

Report from the National Task Force on Lawyer Well-Being

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The Task Force was conceptualized and initiated by the ABA Commission on Lawyer Assistance Programs (CoLAP), the National Organization of Bar Counsel (NOBC), and the Association of Professional Responsibility Lawyers (APRL). It is a collection of entities within and outside the ABA that was created in August 2016. Its participating entities currently include the following: ABA CoLAP; ABA Standing Committee on Professionalism; ABA Center for Professional Responsibility; ABA Young Lawyers Division; ABA Law Practice Division Attorney Wellbeing Committee; The National Organization of Bar Counsel; Association of Professional Responsibility Lawyers; National Conference of Chief Justices; and National Conference of Bar Examiners. Additionally, CoLAP was a co-sponsor of the 2016 ABA CoLAP and Hazelden Betty Ford Foundation's study of mental health and substance use disorders among lawyers and of the 2016 Survey of Law Student Well-Being.

To be a good lawyer, one has to be a healthy lawyer. Sadly, our profession is falling short when it comes to well-being. The two studies referenced above reveal that too many lawyers and law students experience chronic stress and high rates of depression and substance use. These findings are incompatible with a sustainable legal profession, and they raise troubling implications for many lawyers' basic competence. This research suggests that the current state of lawyers' health cannot support a profession dedicated to client service and dependent on the public trust.

The legal profession is already struggling. Our profession confronts a dwindling market share as the public turns to more accessible, affordable alternative legal service providers. We are at a crossroads. To maintain public confidence in the profession, to meet the need for innovation in how we deliver legal services, to increase access to justice, and to reduce the level of toxicity that has allowed mental health and substance use disorders to fester among our colleagues, we have to act now. Change will require a wide-eyed and candid assessment of our members' state of being, accompanied by courageous commitment to re-envisioning what it means to live the life of a lawyer.

This report's recommendations focus on five central themes: (1) identifying stakeholders and the role each of us can play in reducing the level of toxicity in our profession, (2) eliminating the stigma associated with help-seeking behaviors, (3) emphasizing that well-being is an indispensable part of a lawyer's duty of competence, (4) educating lawyers, judges, and law students on lawyer well-being issues, and (5) taking small, incremental steps to change how law is practiced and how lawyers are regulated to instill greater well-being in the profession.

The members of this Task Force make the following recommendations after extended deliberation. We recognize this number of recommendations may seem overwhelming at first. Thus we also provide proposed state action plans with simple checklists. These help each stakeholder inventory their current system and explore the recommendations relevant to their group. We invite you to read this report, which sets forth the basis for why the legal profession is at a tipping point, and we present these recommendations and action plans for building a more positive future. We call on you to take action and hear our clarion call. The time is now to use your experience, status, and leadership to construct a profession built on greater well-being, increased competence, and greater public trust.

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Important Developments

- ABA House of Delegates Adopts Lawyer Well-Being Resolution at Midyear Meeting
 - The ABA House of Delegates approved [Resolution 105](#) at the ABA Midyear Meeting in Vancouver, which supports the goal of reducing mental health and substance use disorders and improving the well-being of lawyers, judges and law students, and urges stakeholders within the legal profession to consider the recommendations set out in [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#) from the National Task Force on Lawyer Well-Being.
 - Resolution 105 was primarily sponsored by the [Working Group to Advance Well-Being in the Legal Profession](#), an ABA Presidential Initiative. Resolution 105 was co-sponsored by the [ABA Commission on Lawyer Assistance Programs](#), the [ABA Standing Committee on Professionalism](#) and

the [National Organization of Bar Counsel](#).

- [ADOPTED: Conference of Chief Justices - Resolution 6 - Recommending Consideration of the Report of the National Task Force on Lawyer Well-Being](#)

"NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices supports the goals of reducing impairment and addictive behavior, and improving the well-being of lawyers, and recommends that each jurisdiction considers the recommendations of the Report of the National Task Force on Lawyer Well-Being."

- [ABA Working Group to Advance Well-Being in the Legal Profession](#)

In September 2017, at President Hilarie Bass's request, the ABA Board of Governors created an ABA Presidential Working Group consisting of representatives from lawyer assistance programs, law firms, bar associations and malpractice insurance carriers to examine and make recommendations regarding the current state of attorney mental health and substance use issues with an emphasis on helping legal employers support healthy work environments. Read more in ABA Journal article, "[ABA works to address attorney substance use and mental health disorders](#)." Access the Working Group website [here](#).

