

and taste came back, and she was able to sleep and move around and do things that she couldn't do because of her illness. The life came back in her face. Again, sort of one of those lightbulb moments where I said, "alright, she's getting better. Thankfully it's working, and now I, Dom, need to look inward and think about my own self-care and figure out a way to be better myself" and use the lessons we learned from my wife suffering to improve our lives every day.

Jen: Thank you for that, and I am glad that she is healthy and well. I echo that 2016 was a really difficult year because that was a year that I was actually also diagnosed with breast cancer. I think we can all write that year off (laughs).

Domenic: I'm glad to see that you are doing well also. It really is a testament to my wife, to you, to all people that have suffered from disease, including cancer, it's not easy. I didn't physically go through it so I can't relate in that regard, but again watching my significant other and knowing so many others that have gone through it. We use the term to describe my wife and it aptly applies to you, Jennifer, as "warrior." So, kudos to you as well.

Jen: Thank you. I know when I was going through it, and I wonder if you relate to this too as a caregiver and caretaker, my husband after the fact, certainly we didn't talk about this during, but he's like, "I often felt helpless" because all he could do is help me. Be on the sidelines and be there but I was still the one that had to go through it. I think there is a longing and kind of a desire that you wish you could take somebody's pain away, but you can't, in so many aspects of life.

Domenic: Absolutely. I felt totally helpless and part of the frustration is that being husband and caretaker and a dad... I come from this old-school Italian family where you have like the patriarch and his job is to take care of the family.

Jen: Your name doesn't give it away at all. (laughs)

Domenic: (laughs) You're right. We're much more Americanized now, but I still have some of that sentiment. Watching her suffer and not being able to do anything about it was very difficult and frustrating. Then there was another moment where again I had this moment, I was sitting in my garage in my car, there was nowhere else to go, and thinking like what can I control. I can't control the tumors, I can't control how it's affecting her body and will the treatment work or don't work, and if it's going to need surgery. I couldn't rid her of illness, but I could do things like take care of our finances, transfer medical records from hospital A to hospital B, invite her friends over on a Saturday night so they could watch whatever TV show they were watching. Focusing on those things definitely helped, again not easy. I had many moments of weakness and failure but focusing on what you can control was definitely one of the most important things I learned going through that with her. We even wrote a book about it *From Tragedy to Triumph*. One of the things we thought we could do again is share her story. Maybe help somebody else that is similarly suffering that maybe feels helpless and doesn't know what to do and doesn't think it will ever get better because while 2016 sucked in that regard, it did provide valuable lessons that we use day in and day out to really cherish our lives. I thought that sharing that with people would be helpful. If we can just make one person's life better or having a meaningful impact in just one person's life, then it is all worth it.

Jen: I completely agree, that 100% resonates with me and it is very personal. So, let's talk about you and kind of you being by her side. How did this really change your approach to personal and professional well-being? Like, what did it look like precancer, so PC? Then you

had that moment in the hospital that you said this isn't going to be for nothing. So, what did that change and what does that look like for you in your personal life and in your professional now?

