

# Improving Mental Health and Well-Being in the Legal Industry



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## Introduction

Lawyers are 3.6 times as likely to be depressed as people with other jobs. More than a quarter of all lawyers suffer from depression. Many deal with addiction.

Sadly, this is the reality in the legal profession. However, it doesn't have to be. Lawyers and even law school students can take steps to stay mentally sane in this often stressful industry. They can recognize the signs of depression and addiction and get the help that they need when they need it.

Of course, this involves a lot of education and discussion about these sensitive topics. That's why we wrote this eBook on mental health and well-being in the legal industry. We've talked to leading medical experts and many attorneys who offer some great guidance about why depression and substance abuse are so prevalent among lawyers and how to avoid becoming a statistic.

We hope this eBook helps lawyers in some way. This is a conversation we all need to be having.





## Investigative Report: Mental Health and Substance Abuse Threaten the Legal Profession

[Ervin Gonzalez](#) was a top Miami civil lawyer, a beloved partner of the prominent Coral Gables law firm Colson Hicks Eidson, and “a trusted, go-to trial attorney.” He was renowned for his charismatic and warm demeanor. Despite his stellar reputation and an enviable record of 33 verdicts of at least \$1 million or more, Gonzalez committed suicide in June 2017.

At 38, [Lisa Smith](#) was living in a bright, beautiful New York City apartment and had a high-powered job at the prestigious Manhattan firm Pillsbury Winthrop. She also drank day and night and turned to cocaine to “straighten up enough” to perform her duties at the firm.

Experts say that Gonzalez and Smith aren’t isolated cases. Not by a long shot.

[A Johns Hopkins University study](#) of more than 100 professions revealed that lawyers are 3.6 times as likely to be depressed as people with other jobs, while the landmark [2016 American Bar Association \(ABA\) and Hazelden Betty Ford Foundation study](#) determined that 28% of licensed, employed lawyers suffer depression. The study also showed that 19% demonstrate symptoms of anxiety and 21% qualify as problem drinkers.

Attorney [Patrick R. Krill](#), lead author of the ABA/Hazelden study and a recognized authority of addiction and mental health issues in the legal profession, says the data “paints the picture of an unsustainable professional culture that’s harming too many people.”



Krill points to the impact of the experience of the profession, which begins even before the J.D.'s are awarded. And Smith, now Deputy Executive Director and Director of Client Relations at Patterson Belknap Webb & Tyler LLP and author of the addiction memoir, [Girl Walks Out of a Bar](#), can attest to that, highlighting the very different dynamic of law school. "Instead of being in school with friends, we found ourselves pitted against each other all the time, particularly with the use of the Socratic method," Smith says. "We were constantly being ranked and there was this sense of 'my gain is your loss' that permeated our entire experience. It was a different kind of pressure to succeed and a much more pronounced level of stress than I had previously faced."

That stress skyrockets when graduates are launched into practice. Smith by her own admission had always done "everything right." An exemplary high school record led to admission into Northwestern University. After receiving her B.A., she then went off to the Rutgers School of Law, where she served on the Editorial Board of the Law Review, graduated at the top her class, and ultimately landed a job at a prestigious law firm in New York City...along with 90 other highly qualified first-year associates.

"I was a perfectionist, and I always did well," she recalls. "And now [at the firm] I was competing against all of these people whose credentials were equally as good as mine. It was a very charged, very competitive environment."

Not to mention demanding. Deadlines, long hours, excessive workloads, and client pressures together make the practice of law one of the most stressful careers.

This unrelenting pressure, Krill notes, puts lawyers at odds with the types of things one does to support mental health, such as rest (actual sleep or downtime for recharging), exercise, and quality social connections.

The tendency to prioritize winning and achievement rather than well-being and happiness also compromises mental health.

