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Lawyers' alcoholism, depression problems examined by experts

By Emily Donovan

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An Illinois Supreme Court justice and an ESPN analyst, among other high-profile figures, discussed how alcoholism and depression run rampant within the legal profession over breakfast Friday at Chicago Cut Steakhouse.

The event, Attorney Mental Health and Substance Use: A Call to Action, was co-hosted by The Kennedy Forum and the Lawyers' Assistance Program.

A recent study found that lawyers suffer from alcoholism and mental illness at much higher rates than the general public. However, speakers at the event said the legal community doesn't like to talk as openly about such issues.

"If these statistics were about lawyers dealing with cancer, this room would be filled," said Supreme Court Justice Anne M. Burke in her opening remarks.

Yet, in a room of 115 attendees with a capacity for 120, Patrick Krill expanded on Burke's statement.

"If we were talking about cancer, especially with the statistics I'm about to share with you, we would need a larger room," Krill said.

When Krill, founder of Krill Strategies and public affairs and policy adviser to the Hazelden Betty Ford Foundation, realized the existing data on mental health and addiction in the legal

profession was outdated and limited, he pushed to create his own study.

Funded by the foundation and the American Bar Association Commission on Lawyer Assistance Programs, Krill and his colleagues surveyed 12,825 licensed, employed attorneys between 2014 and 2015.

Between 20.6 percent and 36.4 percent of lawyers reported they were “problem drinkers,” depending on which type of test they took. That’s about three times the national average, as Krill said only 7 percent of the general population self-reports problem drinking.

Krill said a large part of problem drinking correlates with the process of becoming a lawyer, as 43.7 percent of lawyers who reported problem drinking said it developed within 15 years of initially practicing law.

“Do we need a warning label maybe slapped on law school brochures?” Krill asked. “What you’re coming into comes with a heightened risk of becoming a problem drinker.”

Lawyers surveyed also had much higher rates of mental illness, as 28 percent reported symptoms of clinical depression, 19 percent reported clinical levels of anxiety, 23 percent reported chronic stress, 11.5 percent reported suicidal thoughts and 3 percent reported self-harm.

“If we don’t act on this data, we could be having this same conversation in five years,” Krill said.

Burke said stigma against talking about alcoholism and mental illness has allowed the legal community to keep such problems behind closed doors.

“Ignoring the problem is not going to make it go away,” Burke said.

Lester Munson, a lawyer, senior writer and legal analyst for ESPN — and recovering alcoholic — said he is a better person after 32 years of sobriety, thanks to a group of intervening lawyers. He said lawyers make their careers out of their skills at denial and rationalization.

“Who is better able to rationalize his drinking than a lawyer?” Munson asked.

Problem drinking and mental illness is a detriment to those lawyers’ performances, according to Stephanie L. Stewart, a prosecutor with the Attorney Registration & Disciplinary Commission for nine years, before leaving in 2002 to join Meyer Law Group LLC as a partner.

Thirty-four out of 128 lawyers disciplined by the ARDC in 2015 had at least one known substance abuse or mental impairment issue, including alcohol, depression and bipolar disorder.

“We actually think that it’s a little higher,” Stewart said.

Most grievances filed to the ARDC are the result of bad attorney-client relationships. In 2015, 38 percent alleged neglect, 12 percent said the attorney failed to communicate and 11 percent contested fees. All of these issues, Stewart said, come with a lawyer being impaired by addiction or mental illness.

Stewart said preventing an impairment from causing a disciplinary issue is all a matter of checks and balances. Since they don’t have anyone else to intervene or hold them accountable, 70.6 percent of the impaired lawyers who were sanctioned in 2015 claimed to be sole practitioners.

Stewart recommended creating a public calendar of the attorney’s scheduled tasks, having a support staff member open mail to screen for any complaint letters sent by former clients, holding weekly meetings and requiring administrative staff to alert other

co-workers if there appears to be a client issue.

“It’s not about getting these lawyers in trouble; it’s about nipping these problems in the bud,” she said.

Tony Pacione, the clinical director for the Illinois LAP, offered strategies for law firms to support their attorneys who have mental health or addiction problems while also protecting the practice.

He recommended educating the entire workforce on the signs of depression and alcoholism. He also recommended naming one person in charge as a chief assistance officer so the rest of the office knows who to go to if they suspect one of their peers or bosses might be having a problem.

When a struggling attorney returns to work, Pacione said they can’t just be thrown back into the 70-hour workweek fire.

“Every person in recovery needs three things: accountability, structure and support,” Pacione said.

Pacione recommended assigning a work coach for peer reviews and working out a written agreement with the attorney.

Eric Langshur, founder of Abundant Venture Partners and co-author of “Start Here: Master the Lifelong Habit of Wellbeing,” said law firms can integrate well-being training like the program outlined in his self-help book.

Finally, Brian Cuban, an attorney and author of the upcoming book “The Addicted Lawyer: Tales of the Bar, Booze, Blow and Redemption,” discussed his own addictions and eating disorder. When he finally decided to get clean in 2007, he was embarrassed to go to his first 12-step program meeting. He thought there would be no lawyers in recovery.

“I walked in there, half of them are lawyers I know,” Cuban said.

The breakfast was sponsored by Clifford Law Offices P.C., Jenner & Block LLP and Hazelden Betty Ford Foundation. Funds raised will benefit the Illinois LAP's treatment assessment program and The Kennedy Forum's mission to fight stigma against mental illness and addiction.

The LAP is a not-for-profit pre-paid by attorney registration fees that connects attorneys, judges and law students with counseling and other resources for addiction and mental health treatment. The LAP can be reached at [\(312\) 726-6607](tel:3127266607) or illinoislap.org.

The Illinois LAP will receive an additional \$3 from each lawyer next year, as the Illinois Supreme Court raised the annual registration fee lawyers pay to the ARDC from \$7 to \$10 a year. This marks the first time the LAP fee has been adjusted since it was created in 2002. Munson attributed the increased funding, thanks in part, to the light shed by Krill's study.