


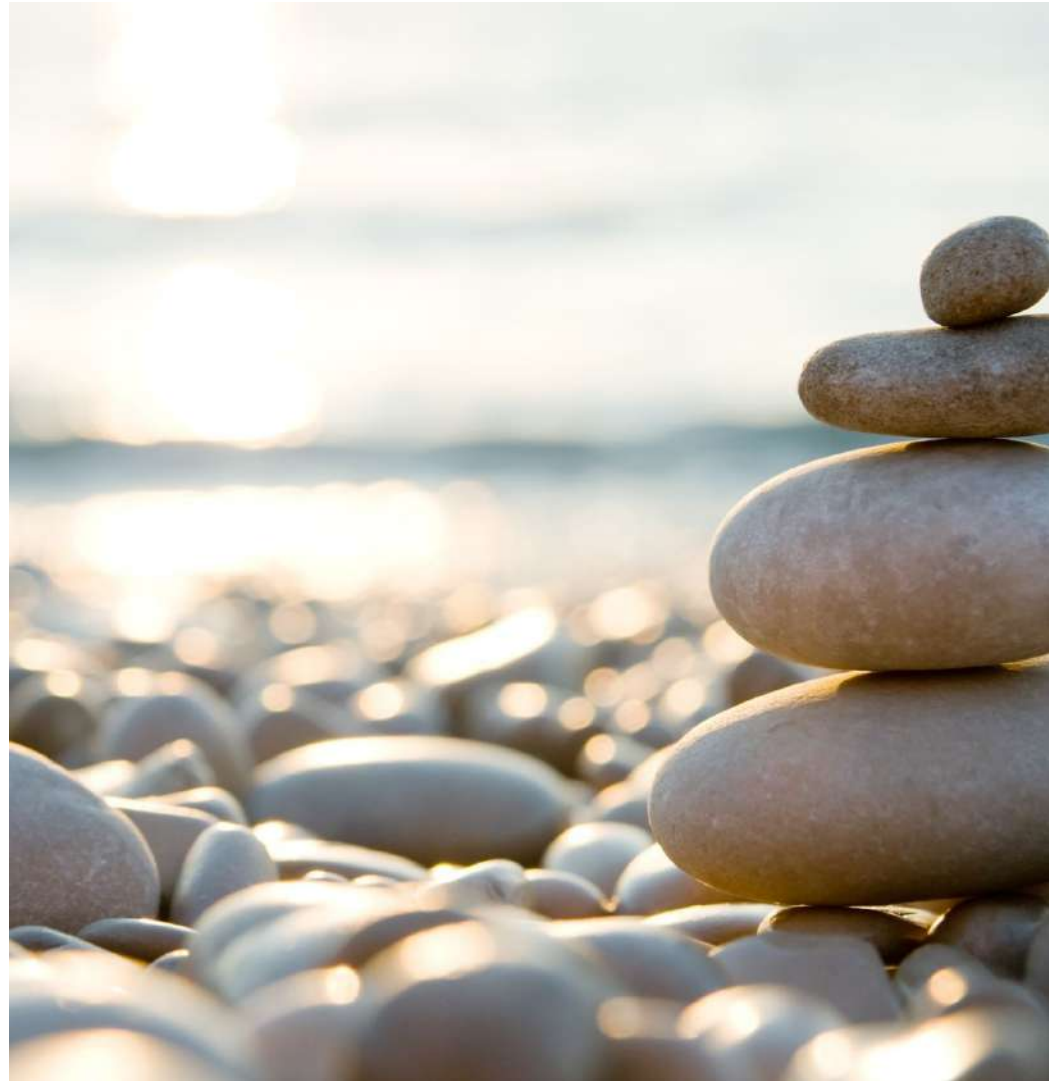
# The Intersection of Discipline and Lawyer Well- Being: Real Life Considerations

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for Lawyers



# LAWYERS CONCERNED FOR LAWYERS

- 24-hour hotline
- Assessments
- Coaching
- Free short-term counseling
- Referrals
- Well-being Resources
- Case management services
- Peer support
- Education/Outreach



# Importance of Lawyer Well-being

- ***ABA 2017 Study:***
  - 13,000 practicing lawyers
  - 19 states
    - Rate of depression: 28%
    - Rate of anxiety: 19%
    - 11.5% of attorneys have contemplated suicide.
    - 20.6% engaged in problematic drinking.



## 2021 American Lawyer (ALM) Mental Health and Substance Abuse Survey

3,200 respondents

# Importance of Lawyer Well-being

Rate of depression: 37%

Rate of anxiety: 71%

44% of respondents believe mental health and substance abuse problems were at “crisis level.”



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Some  
Symptoms  
of  
Depression  
and Anxiety  
That May  
Give Rise to  
Ethical  
Violations.



