

# Lawyer Well-Being: Challenges and Healthy Solutions

Presented by the OAAP  
to Willamette Valley Inns of Court

October 21, 2021  
6:15 p.m. - 7:30 p.m.

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Qualifies for 1 - MHSU MCLE credit



# OAAP

OREGON ATTORNEY ASSISTANCE PROGRAM  
*helping lawyers, judges, and law students since 1982*





OREGON ATTORNEY ASSISTANCE PROGRAM

## About the **OAAP**

We help lawyers, judges, and law students develop the skills they need to meet the demands of their professional and personal lives in a healthy way. Our services are **confidential** and free. Call or email us - we offer hope and help.

- Well-being and stress
- Anxiety or depression
- Problem substance use
- Compulsive & challenging behaviors
- Career and lifestyle
- Relationships
- Challenging times

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# Willamette Valley Inns of Court

October 21, 2021

6:15pm – 7:30pm (Zoom)

## ***Lawyer Well-Being: Challenges and Healthy Solutions***

By Douglas S. Querin, JD, LPC, CADC-1

Attorney Counselor

Oregon Attorney Assistance Program

### **I. Introduction.**

### **II. Overview of Today's Presentation.**

- A. [Oregon Attorney Assistance Program](#) (OAAP).
- B. Well-Being: What is it?
- C. Well-Being: How are we faring?
- D. Well-Being: Common challenges.
- E. Well-Being: Tips and suggestions.

### **III. The OAAP.**

- A. 3 Foundational principles: Confidential, Voluntary, Free.
- B. Services and resources. <https://oaap.org/>

### **IV. "Well-Being" – What is it?**

- A. *Multi-Dimensional* → Physical, Occupational, Social, Intellectual, Emotional, Spiritual.
- B. It requires Self-Reflection.

### **V. Well-Being: How is Our Legal Profession Faring?**

- A. ABA & Hazelden Betty Ford Collaboration (2016).
  1. [National Survey](#): → 13,000 lawyers, 15 states, measuring Rates of:
    - a. Alcohol Use Disorders,
    - b. Depression, Anxiety, and Unhealthy Stress, and
    - c. Willingness to seek help when needed.
  2. [Key Findings](#) → Alcohol Use Disorder Rates:
    - a. 21% of all lawyers surveyed (cf. 8% in General Population);
    - b. 28% of surveyed lawyers w/ <10 years in practice;
    - c. 31% of law firm junior associates.
  3. [Key Findings](#) → Depression, Anxiety, Unhealthy Stress:
    - a. 28% reported problematic levels of Depression;

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- b. 19% reported problematic levels of Anxiety;
  - c. 23% reported problematic levels of Unhealthy Stress;
  - d. Correlations found: Higher rates of Alcohol Misuse ⇔ Higher rates of Depression, Anxiety, and Unhealthy Stress.
- 4. Key Findings → Health-Seeking Behaviors.
  - a. Many lawyers needing help *do not* seek it.
  - b. Why? Common reasons?
  
- B. Also in 2016 - ABA Collaborated on Survey of Law Student Well-Being – [Law students](#).
  - 1. 15 law schools; 3300 law students; focus: substance use and mental health rates;
  - 2. Key Findings: Largely similar to the lawyer studies.
  
- C. [A Current Study](#) (2021); 3000 lawyers; Looked at Work-Related Factors in Law Practice that are often associated with Depression, Anxiety, Stress, and Substance use challenges ..... AND how they are manifested between the Genders.
  - 1. Work-related factors like:
    - a. Over-commitment to work;
    - b. Imbalance between effort and reward;
    - c. Work-family conflict;
    - d. Workplace permissiveness toward alcohol;
    - e. Prospects for career growth/promotion.
  - 2. *Generally, female* respondents reported experiencing:
    - a. More of these work-related factors than males,
    - b. Higher levels of levels of depression, anxiety, stress than males, and
    - c. More inclined than males to contemplate leaving law practice.
  - 3. Younger lawyers were more likely to report elevated levels of stress.
  
- D. **So ... How is our Profession Faring?**
  - 1. Problem Alcohol Use, Depression, Anxiety, and Unhealthy Stress;
  - 2. Younger lawyers - Significantly Higher Rates of Substance Misuse & Depression;
  - 3. Many lawyers needing help, do NOT seek it (Why?);
  - 4. Women lawyers – Disadvantaged & at Higher risk in most areas;
  - 5. Law Students → Studies show similar results.
  - 6. [National Task Force on Lawyer Well-Being](#)
  - 7. Remember: Well-Being exists on a Continuum and Frequently Changes.

