The Good, the Bad, and the Ugly: Let’s Get Real About It

Wellness is . . . a way of living - a lifestyle sensitive and responsive to all the dimensions of body, mind, and spirit, an approach to life we each design to achieve our highest potential for well-being . . . . ~ Greg Anderson

By Guest Author: David P. Hersh

Scenario One:

As the apprehension mounts over that case – you know, that case – the one you keep pushing to the far corner of your desk, muttering that you will deal with it “tomorrow” – that case you really don’t like – the one that keeps tugging at you and sometimes wakes you up at night – it seems reasonable to take just a little nip of the vodka you keep in the back of your desk drawer. Just an inch in the coffee cup – something to take the edge off. Then you can deal with that case. Even though you hate the fact you need to drink, you know, deep in your soul, you can’t get along without it. You look at the others in your office and wonder: “Who knows?” Where is that gum?

Scenario Two:

Your brain just doesn’t seem to function as well as it used to function. Which Rule is that? Who is that calling? You lost your train of thought, again. You have become adept at covering up the fact that you are having a hard time remembering things. People respond to your comments with questioning statements, and you stumble over the time-worn excuses you use: “Oh, sure, sure – that letter – of course . . . .” In the quiet moments, you wonder if you are “losing it” – and what you should do about that? How does one “quit” the practice of law – without being a quitter? And how would you define yourself if you did? Can you afford to quit practicing – and can your clients afford for you to keep practicing?

Scenario Three:

Some days it is a real struggle to get out of bed, much less return those telephone calls and email. You seem to be moving in slow motion. Making even the simplest of decisions seems out of reach just now. Anxiety permeates your days. The cloud of depression hangs over you, and when it descends, there is just no escaping it. Hiding is your strongest coping skill. You wonder
if everyone feels this way when facing that mountain of responsibilities that is just so daunting you can’t even imagine tackling it.

If any of these scenarios sound familiar to you, you are not alone. Lawyers face many obstacles in the practice of law, and none are more inimical and pernicious than substance abuse, failing abilities at the end of practice, and depression or other mental illness. We lawyers suffer from these issues, and others just as serious, in greater proportion than the general population. Given our naturally competitive nature, as well as the serious and significant obligations and duties we owe clients, these “issues” tend to be magnified and wear on our soul as we struggle to fulfill our oath and our promise of greatness.

We all know lawyers who are struggling with mental health, end of practice, and substance issues. Many of us are those lawyers.

I have no objection to yoga for lawyers, century cycling rides, and eating a balanced diet rich in amino acids and macro-nutrients – these are all good things. In fact, meditation, exercise, and fuel for the body are all important tools for maintaining wellness. I am purposeful about each of them – and other tools that help promote personal wellness.

But when I think of wellness for lawyers, my heart turns to the need for us to bring the conversation about substance abuse, mental health, and end of practice issues out into the open. I have been honored to learn the stories of many brave lawyers who have confided in me about their personal wellness issues. In doing so, I have come to realize just how pervasive these issues are – even for leaders in our community. Most times, I hear some variance of the “I thought I was the only one” perception. You are not the only one.

As a lawyer in recovery, I have discovered the power of silence – silence keeps us isolated and handicapped and stripped of the tools and relationships we need to recover. I have also discovered the equally powerful effect of openness. When we are open and transparent about our struggles and what we see, we are then able to do something about those issues.

Wellness for lawyers – at least in this context – requires that we do something like Step One in a classic 12-Step program. We need to acknowledge that our lives have become unmanageable because of something over which we are powerless. In the colloquial – the first step in healing is recognizing/acknowledging that we have a problem. It may be our failing mental health. It may be a substance. It may be anxiety or depression or paranoia. Whatever we are secretly wrestling with, step one is honestly facing the truth: We have a problem.

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1 By the grace of God I currently enjoy many years of sobriety. One day at a time for sure.
What I have found over the years is that putting words to our “problem” – mine or yours – often brings relief as the veil of secrecy is lifted. When we talk about it, address it, and do something productive to deal with “the problem”, we finally find out we are not alone. A whole bunch of people we know and respect have the same issue, are willing to walk the path with us, and can help lift us up from the pit in which we find ourselves.

One of the great joys I discovered in serving as the president of my local bar association is the platform I was given to speak openly about wellness with other lawyers. The joy came, in large measure, in the relief and appreciation I experienced in the lives of those around me – many of whom wept as they told me how much of a relief it was to have the public stigma lifted.

And we do fear the stigma. We are afraid to talk about our condition because we are afraid our colleagues, our clients, and the public will mark us with the Scarlet Letter and shun us. We are willing to give away our hope for wellness to preserve our reputation, our image, our pride. This is an illusory bargain, and it keeps us ill.

This fear of stigma has power only as long as we let it have power. For wellness, I urge all Colorado lawyers to be willing to have an open and honest conversation about these issues with those who care about you or about whom you care. Address the elephant in the room. Get it on the table. Do so without judgment. Do so with an eye toward transparency and honesty and wellness.

Talk to a professional. Your health insurance plan likely will pay for you to sit down with a professional and get some good advice. Call the good folks at COLAP – your attorney registration dues have paid for them to be available to help you. Try out a 12-step program meeting. (The only requirement for membership is a desire to stop drinking or drugging.)

Sit down with someone you see wrestling with these issues and in love tell them you care, you see, and you want to share this journey with them. No need to “preach” or “fix them” – just care enough to start the conversation. Break the silence in a non-judgmental way, let them know you care, and, most importantly, listen.

My hope is that we can talk about the bad and the ugly, as well as the “good” in our professional lives. We will only be able to “get healthy” – to pursue wellness as a profession

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2 Yes, I know there are mean people out there who you cannot and should not trust with your “secrets”. I get it. So don’t tell them. Have the conversation with those who care about you. People you trust. Look around – there are many friends, family and colleagues who care a great deal about you.


4 See Tradition Three of AA and other 12-step programs.
– when we are able to talk about the things that make us ill. In my opinion, it is essential that
we make a commitment – individually as well as corporately – to have open, frank, honest,
loving, helpful conversations around these very important life issues. I invite each reader to
join me in making this commitment.

About the Author

Dave is a trial lawyer with Burg Simpson Eldredge
Hersh & Jardine. He and his wife Julie love to
SCUBA dive, ride their bicycles, and care about
their many friends who are in recovery. Dave is
the immediate past president of the Arapahoe
County Bar Association.

http://www.burgsimpson.com/attorney/david-p-
hersh/ Anyone who wishes to discuss wellness or
recovery, or just needs a friendly chat, is welcome
to call Dave at the office (303-792-5595) or on his
cellular telephone (303-517-9669).
dhersh@burgsimpson.com

September 2017
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