs](#)
- [Taking care of yourself](#)
- [Prioritizing and organizing](#)
- [Improving emotional intelligence](#)
- [Breaking bad habits](#)
- [What managers or employers can do](#)
- [Related links](#)

[A](#) [A](#) [A](#) TEXT SIZE

### Coping with work stress in today's uncertain climate

For workers everywhere, the troubled economy may feel like an emotional roller coaster. "Layoffs" and "budget cuts" have become bywords in the workplace, and the result is increased fear, uncertainty, and higher levels of stress. Since job and workplace stress grow in times of economic crisis, it's important to learn new and better ways of coping with the pressure. The ability to manage stress in the workplace can make the difference between success or failure on the job. Your emotions are contagious, and stress has an impact on the quality of your interactions with others. The better you are at managing your own stress, the more you'll positively affect those around you and the less other people's stress will negatively affect you.

#### You can learn how to manage job stress

There are a variety of steps you can take to reduce both your overall stress levels and the stress you find on the job and in the workplace. These include:

- **Taking responsibility** for improving your physical and emotional well-being.
- **Avoiding pitfalls** by identifying knee jerk habits and negative attitudes that add to the stress you experience at work.
- **Learning better communication skills** to ease and improve your relationships with management and coworkers.

### Warning signs of excessive stress at work

When people feel overwhelmed, they lose confidence and become irritable or withdrawn, making them less productive and effective and their work less rewarding. If the warning signs of work stress go unattended, they can lead to bigger problems. Beyond interfering with job performance and satisfaction, chronic or intense stress can also lead to physical and emotional health problems.

#### Signs and symptoms of excessive job and workplace stress

- |  |                                  |
|--|----------------------------------|
| ■ Feeling anxious, irritable, or depressed | ■ Muscle tension or headaches    |
| ■ Apathy, loss of interest in work.        | ■ Stomach problems               |
| ■ Problems sleeping                        | ■ Social withdrawal              |
| ■ Fatigue,                                 | ■ Loss of sex drive              |
| ■ Trouble concentrating                    | ■ Using alcohol or drugs to cope |

#### Common causes of excessive workplace stress

- Fear of layoffs
- Increased demands for overtime due to staff cutbacks

APPENDIX B



- Pressure to perform to meet rising expectations but with no increase in job satisfaction
- Pressure to work at optimum levels – all the time!

## Reducing job stress by taking care of yourself

When stress on the job is interfering with your ability to work, care for yourself, or manage your personal life, it's time to take action. Start by paying attention to your physical and emotional health. When your own needs are taken care of, you're stronger and more resilient to stress. The better you feel, the better equipped you'll be to manage work stress without becoming overwhelmed.

Taking care of yourself doesn't require a total lifestyle overhaul. Even small things can lift your mood, increase your energy, and make you feel like you're back in the driver's seat. Take things one step at a time, and as you make more positive lifestyle choices, you'll soon notice a noticeable difference in your stress level, both at home at work.

### Get moving

Aerobic exercise –perspiring -is an effective anti-anxiety treatment lifting mood, increasing energy, sharpening focus and relaxing mind and body. For maximum stress relief, try to get at least 30 minutes of heart pounding activity on most days but activity can be broken up into two or three short segments.

For more information, see [Making Exercise Fun](#).

### Make food choices that keep you going and make you feel good

Eating small but frequent meals throughout the day maintains an even level of blood sugar in your body. Low blood sugar makes you feel anxious and irritable. On the other hand, eating too much can make you lethargic.

To learn more about food that have a calming effect, lift your mood and make you feel good, see [Tips for a Healthy Diet](#).

### Drink alcohol in moderation and avoid nicotine

Alcohol temporarily reduces anxiety and worry, but too much can cause anxiety as it wears off. Drinking to relieve job stress can also start you on a path to alcohol abuse and dependence. Similarly, smoking when you're feeling stressed and overwhelmed may seem calming, but nicotine is a powerful stimulant – leading to higher, not lower, levels of anxiety.

### Get enough sleep

Stress and worry can cause insomnia. But lack of sleep also leaves you vulnerable to stress. When you're sleep deprived, your ability to handle stress is compromised. When you're well-rested, it's much easier to keep your emotional balance, a key factor in coping with job and workplace stress.

