



# Mental Health and Lawyers: Signs, Policies, Problems and Self-Care

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# Mental Health and Mental Illness

Everyone at some point in his/her life experiences feelings of isolation, loneliness, emotional distress or disconnection...

...these are normal,  
short-term  
reactions to  
difficult situations.



In some cases, however, the duration and intensity may interfere seriously with everyday life.

This is when it turns into a **mental illness**.



# Mental Illness in the Workplace

- **51%** of employees kept quiet about their mental illness
- **43%** of Canadians know a colleague with a mental illness
- **66%** of employees say they do not have the tools at work to help with mental illness
- **44%** of Canadians have coped with a mental health problem such as extreme stress, depression, substance abuse or schizophrenia

*- from the 2007 CMHA and Desjardins Financial Security National Mental Health Week Survey*

*- from the Conference Board of Canada study, 2012*



# Challenges for Lawyers

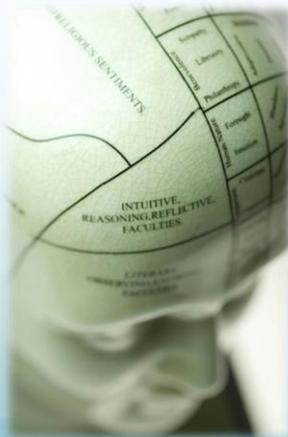
- Lawyers, law students, and judges may face certain challenges or stressors unique to their work that enhance their vulnerability for mental health problems.
- For example, many lawyers refer to difficulties in achieving work-life balance and to long work hours as being key drivers to dissatisfaction about their jobs.



# Main categories of mental illness

Mental illness can take many forms including:

1. Mood disorders (e.g. depression, bipolar disorder)
2. Anxiety disorders (e.g. obsessive-compulsive disorder, phobias, post-traumatic stress disorder)





# 1. Mood disorders

- Mood disorders are a group of psychiatric diagnoses whereby a person's mood is disturbed causing severe impairment to daily living
- The most common of the mood disorders is depression
  - 10% to 25% of women experience major depression at some time in their lives
  - Men also experience depression but when they are feeling depressed, they may deal with it differently than women, by using alcohol or other substances



# Depression

- Severe and persistent symptoms of:
  - Low mood
  - Apathy/Fatigue
  - Hopelessness
  - Poor sleep
  - Lack of appetite or overeating
  - Inability to enjoy what were once pleasurable activities

**8%**  
**prevalence**  
**among**  
**Canadian**  
**adults**



# Bipolar disorder

- Also known as manic-depressive illness
- Characterized by manic episodes (overly joyful or overexcited state) and depressive episodes (extremely sad or hopeless state)
- These episodes cause unusual shifts in mood, energy, activity levels and the ability to carry out day to day tasks

1%  
prevalence  
among  
Canadian  
adults





## 2. Anxiety disorders

- The most common form of mental illness characterized by worry and fear
- There is a wide variety of anxiety disorders:
  - Generalized Anxiety Disorder
  - Panic Disorder
  - Post-Traumatic Stress Disorder
  - Obsessive-Compulsive Disorder
- Each disorder has different symptoms, but all cluster around excessive, irrational fear and dread

**5%**  
**prevalence**  
**among**  
**Canadian**  
**adults**



# Signs of Anxiety

- Restlessness, feeling on edge
- Irritability
- Being easily tired
- Difficulty concentrating / mind going blank
- Muscle tension
- Sleep disturbance
- Shortness of breath/Nausea
- Chest pain
- Dizziness or feeling unsteady on one's feet
- Feelings of losing control



# Alcohol or Other Substance Use

- For 60% of Americans, average alcohol consumption is less than one drink per week. Conversely, for 20% of Americans, average alcohol consumption is more than one drink per day. Health Canada defines "**low-risk alcohol drinking**" as being "no more than 10 drinks a week for women, with no more than 2 drinks a day most days and no more than 15 drinks a week for men, with no more than 3 drinks a day most days." In the most recent year for which Canadian statistics are available, 17% of men and 12% of women exceeded these guidelines.
- Alcohol abuse, in particular, is more prevalent in the legal profession than in the general population



# Reasons for Substance Abuse

- Reduce anxiety;
- Satisfy an urge or craving;
- Tranquilize painful emotions;
- Alleviate distress; or
- Provide an escape.



# Self-Harm

- A word about self-harm and suicide...

