



Education, training, and development will be an essential component of legal employers' well-being initiatives. To ensure high-quality, effective programs, consider partnering with, for example, Employee Assistance Programs, Lawyer Assistance Programs, insurance carriers, and expert consultants.

To support holistic lawyer well-being, programs should focus on fostering cultures and individual competencies that support lawyers' optimal health, motivation, and performance and not only on detecting and treating disorders. Focusing on both sides of the lawyer well-being coin is important for developing successful well-being programs. Many topics are possible for programming, and some ideas are provided below.

DETECTING WARNING SIGNS OF MENTAL HEALTH & ALCOHOL USE DISORDERS

As the American Association of Suicidology put it, [“Suicide prevention is everyone’s business.”](#) The same is true for other mental health and alcohol use disorders. Accordingly, legal employers should provide training on identifying, addressing, and supporting fellow professionals with mental health and substance use disorders. At a minimum, training should cover the following:

- The warning signs of substance use or mental health disorders, including suicidal thinking;
- How, why, and where to seek help at the first signs of difficulty;
- The relationship between substance use, depression, anxiety, and suicide;
- Freedom from substance use and mental health disorders as an indispensable predicate to fitness to practice;
- How to approach a colleague who may be in trouble;
- How to thrive in practice and manage stress without reliance on alcohol and drugs; and

- A self-assessment of participants' mental health or substance use risk.

Long-term strategies should consider scholars' recommendations to incorporate mental health and substance use disorder training into broader health-promotion programs to help skirt the stigma that may otherwise deter attendance.

FACILITATE, DESTIGMATIZE, AND ENCOURAGE HELP-SEEKING BEHAVIORS

An important area warranting considerable attention is the stigma of mental health and substance use disorders that prevents lawyers from seeking help. As the National Task Force report explained (see page 13), research reflecting the many factors that can hinder people from seeking help can help guide legal employers' strategies. These factors include:

- Failure to recognize symptoms
- Not knowing how to identify or access appropriate treatment or believing it to be a hassle to do so
- A culture's negative view of such conditions
- Fear of adverse reactions by others whose opinions are important
- Feeling ashamed
- Viewing help-seeking as a sign of weakness





- Having a strong preference for self-reliance or a tendency toward perfectionism
- Fear of career repercussions and concerns about confidentiality
- Uncertainty about the quality of organizationally-provided therapists or otherwise doubting that treatment will be effective
- Lack of time in busy schedules.

Research also suggests that professionals with hectic, stressful jobs (like many lawyers) are more likely to perceive obstacles for accessing treatment, which can exacerbate depression. The result of these barriers is that, rather than seeking help early, many wait until their symptoms are so severe that they interfere with daily functioning.

Removing these barriers requires education and stigma-reduction strategies. The most effective way to reduce stigma is through direct contact with someone who has personally experienced a relevant disorder. Ideally, this person should be a practicing lawyer in order to create a personal connection that lends credibility and combats stigma. Viewing video-taped narratives also is useful, but not as effective as in-person contacts.

CAREFULLY IMPLEMENT PROGRAMS THAT ENCOURAGE HELP-SEEKING

Among the more [common employer-sponsored strategies](#) to detect and respond to mental health and alcohol use disorders include workplace-based public awareness campaigns that involve posting warning signs, referral resources and general anti-



stigma messages, and workplace-based screenings. These can be effective and definitely should be considered as part of organization's well-being programs. But, because such strategies can backfire, they should be implemented carefully and, preferably, with advice from experts in the field. [One researcher cautioned:](#)

“Anyone who creates a [depression-related public service announcement] targeting people with depression without considering how the mind of a person with depression operates is engaging in behavior akin to reckless endangerment.”

Research shows, for example, that:

- Because depressive symptoms can radically distort how people interpret information, campaigns to encourage help-seeking must be carefully worded to [avoid boomerang effects](#) that decrease the likelihood of help-seeking.
- For example, a depressed person might interpret a message that says: “It takes courage to ask for help. Melvin did” as this: “But, I can’t be strong anymore. I can’t ask for help. If others can and I can’t, I might as well kill myself.” They might interpret a message that says: “Call 1-800-XXX-XXXX for confidential information on where to get help” as this: ““Confidential? Why does it have to be confidential?”
- Messages that encourage people to seek help “for friends” rather than for themselves (called “[mistargeting](#)”) have had some success avoiding boomerang effects.
- Some public health campaigns [have backfired due to “bossy” language](#) that causes targets of the message to react negatively due to perceived threats to their autonomy (called “reactance”).



