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A Recipe for Success

Lessons and Wisdom from FX's The Bear

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FX's *The Bear* is a surprising vehicle for lessons and wisdom applicable to our workplaces. From protecting our own mental health, assisting our employees in hard times, and championing employees' skills and dreams, we need only look to *The Bear* for inspiration.

The Bear is the story of an award-winning young chef, Carmine "Carmy" Berzatto (played by Jeremy Allen White), who moves back to his hometown of Chicago to keep his family's hole-in-the-wall sandwich shop afloat after his brother's untimely death. Carmy dreams of transforming the chaotic kitchen into a Michelin star establishment. But to make his dream a reality, Carmy must remold not only the physical restaurant space, but also a toxic work environment. While facing family stress, the effects of substance abuse, and a resistance to the new direction, Carmy and the crew at The Bear restaurant provide multiple avenues for lessons and wisdom. Let's apply these lessons to common needs in our own places of business.

PREMISES LIABILITY

It is simply a fact that things will sometimes go badly. An employee may bring a gun to work "for protection." The neighbors may get rowdy on occasion. An overheating mixer may just blow the power. Customers will behave badly. How do we anticipate and respond to these incidents?

Premises liability is based on premises owners' legal duty to provide a safe environment for visitors. U.S. States have a variety of legal standards and visitor classifications to determine an owner's duty to the visitor. While the type of visitor and incident may vary wildly, there are things we can do to foresee and prevent third party criminal acts on premises as well as more run of the mill dangerous activities and conditions.

Implement Systems – French Brigade

Carmy implements the French brigade de cuisine (“kitchen brigade”) to organize the kitchen of The Bear. The brigade method is, according to Wikipedia, a system of hierarchy found in restaurants employing extensive staff. The staff is structured into teams with responsibilities delegated to different individuals who specialize in certain tasks in the kitchen or in the dining room. Positions include Chef de cuisine, sous-chef de cuisine, Saucier, Chef de partie, Cuisinier, and so on down the line to butcher, baker, and kitchen boy.



Using this method, Carmy assigns each employee a particular responsibility. Bianca Del Vecchio sums this up in an article for The Captive Collective as: “Details Matter, and They’re everyone’s Responsibility.”¹ Vecchio goes on to use Ritchie as an example:

Cousin Richie doesn’t get it at first. Why is he spending nine hours a day polishing forks? Why does it matter? Garrett, his supervisor, explains: “Do you see [customers’] faces when they walk in here? How stoked they are to see us and how stoked we have to be to serve them? [...] They get to spend their time and their money here. I’m sorry, bro, but we need to have some forks without streaks in them.”

Later, when he encounters Head Chef Terry, she’s peeling mushrooms for a dish. Why peel mushrooms? Seems a bit extra. Well, that’s exactly it. As Terry puts it, “it’s just a nice little fun detail. So when the diners see it, they know that someone spent a lot of time on their dish.” Whether you’re a head chef or a stagiaire, the smallest details matter—and everyone plays an integral role in making the guest experience what it is. And that’s why the forks matter.

Our advocates choose to spend their most valuable resource, time, participating in our programs and sharing their experiences. It’s important to show them that you value them by taking care of the small details. That might be a handwritten thank you note for participating in a case study or a thoughtful gift when hearing good news. Whether you’re running a portfolio of programs, or you’re just starting to learn about advocacy, you have a role to play in how your customers experience your brand.

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Nothing could be truer for premises liability. Every team member must execute their responsibility, or the details fall through the cracks, and an actual hazard goes unreported and unaddressed.

So, how do we pay attention to the details?

Put a system in place.

Maintain the system.

Foreseeability matters – work through the options on your premises.

Do you have adequate security?

Are you meeting building codes?

What are the laws in your state of operation and are you meeting them?

In some states, there are statutes that create an inference of no negligence when a particular type of business takes certain security measures. For example, in Florida, there is a presumption against liability for third party criminal attacks for convenience store owners that take certain precautions listed in Florida Statutes §§ 812.173 and 812.174. These precautions include installing a security camera system, putting a notice in the form of a sign that says the cash register contains less than \$50, and using a drop safe.

