Mental Health Issues for Attorneys

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CMCP/ KP CLE meeting  
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Agenda

• “The Arrival”  
• Current Landscape  
• What are common Mental Health and Substance Abuse issues and how do I know what they are?  
• What can we do?  
• Comments and Questions
“The Arrival”

Current Landscape of Mental Health
Mental Health in USA

- Mental Illnesses are very common, among the most common health condition
- 1 in 5 will be diagnosed with a MH condition in any given year
- Over 50% will be diagnosed with a mental illness or disorder at some point

- Suicide Rates are increasing (2012 to 2016, 12.9/100,000 to 17.3/100,000)
  - Nearly 45,000 deaths by suicide in 2016
  - Nearly half the states have had increasing rates of suicide by 30%
  - More than 50% of all those who died by suicide were not known to have a MH illness
  - Males (21.4/100,000) and Women (6.0/100,000) in 2016. This represents a 50% increase in females from 2000 to 2016

https://www.cdc.gov/nchs/products/databriefs/db309.htm
Suicide Rates are increasing.
CA rate increased by 15%

The Study

- 2016 review of nearly 13,000 currently practicing lawyers
  - 21-36% qualify as problem drinkers
  - 28% struggle with depression
  - 19% struggle with anxiety
  - 23% struggle with elevated stress
  - 25% work addiction
  - “Signal an elevated risk in the legal community for mental health and substance use disorders tightly intertwined with an alcohol-based social culture”
- For reference, nearly 1 in 3 medical professionals are depressed
- Suicide rates in lawyers – for males, 14th highest job category (18.7/100,000) and for females, 5th highest (9.2/100,000)

1. ABA Commission on Lawyer Assistance Programs and Hazelden Betty Ford Foundation
DOI: http://dx.doi.org/10.15585/mmwr.mm6745a1
Brief Overview of Depression, Anxiety, and Alcohol Use Disorder

Signs and symptoms of depression

- Persistent sad, anxious or "empty" mood
- Sleeping too much or too little, middle of the night or early morning waking
- Reduced appetite and weight loss, or increased appetite and weight gain
- Loss of pleasure and interest in activities once enjoyed, including sex
- Restlessness, irritability
- Persistent physical symptoms that do not respond to treatment (such as chronic pain or digestive disorders)
- Difficulty concentrating, remembering or making decisions
- Fatigue or loss of energy
- Feeling guilty, hopeless or worthless
- Thoughts of suicide or death

Diagnostic and Statistical Manual 5 (DSM 5)
http://www.mentalhealthamerica.net/conditions/depression#depression
Depression

- Prevalence: 20-25% of adults (at some point in lifetime)
- Prevalence: 8.1% aged 18 and above had depression in a given 2 week period of time
- Higher in women, 10.4% in women, 5.5% in men
- Frequently undiagnosed in older and younger populations, underreported in men
- Previous episode of depression

Anxiety

- Most common MH Illness
- Prevalence: Aged 18 and older, 19% had anxiety disorder
- Higher in women, 23.4% in women, 14.3% in men
- Include Generalized Anxiety Disorder, Panic Disorder, Social Anxiety Disorder, Specific Phobias, Obsessive Compulsive Disorder, and PTSD

Diagnostic and Statistical Manual 5 (DSM 5)
http://www.webmd.com/depression/guide/major-depression#1
https://www.cdc.gov/nchs/products/databriefs/db303.htm

Diagnostic and Statistical Manual 5 (DSM 5)
Signs and symptoms of anxiety

Generalized anxiety disorder symptoms include:
• Feeling restless, wound-up, or on-edge
• Being easily fatigued
• Having difficulty concentrating; mind going blank
• Being irritable
• Having muscle tension
• Difficulty controlling feelings of worry
• Having sleep problems, such as difficulty falling or staying asleep, restlessness, or unsatisfying sleep


Alcohol Use Disorder

• Around 16 million people age 18 and over have Alcohol Use Disorder
• 9.8 million men and 5.3 million women, total of 6.2% of the population in 2016
Alcohol Use Disorder – 2 or more of the below qualifies for AUD (2-3 is Mild, 4-5 Moderate, 6+ Severe)

