

# 1 THE IMPAIRED LAWYER

To be truly free, we must choose beyond simply surviving adversity, we must dare to create lives of sustained optimal well-being and joy. In that world, the making and drinking of lemonade will be a fresh and zestful delight, a real life mixture of the bitter and the sweet, and not a measure of our capacity to endure pain, but rather a celebration of our moving beyond pain.  
—bell hooks<sup>1</sup>

In Linkin Park's aching anthem "One More Light," the chorus mourns, "[W]ho cares if one more light goes out."<sup>2</sup> Lead singer Chester Bennington took his own life on July 20, 2017, a day that should have been the fifty-third birthday of his friend and fellow musician Chris Cornell, who had committed suicide on May 18, 2017. Both musicians were creating new music and performing on tours delighting their fans, yet both had a history of depression and addiction.<sup>3</sup> In popular culture, we tend to think that anxiety, depression, and substance abuse are afflictions of creative artists who pour out their histories and hardships on canvas and stage. Failure to thrive is not limited to artists, and there are many ways to extinguish a person's light.

## THE SUMMARY

The extreme socialization process of becoming a lawyer may snuff out the ideals, goals, and values of enthusiastic new law students. The intense workload, the expectation of 24/7 connectivity, and the lack of work-life balance in legal practice might suffocate the lawyer trying mightily to help clients achieve their goals. These characteristics of the

law school and legal practice cultures can have devastating consequences for the well-being of law students and lawyers.

The pressure during law school can devolve well-adjusted students into anxious and depressed zombies, and it happens as early as the first semester.<sup>4</sup> Compared to other graduate student populations, they are less fulfilled and they handle the culture of intense competition by binge-drinking more often and using more marijuana than other graduate students. Fatigue, apprehension of failure, and increased anxiety and depression can result.

The culture of legal practice is not an improvement due to the steep billable hour requirements and responsibility for client outcomes. Lawyers suffer from anxiety and depression at higher rates than the general population, and they are at the greatest risk of suicide among professionals, behind only those in the medical field. Alcohol misuse is a significant problem, with one study finding that 20% of lawyers are problem drinkers and another revealing that 46% of male and 60% of female attorneys abuse alcohol. Lawyers in the first ten years of their career have the most problematic drinking habits.

The lawyering culture, featuring extreme stress, intense competition, and overwork, can drive lawyers to succumb to mental and physical health problems. Neuroscience and psychology research explains how the damage happens and provides recommendations to help lawyers recover their well-being and cognitive capacity.

## THE SCIENCE

### AMERICAN LAW STUDENTS AND LAWYERS

Students enter law school with the dream of contributing to social justice enterprises, reform endeavors, entrepreneurial ventures, and legislative and administrative law efforts. They become leaders in the legal system, politics, governance, business, finance, nonprofit management, news media, entertainment, and philanthropy. But many cannot escape the personal damage that is done by legal education and law practice cultures.

Law students are among the “most dissatisfied, demoralized, and depressed” of all graduate students in the United States.<sup>5</sup> These students do not start their legal education with these problems. Students often begin law school with higher-than-average mental health and life satisfaction indicators, but during the 1L year, many students experience an increase in anxiety and depression.<sup>6</sup> “Something distinctly bad is happening to the students in our law schools,” states law professor and researcher Lawrence Krieger, and igniting the lawyer well-being crisis is one consequence.<sup>7</sup>

The stresses of attending law school are well known. Law schools define student success in terms of grades, class rank, and selection for work on law journals. Students are introduced to “these prizes” as early as orientation, creating an acute pressure to compete.<sup>8</sup> Students surveyed about their prevailing impressions of their 1L year cited exhaustion, anxiety, and stress. They were particularly worried about final exams, their grades, and the potential for failing out of law school.<sup>9</sup> While some students may enjoy law school, many state that the workload, competition, and grades create significant stress.<sup>10</sup> Douglas Litowitz argues that rather than a transformative educational experience, law school is a “hazing ritual” that traumatizes and breaks people: “When I say that law school *breaks* people I mean that almost nobody comes out of law school feeling better about themselves, although many come out much worse – caustic, paranoid, and overly competitive.”<sup>11</sup>

Law professors describe students as the walking wounded, gradually becoming insecure and disheartened. The context in which law students are educated prompts a “single-minded focus on competitive achievement.”<sup>12</sup> Students become fixated on grades as the only means to credential their legal career, marginalizing the importance of learning legal skills and developing domain expertise. Those who cannot meet their grade point average objectives can become disengaged.