Domenic: Sure. Like, you know, PC, it was kind of just down and every day was the same. There was a lot of focus on work as an attorney at a big firm and kind of feeling stuck - not knowing what the future held and what am I doing and what's my purpose, and I can't believe I went to law school for this, that kind of thing. Not taking care of myself at all in terms of exercise or reflection or introspection and doing a lot of drinking, especially on the weekends. Basically, leaving the office at a certain time on Friday, and from Friday night until Sunday night, just sort of letting loose in that regard and not being happy with the day to day. That was not a fun. It wasn't healthy, it wasn't fun, it wasn't fulfilling, and then we had our first child and then I went in house at HSBC. That definitely helped because it was a whole new way of working. In-house life is a little bit different than life at a big firm. It still has its pros and cons and its challenges, but the dynamic is different. It just freed up a bit more headspace to think about life and what's important and what's not important. Before I could get too comfortable, my wife got sick and then again it was really what can I control. One of the things I could control was exercising. Getting my ass out of bed at a certain time every day and going to the gym. Just that process, that new habit gave me control over something in my life and made me feel accomplished. January 2017, it started out sort of a New Year's resolution and I had a workout program lined up. I had the gym lined up, I knew exactly what I wanted to do and how to make some changes like getting up 90 minutes earlier than I ordinarily would get out was a challenge and how was I going to do that. I would figure it out, I went to sleep in my gym clothes. Everything I needed for the morning—keys, wallet, headphones, water bottle, jacket—ready to go. All I had to do really was get out of bed, brush my teeth, and go. I started waking up at 4:30 in the morning to exercise and I did that, and it became a habit. The first couple weeks are obviously difficult, but the natural high that I obtained by exercising was something completely unexpected and it honestly was addicting. The days that I did not exercise, I was like a curmudgeon. I was miserable and I was like, wow, one day of not exercising really can do this. You were asking what it look like for me. It all started with exercise and establishing a healthier nighttime and morning routines that enabled me to really just have a different perspective on life and my days became much more fulfilling. Nothing had changed in terms of... I was at the bank for a couple of years, my comp didn't change, my day-to-day work didn't change, we lived in the same house, we drove the same cars. None of that stuff, the material stuff, changed at all. Funny thing is I was making less money at the bank than I was in private practice, but it was that simple thing. I say simple now. Maybe for a lot of people, it is not so simple, but exercising every day changed my life. Being happy throughout the day wasn't as difficult as it was PC, again if you will. It was just very natural, and I became a more organized productive lawyer. I was certainly happier. I was more engaged, and it translated to life at home. I started having more patience with my kids and I was more present when I was at home and able to... you know, I'm going to spend this time walking the dog, I'm going to spend this time playing with my children, I'm going to spend this time having a conversation with my wife and just not as distracted as I had been in the past. Fast forward 3 to 4 years after that and it can be a little bit more challenging now. I think, like with most things, we get used to it, and you have to make changes. That has been challenging at times to be honest, Jen. In 2017, it was like the happiest year in my life, and sometimes, doing those same things don't necessarily have the same impact today as they did a couple of years ago. It's a challenge to be honest finding additional

things, tweaking workouts, tweaking routines to sort of stay up, stay sharp day to day and have that daily feeling of happiness and fulfillment and gratitude. Obviously if you give me a choice, if you can go back and your wife would have cancer or not have cancer, I would say no please, not have cancer obviously, but I feel like we're better off as individuals and as a family because of it.

Jen: Do you feel like the experience that you went through in 2016 with her and her cancer in any way has helped you deal with the uncertainty of the pandemic and everything that we've been going through over the past year?

Domenic: Yes and no, like a true lawyer. (laughs)

Jen: Good answer. (laughs)

Domenic: When we went through that and then after when the cancer came back and we had to deal with doing that whole thing again because you know you lived it, having chronic illnesses. It is not like, okay, you don't have cancer anymore and that's it, you never think about it. I would assure with my wife and say, "we got through that year and we can get through anything" and I genuinely believe that. We tried to adopt that thinking in everyday life and in every challenging time, and certainly, the pandemic presented many challenges. It was hard though. It wasn't as easy as... it was certainly not as bad as 2016, so no big deal. Presenting new challenges for all of us professionally and personally with the kids, but also because of her preexisting condition. It's always there. It was challenging because it was challenging, but also because there was concern, especially early on, what happens to Barbie if she gets this? If she gets the virus. How much worse is it going to be for her than for me? So, it presented a host of challenges that we all had to deal with. I think people that may be older or with preexisting conditions, it was a bit more stressful certainly in the beginning. We tried to lean on past experiences, but this presented some new challenges. I don't want to lie to you and say, "yeah, we got through with no problem because what we went through a few years ago", that would be disingenuous.

Jen: Let's switch gears a little bit here and talk about the legal industry. It faces unique challenges. You and I have talked about this before when it comes to workforce well-being. So, can you talk to me a little bit more about that, your own experiences, and what that looks like?

