Lawyers are stressed sick. They’re succumbing to depression, addiction and burnout and many are afraid to admit they need help, often with tragic consequences. National examines what lies behind this endemic problem and how the profession is trying to help its own.

~ By Michael Dempster ~

The tipping point

Lawyers face a greater than average risk of addiction, depression and other issues. So why is it so hard for them to admit they need help?

When people read or hear John Starzynski’s story, they’ll often close their eyes.

It usually happens when they see a reflection of themselves, or someone they know, tumbling toward depression, addiction or some other black hole.

Some make the connection as Starzynski talks about his early days as a sole practitioner, proud to be a lawyer making a contribution; married with two young kids, a great wife and a demanding job. Others relate to a later period when daily pressures took control of body and soul; when Starzynski was “burning to death, night after night,” a cruel nightmare that robbed him of precious sleep.

And some look into the abyss as Starzynski describes his two suicide attempts and how he was hospitalized for stress.

Like so many in his profession, he was conscientious, a perfectionist, and most certainly a workaholic. Eventually, the stress triggered a bipolar disorder that ended his 14-year law career in 1990.

He never saw it coming. Few do.

“I was so oblivious to what was going on,” Starzynski says. “I just figured I’d get through the day and the next day I’d get up and I’d be fine.

“I wasn’t in tune with my body or my feelings. I didn’t know what a feeling was. I just kept going on. I told myself, ‘this is the way you do it.’”

Starzynski will tell you he got lucky and found help. Since 1995, he has shared his experience and knowledge as a tireless volunteer with the Ontario Lawyers’ Assistance Program. A resident of Guelph, Ont., he writes, speaks regularly and acts as a peer counselor, describing a descent that’s compelling — and not that unusual.

“I’ll tell my story a lot because many lawyers think they’re the only one who have ever had a problem,” he says. “When I talk about what happened to me, the heads are nodding in the audience. People realize they’re not alone.”

He lists symptoms his audiences recognize: the sleep disturbances, panic attacks, feelings of inadequacy, loss of appetite, drinking too and dozing off at parties.
“DENIAL IS SUCH A PROBLEM. THERE’S AN ARROGANCE AMONG LAWYERS THAT WE’RE THE BEST. WE SOLVE PROBLEMS, SO WE CAN’T HAVE THEM.”

John Starzynski
Volunteer, Ontario Lawyers’ Assistance Program
Research has shown the incidence of major depression in lawyers can be as much as four times higher than in the general public. Stress is frequently the trigger, activating pathologies such as depression, anxiety disorders, obsessive-compulsive disorder, post-traumatic stress and, in Starzynski’s case, bipolar disorder.

He remembers his own tipping point. It occurred during a four-day family holiday to New York, where, in the city that never sleeps, he couldn’t: his nightmare of burning to death was so overwhelming, he was afraid to lie down and close his eyes.

Once home, he ran into a friend who told him that he didn’t look well. Starzynski stared at him for a few seconds and burst into tears.

It was a turning point, a time to ask for help. Since then he has learned that his bipolar disorder has chemical, psychological and social elements that require a regular regime of therapy and medication.

Today, when he speaks to an audience about his experience, he warns them that anybody can be at risk of stress-related depression and other disorders, no matter how much success they’ve achieved.

That includes people like Michele Hollins, Q.C., who becomes the CBA’s second vice-president this August and CBA president in 2014. “Yes, even me, the happiest person in the world, who loves her job,” says Hollins. A single mom, she fell into a bad depression for months when her twin daughters went off to university.

“Denial is such a problem,” he says. “There’s an arrogance among lawyers that we’re the best. We solve problems, so we can’t have them.”

Today’s stress levels aren’t easing and Starzynski says he’s 

John Starzynski’s three-point program for physical, emotional and spiritual health:

1. Take care of yourself so your body functions properly: Get eight hours’ sleep, exercise, eat three meals a day, cut out or cut down on caffeine and alcohol and drink water.

2. Talk to somebody who understands you and will not judge you. Share your hopes, dreams and disappointments.

3. Ask yourself where you fit in. Try to discover what gives you satisfaction, ignites your passion and makes you a whole person.

“YES, EVEN ME, THE HAPPIEST PERSON IN THE WORLD, WHO LOVES HER JOB.”

Michele Hollins, Q.C.
Partner, Dunphy Best Blocksom LLP, Calgary

board. And he didn’t feel comfortable opening up to just anyone, fearing it would be seen as a sign of weakness or that word might get out that he wasn’t well.

“A sole practitioner is isolated, even more so because things are always so busy,” he says. “In my case, I felt responsible for staff, worried about liability, not answering a call . . . all those things.”

He now understands that he was losing a piece of himself every day. Even though his wife Marg — “she loves me unconditionally” — tried to talk to him, he rebuffed her suggestions. When he finally did agree to counselling, he dismissed it as hokum.

