

JANUARY 16, 2025

ADR SERVICES, INC. 5TH ANNUAL MCLE DAY

# **The More Things Change the More Things Stay The Same**

IS THE LAW BUSINESS MODEL FAILING?

→ Hon. Patricia Benke (Ret.)  
Geri Green, Esq.

**Are you  
listening to  
the Canaries?**

The Lawyers are changing  
why isn't the profession  
changing too?

# Decade of the Female Lawyer (2016-2026) →



**2016 to 2026 - the profession started to noticeably shift from a male majority to a female majority.**

**Women in 2024 represent:**

- **56.2%** of law students
- **51.5%** of federal government general lawyers
- **50.3%** of law firm associates
- **49.2%** of full-time law school faculty

**Men still dominate the upper echelons of the legal profession through federal judgeships, state supreme courts, law firm partnerships and corporate counsel positions.**

# 2016 ABA Study



Attorneys have higher rates of alcohol and mental health issue vs. other professionals: **20.6% vs. 11.8%**



Attorneys in their first 10 years of practice are at highest risk of drinking problems



Attorneys climbing up the law-firm ladder are at most risk



Attorneys experience depression, anxiety and stress at a higher rate than other professionals, but it decreases with the number of years in practice

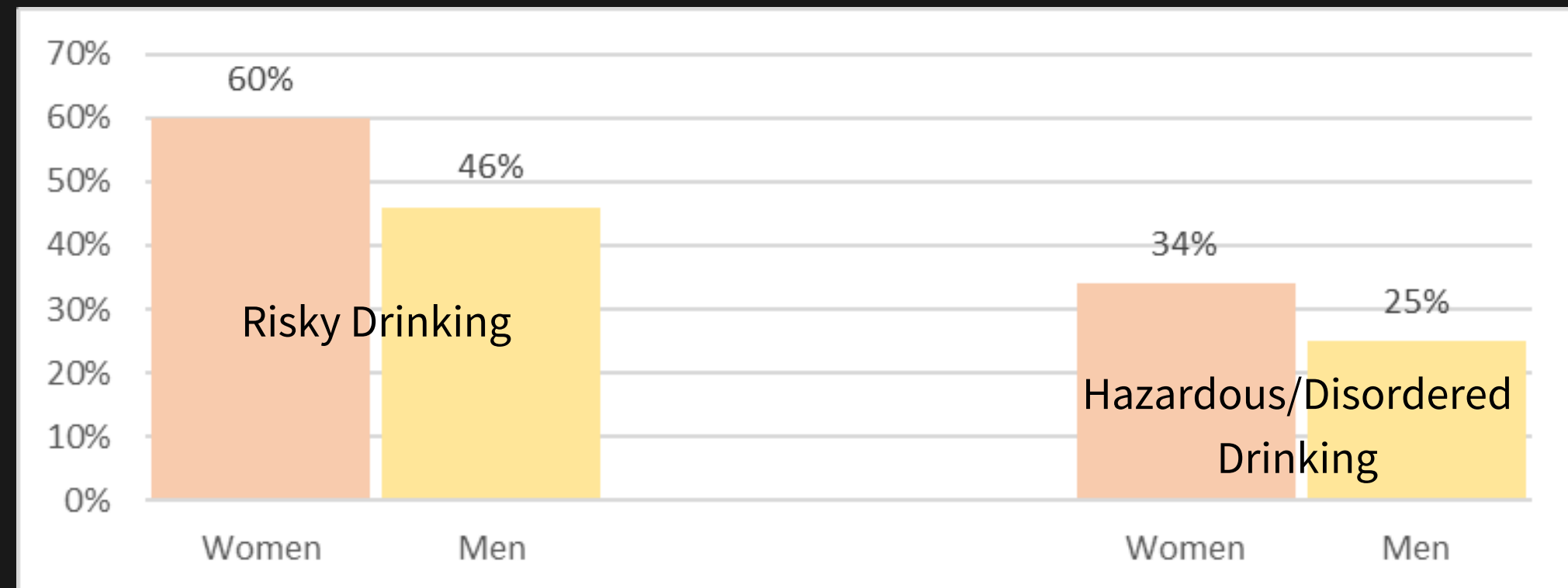
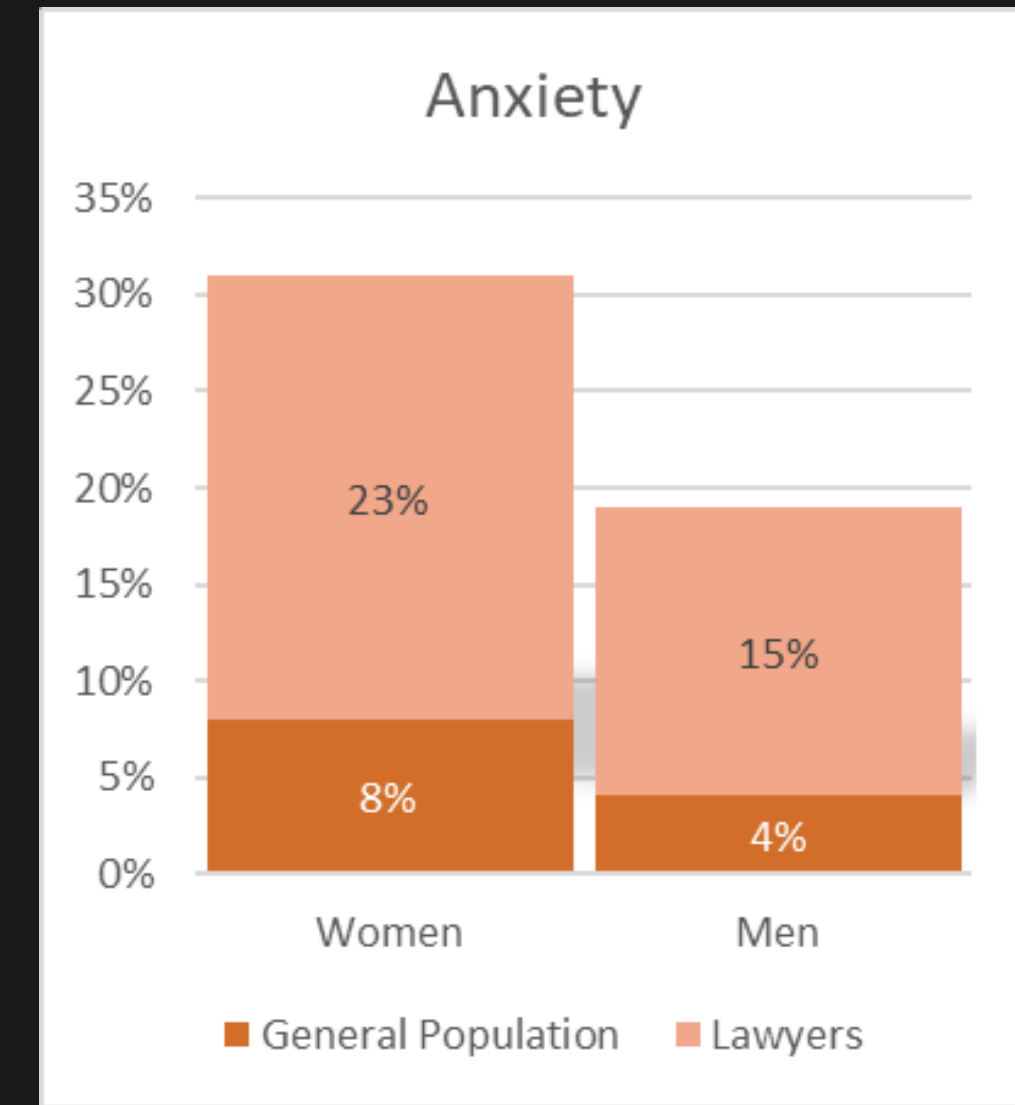
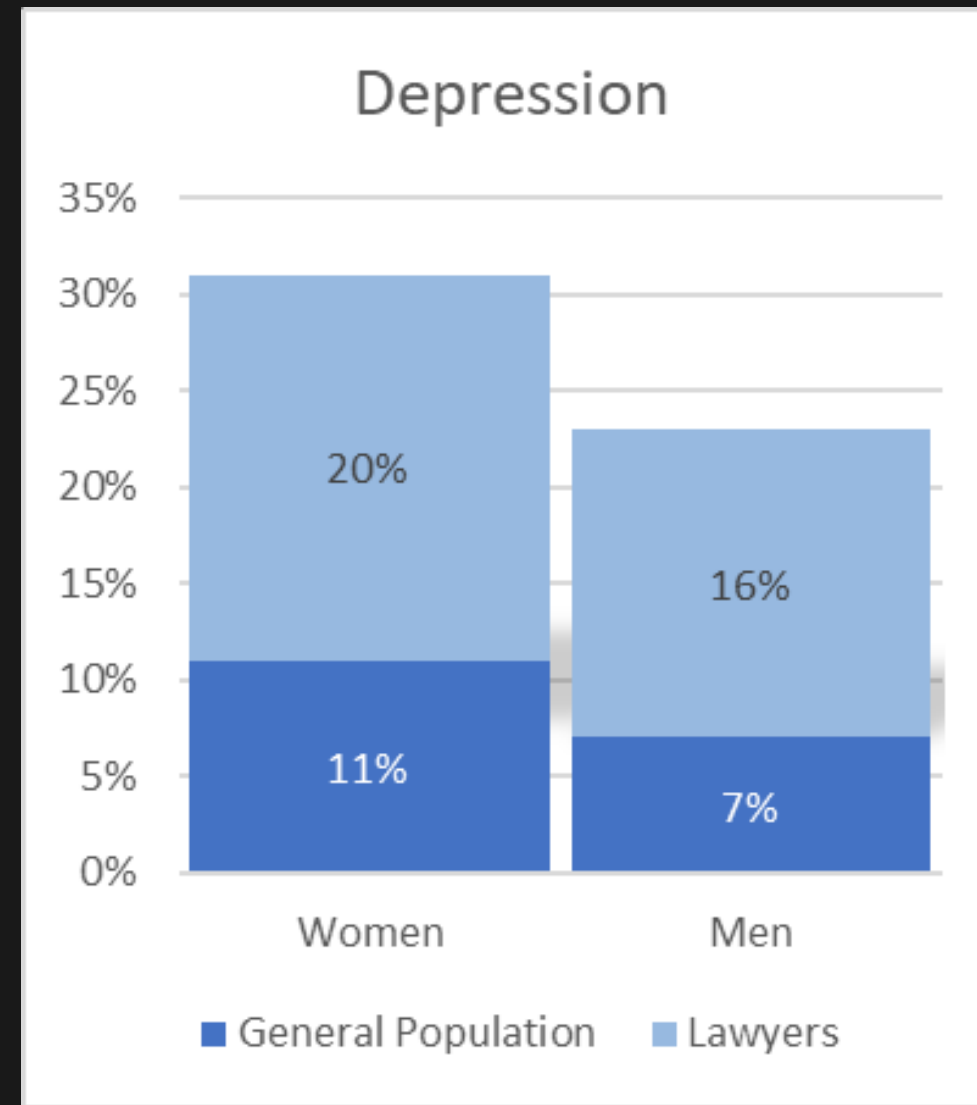
# **Stress, Drink, Leave:**