Stressed-out law students may choose to self-medicate in order to cope with stress. In a 2014 study of over 11,000 students from fifteen different law schools, researchers discovered that:

- 53% had consumed sufficient alcohol to become drunk within the past thirty days, compared to 39% of other graduate students;

- 43% had participated in binge-drinking once in the previous two weeks, compared to 36% of other graduate students, while 22% had been binge-drinking twice in that time period, compared to 21% of other graduate students;
- 25% had used marijuana in the past year, compared to 14% of other graduate students, and 14% had used marijuana in the past month, compared to 7% of other graduate students;
- 12% were prescribed anxiety medications, 12% antidepressants, 13% stimulants, and 15% pain medication; and
- 14% used medications without a prescription, with stimulants being used the most by 9% of respondents.<sup>13</sup>

In addition:

- 37% of the students screened positive for anxiety,
- 17% were suffering from depression, and
- 27% were dealing with an eating disorder.<sup>14</sup>

Between July 2014 and February 2015, seven law students and one law professor committed suicide.<sup>15</sup>

In May 2014, students at Yale Law School were surveyed and 70% of the 296 respondents reported experiencing mental health issues during law school. While 80% of the respondents considered seeking treatment, only 50% actually received help, even though they reported that their academic performance and personal relationships were impaired due to their mental health challenges.<sup>16</sup>

The mental health and substance use issues of law students do not improve when they enter law practice. In a 2015 study of 12,825 attorneys practicing in nineteen states, 23% experienced stress, 19% had anxiety, and 28% suffered from depression. This research also revealed that 20.6% of these employed lawyers could be classified as problem drinkers, compared to 11.8% of other highly educated professionals. Lawyers working in law firms and those in the first ten years of legal practice experienced the highest levels of problem alcohol use. Of participants who had reported using other substances in the prior twelve months, 16.9% used tobacco, 15.7% sedatives, 10.2% marijuana, 5.6% opioids, and 4.8% stimulants. However, for the lawyers in the group that used these substances, the weekly use of

stimulants was 74.1%, sedative use was 51.3%, tobacco 46.8%, marijuana 31%, and opioids 21.6%.<sup>17</sup>

Among professionals, lawyers rank fourth in suicide rates, behind dentists, pharmacists, and doctors, and many recent lawyer suicides are linked to depression.<sup>18</sup> Females in the legal profession rank second in suicide rates, behind female first responders.<sup>19</sup>

Recognizing a lawyer well-being crisis, the American Bar Association (ABA) formed a National Task Force on Lawyer Well-Being.<sup>20</sup> The comprehensive task force report, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, was released on August 14, 2017.<sup>21</sup> The report acknowledges the legal profession's mental health and substance use problems and promotes making changes to the cultures in which law students are educated and lawyers practice law.<sup>22</sup>

*The Path to Lawyer Well-Being* provides five key themes to inspire action to improve the lawyer well-being crisis. The legal profession must:

1. identify stakeholders and reduce toxicity in the profession;
2. eliminate the stigma associated with help-seeking behaviors;
3. emphasize that well-being is part of a lawyer's duty of competence;
4. educate lawyers, judges, and law students on lawyer well-being issues; and
5. take steps to change how law is practiced, instilling greater well-being in the profession.<sup>23</sup>

*The Path to Lawyer Well-Being* provides general recommendations for all stakeholders and then offers specific recommendations for judges, attorney regulators, legal employers, law schools, bar associations, professional liability carriers for lawyers, and lawyer assistance programs.<sup>24</sup> These universal recommendations emphasize taking responsibility for the crisis, destigmatizing lawyer well-being problems and efforts to get help, providing well-being training to all stakeholders by experts in the field, mentoring aging and suffering lawyers, and discussing suicide risk and prevention.<sup>25</sup>

