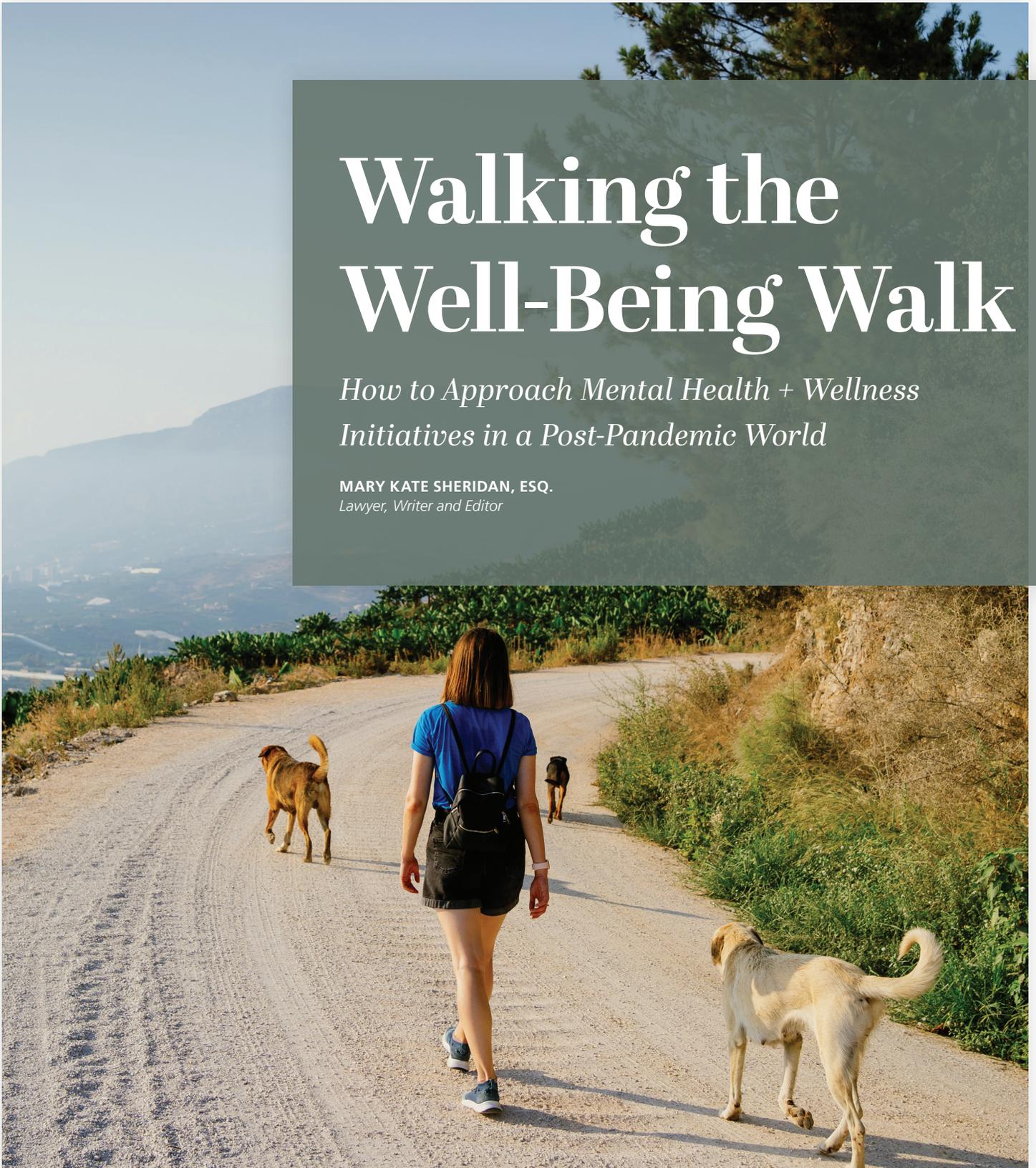


Walking the Well-Being Walk

How to Approach Mental Health + Wellness Initiatives in a Post-Pandemic World

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The legal industry is at a crossroads (and has been for some time) on how to reconcile the inherently stressful nature of law firm life — which often thrives on high-stakes, high-pressure work — with the unquestionable need to prioritize well-being and mental health. Given the alarming rates of depression, anxiety and substance abuse within the legal industry, firms can't afford to overlook these key areas if they want to have — and retain — a healthy and productive team.

