

Warning: Failure to Read This Article May be Dangerous to Your Health

By Tim Batdorf

For this article, I decided to interview a good friend of mine, Tom Fitzpatrick, who is a therapist and non-practicing attorney. Tom counsels several attorneys, from solo practitioners to attorneys in large law firms. The use of “he” or “him” in this interview is not meant to exclude female attorneys.

What do you see as the biggest challenge facing lawyers?

A high percentage of lawyers are very unhappy in their work because it consumes so much of their time. The rest of their lives are out of balance and strained. Many law students are not fully aware of what lies ahead after law school. Consequently, a large number of them become disillusioned and disappointed. Lawyers are among the most depressed people in our society according to studies done by bar associations. That’s because of their time constraints, the perceived need for perfection, a high conflict environment, and demands from multiple sources, including courts, clients, opposing counsel, partners and so forth.

How do lawyers cope?

Most attorneys who see me are non- coping attorneys, or at least, are not coping in a healthy way. Many try to cope by working more and more hours, and thereby further stressing themselves and doing damage to their personal lives. A large number turn to alcohol or drugs or other addictive behaviors like overspending, compulsive sex or gambling.

What are the primary reasons attorneys seek therapy?

To work through depression, anxiety disorders or addiction, or some combination of those maladies.

Could you describe the symptoms of depression, anxiety and addiction?

Symptoms of clinical depression include sleep disturbance, loss of energy, feelings of guilt or hopelessness or worthlessness, difficulty with concentration, loss of appetite, unwanted weight gain or weight loss, loss of pleasure in activities and thoughts of suicide. Any five of these can constitute sufficient basis for a diagnosis of clinical depression.

Anxiety disorder exists when a person experiences substantial worry most of the time about a number of activities and has difficulty controlling the fear or worry.

There are all kinds of symptoms of alcohol and drug dependence. Of course, there’s the problem of denial which prevents most dependent people from admitting the problem to themselves. The main difference between an alcoholic and a non-alcoholic is what alcohol does to the person. There are a number of symptoms of substance dependence including, but not limited to, blackouts (loss of memory of what happened while drinking) and drinking in a situation where all circumstances indicate it’s the wrong time to be drinking (like before an exam or a court appearance).

It is important to remember if your drinking is a problem for the people closest to you, then that constitutes a “drinking problem” for you. If, because of your drinking, your spouse is angry, or you don’t do your work, or you are not available for people, or you are putting yourself at risk of arrest, then you’ve got a problem whether you think it’s a problem or not because your loved ones are affected by your drinking. It’s common for people to say, “My drinking doesn’t hurt anyone other than me,” but it can (and does) hurt your employer, spouse, and loved ones.

How would a young lawyer know if he is at risk of winding up depressed, anxious or addicted?

He is at risk the rest of his life is out of balance, if the people that love him are frustrated with his unavailability, if he’s not sleeping well or eating properly. Those are some signs of being at risk. And the longer the attorney stays on a dysfunctional track, the harder it is to get off that track. If an attorney finds he is chronically

overstressed and unhappy as a result of his chosen work, he needs to take a look at all areas of his life, assess his expenses and ask whether they can be reduced so that he might have less pressure to stay in his current work situation. He needs to look at what types of work bring him greater enjoyment and satisfaction.

What about the lawyer who has a couple of kids and a mortgage?

Well, he still may be able to cut expenses, move to a smaller house, maybe his wife could work part-time, or take the kids out of private school. Lawyers get locked in a high-profile lifestyle. You know, the country club, the fancy cars, and these become not luxuries but necessities. Then, they truly become stuck.

So you’re suggesting simplification?

Yes, that’s a beautiful word to describe it. When a lawyer continues down these dysfunctional paths, it leads to health problems, relationship problems—the ultimate of which can be death, divorce, or alienation from children.

What if a young lawyer works for someone who is an alcoholic?

Then that young lawyer probably chose the wrong employer, because being around an alcoholic doesn’t just impact your work, it can impact your health, self esteem, and relationships.

I knew one attorney whose partners said to him, “Don’t come back to work after lunch.” In other words, he was drinking too much and then embarrassing people and not showing up for meetings. When he was confronted, the attorney was stunned and affronted, but he eventually got sober.

Imagine if you had a partner and you were relying upon him to write plead-

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ings or show up for court appearances or whatever. If he's drinking too much, you'd be seriously impacted, right?

How would alcoholism show-up at work?

Here are a few signs: being late in the mornings especially on Mondays, appearing exhausted or lethargic, missing deadlines, postponing meetings, seeking adjournments unreasonably. You can also smell the alcohol.

What do you recommend for an attorney who is working with a person who is substance dependent?

Number one: do not protect him from the negative effects of his using.

Generally substance-dependent people will not begin to recover until they have experienced some painful results from their using.

If the use is causing negative affects to a client, the firm or another lawyer, then something needs to be done, like suspending the substance dependent

lawyer from work or doing some type of intervention. Get the people who are affected by his behavior to tell him the impact of his behavior and press him to get help immediately.

What type of help?

Professional help, like therapy. A treatment center. Alcoholics Anonymous. Counseling and AA are a good combination.

We've spent a lot of time talking about addiction. Do you think this is a pervasive problem in the law or just a problem for a handful of lawyers?

I wouldn't necessarily call it pervasive, but it's not just a handful of lawyers either. And what exacerbates the problem is that many of those who are afflicted by it are resistant to admitting it, getting help and changing their lifestyles.

Any final thoughts?

Any lawyer who suffers from depression, anxiety or addiction needs to know

he is not alone. I recommend finding other attorneys, or non-attorneys, for that matter, who are experiencing the same problems.

If you have one of these problems, you are not alone. All of these problems can occur in combination with the others, particularly with attorneys who are inclined to use alcohol or drugs.

And remember, if you are using a substance to relieve stress or depression, it is like drinking salt water to relieve thirst.

Tim Batdorf is an estate planning, probate and business planning attorney with his law office based in Troy. He is the chairman of the board of directors for the Mankind Project - Windsor/Detroit Centre. He is a trained career coach and consultant through the Coaches Training Institute. You can contact Tim at tbatdorf@thebatdorffirm.com or at 248-797-9905.

Young Lawyer Awards

The Young Lawyers Section (YLS) of the State Bar of Michigan has won five national awards of achievement for its programs from the American Bar Association (ABA). The awards were presented in Chicago at the annual meeting of the ABA's Young Lawyers Division August 4-6, 2005.

The YLS received first place honors in the Service to the Public category for a program called "We the Jury" chaired by executive council member Chris Christenson. In the Newsletter category, *Inter Alia* newsletters, edited by executive council vice chairperson

John Conway during the 2004-05 Bar year and chairperson Angelique Strong Marks during 2003-04, also won first place.

Second place honors went to the Legal Writing Seminar chaired by executive council member Elias Xenos. In the Minority Project category, the seminar "Can Women Really Have It All?" chaired by Angelique Strong Marks and the honorable Victoria Roberts also took second place. The YLS also won second place for the comprehensiveness of its programs over the past year.

"The executive council was dedicated and hardworking, and the awards are national recognition for its efforts," said current chairperson Angelique Strong Marks. The applications for the awards were compiled and submitted by YLS chairperson-elect Jeff Kirkey. "I'm excited and encouraged by our strong showing. We now have a goal for 2005-06: to improve on this year's terrific performance," Kirkey added.