*The Path to Lawyer Well-Being* provides three reasons to address the lawyer well-being crisis: to enhance the effectiveness of legal organizations; to improve the professional and ethical behavior of lawyers; and

to help individual lawyers flourish. Well-being is defined as the continuous effort to thrive in each of the physical, emotional, intellectual, occupational, social, and spiritual domains of their lives.<sup>26</sup> The report appeals to leaders within each stakeholder group, urging a shift from neglect to action and a transformation of the culture.<sup>27</sup>

*The Path to Lawyer Well-Being* recommends that law schools:

- identify organizational practices that may contribute to well-being problems and assess changes that can be made;
- educate the faculty on well-being issues in the legal profession;
- provide a well-being curriculum to students;
- survey student well-being anonymously;
- promote student resources that address mental health and substance use disorders;
- facilitate networks to support students in recovery; and
- discourage alcohol-centered social events.<sup>28</sup>

*The Path to Lawyer Well-Being* recommends that legal employers:

- provide professional development on lawyer well-being issues;
- establish organizational infrastructure, policies, and practices to promote lawyer well-being; and
- establish leadership standards and incentives to promote lawyer well-being.<sup>29</sup>

Research conducted since the release of *The Path to Lawyer Well-Being* demonstrates that well-being in the legal profession has not yet improved. A mid-2020 study examined stress, substance misuse, and attrition. Participants were recruited from three attorney organizations: the State Bar of California, the California Young Lawyers Association, and the Washington, DC Bar. Data from 2,863 lawyers (51% female) showed:

- Overwork is a problem, with 67% of both women and men reporting heavy workloads, typically over forty hours per week.
- Women were more overcommitted than men, and women had to exert more effort than men to receive workplace rewards.
- A significantly higher number of women than men engaged in risky drinking (55.9% of women and 46.4% of men) and hazardous alcohol consumption (34.0% of women and 25.4% of men).

- More women (25%) than men (17.4%) had considered leaving the legal profession due to burnout or mental health concerns.
- Younger lawyers are two to four times more likely to report moderate or high stress compared to older attorneys.

The study suggested that law schools should better prepare law students for the demands of practice, and stakeholders in the legal profession should develop training, resources, and mitigation strategies for lawyers in practice.<sup>30</sup>

To assess the impacts of the COVID-19 pandemic on legal practice, the ABA deployed the Practice Forward ABA Member Survey between September 30 and October 11, 2020. Over 4,200 ABA members completed the survey. Participants were 81% White, 15% people of color, and 4% did not identify their race; 54% were male, 43% female, and 3% nonbinary or did not respond; 6% reported a disability; and about 67% were in private practice. Compared to a year before the study, which was fall 2019, participants reported:

- feeling overwhelmed by all their responsibilities (46% overall, 38% of men, and 60% of women);
- having trouble taking time off from work (43% overall, 37% of men, and 57% of women);
- feeling the day never seems to end (41% overall, 32% of men, and 57% of women);
- experiencing stress from their work (40% overall, 34% of men, and 52% of women); and
- thinking it would be better to stop working (33% overall, 31% of men, and 37% of women).<sup>31</sup>

The 2020 National Asylum Attorney Burnout and Secondary Traumatic Stress Survey, which collected data from 718 asylum lawyers, revealed the strain caused by representing low-income clients in an evolving area of law under continuous adverse government and public scrutiny. These lawyers reported high rates of burnout and secondary traumatic stress, with the highest levels occurring among female lawyers, lawyers of color, and solo practitioners.<sup>32</sup>

Lawyers practicing immigration and asylum law are working in a system described by this study as highly dysfunctional, racist, and

unjust. These lawyers are exposed to victims of trauma and their work has been under greater public scrutiny in recent years.<sup>33</sup>

Burnout can occur in work environments with the following characteristics:

- excessive workloads;
- high stress and low financial and/or emotional rewards;
- little to no respect or sense of community;
- inequity; and
- conflict between organizational objectives and individual values.

