

Pushing the Rock

By CHRISTOPHER A. KLEPPS

I recently attended a golf tournament and dinner to support my friend Mitch, his wife, and their daughter. Mitch was diagnosed with cancer in January 2021. Mitch is a lawyer, and he and I went to law school together. The outpouring of support for Mitch and his family was remarkable and inspiring, including the support shown by the Connecticut legal community.

After dinner, Mitch gave a short speech. He spoke about the Greek myth of Sisyphus. Sisyphus was condemned by Zeus to push a large rock to the top of a hill for eternity. Most people, including myself, view Sisyphus' predicament as nothing short of torture. An eternity filled only with struggle, pain, and a goal that can never be accomplished. In fact, the word "Sisyphian" is defined as "a task that can never be completed."

However, Mitch had a different take on Sisyphus' eternal struggle; he found it inspiring. He stated that he used the tale as motivation even before his diagnosis, during workouts and to get through other mundane tasks. Since his diagnosis, Mitch said that Sisyphus' never-ending quest to push the rock has taken on a deeper meaning. He quoted from a speech given by retired Navy Seal, John Grettton "Jocko" Willink, who also views the legend of Sisyphus as inspirational rather than demoralizing:

I don't want to rest, I don't want to coast, and I don't want to reach a point in my life where I say: "That's it, I've done enough. I'm not going to give anymore. I'm not going to push

anymore." No, that relentless cycle of day-to-day challenges, they are not maddening to me, they don't frustrate me. They inspire me. They inspire me to drive, and to push more, and to push harder. That's what that rock does to me. So I say dig in, and get to pushing.

I've thought about Mitch's speech and the meaning of Sisyphus every day since. Three things have really stuck with me.

First, Mitch acknowledged that he was pushing the rock long before his cancer diagnosis. Sisyphus' predicament was not necessarily symbolic only of a major struggle (or even the struggle of a lifetime). Instead, Sisyphus' rock represented the oftentimes mundane daily tasks and struggles that every person endures. Getting out of bed when the alarm clock rings so that you have time to work out or exercise. Making sure you get the kids to school on time. Working on the same project or file that has consumed your work life for the past few weeks. These tasks sound simple, yet for me (and many

Christopher A. Klepps is the chair of the Connecticut Bar Association Young Lawyers Section for the 2022-2023 bar year. Attorney Klepps is senior counsel at The Hartford where he provides legal advice regarding coverage issues on a wide variety of claims, as well as manages litigation involving The Hartford throughout the country.



others) they can sometimes be daunting, challenging, and frustrating. The days and weeks tend to blend together. After reflecting on Mitch's speech, I realized that daily life can often feel like a never-ending quest of pushing a rock up a hill.

Second, I was struck by Mitch's ability to draw inspiration and motivation from a story that I and most others view as dreadful. Prior to Mitch's speech, I would have said it was ludicrous to be inspired by Sisyphus. After all, he was *condemned* to push the rock. It was a punishment. How can that be inspiring? More importantly, who would want to push a rock for eternity? However, I realize now that I viewed the story through the wrong lens. I do not think anyone reading this would willingly trade places with Sisyphus, but the flaw in my thinking was assuming that the rock was avoidable in the first instance. I realize now that pushing the rock is *unavoidable*. We don't have a choice. I have not met a single person who has managed to entirely avoid mundane tasks or daily struggles, no matter how big or small. The rock is there for all

of us in some form, and we have to push it every single day.

Likewise, I now realize that the ability to draw inspiration or motivation from Sisyphus depends primarily on how one views the end goal. If the goal is to push the rock to the top of the hill and have it stay there, then Sisyphus cannot ever win. His effort is meaningless, the process is futile, and his predicament is agonizing. Conversely, if the goal is simply to push the rock, then Sisyphus has and will continue to win.

Luckily for us mere mortals, there is no curse preventing us from getting the rock to rest on the top of the hill. We've all been fortunate enough to experience the joy and satisfaction in reaching an end goal in both our personal and professional lives. End goals are important. Focusing on winning a trial will allow one to work smarter, harder, and with a purpose throughout the life of the case. Focusing on being a better parent may result in be-



ing more present in the moment and prioritizing being at your child's sporting event, play, or school graduation over a professional obligation. Still, my experience is that the monotonous days vastly outnumber the monumental days. While we cannot and should not ignore our end goals, it is a mistake to only allow ourselves to find happiness or fulfillment on those few days where end goals are fully reached. Mitch's speech was about finding purpose and joy in the *process*. I refuse to lose that message.