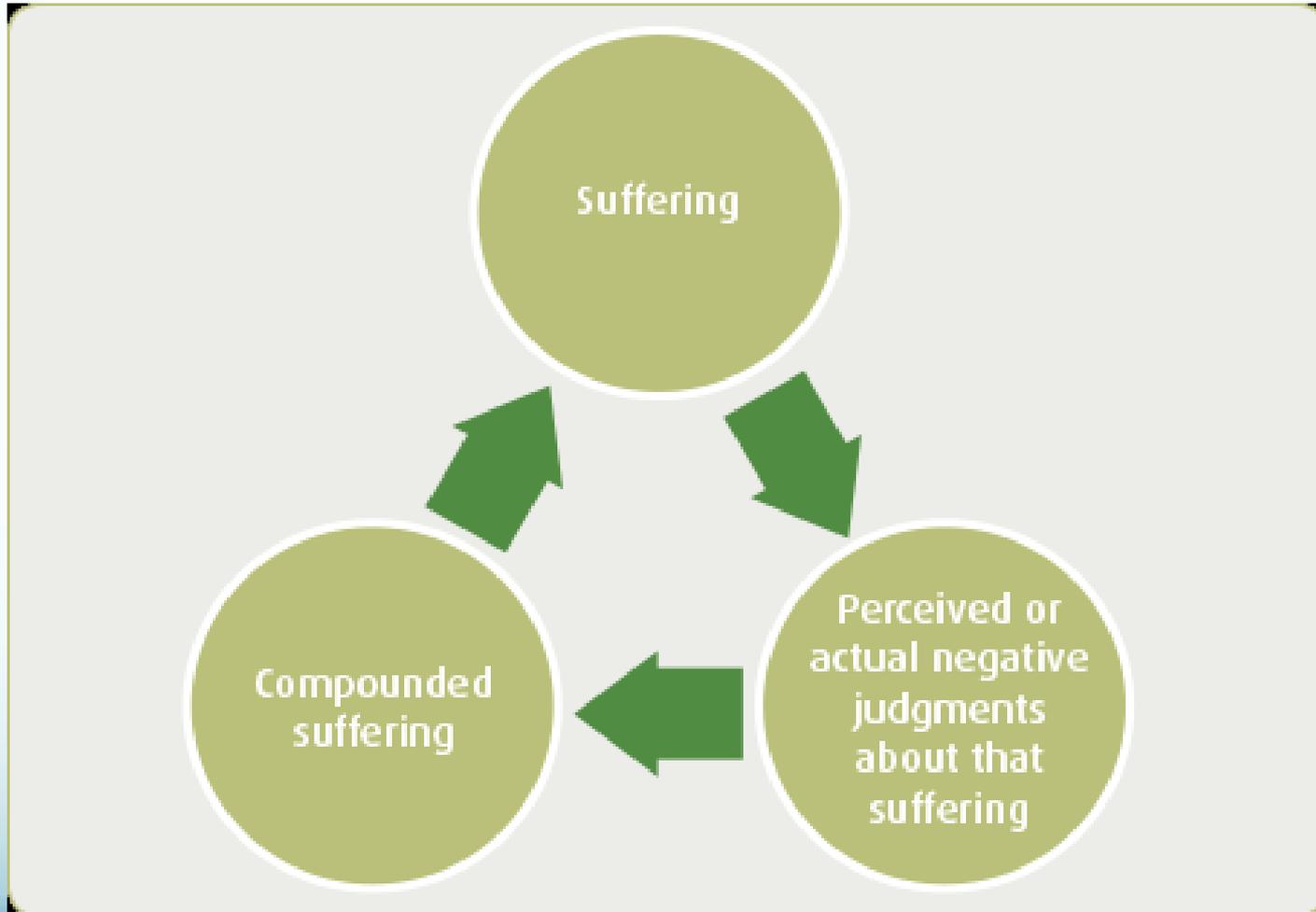


# Stigma in the Legal Profession

- In addition to the specific difficulties associated with mental illness or addiction, the phenomenon of *stigmatization* of those with mental illness or addiction adds an additional layer of distress for the individual.
- Stigmatization also makes it less likely that the individual in distress will reach out and seek help to alleviate that distress.



# Stigma in the Legal Profession





# Stigma in the Legal Profession

Labeling	Stereotyping	"Us" vs. "Them"		
<ul style="list-style-type: none"><li>Labeling of the person with mental illness as different, e.g., as 'crazy'</li></ul>	<ul style="list-style-type: none"><li>Negative stereotyping by linking 'difference' with undesirable characteristics and fears such 'violent' and as 'dangerous'</li></ul>	<ul style="list-style-type: none"><li>'Othering' by creating "them" (the labeled person) and "us" categories (the "normal" person)</li></ul>		
<th data-bbox="537 793 948 896">Discrimination</th>		Discrimination	<th data-bbox="962 793 1373 896">Power dynamics</th>	Power dynamics
<ul style="list-style-type: none"><li>Status loss, blame and discrimination of the labeled person</li></ul>		<ul style="list-style-type: none"><li>creation of power dynamics in which power is experienced by the labeled person's ability to access to key resources, such as employment opportunities and social networks/institutions</li></ul>		



# Stigma in the Legal Profession

Legal professionals, in particular, are susceptible to stigmatization. For example, they can be stigmatized by:

- colleagues
- employers and supervisors
- friends
- family
- prospective or current clients
- society at large
- themselves



# Stigma in the Legal Profession

- By virtue of their professional training and position, legal professionals are expected to have many personal attributes



- Any perceived vulnerability is viewed as 'failure', while, in fact, one can have many of these attributes and simultaneously suffer with a mental illness or addiction.