## VI. Common Signs, Symptoms, Red Flags, and Professional Impact.

- A. Caveats & Considerations.
  - 1. What I've Experienced, Observed, & Read;
  - 2. Different Conditions – Similar Symptoms; they often Co-occur;
  - 3. Labels can be Inaccurate, Unfair, and Stigmatizing.

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B. Real World: Genetics, Family of Origin, Childhood Trauma, Other Trauma.

1. Many factors can strongly affect how we live, work, and interact in our world;
2. And ... thus affect our Health, Wellness, and Well-Being Today.

C. Substance Use, Depression, Anxiety, and Unhealthy Stress – Common Signs & Professional Impact:

1. Substance Use (especially Alcohol) – Common Indicators:

- Continued problematic behavior despite adverse consequences;
- Inability to control use once start;
- High tolerance;
- Withdrawal; physical/psychological effects from discontinuing substance;
- Efforts to change behavior; tracking use;
- Drinking/using during the day;
- Hiding use, stashing supply, misrepresenting use levels;
- High-risk behaviors;
- Social & Interpersonal problems;
- Impaired Self-Regulation/Reactive Behavior;
- Concern expressed by family, colleagues, & others;
- Isolating;
- Sleep disturbances;
- Confused thinking, memory, cognitive decline.

2. Depression, Anxiety, Unhealthy Stress – Common Indicators:

- Approximately 50% of those diagnosed with depression are also diagnosed with anxiety disorder.
- Substance use disorder & depression – often co-occur;
- Frequent “self-medicating”;
- Depression: depressed mood; lack of interest in activities; lack of energy; trouble concentrating; sleep disturbances; changes in appetite; feelings of guilt, worthlessness, or despair; disengaged from personal/professional life, loss of hope; thoughts of self-harm or suicidal behaviors.
- Anxiety: Excessive/generalized worry or rumination, catastrophic thinking; restlessness, easily fatigued, trouble concentrating, irritability, sleep disturbance, muscle tension.
- Unhealthy Stress: (generally Triggered by specific, external events, short-term or long-term factors – e.g., work deadlines, work project, relationships, workplace discord, discrimination, chronic illness, etc.) Symptoms similar to Anxiety.

3. How these conditions can appear in the Workplace:

- Neglecting major work responsibilities/poor performance;

- Procrastination;
- Late/last minute job completion;
- Problematic billings/billing practices;
- Deadlines/timelines missed;
- Missed appointments;
- Unresponsive/unable to contact;
- Unexplained absences;
- Excessive time off;
- Reported financial problems;
- Reported criminal charges;
- Voice mailbox full;
- Failure to return calls;
- Clients/files neglected;
- Unusually poor work product;
- Excuse-making;
- Malpractice & disciplinary issues;
- Isolation from colleagues;
- Angry/poor treatment of colleagues;
- Significant mood swings;
- Low frustration tolerance/emotionally reactive;
- Smelling of alcohol;
- Late to work; early to leave;
- Decline in personal appearance;
- Paralysis – a product of being overwhelmed;
- Excessive internet/social media use;
- Communications at odd hours;
- Confused thinking;
- Significant changes in behavior;
- Low resilience/difficulty bouncing back;
- Talk/behavior suggesting loss of hope; suicidal ideation.

## VII. Commenting on COVID.

- A. COVID-19 has exacerbated existing and created *new* mental health conditions. [America's State of Mind Report; Psychological Impact of COVID-19 - Pew Research.](#)
1. Prescriptions for anxiety, depression, and sleep disturbances have spiked. [Prescriptions;](#)
  2. Alcohol sales have spiked. [Covid and Increased Alcohol Use.](#) [Marijuana sales](#) in Oregon have spiked as well;
  3. Increased social isolation and procrastination;

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4. Pandemic has been traumatic for many; affecting differently people differently.  
Resource: [Emotional Toll of the Pandemic](#)
5. Returning to office practice will also affect everyone differently.

B. Well-Being Reminders as law offices return to more normal practices: Maximize communications, minimize uncertainty; honor differences; provide options; be intentional about and encourage well-being practices.