For more information, see [Tips for a Good Night's Sleep](#).

## Reducing job stress by prioritizing and organizing

When job and workplace stress surrounds you, you can't ignore it, but there are simple steps you can take to regain control over yourself and the situation. Your growing sense of self-control will also be perceived by others as the strength it is, leading to better relationships at work. Here are some suggestions for reducing job stress by prioritizing and organizing your responsibilities.

### Time management tips for reducing job stress

- **Create a balanced schedule.** Analyze your schedule, responsibilities, and daily tasks. All work and no play is a recipe for burnout. Try to find a balance between work and family life, social activities and solitary pursuits, daily responsibilities and downtime.
- **Don't over-commit yourself.** Avoid scheduling things back-to-back or trying to fit too much into one day. All too often, we underestimate how long things will take. If you've got too much on your plate, distinguish between the "shoulds" and the "musts." Drop tasks that aren't truly necessary to the bottom of the list or eliminate them entirely.
- **Try to leave earlier in the morning.** Even 10-15 minutes can make the difference between frantically rushing to your desk and having time to ease into your day. Don't add to your stress levels by running late.
- **Plan regular breaks.** Make sure to take short breaks throughout the day to sit back and clear your mind. Also try to get away from your desk for lunch. Stepping away from work to briefly relax and recharge will help you be more, not less, productive.

### Task management tips for reducing job stress

- **Prioritize tasks.** Make a list of tasks you have to do, and tackle them in order of importance. Do the high-priority items first. If you have something particularly unpleasant to do, get it over with early. The rest of your day will be more pleasant as a result.
- **Break projects into small steps.** If a large project seems overwhelming, make a step-by-step plan. Focus on one manageable step at a time, rather than taking on everything at once.
- **Delegate responsibility.** You don't have to do it all yourself, whether at home, school, or on the job. If other people can take care of the task, why not let them? Let go of the desire to control or oversee every little step. You'll be letting go of unnecessary stress in the process.

### Reducing workplace stress by improving emotional intelligence

Even if you're in a job where the environment has grown increasingly stressful, you can retain a large measure of self-control and self-confidence by understanding and practicing emotional intelligence. Emotional intelligence is the ability to manage and use your emotions in positive and constructive ways. It's about communicating with others in ways that draw people to you, overcome differences, repair wounded feelings, and defuse tension and stress.

#### Emotional intelligence in the workplace:

Emotional intelligence in the workplace has four major components:

- **Self-awareness** – The ability to recognize your emotions and their impact while using gut feelings to guide your decisions.
- **Self-management** – The ability to control your emotions and behavior and adapt to changing circumstances.
- **Social awareness** – The ability to sense, understand, and react to other's emotions and feel comfortable socially.
- **Relationship management** – The ability to inspire, influence, and connect to others and manage conflict.

#### Reducing stress in the workplace with emotional intelligence

The more emotional intelligence you have, the more stress you can avoid in the workplace. Fortunately, emotional intelligence is not something we're born with; it's something we can learn and develop.



To learn how to increase your emotional intelligence, read [Five Key Skills for Raising Your Emotional Intelligence](#).

The skill set that enables you to acquire these capabilities can be learned but requires the development of emotional and nonverbal ways of communicating that include:

- Learning to recognize your particular stress response and become familiar with sensual cues that can rapidly calm and energize you.
- Staying connected to your internal emotional experience so you can appropriately manage your own emotions. Knowing what you are feeling will not only add to your self confidence and improve your self control but enhance your understanding of others and help you build more satisfying relationships.
- Learning to recognize and effectively use the nonverbal cues that make up 95-98% of your communication process including eye contact, facial expression, tone of voice, posture, gesture and touch. It's not what you say but how you say it that impacts others –for better or worse.
- Developing the capacity to meet challenges with humor. There is no better stress buster than a hardy laugh and nothing reduces stress quicker in the workplace than mutually shared humor. But, if the laugh is at someone else's expense, you may end up with more rather than less stress.
- Learning to navigate conflict by becoming a good listener and someone who can face conflict fearlessly with the expectation that differences resolved will strengthen the relationship.