Third, Mitch ended his speech with the following: "None of us really know what the future holds, and this may be a battle that I can't win, and I may be Sisyphus. But, if you'll all keep supporting me, I'll keep pushing the rock." I noticed immediately that Mitch's promise to keep pushing the rock was conditional. It was premised on continued support from his family and friends. Without a strong support system, pushing the rock on a daily basis is impossible. Despite our best efforts, motivation may be lacking. It helps greatly knowing we have others behind us, both personally and professionally, to help us push the rock.

Clearly, this message is not unique to lawyers or others working in the legal profession. However, lawyers do face unique challenges. The job can be stressful, the hours can be long, and the days can be repetitive. It's also clear that lawyers do not always handle those challenges well. It is well-publicized that the legal profession has a serious problem with depression,

Serving the Needs of the Connecticut Legal Community



Lawyers Concerned for Lawyers – Connecticut, Inc. ("LCL-CT")

is a Connecticut non-profit corporation created to provide assistance to Connecticut lawyers, judges and law students who experience substance use disorders, mental health issues, stress, age-related problems or other distress that impacts the individual's ability to function personally and professionally.

LCL services are available at no cost to all attorneys, judges and law students in the State of Connecticut.

All LCL services are strictly confidential and protected under C.G.S. §51-81d(a), as amended.

Visit our website: www.lclct.org

**Contact LCL today for FREE, CONFIDENTIAL support
HOTLINE: 1-800-497-1422**

Informal Opinion

Continued from page 14

employed by the municipality. Nor did the Requestor do any work on any matters involving the Employee. Based on this, it appears that the Current Case is not the same “matter” as previous work done for the Municipality since it does not involve the same party or parties. While the Requestor did conduct background research on a similar matter, the similarity in subject matter is not a sufficient basis for disqualification. This conclusion is supported by the Official Commentary to Rule 1.11, which explains that the Rule “represents a balancing of interests” between the government’s need to protect “confidential government information” and the “legitimate need to attract qualified lawyers.” The Commentary goes on to conclude:

Thus, a former government lawyer is disqualified only from particular matters in which the lawyer participated personally and substantially.... The limitation of disqualification in subsec-

tions (a) (2) and (d) (2) to matters involving a specific party or parties, rather than extending disqualification to all substantive issues on which the lawyer worked, serves a similar function.

In conclusion, provided that the Requestor did not gain confidential information that could be used to the Municipality’s disadvantage in the Current Case, it is the Committee’s opinion that the Requestor would not run afoul of Rule 1.11 if he were to participate in the Current Case adverse to the Municipality because the Requestor did not personally and substantially work on the same matter as the Current Case while employed by the Municipality. ■

NOTES

1. Rule 1.9(c) states that “[a] lawyer who has formerly represented a client in a matter . . . shall not thereafter: (1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known, or (2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.”
2. *Compare Green v. City of New York*, No. 10 Civ. 8214(PKC), 2011 WL 2419864 (S.D.N.Y. June 7, 2011) (explaining that performing legal research on a similar matter would not be disqualifying, but that lawyers were disqualified where they had obtained confidential factual information about the City’s practices while representing the City in a prior class action on the same subject that was applicable to the current matter).

Young Lawyers

Continued from page 39

anxiety, and substance abuse. I encourage all employers to recognize that every employee, young or old, is constantly pushing their own rock, and that many are struggling to do so. And while I think significant changes to our work model may ultimately occur, I do not think they are necessary to begin to tackle this problem. For instance, the Young Lawyers Section (thanks to Secretary Trent LaLima) has recently implemented a mentor program matching new members of the YLS Executive Committee with more experienced members. I believe this program will ease the stress that new and younger members may have when faced with the prospect of having to plan a CLE program and integrate into a group of 40+ attorneys. The YLS Executive Committee will continue to look for ways to help all of our members push the rock.

The work we do as lawyers is important, and it may often feel all-encompassing. The same can be said for parenting and maintaining relationships or friendships with loved ones. I am working, with the help of my support system, toward enjoying the journey in all aspects of my life rather than having a singular focus on getting to the top of the hill. You may reach a great result by pushing the rock, but I urge you to strive to find fulfillment in the process of pushing it.

So, take a page out of Mitch’s book. Dig in and get to pushing. ■



Visit ctbar.org/freelegalanswers for more information.

5th Annual
Connecticut
Bankruptcy
Conference



Thursday, November 10 | St. Clements Castle
Learn more at ctbar.org/bankruptcyconference