Domenic: Absolutely, so that was the other thing, the irony. One of the ways I try to approach the pandemic and it doesn't always work every day, but like dealing with physical illness, good comes from bad. It's perspective, and so, I think I said at the Deloitte forum, pandemic sucks, it just does, but there is good that is coming from it. One of the positive things that is coming from it is the world but certainly the legal industry's focus on well-being. Right around the time that I was focusing on my own self-care and reading just about human behavior and psychology and all those things that interest me, the ABA report came out about how lawyers are at an increased risk of suffering from mental health than other professions, and it totally struck a chord. I read that over and over again and I said, "I have to do something with this". The timing was just perfect, and I don't think it was coincidental. I said, "well, what can I do and how can I help?". Right around the same time that report came out, our previous or prior CEO had been talking about what he called the healthiest human system, which was maybe a strange way of phrasing it. He was focused on employee well-being and he spoke at Davos on a mental health panel with world leaders like Prince William and talked about why employee well-being is important to him and what

he was trying to do in the industry. It really gave me and all of us at HSBC I would say implicit permission to talk about these things at a time when and it still is stigmatized. We're talking about it a lot more and part of our mission is to eradicate the stigma, but everything was coming together at this time, and I felt like this is not coincidental. I have such passion for this, I really believe in the power of self-care, and how it not only could just make you better, but it also has real-life tangible consequences to what you do day to day in your profession, whatever profession it is, but certainly as an attorney. I just felt like I needed to follow that. I put a CLE together that is available on PLI called *Strive to Thrive: Why Healthy Lawyers Are Good for Business*. I spoke at other seminars and law firms and judicial retreats and really this sounds corny, but I want to help because I went through it in some respect. I noticed changes in my own behavior and my ability to practice law as a direct consequence of just taking care of myself and I wanted to share that with people and really like shine a light or help shine a light on the industry. Just because we've been doing it one way for however long doesn't mean (1) it's the right way and (2) doesn't mean that we can't make it better. I truly believe that we can do our jobs just as well, if not better, while also taking care of ourselves and each other. It doesn't have to be this like if you are not sleeping at the office every night, then you are doing it right. Badge of honor that if you went nights without any sleep, it's like you're some superhero warrior.

Jen: I wouldn't want my attorney or accountant or surgeon or pilot or anyone to do any work that matters to me being sleep deprived. That just doesn't make any sense. (laughs)

Domenic: Amen! That's the other thing, sleep. I was so happy when you referenced sleep at the Deloitte forum. I've been talking about sleep for a couple of years now and it's like taboo. If you want to or value sleep, it's a sign of weakness and I just don't get that.

Jen: Right. We can have a whole other discussion on sleep. It is one of my favorite topics to talk about. It is also one of my favorite things to do. (laughs)

Domenic: I am with you. It's so funny that you say that because when I started getting up very early to exercise, I had no problem passing out at like 9:30. I will tell people what time did you... you woke up at 4:30, oh my God! What's wrong with you? What time do you go to bed? I was like I don't know, 9:00 or 9:30. It's like oh, how did you get to bed so early? Well, when you wake up at 5:30. (laughs)

Jen: Thinking about the legal industry and just what you've seen, what you've witnessed, and what you've been a part of, have you started to see a shift in the culture?

Domenic: I want to say yes for this reason, they're talking about it. Well, we are talking about it. Firms have people like you, full-time positions, taking care of their employees, Chief Well-being Officers and alike at these firms. I like to believe that it's not just sort of a figurehead and that there is real substance to those types of jobs at these firms. They are certainly willing to hear more about it than they had been in the past. I know a lot of firms have committees now focused on employee well-being. Companies for sure, certainly mine. You can't have a conversation now without talking about well-being. Like I alluded to you earlier pros and cons to everything, including where I work, one of the pros for sure has been the consistent focus on mental health and well-being certainly since the pandemic. It's part of what we're trying to do with the bank in terms of culture and I see that, and I feel that. There are so many resources available to us, and maybe they've always been available, maybe we just weren't paying attention to it, but they are certainly available now. I think that there is more sensitivity for sure to the topic and I don't think you will be sort of

shrugged off the way you were maybe in the past. Now if you go and ask a third-year associate at a big firm, I don't know what they're going to say. They might sort of smirk and say, "yeah, you know, we talk about it a lot, but I'm still working seven days a week, 16-hour days". I'm sure there are some of that. Then the last thing I would say to address your question, a lot of the feedback that I received because I will speak to law firms that we're partners with and ask their opinions, and a lot of their responses were client demand. "We have high client demands or it's not just us doing it, some of it is the court's fault. I am a litigator, so some of the judges impose these crazy deadlines, but a lot of time we have client demands. So, I can't, I am not responsible for all clients". I took that to heart and said, "alright, what am I doing wrong?". Can I do something better? Can I do something different? Am I putting unreasonable expectations or deadlines? Am I creating more work for my external counsel than is necessary? At HSBC, at least in the US, in our litigation and regulatory enforcement team, the notion of being a good client is very important to us. We want to help our external counsel do the best job that they can. I think I referenced at some point, "help me help you". At the end of the day, the lawyers internally and externally are servicing the organization or in some cases individuals that work at the organization so we're not really the client. Internal counsel is really not the client. We have clients internally also, and so, our job is to partner internally and externally and provide the best possible service we can to the organization. How can I help my external counsel do that and how can they help me do that? That's the approach that we try to take, and I certainly made some changes to my own practice and habits, and I think external counsel acknowledges it and appreciates it.