- [Anti-drinking campaigns](#) that emphasize the prevalence of alcohol use can backfire by reinforcing existing, excessive drinking norms.

Because of these dangers, organizations that plan to initiate campaigns to encourage help-seeking should consider consulting an outside expert before doing so. One of the leading researchers in the area is [Dr. Jason Siegel](#), a professor of psychology at Claremont Graduate University. He is the Director of the Depression and Persuasion Research Lab, which focuses on projects to reduce stigma toward mental illness and increase help-seeking of people with depression. Contact: jason.siegel@cgu.edu.

DE-EMPHASIZE ALCOHOL AT SOCIAL EVENTS

(See National Task Force Report, p. 19).

BEGIN A DIALOGUE ABOUT SUICIDE PREVENTION

(See National Task Force Report, p. 20).

ENHANCE LAWYERS' AUTONOMY & SENSE OF CONTROL

Practices that rob lawyers of a sense of autonomy and control over their schedules and lives are especially harmful to their well-being. A sense of autonomy is considered to be a basic psychological need that is foundational to well-being and optimal functioning. Research shows that high job demands paired with a lack of a sense of control [breeds depression and other psychological disorders](#). A recent [review of strategies designed to prevent workplace depression](#) found that those designed to improve the perception of control were among the most effective. Environments that [facilitate control and autonomy contribute to optimal functioning](#) and well-being. A few examples of the types of practices to review include the following:

- Excessive workload and controlling management;
- Tight deadlines not based on business needs;
- Senior lawyers making key decisions without consulting other members of the litigation team;

- Senior lawyers' poor time-management habits that result in repeated emergencies and weekend work for junior lawyers and staff;
- Expectations of 24/7 work schedules and of prompt response to messages at all times;
- Extent of discretion that lawyers have in deciding where, when, and how to perform their work.

ELEVATE THE FOCUS ON CLIENT CARE

One strategy for aligning organizational incentives with lawyer well-being and profitability at the same time is to elevate the focus on client care and connection. [Research reflects](#) that work cultures that emphasize competitive, self-serving goals will continually trigger competitive, selfish behaviors that harm organizations and individual well-being. This can be psychologically draining. For example, studies in [2013](#) and [2014](#) of Australian lawyers found that law firms' emphasis on profits and competitiveness was associated with depression and anxiety.

On the other hand, [research shows](#) that the experience of meaningfulness in and at work is a core contributor to work engagement. For most people, feeling that we are benefiting others or contributing to the greater good is the biggest driver of meaningfulness. For most of us, [regularly connecting with clients](#) and hearing how our work benefits them gives us a [powerful motivational](#) and well-being boost.

In practice, this might include more routine client satisfaction surveys and conversations and inviting clients to speak at formal and informal events about the positive impact of lawyers' work. Emphasizing client care aligns with lawyer well-being goals while also contributing to the bottom line. Ideas for what to include in client satisfaction surveys and how to conduct them can be found [here](#) and [here](#).



MORE TOPICS SUMMARIZED IN THE NATIONAL TASK FORCE REPORT

Additional evidence-based educational topics were summarized in Appendix B (pp. 50-57) of the [National Task Force Report](#). Condensed versions of those summaries are provided next, with the literature citations omitted.

WORK ENGAGEMENT & BURNOUT

Work engagement is a kind of work-related well-being that includes high levels of energy, mental resilience, and a sense of meaningful work. It contributes to, for example, mental health, less stress and burnout, job satisfaction, helping behaviors, reduced turnover, performance, and profitability. At the other end of the spectrum is burnout, which is a stress response syndrome that is highly correlated with depression. It can have serious psychological and physiological effects and harm performance and professionalism.

STRESS

Stress is inevitable in lawyers' lives and is not necessarily unhealthy. Mild to moderate levels of stress that are within our capability can present positive challenges that result in a sense of mastery and accomplishment. But when lawyers feel overburdened by their work, they are at much greater risk of burnout, depression, anxiety, alcohol abuse, and physical health conditions. Both personal and environmental factors in the workplace contribute to stress and whether it positively fuels performance or impairs mental health and functioning.

RESILIENCE & OPTIMISM

Resilience can be defined as a process that enables us to bounce back from adversity in a healthy way.

Our capacity for resilience derives from a host of factors, including a collection of psychological, social, and contextual factors that we can change and develop. These include, for example, optimism, confidence in our abilities and strengths (self-efficacy), effective problem-solving, a sense of meaning and purpose, flexible thinking, impulse control, empathy, close relationships and social support, and faith/spirituality.