Impaired ability  
to concentrate



Exhaustion



Avoidance



Difficulty  
initiating tasks



Hopelessness



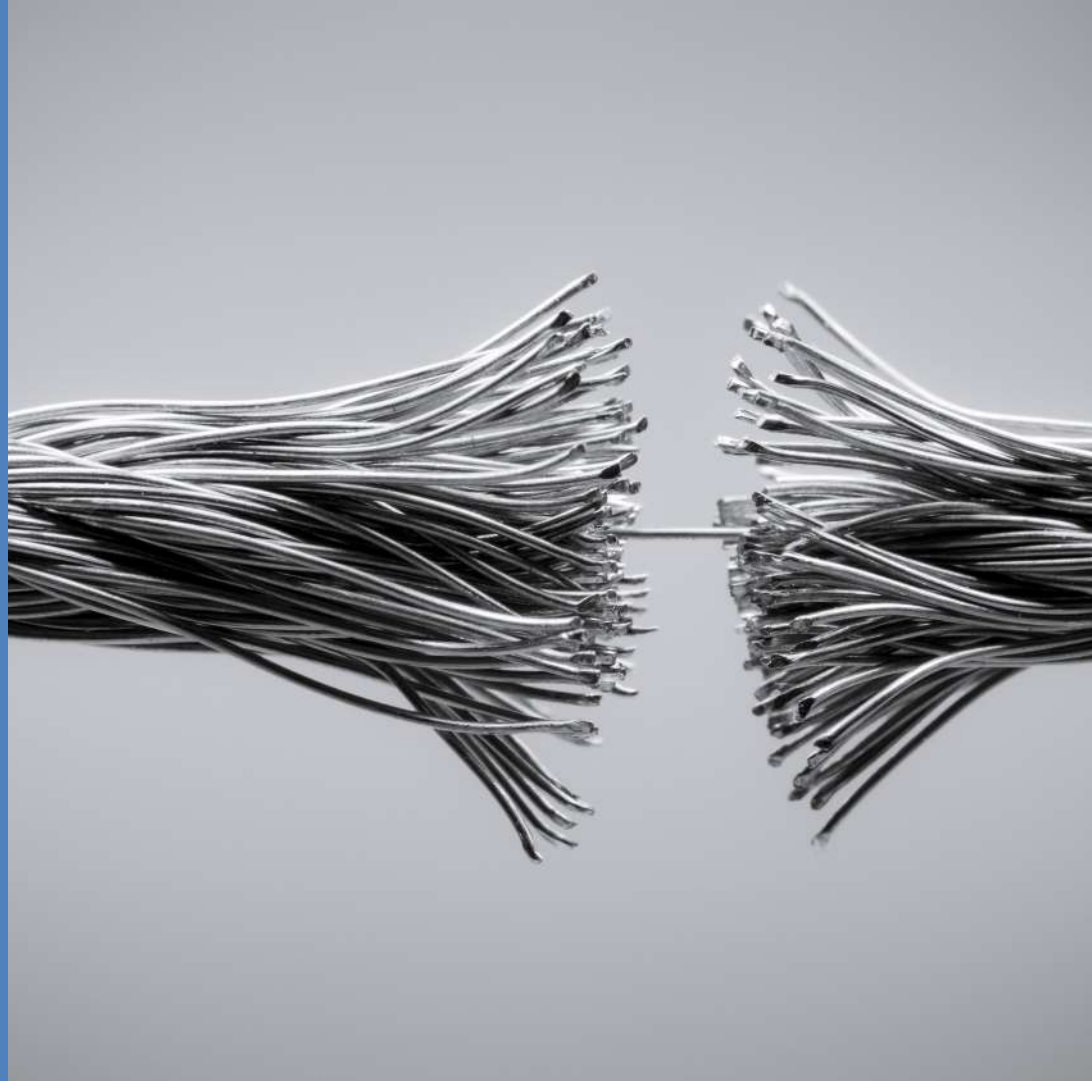
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# What is Burnout and what does it look like?

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- Burnout is defined as *a psychological syndrome that arises from prolonged exposure to chronic interpersonal stressors on the job.*
  - Three main characteristics/signs
    - *Emotional Exhaustion:* Feeling drained and depleted of emotional resources.
    - *Depersonalization:* Developing a cynical attitude towards one's job and the people involved.
    - *Reduced Personal Accomplishment:* Feeling ineffective and lacking a sense of achievement in one's work.





# Signs of Empathy Distress Fatigue

- Feeling drained and overwhelmed.  
Emotional tank is on E.
- Sleep problems.
- Concentration problems.
- Apathy, a sense of feeling numb to other's problems.
- Irritability, both personally and professionally.
- Impatience.
- Feeling disconnected.

# Where mental health, substance use disorder, and discipline meet.

- **From 2017 study:** Between 40 -70% of disciplinary proceedings and malpractice claims against attorneys involve substance abuse or depression or both.
- **OLPR 2023** numbers demonstrate as much:
  - 2023: 45% of probations involved lawyers with mental health issues or substance use issues.
  - Of the open probations in 2023, 21% implicated consideration of lawyer wellness issues, either as part of the underlying disposition or as a specific term of probation monitoring.



