

The Utah Lawyer Well-Being Study: Preliminary Results Show Utah Lawyers at Risk

by Matthew S. Thiese, PhD, MSPH

Lawyers and doctors have much in common. One similarity is the history of both professions largely ignoring mental health in the workplace. Due to the unfortunate stigma associated with mental health concerns, those who had feelings of depression, anxiety, or other negative thoughts have traditionally been forced to face them alone.

Fortunately, the medical field is paying attention and scientifically assessing both *why* this is happening and *how* they can best address the issue. As a result, we're seeing an increased recognition of the meaningful connection between positive mental health and physical health, as well as the positive relationship between elevated well-being and increased productivity, performance, and job satisfaction. These desirable connections have translated to boosting the performance of entire medical industries and companies.

The legal field is similarly seeing highly elevated incidents of mental health and well-being issues. However, unlike the medical field, law is lagging behind in efforts to scientifically understand both the *why* and the *how*. This means that there is very scant data on which to base decisions regarding actual risk factors for lawyers and potential interventions that might work.

What we do know is that each of the seven peer-reviewed publications assessing lawyer well-being report some level of serious concern. Lawyers rank fourth in suicides among professionals, behind dentists, pharmacists, and doctors. A 2016 study of 13,000 lawyers across nineteen states showed 11.5% of practicing lawyers experience suicidal thoughts. Patrick R. Krill ET AL., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 J. ADDICTION MED. 46, 49–50 (2016). Many recent lawyer suicides are linked to depression. The national lawyer study also showed that lawyers have a high prevalence of depression (~25%), anxiety (~20%), problematic alcohol use (24% to 36%), substance abuse (11%), and burnout (14%). *Id.* at 48–50.

This data has raised concerns with the Utah Supreme Court about the state of lawyer well-being in Utah. In response, the

court organized a task force in 2018, charged with both assessing the state of lawyer well-being in Utah and making recommendations to increase it. Guided by the 2016 report of the National Task Force on Lawyer Well-Being, Utah's Task Force published its report and recommendation to the Utah Bar in February 2019. The Utah Task Force on Attorney and Judge Well Being, *Creating a Well-Being Movement in the Utah Legal Community* (2019), <https://www.utahbar.org/wp-content/uploads/2019/07/Task-Force-Report-2.pdf>.

Recognizing both the importance of being guided by scientific evidence and the dearth of lawyer well-being data, one of the Task Force's primary recommendations was for the Utah Bar to commission a study specific to Utah practitioners. The Task Force wanted to know if Utah lawyers experience the same well-being concerns seen in national studies. And, if so, the Task Force wanted to examine whether risk factors and possible areas of intervention be identified to guide well-being education and initiatives.

The Utah Bar answered the call, hiring me and my research team from The University of Utah School of Medicine. I am an occupational epidemiologist, which means that I study the health of different working populations. The Utah lawyer study is the first one of its kind being conducted both from this point of view and being focused on well-being and health related behaviors. Our goal is to identify the state of Utah lawyer well-being, evaluate the existence and impact of depression, stress, and substance abuse, and identify potential risk and protective factors. The data will ultimately be used to foster education and interventions aimed at increasing lawyer well-being.

MATTHEW S. THIESE, PHD, MSPH, is an Assistant Professor at the University of Utah's Rocky Mountain Center for Occupational and Environmental Health.



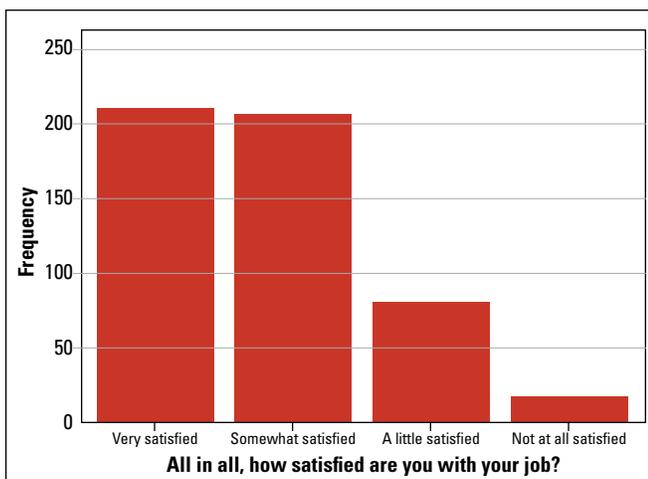
Data has been collected from a representative sample of active Utah lawyers. Initial data analysis shows an adequate distribution among gender, age, years of practice, type of practice, and geographic location. This means that the study results can be comfortably and accurately generalized to the larger Utah lawyer population. Data was collected using a survey assessing symptoms of depression, anxiety, stress, problem drinking, substance abuse, and deteriorating mental health. The survey also inquired about satisfaction with life, work relationships, law practice, and inquired into potential occupational and personal risk factors.

The research team is in the process of analyzing the data, looking for incidents of clinical well-being outcomes like mental health and substance use concerns. Additionally, we are analyzing the relationships between these outcomes and modifiable personal and occupational factors. Preliminary data analysis suggest that meaningful problems exist among practicing lawyers in Utah. These concerns include:

- 44.4% of responding lawyers reporting feelings of depression
- 10.5% reporting prior drug abuse
- 48.7% reporting some level of burnout
- Lawyers in the study being 8.5 times more likely to report thoughts of being “better off dead or hurting themselves” as compared to the general working population

When considered in terms of the magnitude of risk, this data tell us that if you are a lawyer in Utah you are more likely to experience one or more of these concerns. One of the most concerning is the magnitude of risk for suicidal ideation noted above. An odds ratio with a magnitude of 8.5 is on par with the risk of lung cancer among smokers.

The preliminary data isn't all grim. It also highlights areas where lawyers are doing well, showing a majority of participating attorneys having a moderate (46%) or high (46%) level of job satisfaction, as can be seen in the figure below.



We are still analyzing data to help explain these initial findings. There are several trends in the responses that are interesting. When lawyers were asked to share what aspects of their job help them to do well or thrive at work, the following top four response trends showed up:

- Collaboration/Enjoy working with others
- Creativity/ Intellectual challenge
- Flexible work schedule, ability to do other things
- Knowing that my contributions are valued

Conversely, when asked to share what aspects of their job prevented them from doing well or thriving at their job, we received the following top five response trends:

- Actions of other attorneys at my firm
- Billable hour requirement
- Client stress/pressure
- Frustrations with opposing counsel
- Inflexible court deadlines

The study is ongoing, and there is still much work to do to understand these results and what elements of the practice of law in Utah are either contributing to or harming lawyer well-being. We are hopeful that we are heading toward an identification of these things as well as the areas where a targeted intervention may help improve attorneys' mental well-being and have a subsequent impact on their productivity. In the meantime, we recommend taking advantage of the well-being education and resources offered through Utah's Well-Being Committee for the Legal Profession.

Sources:

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