In Mississippi, the Landowners Protection Act in 2020, Miss. Code Ann. § 11-1-61 (2020), declares that premises owners are not liable for the willful, wanton, or intentional tortious conduct of any third party unless very specific parameters are met. Plaintiff's burden surrounding third party criminal actions is enormous. The full statute, in relevant part, provides:

2. For any premises-liability actions brought under the laws of the State of Mississippi, no person who owns, leases, operates, maintains, or manages commercial or other real property in the State of Mississippi and no director, officer, employee, agent or independent contractor acting on behalf of any such person shall be civilly liable to any invitee who is injured on said property as the result of the willful, wanton or intentional tortious conduct of any third party who is not a director, officer, employee or agent of the person who owns, leases, operates, maintains or manages such commercial or other real property unless the injured party can prove by a preponderance of the evidence that:

- a. *The conduct of said third party occurred on the property;*
- b. *The conduct of the person who owns, leases, operates, maintains or manages the property actively and affirmatively, with a degree of conscious decision-making, impelled the conduct of said third party; and*
- c. *The third party's conduct proximately caused the economic and noneconomic damages suffered by the injured party.*

3. *For any civil actions brought under the laws of the State of Mississippi for the purpose of alleging liability for the injury of an invitee as described in subsection (2) of this section, an atmosphere of violence shall only be established by similar violent conduct:*

- a. *Which occurred three (3) or more times within three (3) years before the third party act at issue;*

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- b. Which took place only on the commercial or other real property where the acts of the third party occurred; and
 - c. Which are based upon three (3) or more separate events or incidents that resulted in three (3) or more arraignments of an individual for a felony involving an act of violence.
 4. For any civil actions brought under the laws of the State of Mississippi for the purpose of alleging liability for the injury of an invitee as described in subsection (2) of this section, civil liability may not be based on the prior violent nature of the third party whose acts or omissions proximately caused the claimed injury or damage unless the person who owns, leases, operates, maintains or manages the property has actual, not constructive, knowledge of the prior violent nature of said third party.

MENTAL HEALTH IN THE WORKPLACE

Efforts to establish systems are entirely dependent on our team members. If the saucier can't pull his weight, the entire line suffers. However, our teams do not operate in closed bubbles. We all bring our troubles, worries, and mental fatigue or even mental illness to the workplace.



The quality of our life seeps into our performance at work. It's important for everyone – especially those leading others – to take care of their own wellbeing. Carmy, the team's leader, is clearly struggling with life outside of work. Because of this, Carmy's leadership suffers and he starts to miss little things (like fixing fridge door handles) which eventually have big consequences.²

Additionally, our workplaces can be traumatic in their own right.



WHAT IS WORKPLACE TRAUMA?

In an article for Capital Placement, the author known only as Kahless, analyzes this topic:

While the term “workplace trauma” is often associated with physical injuries, the reality extends far beyond the tangible. Emotional workplace trauma can be just as devastating, yet it often goes undetected. Our perception of trauma is evolving, recognising that traumatic experiences need not be solely physical or (directly/immediately) life-threatening.³

The modern workplace, unfortunately, can be filled with potentially traumatic situations that are not always acknowledged as such.

In a piece on emotional workplace trauma, Wanderlust Careers CEO Dr. Katherine Kirkinis states that it can originate from “a variety of sources including but not limited to non-life-threatening injuries, emotional abuse, workplace relationships/breakups, bullying, intimidation, the experience of being fired, etc.”

Additionally, gender-based and race-based discrimination are both alarmingly common, leading to emotional injuries that reverberate through the workplace, affecting not only individuals but also everyone around them.

Three aspects to consider here: how can we assist our team members, what do we do to protect team members, and how do we keep our workplaces from fostering toxicity? Let’s walk through a few common sources of stress and toxicity to find solutions.

Difficult People

We’ve all experienced situations where counsel opposite makes our life miserable or that one team member contradicts everything anyone says. From *Law Practice Today*, author Matt Potema offers these tips (edited by Chris Page) for dealing with difficult people, whether they be clients or colleagues.⁴

1. **Listen.** Try to understand the source of their frustration while avoiding the temptation to interrupt and correct.
2. **Educate without being condescending.**

