

Managing Mental Health Through Meaningful Mentorship

by Elizabeth Turnbull



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Uncle Ben once told Peter Parker, “With great power comes great responsibility.”¹ I cannot imagine that any of *The Federal Lawyer’s* readers have superhuman strength, the ability to shoot spider webs, or hands that allow them to crawl up buildings, but we each have great power in the form of the arguments we make, the decisions we render, and the laws we write or pass. And with this power, comes the responsibility of being expected to know, decide, and create the answers to the issues faced by our clients, our friends, our family, and, ultimately, society at large.²

What Uncle Ben forgot to mention is that great power and responsibility are also frequently accompanied by great stress, anxiety, and depression.³ It isn’t surprising that law schools do not plaster the presence of this third companion on adverts, nor is it surprising that a frequent “end of the interview” question is not the rate of mental health issues amongst the potential employer’s attorneys. But ignoring the problem and pretending it doesn’t exist doesn’t make it less real.⁴

In 2016, researchers conducted a comprehensive study measuring “the rates of substance use and other mental health concerns” among legal professionals.⁵ According to this study, 20.6 percent of the respondents screened positive for problematic drinking and 36.4 percent of the respondent’s scores were “consistent with hazardous drinking or possible alcohol abuse or dependence.”⁶ Regarding mental health, the study found that of the 89.8 percent of respondents who answered the pertinent questions, 61.6 percent reported anxiety, 47.5 percent reported depression, 16.1 percent reported social anxiety, and 8.0 percent reported panic disorders.⁷ After analyzing the data, researchers concluded attorneys were approximately 40 percent more likely to suffer from problematic drinking in comparison to professionals in other highly educated workforces, and lawyers suffered from considerably higher rates of mental health issues.⁸

From the very moment one decides to go to law school, the pressure to be the best while making it seem like you aren’t even trying begins to build. The best LSAT scores get accepted into the best schools and receive the best scholarships. The best students

receive the best grades, which often results in the best jobs. And it doesn’t stop once employed. We are expected to continuously strive to be the best indefinitely, with the personal and professional stakes getting higher and harder to deal with. In truth, it is no wonder many of our colleagues overuse substances and struggle with managing their mental health.

The ramifications of this study are concerning not only for legal professionals but also for those we serve. In fact, both the Model Rules of Professional Conduct and opinions by the ABA Standing Committee on Ethics and Professional Responsibility recognize the effect of “attorney impairment.”⁹ Although helpful for confronting known or suspected impairment, the rules and committee guidance are reactive rather than proactive, which doesn’t serve either the attorney or the client suffering from the attorney’s impairment in the scheme of things. Given what we know about the prevalence and effect of substance abuse and mental health issues, we must start to be proactive as a professional community in creating solutions to ensure our members are thriving.

Considering the 2016 study’s finding that substance abuse and mental health issues declined in correlation with age and experience, one such solution is the creation of meaningful mentorship programs within our firms, agencies, and bar associations.¹⁰

The power of mentorship and workplace success is well established, but based on my personal experiences and that of my peers, although mentorship programs are a frequent talking point for firms and bar associations, between the demands of assignments, partners and clients, billable hours, and family obligations, these programs often end up being little more than an introductory email, a programwide meet and greet, and perhaps a lunch or two. This is not sufficient.

I worked as an English teacher at a high school with high-risk students for two years before attending law school. Like lawyers, teachers are prone to substance abuse, mental health distress, and high turnover rates.¹¹ Teaching at a high-risk school was not a walk in the park, but it could have been much

worse had my school district's administration not been proactive in supporting new teachers through various interventions, including a highly regulated mentorship program that assigned each new teacher in the district a mentor for the first three years. The mentors were former teachers in the district that were on sabbatical from the classroom during their three-year tenure as mentors. Despite being out of the classroom as teachers, they had many responsibilities. For example, my mentor sat in and observed classes; he debriefed these viewing sessions with me and gave suggestions for areas of improvement; he discussed my biannual evaluations; and, occasionally, he acted as a liaison between me and my school's administration.

I appreciated the practical guidance my mentor provided, but what I valued the most was the knowledge that he listened without judgment. It took a while to build this aspect of trust between us, but eventually I was able to ask questions about things that I wouldn't feel comfortable admitting I didn't know to an administrator, air my frustrations, and discuss my frequent feelings of failure. Without sounding the alarm and reading me the riot act about the contract I signed, my mentor listened when I told him after a particularly rough week that I didn't know whether I could come back the next day. Instead of shaming me, he was transparent and acknowledged that even with all his years of experience, he struggled, too—and then he helped me move forward. Trust, open communication, and transparency—these are the essential components to a meaningful mentorship.

Granted, the practical application of such a mentorship program would be difficult, if not impossible, to implement within a firm, agency, or bar association. But one of our many powers is finding answers and creating solutions. With research and discussion, mentorship programs can be created that allow those who have “made it” to make a meaningful impact on the next generation of lawyers and encourage discussion of the various struggles that accompany the great power and responsibility we each possess. The responsibilities we bear are great, and not even the most successful mentorship will

eradicate substance abuse, stress, anxiety, or depression; however, such a relationship can provide a foundation upon which the root of these problems can be discussed and managed, which will benefit our professional community as well as all those who depend on the exercise of our powers. ☺

Endnotes

¹SPIDER-MAN (Columbia Pictures 2002).

²See Jeena Cho, *Attorney Suicide: What Every Lawyer Needs to Know*, AM. BAR. ASSOC. J. (Jan. 1, 2019, 2:05 AM), http://www.abajournal.com/magazine/article/attorney_suicide_what_every_lawyer_needs_to_know. (“[L]awyers say ... the expectation is that they are ‘a superhero’ with no room for error or humanness.”).

³See *id.*

⁴See Christine Simmons, *Buffalo Law Student Dies From Suicide, Family Establishes Mental Health Fund*, LAW (July 3, 2019, 4:18 PM), <https://www.law.com/newyorklawjournal/2019/07/03/buffalo-law-student-dies-from-suicide-family-establishes-mental-health-fund/?sreturn=20190616164241>.

⁵Patrick R. Krill et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 J. ADDICTION MED. 46 (2016).

⁶*Id.* at 51.

⁷*Id.*

⁸*Id.*

⁹See Rachel G. Packer, *A Young Lawyer's Guide to Ethically Confronting Substance Abuse*, AM. BAR. ASSOC. (June 7, 2012), <http://apps.americanbar.org/litigation/committees/youngadvocate/email/spring2012/spring2012-0612-young-lawyers-guide-ethically-confronting-substance-abuse.html>.

¹⁰Krill et al., *supra* note 5, at 51.

¹¹See Indra Cidambi, *Addiction in the Classroom*, PSYCHOL. TODAY, (Mar. 27, 2018), <https://www.psychologytoday.com/us/blog/sure-recovery/201803/addiction-in-the-classroom>.

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