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The OAAP: Providing Confidential Help for Over 40 Years



By Kyra Hazilla, Douglas Querin, and Bryan Welch

That the practice of law is rife with stress will surprise no one familiar with the profession. Research on lawyers, legal staff, judges, and law students is spurring change after decades of disturbing data on the number of lawyers and law students disproportionately affected by mental health conditions, substance use disorders, and unhealthy stress. In our community, the Oregon Attorney Assistance Program is available to help lawyers experiencing distress, as well as supporting lawyers looking to improve their well-being.

What Is the OAAP?

Overview

The Oregon Attorney Assistance Program is a free, voluntary, confidential service provided by the Professional Liability Fund to assist members of the Oregon legal community with well-being and personal challenges, including stress...

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Welcome Law Students!

A heartfelt welcome to all new members of the Oregon legal community! The OAAP is here to help and aid you along every step of your career. Our services are free and confidential, and we have numerous resources for assistance in law school and beyond. Don't hesitate to contact us. We're here to help.



Five Steps to Overcome Stigma as an Individual in the Legal Profession

By Shawn Healy

In my line of work as a clinical psychologist, one of the biggest barriers to being able to help lawyers, law students, and judges is the stigma that many feel about needing and accepting help. The role of problem-solver or helper is very comfortable to them, but being the one who needs help? Not so much. The stigma associated with mental health treatment has diminished in recent decades, but it is still the number one reason why lawyers resist asking for help for an addiction or mental health concern. Many think that their reputations would be negatively affected if others realized that they needed help. Truth be told, we constantly risk our reputations being challenged whenever anyone finds out about our less than perfect qualities. This is the reason why most people try to get to know new people by finding out all they can about said person while revealing as little as possible about themselves.

Letting people know who you are, what your weaknesses are, and what mistakes you've made in life is a very vulnerable experience. That vulnerability makes us feel uncomfortable. When we feel uncomfortable, we try to reduce our discomfort as quickly as possible. Unfortunately, most of us choose to reduce our discomfort with a short-term solution, usually through avoidance. Avoidance helps you feel better quickly, followed by a more intense feeling of discomfort the next time you feel vulnerable. Avoidance often makes things worse.

Fighting stigma is very similar to confronting fear. Fear grows when you give it space to grow (when you avoid it), and fear shrinks when you approach it. The best way to reduce the uncomfortable feeling of being vulnerable is to practice being vulnerable more often. If a particular stigma makes you want to hide some fact about yourself, choose to tell others about that fact. The more you consciously choose to share your vulnerabilities, the less anxious you will become about someone learning about your vulnerabilities.

Obviously, real life is more complicated than a quick pep talk about embracing your vulnerabilities. While we all know that we are all human and that we are all imperfect in our personal lives, we still try to convince others that we are much closer to perfection in our professional lives. Or at the very least we try to present ourselves as less imperfect than others. So, on a practical level, how do you confront stigma in your life while also maintaining your professional reputation? Since each situation is different, here are a few places to start.

1. Start small.

Confide in those you already trust, those who have shown a propensity for understanding, compassion, and support toward you. Reveal more to them about your struggles. This will help to unburden you, it will improve your relationships with people close to you, and it will make it easier to seek help from others if needed.

2. Build a new community.

Start finding others who understand what you are going through to build community. No matter what your struggle is—substance addiction, stress, depression, anxiety, ADHD, etc.—there are people who have gone through what you are experiencing. Learn from others who understand and from those who accept without judgment.

3. Own your story.

Get more comfortable with your story—your whole story. The more that you can talk about your real self—your struggles and your triumphs, your weaknesses, and your strengths—the more resilient you will become.

4. Make it normal.

Because it is. There are countless stories of people—both famous and not—who have recognized a need, sought help, and became

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LIT Speaker Series Returns

THE OAAP PROUDLY PRESENTS THE LAWYERS IN TRANSITION LUNCHTIME PRESENTATION

Please join us on **Thursday, September 21, 2023, from noon to 1:00 p.m.** for a LIT Speaker Series lunchtime presentation featuring:

Percy Wise

Percy will discuss his change from law practice to a career as a mortgage broker and all the steps in between.

The OAAP presents the Lawyers in Transition speaker series to assist lawyers who are thinking of changing jobs or careers. Presenters talk about their prior careers/jobs, their current positions, and the tactics and tools they used to pivot. Attendees have an opportunity to learn from the speakers and apply those insights to their own job or career transition.

This noontime presentation takes place at the OAAP office at 520 SW Yamhill Street, Suite 1050, Portland, Oregon 97204. Feel free to bring your own lunch. A remote attendance option is available as well.