Secondary traumatic stress (STS) is “the natural consequent behaviors and emotions resulting from knowing about a traumatizing event experienced by a significant other – stress resulting from helping or wanting to help a traumatized or suffering person.”<sup>34</sup> Symptoms of STS are similar to those of PTSD and include sleep problems, fatigue, hypervigilance, irritability, anger, difficulty with concentration, and avoiding clients and their situations.<sup>35</sup>

The study found that female-identifying asylum lawyers experienced more symptoms of burnout and STS than male-identifying asylum attorneys. These results are consistent with other studies and may be due to bias, discrimination, and sexual harassment. The study also found that lawyers who identified as other than White/Caucasian (39 percent of the participants) experienced higher rates of burnout than those who identified as White/Caucasian. Three racial/ethnic groups reported higher rates of STS: Middle Eastern/North African, Asian/Pacific Islander, and mixed-race participants.<sup>36</sup>

The study recommends that law schools take the lead in training law students to be aware of the impacts of stress, trauma, and burnout and learn how to practice self-care. It highlights the work being done in clinical education on developing strategies to maintain well-being. And it recommends that legal organizations consider how they can better support lawyer wellness as a means to provide the most effective client representation and help individual lawyers “carve out a sustainable career.”<sup>37</sup>

As bar associations and law firms better understand how costly untreated mental health and substance use issues are for their attorneys, they will embrace resources and training to help their lawyers



recover.<sup>38</sup> Costs to firms include absenteeism, attrition, and lawyer disciplinary actions.<sup>39</sup>

Investments in lawyer wellness save money as every dollar spent on their well-being saves \$3.27 in medical costs and \$2.73 by reducing absenteeism.<sup>40</sup> Clients will also benefit from improved lawyer well-being, as lawyer misconduct often involves substance use, depression, or both and results in high percentages of disciplinary and malpractice claims.<sup>41</sup>

According to Patrick Krill, “The law has always been a magnet for hard-working, self-reliant, and competitive people who often prioritize success and accomplishment far above personal health or wellbeing. On top of that, stress, unhappiness and imbalance abound, while unhealthy coping skills such as excessive drinking are the cultural norm.”<sup>42</sup>

While numerous surveys of law students and lawyers have shown high rates of mental distress, Professor Yair Listokin and Lawyer Raymond Noonan argue that collecting survey information from voluntary respondents is not the gold standard of empirical research. They reviewed data from the annual National Health Interview Survey, administered by the US Centers for Disease Control, involving 100–200 lawyers per year, which showed that lawyers who participated in this survey did not experience higher rates of mental illness than similarly educated professionals, but they did consume alcohol at twice the rate of other professionals. “Lawyers drink problematic amounts of alcohol at rates well in excess of their similarly educated peers.” The review also found that alcohol misuse is getting worse especially for lawyers under forty years of age. Finally, they state that their findings do not indicate that “mental illness is not a problem in the legal profession.”<sup>43</sup>

At a symposium on mental health and the legal profession, researchers Katherine M. Bender, David Jaffe, and Jerome Organ presented findings from a spring 2021 survey of over 5,000 law students from thirty-nine law schools. They found that binge-drinking rates were down from a 2014 survey they had conducted. They discovered that from 2014 to 2021:

- marijuana use in the previous thirty days had increased from 14% to 25%;
- anxiety had increased from 21% to 40%;

- depression had increased from 18% to 33%;
- frequency of suicidal thoughts had increased from 20% to 33% over their lifetime; and
- 11% had seriously considered suicide in the past twelve months, compared to 6% in 2014.<sup>44</sup>

## LAWYERS FROM AROUND THE WORLD

Studies on lawyer and law student well-being are limited to Americans up to this point. Research indicates that lawyers who practice in countries other than the United States suffer in similar ways.

The International Bar Association (IBA), established in 1947, has a membership of over 80,000 lawyers, 190 bar associations and law societies, and 200 law firms in over 170 countries. It published *Mental Wellbeing in the Legal Profession: A Global Study* in October 2021.