Yet, despite the deficit in mental health, lawyers are not feeling sufficiently supported to seek help. According to [Whitney Hawkins](#), a licensed psychotherapist in Miami, the majority of lawyers continue to feel isolated and ashamed when they are unable to measure up to unreachable standards in the legal community. "Lawyers are fearful that if they share they're struggling with anxiety, depression, or substance abuse they will be seen as incompetent or unable to complete their duties at work," she says.



Smith concurs. While she has since gone public about her addiction and depression, she only did five days of detox before returning to work. “I was really terrified of the stigma,” she says. “The day I checked into detox, I told work I had a medical emergency and would be out for five days. I knew that because of HIPAA, I could safely be out for five days without a doctor’s notice. Any longer would require that I admit to what was really going on.”

Although Smith had been privately struggling with addiction and depression for 10 years, she was still highly regarded as a respected, trusted, and smart member of the team. “I couldn’t risk becoming someone, who in their eyes, was weak, deficient, and unreliable,” she says.

Today, however, momentum is building around lawyer mental health and well-being, particularly in response to [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change from the National Task Force on Lawyer Well-Being](#), which was prompted by the ABA/Hazelden study.

The Path to Lawyer Well-Being is a 72-page report by the National Task Force on Lawyer Well-Being that outlines recommendations around what needs to be done in order to address and improve lawyers’ well-being. The report’s recommendations focus on five central themes such as eliminating the stigma associated with help-seeking behaviors and educating those in the legal profession on well-being issues.

Since its publication, the report has been carefully reviewed across the country and states are starting to form task forces to roll out recommendations. The Florida Bar, for example, has already launched a new Special Committee on Mental Health and Wellness.

Also, last month the American Bar Association’s House of Delegates adopted a resolution “urging bar associations, law schools, lawyer licensing agencies, and legal employers to step up efforts to help attorneys with mental health and substance abuse issues.”

Krill is hopeful. “After decades of refusing to acknowledge our profession’s problem with depression and addiction, we finally seem to be moving in the right direction,” he says. “Truly improving lawyers’ well-being requires long-term culture change. At the end of the day, lawyers are humans. We must focus on their well-being.”





## An Interview with Brian Cuban: The Addicted Lawyer



[Brian Cuban](#) is a Dallas-based attorney, author, and addiction recovery advocate. His best-selling book, [The Addicted Lawyer: Tales of the Bar, Booze, Blow, and Redemption](#), is a look back at how addiction to alcohol and drugs as well as other mental health issues destroyed his career as a once successful lawyer. He addresses how he redefined his life in recovery and found redemption. Sober since April 8, 2007, Brian now writes and speaks on recovery topics nationwide.

Here's our interview with Brian Cuban:

### **Why do you think depression and substance abuse are so common among law school students and lawyers?**

The job is a stressful one, and it tends to attract "type A" individuals. Unfortunately, it is also a profession that, starting in law school, does not encourage self-exploration of personal issues. We are too busy solving everyone else's problems and are simply taught and conditioned that showing the vulnerability necessary for such exploration is weakness. We are a profession that tends to hold things in. We tell ourselves we are over it and have to deal with it. Or we simply ignore the issues altogether and wait for the consequences instead of seeking help at the earliest possible touch point.



**Do you think the legal industry exacerbates these issues? If so, how?**

Any high-stress occupation can exacerbate underlying mental health issues and other personal problems. Law schools are also part of this exacerbation by historically not providing enough awareness and resources needed for law students ([even though students are clearly suffering.](#)) The deans at various universities are at the front line in changing this culture and some are very involved in helping students as well—but to be frank, at least from my perspective, there are some who still do not make this a priority.

Also, as I mentioned earlier, in the legal profession we don't talk about these issues as we should as a profession. However, the good news is that this is rapidly changing. For instance, [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#) is a report by the National Task Force on Lawyer Well-Being, initiated in part by the American Bar Association. Also, many state bar associations and the [state Lawyer Assistance Programs](#) (which “provide confidential services and support to judges, lawyers and law students who are facing substance use disorders or mental health issues”) are trying to change the culture of addiction and mental health silence in the industry. They try to encourage their members to both talk within the profession and take advantage of the resources out there to get help.