4. **Know when to confront and how to deal with difficult realities.** Evaluate and choose the appropriate medium of communication for the situation. If a client is in the wrong, don't be afraid to tell them. Evaluate objectives through the lens of testimony and parties' positions rather than through how parties wish reality to be.
5. **Unresponsiveness and inattention in a law practice can cause huge delays and expense.** If your attempts to move a matter forward are thwarted by yelling matches or simply silence, be tactical yet constructive in your approach. Effective lawyering is often a chess match, and you must think two or three steps ahead. Treat every communication as if it will one day be read aloud in open court or in a conference room.
6. **Did you make a mistake?** If so, own it, control damage and put measures in place to minimize the same error from happening again. Thomas Jefferson said, "If you have to eat crow, eat it while it is young and tender." Everyone makes mistakes but delaying or simply ignoring them causes problems to fester and you are setting yourself up for someone to be justifiably upset with you. Very few mistakes cannot be fixed, or greatly mitigated by getting out in front of the problem early.
7. **Avoid this happening again.** Try to part ways with irrational people who unnecessarily complicate your life. We cannot always do this in our family lives, but in your professional world you must ask yourself whether dealing with a perpetually difficult person is worth it. Perhaps a staff change or a new position is necessary, or a long-term client should find a better fit or another attorney should step in.
8. **Effectively dealing with difficult people is a key component to maintaining mental well-being in the practice of law.** As much grit as it may take, really try to understand their perspective before responding. Avoid the urge to pound on your conference room table, fire off hot-headed e-mails, or call them up and tell it like it is. Acknowledge their frustration, as misdirected or irrational as it may be, and thoughtfully devise a strategy for moving forward in your endeavor together collaboratively or working toward an exit.



Ted Hirt, a retired attorney from the Civil Division of the US Department of Justice, offered this advice (edited by Chris Page) in **Dealing with Difficult Opposing Counsel**.⁵

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1. **Start off on the Right Foot.** Establish a cordial relationship at the first opportunity. Greet the attorney with a handshake and a smile.
2. **Try to Be Cooperative:** Courts increasingly expect counsel to cooperate in resolving their disputes.
3. **Be Calm and Stay Calm.** If you deal with an abusive opposing counsel, it will be tempting to “fight fire with fire” by raising your voice, acting rude, and obstructing the progress of the case. You must resist the temptation to mimic bad behavior. You also should re-read your proposed email reply before you hit “send.” Consider asking a colleague to review what you intend to send. Otherwise, your anger may end up as an exhibit to a court filing.
4. **Make A Record of the Unprofessional Behavior.** It may be wise to ignore some bad behavior. But, at some point, the other attorney may cross the line and interfere with your legitimate efforts to investigate the facts or conduct discovery. When that happens, you must create a record of that conduct, by retaining correspondence or emails, particularly if the matter must be raised before a judge or mediator.
5. **Take Time to Reflect About the Problem.** If you are encountering a difficult opposing counsel, engage in introspection. As one former U.S. Department of Justice litigator has explained, you should review your behavior “to make sure you have not done anything to precipitate the nasty behavior or that might have been misconstrued by your opponent and generated the nasty behavior as a response, and, if you think you may have, apologize. That may have the desired effect of taking the temperature down.”
6. **Address the Problem Sooner, Not Later.** If the problem persists, take action before the situation gets worse.

Depression and Lawyers

Dr. Joann Mundin, M.D., writes in “The Dark Side of Success: A Psychiatrist’s Exploration of Depression in the Legal Profession:”⁶

The general population is significantly affected by depression, with 17.3 million persons, or 7.1% of all adults in the US, reporting having experienced a major depressive episode in 2017. But, the proportion of depression among attorneys is considerably higher: according to ALM’s Mental Health and Substance Abuse Survey from 2020, 31.2% of the more than 3,800 respondents report having a depressive disorder. This indicates that compared to the ordinary US adult, lawyers have an approximately three-fold higher risk of developing depression.

According to Dr. Mundin, there are **many potential causes of depression among attorneys,**⁷ including:

1. Being a lawyer requires high performance, stress, and stakes.
2. Attorneys frequently strive for perfection. They need to be high achievers to succeed in their legal careers. When working on a client’s case, this level of perfectionism can be helpful, but it can also lead to ongoing stress.
3. Lawyers receive legal education to practice law. Nonetheless, a career in law necessitates exceptional management, financial, and communication skills. Few lawyers naturally possess these abilities, and law schools do not adequately prepare lawyers with them.
4. In addition, many lawyers lack the skills necessary for resilience, mental well-being, and self-care.

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5. Burnout is a culture that is pervasive in the legal sector. Several attorneys experience chronic, intense physical and emotional tiredness and anxiety, which can exhaust them.
6. Attorneys worry about receiving unequal treatment or being singled out for prejudice due to mental illness. This severe problem keeps many more from seeking therapy and prevents more than half of those with mental illnesses from getting it.
7. The uncertainties of practicing law can be debilitating, regardless of your level of training or experience. Due to the complexity of the legal profession, some lawyers believe they are incompetent and that if their clients learned of it, they would be fired or barred from practicing law.
8. Most students entered law school with the hope that they would graduate feeling confident and in charge. The reality is that the profession of law is fundamentally characterized by uncertainty. You are vulnerable to despair unless you can accept that uncertainty.
9. Legal professionals and staff are also susceptible to post-traumatic stress disorder syndrome, in addition to first responders and military personnel.