## **An Examination of Gender-Specific Risk Factors for Mental Health Problems and Attrition Among Licensed Attorneys (2021)**

- Roughly half of practicing attorneys are experiencing symptoms of depression and anxiety, with approximately 30% of those falling in the mild range and nearly 20% falling in the moderate-severe range.
- Over half of the attorneys screened positive for risky drinking, and 30% screened for high-risk hazardous drinking (which is interpreted as alcohol abuse or possible dependence).
- Women are experiencing meaningfully worse mental health than men and are drinking more hazardously.
- Considering the higher rates of mental health distress experienced by female attorneys, an expected but nonetheless troubling result is that 1 in 4 women is contemplating leaving the legal profession due to mental health problems, burnout, or stress. 17% of male attorneys report the same thoughts.

# Results: Depression, Anxiety & Drinking

Rates considerably higher compared to the general population.



# 10-12% OF LAWYERS REPORT CONTEMPLATING SUICIDE

PREDICTORS OF LAWYER SUICIDE RISK (2023)

## Stressed →

- 22 times more likely to contemplate suicide
- Self Care is not enough
- Attempts to address structural & systemic precipitators ineffective

## Lonely →

- 3 times more like to experience suicide ideation
- Causes: demanding & high stress, competitive and individualistic culture

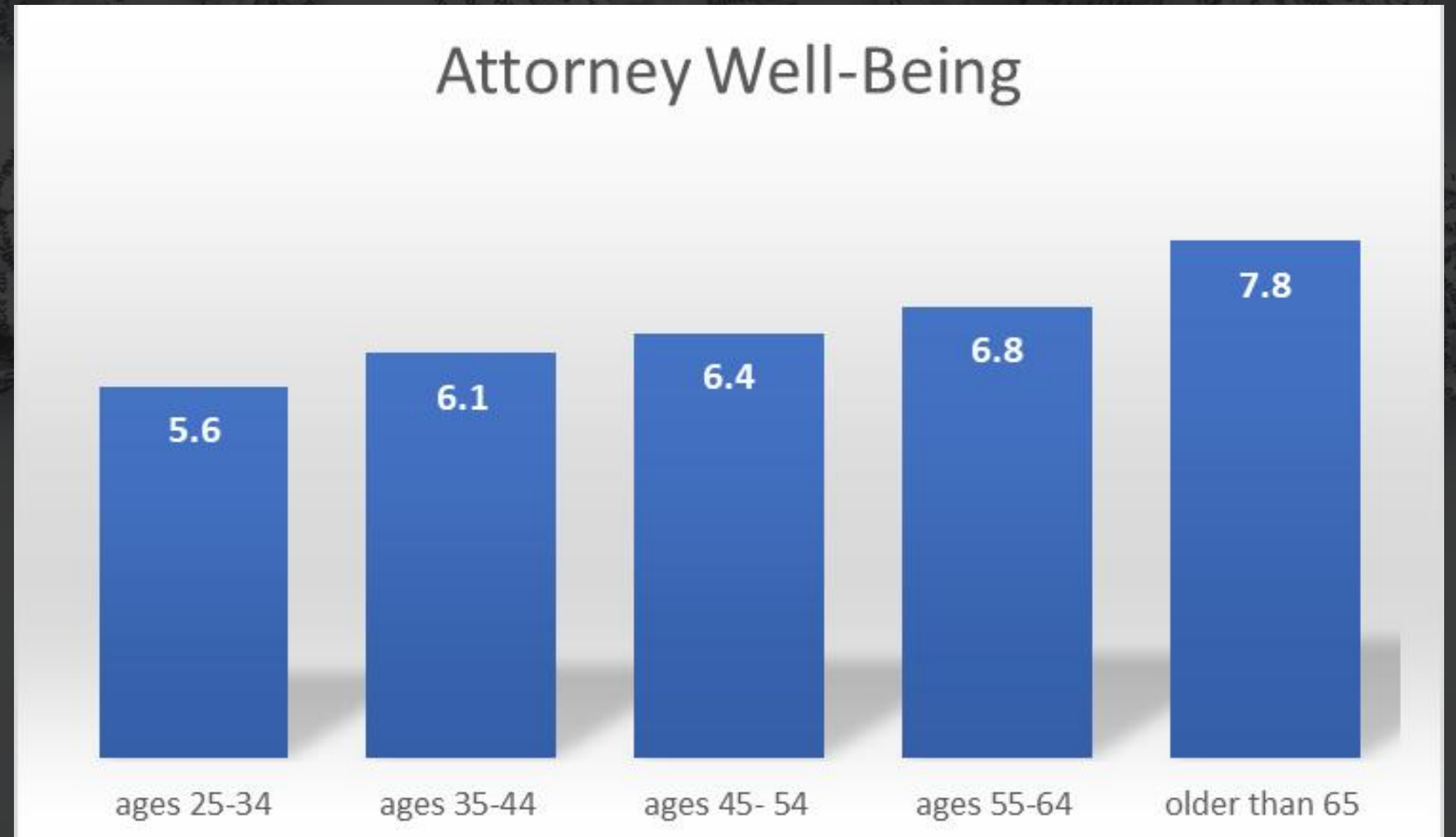
## Overcommitted →

- Culture rewards it
- Significant factor in deteriorating mental health

# 2024 Attorney Well-Being Report: The Divide Between Health and the Legal Industry

## How Are Attorneys Feeling in 2024?

On average, attorneys gave their well-being a 6.5 on a 10-point scale.



