

What Attorneys With Burnout Should Do To Get Help

By **Anna Sanders**

Law360 (September 6, 2022, 3:58 PM EDT) -- Former attorney Josh Watson suspected he had burnout when his Sundays were filled with dread over the workweek and his relationship with clients began to change.

"Before, I was really excited to come to work," said Watson, who was a supervising attorney at the Legal Aid Society in New York. "But I was becoming frustrated with the clients who I used to be so passionate about helping. That was a sign that there was something going on for me that I needed to address."

This wasn't the first time Watson was burned out in his 15 years at the nonprofit legal services organization, but it would be the last. He left the law to pursue a master of social work degree and now works as a psychotherapist, counseling a different kind of client through burnout and other issues.

"It was a very hard decision, and it took me many years to get to that point," Watson told Law360 Pulse. "But it really dramatically changed my life."

While all professionals can have burnout, many attorneys struggle to seek help because of the rigorous demands of the legal profession. As the coronavirus pandemic exacerbates workplace stress, experts like Watson urge attorneys and law firms to address the underlying causes of burnout on the job.

"I see people getting sucked dry — they just don't have any vitality, they don't have energy, they don't have interest in anything and everything feels like a burden," said Stacey Dougan, another attorney turned therapist whose clients in Georgia include lawyers. "That is a very, very difficult way to live."

Symptoms of Burnout

The first step is for attorneys to acknowledge they're burned out. So how can they tell?

Burnout is caused by unmanaged, chronic workplace stress and was recognized by the World Health Organization in 2019. Physical signs include extreme fatigue or exhaustion, stomach pain and body aches.

Burned-out attorneys may also have difficulty sleeping, constant anxious or intrusive thoughts, cynicism about the job, dread, a sense of futility or incompetence about their performance, detachment from work, and reduced professional efficacy. They may also be easily frustrated and angry, feel a lack of joy in their personal life, have strained relationships off the job, and experience frustration at colleagues and stress over working conditions. They may lean on alcohol and drugs to combat stress.

As high achievers, attorneys are ripe for burnout. They often struggle under the expectation of both perfection and urgency from managing partners, colleagues and clients, as well as their own extreme standards, according to experts.

"Legal professionals often operate with the belief that EVERYTHING must be done immediately and yesterday," Dougan said in an email. She estimated that nearly a third of her attorney clients have had burnout.

"It's endemic to the profession, whether it involves colleagues, managers, or clients — lawyers often can't catch their breath because of the sense of urgency that dominates their environment and relationships," she said.

How to Address Burnout

Because burnout is an occupational condition, those at risk should "ask themselves whether they believe their workplace is committed to the wellbeing of its employees," Dougan said. The answer will help determine how to address it.

Setting boundaries is essential, experts said, but that can be difficult in many areas of the law, especially as the pandemic has increased the use of remote work.

"With smartphones and other technology, you're never really away from work because you're always accessible," said Rich Lombino, a lawyer and therapist who works with attorneys in Delaware, Pennsylvania and Florida.

But attorneys can tell clients at the beginning of their relationship that they will only answer non-urgent work emails or calls on weekdays. They can also ask law firms for a more flexible schedule or the option to work remotely to avoid long commutes.

"I would urge attorneys to ask for help when they do need it because not only is it important for them, but also it can be helpful in developing trust from their employer," said Watson, who works at Clarity Therapy NYC.

Attorneys with burnout must prioritize basic self-care, from exercising to spending time outside, listening to music and creating art or other hobbies, experts said. Talking to family, friends and faith communities will help attorneys avoid a sense of isolation from burnout.

"People who are struggling often experience a sense of inadequacy or failure," Dougan said. "It's essential that they know that they are not alone."

Professional Help

Attorneys should also consult a mental health professional like a therapist as well as their general practitioner to address the physical symptoms. A short vacation is unlikely to address the underlying causes of burnout — not to mention the work will be there when they return — so some may need an extended medical leave to participate in therapy programs.

"Taking a yoga class or starting meditation, while important components of an overall plan, will probably not make much of a dent," Dougan said.

Self-compassion is also crucial.

"It's OK to not like feeling burned out, but berating and bashing yourself is not going to help," said Stephanie Longtain, a therapist who works with attorneys in Texas and Illinois. She said about three-quarters of her attorney clients at Greater Heights Therapy show signs of burnout.

"People who practice self-compassion experience greater well-being, which leads to greater success," Longtain said.

What to Say to Bosses and Clients

Still, articulating their own needs can be tricky for attorneys with demanding clients and caseloads. Experts said they could first approach the most compassionate colleague to talk about workplace stress.

"It's OK to show some vulnerability as this sets the stage for a more empathic and compassionate response," Longtain said. "You might want to open with something like 'I don't usually ask for help, so this is really hard for me,' or if you know your burnout has had an effect on others, you might want to say something like 'I haven't been feeling like myself lately and I'm sorry it's been affecting

my work.' You don't want to apologize for being burned out, but rather take responsibility for your effect on others."

Coming with specific solutions can help drive the conversation. Attorneys can ask for cases to be reassigned, additional compensation, help from colleagues, a more defined role, extended time off or even a referral to a mental health professional.

"Communication is key," said Lombino, who runs Lombino Counseling. "Keep them aware of your workload and deadlines. If you're concerned you really can't take on another matter right now, explain why and together come up with a plan. It's better to do some things excellent than many things poorly."

The Risks of Setting Boundaries

Still, experts acknowledged attorneys who articulate their needs can face resistance.

"I would love to tell you that if you went to have an earnest conversation with your managing partner or your client or your colleagues that they would understand and support you, but that's not what most of my clients feel," Dougan said. "Most of them believe that to acknowledge it and to speak it out loud is going to have an adverse impact on their career and their standing in the organization. So while I would recommend they try to have that conversation, I have seen clients who have had that conversation, and they've actually been told, 'Well we just need you to gut it out for another two months.'"

Attorneys who overwork are often seen as "superstars." If they succumb to burnout, anxiety or depression, they might be considered "damaged goods," Dougan said.

"If you have somebody that's billing 2,300 hours a year, they get rewarded for that in a very significant way," she said.

Consequences of Ignoring Burnout

Still, the fallout from ignoring burnout can be devastating for both attorneys and their employers. Law firms and other companies may see less productivity, loss of talent and more issues affecting their bottom line.

"There's significant financial cost to companies if turnover is high, and they continually have to pay recruiters to find new talent and train them for many months," Lombino said. "This also puts incredible pressure on those that remain to pick up the extra work and could lead to further burnout and loss of talent."

Burnout can also have dire physical consequences, such as heart conditions, cancer and digestive problems, panic attacks, depression, anxiety, and even suicide.

"For some people, their lives can be at risk," Dougan said.

But that means the benefits for a lawyer of addressing burnout can also be far-reaching, even if leaving a company, a law firm or the entire legal profession might seem like an extreme remedy.

"There will be part of us that jumps in and says, 'Well, that's not possible,'" Watson said. "That prevents us from even exploring what we really do ultimately want or desire."

Watson said he doesn't regret responding to the burnout by leaving the law.

"Change, that's just a natural part of life," he said. "We need to find where our passions are going to take us."

--Editing by Brian Baresch and Lakshna Mehta.