Dr. Mundin states that there are **several emotional signs of depression in lawyers:**

- **Low mood** – You may frequently and continuously experience sadness, anxiety, or irritability.
- **Loss of joy** – You no longer find enjoyment or interest in the pursuits, hobbies, or even work that used to make you happy.
- **Guilt feeling** – You might frequently or inappropriately feel guilty, helpless, or unworthy.
- **Emptiness** – You might frequently experience hopelessness, pessimism, or “emptiness.”

There are **several physical signs of depression in lawyers:**

- **Loss of appetite and/or weight** – Unintentional changes in appetite and/or weight might take the form of either an inexplicable hunger or weight gain or a noticeable reduction of appetite and/or weight.
- **Sleep issues** – You might have trouble falling asleep, insomnia, or interrupted sleep. On the other hand, depression may also cause frequent sleepiness or over-sleepiness.
- **Cramps or digestive problems** – You might experience stomach pains, digestive difficulties, or cramps that go undiagnosed and remain unrelieved despite treatment.
- **Aches or pains** – You may experience physical aches or pains in your muscles, joints, or head that have no apparent explanation and do not improve with treatment.
- **Reduced energy or fatigue** – You may experience extreme tiredness or a lack of energy.
- **Changes in speed or movement** – Do you notice any changes in speed while speaking or moving? Do you find it difficult to remain still while you are sitting? If you are getting slower and feel shaky while standing, it might also be a sign of depression.

There are **several mental signs of depression in lawyers:**

- **Lack of concentration** – You might lose concentration and make mistakes in simple day-to-day tasks. You might forget meetings, schedules, and important information and find it difficult to make decisions quickly.

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- **Fear of death** – You may feel a continuous sense of death. Frequent thoughts of death or suicidal tendencies are red-flag signs of severe depression and should be taken care of immediately.

Dr. Mundin offers this **advice (edited by Chris Page) for lawyers who have or might find themselves in a depressive state of mind:**

1. **Forget about the stigma that is allegedly associated with mental health problems.** Your health and well-being are essential things in the world. You need to identify at least one person you can confide in about the seriousness and breadth of your issues, whether a friend, relative, work colleague, HR representative or someone else.
2. **Get in touch with a medical or mental health professional.** A qualified specialist can work with you to decide the best course of action based on your unique circumstances.
3. **Choose what you want to be your top priority.** Find a means to spend more time with your loved ones. Find even a little time to figure out if exercising improves your mood. Go for it if you want to read books or listen to music. You should put your most critical priorities first, both personally and professionally.
4. **Avoid multitasking.** Lawyers try to do multiple things simultaneously, like other professional experts. But doing so can be harmful for their mind. Being a lawyer, making a conscious effort to stop multitasking can enhance mental wellness. According to research, concentrating on several things simultaneously can harm our brains and negatively impact our mental health. Instead, develop the practice of planning your day so that you can focus on one item at a time.
5. **Learn healthy breathing techniques.** Yeah, work on breathing deeply and repeatedly. There are numerous advantages of focused breathing and meditation. It reduces the levels of cortisol (the stress hormone) in the body, improves concentration and focus, and improves sleep quality by reducing stress and anxiety levels. Apart from that, it lowers blood pressure in individuals with hypertension and boosts immune system function by reducing inflammation in the body.
6. **Practice being mindful.** For lawyers to manage their stress, anxiety, and depression, mindfulness can be a very effective strategy. Regular practice can aid in reducing stress (32%) and depression (29%), according to a study from the University of Western Ontario.

MENTORING & TRAINING:

We hear a lot about mentoring and training in the traditional sense, but what systems are you applying in the workplace to make it actually work? In *The Bear*, Carmy encourages several team members to push themselves to the next level. He is met with nervousness and outright defiance. Some succeed while others fail.



