

# PRESIDENT'S MESSAGE

## Pick Up the Phone and Show Some Compassion

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**Years ago, I submitted an objection to probation regarding a presentence investigation report and I copied the prosecuting attorney. That attorney called me and explained why they thought I should withdraw my submission. The conversation resulted in me not only understanding that attorney's position, but also agreeing with him. As a result, I voluntary withdrew my objection.**

The attorney could have easily shot off a nasty email, written a formal letter, or responded directly to my submission broadcasting all the reasons I was wrong. But he didn't. Instead, he picked up the phone and talked to me about it. And just like that, the matter was resolved.

Recently, opposing counsel and I were emailing back and forth regarding the deposition of the plaintiff's husband. I took the email as counsel playing games. I initially responded that I could no longer accommodate their request regarding plaintiff's deposition (which was discussed in the same email). However, I picked up the phone and discussed the matter with the opposing counsel. I advised that I felt that they were playing games and thus the reason for my response.

Opposing counsel explained their reasoning, which helped me understand why their response was what it was. Ultimately, we were able to work out both depositions.

I have many more examples that I could share where simply picking up the phone resolved a situation that could have taken a lot more time and energy—but I think you get the point. Emails and correspondence have become the primary way we, as lawyers, communicate. However, tone and intent often get lost in a written communication. As a result, the reader must figure out the implied tone or intent of that document. This guesswork generally leads to an equally – or perhaps more spirited – response. Sometimes, of course, an email or correspondence is necessary. Just be cognizant that at times a phone call could be better and may alleviate an unnecessary conflict that will only consume more of your time and energy.

Our profession can be very intense and stressful. Couple that with the personal conflicts and obstacles that we experience. COVID-19 put that in perspective, as everyone in some shape or form felt its effects. But the pandemic just opened our eyes to the daily personal challenges we face. Members of our bar are dealing with divorce, death of loved ones, health issues, and challenges with children. As a result,

these stressors sometimes creep into our interactions with our colleagues.

In April 2020, my 3-year-old nephew was diagnosed with leukemia. My family's life came crashing down. We were devastated. There were some hard days. As a result, I know my patience and demeanor was easily affected, and as a result, my interaction with my colleagues was affected also. The person on the other end of the telephone likely had no idea about my personal struggle. So before one bad experience with opposing counsel leads to them automatically going on your dislike list, give them a second chance.

I have had several encounters with attorneys where my first impression was negative, and I simply had no desire to deal with them again. Yet, most of the time, I would go into the second communication forgetting about the first negative experience, and the interaction was totally different.

A simple question such as "Is everything OK?" could go a long way. The state bar has several resources to help attorneys who are struggling or just need someone to speak to. If you know an attorney who could benefit from some extra support, you can remind them that the state bar offers three free anonymous counseling sessions. Learn more by calling 1-866-828-0022 or visiting [www.nvbar.org](http://www.nvbar.org) > For Lawyers > Resources > Lawyer Wellbeing > Therapy Benefit.

At the end of the day, we are a community. As a community, we should show each other compassion and respect. We will not always be on the same page or understand each other's viewpoints, but that doesn't mean that you can't disagree respectfully. We all have a job to do. Compelling and effective advocacy does not mean that we cannot be amicable to our colleagues. They can mutually exist.

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