

VERMONT JOURNAL OF ENVIRONMENTAL LAW SYMPOSIUM KEYNOTE ADDRESS ON EMOTIONALLY INTELLIGENT LAWYERING

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INTRODUCTION¹

The journal chose Esperanza Franco as the keynote speaker for the 2025 Climate Justice LIVE symposium because of her unique ability to address a critical yet often overlooked aspect of environmental advocacy: the emotional resilience required for those leading the fight for environmental justice. In the environmental justice movement, burnout is a pervasive challenge. Advocates devoted to issues such as farmworker rights, Indigenous sovereignty, and preservation of the environment often face an uphill battle that can feel endless and emotionally draining. Esperanza's advocacy, specifically her book *Emotionally Intelligent Lawyers: How to Navigate the Psychological Implications of Becoming a Lawyer*, resonated deeply with the vision for this event, bringing together themes of justice, advocacy, and humanity.

Through her dedicated scholarship and experience as an immigration attorney, Esperanza has cultivated unparalleled expertise and invaluable tools for advocates to sustain their efforts without sacrificing their well-being. Her book provides practical strategies to navigate the psychological toll of advocacy, making it especially relevant to those working in grassroots environmental justice movements where emotional labor is high. Esperanza understands the intersectionality of these issues, and her ability to blend legal expertise with emotional resilience training made her uniquely qualified to inspire and empower our audience. Participants left the symposium not simply inspired but equipped with actionable insights to protect their mental health while continuing their critical work in environmental justice spheres.

Esperanza's message of balancing advocacy with self-care is timely and essential for sustaining long-term movements for environmental justice. Her insights will also fuel both the passion and the perseverance needed to drive change in climate justice advocacy.

1. Introduction provided by Vermont Journal of Environmental Law Symposium Editors Kathryn Keener and Isaiah Gonzales.

EMOTIONALLY INTELLIGENT LAWYERING

What I am about to tell you is a combination of the lessons I have learned since I graduated law school 10 years ago. They are alchemized from my own losses, pain, and disappointment; but also from the courage, resilience, and creativity that they brought to my life. As you may know by now, there is no light without darkness—it is what we make out of it that matters.

But before that, let me briefly tell you about my story. I grew up in the Canary Islands, Spain. When I was 13, my parents sent me to Arkansas to learn English, so I spent the whole 10th grade there. A year earlier, I had been drugged and raped at a party organized by my own sailing instructors. I was bullied continuously that year due to the rape, so my journey to Arkansas truly felt like a blessing. When I arrived there, I quickly realized that the school's corridor was separated between white and Black people. Most of my friends were African American, and my Spanish teacher felt it necessary to call my host family to “alert them.” One day, I overheard one of the girls on my school bus say the N-word. The next day, she made more demeaning comments about African American people. So, on the third day, I got up and went to tell her to please stop saying those things. That was the first—and last—physical fight I have had in my life.

I almost got expelled from the school, until I explained to the administration the reason behind my outburst. When I went back home to the Canary Islands, I realized I wanted to be an advocate—not in Spain, but in the United States, fully aware of how deeply flawed the country was. I don't know if it was fate, but I knew in my heart that it was my destiny.

As an immigrant on a student visa, I fought every single day to be the best law student I could be. I overworked and over-studied every day of my almost six years in the United States. My personal relationships—with my family, my partner at the time, and my friends—gradually lost importance, as I was always studying or working. Somewhere along the way, I also lost myself. My second semester of law school, I went to the psychiatrist at the University of Arizona because I wanted to get an Adderall prescription in order to continue to score at the very top of the curve. In that session, I cried and finally realized that what I needed was a break from all the pressure I was under. For the next three months, I took Sertraline—an anti-depressant and OCD medication—to survive that final semester.² Once the semester

2. See e.g., David Jaffe et al., *It is Okay to Not Be Okay: The 2021 Survey of Law Student Well-Being*, 60 U. LOUISVILLE L. REV. 1, 23–27 (2022) (discussing in its study that 68.7% of law students reported that they needed help for emotional or mental health problems in the last twelve months); see also ESPERANZA FRANCO, EMOTIONALLY INTELLIGENT LAWYERS, CH. 1: STUDIES ON LAW STUDENTS'

ended, I stopped the medication and decided to start researching law students' (and lawyers) mental health. There was something intrinsically wrong with the legal educational system and its design. I became incredibly disheartened by the stress, depression, and anxiety statistics that plague our profession. That summer, ironically, I interviewed with two big law firms in D.C., and left the interviews with an identity crisis and a fear that I would become part of those statistics.

When I graduated from law school, I started work as a detention attorney for asylum seekers in Arizona. A year later, the non-profit I was working for mishandled my own immigration case.³ In a matter of two months, I had to leave my life and career in the United States behind, or become illegal and possibly be taken to a detention center with some of my own clients. I felt betrayed and alone in my pain. So, after almost six years in the United States, I lost everything I had worked so hard for.