Jen: Have you ever had a conversation with them about it or am I outing you on this podcast? (laughs)

Domenic: That's a very good question. I presented at certain firms and I had sort of one on one. I've shared with firms that it's important for HSBC to be a good client and that I try to create reasonable deadlines and things like that, so maybe not. You know what? That's a very good question. Maybe not as...

Jen: I think you have to-do after this podcast.

Domenic: Yeah, I think you're right.

Jen: Okay, I want a report back (laughs). So, in your view, what are some of the key strategies or behaviors that you put forward to show to your people that it goes beyond just the talk of supporting their mental and emotional well-being?

Domenic: So, two approaches, one is macro and one is micro. So, at a macro level, for me, empathy and self-awareness are pillars. It's the foundation, and I think if you start there, it goes a long way. So, empathy, understanding what other people are going through is very important as a leader, as a colleague, and as a friend and has really made all the difference for me personally. When you come from a place of empathy, when you practice it enough so that you're default is how is this person going to feel if I send that email or when you get an email and your reaction immediately is like what the F was that, pause, don't respond, what is going on the other side. Is it personal? Probably not and really trying to just put yourself in their shoes, I think makes all the difference. I got into this sort of routine of just answering emails real time and checking the list off without really thinking a lot about the response or really big picture or sometimes it was more emotional than it needed to be. Getting into this practice of again, okay, what are they asking for me? Why? How does it

impact the bigger picture? This is one case I am working on but there are 10 others just like it. What does it mean for the 10 other cases? What does this mean for US and Europe, for instance, where I am. It really helped, and so, it is not just a "check the list off" of things I need to do and respond to emails. I still have my list, but I am much more thoughtful and deliberate about how I respond and how I triage the work.

Jen: Do you share that openly with those that work for you in particular to encourage the same behavior out of them?

Domenic: Yes. Part of what I do is (1) I become more vocal about my beliefs internally and externally and why I thoroughly enjoy and appreciate being on a podcast like this. I can share that with people and I'm not just doing something that I think helps me. In part, I am doing it to help others, but also, I'm putting myself out there by better role modeling the behavior, and I better practice what I preach. Now I am out there, and it wouldn't be...

Jen: Authentic. They would hold you accountable if they... (laughs)

Domenic: I hope they would. Certainly, with people that report to me and colleagues, I preach empathy and self-awareness. If you see my signature at the very bottom, my quote "Just that you do the right thing...nothing else matters." I truly believe that, and I practice that. It really has impacted me as a professional. People get nervous when they're talking to certain seniority of people and I used to, and I don't anymore because I treat everybody the same. If you treat everybody good and well in a respectful and kind and empathetic, it doesn't matter if you're talking to the CEO or somebody else, they get the same. That's in real life I think is also very valuable because you present confidently but also authentically. I'm not treating my manager any different than a person that reports to me. One of the things that I've learned after being in private practice, it wasn't always like that. I promised myself that I wouldn't fall down that trap. Another sort of concrete example, which I think is lacking in this day and age is active listening. It really irks me when I'm talking to somebody, especially at work, and they're trying to do 17 things at once and they say, "don't worry, talk to me, I'm just typing the things". I don't do that. If I am typing and my assistant comes in, I stop what I'm doing, I turn around, I face her, and I have a discussion and listen to what she has to tell me.

Jen: It's so important. We probably all have been in that situation where the person that we are trying to talk to is on their device or on their computer or on both and how invalidated or unimportant you feel.