**There is hope if you can live that long!**





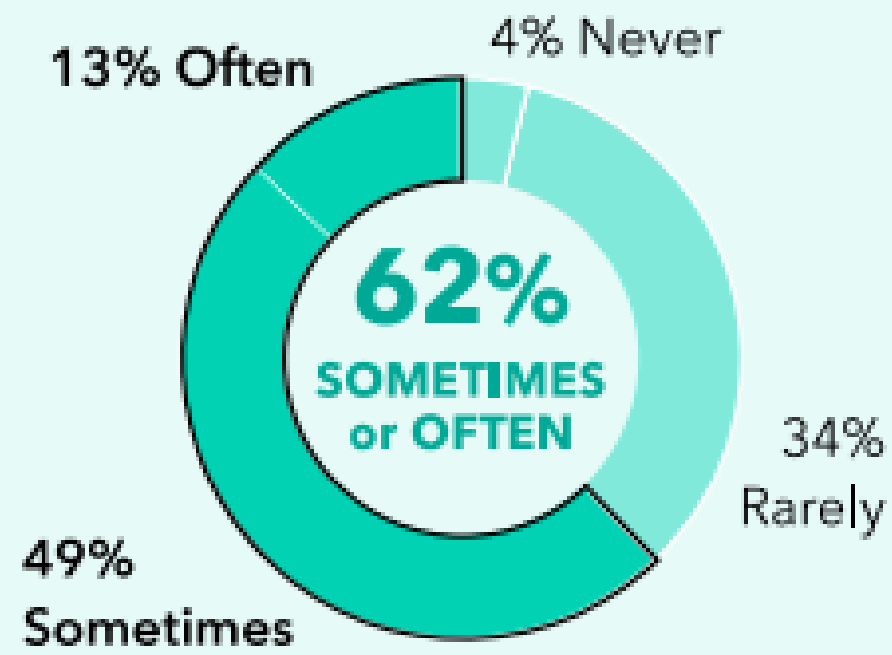
# Attorneys Feel Burned Out **Almost** **Half** the Time

Female attorneys experience burnout  
53% of the time

Male attorneys reported 41% of the time

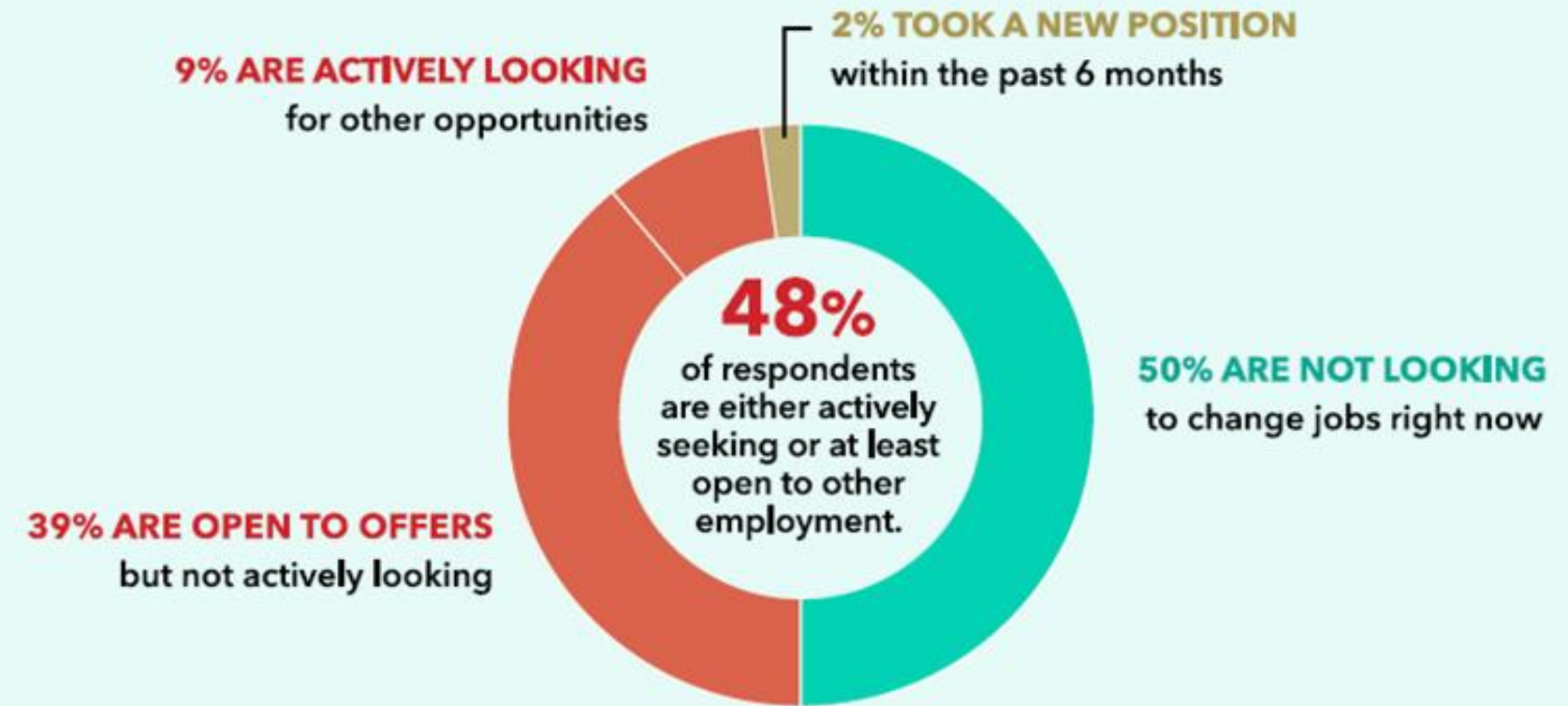
Attorneys with children under the age of 18 in the  
home reported being burned out 50% of the time.