To participate, email Jeanne Ulrich at jeanneu@oaap.org, confirming whether you will join in person or would like the remote link. For more information, contact Kyra Hazilla at kyrah@oaap.org, or at 503.226.1057, ext. 13.

We hope to see you at this event!

For current information on upcoming Lawyers in Transition speakers and topics, please visit the OAAP website at oaap.org and click on Events.

more resilient as a result. The more familiar you are with some of these stories, the more normal that shared experience will feel. This will not only give you more hope for your future, but it will also normalize your struggle—which is what makes us all human.

5. Reinterpret the responses of others.

Despite all your efforts, you will not be able to control how others respond to you having struggles and flaws. It's surprising how some people react when they learn that we are all human. While you cannot control how people respond to you, you can control how you interpret their response. Most of the time when someone responds harshly to another's vulnerability, it is a defensive response made in fear of their own vulnerabilities—and hence how they personally might be able to handle someone else responding harshly to their own vulnerability. For example, it is often the case that the person who boasts the loudest feels the most insecure. So, try interpreting a person's judgmental response as a subtle reveal of their own vulnerabilities. Instead of responding harshly to their vulnerability, show them how a resilient person acknowledges their own while not backing away.

Stigma, like other fears, only holds power over us when we allow it to.

– SHAWN HEALY

Shawn Healy, PhD, is a Staff Clinician at Lawyers Concerned for Lawyers, the Massachusetts lawyer assistance program.

This article originally appeared in Massachusetts Lawyers Weekly (October 16, 2017). Reprinted with permission.



“While we all know that we are all human and that we are all imperfect in our personal lives, we still try to convince others that we are much closer to perfection in our professional lives.”

Find Support in Recovery

The OAAP provides three confidential recovery meetings per week for lawyers, judges, and law students who are interested in changing their relationship with alcohol, THC, opiates, stimulants, or other substances. These meetings are currently available by teleconference, and soon in person as well.

For more information contact Bryan Welch at 503.226.1057 ext 19, bryanw@oaap.org, or Doug Querin at 503.226.1057 ext. 12, douglasq@oaap.org.

Cozy and Connected at the Coast:

2023 WELLNESS RETREAT FOR LAWYERS IDENTIFYING AS WOMEN OR OUTSIDE THE BINARY

Friday, November 3, & Saturday, November 4, 2023

Surfsand Resort, 148 W. Gower Ave., Cannon Beach, OR 97110

Application for MCLE credits pending

Our theme this year is “Cozy and Connected at the Coast,” focusing on building community and connection. Our retreat features dynamic and informative speakers, creative sessions, and activities. It will begin with a buffet lunch on Friday at 1:00 p.m. and concludes Saturday at 3:15 p.m.

Throughout the retreat, we will enjoy plenty of relaxation, wonderful food, and free time to enjoy a swim or a walk on the beach. As always, we will be applying for MCLE credits (Mental Health / Substance Use; Access to Justice; and Ethics).

Registration Fee: \$125

(includes lunch and dinner on Friday and breakfast and boxed lunch on Saturday)

Find more information and register at oaap.org/events/

The OAAP: Providing Confidential Help for Over 40 Years

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... management, career dissatisfaction and transition, depression, anxiety, and other mental health issues. We also help with concerns like substance misuse, adjusting to retirement, trauma and vicarious trauma, and relationship stress. The OAAP helps by providing short-term individual counseling, referrals to community resources, support groups, workshops, CLEs, and other educational programs. Our services are available to all lawyers, judges, and law students in Oregon, and we can also provide limited services to family members and support staff.

History and expansion

The OAAP is funded by the Oregon State Bar Professional Liability Fund. In the beginning, 45 years ago or so, some Oregon lawyers in recovery began working together to help other lawyers in the community access support for their sobriety. That model lasted a few years, and then the “lawyers helping lawyers” began

their collaboration with the PLF, realizing that supporting lawyers experiencing distress also reduced malpractice. As this partnership was formalized, leaders at the PLF, OSB, and their respective boards grasped the importance of confidentiality for lawyers accessing support. Special protections were codified in statute as well as policy, resulting in the formation of an OAAP that is completely confidential from the PLF and OSB, as well as physically separate (in an office in Portland) from those entities.

The founders and OSB and PLF leadership demonstrated an uncannily prescient understanding of stigma and barriers to seeking support that would be borne out by the research decades later. This awareness led to a prioritization of OAAP separateness and confidentiality from the program’s inception. In addition, leaders recognized that expansive access to this resource would best serve the entire profession—not just covered parties—

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while also protecting the public. Consequently, the OAAP has always been available to all members of the Oregon legal community and not limited to bar members in good standing, attorneys with current PLF coverage, or individuals who have passed the bar exam.