Domenic: Yeah, absolutely. Then also for folks that are into research and the science which I am, multitasking isn't productive, it doesn't work. How many times you hear, "you need to learn how to multitask." I said, "well, yes, but it's not productive" so why... and that was the other thing, another helpful point about one of the things I learned during the pandemic because I felt like I was doing so many things that were not essential... in joining meetings that I didn't need to be on where I didn't participate. I was afraid that to decline. Then during the pandemic when you are forced to be more intentional with your time because now I had to go to the store to get something or I had other things on... homeschooling, etc., you got to be more intentional with the things that you decided to do for work. I just carried that forward and I can't tell you the headspace it has created. I don't feel like I'm wasting time doing things that I don't have to be doing, which means I am not multitasking. When I am doing something on the call or Zoom or whatever it is, I am focused on that one task.

Jen: I remember and it probably still, I haven't looked at job descriptions in a long time, but even on our resumes. We used to put on my resumes that we're excellent multitaskers. Job descriptions would include that you need to be great at multitasking, and I always just kind of giggle at that now. It was something again talking along the lines of badge of busy. We used to walk around with the badge of being a great multitasker.

Domenic: Yeah, that's the other thing. I have this theory. It's not well formulated yet, but because we're legal professionals... so we spent three years getting this degree and fiduciaries. We have ethical responsibilities, we are very important, very smart, and very busy and that if you're not, it's a quality over quantity analysis and it's in my view wrong. I think as a profession, we're stuck on the quantity and not the quality. So, if my calendar is not full of calls, I am doing something wrong. If I am not on my desk 15 hours a day, I'm doing something wrong, and I just don't believe in that.

Jen: I don't think it's just the legal industry. (laughs) I think there are many professions.

Domenic: Maybe because there is so much information being thrown at us. One of my friends said it so perfectly once. He said, "it used to be finding the information, and now, it's who is good at filtering the information".

Jen: What advice do you have... you talked about kind of the third-year associates. So, what advice do you have for new lawyers? How can they advocate for themselves in their own well-being?

Domenic: I would say don't be afraid, don't be somebody that you're not. I was so focused on the game and playing the game right and not offending anybody. You don't want to upset this partner and don't upset that partner and you don't want to be passed up for work. You want to make sure you get the bonus and really, I had no self-awareness 10 or 12 years ago when I started my career. Really take the time to reflect and figure out what you like about the job, what you don't like about the job, and start focusing on what you do like and find opportunities. Focus on those things and stand up for yourself. Like how many times I can't believe the beating I took. Not physically obviously and not even necessarily verbal, but just like the beating you take as a young professional in the industry. Just feel like if he spoke up... I was shit on as a junior lawyer, so now it's your turn kind of thing. Just accepting that because that's how it works. Figure out what you like and don't like, focus on the things you do like, find opportunities that match with your strengths and stick up for yourself. When I say that, I don't want folks to interpret this as Dom, we don't need to work hard anymore. This is not in lieu of hard work. This is in addition to hard work. There is a respectful and professional way to do things. Always be respectful, always be courteous, deferential to a point. Don't sacrifice who you are as an individual just because you think you have to because what's going to happen work wise or professionally if I stand up for myself.

Jen: So, one final question, and I ask this to all of my guests. You've talked a little bit about this, but I want to see if you expand on it a little bit. What is your personal definition of well-being?

Domenic: My personal definition of well-being is doing things that make you a better version of yourself every day. Whatever that is for you and it is also not a one size fits all. Not everybody wants to go to the gym and exercise, that's great, that's fine, but identify the things that get you going and do those things. Really striving to be better the next day than you were the previous day.

Jen: Love it! That's a great definition. Well, thank you, Domenic. It was great to have you on the WorkWell podcast.

Domenic: Thanks so much for having me. I hope that we can continue to connect.

Jen: Absolutely. I'm so grateful Domenic could be with us today to talk about his personal story and well-being in the legal profession. You can find the WorkWell podcast series on Deloitte.com or you can visit various podcatchers using the keyword WorkWell, all one word, to hear more. If you like the show, don't forget to subscribe so you get all of our future episodes. If you have a topic you would like to hear on the WorkWell podcast series or maybe a story you would like to share, please reach out to me on LinkedIn. My profile is under the name Jen Fisher, or on Twitter @jenfish23. We are always open to your recommendations and feedback. And of course, if you like what you hear, please share, post, and like this podcast. Thank you and be well.

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