**How did your addiction and depression affect your personal relationships?**

I have been divorced three times, all the relationships failing to one degree or another due to my addiction and depression. When a person spends all of his or her energy wearing a mask and building a wall to hide mental health and addiction issues from a significant other, that does not leave much room to love and let love in. The person locked out says, “You don't love me.” Rather than risk being vulnerable to the person who wants to help, the answer often becomes, “You're right, I don't.” Marriages often take the path of least resistance straight to divorce.

**What led you to finally getting help? Was it hitting rock bottom?**

I am not a big fan of the term “rock bottom” because it implies the worst has to happen for change to occur. I prefer the term “recovery tipping point.” I want to change the culture that encourages struggling lawyers to wait for consequences to catch up with the problem before they take any recovery steps.

For me, the recovery tipping point was in April 2007 after my second trip to a psychiatric facility after a drug and alcohol-induced blackout in which my girlfriend at the time (now my wife) found me passed out in bed after coming back from a family visit. It was at that point that it hit me that I was on the tipping point of losing





everything, including my life. I began 12-step recovery (the most well-known is [Alcoholics Anonymous](#)) and finally began allowing myself to be vulnerable with my therapist. Today, I am approaching 11 years sober from drugs and alcohol. The girlfriend who found me passed out stuck with me while I rebuilt the trust I destroyed and built my recovery. We have now been married for over a year. My family ties are stronger than they have ever been. I am happier than I ever could have imagined pre-sobriety.

### **Once you got sober, you stopped practicing law. Why?**

My law practice was non-existent when I went into recovery. Its failure was the direct result of drugs and alcohol. I still have my law license as it has never been suspended. But as I like to joke, it's not because of a lack of trying!

My not going back was more a function of the fact that I never wanted to be a lawyer and went to law school for terrible reasons. In my mind, staying in graduate school for three more years would delay having to go out into the real world and having to face my issues to the extent I realized I had any. In other words, when I graduated Penn State undergrad, I wanted to attend law school so I could continue the addictive behaviors that had become my daily survival.

### **Why did you feel it was important to write your book?**

It is still taboo for society in general to talk about depression and addiction, less so than it used to be but it's still there. That taboo or "stigma" is magnified in the legal profession because, as I stated earlier, we are a profession that is encouraged in law school to hide things about ourselves that we may perceive as "weaknesses." In essence, we have the societal stigma in general and then we have the professional stigma piled on top of it. That's a tough wall to break through.

Along with helping to break these stigmas, I always have various motives for writing books from an anecdotal perspective. I am exploring myself and using what I find to hopefully connect with others so they, in turn, will then explore themselves and possibly seek recovery or have a stronger recovery.

### **What advice do you have for law school students?**

Law students tend to come out of law school less mentally healthy than they go in. My advice to incoming students is this: If you are already dealing with mental health issues, addiction, eating disorders, and other similar issues, have a wellness plan going in. I define a wellness plan as a complete circle of trust that you can turn to. If it is substance use, know the local 12-step groups. If your Lawyer Assistance Program assists law students, connect with them before you start school. They will



know the resources available for you. If your law school doesn't have student-run recovery groups but it is part of a larger university, see if the university has any such groups.

I often ask law students and lawyers to draw a circle and on that circle to make a list of their 10 top triggers for unhealthy behavior or increased stress. Then write out in a few words what the plan is to deal with each trigger in a healthy way: Who they will call? What self-care action they will take? That is the circle of trust. Make sure there are no gaps in the circle. Close it off to cover your common feelings and triggers.

Another part of that circle of trust going in is also how to release stress in a healthy way. Some law schools have wellness activities such as yoga and meditation. If not, find out if your larger university does. It is so important to make time for yourself.