The *Mental Wellbeing* report indicates that there is a “global crisis in lawyer mental wellbeing.”<sup>45</sup> It acknowledges that legal practice is intellectually stimulating and rewarding, but sustained levels of high demands, including extreme workloads, high billable hour goals, intensified client expectations, and unsupportive workplace environments, expose lawyers to negative health consequences. The problems with lawyering culture, which lead to lawyer languishing and impairment, are similar all around the world.<sup>46</sup>

From July through December of 2020, the IBA conducted two global surveys: the IBA Survey of Individuals and the IBA Survey of Institutions. It collaborated with Acritas, a marketing research company, to make the online surveys available in English and Spanish. Both quantitative and qualitative data were collected from anyone in the legal profession not just IBA members. Over a period of five months, responses were received from 3,256 individuals and 186 institutions from 124 jurisdictions. The respondents were 56% female, 15% ethnic minority, and 3% disabled lawyers. The geographical areas represented were 42% Asia Pacific, 34% Europe, 11% North America, 9% Latin America, 7% Africa, and 2% Arab regions.<sup>47</sup>

Individual lawyers responded to another survey, the World Health Organization Mental Wellbeing Index (WHO-5), a five-item, validated self-assessment that spans a two-week period. A WHO-5 score below 52 percent indicates that a health professional should screen the respondent for depression and other mental health disorders. To provide perspective, scores from the 2012 European Quality of Life Survey ranged from 70.1% for Denmark to 53.7% for the Republic of Serbia. The average score for the IBA Survey of Individuals was 51%, with the lowest scores reported by women (47%), ethnic minorities (47%), lawyers with a disability (45%), and younger lawyers – twenty-three to thirty-nine years old (43%). These scores all fall below the 52% threshold of WHO-5 that calls for a mental health assessment. These data suggest a connection between mental well-being and issues with diversity, equity, and inclusion.<sup>48</sup>

Overall, 35 percent of respondents reported their work had a negative or extremely negative impact on their mental well-being. The most significant adverse factors were stress and workload. Other problems in lawyering culture include long hours, competing demands, inability to take breaks, unrealistic time pressures, unclear expectations, lack of feedback and support, and harassment or bullying.<sup>49</sup> These workplace problems result in lawyers who feel unable to perform (32%), feel unable to cope (32%), look for another job (31%), make a mistake (26%), nearly make a mistake (24%), and take time off (20%). The impact on lawyers' health included fatigue (57%), disrupted sleep (57%), anxiety (56%), emotional upset (44%), depressed thoughts (41%), negative physical health (31%), suicidal thoughts (6%), and self-harm (2%).<sup>50</sup>

While 82 percent of legal institutions stated that mental well-being is a priority, individual respondents reported that their workplaces were somewhat or highly ineffective at dealing with cultural problems that harm their mental well-being, such as lack of support (67%), harassment and bullying (66%), lack of feedback (58%), unclear expectations (57%), long hours (53%), unrealistic time pressures (48%), inability to take breaks (44%), and competing demands (36%).<sup>51</sup>

Individual lawyers are keen to see improvements in their workplace culture. They would like to see increased awareness of and openness around issues of well-being, as well as a culture that centers on mutual

respect and restricts poor behavior. They would like more resources to be devoted to professional support, such as therapy and mentoring, and wellness programs and social activities. They want better work–life balance; more opportunities for remote work; more effective workload allocation; and enhanced health benefits, vacations, sabbaticals, and parental leave.<sup>52</sup>

The *Mental Wellbeing* report concludes that market forces are driving legal practice into an unsustainable position worldwide, jeopardizing the mental well-being of individual lawyers, the recruitment of new members into the profession, the future of legal organizations, and the profession's response to the issues of societal diversity and equality.<sup>53</sup>

The *Mental Wellbeing* report proposes the following IBA Mental Wellbeing Principles for the Legal Profession:

1. Mental well-being matters because lawyer impairment is a global crisis.
2. Struggling with mental well-being is not a weakness.
3. Raising awareness is critical to eliminating stigma and improving lawyer well-being.
4. Commitment to regular assessment, and sustainable and systemic change, is imperative to address the crisis. Leaders must reform cultures and model healthy behaviors.
5. Collaboration on the development and adoption of policies that promote and protect mental well-being must be a priority.
6. Open dialogue and communication are necessary to support new well-being policies, foster systemic change, recognize and learn from mistakes, and create work environments that optimize mental well-being.
7. The focus must be on the structural and systemic aspects of the lawyering culture that are problematic for lawyer mental well-being (the competitive culture that promotes unsustainable workloads and billable hour goals; sexism, racism, bullying, and harassment; lack of mental well-being support, and poor management training, especially regarding professional growth and development), not on enhancing the resilience of individual lawyers.