## VIII. **TIPS → Attending to Our Own Well-Being.**

A. Tools, tips, and reminders. (*See, Resources, herein.*)

1. Ask: “How are my Well-Being Dimensions?” (Physical, Occupational, Social, Intellectual, Emotional, Spiritual) Well-Being involves *All* of these.
2. Staying Connected – with family and friends; If you ever wondered about the role this plays in Well-Being, watch this 12-minute TED Talk – You’ll find it remarkable. [Relationships & Social Connections](#);
3. Healthy Boundaries:
  - Learning when to say “No”;
  - Self-care is a Boundary issue – “Double down and drive forward”;
  - Practice Healthy Habits (See Tips, below).
4. “If it’s your job to eat a frog, it’s best to do it first thing in the morning” – Mark Twain, (See Procrastination Tips, below);
5. Seek Help when needed – from friend, colleague, professional (OAAP is option);
6. Recovery support meetings – can be very helpful;
7. “I don’t need assistance” – a toxic mantra for lawyers;
8. Practice being Present; be mindful. (See, Resources, below);
9. Exercise – e.g., a lawyer and a bicycle;
10. Calendar time for self;
11. Three-minute Micro-Self-Care Breaks – breathing, walking around, playing Words with Friends, watercooler, etc. --- research says we are more productive;
12. Smartphone Apps – helpful for some (See, Resources, Apps to Consider);
13. Emotions: Learn how to identify, express, and get comfortable feeling emotions.
14. Fear, Anger, Resentments – inevitable in an adversarial system;
15. Resilience – the ability to “bounce back from setbacks”;
  - a. Resilience is skill set that can be learned and developed. (Catastrophic thinking can hinder our resilience.); social connections vital;
  - b. Resilience starts by paying attention to *basic self-care* - Medical care, Nutrition, Exercise, Sleep.

## IX. **TIPS → Healthy Habits; Willpower & Procrastination.**

A. Healthy Habits/Willpower *Promote* Well-Being (and vice versa). (See, Attachments.):

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1. Willpower is like a *muscle*; it gets strengthened & weakened in the same ways;
2. Willpower fluctuates during different times of days;
3. Willpower and stress are incompatible; stress impairs willpower – the more stressed we are, the less our willpower;
4. Having to make a lot of Decisions – actually diminishes willpower;
5. Monitoring & tracking progress, and social support improve willpower;
6. Self-guilt & shame actually *don't* work to improve willpower.

B. Procrastination & Well-Being.

1. “If it’s your job to eat a frog, it’s best to do it first thing in the morning. And, if it’s your job to eat two frogs, it’s best to eat the biggest one first.”;
2. “Procrastination”: Intentionally postponing *necessary* action, knowing delay will likely hinder our ability to achieve our goals;
3. Our *Emotional Well-Being* – often at core of Procrastination; it’s a way we regulate our emotions; our Present Self puts off emotionally challenging issues to instead be handled by our Future Self;
4. Strategies to Prevent Procrastination. (See, Attachments.):
  - a. In a Nutshell → Self-Care.
  - b. Willpower practices.
  - c. Power of the pen.
  - d. Self-Monitoring/tracking progress.
  - e. Commit your Well-Being Intentions to another person.
  - f. “Baby steps.”
  - g. Being realistic.
  - h. Self-Compassion. (Cut ourselves some slack.)
  - i. Seek help.

X. **TIPS – Helping Someone in Need – Colleague, Friend, Family Member.**

- A. Generally, if you have concerns about the well-being of another person, there are likely others who have similar concerns.
- B. People who are struggling – often unwilling to seek assistance.
- C. Some things to keep in mind:
  1. Sooner rather than later;
  2. Have a conversation; share *your* concerns & *your* observations (*generally*, not the observations of others).
  3. Avoid judgment and confrontation.
  4. Care, Compassion, and Candor.
  5. Don’t need to be a mental health expert; don’t diagnose.
  6. Key: Listen, Listen, Listen!



7. Recognize: Helping is a *process*, not one-time event.
8. Be familiar with possible Referral/Professional Resources.
9. Feel free to call OAAP about how to reach out.