**How often** do you encounter legal professionals whose well-being, substance abuse, and/or mental health issues may interfere with their work responsibilities?



Source: 2024 Attorney Well-Being Survey

### Current Job Status: Are You Looking for New Employment?



Source: Bloomberg Law  
2023 Workload & Hours Survey (Q3-Q4)

# Impact of Well Being on the Legal Industry



- High Work
- Family Conflict
- Mental Health
- Burnout
- Stress

- ← High Stress
- ← High Work
- ← Family Conflict
- ← Low Possibility of Promotion
- ← High Overwork Commitment



**Why do they Leave?**

# Tis But a Scratch



**This is a long-term systemic problem that threatens the sustainability of the legal industry.**

# Continuum: The Effects of Bias

**It's not  
just a  
scratch**

Stress  
Overcommitment  
Work-Family  
Conflict  
Loneliness  
Trauma  
Alcohol  
consumption for  
Stress relief



**BIAS**



**Lead to Failed  
Business Model:**

- A depleted & dysfunctional workforce/  
flawed product,
- Consumers Lose Trust in the Profession
- Failure of the Justice system

# The Goal

**“...a career in law should not be antagonistic to the full expression of a lawyer’s humanity, including their ability to undertake and navigate familial obligations should they so desire. Strategies and interventions aimed at alleviating work–family conflict would be wise pursuits for legal employers hoping to reduce unwanted turnover and increase the likelihood that their attorneys will be able to thrive across all dimensions of their lives” Patrick Krill**

# Is there hope for the legal profession?



**First must recognize  
there is a problem  
and define it.**



# Who can help?

## Government Entities

### Courts

Demanding conduct and overseeing acceptable behavior



### Agencies

Setting rules locally and within agencies  
Attorney General's Office sets the way in 1980's – very much personality-driven



# Courts can lead the way by example

- Conduct by judges and court personnel
- What is said and done
- Acceptance of needs of attorneys in general and caregivers that respond to demands



