

PRESIDENT'S MESSAGE

Wellness and Mental Health: What Can We Offer Each Other?

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I want to talk about something that I am experiencing far too often these days – learning of the loss of a colleague by suicide. I'm not sure if things have changed or if I'm just getting older, but it seems that I hear about attorneys with mental health challenges more and more these days. Sadly, I am also seeing an increasing number of these issues end with the worst possible outcome.

Many of you already know about the bar's support programs, Lawyers Concerned For Lawyers (LCL) Program and the Nevada Lawyers Assistance Program (NLAP), and the great work that they do. Our state bar does an excellent job supporting and promoting these programs, which include the availability of three free therapy visits to all Nevada attorneys and judges (and recently, this support was expanded to law students, as well.) Yet, when I hear that a colleague has lost their life, my reactions become much more personal. "Did we fail them?" I find myself thinking. "What did we miss?"

No one is to blame when such horrible events occur. Sometimes, life is just confusing and awful, for no reason at all. Even so, many of us struggle with the fact that a sad truth about a person we knew somehow passed right under our noses and we didn't notice.

It's a funny thing – you can have a case with someone (sometimes one that lasts for years and involves hundreds of hours of work), get into pitched battles with them (discovery fights, oral argument, motion practice) – even try a case against them – and never really know them. I may get a sense of how they think and how they approach litigation, but can I say I knew them or what was happening in their life? Perhaps not. The back-and-forth of litigation and legal practice is a poor substitute for real friendship and connection.

I've also recently wondered: "Are there things we should be watching for?" and "What can we do to help?" After some research, I came across an excellent piece by Paula Davis, a contributor to *Forbes*, who wrote on "Stress, Loneliness & Overcommitment Predict Lawyer Suicide Risk" (February 15, 2023), which talks about six "core causes of chronic stress" that our profession needs to focus and reflect upon. These include:

1. Unmanageable workload: you feel like you're treading water with your workload and that at any moment you could sink;

- 2. Lack of recognition:** no feedback; you rarely, if ever, hear thank you;
- 3. Lack of community:** not feeling a sense of belonging at work; very little leader/colleague support;
- 4. Unfairness:** favoritism; arbitrary decision-making; organizational politics and red tape;
- 5. Values disconnect:** what you find important about work doesn't match the work environment you're in; and
- 6. Lack of autonomy:** having some choice as to how and when you perform the tasks related to your work.

The piece also made clear that, where unchecked, the presence of these stressors can lead to an increase in attorney malpractice claims, workplace dissatisfaction, and ultimately, bad mental health outcomes, including the potential for self-harm.

While considering these stressors, I realized the need to be realistic. One person, at one firm, in one bar association cannot root out each cause of stress and make them more palatable. But I don't have to. Improvements in attorney and judge wellness are incremental and consist of a thousand small choices in our personal attitudes, what we say, and how we act toward other attorneys – those with whom we work and, particularly, those whom we supervise. These issues don't have a sudden, big fix; we make small progress every day.

We can do more than wait until we see a colleague who appears to be in turmoil when we come across them in court – we can help our community improve the small things we can control – for example, by checking in with a colleague to see if you can assist with an otherwise

unmanageable workload, providing recognition and praise to others where we can, reaching out to younger/newer attorneys to increase their sense of connection to their workplace and the Nevada bar, etc.

If this sounds like a “civility” discussion, perhaps it is. In a sense, this subject gives civility even more importance – it’s not just a preference for politeness – it could be a matter of mental health. Yet, the answer doesn’t appear to be a complicated one. If we think about it, I am sure that each of us could find a way to address any one of these stressors and improve them, even to some small extent.

Of course, some of these items – autonomy, alignment of work with one’s values, etc. – fall to individuals to fix for themselves. The need for self-work and self-help is inevitable. But, what we can offer each other, as practitioners, is the commitment to make these small improvements, with the hope that in the

aggregate, they will amount to a sea change in legal practice in Nevada. I offer this suggestion so that we never again have to learn, through our own personal grapevines, that someone we knew and cared about had decided they were out of options to address the pain in their lives.

You Are Not Alone

If you or someone you know is showing signs of distress, please reach out to the **Nevada Lawyer and Judge Assistance Program** by calling **1-866-828-0022**.

Calls to the toll-free number are confidential, and callers can receive help in a number of ways. Learn more about our support programs at <https://nvbar.org/for-lawyers/resources/wellbeing/>.

In addition, people experiencing emotional crisis can also call or text **988** for immediate help from the **988 Suicide & Crisis Lifeline**.



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