Aside from individual-level skills and strengths, developing “structural resilience” also is important, if not more important.

This requires leaders to develop organizations and institutions that are resource-enhancing to help give people the wherewithal to realize their full potential. Individual resilience is highly dependent on the context in which people are embedded. This means that initiatives to foster lawyer well-being should take a systemic perspective.

MINDFULNESS MEDITATION

Mindfulness meditation is a practice that can help us change our mental habits and support resilience. It can aid our ability to monitor our thoughts and avoid becoming emotionally overwhelmed. A rapidly growing body of research on meditation has shown its potential for help in addressing a variety of psychological and psychosomatic disorders, especially those in which stress plays a causal role.

One type of meditative practice is mindfulness—a technique that cultivates the skill of being present by focusing attention on your breath and detaching from your thoughts or feelings. Research has found that mindfulness can reduce rumination, stress, depression, and anxiety. It also can enhance a host of competencies related to lawyer effectiveness, including increased focus and concentration, working memory, critical cognitive skills, reduced





burnout, and ethical and rational decision-making.

REJUVENATION PERIODS

Lawyers must have downtime to recover from work-related stress. People who do not fully recover are at an increased risk over time for depressive symptoms, exhaustion, and burnout. By contrast, people who feel recovered report greater work engagement, job performance, willingness to help others at work, and ability to handle job demands.

Quality sleep is critically important in the recovery process. Sleep deprivation has been linked to a multitude of health problems that decay the mind and body, including depression, cognitive impairment, decreased concentration, and burnout.

PHYSICAL ACTIVITY

Many lawyers' failure to prioritize physical activity is harmful to their health and functioning. Physical exercise is associated with reduced symptoms of anxiety, depression, and low energy and enhanced brain functioning and cognition. It stimulates new cell growth in the brain, which can offset the negative effects of stress, which can cause brain atrophy.

LEADER DEVELOPMENT AND TRAINING

Leader development and training is critically important for supporting lawyer well-being and optimal performance. Low-quality leadership is a major contributor to stress, depression, burnout, and other mental and physical health disorders. Even seemingly low-level incivility by leaders can have a big impact on workers' health and motivation. Further, good leaders are made not born: Many studies confirm that positive leader behaviors can be trained and developed.

CONFLICT MANAGEMENT

Our legal system is adversarial—it's rooted in conflict. Even so, lawyers generally are not trained on how to constructively handle conflict and to

adapt tactics based on context—from necessary work-related conflicts to inter-personal conflicts with clients, opposing counsel, colleagues, or loved ones. Conflict is inevitable and can be both positive and negative. But chronic, unmanaged conflict creates physical, psychological, and behavioral stress. Research suggests that conflict management training can reduce the negative stressful effects of conflict and possibly produce better, more productive lawyers.

WORK-LIFE CONFLICT

The stress of chronic work-life conflict can damage well-being and performance. Evidence indicates that it is a strong predictor of burnout and significantly increases the risk of poor physical health. On the other hand, work-life balance (WLB) benefits workers and organizations. WLB is a complex topic, but research provides guidance on how to develop a WLB-supportive climate through policies and consistent support for WLB by leaders and direct supervisors.

MEANING & PURPOSE

A large body of research shows that feeling that our work is meaningful plays an important role in workplace well-being and performance. Evidence suggests that the perception of meaningfulness is the strongest predictor of work engagement. Meaningfulness develops, for example, when people feel that their work corresponds to their values. Organizations can enhance the experience of fit and meaningfulness by, for example, fostering a sense of belonging; designing and framing work to highlight its meaningful aspects; and articulating compelling goals, values, and beliefs.

ADDITIONAL TOPICS

Some additional topics to consider include:

- Psychological capital (composed of optimism, self-efficacy, hope, and resilience)
- Psychological hardiness (composed of



commitment, control, and challenge)

- Stress mindset
- Growth mindset
- Grit
- Effort-reward balance
- Transformational leadership
- Self-determination theory (a well-established motivational theory on which multiple [lawyer and law student well-being studies](#) have been based)
- Strengths-based management
- Emotional intelligence and regulation
- Organizational fairness
- Nutrition
- Interpersonal skills to foster high-quality relationships and avoid conflict
- Political skills (which have been show to enhance a sense of control and reduce stress),
- Time management/alignment (i.e., investing time in alignment with ones values and priorities)