# Avoidance of Help Due to Stigma

- A core stigmatization challenge faced by legal professionals is the perception that they are the only or one of the only members of the profession dealing with their particular issue. This induces shame, fear of exposure, and avoidance of help – the “Lone Sufferer Myth”
- Stigma can be effectively combated through participation in group and individual psychotherapy, seeking out peer support through lawyer assistance programs, law societies or other organizations and by talking to someone – the key is the eradication of the isolation and myopia which results from the avoidance of disclosure of individual distress.



# What Firms Can Do

- Foster a *culture of support and empathy*, including mentorship, peer support and open conversations about these issues, supported and promoted by firm leadership at the highest levels.
- Maintain a *healthy workplace*, including a good faith effort to address lawyers' work-life balance.
- *Educating leadership and staff* about mental illness and addiction, including supports available eg. EAP, lawyer assistance programs, etc.



# Options for Recovery

**Here are some common, effective approaches to recovery:**

- Psychotherapy and/or counselling (psychiatrists, psychologists, counsellors, social workers)
- Medication – prescribed by physician and psychiatrist
- Alternative methods (self-help groups, nutritionist, naturopath, physical exercise, yoga, meditation, spirituality)
- Community Support Services (Canadian Mental Health Association)
- Peer Support
- Lawyer Assistance Programs





# Pro-Active Self-Care

## Good Sleep Hygiene

- Comfortable sleep environment
- Follow a regular schedule
- Sleep when sleepy
- Get up & try again
- Avoid stimulants
- The bed is for sleeping
- Eat a healthy diet and exercise



# Pro-Active Self-Care

## Healthy Eating and Exercise

- Reduces side effects of psychiatric medications, improves cognition, promotes better self-management of mental health conditions, and improves overall occupational, social, and psychological functioning.
- Aerobic exercises (including jogging, swimming, cycling, walking, gardening, and dancing) have been proven to reduce anxiety and depression.
- Alleviates symptoms such as low self-esteem and social withdrawal and increases endorphins in the brain which, in turn, increase the individual's sense of well-being.



# Pro-Active Self-Care

## Incorporate A Daily Mindfulness Practice

- Reduce stress and anxiety
- Respond vs. React
- More happiness
- More compassion
- Better listening skills



# Pro-Active Self-Care

## Try this:

- Seat yourself comfortably. Make sure to sit upright, with shoulders back and both feet firmly on the ground.
- Set a timer for one minute.
- Breathe in and out. Simply pay attention to the sensation of the breath as it goes in and out of your body. You'll soon notice that your attention has drifted away from the breath. When you notice this, reset and come back to the breath. Reset to the breath as many times as you need to.



# Pro-Active Self-Care

## Other Types of Mindfulness Practice:

- Progressive Relaxation
- Therapeutic massage
- Increasing the time devoted to your mindfulness exercise
- Guided meditation
- Meditation in motion



# Pro-Active Self-Care

## Pursue Personal Fulfillment:

- In a study of lawyers and happiness, it was found that lawyer and law student priorities were often “confused or misplaced.” Money and prestige, factors typically given the greatest weight, were marginally correlative with lawyer happiness and satisfaction. On the other hand, psychological needs and motivation, which are factors given short shrift in law school, strongly predicted ultimate lawyer happiness and satisfaction.



# Pro-Active Self-Care

## Practice Gratitude:

- Professor Martin Seligman, the pioneer of Positive Psychology, describes lawyers as having a “pessimistic explanatory style.” They tend to attribute the causes of negative events as permanent and comprehensive. Lawyers can benefit from pessimism as, for instance, when they examine a contract in search of loopholes or vulnerabilities. Lawyers are also tasked with foreseeing every negative outcome that may occur.



# Pro-Active Self-Care

- Research shows that consistently grateful people are happier, more energetic, more hopeful, more helpful, more empathic, more spiritual, more forgiving, and less materialistic. They're also less likely to be depressed, anxious, lonely, envious, neurotic, or sick.
- 50% of happiness is based on a genetic set point, something not prone to influence, 10% is based on life circumstances (such as fulfilling work, the state of one's health, etc.), and 40% is "intentional activity" that we can influence with our behavior.
- The practice of gratitude is a powerful, scientifically verified means of positively affecting the 40% of our happiness which we can affirmatively influence. It is an antidote to pessimism and the outsized focus on negative circumstances.



# Pro-Active Self-Care

## Social Supports:

- Taking the time to talk with friends or family may sometimes seem like an unaffordable luxury, but maintaining social outlets:
  - Enhances one's sense of connectedness;
  - Provides a source of support and encouragement;
  - Provides access to others' ideas and potential solutions;
  - Helps to maintain personal balance



# Pro-Active Self-Care

## Other Self-Care Ideas:

- Reduce or eliminate drug intake
- Maintain healthy boundaries
- Take vacations
- If spiritual, practice regularly
- Delegate
- Be civil
- Utilize technology
- Organize your workspace
- Eat Lunch



Thank you!