8. The profession must acknowledge intersectionalities and recognize that issues of diversity, equity, and inclusion may be at the center of mental health struggles for lawyers with disabilities or who are younger, female, or ethnic minorities. These intersectionalities and issues must be understood and addressed.
9. Helpful practices must be shared, disseminated, and perpetuated to create healthy ways of working in the post-pandemic legal profession.
10. All constituents must continue to grapple with and discuss mental well-being issues, as well as learn from lawyer well-being experts and groups.<sup>54</sup>

A 2023 working paper of the National Bureau of Economic Research has revealed gaps in gender well-being in 167 countries. Compared to men, women reported experiencing more negative moods and fewer positive mood events; poorer mental and physical health and worse sleep; and less satisfaction with the state of democracy, the economy, and the availability of public services.<sup>55</sup>

The literature review in this paper cites recent research evidence of women feeling more “anxious, depressed, downhearted, tense, lonely, frustrated, sad” and experiencing greater distress and more restless sleep compared to men. Women are said to suffer from lower self-esteem, higher pulse rates, and more chronic pain compared to men, and the gender well-being gap appears as early as the start of adolescence. Research suggests some of the common reasons for the gender gap across numerous countries include gender inequality, access to fewer resources, lack of power, and exposure to violence.<sup>56</sup>

“We hypothesize that women express greater negative affect and lower positive affect on experiential dimensions of wellbeing because in their daily lives they face a world that, even today, is patriarchal – structured by men, for men.”<sup>57</sup>

In its Global Gender Gap Report 2023, the World Economic Forum reviewed the progress of efforts to close the gender gap across four dimensions: economic participation and opportunity; educational attainment; health and survival; and political empowerment. It has been tracking these dimensions for 122 countries since 2006, and currently includes 146 countries. Rated on a scale of 1–100, a country’s score represents the distance covered toward parity. The global

score for 2023 is 68.4%, with an improvement of only 0.3% from the previous year. If progress continues at its current rate, it will take 131 years to reach full global gender parity.<sup>58</sup>

The scores of the top ten countries in the 2023 report are:

1. Iceland – .912
2. Norway – .879
3. Finland – .863
4. New Zealand – .856
5. Sweden – .815
6. Germany – .815
7. Nicaragua – .811
8. Namibia – .802
9. Lithuania – .800
10. Belgium – .796

A sampling of other countries and their scores include:

11. Ireland – .795
15. United Kingdom – .792
18. Spain – .791
20. South Africa – .787
21. Switzerland – .793
23. Denmark – .780
26. Australia – .778
27. Chile – .777
30. Canada – .770
33. Mexico – .765
40. France – .756
43. United States – .748
60. Poland – .722
66. Ukraine – .714<sup>59</sup>

This research on gender indicates that people identifying as women may need more well-being support than those identifying as men.

We cannot afford the light of one more lawyer to be extinguished. Research discoveries in the fields of neuroscience and psychology can guide the legal profession toward a new paradigm of wellness. Lawyers and leaders in the legal field can learn about how our brains work, what impact stress has on our thinking and memory, how what we eat and

drink influence our brain function, and what habits and practices can enhance our well-being and performance.

The cultures of legal education and legal practice are well established and can be slow to change. Leaders must understand how a failure to flourish can harm individual lawyers and jeopardize legal organizations. The profession must move to safeguard the light of individual lawyers and create sustained and optimal well-being for lawyers.

What if you are not impaired by depression or substance misuse? If you are lethargic, unmotivated, or you feel your light barely flickering, are you mentally healthy? Are you languishing? If so, how big a problem is that? The research in Chapter 2 suggests it could be a significant well-being challenge.