What makes us different

One thing that sets the OAAP apart from other support services is that the professionally trained counselors here have also practiced law—we’ve been in your shoes and have experienced similar stressors. Lawyers often tell us that it’s difficult for friends, family members, and sometimes even therapists or other sources of support to really appreciate the pressures that lawyers face—or the language and environment they work in—and that it’s helpful to be able to talk to someone who understands what it’s like to be a lawyer. We have a deep well of experience to draw from in providing assistance. As of 2022, the OAAP celebrated 40 years of service to the Oregon legal community, making us the third oldest lawyer assistance program in the country. We are proud to be a forerunner and respected national leader in the support model staffed by professionals with dual training.

Assisting the Legal Profession

Lawyer distress and burnout

If you are concerned about your personal or professional well-being, you are not alone. In 2016, the American Bar Association, in conjunction with the Hazelden Betty Ford Foundation, surveyed over 13,000 lawyers in the U.S. regarding their well-being. The survey found problematic substance use among lawyers at the rate of 20%—nearly twice as high as that of the general public. Rates of depression were reported at 28%, more than three times that of the general U.S. adult population. Reported rates of anxiety (19%) and stress (23%) were also considerably higher than that of the general population. In addition, 61% of lawyers reported challenges with anxiety during their career, and 45% reported having depression at some point. And that was *before* the pandemic.

In 2021, both Bloomberg and the Institute for Well-Being In Law conducted surveys that reported high levels of “burnout” across the profession, with Bloomberg reporting 51% of lawyers feeling “burned out,” and IWIL reporting 61%. OAAP access numbers reflect these concerns. In 2021 and 2022, the attorney counselors had more than 2,000 contacts each year with members of the legal community for personal assistance. In 2021, we presented over 40 CLEs and workshops, reaching over 1,500 people, while 2022 saw the attorney counselors offering a similar number of presentations serving almost 3,000 people. Topics included lawyering during the pandemic, secondary trauma in the time of COVID, awareness of mental health and substance use issues, managing stress in the practice of law, burnout, and healthy solutions for lawyer well-being, among others.

A day in the life

On any given day, an OAAP counselor might take a call from a lawyer who is looking for a referral for a personal therapist, meet with someone to discuss challenges with work-related stress, connect a law student with substance use recovery resources, or meet with a lawyer at their office to help with procrastination. Attorney counselors meet with people at our

offices in downtown Portland, by phone, and by Zoom, as well as meeting with people all over the state. We might make arrangements for a person to enter treatment (and perhaps drive them there), assist a lawyer in making a plan to find more meaningful work, take a call from a judge who is concerned about the well-being of a colleague, or act as a sounding board and offer strategies for dealing with a difficult client or colleague. We might help someone experiencing extreme anxiety because of potential malpractice or who is having a mental health crisis. Lawyers, judges, law students, and legal staff can also connect with us about the groups we offer at the OAAP and virtually, offering an opportunity to build community around shared topics.

Pandemic stress

Many legal professionals who have reached out to us over the past three years have called for assistance with impacts of the pandemic. Often, they report feeling isolated and disconnected from their work. For some, alcohol, THC, or opiate use has increased as they look for ways to mitigate the stress. For others, it might be problematic internet use like phone addiction or pornography, or increased challenges with personal or professional relationships. And yet, for each person who calls, we know there are many others who find it too difficult to ask for help. We often hear, the first time someone contacts us, that they have been considering calling for a long time. It is never too early or too late to reach out.

The OAAP Is Confidential

Stigma and barriers to help

One problem highlighted by the 2016 ABA survey—and the subsequent report of the National Task Force On Lawyer Well-being that developed as a result—was that lawyers face significant barriers to accessing help for themselves or others when they need it. According to the task force report, concerns about confidentiality and fear of professional repercussions were high on this list of obstacles. It's important for us to emphasize,

therefore, that all communications with the OAAP are completely confidential and will not affect your standing with the Professional Liability Fund or the Oregon State Bar. In fact, no information can or will be disclosed to any person, agency, or organization (including the OSB and other employees of the Professional Liability Fund) outside the OAAP, without your consent. Contacts with us are kept strictly confidential pursuant to PLF policies, Oregon State Bar bylaws, and Oregon Rule of Professional Conduct 8.3(c)(3). In addition, under ORS 9.568, contacts with the OAAP are neither discoverable nor admissible in any OSB disciplinary action or civil proceeding. (The only exceptions to confidentiality are to avert a serious, imminent threat to your health or safety or that of another person and to comply with legal obligations such as child abuse and elder abuse reporting.) These protections ensure that you have a safe and confidential place to seek assistance when needed.