Today’s stress levels aren’t easing and Starzynski says he’s
“terrified” by the stories he hears of growing suicides within the ranks. The number of reported cases is small, but there are other deaths that aren’t characterized as suicides. Regardless, he says, one is too many.

He urges people who see themselves in his story to call their provincial or territorial law assistance program for free, confidential help tailored to their needs.

“There’s the expression that a lawyer who represents himself has a fool for a client,” he says. “The same goes for getting help. Lawyers do need other people. We can’t fix ourselves.”

Beyond the abyss

One in three lawyers will experience a major mood disorder or addiction during school or their career. Derek LaCroix has been there and back. But first he had to admit he needed help.

Once an alcoholic “hanging by his fingernails,” LaCroix is now the executive director of the Lawyers’ Assistance Program of B.C., a team that works with about 400 lawyers every year. He is well-acquainted with the factors that make it so difficult for lawyers to seek help: Whether it’s drugs, alcohol, depression, marital issues, gambling, ethical or legal issues, or some other difficulty, he says, members of the legal profession have a disturbing blind spot when it comes to their own personal challenges.

“Treatment centres tell me lawyers are the most difficult patients,” LaCroix says. Lawyers can reason and rationalize why treatment is not really for them, even when they’re in a program, he observes.

Those who accept that they need help, on the other hand, become a counsellor’s dream. When they enter treatment, they will do things properly, the way they’re instructed, he explains. “They’re sponges. They want to learn. So once they get past [the denial], recovery rates are high.”

LaCroix knows the behaviour well because he lived it. He is a recovered alcoholic who has been through detox, relapse, bankruptcy and divorce and been hospitalized for physical and emotional problems. It took a drunken brawl to get him back on the road to recovery. When he squinted into the mirror the next morning and saw two swollen, black-and-blue eyes, it finally hit home.

“I had these bad black eyes and because of them, I couldn’t pretend something bad hadn’t happened,” he says. “I look at is as being kind of lucky because who knows how long you can continue to limp through, kind of doing recovery but really not.”

Now, says his wife, Maureen, his life experience helps him bring joy and empathy to a job he loves.
“In sharing his experience, he helps people recognize that there is help beyond, there is an alternative, a way out of their situation,” she says. “It’s important because sometimes it can seem like they’re caught in a big black hole.”

Socially outgoing
Born in Vancouver in 1949, Derek LaCroix was only nine when he bookmarked law as his career. He remembers being intrigued and inspired by John Diefenbaker, a Saskatchewan criminal lawyer who had just been elected Canada’s 13th prime minister.

In 1974, he earned a law degree from the University of British Columbia. A strapping 220-pounder, he also played on the UBC football team. While he fancied himself in the more glamorous role of running back or linebacker, coaches made him a starting offensive lineman.

The socially outgoing LaCroix didn’t miss many parties. He tasted his first drink at 13 and took to it immediately, but...
managed to keep any serious problems at bay because of school and sports.

Matters changed after he was called to the bar in 1975. LaCroix worked as a prosecutor for three years, then started his own firm. Drinking and partying was always part of the mix and by 1982 it had become a problem along with drug use. From 1984 to 1986, he barely practised.

A year later he came face to face with reality at the end of someone’s fist. It was April 19, 1987. He made a decision. He dedicated himself to sobriety with the same perseverance that he had applied to law school.

He attended Alcoholics Anonymous or Narcotics Anonymous meetings every day for years. He invested any spare money and time attending other groups and monthly retreats at a personal growth centre called the Haven, where he now leads groups.

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Derek LaCroix Q.C.

He attributes his eventual recovery to this personal and spiritual growth, which is now an important part of a “fabulous” life that he shares with Maureen, his third wife. They’ve been married for 15 years.

The role of personality
LaCroix is the first and only director of the Lawyers’ Assistance Program of B.C. Since 1996, he and his colleagues have helped hundreds of men and women find their way back to health through personalized treatment strategies.

Usually, he’s the first contact with the severest cases.
A big reward, he says, is helping those in distress to recover and rediscover the “awesomeness” of being in the profession. He’s also intent on spreading the word about why so many people find themselves in distress.

It begins with personality, he says. The legal profession attracts individuals with similar characteristics: they are naturally driven, smart, altruistic and community-minded.

But those intrinsic values can change quickly, often in the demanding first year of law school when drive flourishes and altruism fades.

LaCroix points to U.S. researchers Kennon Sheldon and Lawrence Krieger who have detailed how law students progressively lose their intrinsic motivation beginning in first year. Many students become more extrinsic, interested in prestige, appearance, competition and future salary.

“I make it very clear to the students I speak with that they need to be aware of their values,” LaCroix says. “This job is just too hard to do if it’s only about the money.