# Law Firms

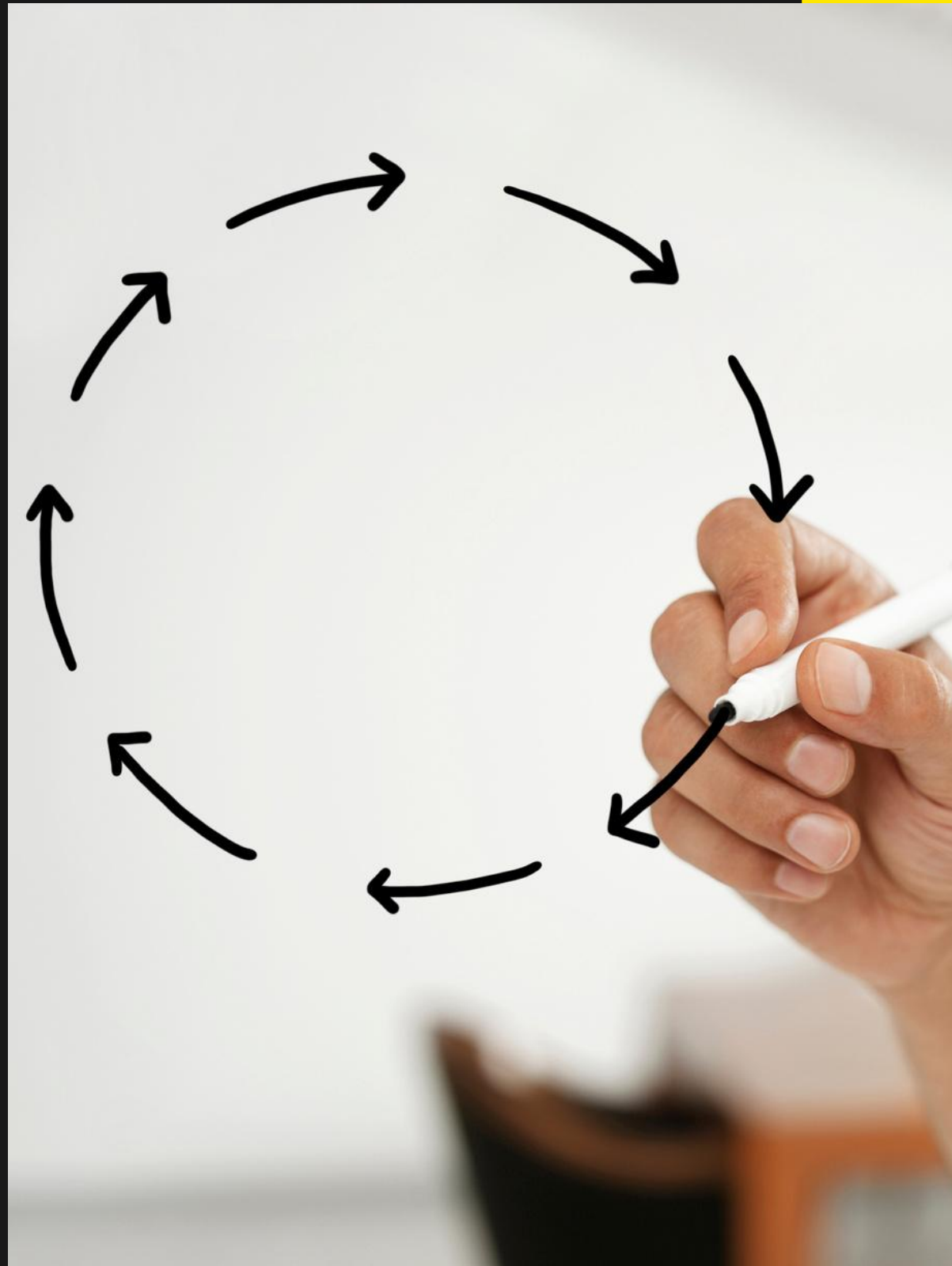
- **Establish codes of acceptable behavior**
- **Avoid microaggression**
- **Establish formal process for how assignments are given**
- **Providing different “tracks”**
- **Balanced work teams**
- **Restructure evaluation and compensation**
- **Strive to adopt a culture of responsiveness**

Two hands are shown in silhouette, one from the left and one from the top, holding a glowing, sun-like orb. The background is a soft, hazy landscape with mountains under a sunset sky. The title text is overlaid on the right side of the image.

# Shifting the Working Experience

- **Balancing remote work flexibility with benefits of in-person interaction and mentorship**
- **Reduce alcohol-centric socializing, networking, and business-development**
- **Rewarding efforts equally: not just getting new business, but maintaining standing business**
- **Make it a family affair – Mental Health and Addiction affect not only lawyers, but their family members too.**
- **Facilitate and encourage anonymous access to tools**

# Conclusions



- Substance abuse and stress disproportionately effect women and young/new attorneys
- This is a pervasive issue that has not improved despite our being aware of it
- This systemic bias against women and young/new attorneys continuing to practice presents a challenge to the long term sustainability of the legal industry
- By acknowledging the issue and presenting flexible working opportunities, the impact can be lessened

# Thank You



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# Resources

Current Research into Wellness in the Legal Profession –

- [2016 The Prevalence of Substance Use and other Mental Health Concerns Among Attorneys \(ABA 2216 Study\)](#)
- [Stress, Drink, Leave Study \(2021\)](#) Stress disproportionately drives female lawyers out of the profession
- [Cracking the Code on Well-Being in Law: Applying Research and Experience to Advance an Essential but Elusive Priority \(2023\) Organizational Toxicity & Systemic Responses](#)
- [Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk \(2023\)](#)
- [2024 Attorney Well-Being Report: The Divide Between Health & the Legal Industry](#)
  - Is it the System, the Lawyers, or both?
- [Getting Beyond Bias in the Legal Profession – Andrea Sue Kramer and Alton B Harris](#)