

NELC Annual Conference panel – Mental Health Awareness & Well-being for Attorneys – CLE

Thursday, May 4, 2023 (12:00-1:45 p.m. EST)

Course Materials

- Slide handout
- Presenter Bios

Additional Online Resources

- 'Scared. Ashamed. Crippled.': How One Lawyer Overcame Living With Depression in Big Law, *The American Lawyer* (Feb. 12, 2019)
<https://www.law.com/americanlawyer/2019/02/12/scared-ashamed-crippled-how-one-lawyer-overcame-living-with-depression-in-big-law/?slreturn=20230305013815>
- ABA, Hazelden Betty Ford Foundation Release First National Study on Attorney Substance Use, Mental Health Concerns, (Feb. 3, 2016),
<https://www.hazeldenbettyford.org/press-release>
- Patrick Krill, Ryan Johnson, & Linda Albert, The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys, 10 *J. ADDICTION MED.* 46 (Jan./Feb.016),
https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substa%20nce_Use_and_Other_Mental.8.aspx#pdf-link
- The Path to Lawyer Well-Being Practical Recommendations for Positive Change,
<https://lawyerwellbeing.net/>
- Video, World Economic Forum Annual Meeting, Mental Health Matters, World Economic Forum (Jan. 23, 2019), <https://www.weforum.org/events/world-economic-forum-annual-meeting-2019/sessions/mental-health-matters-3c8decd8-c22d-42cb-acdf-445326d92225>
- Well-Being Toolkit for Lawyers and Legal Employers
https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.pdf
- Stress, drink, leave: An examination of gender-specific risk factors for mental health problems and attrition among licensed attorneys
<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0250563>
- People, Professionals, and Profit Center: The Connection between Lawyer Well-Being and Employer Values
<https://www.mdpi.com/2076-328X/12/6/177>

- 29 U.S. Code § 1185a - Parity in mental health and substance use disorder benefits
<https://www.law.cornell.edu/uscode/text/29/1185a>
- Parity of Mental Health and Substance Abuse Benefits With Other Benefits
<https://www.dol.gov/sites/dolgov/files/EBSA/laws-and-regulations/laws/mental-health-parity/parity-of-mental-health-and-substance-use-benefits-with-other-benefits.pdf>

DESCRIPTION OF PANEL

Attorneys are expected to always maintain a steadfast, professional exterior while working in high pressure environments, regardless of what they may be going through personally or mentally. Because of the often unrealistic expectations placed on the legal profession, an attorney, their colleagues, their clients and even their friends and family tend to overlook or ignore the mental health struggles an attorney may be experiencing that the attorney themselves may be going to great lengths to hide from others. As a result, these mental health issues may go unrecognized and untreated. This powerful panel brings this critically important issue to the forefront and includes panelists willing to share their own mental health struggles and what they did, and continue to do to address and overcome them. This panel will be moderated by a clinical psychotherapist, whose practice focuses on attorneys. This panel will also address: (1) the signs of developing or ongoing mental health issues for the attorneys and supervisor to be aware of; (2) the potential personal and professional consequences of ignoring mental health in the legal profession; (3) the benefits of timely addressing mental health issues; and (4) the resources available to attorneys to address their mental health issues.

Moderator:

- Jacquesline Walker, LICAW

Panelists:

- Pedro Torres-Diaz, Partner, Jackson Lewis
- Michelle Thomas, Senior Counsel – Employee Benefits, Kaiser Foundation Health Plan
- Quang Trang, Associate General Counsel-Employment Counsel, Allina Health

Broad Topics for Panelists (whether you experience it yourself, observed as a manager or team leader, or know anecdotal stories to be discussed throughout powerpoint presentation via Moderator Q&A):

1. What do anxiety and depression look like in the legal profession? Mental health for attorneys of color?
 - Discuss different ways it manifests, whether its mentally or physically.
 - Discuss how anxiety and depression are managed, either by the person experiencing them or by a manager assisting the afflicted person.
 - Discuss how anxiety and depression, or the management thereof, impact work and being a firm/company citizen
 - Note statistics:

- 1/3 of adults exhibiting signs of generalized anxiety disorder; 1/4 exhibiting signs of major depressive disorder
- Between 50-70% of remote workers report feeling burned out
- Use of alcohol, anti-anxiety medications, antidepressants and sleep aids are increasing
- Attorneys in the US have higher rates of problematic drinking and mental health problems than the general population
- Younger, less experienced lawyers in private firms have higher levels of distress symptoms than their older, more experienced peers
- Lawyers don't seek help for their behavioral health problems because they fear someone will find out and it will discredit them and possibly affect their license.
- Law School research seems to demonstrate similar themes.

2. What are the causes or triggers?

- The triggers can be very different from individual to individual. Discussion of this topic by the panelists will likely show that triggers can be different.
- Have the panelists managed the triggers somehow rather than only addressing the symptoms?
- For the person who is a manager, what have been known or discussed or observed to be triggers or even breaking points?

3. Solutions/Lessons

- Discuss how prevalent the problem is, especially in the wave of burn-out and quiet quitting.
- Discuss anecdotes of breaking points and the consequences of breaking points
- Anxiety and depression cannot be "cured" or avoided entirely. Discuss how the "breaking point" can be avoided or mitigated
- Discuss experiences