

Suicide prevention: Every lawyer's opportunity

In 1993, the managing partner of Leonard, Street and Deinard died by suicide at the age of 49. I clerked at Leonard, Street the following year and saw firsthand the deep impact that his life and sad passing had on the firm. In my position now, I am very cognizant of the deaths by suicide as well as the attempted suicides in our profession. This month I am giving over the column to an article by Joan Bibelhausen of Lawyers Concerned for Lawyers, which contains important information about suicide that every Minnesota lawyer should know. Remember, all services of LCL are confidential, and LCL will never share confidential information with the Office of Lawyers Professional Responsibility.

— SUSAN HUMISTON

Lawyer suicide is in the news

The American Lawyer recently published a heartrending essay, "Big Law Killed My Husband," by Joanna Litt, an attorney and the widow of LA attorney Gabriel MacConaill, who died by suicide in October.¹ Litt's tale in turn recalled a 2017 New York Times article, "A Suicide Therapist's Secret Past."² In it, therapist Stacey Freedenthal described her own attempt many years earlier. Even though she is well known in the field of suicide prevention, stigma had kept her from revealing this part of her history. As I read these stories,



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I thought about our profession and the stigma that can keep us from reaching out in our most desperate hours.

Not only are lawyers at risk, but our clients are as well. Clients in many areas of law are facing crisis, loss, or other hardship that can lead to a sense of desperation or hopelessness. Very similar cases may involve clients who respond to their situations very differently. If a client gives cues that they may be suicidal, attorneys have the opportunity to act.

For lawyers, we all know this is a stressful profession. Press coverage of lawyer suicides has magnified the potential impact of that stress. As a profession, we experience depression and alcohol use problems at rates significantly higher than the general population. We also experience greater rates of anxiety, chronic stress, and divorce, and we have a higher rate of suicide and suicidal thoughts. If you've attended any of LCL's CLE programs in the past several years, you've heard us talk about this, but we need to keep talking.

The chronic stress we experience may trigger depression or other illnesses, and may lead to a sense of helplessness, increasing anxiety, and the inability to complete even mundane tasks. We're paid to solve the problems of others and feel we should be able to solve our own problems ourselves. We may feel shame because lawyers aren't supposed to feel helpless. That helplessness can become hopelessness, and the risk for suicide grows exponentially.

What are the signs?

Symptoms of depression include:

- loss of interest in normally pleasurable activities;
- difficulty concentrating, remembering, or deciding;
- changes in sleep, appetite, and weight;
- fatigue;
- having thoughts of suicide.

At the same time there may be a rising sense of anxiety, as if every unfinished project is a ticking time bomb. Suicide enters one's thoughts

as a reasonable solution to a seemingly insurmountable problem. The suicidal person may express a wish to die or make statements that appear to be saying goodbye. He may give away prized possessions, quickly wrap up files, or put his affairs in order. She may make a plan and acquire the means to carry it out, and that plan may simply be enough alcohol to prove deadly. People who talk about suicide can die by suicide. We all need to talk about it.

Our profession is addressing these concerns through initiatives such as "The Path to Lawyer Well-Being: Practical Recommendations for Positive Change."³ This 2017 report demands that we begin a dialogue about suicide prevention. Lawyer assistance programs have worked to increase awareness for decades, and are grateful to have additional allies in this critical effort. The report's call to action recommends events to raise awareness, sharing stories of those affected by suicide, providing education about signs and suicidal thinking, learning signs of distress, and making resources available. These are all good things that can make a difference.

The signs are not always verbal. Some warning signs of suicide include:

- hopelessness;
- withdrawal;
- desperation;
- increased use of alcohol and other controlled substances;
- impulsiveness or high-risk behavior;
- loss of engagement or sense of humor;
- deterioration in functioning.

Lawyers sometimes think we need to be perfect or we are a failure. Any possible failure becomes an opportunity for intense self-scrutiny and every move we make can become defined by winning or losing. A compromise or settlement may be seen as a failure because we didn't get everything we asked for when we reached for the sky. In the case of Mr. MacConaill, his widow wrote, "[S]imply put, he would rather die than live with the consequences of people thinking he was a failure." It doesn't have to be that way, but colleagues have to be observant and provide meaningful encouragement as well as permission for self-care.

What can you do?

Have the courage to ask and to act and be sure you have the time to listen if you personally choose to reach out. If you observe these disturbing behaviors, ask directly, but ask in a way that is true to you. "Have you thought of harming yourself? Are you in a lot of pain? Do you feel unsafe? Are you thinking of suicide?" Never ask in a way that suggests you need a "no" answer, such as "you're not thinking about suicide, are you?" Asking directly allows the person to speak freely. If he says "no" and you are still concerned, rephrase it and ask again. Give a reason why you asked; the person who said no may be ready to change her answer if you ask again and show you care. The person who is so depressed that he is paralyzed may not be able to affirmatively ask for help but may be able to answer a direct question honestly.

What happens next?

The next step is just listening. Do so calmly, because this is not your crisis to fix. Give your full attention and be prepared for the time it takes to learn why the pain is so great that dying by suicide seems to be a reasonable option. If you believe suicide may be imminent, get them to professional help and be supportive as they get there. If they have a therapist, call that number. If not, consider taking them to an emergency room. Call 1-800-SUICIDE or 1-800-273-TALK, both of which are national suicide prevention hotlines. Counselors are also available 24/7 through LCL at 612-646-5590 or 1-866-525-6466.

Once the immediate crisis is past, support is critical to ongoing recovery. Therapy can help someone through the immediate mental illness and provide tools to develop resilience in the future. Medications are often appropriate, especially in the early stages. It's hard for a lawyer to admit he is struggling financially, but many are—and LCL can provide connections to resources to support the cost of ongoing treatment. Personal support and acceptance are critical. We need to know we're not alone.

If reading this makes you think of someone you're concerned about, or if you recognize some of these symptoms in yourself, please act. Dr. Freedenthal reported that as she began to feel the effects of her suicide attempt, her brain and body fought back and she lived. Knowing that one can come out on the other side of debilitating pain can provide incredible hope. Call for coaching if you need help on how to reach out to someone. Call for yourself if you find yourself realizing that you've thought about suicide. Hundreds of your Minnesota colleagues called for help last year on many different issues that cause stress or distress in their lives. You're not alone, and LCL is here to help. ▲

JOAN BIBELHAUSEN is the executive director of Lawyers Concerned for Lawyers. LCL provides free and confidential peer and professional support to lawyers, judges, law students, and their immediate family members on any issue that causes stress or distress. Through LCL, up to four free counseling sessions are available statewide. Services are free, confidential and available 24 hours a day. You can help us reduce the stigma. To learn more, to get involved, or to request LCL's Suicide Prevention CLE program, go to www.mnlcl.org, call 651-646-5590, or email (replied to during business hours) help@mnlcl.org.

Notes

¹ "Big Law Killed My Husband:" An Open Letter From a Sidley Partner's Widow," Originally published in The American Lawyer (11/12/2018), republished and available at TaxProf Blog, https://taxprof.typepad.com/taxprof_blog/2018/11/big-law-killed-my-husband-an-open-letter-from-a-sidley-partners-widow.html.

² www.nytimes.com/2017/05/11/well/mind/a-suicide-therapists-secret-past.html

³ <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>