"If mental health and attorney well-being are not on firms' minds — if this is not a discussion firms are already having — they are behind the eight-ball at this point," says Laura Mahr, Esq. — Founder of Conscious Legal Minds and well-being coach, trainer and consultant. "Cutting-edge firms are having — and need to be having — conversations about wellness. Firms that are ignoring mental health are going to be left behind.

But many firms don't know where to start or how to best react to the growing demand for well-being services for attorneys and staff. Read on for insights into the current landscape of law firm wellness, including the impact of the coronavirus pandemic, current trends and best practices for developing well-being initiatives.

MENTAL HEALTH IN THE WAKE OF COVID-19

The impact of the coronavirus pandemic has made it more important than ever for law firms to focus on mental health and well-being. According to *The American Lawyer's* 2021 Mental Health & Substance Abuse Survey, more than 70% of respondents said the pandemic worsened their mental health.

The silver lining is that law firms recognize how their employees have been affected and have responded. In fact, more than half of respondents in the aforementioned study said their law firm made a greater commitment to employee mental health due to COVID-19.

"The pandemic put mental health at the forefront of law firm management," says Mahr. "Wellness programs used to be seen as something that would be nice to have — and were primarily focused on workout programs or gym memberships and the physical health of employees.

The pandemic has really pushed mental health and emotional well-being to the forefront [as] a must-have for comprehensive wellness programs."

One firm that took action and prioritized well-being in response to the pandemic is Ball Janik LLP.

"If there is a positive that came out of COVID, the past two years increased our focus on mental health," says Heather Oden, Ball Janik LLP's Chief Operating Officer and member of the Oregon Chapter. "It was important to us to implement actionable tactics to create an environment that promotes sustained well-being."

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Key to the firm's approach was listening to its people to understand their wellness needs.

"With the help of our people, we recognized and identified the need for a revised work environment that centers around both productivity and our mental and physical health," says Jim Prichard, Ball Janik LLP's Managing Partner. "We instituted a new task force to focus on planning initiatives such as on-demand mental health support, flextime, regular employee check-ins and fitness memberships."

Some of the firm's new initiatives include working with LRS Architects to make Ball Janik's headquarters an inclusive, equitable and collaborative work environment and closing the office during Thanksgiving week and other holidays to encourage people to step away from work.

Most importantly, the firm is committed to staying nimble. "As leaders, it can be difficult to admit we don't have all the answers, but we made sure to communicate that this first

round of initiatives is not a one-size-fits-all solution, and as ‘work norms’ evolve, so will we,” says Prichard.

TRENDS IN LAW FIRM WELL-BEING INITIATIVES

Indeed, there isn’t one standard method for promoting wellness within a law firm — firms must assess their cultures and needs to determine the best strategies. Below are some approaches currently trending in the legal industry.

1. Personalized Offerings

While group wellness programming is often a popular choice at law firms, some firms are incorporating more personalized solutions.

“I think people want to move to a place where their individual needs are addressed in a way that goes past the lunchtime presentation or the three-hour seminar,” says Drew Amoroso, Workday Strategist and Co-Founder and Chief Executive Officer of Due Course. “Those things are helpful because they raise awareness, but if you’re talking about changing habits and routines and actual behavior change, that takes more than a one-hour wellness seminar,” says Amoroso.

For example, firms may consider providing one-on-one wellness coaching to their lawyers and staff.

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“Coaching is a great tool to give people the structure and the consistency that they need to enact serious, meaningful wellness changes,” says Amoroso. “People need repetition. They need accountability. They need some structure, particularly when it comes to wellness issues, because those are things that are deeply ingrained in our bodies and our minds; and when it comes to wellness, it’s hard to unwind the major challenges we have in our own DNA.”

Offering one-on-one coaching also demonstrates a firm’s commitment to each person’s needs.

“There is a kind of transformation that happens in a one-on-one session that is difficult to achieve in a group setting,” says Mahr. “When firms offer associates and partners one-on-one coaching, it sends a strong message that, ‘We as a firm care about your personal well-being.’”

2. Respite

Another trend is creating respites for those who work within the firm.

Many firms are seeking ways to incorporate rest, respites and rejuvenation, according to Bree Buchanan, Senior Advisor for Krill Strategies and Board President for the Institute for Well-Being in Law. “We’re not going to stop the profession from being stressful or high stakes — nor would most lawyers want that; they go into law because they enjoy the intellectual challenge and strategy involved,” says Buchanan. “So the question is: How do we make it a profession that is sustainable? Focusing on people actually taking their vacations and encouraging it.”

3. Rejection of the 24/7 Mentality

In this same vein, some firms are proactively setting boundaries on 24/7 availability.