## NOTES

- 1 bell hooks, “Moving Beyond Pain,” *bell hooks Books*, May 9, 2016, [www.bellhooksinstitute.com/blog/2016/5/9/moving-beyond-pain](http://www.bellhooksinstitute.com/blog/2016/5/9/moving-beyond-pain).
- 2 Brad Delson et al., “One More Light,” Linkin Park, *One More Light* album (2017).
- 3 TMZ, “Linkin Park Singer Commits Suicide by Hanging,” July 20, 2017, [www.tmz.com/2017/07/20/linkin-park-singer-chester-bennington-dead-commits-suicide](http://www.tmz.com/2017/07/20/linkin-park-singer-chester-bennington-dead-commits-suicide).
- 4 Peter H. Huang and Corie L. Rosen, “The Zombie Lawyer Apocalypse,” 42 *Pepp L Rev* (2015), 727.
- 5 Abigail A. Patthoff, “This Is Your Brain on Law School: The Impact of Fear-Based Narratives on Law Students,” 391 *Utah L Rev* (2015), 424.
- 6 Lawrence S. Krieger, “Institutional Denial about the Dark Side of Law School, and Fresh Empirical Guidance for Constructively Breaking the Silence,” 52 *J Legal Educ* (2002), 113.
- 7 *Ibid.*, at 114–115.
- 8 Nancy Levit and Douglas O. Linder, *THE HAPPY LAWYER: MAKING A GOOD LIFE IN THE LAW* (Oxford University Press, 2010), 125.
- 9 Andrew J. McClurg, *1L OF A RIDE: A WELL-TRAVELED PROFESSOR’S ROADMAP TO SUCCESS IN THE FIRST YEAR OF LAW SCHOOL* (2nd ed., West Academic, 2013), 368–389. (These were students of Cecil C. Humphreys School of Law, University of Memphis.)
- 10 Rebecca Nerison, *LAWYERS, ANGER, AND ANXIETY: DEALING WITH THE STRESSES OF THE LEGAL PROFESSION* (American Bar Association, 2010), 68.
- 11 Douglas Litowitz, *THE DESTRUCTION OF YOUNG LAWYERS: BEYOND ONE L* (University of Akron Press, 2005), 10, 19, 30.
- 12 William M. Sullivan et al., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (Jossey Bass, 2007), 31.

- 13 Jerome M. Organ, David B. Jaffe, and Katherine M. Bender, "Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns," 66 *J Legal Educ* (2016), 116, at 123–124, 127–129, 133–134.
- 14 *Ibid.*, at 136–138.
- 15 *Ibid.*, at 117.
- 16 Jessie Agatstein et al., FALLING THROUGH THE CRACKS: A REPORT ON MENTAL HEALTH AT YALE LAW SCHOOL (Yale Law School Mental Health Alliance, 2014), [www.law.yale.edu/system/files/falling\\_through\\_the\\_cracks\\_120614.pdf](http://www.law.yale.edu/system/files/falling_through_the_cracks_120614.pdf). (The total student population of Yale Law School was 650 students at the time of this study.)
- 17 Patrick R. Krill, Ryan Johnson, and Linda Albert, "The Prevalence of Substance Use and Other Mental Health Concerns among American Attorneys," 10 *J Addict Med* (2016), 46.
- 18 Rosa Flores and Rose Marie Arce, "Why Are Lawyers Killing Themselves?" *CNN*, January 20, 2014, [www.cnn.com/2014/01/19/us/lawyer-suicides](http://www.cnn.com/2014/01/19/us/lawyer-suicides).
- 19 CBS News, "These Jobs Have the Highest Rate of Suicide", June 30, 2016, [www.cbsnews.com/news/these-jobs-have-the-highest-rate-of-suicide](http://www.cbsnews.com/news/these-jobs-have-the-highest-rate-of-suicide) (summarizing results from the 2012 Centers for Disease Control and Prevention study on suicide rates by occupational group).
- 20 Bree Buchanan et. al., THE PATH TO LAWYER WELL-BEING: PRACTICAL RECOMMENDATIONS FOR POSITIVE CHANGE (American Bar Association, 2017), 1, [www.americanbar.org/content/dam/aba/images/aba\\_news/ThePathToLawyerWell-beingReportFINAL.pdf](http://www.americanbar.org/content/dam/aba/images/aba_news/ThePathToLawyerWell-beingReportFINAL.pdf).
- 21 *Ibid.*
- 22 *Ibid.*, at 7, 12.
- 23 *Ibid.*, at 2. (These core steps are detailed at 10–11.)
- 24 *Ibid.*, at 4–6.
- 25 *Ibid.*, at 12–21.
- 26 *Ibid.*, at 8–9.
- 27 *Ibid.*, at 12.
- 28 *Ibid.*, at 35–40.
- 29 *Ibid.*, at 31–34.
- 30 J. Anker and P. R. Krill, "Stress, Drink, Leave: An Examination of Gender-Specific Risk Factors for Mental Health Problems and Attrition among Licensed Attorneys," 16 *PLoS ONE* (2021), e0250563, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0250563>.
- 31 Stephanie A. Scharf and Roberta D. Liebenberg, PRACTICING LAW IN THE PANDEMIC AND MOVING FORWARD: RESULTS AND BEST PRACTICES FROM A NATIONWIDE SURVEY OF THE LEGAL PROFESSION (American Bar Association, 2021), [www.americanbar.org/content/dam/aba/administrative/digital-engagement/practice-forward/practice-forward-survey.pdf](http://www.americanbar.org/content/dam/aba/administrative/digital-engagement/practice-forward/practice-forward-survey.pdf).
- 32 Lindsay M. Harris and Hillary Mellinger, "Asylum Attorney Burnout and Secondary Trauma," 56 *Wake Forest L Rev* (2021), 733, at 736–737.