Helping others

We often get calls from people like you who are concerned about the well-being of a colleague, family member, or support staff. When you call us because you are concerned about someone else, we can work together to decide the best way to approach the situation. Sometimes, people hesitate to call with a concern because they don't want to "get someone in trouble." Remember—we don't report information that is given to us. All information you give us is confidential, and we will take no action without

The Oregon Attorney Assistance Program is here to help you through any personal or professional issue—confidentially and free of charge.

Call 503.226.1057 • 800.321.6227



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your consent. If you would like, we can work with you to develop the skills and confidence to approach the person yourself. Outreach is often more effective when it comes directly from someone the person knows. Compassion, candor, and patience can go a long way toward opening the door for someone to get help. Or, if it seems best that the OAAP talk directly with the person, we can discuss effective ways for us to do that. We will also confer about whether you want us to share your specific concern to the person. If you don't want us

to reveal your name, we won't. We will reach out confidentially and offer our services to the person you are concerned about.

Helping ourselves

During challenging times, we have many ways to support our individual well-being. Being intentional about maintaining our social network, reconnecting to our sense of purpose and meaning, recognizing and celebrating successes (both ours and our colleagues'), and having a gratitude practice are all evidence-based techniques for improving our mental health. And of course, attending to the basics like getting good sleep, moderate exercise, making healthier food choices, accessing health care, and moderating substance use are all important as well. Now is a good time to do a "well-being checkup" to see if you might want to make some changes. If you find that you have developed some patterns you would like to shift, give us a call or visit www.oaap.org. We can help.



– **KYRA HAZILLA**
Director, OAAP

DOUGLAS QUERIN
Senior Attorney Counselor, OAAP

BRYAN WELCH
Attorney Counselor, OAAP



Moving Forward: Support For When The Relationship Ends

This fall, the OAAP will offer a workshop / support group for Oregon lawyers currently experiencing the challenges of romantic relationship endings. Participants will learn about and share experiences with loss, transitions, healing, and new beginnings. This 8-session group will meet in a hybrid format, with the option for participants to meet either in person or remotely from 12:00 to 1:15 p.m. on consecutive Tuesdays beginning September 19. The group will be facilitated by OAAP Attorney Counselor Bryan Welch. There is no fee, but space is limited, and advance registration is required.

If you would like to participate in this group, set up a meeting with Bryan Welch at 503.226.1057, ext. 19 or bryanw@oaap.org.



Oregon's Well-Being Action

By Kyra Hazilla

On January 25, 2019, the Oregon State Bar, in collaboration with the Oregon Attorney Assistance Program, held a Wellness Summit, bringing together many of Oregon's leaders in the legal community to discuss the issues facing the profession related to well-being. A panel of resource experts presented the concerns about well-being for Oregon lawyers, and a panel of lawyers shared their own experiences of overcoming stress, addiction, and mental health issues. Approximately 130 lawyers attended the 2019 Wellness Summit to discuss ideas and brainstorm solutions.

The Oregon Conference of Well-Being Stakeholders

In 2021, the Bar's House of Delegates (HOD) approved Delegate Resolution No. 5, Conference of Well-Being Stakeholders. Delegate Resolution No. 5 built off the initial work done at the 2019 Wellness Summit. It directed the Bar and the Board of Governors to convene a Conference of Well-Being Stakeholders to explore certain areas in need of attention. The HOD directed the Bar to convene the Conference by June 2022 to address areas ripe for growth and report back to the HOD. This included:

1. Informing well-being efforts using diversity, equity, and inclusion principles and values;
2. Reducing stigma/shame and increasing help-seeking behaviors;
3. Vicarious trauma within our profession;
4. Lawyer education and law school practices;

5. Regulatory and disciplinary practices that affect well-being;
6. Well-being in the workplace and evolving legal culture;
7. Law practice management;
8. Structural impediments to well-being, including UTCRs, court deadlines, and trial court administration.

The OAAP assisted in forming a committee to address the actions suggested by the resolution and facilitated meetings to plan



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for the Conference as well as the stakeholder groups to follow. The committee actively identified the stakeholder groups that needed to be involved in the Conference, recognizing that the judiciary, bar regulators, legal employers, law schools, stakeholders and representatives of government lawyers, public defenders, nonprofit lawyers, and solos and firms of all sizes, the OSB, the PLF, and the OAAP all needed to be actively engaged in the Conference for it to be successful. Committee members reached out to leaders in these groups who were not already participating and encouraged their attendance at the Conference.