“My friends . . . who see the importance, who respect the...
profession, don’t do it for money. They still maintain heavy workloads, but they have high levels of altruism and community involvement, are healthy with good family lives.”

Remember that connection, he tells students, punctuating it with a sobering statistic: that one in three of them will suffer some kind of major mood disorder or addiction problem, either during school or in their career.

Dr. Larry Richard, a Philadelphia-based organizational psychologist and former lawyer, adds another piece to the personality puzzle. He says the legal profession attracts an extremely high percentage of thin-skinned people (see related story.) His data consistently shows that nine in 10 lawyers fall in the bottom half of the population when tested for resilience, which means lawyers are defensive, more readily hurt and normally don’t take criticism well.

Richard says increasing stress levels in the profession and a reduced ability to “roll with the punches” is a combination that often crops up as a factor when a lawyer develops problems.

LaCroix sees it too. A huge percentage of the distressed people he meets in the lawyers’ assistance program are “incredibly worried” about what other people think of them. “It’s part of that external or extrinsic validation. If they don’t get approval, or get disapproval, it really bothers them.”

Lawyers are super-achievers, he adds, admitting he was the same — driven to excel in everything he did and thin-skinned in the sense that he could hardly handle the slightest criticism.

His “inner critic” pushed him and gave him the energy to tough it out. That drive that makes lawyers successful also wears them down, he says. “It’s a grind to always have to measure up,” LaCroix explains. “I’d say that 90 per cent of people I see these days have very high rates of anxiety.

“In my case, I was so horrible, I didn’t even know how anxious I was. If you operate at a certain level of anxiety and worry for a long time, it becomes the norm.”

Over the past 25 years, LaCroix has learned techniques to reduce his stress and anxiety. When the day is over, work’s done, he says. He shifts gears, hiking, hanging out with Maureen and dedicating time to causes close to his heart.

The couple are heavily involved in Be The Change Earth Alliance, a non-profit group they helped co-founded to inspire and support people in making lifestyle changes and re-creating healthy communities. He is also president of the Multifaith Action Society, bringing different faith groups together to better understand one other.

Maureen has a master’s degree in ecology, psychology, a discipline that helps people connect with nature to enrich their lives. She says her husband doesn’t struggle with his previous addictions, and instead thrives in a life-long study to better himself and serve others.

“It doesn’t end for him,” she says. “He’s constantly reading, he has mountains of books everywhere. He’s an avid learner.”

She notes that over the years LaCroix has built an impressive peer network of volunteer lawyers (about 300), many of whom he has helped, and who now support others in distress.

“What I see in Derek is that he has a great empathy for others . . . an expanded sense of self, where people get beyond their small ego self to recognize the importance of relationships with others.”
Tough-minded, tenacious — and sensitive

Stress alone doesn't lead to personal problems, says a U.S. lawyer turned psychologist. Lawyers' personalities are also to blame.

Why do lawyers, judges and law students experience alcoholism, drug addiction, depression and other problems at rates experts say are two to four times that of the general population?

There is no single reason why lawyers are so vulnerable, but there are common threads — stress, intense personalities and basic human physiology — that can be tied together to help provide an explanation.

Dr. Larry Richard, a U.S. psychologist and former trial lawyer who specializes in helping law firms improve performance, compiled data from 42,000 tests on lawyers. One startling finding: when tested for resilience, 90 per cent of lawyers consistently score in the bottom half of the general population, meaning the vast majority of lawyers are more sensitive to criticism, setbacks and rejection, more readily hurt and quicker to become defensive.

“That's a stunning, stunning statistic,” he says. “When you have a profession that's filled with such many low-resilient people, then among other things, they're going to be much more vulnerable to the impact of stress than people of average resilience would be.”

Now put those low-resilient people in a high-stress environment where uncertainty is the norm and see what happens.

As Richard points out, human beings crave predictability, the reassurance that we can go to bed at night knowing we'll wake up the next morning and things will be the same. But that's not today's world. The economy fluctuates wildly, lawyers jump to new firms, clients are less loyal, and technology has created new competition, turning work into an unrelenting 24-7 slog.

“Change is happening more quickly than the comfort level for most human beings,” Richard says, “which means we are under stress just because of the increasing uncertainty.”

Personality is another factor: lawyers have more intense strengths that are almost the opposite of what they're trained to do,” Richard says. “So lawyers are not particularly comfortable in these people-based roles . . . that's where the problem starts.”

Now, add some unexpected work that pushes stress from manageable to overwhelming in a matter of days, or even hours. Most people will “derail,” Richard says. It's natural.

Many people have strategies to deal with these moments. Lawyers? They tend to “check out” — become emotionally agitated to the point where they are unable to even converse. They may grow skeptical, adopt a cautious, overly defensive stance that makes it difficult to get anything done or even make eye contact.

This kind of derailment occurs in short bursts, Richard says. If it happens enough times, it becomes a serious problem.

