

A Key to Improved Wellbeing Lies in Our Values

Are we valuing the right things in ourselves, our colleagues, and our work? If so, are we adequately communicating those values? The sooner and more easily we can answer in the affirmative, the sooner and more clearly our collective wellbeing will have improved.

July 27, 2022 at 10:00 PM

Mental Health
By Patrick Krill

They heard me singing and they told me to stop

Quit these pretentious things and just punch the clock

These days my life, I feel it has no purpose

But late at night the feelings swim to the surface

- Arcade Fire, "Sprawl II (Mountains Beyond Mountains)"

There is a fundamental difference between acknowledging a problem exists and acknowledging *why* it exists. Unfortunately, the apex achievement of many problem-solving efforts, whether authentic or veneer, is the former—acknowledging the problem exists and then talking a lot about it.

In fact, most problems go on to survive their discovery and acknowledgment simply because it proves much easier and less frightening to retreat into the familiarity of the status quo than to ask the tough questions and explore the root causes. Roots run deep and threaten trouble when disturbed. And who wants that, really?

In the six-plus years since the pivotal ABA-Hazelden Betty Ford Study that I led helped train our profession's focus on the significant mental health problems that have long confronted us, we have now done great work of acknowledging the existence of those problems. Many innovative and important initiatives have also been born, lives have been changed and progress has absolutely been made.



Now, however, it is time to go deeper, to explore the root causes of the problems with greater intentionality and sincerity, and to aim for a more candid understanding of our dilemma before the status quo once again regains the upper hand for which it is always vying. Fortunately, new research that my colleagues and I published last month moves us toward that goal with highly instructive and actionable findings.

Titled, "People, Professionals, and Profit Centers: The Connection between Lawyer Well-Being and Employer Values," [our study](#) explored the relationship between what lawyers think their employer values most about them, and those lawyers' mental and physical health and risk of attrition. On a macro-level, we were plumbing the deeper and more existential question about whether a profession metamorphosing into a profit-focused industry might have an impact on the mental health and wellbeing of its members. Perhaps unsurprisingly, the answer would appear to be a resounding yes.

In short, our findings revealed a striking health hierarchy among lawyers that appears linked to their employers' values, such that lawyers with the best mental and physical health—and lowest risk of attrition—work in environments that make them feel most valued for their skill, talent, professionalism or inherent worth as a human being. Basically, the types of things that we would all like to feel valued for.

Viewed from another angle, lawyers working in environments most resembling *a profession* were faring much better than their counterparts in other work environments, including those most focused on financial performance.

Speaking of which, lawyers who felt most valued for their billable hours, productivity, responsiveness, and other financial contributions were in a distant second place in terms of their overall health and wellbeing, and they were—by a large margin—significantly more likely to report that their time in the legal profession had been detrimental to their mental health, caused their use of alcohol or drugs to increase, and that they were contemplating leaving the legal profession due to mental health, burnout, or stress. Apparently being in a primarily transactional relationship with your employer, wherein you may feel like a fungible billing unit, does not correlate with the best health outcomes or retention rates.

In third place, and with the most worrisome levels of poor health and highest risk of attrition, were lawyers who didn't feel that their employer valued them for anything or who didn't get enough feedback to know what they were most valued for. The only good news about this group was that it was relatively small—10% of lawyers—compared to 27% who were in the financial value group and 62% who were in the group that felt most valued for important professional attributes.

Some other important takeaways from the study include that lawyers working in larger firms were more likely to be part of the financial worth group (and consequently report worse health) and lawyers who identified as nonwhite were more likely to indicate that their employer did not value them or did not provide feedback.

Furthermore, the overall health of lawyers falls below that of the general population, irrespective of which of our three categories lawyers fell into regarding what their employer values most about them. This is notable because lawyers tend to fall higher on the socioeconomic scale, and it is typically people of lower socioeconomic status who are more likely to have worse self-reported health, lower life expectancy, and suffer from more chronic conditions when compared with those of higher socioeconomic status.

So, what does all this mean, big picture? To start, let's highlight the good news: 62% of lawyers report feeling most valued for their talent, skill, and humanity, a number higher than I and many others thought it might be. Unfortunately, that still leaves us with nearly 40% of lawyers who are having a different—and notably worse—experience.

As a result, the data suggest we need to acknowledge the physical and mental toll associated with a profit-centric business model and how that toll meaningfully exceeds that of other work environments less focused on and driven by the bottom line. You may say that is common sense, but that doesn't mean it is commonly understood, or discussed.

Paradoxically, it is those legal employers who value productivity and financial contributions above professional skill and human worth who are likely experiencing both lower levels of productivity and higher healthcare costs since numerous studies demonstrate that less healthy employees are less productive.

This is certainly not to say that profits are somehow bad or morally suspect, but simply that we may be sacrificing something vitally important—our health—in pursuit of them. And that is something we should be more honest about, first with ourselves and then with our colleagues, employees, and recruits. Full disclosure, informed consent, assumption of the risk: all concepts that lawyers should be comfortable with.

Furthermore, I am not suggesting that a pursuit of profits is some sort of scarlet letter whose bearers must be banished from the profession forthwith if we want to save our mental health. Dial it back—I like making money too. Maybe that shouldn't be our overarching, primary, or exclusive concern, however. And maybe having it be slightly less of a priority should be directly reflected in our behaviors.

Interestingly, our research suggests that legal employers may be able to have their cake and eat it here too, in a sense. By reorienting themselves to focus more on talent, skill, and professionalism, more so than productivity, revenue generation, and responsiveness, employers may be able to both mitigate unwanted turnover and lower numerous costs, including but not limited to healthcare. Improving the lives of their people while strengthening their financial performance would, I hope, sound like a good deal to any employer.

We've all been through the ringer the last couple of years, the type of ordeal that generally prompts some introspection in its wake. It would seem fitting then to use this opportunity to ask ourselves who we truly want to be, both as individuals and as a collective, whether that collective be a profession or a business.

Do we really want to value productivity and responsiveness over skill, professionalism, or intellectual contribution? If so, that's fine, but let's at least admit that an over-caffeinated person performing any array of mind-numbing tasks can also be highly productive, and animals are routinely trained to be incredibly responsive. These are not exactly high bars to clear, and definitely not worth assuming mounds of student debt and numerous bad habits just to do so.

If you reflect on your own professional journey and the things that have made you feel good about yourself along the way, my guess is that those things are not predominated by the volume of your output, the speed with which you responded to emails, or the days and nights you spent wondering what your employer thought of you or whether they thought of you at all.

Instead, chances are that on the days you feel positive about yourself professionally—the days when you say being a lawyer was a good choice—you are doing challenging work that may also be either meaningful or enjoyable, maybe both. You are probably also feeling effective and competent at what you do, connected to your colleagues and clients, and autonomous in your life. These are core psychological needs that are essential to our wellbeing, but that can all be directly undermined by the demands and values of our workplace. We can do better than that, and there has never been a more necessary time to try.

As the movement to improve mental health and wellbeing in law continues and grows—which it should and must if for no other reason than to keep pace with the rest of our very changed world—it is time to elevate the role of our own values in the discussion. Are we valuing the right things in ourselves, our colleagues, and our work? If so, are we adequately communicating those values? The sooner and more easily we can answer in the affirmative, the sooner and more clearly our collective wellbeing will have improved.

Patrick Krill *is an attorney, addiction counselor, and researcher who is the founder of Krill Strategies, a behavioral health consulting firm focused exclusively on the legal profession. Go to www.prkrill.com for more information.*

NOT FOR REPRINT

Copyright © 2022 ALM Global, LLC. All Rights Reserved.