BUILD A TEAM

One article describes *The Bear* as all the management training^{viii} you'll ever need and provides the following 9 ingredients (abridged by Julia Jimenez) to make a successful team:

1. **Invest in your people.** Invested in people thrive. They feel seen, they heal themselves, they learn, they care about the work, they contribute, they show up.
 - a. **Don't stop the learning.** Try new things. We might not all start in the same place, but we are all expected to grow.
2. **Trust**
 - a. **Cultivate psychological safety.** So your people can challenge ideas without feeling unsafe.
 - b. **Honor their unique roles and skill sets.**
3. **Respect**
 - a. **"Yes Chef"** – everyone in the kitchen is addressed as Chef, regardless of brigade level.
 - b. **Shared Rituals** – what matters to the Team matters to the whole Team.
 - c. **Safety aka "Who did the smudge?"** - "We're not children. We make mistakes. The problem isn't the smudge. The problem is that no one has fessed up to doing it. We can make mistakes, but when we do we need to be transparent and take ownership, it's about respect."
 - d. **Value every task** – Let your team learn to accept help, especially when the help makes sense.
4. **Find ways to communicate that work for you.**
 - a. **Ex. 1: The hand gesture** – Carmy rubs his hand in a circular motion over his heart to serve as a bandaid during rushed service to acknowledge an issue and promise to discuss it when things are calmer.
 - b. **Ex. 2: "Say more please"**
5. **...and do it often** – practice constant transparent communication;
6. **Take care of your brain, your health, your culture, and your creative heart.** – prevent burnout;
7. **Partnership and collaboration is magic;**
8. **"Listen better";** and
9. **Be a kitchen** – every station's work is important.

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FOR THE MENTOR:

An important piece of the puzzle is to remember that you are not stagnant but must also grow.

Seek inspiration and encourage others to do the same.

Be a life-long learner.

We need those things that are not "have to do" things but "want to do" things. We need things to be passionate about, that are fun, and that are fulfilling on a deep level. When we have those things in our lives, the things that represent our responsibilities don't feel quite so burdensome.

What is the right approach for you to find the balance you need? Only you can work that out. If you were to throw all of the books, articles, websites, and videos on work-life balance into a giant heap, once the dust settles you would see the following common themes and advice:

Top 10 Tips to Help You Find Work-Life Balance

Decide if work-life balance is important to you.

If it is, then make the commitment to develop, and stick to, a plan to gain balance.

Take the time to think about your life and set your values and priorities.

Define success for yourself. Be creative in how you can find balance.

Establish and enforce boundaries between work and "not work."

Don't always be plugged in. Put away your phone for much if not all of your evenings.

Let clients, office staff, and family know what your boundaries are.

Build support networks at home and at the office.

Exercise regularly.

Drop activities (and people if you can) that sap your time and energy.

Do fewer things and do them well.

Be willing to say no.

Build downtime into your daily schedule. Take the time to "get your Zen on." Meditate, or just reflect thoughtfully on things you are grateful for.

Start with small steps and build from there.

FOR THE MENTEE:

Each team member is different. Some may have more obvious skills than others but evaluate the less obvious traits as well and incorporate them.

Look for the right opportunities for your team.

As Sydney says, embrace the "chaos menu" stage.



In this interaction, Marcus owns up to his mistake, explaining to Carmy how he caused the power outage. Carmy reacts with empathy by telling Marcus that things can get hectic in their line of work, but they must remain focused on the task at hand.

Marcus continues his apology, wrapping it up by promising: "I won't make a mistake again."

Carmy's response, in my opinion, is one of the most powerful moments in the show:

"Yeah, you will," he says. "But not because you're you. Because [s---] happens."

Carmy then showcases his humanity and vulnerability by sharing catastrophic mistakes he has made in his own successful career. You can catch the clip [here](#).

¹ <https://www.thecaptivatecollective.com/collective-collection/why-the-forks-matter-and-other-lessons-from-fxs-the-bear>

² <https://www.smh.com.au/lifestyle/life-and-relationships/surprising-career-lessons-we-can-all-learn-from-the-bear-20230816-p5dx09.html>

³ <https://capital-placement.com/blog/the-bear-and-workplace-trauma/>

⁴ <https://www.lawpracticetoday.org/article/tips-dealing-difficult-people/>

⁵ https://www.americanbar.org/content/dam/aba/publications/pass_it_on/Difficult_Opposing_Council_Hirt_Article.pdf

⁶ <https://www.lawyerswithdepression.com/articles/the-dark-side-of-success-a-psychiatrists-exploration-of-depression-in-the-legal-profession/>

⁷ See also: <https://www.clio.com/blog/dealing-with-lawyer-depression/?amp>

^{viii} <https://bootcamp.uxdesign.cc/why-the-bear-is-all-the-management-training-you-need-b044e534606e>