

Every Lawyer Can Act To Prevent Peer Suicide

By **Joan Bibelhausen** (April 18, 2023, 3:32 PM EDT)

"Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk," published Feb. 11 in *Healthcare*, reveals some startling, yet unsurprising, findings about suicide in the legal profession.[1]

While suicidal ideation in our profession has been addressed by lawyer assistance programs and in the news when a high-profile death occurs, this study offers new opportunities to effect change. It reveals predictors we not only need to know, but that we can do something about.

Most notably, people who reported high levels of stress were more than 20 times as likely to think about suicide. Even those who reported intermediate, not high, stress levels were five times more likely to have suicidal thoughts.

The stress predictor makes sense and is found across professions. The true gift of this study is that it identifies specific aspects of stress as contributors to suicidal ideation. Lawyers who felt lonely or socially isolated were three times as likely to experience suicidal thoughts. Those who identified as overcommitted to work, including having difficulty disconnecting from work, were twice as likely to consider suicide.

This is a product of the culture of the legal profession, and it demonstrates that resistance to change can be fatal. As individuals and organizations, we can make a difference.

Culture change deserves discussion, but that is a multifaceted approach beyond the scope of this article. This article is intended to offer an individual perspective, as well as guidance for when you are concerned about someone.

High-profile deaths result in stories and renewals of concern about our profession. One heartfelt story, "Big Law Killed My Husband," was written for *The American Lawyer* in 2018 by attorney Joanna Litt, the widow of Los Angeles attorney Gabriel MacConaill, who died by suicide.[2] Litt describes the maladaptive perfectionism that drove her husband to perform beyond what anyone else would consider reasonable and his internal hypercriticism for failing to meet his own impossible standards.

If you are experiencing thoughts of suicide, the Suicide and Crisis Lifeline is available 24 hours a day at 988 or online at 988lifeline.org.

In 2014, CNN ran the story "Why Are Lawyers Killing Themselves," which refers to high stress, fueled by



Joan Bibelhausen

depression and anxiety, as predictors.[3]

The role of stigma was illustrated by a story from outside our profession when the New York Times published "A Suicide Therapist's Secret Past" in 2017.[4] In it, Stacey Freedenthal, a therapist who focuses on suicide prevention, describes her own attempt from many years earlier. Even though her work is well known in the field of suicide prevention, stigma long kept her from revealing this part of her history.

These stories so clearly illustrate the stigma in our profession that can keep us from reaching out in our most desperate hours.

Not only are lawyers — and judges and law students — at risk, but our clients are as well. Clients in many areas of law are facing crises, loss and other circumstances that can lead to a sense of desperation or hopelessness. This is amplified by the pandemic, trauma due to racism, and other factors, like economic challenges.

Very similar cases may involve clients who respond to their situations very differently. If a client gives cues that they may be suicidal, attorneys have the opportunity to act.

Considering lawyers, we all know this is a stressful profession. Press coverage of lawyer suicides has highlighted the potential impact of that stress. As a profession, we experience depression and alcohol use problems at a significantly higher rate than the general population. We also experience greater rates of anxiety, chronic stress and divorce, and we have a higher rate of suicide and suicidal ideation.

You may have heard your lawyer assistance program or local mental health organizations talk about this. We all need to keep talking.

The chronic stress we experience may trigger depression or other illnesses, and may lead to a sense of helplessness, increasing anxiety, and the inability to complete even mundane tasks.

We are paid to solve the problems of others and feel we should be able to solve our own problems ourselves. We may feel shame over this because we believe lawyers are not supposed to feel helpless. That feeling of helplessness can become hopelessness, where the risk of suicide grows exponentially.

What are the warning signs?

Signs of depression can include:

- Loss of interest in normally pleasurable activities;
- Difficulty concentrating, remembering or deciding;
- Changes in sleep, appetite and weight;
- Fatigue; and
- Having thoughts of suicide.

At the same time, one might feel a rising sense of anxiety with every unfinished project.

Suicide enters one's thoughts as a solution to a seemingly insurmountable problem.

The suicidal person may express a wish to die or make statements that appear to be saying goodbye.

They may give away prized possessions, quickly wrap up files or put their affairs in order. They may make a plan to die by suicide and acquire the means to carry it out, engage in dangerous activities where they understand but do not avoid potential consequences, or refrain from life-saving or life-extending activities such as medical care.

People who talk about their suicide can die by suicide. We all need to talk about it.

Our profession is addressing these concerns through initiatives such as the National Task Force on Lawyer Well-Being. The task force's 2017 report, "The Path to Lawyer Well-Being: Practical Recommendations for Positive Change," demands that we begin a dialogue about suicide prevention. Lawyer assistance programs have worked to increase awareness for decades and are grateful to have additional allies in this critical effort.

The report's call to action recommends holding events to raise awareness, sharing stories of those affected by suicide, providing education about symptoms and suicidal thinking, learning the signs of distress and making resources available. These are all good things that can make a difference.

The signs are not always verbal. Some warning signs of suicide include:

- Hopelessness;
- Withdrawal;
- Desperation;
- Increased use of alcohol and other controlled substances;
- Impulsiveness or high-risk behavior;
- Loss of engagement or sense of humor; and
- Deterioration in functioning.