- 33 *Ibid.*, at 743.
- 34 *Ibid.*, at 744–745.
- 35 *Ibid.*, at 746.
- 36 *Ibid.*, at 774–779.
- 37 *Ibid.*, at 799–806.
- 38 Jarrod F. Reich, “Capitalizing on Healthy Lawyers: The Business Case for Law Firms to Promote and Prioritize Lawyer Well-Being,” 65 *Vill L Rev* (2020), 361, at 396.
- 39 *Ibid.*, at 396–400.
- 40 *Ibid.*, at 408.
- 41 Michael E. McCabe, Jr., “Lawyer Alcoholism and Substance Abuse Frequent Causes for Lawyer Discipline,” McCabe, [www.ipethicslaw.com/lawyer-alcoholism-and-substance-abuse-frequent-causes-of-discipline](http://www.ipethicslaw.com/lawyer-alcoholism-and-substance-abuse-frequent-causes-of-discipline); D. B. Marlowe, “Alcoholism, Symptoms, Causes & Treatments,” in *STRESS MANAGEMENT FOR LAWYERS*, 104–130 (Amiram Elwork ed., 2nd ed., Vorkell Group, 1997) (cited in M. A. Silver, *SUBSTANCE ABUSE, STRESS, MENTAL HEALTH AND THE LEGAL PROFESSION* (New York State Law Assistant Trust, 2004), [www.nylat.org/documents/courseinbox.pdf](http://www.nylat.org/documents/courseinbox.pdf)).
- 42 *Ibid.*
- 43 Yair Listokin and Raymond Noonan, “Measuring Lawyer Well-Being Systematically: Evidence from the National Health Interview Survey,” 18 *J Empir Leg Stud* (2021), 4, at 6, 18.
- 44 David Jaffe, Katerine M. Bender, and Jerome Organ, “It Is Okay to Not Be Okay,” 60 *U Louisville L Rev* (2022), 441.
- 45 IBA Presidential Task Force, *MENTAL WELLBEING IN THE LEGAL PROFESSION: A GLOBAL STUDY* (International Bar Association, 2021), 13.
- 46 *Ibid.*, at 19.
- 47 *Ibid.*, at 22–29.
- 48 *Ibid.*, at 9, 24, 30.
- 49 *Ibid.*, at 32, 37.
- 50 *Ibid.*, at 39–40.
- 51 *Ibid.*, at 41–43.
- 52 *Ibid.*, at 44.
- 53 *Ibid.*, at 54.
- 54 *Ibid.*, at 10, 12–17.
- 55 David G. Blanchflower and Alex Bryson, “The Gender Well-Being Gap,” National Bureau of Economic Research Working Paper 31212, May 2023, at 2–3.
- 56 *Ibid.*, at 5–7.
- 57 *Ibid.*, at 21.
- 58 World Economic Forum, *GLOBAL GENDER GAP REPORT 2023* (World Economic Forum, 2023).
- 59 *Ibid.*, at 11.