

CONFERENCE OF CHIEF JUSTICES

Resolution 6

Recommending Consideration of the Report of the National Task Force on Lawyer Well-Being

WHEREAS, in 2016, the American Bar Association (ABA) Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation published a study of currently practicing lawyers that found between 21 and 36 percent of lawyers qualify as problem drinkers, and that approximately 28 percent struggle with some level of depression, 19 percent suffer from anxiety, and 23 percent are dealing with stress symptoms; and

WHEREAS, a similar survey of Law Student Well-Being published in 2016 showed 25 percent of those students were at risk for alcoholism, 17 percent experienced some level of depression, 14 percent experienced severe anxiety, 23 percent had mild or moderate anxiety, and 6 percent reported serious suicidal thoughts in the past year; and

WHEREAS, other research reveals that many lawyers experience a "profound ambivalence" about their work and are functioning below their abilities due to well-being issues; and

WHEREAS, supporting lawyer well-being contributes to organizational success in law firms, corporations, and courts, and enhances lawyer ethics and professionalism; and

WHEREAS, the National Task Force on Lawyer Well-Being is comprised of representatives from the ABA Commission on Lawyer Assistance Programs, the National Organization of Bar Counsel, the Association of Professional Responsibility Lawyers, the ABA Center for Professional Responsibility, the ABA Standing Committee on Professionalism, the ABA Young Lawyers Division, and the ABA Law Practice Division; and

WHEREAS, the National Task Force on Lawyer Well-Being issued a report, "The Path to Lawyer Well-Being: Practical Recommendations for Positive Change," which contains 44 recommendations, including recommendations for judges, regulators, legal employers, law schools, bar associations, and lawyer professional liability carriers; and

WHEREAS, the Report makes the following recommendations for judges:

- Communicate that well-being is a priority
 - Develop policies for impaired judges
 - Reduce stigma of mental health and substance use disorders
 - Conduct judicial well-being surveys
 - Provide well-being programming for judges and staff
 - Provide monitoring for impaired lawyers and partner with Lawyer Assistance Programs;
- and

WHEREAS, the Conference of Chief Justices fully supports the concept of lawyer well-being as a critical component of lawyer competence, and reinforces the critical role of the highest court in each jurisdiction in overseeing the legal profession; and

WHEREAS, the Conference of Chief Justices recognizes that the highest court in each jurisdiction should take an active role in the development of effective mechanisms for the regulation of the legal profession, including convening the relevant stakeholders in each jurisdiction to improve 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.