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Coverage of the Report

- [LISTEN](#): Podcast: Patrick Krill on Addiction in the Legal Industry & the National Task Force on Lawyer Well-Being (Thomson Reuters Legal Executive Institute, September 7, 2017)
- Official ABA Press Release: [Growing concern over well-being of lawyers leads to comprehensive new recommendations](#) (ABA News, August 14, 2017)
- [ILs, Prioritize Mental Health](#) (The Harvard Law Record, August 31, 2017)
- [4 Ways Law Firms Can Help Battle Addiction](#) (Law 360, August 24, 2017)
- [ABA releases report on improving lawyer well-being](#) (The Indiana Lawyer, August 14, 2017)
- [ABA Report Promotes Changes to Treat Addiction, Depression](#) (The American Lawyer, August 14, 2017)
- [ABA report seeks to transform attitudes on lawyer well-being](#) (North Carolina Lawyers Weekly, September 6, 2017) *Subscription required*
- [ABA works to address attorney substance use and mental health disorders](#) (ABA Journal, December 2017)
- A Clarion Call for Attorney Wellness (Law Week Colorado, August 24, 2017)
- [BigLaw At A 'Crossroads' On Mental Health, Report Finds](#) (Law 360, August 14, 2017)
- COLAP Wellness Corner: New Report Outlines Simple Ways to Improve Lawyer Well-Being - By Jonathan White and Sarah Myers (Denver Bar Association, The Docket, October November 2017)
- [Confronting a Legal Profession in Distress](#) (Connecticut Law Tribune, December 15, 2017)
- [Contemplating Well-Being \(or, Secure your own oxygen mask before assisting others...\)](#) (ABA Health Law Section Health eSource, November 2017)
- [Culture Change Needed](#) (Virginia Lawyers Weekly, September 5, 2017) *Subscription required*
- [Ethics and Lawyer Well-Being](#) (Oklahoma Bar Journal, December 16, 2017)
- [For the New Year, ABA Aims to Help Firms with Well-Being Policies](#) (Daily Business Review, Dec. 21, 2017)
- [How Dare You Send Me A Book On Addiction! Do You Think I Have A Problem?](#) (Above the Law, August 16, 2017)
- [How Law Firms Can Help Their Lawyers' Well-Being](#) (Texas Lawyer, August 16, 2017)
- [How Lawyers Need to Be Healthier: Q&A](#) (Bloomberg Law Big Law Business, August 6, 2017)

- [Keeping Lawyers Mentally Fit Is on the Docket](#) (Bloomberg BNA, August 24, 2017)
- [Judicial well-being](#), Judicial Ethics and Discipline, a blog of the Center for Judicial Ethics of the National Center for State Courts
- [Lawyers and Addiction](#) (Illinois Bar Journal, September 2017)
- [Law: Mental health resources lacking for attorneys](#) (Bizwomen, August 16, 2017)
- [Lawyer Well-Being: A Call to Action](#) (Ethical Grounds, The Unofficial Blog of Vermont's Bar Counsel, August 18, 2017)
- [Lawyer well-being and lawyer regulation](#) (Bench & Bar of Minnesota, December 1, 2017)
- [Lawyer Well-Being: Creating A Movement To Improve The Legal Profession](#) (Forbes, August 15, 2017)
- [Lawyer Well-being: Let's Own This Problem](#) (Wisconsin Lawyer, November 2017)
- [Lawyer wellness should be a priority, report says](#) (Minnesota Lawyer, August 25, 2017)
- [Mental health issues strike a cord with attorneys](#) (USA Today News-Press, November 17, 2017)
- [NABE Comm panelists share thoughts on mental health, bar events, and the role of lawyer assistance](#) (ABA Bar Leader, November/December 2017)
- [NABE Communications Section Workshop panel discusses how to help deliver a life-saving message](#) (ABA Bar Leader, November/December 2017)
- [National Task Force Report: Here, Now, a Watershed for a Lawyer's Well-Being](#) (Thompson Reuters Legal Executive Institute, August 14, 2017)
- [The Report of the National Task Force on Lawyer Well-Being and the Role of the Bar Admissions Community in the Lawyer Well-Being Movement](#) (NCBE The Bar Examiner, Summer 2018)
- [Shining a Light on Lawyers' Substance Abuse and Mental Health](#) (Illinois Supreme Court on Professionalism 2Civility Blog, August 15, 2017)
- [Some Law Schools 'Take the Lead in Students' Well-Being, Report Finds](#) (The National Law Journal, August 17, 2017)
- [State Lawyers' Group Looks To Improve Attorney Well-Being](#) (Wisconsin Public Radio News, August 15, 2017)
- [Substance Abuse: Tragic Story Highlights Need for Culture Change](#) (State Bar of Wisconsin Inside Track, August 16, 2017)
- [The time to help lawyers with mental health services is now, new report says](#) (ABA Journal, August 14, 2017)
- [The Lawyer Well-Being Movement: A National Task Force Recommends 44 Ways to a Healthier Environment for Attorneys](#) (Texas Bar Journal, October 2017)
- [To Be a Good Lawyer, One Has to Be a Healthy Lawyer, New Report Finds](#) (IAALS Online, November 16, 2017)
- [What Can Law Firms Do To Promote Well-Being? Suggestions From National Task Force on Lawyer Well-Being](#) (Jeena Cho, August 20, 2017)