Lawyers sometimes think we need to be perfect, or we'll be failures. Any possible failure becomes an opening for intense self-scrutiny, and every move we make can become defined by winning or losing. A compromise or settlement may be felt as a failure because we did not get everything we asked for when we reached for the sky.

In the case of MacConaill, his widow wrote, "Simply put, he would rather die than live with the consequences of people thinking he was a failure."

It does not have to be that way, but colleagues must be observant and meaningfully give each other encouragement and permission for self-care.

What can you do?

Learn more about it. Read Atlanta lawyer Lynn Garson's excellent article, "Everything I Know About Suicide."^[5] Watch the powerful Texas Lawyer Assistance Program video, "Just Ask: How We Must Stop Minding Our Own Business in the Legal World."^[6] Find other resources on the American Bar Association Commission on Lawyers Assistance Programs site.^[7]

Know that a call, text or chat to 988 will offer immediate help.

What can you do if you see warning signs in others?

Have the courage to ask and to act.

Be sure you have the time to listen if you personally choose to reach out. If you observe these disturbing behaviors, ask directly, but ask in a way that is true to you. "Have you thought of harming yourself? Are you in a lot of pain? Do you feel unsafe? Are you thinking of suicide?"

Never ask in a way that suggests you need a "no" answer, such as "you're not thinking about suicide, are you?" Asking directly allows the person to speak freely. If they say "no" and you are still concerned, rephrase it and ask again.

Give a reason why you asked: The person who said no may be ready to change their answer if you ask again and show you care. Someone who is so depressed that they are paralyzed may not be able to affirmatively ask for help, but they may be able to answer a direct question honestly. A call to your lawyer assistance program or 988 can guide you through having this conversation with your colleague.[8]

What happens next?

The next step is to listen, just listen. Do so calmly because this is not your situation or your crisis or your thing to fix. Give them your full attention and be prepared for the time it takes to learn why the pain is so great that dying by suicide seems to be a reasonable option.

If you believe suicide may be imminent, get them to professional help and be supportive as they get there. If they have a therapist, call that number. If not, consider taking them to an emergency room. Text or call 988, call 1-800-SUICIDE or 1-800-273-TALK — all are national suicide prevention hotlines.

Once the immediate crisis is past, support is critical to ongoing recovery. Therapy can help someone through the immediate mental illness and provide tools to develop resilience in the future. Medications are often appropriate, especially in the early stages. While it is hard for a lawyer to admit they're struggling financially, many are; lawyer assistance programs can often provide connections to resources to support the cost of ongoing treatment.

Personal support and acceptance are critical. We need to know we are not alone.

If these words generate thoughts of someone you are concerned about, or if you recognize some of these symptoms in yourself, please seek help. Freedenthal reported that as she began to feel the effects of her suicide attempt, her brain and body fought back, and she lived. Knowing that one can come out on the other side of debilitating pain can provide incredible hope.

Call for coaching if you need help on how to reach out to someone. Call for yourself if you find yourself realizing "I've thought about suicide." Thousands of your colleagues call lawyer assistance programs each year for help on many different issues that cause stress or distress in their lives.

You're not alone, and we're here to help.

Joan Bibelhausen is executive director at Minnesota Lawyers Concerned for Lawyers.

The opinions expressed are those of the author(s) and do not necessarily reflect the views of their

employer, its clients, or Portfolio Media Inc., or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.

[1] "Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk," by Patrick R. Krill, Hannah M. Thomas, Meaghyn R. Kramer, Nikki Degeneffe and Justin J. Anker, *Healthcare* 2023, 11(4), 536; <https://doi.org/10.3390/healthcare11040536>.

[2] "Big Law Killed My Husband: An Open Letter From a Sidley Partner's Widow," by Joanna Litt, updated 9 a.m, Nov. 12, 2018, <https://www.law.com/americanlawyer/2018/11/12/big-law-killed-my-husband-an-open-letter-from-a-sidley-partners-widow/>.

[3] "Why are lawyers killing themselves?" by Rosa Flores and Rose Marie Arce, TV-CNN Newsroom, CNN, updated 2:42 p.m. EST, Jan. 20, 2014, <https://www.cnn.com/2014/01/19/us/lawyer-suicides/index.html>.

[4] "A Suicide Therapist's Secret Past," by Stacey Freedenthal, *The New York Times*, May 11, 2017, <https://www.nytimes.com/2017/05/11/well/mind/a-suicide-therapists-secret-past.html>.

[5] "Everything I Know About Suicide," by Lynn S. Garson, April 15, 2021, <http://cjcpga.org/wp-content/uploads/2021/04/Updated-v-04-27-21-Everything-I-Know-about-Suicide-4813-4438-5509-v.3.pdf>.

[6] "Just Ask: How We Must Stop Minding Our Own Business in the Legal World," Texas Lawyers' Assistance Program, <https://www.youtube.com/watch?v=Q003198ip0I>.

[7] "National Resources on Suicide Prevention," American Bar Association Commission on Lawyer Assistance Programs, https://www.americanbar.org/groups/lawyer_assistance/resources/links_of_interest/.

[8] "Directory of Lawyer Assistance Programs," American Bar Association Commission on Lawyer Assistance Programs, https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/

.