### Reducing workplace stress by breaking bad habits

As you learn to manage your job stress and improve your work relationships, you'll have more control over your ability to think clearly and act appropriately. You will be able to break habits that add to your stress at work – and you'll even be able to change negative ways of thinking about things that only add to your stress.

#### Eliminate self-defeating behaviors

Many of us make job stress worse with patterns of thought or behavior that keep us from relieving pressure on ourselves. If you can turn around these self-defeating habits, you'll find employer-imposed stress easier to handle.



- **Resist perfectionism.** No project, situation, or decision is ever perfect, and you put undue stress on yourself by trying to do everything perfectly. When you set unrealistic goals for yourself or try to do too much, you're setting yourself up to fall short. Do your best, and you'll do fine.
- **Clean up your act.** If you're always running late, set your clocks and watches fast and give yourself extra time. If your desk is a mess, file and throw away the clutter; just knowing where everything is saves time and cuts stress. Make to-do lists and cross off items as you accomplish them. Plan your day and stick to the schedule — you'll feel less overwhelmed.
- **Flip your negative thinking.** If you see the downside of every situation and interaction, you'll find yourself drained of energy and motivation. Try to think positively about your work, avoid negative-thinking co-workers, and pat yourself on the back about small accomplishments, even if no one else does.

#### Find Ways to Dispel Stress

- **Get time away.** If you feel stress building, take a break. Walk away from the situation. Take a stroll around the block, sit on a park bench, or spend a few minutes meditating. Exercise does wonders for the psyche. But even just finding a quiet place and listening to your iPod can reduce stress.
- **Talk it out.** Sometimes the best stress-reducer is simply sharing your stress with someone close to you. The act of talking it out — and getting support and empathy from someone else — is often an excellent way of blowing off steam and reducing stress.
- **Cultivate allies at work.** Just knowing you have one or more co-workers who are willing to assist you in times of stress will reduce your stress level. Just remember to reciprocate and help them when they are in need.
- **Find humor in the situation.** When you — or the people around you — start taking things too seriously, find a way to break through with laughter. Share a joke or funny story.

Adapted from [Quintessential Careers](#)

### What managers or employers can do to reduce stress at work

It's in a manager's best interest to keep stress levels in the workplace to a minimum. Managers must act as positive role models, especially in times of high stress. All of the tips mentioned in this article are twice as important for managers to follow. If someone that we admire remains calm, it is much easier to remain calm ourselves — and vice versa! There are also organizational changes that managers and employers can make to reduce workplace stress.

#### Improve communication

- Share information with employees to reduce uncertainty about their jobs and futures.
- Clearly define employees' roles and responsibilities.
- Make communication friendly and efficient, not mean-spirited or petty.

#### Consult your employees

- Give workers opportunities to participate in decisions that affect their jobs.
- Consult employees about scheduling and work rules.
- Be sure the workload is suitable to employees' abilities and resources; avoid unrealistic deadlines.
- Show that individual workers are valued.

#### Offer rewards and incentives

- Praise good work performance verbally and institutionally.
- Provide opportunities for career development.
- Promote an "entrepreneurial" work climate that gives employees more control over their work.

#### Cultivate a friendly social climate

- Provide opportunities for social interaction among employees.
- Establish a zero-tolerance policy for harassment.
- Make management actions consistent with organizational values.

### Related Articles



**[Stress Management](#)**  
How to Reduce, Prevent, and Cope with Stress



**[Preventing Burnout](#)**  
Signs, Symptoms, Causes, and Coping Strategies



**More Helpguide Articles:**

- [Finding the Best Job for You](#): Defining the Career That Works for You
- [Understanding Stress](#): Signs, Symptoms, Causes, and Effects
- [Quick Stress Relief](#): How to Manage and Relieve Stress in the Moment

**Related links for job and workplace stress****General information about stress at work**

[STRESS ... At Work](#) – Highlights current knowledge about the causes of stress at work and outlines steps that can be taken to prevent it. (National Institute for Occupational Safety and Health)

[Stress at Work](#)– Advisory booklet offers help and advice for anyone dealing with job and workplace stress. (Acas)

