

# The Legal Profession's Dark Wood



Brian D. Einhorn

“For those who have dwelt in depression’s dark wood, and known its inexplicable agony, their return from the abyss is not unlike the ascent of the poet, trudging upward and upward out of hell’s black depths and at last emerging into what he saw as ‘the shining world.’ There, whoever has been restored to health has almost always been restored to the capacity for serenity and joy, and this may be indemnity enough for having endured the despair beyond despair.”

—William Styron,

*Darkness Visible: A Memoir of Madness*

Write this number down: (800) 996-5522.

That’s the direct line for the State Bar of Michigan’s Lawyers and Judges Assistance Program.<sup>1</sup> I’ll get back to this wonderful program shortly, but if you read no further, if you take nothing else from this article, *write that number down*. Save it in your iPhone. Put it on a note card and tack it above the coffee pot in your law firm’s office. Make sure your colleagues have it, too.

It may save a life. And to borrow a line from Flannery O’Connor, the life you save may be your own.

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I want to talk about depression. In fact, I want us *all* to talk about depression. But I must begin with a caveat: I’m no expert in mental health. And even for those who are experts, depression and suicide can be intractable mysteries. Andrew Solomon made this observation in *The Noonday Demon*, his now-classic work on depression:

Let us make no bones about it: We do not really know what causes depression. We do not really know what constitutes depression. We do not really know why certain treatments may be effective for depression. We do not know how depression made it through the evolutionary process. We do not know why one person gets a depression from circumstances that do not trouble another. We do not know how will operates in this context.<sup>2</sup>

If you talk to psychiatrists and psychologists, you’ll hear that diagnosing depression is often more art than science and that finding the right treatment—whether medication, psychotherapy, or something else—can be a process of trial and error.

But we do know one fact with awful certainty: there’s something about the practice of law that puts us at greater risk of depression and suicide than other professions. CNN picked up on this story recently, citing a Centers for Disease Control report ranking

the legal profession fourth in number of suicides compared to other professions.<sup>3</sup>

Although we’ve always had to deal with depression and an increased risk of suicidal ideation (just look at biographies of Abraham Lincoln, who dealt with both himself<sup>4</sup>), it appears that things are getting worse. We’re seeing more suicides. And where there are suicides, there are even more souls suffering from depression and struggling daily with thoughts of taking their own lives.

Lawyers are trained to think critically. So our first response to this information is to perceive a sort of chicken-and-egg problem: does the practice of law attract people prone to depression or is there something about law that brings out susceptibility to it?

There’s certainly truth to the notion that the legal profession attracts perfectionists and competitive natures, and these characteristics can make the inevitable disappointments of life even more devastating. But one study has shown that within *months* of beginning law school, law students are at increased risk of suicide and depression.<sup>5</sup>

And that risk doesn’t go away. If anything, it increases as pressures mount—securing a job, meeting billable hour requirements, and the inescapable competition of finding clients and winning cases.

We need to do something about this trend, and I have two suggestions.

The legal profession attracts perfectionists and competitive natures, and these characteristics can make the inevitable disappointments of life even more devastating.

We lawyers take very seriously our obligation to zealously represent our clients. But as a profession, we have failed to zealously represent ourselves.

First, we desperately need to remove the stigma attached to admitting to and receiving treatment for mental health issues. This is hard for lawyers because we earn our bread with the products of our thoughts. Admitting that we're struggling feels like an admission that we can't do our jobs. And for many of us, our jobs are our identities.

There's a fear of moral weakness, too. We want our clients to see us as Atlases, shouldering a world of cares without buckling, strong and capable of handling anything. Acknowledging that you've lost balance and perspective, much less that you may be suffering from a serious mental health issue, seems like a moral failing in this climate.

So we don't talk about it. We don't share with trusted friends that we're overwhelmed, exhausted, and unable to pull ourselves out of a fog. We don masks, "fake it till we make it," and insist we're fine. Sometimes we self-medicate with alcohol or worse. We get by until we can't get by anymore.

That silence feeds depression. The less we talk about it, the stronger depression gets.