Humans also have pathologies that are sensitive to stress. They include depression, anxiety disorders, obsessive-compulsive disorders, post-traumatic stress and bipolar disorders.

“When certain types of stress are pressuring an individual, it can trigger certain types of depressions,” Richard says. “It's not like just saying, 'I feel stressed.' "It's like, 'I have so many clients pressing me from all quarters... I don't have enough resources... I'll never get all this done.'”

Next thing you know, the lawyer hasn't answered mail for three weeks, is prone to tearful outbursts and has become depressed.

Last, but important to understand, is the human body's basic response to stress. Short-term stress — like being cut off in traffic — can usually be handled quite efficiently. Our bodies manufacture chemicals such as cortisol and epinephrine (often called adrenaline) and these “fight-or-flight” chemicals, mostly hormones, help us respond to a threat.

“It's a fine defence mechanism over the short term,” Richard says. “When the fabled sabre-tooth tiger is at the entrance to your cave, you want to be able to respond in a way that saves your life.”

What if your job is the tiger that's stalking you day and night? Long-term, never-ending stress keeps those chemicals active, causing a kind of inner corrosion that affects sleep, concentration, diet and physical health.

The human body wasn't designed to deal with non-stop stress, he says, which can have a major effect on psychological wellness.

It's all tied together, Richard says. They're all factors that can contribute to a downward spiral.

For confidential help, guidance and professional referrals, contact LPAC's 24-hour Helpline at 1-800-667-5722. The service is available to lawyers, judges, and law students and their families, staff and friends.

LPAC is funded by the Canadian Bar Insurance Association with additional help from the Canadian Lawyers Insurance Association, the Canadian Bar Association, Provincial Lawyer Assistance Programs and lawyers, judges and law students across Canada.

The service is confidential and free, and it's available to all members of the legal profession, including paralegals, notaries, étudiants et étudiantes. As Richard says, “It's a personal problem, a public service.”
“LAWYERS IN DISTRESS WILL TRUST OTHER LAWYERS WHO ARE THERE TO HELP THEM ON THE PROMISE OF ANONYMITY.”

George Hendy

Reaching out
Lawyers’ assistance programs are tailor-made for their challenging clients.

Leoeta Embleton understands the lawyers who come through her door even better than they know themselves.

As the clinical director of the Ontario Lawyers’ Assistance Program (OLAP), it’s her job to know the legal profession’s culture inside and out. Before someone sits down for a meeting or assessment, Embleton has a handle on their personality and the unique challenges it poses, and has a plan to move the treatment process forward.

“If you don’t understand the culture, the lawyer personality, you will lose them; that’s what sets lawyer assistance programs apart from other counselling programs,” she says. “If they don’t think you know what you’re doing ... they’ll walk out and never come back.”

It’s a health challenge for therapists, she says. They meet with predominantly Type A personalities who are impatient, insecure, competitive, aggressive and antsy. Their clients are also perfectionists who need to be in control, put work ahead of everything else and really don’t think they need to be in treatment.

“[Lawyers] don’t want to hear feedback or gobbledygook,” Embleton says. “They want you to come to the point. Just like in their jobs, they want the right answer, a solution in a package ... ‘Tell me what to do.’ ”

That’s the tricky part, she says, because treatment is a process, not an easy remedy. And while the lawyer says they’re just “stressed”, they’re usually in a state of crisis. It’s up to skilled clinicians and therapists to engage the client, and “peel back the onion,” until they get to the core of the problem.

If the lawyer agrees to treatment, Embleton outlines the next step. The process could involve professional counselling, integration into community groups such as Alcoholics Anonymous or a local lawyers’ group, and getting connected with a peer volunteer.

George Hendy, chair of the CBA’s Legal Profession Assistance Conference (LPAC) believes peer volunteering is a particularly powerful tool.

“Lawyers in distress will trust other lawyers who are there to help them on the promise of anonymity,” he says. “Volunteers can empathize ... often [they’ll] have gone through hell and recovered, and now want to help others.”

LPAC’s prime role is to develop programs and liaise with law assistance programs across the country and the federal territories. The goal is to help lawyers, judges, law students and their families with personal, emotional, health and lifestyle issues.

In Ontario, OLAP works individually with about 1,200 individuals. Mental health issues — depression, anxiety and extreme debilitating stress — account for 42 per cent of the cases according to its 2010 annual report.

Addictions (14 per cent), relationships (13 per cent) and work-related issues (18 per cent) make up the other big categories. Embleton believes the numbers are representative of most lawyer assistance programs.

She adds that about half of individuals seeking help in Ontario are sole practitioners without access to employee assistance programs offered by larger firms or government agencies.

“We are their EAP,” she says. “They really are on their own and do use our service. That’s what we’re here for.”

Michael Dempster is a freelance writer based in Calgary.