[Workplace Stress](#) – Describes the signs, causes, and effects of stress in general and on the job, and how management and employees can deal with workplace stress. (Canadian Centre for Occupational Health and Safety)

[Stress in the Workplace: A Costly Epidemic](#) – Delineates the causes and costs of workplace stress and also includes ideas for coping with stress on the job. Includes warning signs of stress (to the left of the article). (Fairleigh Dickinson University)

**Managing and reducing job stress**

[Stress Management](#) – Document by England's Chartered Management Institute covers job stress management and quick stress reduction tips. (businessballs.com)

[Managing Job Stress: 10 Strategies for Coping and Thriving at Work](#) – From a career advice and job-search site, describing stress management techniques for the workplace. (Quintessential Careers)

[Stress in the Workplace](#) – Workplace stress from the employee's point of view; gives suggestions for gaining control over some aspects of one's job. (American Psychological Association)

[Managing Job Stress](#) – Readable, employee-centered site providing a wealth of strategies for reducing workplace stress. (Portland Community College)

**Work stress tips for employers and managers**

[Reducing Occupational Stress](#) – Guide for managers and supervisors on how to make changes in the workplace to reduce stress. (Job Stress Network)

[Reducing Stress in the Workplace](#) – Presented from management's point of view, this article offers strategies for stress reduction that benefit employees and corporations alike. (The Institute for Management Excellence)

***Jeanne Segal, Ph.D., Laura Horwitz, Ellen Jaffe-Gill, M.A., Melinda Smith, M.A., and Robert Segal, M.A., contributed to this article. Last modified: November 2010***

defendant has served a notice of taking deposition or otherwise sought discovery, or (2) if special notice is given as provided in Rule 30.02(2). The attendance of witnesses may be compelled by subpoena as provided in Rule 45. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.

[Amended effective July 1, 1979.]

**Rule 30.02. Notice of Examination: General Requirements; Special Notice; Non-Stenographic Recording; Production of Documents and Things; Deposition of Organization; Deposition by Telephone**

(1) A party desiring to take the deposition of any person upon oral examination shall give notice in writing to every other party to the action. The notice shall be served on the other parties at least five days beforehand when the deposition is to be taken in the county in which suit is pending. When the deposition is to be taken out of the county, at least seven days' notice shall be given. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify the person or the particular class or group to which the person belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena shall be attached to or included in the notice.

(2) Leave of court is not required for the taking of a deposition by plaintiff if the notice (A) states that the person to be examined is about to go out of the State of Tennessee and will be unavailable for examination unless the person's deposition is taken before expiration of the 30-day period, and (B) sets forth facts to support the statement. The plaintiff's attorney shall sign the notice, and this signature constitutes a certification that to the best of the attorney's knowledge, information, and belief the statement and supporting facts are true. The sanctions provided by Rule 11 are applicable to the certification.

If a party shows that when served with notice under this subdivision (2) the party was unable through the exercise of diligence to obtain counsel to represent him or her at the taking of the deposition, the deposition may not be used against that party.

(3) The court may for cause shown enlarge or shorten the time for taking the deposition.

(4) (A) The parties may stipulate in writing or the court may upon motion order that the testimony at a deposition be recorded by other than stenographic means, in which event the stipulation or order shall designate the manner of recording, preserving, and filing the deposition, and may include other provisions to assure that the recorded testimony will be accurate

and trustworthy. A party may arrange to have a stenographic transcription made at the party's own expense. Any objections under Rule 30.03; any changes made by the witness and his or her signature identifying the deposition as the witness's own, or the statement of the officer that is required if the witness does not sign, as provided in Rule 30.05; and the certification of the officer required by Rule 30.06 shall be set forth in writing to accompany a deposition recorded by other than stenographic means.

(B) Notwithstanding paragraph (A), any deposition may be recorded by audio-visual means without a stenographic record. Any lawyer or lawyer's agent can operate the equipment. Any party may make at the party's own expense a simultaneous stenographic or audio record of the deposition. Upon a party's request and own expense, any party is entitled to an audio or audio-visual copy of the audio-visual recording. The audio-visual recording is an official record of the deposition. A transcript prepared by a court reporter is also an official record of the deposition. On motion the court, for good cause, may order the party taking, or who took a deposition by audio-visual recording to furnish, at the party's expense, a transcript of the deposition.