Remember this: Addicted law students will most likely become addicted lawyers without a plan and treatment. And there is no such thing as a high-functioning lawyer who is also a problem drinker. Don't wait for consequences to catch up with the problem. From a recovery and learning coping skills standpoint, today is as good as it is ever going to get.





## Lawyers and Depression: How to Recognize the Signs and Where to Get Help

More than 300 million people worldwide suffer from depression, according to the [World Health Organization](#). And, as we reported earlier in this book, lawyers are more prone to depression than those in other professions.

However, being unhappy isn't the same as being depressed. We may sometimes use the word "depressed" to describe how we feel after a bad week at work, when we're going through a breakup, or while mourning the death of a loved one, but these feelings are usually short-lived. Clinical depression, also known as [major depressive disorder](#) (MDD) is longer-lasting and much more serious.

Below are a few symptoms of depression that will help you determine if you, a loved one, or a colleague may be suffering from this disorder. If you are, it's important to seek help from a mental health professional as soon as possible.

### Here are the symptoms:

**Persistent sadness.** According to licensed psychologist Laura Chackes, owner and clinical director of [The Center for Mindfulness & Cognitive Behavioral Therapy](#) in St. Louis, Missouri, if you or someone you know is feeling down or sad for most of the day and every day over at least a two-week period of time, it may be time to seek professional help. It can also be a red flag when there is no situation or event that brought on these unshakeable dark feelings.



**Change in behavior.** A loss of interest in activities that previously brought enjoyment is a sign that someone may be depressed. Chakes notes that a decrease or increase in appetite, withdrawal from friends and social circles, and increased anger or irritability are symptoms worthy of attention and should be addressed.

**Increased fatigue and sleep difficulties.** [Jared Heathman](#), a Houston psychiatrist, and Whitney Hawkins, a psychotherapist and owner of [The Collaborative Counseling Center](#) in Miami, both agree that sleeping too much or not enough, having trouble falling asleep, or waking up at all hours of the night can all be a sign of depression. These sleeping problems can lead to lack of energy and an overwhelming sense of fatigue, which can then lead to delaying getting out of bed as long as possible or staying in bed all day. It can be a vicious cycle and a hallmark sign of depression.

**Negative thoughts.** Despite experiencing something positive—such as receiving a bonus at work—depressed people often dismiss the positive event with a negative response, such as “What does it matter? It won’t amount to much,” according to [Nicole Prause](#), a neuroscientist and founder of Liberos LLC, an independent research institute. This inability to fully or appropriately experience a situation could be cause for alarm.

**Mental slowdown.** People with depression may have trouble concentrating, making decisions, or remembering details.

**Suicidal thoughts.** Having thoughts about harming yourself or imagining how you would end it all must always be taken seriously, says Prause. If you are thinking about suicide, you need to get help immediately.

**So where do you get help? Here are some excellent resources for people in the legal profession and law school facing depression as well as substance abuse:**

- First, make an appointment with your primary care doctor or mental health professional. [The American Psychological Association](#) and the [American Psychiatric Association](#) both can help you find such mental health experts in your area.
- The ABA Commission on Lawyer Assistance Programs “has a mission to assure that every judge, lawyer and law student has access to support and assistance when confronting alcoholism, substance use disorders, or mental health issues so that lawyers are able to recover, families are preserved and clients and other members of the public are protected.” This mission is carried out through each



state's program. [Here's a link to a directory of Lawyer Assistance Programs throughout the country.](#)

- The ABA also provides a very comprehensive list of helpful resources for [lawyers](#), [judges](#), and [law students](#).
- Contact your state bar association to see what resources it provides to its members who are battling mental health issues or substance abuse.
- [Alcoholics Anonymous](#) and [Narcotics Anonymous](#), both renowned 12-step programs.
- National Suicide Prevention Lifeline: [Check out their website](#) and call 1-800-273-8255.
- [Substance Abuse and Mental Health Services Administration](#) provides a national helpline 24/7 365 days a year for treatment referral and information service for people and their families facing mental and/or substance use disorders. Call 1-800-662-HELP (4357).
- [Hazelden Betty Ford Foundation](#), an addiction treatment and advocacy organization.





