

# FOCUS

## *Mindfulness, Mental Health and Lawyers Assistance*

By Hon. Jay C. Zainey

**W**hen I was a second-year law student, one of my professors preached to my class that the “occupational hazard of an attorney is the bottle.” Times have changed since my professor made that statement in 1973.

Because of the enormous amount of stress that many members of our profession experience, our occupational hazards have expanded to include not only alcohol abuse but other very serious mental health issues such as compulsive gambling, compassion fatigue and depression. In fact, depression now outstrips all other mental health risks and has become our biggest occupational hazard of all. Experts report that the depression rate in our legal profession is as high as 30 percent. With these increased rates of depression, tragically, suicide rates have also risen dramatically in our profession.



As members of our honorable profession, we have a common bond. Many of us studied hard together during law school, celebrated with glee when we graduated, then anxiously took the bar exam and waited for what seemed to be an eternity for our bar exam results. When we learned that we passed the bar exam, we again celebrated together. When some of our classmates might not have successfully passed the exam, we were there to comfort them. In short, in experiencing this common bond, some of us somehow felt responsible for each other.

Because of this feeling of responsibility for each other, the Louisiana State Bar Association's SOLACE program (Support of Lawyers/Legal Personnel — All Concern Encouraged) was developed more than a decade ago. The program was created as a means for members of the legal community to assist each other in their times of need.

On several occasions within the past year, in my capacity as administrator of the SOLACE program, I was contacted either by fellow attorneys who were considering taking their own lives, or by family members of attorneys who reported to me that their loved one either committed suicide or attempted suicide.

I immediately contacted the Louisiana Lawyers Assistance Program's (LAP) Executive Director Buddy Stockwell. As soon as I hung up the phone with Buddy, he and his team at LAP sprang into action — saving lives, saving families and saving careers — and, in every case, on a completely confidential basis.

The Lawyers Assistance Program is NOT an arm of the Disciplinary Board. Rather, I have seen firsthand that if a person seeks assistance with LAP on his/her mental health issue, the members of LAP, upon request and with the permission of the person receiving assistance, will support that person who might be facing discipline problems based on his/her mental health issues.

The leaders of the Louisiana State Bar Association (LSBA) recognize the mental health and wellness issues and other challenges faced by the members of our profession and are dedicating this issue of the *Louisiana Bar Journal* to raise

awareness of the mental health issues that we face and, more importantly, the resources available through the Lawyers Assistance Program.

In this issue of the *Journal*, we are fortunate to have articles written by some nationally recognized contributors:

► Lawyers Assistance Program, Inc. Executive Director J.E. (Buddy) Stockwell provides a comprehensive look at the life-saving services that the program provides, as well as presenting a brief history of the program and the statutory and jurisprudential basis for its confidential assistance to the members of our profession.

► Lawyers Assistance Program, Inc. Clinical Director Leah Rosa discusses suicide prevention using QPR (Question, Persuade, Refer).

► Scott L. Rogers, director of the Mindfulness in Law Program at the University of Florida College of Law, discusses the practice of mindfulness and offers step-by-step guidance on how to best incorporate its elements into daily life.

► Ann H. Abbrecht, in private practice in New Orleans and specializing in anxiety, depression, stress, grief and life transitions, further discusses mindfulness techniques to reduce stress and create balance in life.

► Dr. Geralyn Datz, a licensed clinical health psychologist in Hattiesburg, MS., discusses techniques to address chronic stress and burnout, focusing specifically on the landscape of pressure and stress in the legal profession and how people with no pathologies of addiction or depression can still develop the serious syndromes of compassion fatigue and burnout.

► Dr. Jay A. Weiss, the psychiatrist and addictions doctor who heads the professional staff of Palmetto Addiction Recovery Center in Rayville, La., discusses the high rate of addiction among professionals and what it takes to successfully treat licensed professionals and high-functioning individuals such as lawyers, doctors and nurses.

► Dr. Daliah Bauer, a licensed clinical psychologist and co-founder of DBT Nola in New Orleans, offers insight into the emerging role of Dialectical Behavior Therapy and how it can help patients with

depression or substance abuse issues.

► Jeff Jay, co-author of the preeminent book on intervention titled *Love First: A Family's Guide to Intervention*, discusses how early interventions are key to treating substance use disorders before severe consequences are incurred. I am pleased to note that our LAP staff members have completed the *Love First*, Betty Ford-hosted, certification training course and are well equipped to provide all types of professional interventions to Bar members and their families.

► Dan T. Lukasik, a national figurehead for the depression recovery effort in the legal profession, talks about his personal journey through depression and introduces readers to his nationally renowned website for lawyers with depression and offers some reading options for more information.

I would like to thank LAP Executive Director Buddy Stockwell for assembling this incredible group of mental health professionals and for the work he and his LAP team do on a daily basis in saving the lives and careers of many of our colleagues.

I also would like to thank our Bar leaders, especially LSBA President Joseph L. (Larry) Shea, Jr. and President-Elect Mark A. Cunningham, for their commitment to the mental health and well-being of each and every member of our profession and for their strong support of the Lawyers Assistance Program.

*Hon. Jay C. Zainey has served as a judge for the United States District Court, Eastern District of Louisiana, since 2002. He is a former president of the Louisiana State Bar Association and created the Community Action Committee and the Legal Services for Persons with Disabilities Committee during his term. He is a co-founder of the SOLACE Program (Support of Lawyers/Legal Personnel — All Concern Encouraged). In 2004, he organized the Homeless Experience Legal Protection (H.E.L.P.) Program. Both programs have gained traction outside of Louisiana and have been instituted through bar associations nationwide. He has served in leadership positions on local, state and national professional organizations and has written a chapter in "Lawyer's Working to End Homelessness," a book published by the American Bar Association's Commission on Homelessness and Poverty. (jay\_zainey@laed.uscourts.gov; 500 Poydras St., C-455, New Orleans, LA 70130)*