An audio-visual deposition may be used for any purpose and under any circumstances in which a stenographic deposition may be used.

The notice for taking an audio-visual deposition and the subpoena for attendance at that deposition must state that the deposition will be recorded by audio-visual means and whether a simultaneous record will be made.

The following procedure must be observed in recording an audio-visual deposition:

(i) The deposition must begin with an oral or written statement on camera which includes:

- (a) The operator's name and business address;
- (b) The name and business address of the operator's employer;
- (c) The date, time and place of the deposition;
- (d) The caption of the case;
- (e) The name of the witness;
- (f) The party on whose behalf the deposition is being taken; and
- (g) any stipulations by the parties.

(ii) Counsel shall identify themselves on camera.

(iii) The oath must be administered to the witness on camera.

(iv) If the length of a deposition requires the use of more than one recording unit, the end of each unit and the beginning of each succeeding unit must be announced on camera.

(v) At the conclusion of a deposition, a statement must be made on camera that the deposition is



concluded. A statement may be made on camera setting forth any stipulations made by counsel concerning the custody of the audio-visual recording and exhibits or other pertinent matters.

(vi) Depositions must be indexed by a visible time recording device that displays hours, minutes and seconds.

(vii) An objection must be made as in the case of stenographic depositions.

(viii) If the court issues an editing order, the original audio-visual recording must not be altered.

(ix) Unless otherwise stipulated by the parties, the original audio-visual recording of a deposition, any copy edited pursuant to an order of the court, and exhibits must be filed forthwith with the clerk of the court.

(5) The notice to a party deponent may be accompanied by a request made in compliance with Rule 34 for the production of documents and tangible things at the taking of the deposition. The procedure of Rule 34 shall apply to the request.

(6) A party may in the party's notice and in a subpoena name as the deponent a public or private corporation or a partnership or association or governmental agency and describe with reasonable particularity the matters on which examination is requested. In that event, the organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. A subpoena shall advise a non-party organization of its duty to make such a designation. The persons so designated shall testify as to matters known or reasonably available to the organization. This subdivision (6) does not preclude taking a deposition by any other procedure authorized in these rules.

(7) The parties may stipulate in writing or the court may upon motion order that a deposition be taken by telephone. Nothing herein shall preclude any party from being represented in person or by counsel at the site of the deponent.

[Amended effective July 1, 1979; August 20, 1984; August 1, 1986; July 1, 1996.]

*Advisory Commission Comment to 1979 Amendment*

Rule 30.02 contains two important innovations. Subdivision (4) empowers the court to order that a deposition may be taken by other than stenographic means. One example of recording the testimony at a deposition by other than stenographic means is the use of videotape in the taking of depositions. This is relatively new but is apparently being used in some places. It is emphasized that the testimony at a deposition may be recorded by other than stenographic means only upon order of the court. This rule permits but does not require the court to make such an order. Even when such an order is made, the party may arrange to have a stenographic transcription made at the party's own expense.

Subdivision (6) permits an organization rather than an individual to be named in a subpoena. The organization shall then designate the person or persons to testify on its behalf in response to the subpoena.

*Advisory Commission Comment to 1984 Amendment*

[Paragraph] (7): While perhaps not preferable from a tactical standpoint in many instances, there are occasions when great distances and modest funds militate in favor of a deposition by telephone. The [1984] amendment expressly allows this form of "deposition upon oral examination" by stipulation or order; probably it has been implicitly permissible by stipulation under Rule 29.

*Advisory Commission Comment to 1986 Amendment*

The language permitting written stipulation comes from F.R.Civ.P. 30(b)(4) and constitutes merely a cross-reference to T.R.Civ.P. 29, under which parties may vary any discovery rule by a stipulation in writing. The word "assume" in the Code text is a typographical error; the word should be "assure." The last sentence in the first paragraph, taken from F.R.Civ.P. 30(b)(4) but modified, is needed to cover the procedure incident to depositions taken by other than traditional methods.