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## Appendix

### Common Signs and Symptoms of Problematic Substance Use, Depression, and Anxiety

- **Problematic Substance Use:**
  - Continuation of problematic substance use despite adverse consequences;
  - Legal problems;
  - Social or interpersonal problems (e.g., domestic troubles);
  - High risk behavior (e.g., driving at high speeds; driving drunk);
    - Neglecting major responsibilities at work, school, home;
  - Difficulty in controlling, or inability to control, substance use;
  - Taking substance in larger amounts/for longer periods than intended;
  - Persistent desire or unsuccessful attempts to cut down or stop using;
  - Withdrawal and Tolerance. *High tolerance* (having to drink/use more to achieve desired effects); signs of *withdrawal* in the absence of the substance (e.g., tremors, anxiety, nausea, lethargy, etc.);
  - Concerns expressed by family or others;
  - Denial or minimizing substance use problem.
  
- **Depression**
  - Prolonged and debilitating feelings of sadness, hopelessness, worthlessness, despair;
  - Feelings of hopelessness, pessimism;
  - Loss of interest in activities once enjoyable;
  - Difficulty focusing, concentrating, tracking, decision-making;
  - Changes in:
    - Energy levels (agitation or lethargy);
    - Sleep Habits (insomnia or sleeping too much);
    - Eating (eating too much or too little; losing or gaining weight);
  - Paralyzed from taking action in their self-interest; procrastination;
  - Can include recurrent thoughts of death or suicide.
  
- **Anxiety:**
  - Fight, flight, or freeze response is locked in the on-position;
    - Prolonged debilitating anxiety or worry;
    - Procrastination;
    - Irritability;
    - Prolonged disruption of sleep (inability to fall asleep/ stay asleep);

- Avoidance of situations;
- Distress in social situations;
- Obsessive or compulsive behavior;
- Difficulty focusing, concentrating, tracking;
- Difficulty self-regulating emotions (crying, irritability, anger, restlessness);
- Paralyzed from taking action in their self-interest;
- Panic attacks: The sudden onset of intense apprehension, fearfulness or terror. During these attacks, symptoms such as shortness of breath, heart palpitations, chest pains, choking or smothering sensations and/or fear of “going crazy” or losing control.

## References & Resources

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  - [OAAP Thriving Today Blog: Now Might Be a Great Time to Start a Meditation Practice – It is Easier Than You Think](#). (April 21, 2020).
  - [Meditation 101: A Beginner's Guide](#) (Short animated video, narrated by author Dan Harris). -
  - <https://www.psychologytoday.com/us/basics/mindfulness>
  - <https://familylawyermagazine.com/articles/meditation-techniques-for-lawyers-increase-productivity-reduce-stress/>
- Apps – to consider:
  - [www.headspace.com](http://www.headspace.com)
  - <https://www.calm.com>
  - <https://www.sattva.life/>
  - <https://insighttimer.com/>

- Thousands of others; Google them!
- Gratitude, self-compassion, and acts of kindness
  - <https://oaap.org/thriving-today/acts-of-kindness-improve-well-being/>
  - <https://oaap.org/insight/grow-your-gratitude/>
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  - <https://oaap.org/thriving-today/things-to-do-while-sheltering-in-place/>
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  - <https://www.psychologytoday.com/us/blog/the-unmotivated-teen/202003/sheltering-teen-in-place-without-losing-your-mind>
- Being cautious about screen time, social media, and consuming too much COVID news
  - [https://greatergood.berkeley.edu/article/item/how\\_to\\_be\\_intentional\\_about\\_consuming\\_coronavirus\\_news](https://greatergood.berkeley.edu/article/item/how_to_be_intentional_about_consuming_coronavirus_news)
  - <https://oaap.org/insight/technology-and-mental-health/>
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  - <https://adaa.org/finding-help/coronavirus-anxiety-helpful-resources>
- Working Remotely:
  - Coronavirus and the Workplace:  
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  - The Huff Post Guide to Working from Home
  - National Law Review - How to Manage Your Law Firm Remotely During COVID-19
  - NPR - 8 Tips to Make Working from Home Work for You
- Crisis Lines