Buchanan encourages firms to take a close look at their practices for responsiveness. Supervisors should be realistic and intentional about the true urgency of a project, says Buchanan, who notes that leadership should establish “guardrails” to counteract expectations that people should be available around the clock.

Simple changes like waiting to send an email until business hours — rather than the middle of the night — and prioritizing those projects that truly require immediate assistance can go a long way.

4. Resilience Training

Resilience training is another area gaining traction within law firms.

“Resilience training focuses on teaching people to bounce back from stress better than they were before the stressor happened; it is helpful for lawyering but also helpful for life,” says Mahr.

Some topics that may fall under resilience training include burnout prevention, healthy coping strategies, and wiring your brain for optimal resilience in challenging times.

Plus, “resilience training” as a title also may attract more people, including those worried about the stigma that is regrettably often associated with therapy.

“Resilience is a positive word that people can feel comfortable talking about,” says Mahr. “Who doesn’t want to be resilient? Everyone wants to be resilient. It’s easier to draw people to resilience trainings focused on solutions than to mental health trainings focused on problems.”

BEST PRACTICES FOR WELL-BEING INITIATIVES

Firms should consider the following best practices as they shape and manage their well-being programs.

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Create well-being policies: In shaping well-being strategies, firms should work toward creating formal policies, especially for those experiencing mental health or well-being crises.

“On a very basic level, take a look at the policies you have in place,” says Buchanan. “Imagine if you are presented with someone who is having a behavioral health crisis. The last thing they are in a position to do is navigate some opaque policy trail within a firm; it needs to be very explicit and clear,” says Buchanan, who refers firms to the Well-Being Template for Legal Employers by the Policy Committee of the American Bar Association (ABA) Commission on Lawyer Assistance Programs (CoLAP) and the ABA Working Group to Advance Well-Being in the Legal Profession.

Build a culture of trust: One hurdle legal organizations must overcome when creating well-being and mental health programs and initiatives is the stigma some may feel for participating or in seeking help.

According to the International Bar Association report *Mental Wellbeing in the Legal Industry: A Global Study*, 41% of legal industry professionals surveyed “would not discuss mental well-being concerns with their employer for fear it may have a negative impact on their career.”

Firms must build trust by demonstrating that they value well-being and support everyone in seeking the assistance they need.

“My advice is to create a company culture where talking about wellness and mental health is commonplace,” says Oden. “Create opportunities where employees can give open and honest feedback and let that feed decision-making.”

Get Certified in Mental Health First Aid

Working in the legal field can be taxing. Do you know the risk factors and signs of mental health challenges? Do you know how to address them when you see someone exhibiting these signs?

ALA regularly offers the Mental Health First Aid (MHFA) course to provide the tools you need to identify, understand and respond to signs of mental health illness and substance use disorders. Just as CPR helps even those without clinical training to assist an individual having a heart attack, MHFA prepares participants to interact with a person experiencing a mental health challenge or crisis.

This course fills up quickly, so don't delay! The fall dates are October 21, October 28, November 4 and November 11. Visit alanet.org/mhfa for complete details and to register. (Registration opens in early August, so check soon!)

Firms should also consider providing emotional intelligence (EQ) training to leaders and supervisors to nurture this culture.

"You can learn to ask the right questions and practice emotional intelligence at the supervisory level so everyone is not only working together to get the work done but also looking at the team and the person from a more holistic viewpoint," says Amoroso. "Ultimately, this is a key component in helping people prioritize their own wellness and feel heard and supported in those efforts."

Measure progress: Understanding the impact of your firm's efforts is important both for buy-in and future planning, but firms should be patient when it comes to measuring progress of well-being initiatives.

"Measuring success in something like this does take some time because the outputs don't necessarily track immediately with the inputs," says Amoroso. "So measuring the return on investment or measuring the overall mood or the environment is something that can be hard to manage, and it also takes time for these things to change."

That said, firms can take a dual approach of measuring immediate progress based on participation and collecting data to assess long-term progress.

"We are measuring short-term success by the willingness of our employees to participate in mental health conversations

around building and sustaining a better culture," says Prichard. "The long-term metrics will be fed by data we are collecting and will center around our goals for an environment that promotes retention, professional opportunities and job satisfaction."

Supporting the mental health and well-being of your lawyers and staff makes good business sense in terms of productivity and retention — and it's also the right thing to do considering the demands of the profession and the added stress of the coronavirus pandemic. Firms should consider their own unique needs as they craft well-being initiatives and be intentional as they roll them out. ■