When I got home to Spain, my father had been re-diagnosed with cancer. He died a year later. Had I not been forced to leave the United States, I would not have been able to spend the last year of his life with him. Once the grief started to soften, I got ahold of my law review note on the psychological impact of law school education and finally started to write my first book: *Emotionally Intelligent Lawyers*. Thanks to that book and every experience I lived, I am here with you today. So thank you for having me.

What I am about to tell you is a series of alchemized lessons from my own journey as a human being and attorney on this Earth. Please take what resonates and leave what does not.

A. About Finding Your Purpose in Law

Finding your purpose means finding what you love. It means finding what lights you up and what is intellectually fulfilling to you. It is what makes you feel "in the zone." Have you ever been in front of your computer and forgot that time was passing by? Explore that. The legal profession, family, friends, and society as a whole, will unconsciously tell you what is right for you and what you should do to be successful. Discard it and do not base your life on that because this is your life, not theirs.

You are the only person on this Earth who actually knows what is right for you; but you need to dig deep. You need to know yourself very, very well.

MENTAL HEALTH: A SEVENTY-YEAR PATTERN (2023) (discussing in depth the studies done on law students' mental health in the United States).

3. Jeff Gammage, *Penn Lawyer Who Defended Immigrants Could Face Her Own Deportation*, PHILADELPHIA INQUIRER, <https://www.inquirer.com/philly/news/immigration-lawyer-deport-university-of-pennsylvania-20180819.html> (Aug. 20, 2018).

Become aware of how external validation runs your choices. Identify the layers of conditioning and find out who you really are at your core—what makes you shine and feel lighter. Look for that feeling. And when you find it, resist and persist. Make mistakes, it is okay—they are just experiences that will make you wiser.

B. About Work and Empathic Burnout⁴

Most public interest lawyers carry the impossible weight of fixing everything that is wrong with our broken system.⁵ How heavy and unreasonable is that burden? Beneath the lawyer suit, there is a human being who also needs to rest. Yes, we should do our best in every case, but we must put ourselves first.

You cannot pour from an empty cup. No matter what kind of legal work you end up doing, your well-being must come first. If you neglect yourself and your needs, burnout will take over, and the legal profession might lose a very important person: you. Remember this: the world—and the legal profession—needs you. We need your vision, your unique experiences, and your intelligence. Let that sink in.

C. About the Political Storms That Come and Go

Politically, we are currently in a phase of fear and uncertainty, but it will not last forever. Nothing ever does. Life is cyclical and change is the only constant we can truly be sure of. What is important now is to develop the inner strength that will allow you to navigate the storm with grace and intelligence. Set boundaries with what you let in: in your mind and in your environment.⁶ This is not to say you should forget about everything and completely disconnect in the forest, but prioritize your mental peace, always. If something drains you, let it go. Do not spend too much time during your

4. FRANCO, *supra* note 2, at 136–38 (discussing the gap between the machine-like lawyer and the human, emotional being); *see also, id.* at 181–82 (For example, those lawyers in the public sector or students in law school clinics who work with vulnerable clients are often at risk of experiencing empathic burnout—a term studied by researcher Tanya Singer and her team at the Max Planck Institute. By being in constant contact with the suffering of others, our brains might start to “feel like” those who are in pain. When we compare the neural activity of a person experiencing actual pain with that of a person merely observing that person in pain, the same brain regions (the anterior insula and the anterior medial cingulate cortex) are activated in both individuals.).

5. FRANCO, *supra* note 2, at 181 (“In addition to unrealistic standards of perfection that lawyers are at times held to, there is the added element of emotionally dealing with clients *and* their problems. In this regard, setting boundaries also becomes a valuable skill.”).

6. *See id.* at 178 (discussing “boundaries: saying no & managing energy leaks” along with self-reflective exercises).

day in the negativity and depression of it all, because what we need is your strength and your joy—especially now. Resist with joy.

Fighting from a place of nurturing is much more effective than fighting from a place of resentment and hate. “Where attention goes, energy follows.”⁷ We are taught that we need to be aggressive lawyers in order to be successful, but the truth is, we can be successful by just being exactly who we are. We can win cases and challenge systems with the utmost intelligence—coupled with a dose of love and calmness—leaving the negative ones perplexed at our emotional mastery. Try it, it works.

D. About Energy Vampires: Some of Your Future Lawyer Colleagues

Misery likes company, so if I am unhappy and depressed, it will trigger me to see you happy. I challenge you to protect your energy, your heart, and your mind when you encounter these people and situations. Set boundaries. And remember one thing: you do not need to fit in—especially because the legal profession unfortunately continues to perpetuate a lawyer persona from the 19th century. So no need to fit in, honestly. This persona is a non-emotional, only rational, 24/7 machine who takes no breaks, never goes on vacation, who is always adversarial no matter what, and who steals his own happiness via obsessive competition.⁸ We need lawyers from the 21st century, so please, be you. We need you exactly as you are. If all the lawyers around you are unhealthy, be the healthy one. Change the profession with your mere presence.

E. About the Lawyer Ego

I know you just spent three years of your life devoting yourself to this degree. I know how much time, sacrifice, and mental blood it took. But this degree does not define you. Here is the trap: “The more I do, the worthier I am,” or “the more successful I am, the worthier I am,” or “the busier I am, the better,” or “the more productive I am, the better I feel,” or “if I do not win this case, then I am a failure,” or “if I am not being productive, then I am useless” or “I just need to do more.” It goes on forever. This is your ego on an infinite loop of the following fallacy: my lawyer identity equals my worth, so without it, I am nothing.