- National Suicide Prevention Lifeline Network 24/7 Crisis Hotline: 1-800-273-TALK (8255) (Veterans, press 1)
- Crisis Text Line: Text TALK to 741-741 to text with a trained crisis counselor for free, 24/7
- SAMHSA Treatment Referral Hotline (Substance Abuse): 1-800-662-HELP (4357)
- RAINN National Sexual Assault Hotline: 1-800-656-HOPE (4673)
- National Domestic Violence Hotline - Staying Safe During COVID-19
- National Domestic Workers Alliance - Coronavirus Care Fund
- Informed Immigrant - Resources for Immigrants During the Coronavirus Crisis
- Mental Health
  - ABA Commission on Lawyers Assistance Programs - COVID-19 Mental Health Resources
  - Coronavirus Anxiety - Helpful Expert Tips and Resources, from the Anxiety and Depression Association of America: <https://adaa.org/finding-help/coronavirus-anxiety-helpful-resources>
  - Managing Anxiety & Stress, from the CDC: <https://www.cdc.gov/coronavirus/2019-ncov/prepare/managing-stress-anxiety.html>
  - Coronavirus Sanity Guide, from Ten Percent Happier: <https://www.tenpercent.com/coronavirussanityguide>
  - Daily virtual mindfulness session with Jeena Cho: [https://mindful-pause.teachable.com/p/daily-pause-connection-during-social-isolation/?fbclid=IwAR1kq3BV9LWDkVr6tIGq\\_4BfkYFm\\_kJQfIVYXrn5w\\_S8v\\_xxNKqQ\\_GiUMOW](https://mindful-pause.teachable.com/p/daily-pause-connection-during-social-isolation/?fbclid=IwAR1kq3BV9LWDkVr6tIGq_4BfkYFm_kJQfIVYXrn5w_S8v_xxNKqQ_GiUMOW)
- **Online Recovery Groups & Resources**
  - OAAP 12 Step-Meetings – Currently 3/wk via Zoom  
 OAAP hosts *confidential* online video meetings for lawyers, judges and law students in recovery on Mondays at 5:30pm, and on Wednesdays and Fridays at 12:30pm. If you have questions or would like information on how to access the meetings, please contact Attorney Counselors Doug Querin at [DouglasQ@oaap.org](mailto:DouglasQ@oaap.org) or Bryan Welch at [bryanw@oaap.org](mailto:bryanw@oaap.org).
  - Alcoholics Anonymous  
 Portland Area Intergroup: [www.pdxaa.com](http://www.pdxaa.com)

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Central Oregon Intergroup: <http://coigaa.org/>

Eugene (Emerald Valley) Intergroup: <https://eviaaweb.org/meetings/>

Salem Area Intergroup: [www.aa-salem.com/zoom-meetings](http://www.aa-salem.com/zoom-meetings)

- Narcotics Anonymous
- Portland Area Service Committee: [www.portlandna.com](http://www.portlandna.com)
- Al-Anon –  
Online: [http://12stepforums.net/alanon\\_family\\_group\\_online\\_meeting.html](http://12stepforums.net/alanon_family_group_online_meeting.html)
- SMART Recovery, Self-help addiction recovery: [www.smartrecovery.org](http://www.smartrecovery.org)
- In The Rooms, an online addiction recovery community, AA, NA, Dual Diagnosis, SAA (sex addiction), CPA (chronic pain): [www.intherooms.com](http://www.intherooms.com)
- Women’s Meetings: [https://aa-intergroup.org/directory\\_women.php](https://aa-intergroup.org/directory_women.php)
- Recovery Dharma: Healing from Addiction with Buddhist Practice, daily meetings via computer, smartphone, or dial-in: <http://recoverydharma.online/>
- Families, Parents & Children
  - Parents: Being Good Enough Right Now Is Ok: <https://adaa.org/learn-from-us/from-the-experts/blog-posts/consumer/parents-being-good-enough-right-now-ok>
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<https://www.afccnet.org/Portals/0/FamilyKind%20Webinar.pdf?ver=2020-03-25-155516-373>
- Free Educational Sites:
  - <https://www.scholastic.com/teachers/teaching-tools/articles/resources/scholastic-learn-at-home--free-resources-for-school-closures.html#>

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- <https://www.patrickcarman.com/> (live broadcasts and free audiobooks)
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## Speaker Biography



**Douglas S. Querin, JD, LPC, CADC I**, is an Attorney-Counselor with the Oregon Attorney Assistance Program (OAAP), providing resource referrals and confidential behavioral health and addiction counseling services to Oregon lawyers, judges, and law students. He practiced law as a trial lawyer in state and federal courts in Oregon for over 25 years, returned to graduate school earning an M.A. in Counseling, and became licensed as a Professional Counselor and certified as a Drug and Alcohol Counselor. He started at OAAP in 2006. Doug frequently presents at Oregon law schools, law firms, and bar associations on professional well-being issues in the legal community.

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