## Top Five Ways to Avoid Stress in the Legal Profession

Depression and substance abuse is more prevalent in the legal industry than in mostly any other profession. However, it doesn't have to be that way. Finding ways to manage the stress and establish work/life balance, according to [Caitlin Hoff](#), Health and Safety Investigator at Consumer Safety.org, is key for lawyers to avoid becoming another statistic.

**Here, Hoff shares specific ways lawyers can reduce stress:**

**Don't bring your work home with you.** Many may balk at the idea of leaving work at work, but creating a separation between the office and your home is critical as both your mind and body need a break from daily stressors in the office. By banning office work in your home, you can create a secure, safe space to relax and unwind every evening.

**Get enough sleep.** It's common for lawyers to not get enough sleep and/or little quality sleep because of stress or because they are overloaded with work. Neither is helpful to reducing stress or increasing your productivity throughout the day. Instead, establish a bedtime and commit to it. Not only will you feel more rested, but mentally, you will be more alert, focused, and creative. You could actually increase your daily productivity by avoiding late nights in the office.



**Create a work/life balance.** When you leave work, what do you do? If the answer is “go to a bar with co-workers,” you might want to rethink your after-work plans. While the occasional drink with co-workers after a big project or case is a bonding experience, more frequent outings can lead to heavier drinking and certainly a lot more focus on work. Instead, take a physical and mental break from everything having to do with work. Spend a lot of time with your family and friends who aren't at the office. Or, if you want to hang out with co-workers, make a rule that you won't talk about work and do your best to stick to it. This might also be the excuse you need to start a passion project or learn a new hobby. Schedule any non-work activities in your calendar so you're more likely to actually do them!

**Exercise frequently.** Exercise is a proven stress reliever. While exercising, your body releases mood-boosting endorphins. Frequent exercise will not only relax you, but it can also increase your happiness, confidence, and help lower symptoms of anxiety and depression. Exercise can also help you fall asleep and stay asleep throughout the night.

**Take a break.** Whether you work an 8-hour day or a 14-hour day, breaks are necessary and beneficial to your physical and mental health. Schedule in time to leave your office throughout the day. Go for a walk, run an errand, or grab a quick lunch with a friend. The simple act of taking a break from your giant to-do list can be the refreshing reset that you need to continue with your day in a productive, positive manner.





## Preventing Stress: Lawyers Share How They Stay Mentally Healthy

Sometimes the best advice on anything related to the legal industry comes from other lawyers. That's why we asked lawyers themselves on how they try to handle stress in this notoriously stressful industry. Here's what they had to say:

“The practice of law is extremely stressful. Most days carry great intensity which makes it easy to lose perspective. To combat this, I find two general rules helpful: First, take regular vacations in which you really get away from the office—including emails and texts. It is necessary to cleanse your mind and focus on something other than work. This will necessarily make you a better lawyer. Second, I find it important to avoid going into the office on weekends. Even if I have work to do, I prefer to do it at home. I know the work week will be laborious, so it makes a huge difference to unwind and rest over the weekend.” —Marc Lamber, a personal injury attorney in Phoenix

“A very smart friend of mine once said, ‘You better enjoy yourself during your time here. This is the vacation. When you die, you go back to work.’ Yes, it's a little twisted, but I think it's sage advice.” —Paul Menes, who practices transactional entertainment and digital media law for clients throughout the world

“Keep it all in perspective and remember that time with family and friends is more valuable than money or things.” —Jesse Klaproth, a lawyer in Philadelphia whose firm focuses on employment law, whistleblower law, and consumer fraud class actions





“Aside from yoga and pilates, I make sure to recognize every day that being chosen as a lawyer by my clients is a privilege, not a burden. In a world with so much suffering, I am able to use my skill set to make dreams come true for families and businessmen alike.” —Renata Castro, an immigration attorney in Pompano Beach, Florida