7. James Redfield, *Inspirational and Spiritual Quotes by James Redfield: Energy*, CELESTINE VISION, <https://www.celestinevision.com/2016/06/james-redfield/quotes-by-james-redfield/> (last visited May 13, 2025).

8. FRANCO, *supra* note 2, at CH. 5: THE [19TH CENTURY] LAWYER IDENTITY.

This is probably the hardest lesson you will have to decondition from after law school. But once you do it, it is the most liberating thing you will ever experience; and you will practice from a place of pure purpose—the one you had when you applied to law school.⁹

You are not worthier because you are a lawyer. You were worthy before law school. Your worthiness is intrinsic in you. So, if one day you temporarily lose your legal career (like it happened to me), or you decide to switch career paths, so be it. Being a lawyer does not define you—you are much more than that. You are a human being—a very valuable one.

And yes, it feels great to say that you are an attorney (especially in the United States), but if you always depend on that title, you will become a slave to it. Free yourself from that. Moreover, if you do not end up working in big law or being a social justice attorney at a prestigious non-profit, that does not mean you failed. I mean think about it, how limited is that view of the world? There are so many career pathways that law school does not teach you. There is so much out there. Look for it—life is too short to be a sheep who does not question anything. And remember, success is a different concept for each person. The only definition of success that matters is your *own* definition. You have the power to design and refine your life, so take ownership of that.

F. About the Stress, Anxiety, and Depression that Comes with Being a Lawyer in this World

First and foremost, do not let the media and society force you to believe that all lawyers are unhappy, and that there is no hope. It is not true. You can reclaim a professional path that makes you happy; but you need to learn how to love and take care of yourself. Unlearn the perfectionism, the workaholism, and the ruthless competition that law school taught you. You do not need to carry that energy anymore. Leave it behind. More importantly, do not give in to the fallacy that there is no way out of stress. There is, if you develop self-awareness and self-love, which is extremely important, because our legal system will try to eat you alive. Not to be dramatic, but it is what it is; so if we are being honest, let us be.

Becoming emotionally intelligent does not mean there will not be any stress or anxiety in your legal career and life, but it will be easier to cope with.¹⁰ You will react differently than those who have not done the inner work. Your surroundings will be healthier because that is what you will

9. See generally FRANCO, *supra* note 2, at 189–94 (discussing “Alignment: discerning what matters to you,” along with self-reflective exercises to identify your own definition of success).

10. See generally, *id.* at 133–43 (covering Chapter 7, Redefining and Humanizing the Lawyer Identity).

attract and manifest. You will intelligently fight for a cause from a place of calmness rather than anxiety. Kindness makes you stronger, not weaker. Compassion makes you a better attorney. You do not need to be cruel in order to win a case. You can be a fierce advocate and remain kind. You can fiercely fight for your community and maintain your mental health. These are not mutually exclusive, but we have learned that they are. We have been taught that we need to abandon ourselves in order to care for others. That is not true. What is true, is that once we abandon ourselves and our well-being, we cannot take care of others. You are the most important person in your life. Without yourself, you have nothing.

In law school, we are trained to compete against our peers because of the curve.¹¹ The reality is, our profession requires teamwork, and more than that: peer support.¹² Now, more than ever, we need to unite. We need to support each other and we need to inspire each other—not from a place of “who is doing more” or “who is sacrificing more.” That is a moral superiority trap that only adds to the feeling of restless competition. “I am better than you because I am doing public interest law and you are not.” Do not fall into those ego traps. It only feeds the endless competition that was ingrained in us. Rebel against that, because we need to support each other from a place of love and brotherhood because if I, myself, heal, I am healing a part of you too. If I allow myself to be a healthier attorney, I am inspiring you to do the same. That is why we must empower each other. We must nurture each other.

CONCLUSION

Yes, the legal profession is one of the hardest professions in the world. And yet, you had the resilience to keep going, regardless of it all. So please give yourself credit for that. Undergoing law school is one of the most mentally harsh experiences a person can go through—I am surely not exaggerating. It can change the way you think about yourself and the world. But again, this title does not define you.

What defines you is the warrior spirit you carry inside in order to overcome this experience. It is the resilience you maintain when things get hard. It is the courage you have to be here, right now. It is the reason you are an advocate in the law.

If anything, I would love for you to remember one thing: the best lawyers are not the ones who have amassed the most titles, stickers, and accolades. The best lawyers are the ones who are truly kind and joyful inside. So please,

11. See FRANCO, *supra* note 2, at 53 (covering Chapter 3, The 1L Hunger Games: The Curve as a Filter for Law Firms, Pathological Competition, and the Shift in the Student’s Sense of Worth).

12. See generally, *id.* at 195–235 (covering Part IV: Reforming Legal Education).

as a warrior in law, I ask you to fight for that joy inside of you. It is your birthright.

Thank you very much for being here.