

THE FOCUS AND CONVERSATION ON ATTORNEY WELL-BEING

In February of 2016, the American Bar Association Commission on Lawyer Assistance Programs, in collaboration with the Hazelden Betty Ford Foundation, released a comprehensive study titled “The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys.” The findings of the study, which surveyed approximately 15,000 attorneys from 19 states, were startling. Of those surveyed, twenty-one percent (21 percent) reported behaviors consistent with “problem drinking,” the highest incidence of which was found in attorneys in their first 10 years of practice. Twenty-eight percent reported struggling with some level of depression, with nineteen percent (19 percent) having experienced symptoms of anxiety. The study concluded that American attorneys experience problematic, hazardous drinking habits and “significant” mental health distress at a rate higher than other professional populations. For this year’s Health and Wellness Issue, I took a look at the legal profession’s response to studies such as the ABA-Hazelden report, and the steps that have been taken to address attorney well-being.

Articles addressing attorney well-being generally point to hallmarks of the legal profession - high pressure, long hours, the pursuit of perfection, and the competitive nature of the profession and those in it - as the reasons for the high prevalence of substance abuse, depression, and “burnout.” This has given way to an entire industry dedicated to helping lawyers quit the profession; a “sub-profession” that was covered at length in a 2014 issue of *The Atlantic*. While not tied specifically to burnout, the ABA’s “After the JD” Report found that of a nationwide sampling of those who passed the bar in 2000, more than 24% had left the practice of law by 2012.

The silver lining is that, in response to studies like the ABA-Hazelden report, several robust programs dedicated to attorney health and well-being have emerged. The ABA’s Young Lawyers’ Division recently launched an initiative called “#Fit2Practice,” which emphasizes the importance of physical, mental, and emotional well-being to younger practitioners. The Missouri Bar has its own Lawyers’ Assistance Program (“MOLAP”), which aims to assist attorneys in overcoming issues related to substance abuse, stress, depression, and burnout. (www.mobar.org/molap)

There have also been numerous articles and books in recent years outlining the best ways for attorneys to avoid burnout and effects of stress. Unsurprisingly, the common thread is an emphasis on a balanced diet, regular exercise, and getting sufficient amounts of sleep. Many recent articles have also noted the benefits of mindfulness and meditation. In her 2015 article for the ABA Journal, Leslie Gordon notes that law schools such as Yale University and University of California, Berkley now offer classes on mindfulness.

In summation, recent studies on substance abuse and mental health issues in the legal profession, while bleak, have sparked a profession-wide conversation on attorney well-being that has led to the development of programs and books dedicated to tackling the issue. The increased public visibility has also helped reduce the stigma about a topic that may have been considered taboo or embarrassing just a decade or two ago. Hopefully, these dedicated programs, along with the increased conversation, will continue to yield positive developments that reduce the prevalence of burnout, substance abuse and depression in our profession.



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