


A (Law) Firm Foundation: How Addressing Mental Health in Law Offices Leads to Corporate Success

By Elizabeth C. Ortega & Fernando Garcia





Two colleagues share an elevator ride up to the penthouse of their office building. She says, “Good morning.” He nods her way in response, and they lapse into silence. He’s trying to shake off the grogginess from a week of late nights as he prepares for trial. She’s silently replaying the argument she had with her partner at breakfast...again. The elevator stops, and before the door opens, they both take a deep breath, pull their shoulders back, and paste on a smile. Just like every other young lawyer in this firm, they’ve learned to check themselves at the door. There is only one option if they want to achieve partnership one day...execute. And so they will, all the while carefully concealing the warning signs of increasing mental distress.

Beyond the individual, the impact of mental health on the economy and employers is staggering. In the United States, \$200 billion is spent annually on mental health issues. This outweighs the costs of heart disease and cancer. Alcohol abuse is costing employers \$249 billion annually. In Canada, with about a tenth of the population of the United States, the economic cost of mental illness is estimated to be over \$50 billion per year and in any given year, 1 in 5 Canadians experience a mental illness.

As noted by the [World Health Organization](#), the “consequences of mental health problems in the workplace include increased physical health problems, increased absenteeism, reduction of productivity, increased

errors, loss of motivation, high turnover, and conflicts among colleagues,” among other issues. When burned out employees have to be replaced, the cost to the company is estimated to be at least 50% more than intervening on behalf of the distressed employee.

For more than thirty years, the demanding, results-oriented culture of law firms has been the subject of [mental health studies](#) in the USA and [Canada](#), yet little has been done to change the culture of the business of law. The general populace experiences major depressive disorder (MDD) at an estimated rate of 3-5%, yet among law firms, it affects two-to-three times as many. The 2016 Krill Study on mental health in the legal profession revealed 28.3% of lawyers suffered from depression, 19.3% from anxiety, and 45.7% have experienced depression at some part of their careers. This is consistent with 70% of lawyers developing alcohol issues over the course of their careers.

Facing the culture

In order to understand the “how come” behind these statistics, the law firm culture must be considered.

The [standard assessment measure](#) for lawyers is billable hours. While this is a very convenient- and easily measured approach, it has an adverse impact on lawyers. Annual minimums of 1800 or even 2200 billable hours depend on 36-44 billable hours a week. To achieve this rate, lawyers can expect to work 49-61 hours per week...and these are minimum standards. Those wishing to advance are expected to contribute much more to the firm’s success. There is no reward for efficiency and productivity in

completing tasks. There is no reward for working smarter, not harder and longer.

Where [atomism](#), the belief that society is comprised of self-sufficient individuals motivated by their own interests, is the prevailing assumption, lawyers must fight, strategize, and compete against each other to get ahead. Weakness cannot be shown, and human limitations, such as the need for regular sleep, authentic relationships, decompression, family time, and work-life balance are perceived as weaknesses.

The decay in mental and emotional health these pressures and expectations create remains the elephant in the room in most practices. “Sure, everyone knows lawyers that drink too much... but I can’t admit that I’m one of them.” Yes, we know that lawyers battle anxiety and depression. Of course they do. This is part of the price of pursuing this career. “But I can handle it... and I’d better, or I’ll be passed over for the challenging and rewarding assignments, for the promotion, or worse.” An [Am Law 200 survey](#) reported that 75% of lawyers perceive a prevailing stigma against anxiety, 81% against depression, and 94% against substance abuse. So lawyers suffer in silence and alone.

Affecting change one person and one relationship at a time

It’s time to challenge the status quo. The enduring success and evolution of the legal profession depends upon it. This is how we invite change.

Those suffering from mental illness and dangerous coping strategies need allies who will use their voices and their actions to provide

strength and support. [Allyship](#) means working proactively to destigmatize mental illness and challenging the prevailing competitive culture to create a healthier work environment. It's leadership by example, education, and advocacy. Take a moment to take stock of your own assumptions about mental illness. Do you see it as a weakness? Shameful? Challenge these assumptions and learn the truth. Evaluate your own experiences and behaviors regarding mental health. Are you projecting an image of cool confidence, yet your personal life is crumbling around you and you can't remember the last time you had a good night's sleep?

Learn to identify the warning signs and symptoms of [depression](#) and [anxiety](#) in yourself and others, and, when you recognize them, don't wait to seek help. When you see colleagues suffering, step in on their behalf. Provide a safe space to talk and respond with respect and concern. Speak up about your own mental health journey. One person's choice to lead the way into authenticity opens the door for other colleagues to bring themselves unprejudiced into the workplace.

At the corporate level

The bottom line? Lawyers cannot afford to ignore the fact that mental health impacts their bottom line as much, if not more, than billable hours do.

If law firms learn to measure success in terms of healthy, productive colleagues instead of an iron-clad billable hours competition, all parties benefit. Those struggling will be buoyed by the support they receive, and the shame and isolation of mental illness will be mitigated. Healthy and committed lawyers will stay in the

profession, in an office climate of teamwork and collaboration and clients will receive excellent service. In the end, it's a new path to business growth, driven by a positive culture that can be celebrated by the whole firm and its clients without leaving casualties along the way.

About the Authors

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