“I have been lucky to not let the stress and depression get to me. But, if I feel it, I try to breath and turn my focus to all of the good that is getting done. Then I go back to the old sports analogies: If you are open, take the shot. If you miss, hustle back on defense and when you get the ball back don’t be afraid to take the open shot again the next time.” —Tor Hoerman, a personal injury lawyer specializing in mass tort in Edwardsville, IL, St. Louis, MO, and Chicago, IL

“I spend time with my children who are still very young and keep things very simple: Swinging on the playset is magical. Watching a butterfly is a showstopper. Laughing over silly faces is natural. They remind me daily that the important things happen around me every day and to participate in them fully.” —Francine E. Love, who practices business, arts and employment law in Uniondale, New York

“Run. Exercise. Lift Weights. Rinse. Repeat.” —Andrew R. Shedlock, who practices securities litigation and investment fraud in Minneapolis

“I am a big believer in taking mental breaks. I absolutely do not work on Sundays. I also limit my work on Saturdays and will take a break over the holidays. And when my clients try to raise a fuss about it, I quickly ask them about their holiday break. Their expectations cannot lead me or I will be unhealthy. There is nothing wrong with catching up with a TV show or even cleaning my house without thinking about work. There has to be moderation in all things.” —Pamela Williams Kelly, whose firm focuses on legal issues in family, immigration, entertainment/fashion, and probate/wills in Memphis, Tennessee

“I was a professional athlete prior to law school, so for me physical activity is an absolute must. I happen to live next to one of the top mixed martial arts facilities around, so I try to get in there as much as possible after work. There is nothing better then wrapping up your hands and hitting the gym for a boxing, Brazilian Jiu Jitsu or Muay Thai session after a long day. Also, I intermittent fast until lunch time with just black coffee and try to lay off as many carbs as possible. My energy levels have spiked dramatically since I started doing this.” —David DiNatale, who practices real estate and corporate law in South Florida



“Recently, I began daily meditation, affirmations, and visualizations. I also spend more time reading for pleasure and writing in a journal (recommended in a book I read called *The Morning Miracle*.) All of those activities help me start my day feeling calm and being focused and productive. I also recommend another book I read recently called *Essentialism: The Disciplined Pursuit Of Less* about staying focused on what’s really important in all areas of your life and ignoring the rest.” —Tina Willis, a personal injury attorney in Orlando



## About Rocket Matter

Rocket Matter helps law firms offer better client service and also increase revenues by more than 20%. The company was the first cloud-based legal practice management software on the market, landing its first client in 2007. It has been a leader ever since.

Rocket Matter has the most powerful, easy-to-use time and billing software in the industry. Also, when law firms want to make more money, go paperless, or increase confidence in their trust accounting, Rocket Matter helps them achieve those goals. With award-winning customer service based in the United States, it's no wonder thousands of law firms swear by Rocket Matter.

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## About the Authors

**Kristin Johnson** is an executive and corporate communications professional, and founder of KSJ Communications, a communications and public relations firm. She consults with a diverse roster of clients spanning the technology, professional services, financial services, public sector, consumer, and healthcare industries. In addition to Rocket Matter, Kristin writes for various other publications as well.

**Dina Roth Port** is the Director of Content at Rocket Matter and an award-winning freelance writer, journalist, and author. She is the co-author of *Zak George's Dog Training Revolution* (Penguin Random House, 2016) and author of *Previvors: Facing the Breast Cancer Gene and Making Life-Changing Decisions* (Penguin, 2010). A graduate from Northwestern University's Medill School of Journalism, Dina is also a former editor at *Glamour* and *Parenting* magazines. As a freelance writer for dozens of national publications, her articles have appeared in titles such as *Glamour*, *Self*, *Prevention*, *Parents*, *The Huffington Post*, *Intel*, and *Fitness*.