- Had times when you ended up drinking more, or longer than you intended?
- More than once wanted to cut down or stop drinking, or tried to, but couldn’t?
- Spent a lot of time drinking? Or being sick or getting over the aftereffects?
- Experienced craving — a strong need, or urge, to drink?
- Found that drinking — or being sick from drinking — often interfered with taking care of your home or family? Or caused job troubles? Or school problems?
- Continued to drink even though it was causing trouble with your family or friends?
- Given up or cut back on activities that were important or interesting to you, or gave you pleasure, in order to drink?
- More than once gotten into situations while or after drinking that increased your chances of getting hurt (such as driving, swimming, using machinery, walking in a dangerous area, or having unsafe sex)?
- Continued to drink even though it was making you feel depressed or anxious or adding to another health problem? Or after having had a memory blackout?
- Had to drink much more than you once did to get the effect you want? Or found that your usual number of drinks had much less effect than before?
- Found that when the effects of alcohol were wearing off, you had withdrawal symptoms, such as trouble sleeping, shakiness, irritability, anxiety, depression, restlessness, nausea, or sweating? Or sensed things that were not there?

Why more common in Lawyers?
Risks specific to Lawyers

- Time Pressures
- Intense demands of the job
- Long and stressful work hours
- Demands exceed resources
- + Highly adversarial environment
- Perfectionism
- Intense demands of the job

https://lawyerist.com/94605/recognize-prevent-lawyer-burnout/

Raise your hand if...
A Lawyer writes in...

“How do I deal with it? Not very well. While I hope my experience is an extreme case, I fear it is not uncommon. My stress follows me home from my office. My stress has not only damaged my relationships with friends and family, but is has put a large strain on my marriage. My stress has turned me into a person I have trouble recognizing. My stress has put me into therapy where I talk about feeling trapped or stuck in a situation that will never improve because I will never get a better job. My stress makes me drink too much sometimes and has me taking anti-depression and anti-anxiety medication.

Despite it all, I pray and rely on my faith that it will get better. My stress will not win.”

So What Can I Do?

Well-Being Tool Kit   American Bar Association

https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/lsc_colap_well-being_toolkit_for_lawyers_legal_employers.authcheckdam.pdf

Lawyer Well-Being

WHO’s Healthy Workplace

A healthy workplace is one in which all organizational members collaborate to continually improve processes to protect and promote member well-being and organizational success. All seek alignment of organizational and member goals and needs so that they can grow and thrive together.
RECOMMENDATIONS FOR ALL STAKEHOLDERS

1. Acknowledge the Problems and Take Responsibility.
2. Use This Report as a Launch Pad for a Profession-Wide Action Plan.
3. Leaders Should Demonstrate a Personal Commitment to Well-Being.
4. Facilitate, Destigmatize, and Encourage Help-Seeking Behaviors.
   1. Partner with Lawyer Assistance Programs.
   2. Consult Lawyer Well-Being Committees and Other Types of Well-Being Experts.
6. Foster Collegiality and Respectful Engagement Throughout the Profession.
   1. Promote Diversity & Inclusivity.
   2. Create Meaningful Mentoring and Sponsorship Programs.
7. Enhance Lawyers' Sense of Control.
8. Provide High-Quality Educational Programs and Materials About Lawyer Well-Being.
10. De-emphasize Alcohol at Social Events.
11. Use Monitoring to Support Recovery from Substance Use Disorders.
13. Support A Lawyer Well-Being

Please, don’t tell me to just go out and meditate…

- 10 TED Talks for when you feel burnt out
  https://www.ted.com/playlists/245/talks_for_when_you_feel_totall
- Add Humor to your day
- Take a few deep breaths
- Walking Meeting
- Meetings with “the Arrival”
- Gratitude Journal
- Take time to transition
- One minute meditation
- The basics – sleep, exercise, nutrition
Beautiful, serene garden

Right in front of me…
Questions?