


## You Don't Have to "Pay Your Dues" With Your Mental Health: Changing the Culture of Lawyering



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## What Does a Psychotherapist Know About the Legal Profession?

- We are both counselors
- We both deal with problems and problem solving (people rarely come to see us when things are good)
- In some cases, we work in tandem
- Held by similar licensing and practice standards
- We both deal with law, ethics, internships, pressure from education costs/student loans, private practices vs. working for public/government agency, documentation and mounting caseloads...all leading to burnout!
- Burnout is high!



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## What are the Differences Between Psychotherapists and Lawyers?

- Training!
- Space to explore the difficulties of the work
- One profession requires/encourages mental health and self-care
- Schools and programs offer counseling low cost or free to students
- System is designed to support mental health conversation
- Constantly reassessing and updating language and education requirements



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## Formative Work on the Culture of Lawyering (UCSD/SDSU- 2021)

Gerber, G., Belatsky, L., Phipps, E., Smith, L.

- Qualitative work
  - 5 women, 9 men
  - Ages of 30-66
  - Law practiced- immigration rights, criminal defense, public defense, LA county judge, JAG officer, family law, deputy DA, civil law
- Stressful, high-pressure environment ("pay your dues" culture)
- Substance use is promoted and encouraged ("bar night") with less emphasis on stress management and self-care
- Image and reputation based
- Legal profession has its traditions and procedures that may be outdated ("old boys club")
- Organizations and institutions are behind in education/interventions ("falling short" and placing responsibility on individual)

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## Research Shows...



- 25% of DA's experience burnout
  - Higher among women
  - As prosecutors' score of burnout increased, utilization of coping skills such as alcohol, prescription pills and alienation from loved ones also increased (2)
- 1 in 5 lawyers report a substance use issue (3)
  - (75% report it started in law school)
- 72% of law students who reported serious substance misuse would not report to bar (4)
- 27% of law students screened positive for some form of eating disorder (v. 1.89% in the general population) (5)

(1) Happy lawyer project

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## What is Burnout?

Burnout is a psychological condition, often having emotional and physical symptoms, emerging from excessive and prolonged occupational related stress

- Emotional exhaustion
  - Feeling of being emotionally overextended and being exhausted by one's work
  - Compassion fatigue
- Depersonalization
  - Unfeeling and disconnected response to one's work
  - Viewing clients as cases instead of human beings
  - Building self-protective walls, viewed by others as cynical/ callous
- Personal Accomplishment
  - Feelings of futility in face of the "big picture"
  - Navigating red tape, hands are tied, insufficient time/ resources
  - Sense of competency within the job

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### Signs and Symptoms of Burnout

Physical	Emotional	Behavioral
<ul style="list-style-type: none"> <li>Feeling tired and drained most of the time</li> <li>Lowered immunity, frequent illness</li> <li>Frequent headaches or muscle pain</li> <li>Change in appetite or sleep habits</li> </ul>	<ul style="list-style-type: none"> <li>Sense of failure and self-doubt</li> <li>Feeling helpless, trapped, and defeated</li> <li>Detachment, feeling alone in the world</li> <li>Loss of motivation</li> <li>Increasingly cynical and negative outlook</li> <li>Decreased satisfaction and sense of accomplishment</li> </ul>	<ul style="list-style-type: none"> <li>Withdrawing from responsibilities</li> <li>Isolating yourself from others</li> <li>Procrastinating, taking longer to get things done</li> <li>Using food, drugs, and alcohol to cope</li> <li>Taking out your frustration on others</li> <li>Skipping work or coming in late and leaving early</li> </ul>

### STRESS vs BURNOUT

**Overengagement**

- Reactive or over reactive emotions
- Sense of urgency and hyperactivity
- Lost or diminished energy
- Leads to anxiety
- Physically tiring

**Disengagement**

- Distorted or distant emotions
- Sense of helplessness
- Motivation is lost or diminished
- Leads to feeling depressed
- Emotionally tiring

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Advocate for change in the culture: training, benefits, policies for MH and SU

Look for "goals" (mentor, professor, supervisor)

Faculty trained to recognize signs and risk factors associated with common mental health and substance use issues, and to respond appropriately to a student in need.

