Can We Finally Talk About The Elephant In the Room? Mental Health Of Lawyers

The ABA has partnered with Hazelden to study the rates of substance use and other mental health concerns among lawyers, and its findings were reported in the Journal of Addiction Medicine. (See the full study attached.)

12,825 attorneys participated in this study and completed surveys, assessing alcohol use, drug use, and symptoms of depression, anxiety, and stress.

None of the findings should surprise anyone. Lawyers are drinking too much, struggling with substance abuse, and suffering from depression, anxiety, and stress.

Here are the findings:

Substantial rates of behavioral health problems were found, with 20.6% screening positive for hazardous, harmful, and potentially alcohol-dependent drinking. Men had a higher proportion of positive screens, and also younger participants and those working in the field for a shorter duration (P < 0.001). Age group predicted Alcohol Use Disorders Identification Test scores; respondents 30 years of age or younger were more likely to have a higher score than their older peers (P < 0.001). Levels of depression, anxiety, and stress among attorneys were significant, with 28%, 19%, and 23% experiencing symptoms of depression, anxiety, and stress, respectively.

Younger Lawyers Are More Likely To Abuse Alcohol

Interestingly, the study suggests that younger lawyers or junior associates are more likely to abuse alcohol than older attorneys — senior associates, junior partners, and senior partners.

Our findings represent a direct reversal of that association, with attorneys in the first 10 years of their practice now experiencing the highest rates of problematic use (28.9%), followed by attorneys practicing for 11 to 20 years (20.6%), and continuing to decrease slightly from 21 years or more. These percentages correspond with our findings regarding position within a law firm, with junior associates having the highest rates of problematic use, followed by senior associates, junior partners, and senior partners.

Twenty-three percent of those surveyed reported that "their alcohol use has been a problem" and 44% "indicated that the problem began within the first 15 years of practice."

The majority of those with problematic alcohol use were under the age of 40 — the "highest rates of problematic drinking were present among attorneys under the age of 30 (32.3%), followed by attorneys aged 31 to 40 (26.1%)."

Lawyers Suffer From High Rates of Depression, Anxiety, and Stress

"61% reported concerns with anxiety at some point in their career and 46% reported concerns with depression." Not surprisingly, those who suffer from depression, anxiety, and stress are also likely to abuse alcohol: "[o]ur study reveals significantly higher levels of depression, anxiety, and stress among those screening positive for problematic alcohol use." There is an obvious reason for this correlation. As stated in the study, "ubiquity of alcohol in the legal professional culture certainly demonstrates both its ready availability and social acceptability, should one choose to cope with their mental health problems in that manner."

Now… About That Elephant

Again, these numbers are nothing new. Decades of research has consistently reported the higher prevalence of suicide, alcohol/drug abuse, depression, stress, and anxiety among lawyers when compared to other professionals, including doctors. Yet, shockingly, there is little if any efforts to have an open dialogue about these issues.

Last year, as I traveled around to over a dozen states to talk about wellness and mindfulness in the legal profession, one consistent theme that came up repeatedly was the deep feelings of shame and isolation from those who are suffering from these issues. Isn't this ironic? That despite all the studies which shows some very high percentage of lawyers suffer from depression and substance/alcohol abuse that there isn't more being done to help them?

There is, of course no singular, one-size-fits all solution for this complex issue. However, there are things we can all do to contribute to improvements of the status of mental health in the legal profession.

1. Start a dialogue. You — yes, you — can start to move the needle towards fostering a healthier legal profession by creating a space for these discussions to take place. If you are a member of your local bar association, suggest wellness workshops or a support group for those who are struggling. Similarly, law firms can form wellness committees to start talking about the damn elephant in the room.

2. Gather data. I recently started working with a Biglaw firm to start a wellness program. My first question was, have you surveyed your employees about the status of your workforce's mental, emotional, and psychological health? What type of programs are most desired? Data is also important for measuring the effectiveness of the programs.

Without asking such questions, without engaging those people who will be participating in the programs, the program is likely to fall flat. You need buy-in from not only senior management, but also the associates, the legal assistants, paralegals — everyone at the firm.

3. Value your own well-being and the well-being of your workforce. Your own health — physical, emotional, and psychological health — is one of your most important assets. This requires consistent effort and attention. Stressful times are inevitable in law practice but our mind and body can only handle so much chronic stress before getting ill.

For law firms, your employees are certainly one of your most valued assets. What are you doing to ensure the wellness of your team? How about making small changes and adjustments such as offering yoga, meditation, mindfulness or other programs geared towards wellness rather than that open bar at the next firm retreat?