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# STIGMA

- Though both chemical and mental illness have a physiological source, the legal profession, like the broader culture, stigmatizes those who suffer from them.
- Stigma prevents attorneys from engaging in help-seeking behaviors.
- Mental health problem=weakness
- Substance use disorder=broken, something to be ashamed of.
- At a minimum, there is uncertainty as to how they will be viewed by their colleague
- *The **most important factor in improving lawyers' mental health** is eliminating the stigma associated with seeking mental health assistances.*
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## Do you have a role in lawyer well- being?

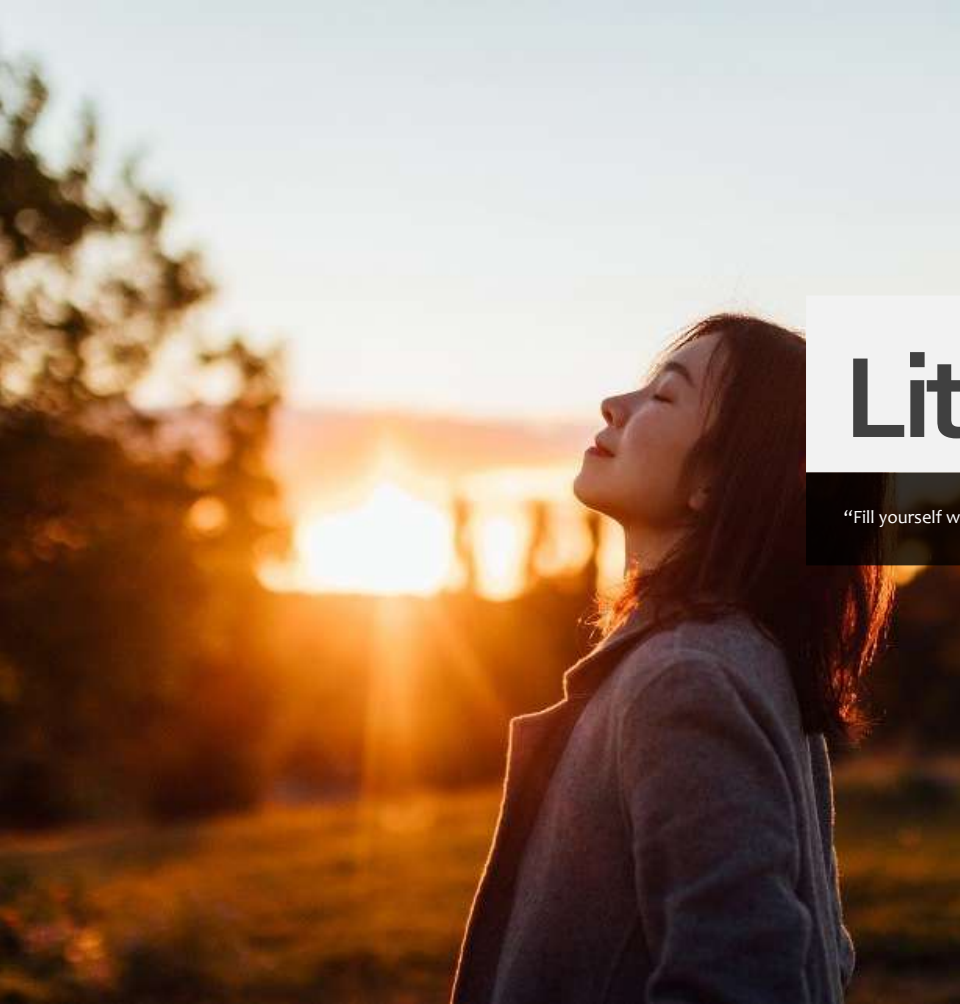
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- OLPR: diagnosis or behaviors
- OLPR: only looks at behaviors, missed deadlines, ignoring client matters, keeping confidentiality, appropriate representation.
- Fear of licensure action is part of the concern. What is OLPR putting out on the intersection of discipline and MH/CD issues?



# What does well being look like in your workplace?

- What is resilience? What's in your bank?
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- Individual's resilience practices:
  - Back to basics
  - Self-compassion (trusted friend exercise)
  - Reframing
  - Mindfulness
  - Connection
  - Small, obvious steps. Be vocal!
  -
- What do you do as an office?
  - Employees have **psychological safety**.
    - Each member of the team can say:
    - It's okay to take risks.
    - It's okay to ask questions.
    - I can express my ideas without fear.
    - I can admit a mistake without fear of negative consequences.
    - I am valued as an individual with unique skills.
    - I can bring up problems and tough issues.
    - No one is trying to undermine my efforts.
    - I'm genuinely interested in ideas that others bring to the table.
    - My employer trusts my judgment.
    -



# Little by little....

*“Fill yourself with good....”*

*“Think not lightly of good, saying, ‘It will not come to me.’  
Drop by drop is the water pot filled.  
Likewise, the wise one, gathering it little by little,  
fills oneself with good.”*

*Dhammapada 9.122 (Buddhist scripture)(quoted by  
Dr. Richard Hanson)*





# Thank You

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