The 2022 Conference of Well-Being Stakeholders

The Conference of Well-Being Stakeholders was held remotely by Zoom on June 13, 2022. Several leaders from many stakeholder groups spoke about the challenges with well-being in the legal profession.

The Conference's primary goals were to initiate open and candid conversation about vital well-being issues within the Oregon legal profession, serve as a first step in encouraging broader discussion about needed change, and collaboratively develop thoughtful suggestions to Oregon Bar decision makers concerning the identification and implementation of future actions. The Conference was well attended and successfully accomplished its intended goals, providing participants:

1. The opportunity to hear from leaders in the local and national legal community about their efforts to improve well-being;
2. New information about current research concerning the need for greater support of lawyer well-being;
3. A description of factors preventing lawyers from seeking mental health assistance when needed;
4. The opportunity to reflect on their own role in helping to reduce stigma associated with mental and behavior health conditions; and
5. Some direction about steps needed to address well-being moving forward.

During the Conference, participants entered breakout groups to begin the conversation about well-being in more detail. The committee organized stakeholders and volunteers into four Workgroups to meet after the Conference to regularly discuss the challenges impacting attorney well-being.

Workgroups

Beginning in September 2022, the Workgroups met regularly. The Workgroups centered on the following areas:

1. Well-Being in the Workplace and Evolving Legal Culture/Law Practice Management;
2. Regulatory and Disciplinary Practices, and Structural Impediments to Well-Being; (including UTCRs, court timelines, and trial court administration);
3. Reducing Vicarious Trauma and Stigma in the Legal Profession; and
4. Lawyer Education and Law School Well-Being.

National Days and Months of Observation

The OAAP observes several national awareness days and months throughout the year relating to mental, emotional, and physical well-being. Here are a few important dates to remember in the coming months, and treat these dates with grace and respect:

- Drug & Alcohol Awareness Month – September
- ADHD Awareness Month – October
- World Mental Health Day – 10/10/23
- Stress Awareness Day – 11/1/2023
- Seasonal Depression Awareness Month – December

Next Steps

The OSB and the OAAP collaborated to produce a report on the work of the stakeholder groups, including areas identified for further exploration. This was provided to the Board of Governors in June of 2023. Leaders across Oregon are excited about the next steps. Oregon's legal community is already fertile ground for sustainable well-being as a critical element in the improvement of legal services and increasing access to justice. Stakeholders throughout the state and across the profession have begun the work of sharing their experiences to combat stigma, looking at systems and organizations to identify areas for growth, and dedicating their time and energy to making change.

– **KYRA HAZILLA**
Director, OAAP



OTHER WORKS BY KYRA HAZILLA AT OAAP.ORG

Thriving Today

- Well-Being Week in Law: 2023 Preview (April 28, 2023)
- If You Aren't Feeling Buoyed by Resilience, Post-Traumatic Growth May Be on the Horizon (September 1, 2022)
- Move Over Gratitude, It's Time to Try Delight (July 1, 2021)
- Gratitude: Now More Than Ever (October 13, 2020)
- Vicarious Trauma in the Time of COVID-19 (July 24, 2020)
- Acts of Kindness Improve Well-Being (May 5, 2020)
- Moving Beyond Social Distance Towards Expansive Solidarity (April 1, 2020)

Even in
uncertain times,
we can help you
find your **JOY.**

503.226.1057
oaap.org





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Career Resources from the OAAP

FINDING MEANINGFUL WORK

The OAAP holds a periodic 6-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating a personalized job search plan; developing a mission statement and elevator speech; learning and practicing networking skills; and honing job search skills. Presently, sessions meet virtually through videoconference. To participate or for more information about the next group, please contact OAAP Attorney Counselor Associate Kirsten Blume, JD, MA Candidate, 503.226.1057 ext 11, kirstenb@oaap.org.

CAREER SELF-ASSESSMENT

The OAAP attorney counselors can help you assess your career path and career opportunities. If you would like information about self-assessment, contact OAAP Attorney Counselors Doug Querin, JD, LPC, CADC I, 503.226.1057 ext. 12, douglasq@oaap.org; Kyra Hazilla, JD, LCSW, ext. 13, kyrah@oaap.org; or Bryan Welch, JD, CADC I, ext. 19, bryanw@oaap.org.

OAAP LENDING LIBRARY

Did you know that the OAAP maintains a wide variety of books available for members of the Oregon legal community to borrow? We have titles on diverse topics such as career, stress, anxiety, burnout, relationships, mindfulness, recovery, and retirement that can help you thrive in law and in life. To learn more, call Jeanne Ulrich at 503.226.1057. We invite you to stop by and peruse our shelves!