Beginning with the paragraph (B), T.R.Civ.P. 30.02(4) is new [in 1986]. With few changes, the Commission proposes adoption of the Uniform Audio-Visual Deposition Rule. Although a stenographic record of the videotape deposition is optional, an appellant will need to provide a transcribed record for the appellate court. See T.R.App.P. 24 and the Advisory Commission Comment.

[Comment amended effective May 17, 2005.]

*Advisory Commission Comment to 1996 Amendment*

A lawyer or agent can operate the equipment at a videotaped deposition.

### **Rule 30.03. Examination and Cross-Examination; Record of Examination; Oath; Objections**

Examination and cross-examination of witnesses may proceed as permitted at the trial under the Tennessee Rules of Evidence. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under the officer's direction and in the officer's presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with Rule 30.02(4). If requested by one of the parties, the testimony shall be transcribed.

All objections made at time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. Any objection to evidence during a deposition shall be stated concisely and in a non-argumentative and non-suggestive manner. A deponent may be instructed not to answer only when necessary to preserve a privilege, to



enforce a limitation on evidence directed by the court, or to present a motion to terminate or limit examination. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and that party shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

[Amended effective July 1, 1979; July 1, 1991; July 1, 1995.]

*Advisory Commission Comment to 1995 Amendment*

The added language in the second paragraph of Rule 30.03 admonishes lawyers not to make "speaking" objections, which unethically put lawyers' words in deponents' mouths. "Instructions" to a deponent not to answer a deposition question are made not only without authority but are unethical and sanctionable. See *First Tennessee Bank v. FDIC*, 108 F.R.D. 640 (E.D. Tenn. 1985). Some courts have reminded the bar that a deposition is a formal judicial proceeding—albeit absent a presiding judge—and consequently consultations between counsel and deponent during questioning are not to be tolerated any more than it would be in the courtroom. See *Hall v. Clifton Precision*, 150 F.R.D. 525 (E.D. Pa. 1993).

**Rule 30.04. Motion to Terminate or Limit Examination**

At any time during the taking of the deposition, on motion of a party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the court in which the action is pending may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as provided in Rule 26.03. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the court in which the action is pending. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order. The provisions of Rule 37.01(4) apply to the award of expenses incurred in relation to the motion.

[Amended effective July 1, 1979.]

*Advisory Commission Comment*

Rule 30.04 eliminates the reference "like or similar court in the jurisdiction where the deposition is being taken," found in the Federal Rules.

[Comment amended effective May 17, 2005.]

**Rule 30.05. Submission to Witness; Changes; Signing**

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of

the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32.04(4) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

[Amended effective July 1, 1979.]

**Rule 30.06. Disposition**

Once Rule 30.05 is satisfied, the officer shall deliver the deposition plus any exhibited documents and things to the party who requested taking of the deposition. Upon payment of reasonable charges, the officer shall furnish copies to any party or to the deponent. If the deposition contains material relevant to a hearing, the party who requested the taking of the deposition shall have it present in the courtroom along with exhibited documents and things on the day of the hearing unless otherwise stipulated. If any portion is introduced, T.R.Evid. 1003 shall govern.

If a party files a deposition for any purpose, the party filing the deposition shall give notice thereof to all other parties at the time of filing.

[Amended effective July 1, 1979; August 20, 1984; July 1, 1996; July 1, 2004.]

*Advisory Commission Comment to 1996 Amendment*

In rare cases, the "party who requested the taking of the deposition" may have been dismissed from the cause prior to the hearing. In such instances, a copy in the possession of a remaining party could be used under Evidence Rule 1003.

[Comment amended effective May 17, 2005.]

*Advisory Commission Comment to 2004 Amendment*

The new second paragraph of Rule 30.06 will require that parties give notice whenever they file a deposition.

**Rule 30.07. Failure to Attend or to Serve Subpoena; Expenses**

(1) If the party giving the notice of the taking of a deposition fails to attend and proceed therewith and another party attends in person or by attorney pursuant to the notice, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by such other party and his or her attorney in attending, including reasonable attorney's fees.

(2) If the party giving the notice of the taking of a deposition of a witness fails to serve a subpoena upon the witness and the witness because of such failure does not attend, and if another party attends in per-