So let's make a change. All of us. Let's admit that we're human—to our colleagues, friends, and ourselves. Let's admit that we're not perfect and sometimes we need help. No matter where we went to law school, no matter how much we made last year, no matter how powerful the people in our contact lists are, we need help sometimes. And asking for help is an act of strength.

Back to the Lawyers and Judges Assistance Program. This program is staffed by three mental health professionals, all of whom have experience with the legal profession and one of whom is both an attorney and a therapist. With a single call, you're instantly put in touch with someone who can provide counseling over the phone. That call could lead to more counseling, includ-

ing in-person meetings, with the assistance program's staff. You might also be referred to a mental health professional in your area. Or you may be able to navigate a discrete crisis with a single phone call. Whatever the outcome, that call, that simple act of reaching out, is one of the most heroic acts you can perform.

Let's ask about each other, embrace the uncertainty and fragility that makes us human, and encourage each other to take advantage of programs like the Lawyers and Judges Assistance Program when necessary. Stigma may keep people from getting help, but that stigma can't survive open and honest discussion. By embracing—even celebrating—our need to get help, we may just chip away at the stigma attached to seeking help for depression.

I have another suggestion. We lawyers take very seriously our obligation to zealously represent our clients. But as a profession, we have failed to zealously represent ourselves.

From the time we set foot in law school, we turn away from hobbies, relationships, and habits that make us feel whole. We train our sights on succeeding—getting the best grades, the best job, the best salary. Many of us stop taking care of ourselves, both physically and mentally. We don't exercise, we don't enrich ourselves, and we don't take time for things that feed our souls.

This narrow focus on our work and on getting ahead is precisely the opposite of what we need to thrive as lawyers and, more importantly, as human beings. You don't have to look very far to find research showing that regular exercise, sufficient sleep, practices like mindfulness, or even just taking time away from smartphones are fierce antidotes to depression. Their opposites—a sedentary life, insufficient sleep, constant distraction—are fuel for depression.

Don't get me wrong. I've *always* loved my job, and serving my clients is one of the greatest pleasures of my life. But like everyone else, I have to remember that I simply cannot serve my clients to the best of my ability unless I take care of myself.

Part of advocating for ourselves is rejecting the culture of machismo prevalent in the legal profession. Let us not take pride in how many hours we've billed, how much money we've made, how many weekends we've spent at the office, or how many years we've gone without a vacation. That kind of machoism is destructive to our own lives and, in feeding it, we destroy others' lives too.

Let us instead take pride in balance and health. After all, a balanced, healthy attorney can serve his or her clients far better than an attorney who has run himself or herself ragged. Our clients deserve our best. And we can only be our best when we take time to nourish body, mind, and soul.

We're incredibly fortunate to be part of this wonderful profession, and we're especially fortunate to have the opportunity to make it a happier and healthier one. Start now: Get help when you need it. Take the time to take care of yourself. Talk about mental and physical health, check in on your colleagues and your friends, and keep checking in on yourself. Don't give depression the silence it needs to thrive.

By changing our profession's culture, we may, as a collective, emerge from what William Styron called the "dark wood." In "the shining world," we will serve our clients, our friends and families, and ourselves all the better. ■

## ENDNOTES

1. I am grateful to Tish Vincent for taking the time to chat about the Lawyers and Judges Assistance Program and the mental health issues plaguing the legal profession. Any errors here are, of course, my own.
2. Solomon, *The Noonday Demon: An Atlas of Depression* (New York: Touchstone, 2001), p 29.
3. Flores, *Why are lawyers killing themselves?* <<http://www.cnn.com/2014/01/19/us/lawyers-suicides/index.html>> (accessed February 13, 2014).
4. See especially Shenk, *Lincoln's Melancholy: How Depression Challenged a President and Fueled His Greatness* (New York: Houghton Mifflin Harcourt, 2005).
5. See *Lawyers with Depression* <<http://www.lawyerswithdepression.com/articles/in-the-beginning-depression-in-law-schools/>> (accessed February 13, 2014).