Start small (10 min per day) on various wellness domains

Early intervention is the best intervention

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### Change is HARD!

Recognizing and transparency in difficulties is the first step

- Time limitations
- Fear of stigma or impact on career
- Fear of change and its costs
- Lack of motivation to change
- Difficulty in sticking with it
- Past failures
- Lack of adequate opportunities or support systems

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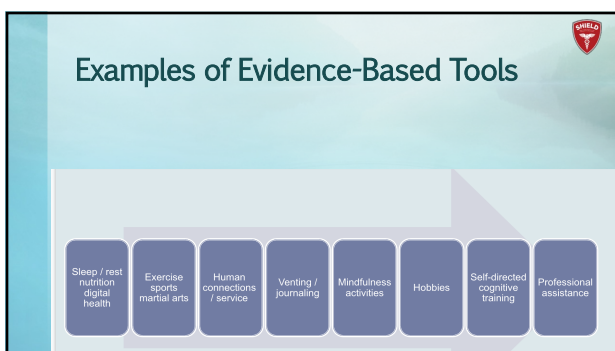
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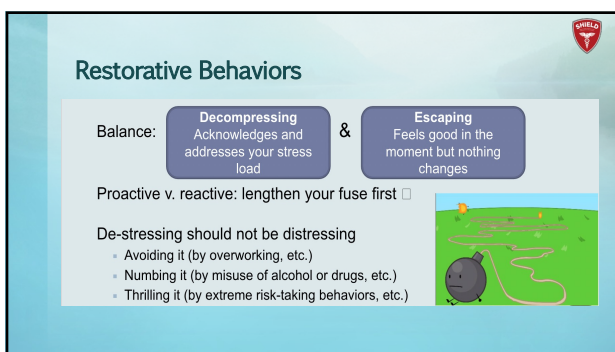
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### Where to Start Looking

- Explore free options on YouTube (find an approach/teacher you like)
- Many apps are available
  - Guided exercise and yoga programs and classes, etc.
  - Meditation: Insight Timer, Calm, Shine, Headspace, etc.
  - Journaling: ex. Mood Kit
  - Nutrition guidance: ex. My Fitness Pal, NOOM, many others
  - Substance use monitoring: ex. SURE, Tempest, Reframe
  - Professional tools: ex. Talk Space
- Web resources, books, and professional specialists can provide introductions, guide skill development, navigate past myths, and fix problems




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- Goals?
- Cost? (student discount, super bill for insurance)
- Availability?
- Gender identity?
- Lived experience?
- How long practicing?
- Strengths and limitations as a provider?
- What is your philosophy/approach? (solution focused, existential, multimodal)
- How do we measure growth?
- Feedback? Homework?

### Interviewing Prospective Providers

Remember: All providers are not created equal!  
Finding a good provider is a lot like dating- Keep looking till you find the right fit!!

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### Sidenote on Mindfulness: What it is, what it isn't

- Mindfulness is **not** about emptying your mind.
- It **is** about developing skills to allow thoughts to appear without getting tangled up in them. It is "paying attention, on purpose, in the present moment, without judgment."

Some examples of mindfulness activities:

- Exercise
- Breathing training like meditation, Tai Chi, or Qi Gong
- Martial arts
- Yoga
- Many activities can be made mindful (e.g., eating, cooking, gardening, walking, chores, painting, etc.)

Is this what mindfulness is???



Quote source: Jon Kabat-Zinn

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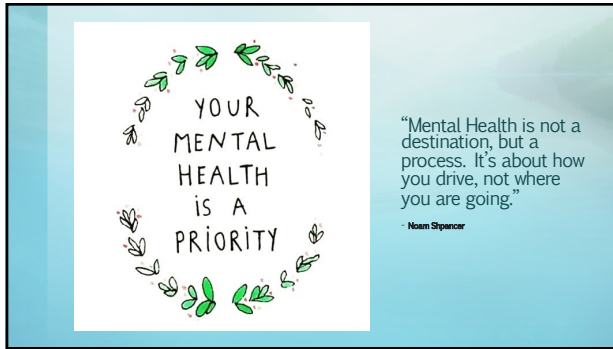
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