

ENDING THE LAWYERS' EPIDEMIC OF DEPRESSION AND SUBSTANCE ABUSE DISORDERS

We know lawyers are especially vulnerable to depression, suicide and substance abuse disorders. But why is that? And once we know why, what can we do about it?

A commentator recently asked the question "Does the way that lawyers are encouraged to think and work make them vulnerable to depression?" She answers the question by starting with the obvious answers, including long hours, heavy workload, and less job security. But as she points out, there must be something more insidious at work.

First, she reminds us that lawyers are trained, and often temperamentally inclined, to analyze and pick apart the issues. However, we then turn that instinct to criticize inward. As she suggests, "while a bit of self-analysis can be healthy, brooding on your mistakes can be profoundly self-destructive."

Further, she says that the "prevailing culture of 24/7 availability only makes matters worse." And then there is the unwritten expectation that lawyers should put their work and firm first. The author concludes that if we are predisposed to depression anyway or suddenly face extra personal or professional pressures, "the way we're encouraged to think and work can be a real problem."

Psychologists have suggested that lawyers are more prone than other professions to depression because of two personality traits: perfectionism and pessimism. The legal profession attracts perfectionists and rewards perfectionism. Perfectionism drives us to excel in college, in law school, and on the job. But, perfectionism can have a dark side which can lead to a chronic feeling that "nothing is good enough." When we make the inevitable mistake, perfectionism magnifies the failure. (Lynn Johnson, Stress Management, Utah State Bar Journal, January/February 2003.)

Dr. Amiram Elwork, in his work "*Stress Management for Lawyers*," agrees that perfectionism is rewarded in both law school and the practice of law. However, perfectionism can lead to negative thinking such as "if I don't do it perfectly, I'm no good; it's no use; I should just give up" or "I have to do it perfectly and I can't quit until it's perfect." Such thinking can lead to depression. ("Depression is Prevalent Among Lawyers - But Not Inevitable," *The Complete Lawyer*, 12/2/08, Susan Daicoff)

In addition to attracting perfectionists, the legal profession also attracts pessimists. Recent studies have shown that in all graduate school programs in all professional fields except one, optimists outperform pessimists. The one exception: law school. Pessimism helps lawyers excel by making us skeptical of what our clients, our witnesses, opposing counsel, and judges tell us. It helps us anticipate the worst and thus prepare for it. However, pessimism can be bad for our health, as it can lead to stress and disillusionment, making us vulnerable to depression.

So how can lawyers can avoid these problems and achieve a balanced life and fulfillment in the practice of law?

In 2003, the ABA published a book, *Lawyer Life – Finding a Life and a Higher Calling in the Practice of Law*, written by the Honorable Carl Horn, III, a former U.S. Magistrate Judge in North Carolina, now in private practice in Charlotte, North Carolina. After examining the profession and its various problems, Judge Horn set forth “12 Steps Toward Fulfillment in the Practice of Law,” which is based on choices that the individual lawyer can make to enhance professional fulfillment.

1) Face the Facts

Do you feel good where you are professionally and personally, and where your life appears to be going? Let honesty be the rule here. Lawyers who do not ask these kinds of questions, who fail to engage in periodic introspection, are more likely to experience what has been described as “the lingering feeling of emptiness despite material success.”

2) Establish Clear Priorities

Lines must be drawn beyond which we are not willing to go, at least not on a regular basis. Make time with your family a top priority, and be sure your schedule reflects it. Clearly, making enough money should be a priority. However, the proper priority, in a balanced life, that should be given to making enough money, must not be a license for workaholism.

3) Develop and Practice Good Time Management

There are five areas in which many lawyers could begin to make significant progress simply by paying close attention. These include better planning; minimizing interruptions by phone or in person; more careful scheduling and planning of meetings; mastering the paper flow; and more thoughtful and efficient delegation. If you live by the rule that the way to get things done right is to do it yourself, get over it. The time and energy you alone have to give, can and will soon run out. What you can accomplish by the thoughtful and efficient delegation to others is significantly less limited. Anything that can be done by others, should be done by them. Those who learn to delegate effectively, will free up many of their own hours and see their productivity significantly rise.

4) Implement Healthy Lifestyle Practices

There is a positive correlation between lawyers who self-reported a sense of subjective well-being and those who engaged in certain practices that are deemed “healthy.” Those practices include regular exercise, attending religious services, personal prayer, hobbies, engaging in outdoor recreation, pleasure reading, and taking weeks of vacation. Lawyers with other serious interests, those who successfully resist the “all work and no play” syndrome, also consider themselves the happiest.

5) Live Beneath Your Means

Unless we actively struggle against it, we will find ourselves engaging in consumer spending that severely limits our ability to choose a healthier, more balanced life.

6) Don't Let Technology Control Your Life

How we do this is something each individual must work out. Some get up early and work, either at home or in their offices, so they can have dinner with their families most evenings. Others decline to carry cell phones or check email or voicemail much of the time they are away from the office. Whatever our strategy, the core objective is the same: to establish boundaries that prevent technology from controlling our lives.

7) Care About Character – And Conduct Yourself Accordingly

We must strive to conduct ourselves honorably, which means refusing to lie, cheat or steal, however much pressure we are under, or however profitable the wrong choices may appear to be. If we care about our character, and conduct ourselves accordingly, we will be able to sleep well at night.

8) “Just Say No” to Some Clients

Sometimes we should “just say no” to some clients. Enough said.

9) Stay Emotionally Healthy

We must seek a healthy balance between our rational, cognitive sides, on the one hand, and our feelings, emotions, heart and imagination on the other. We must pursue balance not only in how we spend the limited hours of our lives, but also between our outer and inner selves.

10) Embrace Law as a “High Calling”

Judge Horn says we must reaffirm ideals that transcend self-interest, including our individual and profession-wide commitment to the common good. We should not be afraid to make value-based decisions or give advice surrounded in moral conviction. In short, if we are to find fulfillment in the practice of law, we must embrace law as a high calling.

11) Be Generous With Your Time and Money

The primary point here is fairly selfish, that being generous with our time and money will make us feel better about our profession and our lives generally. Those who have been revered for their wisdom and empathy are often people who believed that the very purpose of life is to be of service to others.

12) Pace Yourself for a Marathon

The challenges set forth by Judge Horn are those with which we can expect to struggle for the rest of our lives. Thankfully, they are not impossible struggles and if we diligently take these steps, we can realistically expect to move closer to our goal of finding balance, success and fulfillment in the practice of law.

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