

RAISING AWARENESS

DEPRESSION AND SUBSTANCE USE DISORDER IN THE LEGAL COMMUNITY

In 2014 the Hazelden Betty Ford Foundation and the American Bar announced that they would begin a joint study to research substance use and depression among licensed attorneys. In the announcement, Patrick Krill, J.D., Director of the Hazelden Betty Ford Foundation states, “Available estimates peg the addiction rate of attorneys to be roughly twice that of the general population. Those estimates are quite dated though, and it appears the problem may be growing even worse.”¹

While waiting for the new data to become available, law firms can consider ways to help lawyers suffering from depression and substance use disorder today. The following information will help firms to identify lawyers who may need assistance and provide some resources to aid in intervention.

Signs and Symptoms of Substance Use Disorders, Specific to Lawyers:

Professional:

- **Early Stages:** client neglect, unreturned phone calls, late for depositions, cancelled appointments, numerous “sick” days
- **Late Stages:** failure to come to the office and/or appear for hearings, intoxicated in court, unprofessional appearance/hygiene, inappropriate mood (depressed, angry, withdrawn), abandonment of practice

Legal:

- **Early Stages:** 1st DUI, open container, disorderly conduct
- **Late Stages:** 2nd DUI+, controlled substance charge, domestic violence

Ethical:

- **Early Stages:** late for hearings, “technical” trust violations (reconciliations, ledger cards), “last minute” filings, failure to diligently prosecute/defend
- **Late Stages:** Substantive trust violations (misappropriation), statute of limitations violations, dishonesty to tribunal

INTERVENTION:

Don't:

- Be judgmental
- Diagnose
- Be accusatory
- Enable
- Ignore

Do:

- Express care and concern
- State factual observations
- Listen!
- Provide information and referrals
- Keep the door open for future conversations
- Be realistic about the outcome

1. <http://www.hazelden.org/web/public/american-bar-association.page>