

ANALYSIS

'Old School' Expectations Plague Young Lawyer Mental Health —But Not All Predecessors Are Sympathetic

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Mental Health

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What You Need to Know

- Some aspects of mental health, including depression and anxiety, have improved overall since 2023, but only slightly.
- While lawyers of all ages share the same complaints, young lawyers are struggling the most.
- Until better mental health is associated with higher profits, the culture is unlikely to change.

Editor's note: Along with this analysis of our fifth annual Mental Health Survey, you can explore the data in this detailed infographic. The full data set is on Law.com Compass.

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Lawyers of all ages reported being overstressed, overworked and underappreciated in our annual mental health survey, but young lawyers in particular are struggling to live with the Big Law's grueling norms.

If you're a Big Law equity partner who gets the feeling that your associates just don't want to work as hard as you did when you were their age, you might be right. If it seems like they need more feedback and hands-on training than you got, that may be the case. And if you find they expect to be treated as humans with emotions, personal lives and aspirations outside of work—rather than fungible billing units—you might just be getting somewhere.

What you and your cohort do with that information could change the profession for better or worse, and not just for associates.

Lawyers of all ages share the same complaints, according to the American Lawyer's 2024 survey of mental health in the legal profession, which fielded responses from more than 2,000 law firm attorneys and over 400 legal staff in various non-attorney roles. The billable hour remains the boogiemán, followed closely by always being on call and a prevailing culture that prizes perfectionism and lacks empathy.

But across all mental health issues and symptoms of a declining outlook on life, young lawyers are struggling the most, the survey indicates. Lawyers aged 34 and under reported higher rates of depression, anxiety and other mental health issues than more experienced peers, as well as more persistent feelings of self-doubt, hopelessness, lost motivation and work-related dread.

The trend isn't unique to the legal industry. A growing body of research shows that mental health has been declining in young people across the globe for years. Sadness, hopelessness and suicidal thoughts rose 40% in young people during the decade preceding COVID-19, according to the CDC, and an isolating global pandemic only made things worse. Exposure to social media, an increasingly divisive political climate and uncertainty over global issues like war and climate change have all been raised as potential contributors.

But when we asked young lawyers and legal staff how the profession impacted their mental health, we frequently heard that they didn't want to accept the working life of their predecessors.

"The profession is very 'old-school' in the sense that you are expected to pull unreasonable hours (often in the office) with little to no appreciation for doing so," said one litigation associate. A litigation paralegal felt similarly, saying, "They have this 'we had it hard' or 'no one was nice to us' mentality and it's absolute poison. They do not understand life/work balance the newer generation holds close."

While the proportion of younger lawyers who struggle to cope with the profession's challenging norms is higher than it is for more experienced attorneys, more experienced lawyers in Big Law also struggle with feelings of constant stress and lack of appreciation.

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"Big Law firm culture is toxic. The economics drive a hierarchical structure that is and will always be opposed to any genuine culture of caring or well-being," said a litigator aged 55 to 64. "Those who make it to the top by virtue of having withstood this for decades will not really be able to have empathy for those below. It's just not part of what happens."

So if everyone is struggling with similar things, what gives? As usual, the answer, in the minds of responding lawyers, is greed. Devoting more time to mentorship, loosening billable requirements and increasing staffing all tend to cut into short-term profits per equity partner. Until better mental health is associated with higher profits, the culture appears unlikely to change.

"The Big Law firms are already extremely profitable," said a banking and finance equity partner. "I increasingly question why more steady profit increases aren't a more attainable target and a healthier way of working."

Mental Health Gains and Caveats

Across all ages of attorneys and legal staff members, some aspects of mental health have improved since 2023. Depression is down to a rate of 36% from 38% of professionals surveyed last year. Anxiety remains high—69% of respondents reported having it—but it, too, fell two percentage points over 2023. Other mental health issues were down three points from last year to 28% of the overall group.

However, those figures still trail pre-pandemic mental health statistics, which put depression at 31%, anxiety at 64% and other mental health issues at 12% in 2019.

The mixed results continued throughout this year's survey. Sense of failure, lost motivation, hopelessness and exhaustion are all down slightly, but the proportion of lawyers and legal professionals who hate their jobs, struggle concentrating and feel detached went up. The negative impact of billable hours fell slightly, but the negative impact of understaffed teams went up.

Lawyers and staff acknowledged that their firms were making an effort. A greater proportion of attorneys said their firms offered employee assistance programs and leave policies for substance abuse and mental health issues, and more attorneys nowadays report being willing to use such programs. One in four lawyers and staff surveyed said their firms now have an on-site wellness professional as compared to one in seven in 2019.

That said, lawyers and staff are feeling worse about their firms' overall impact on their mental health and the sincerity of their firm's commitment to their mental health.

For young lawyers, roughly 41% of lawyers ages 25 to 34 and 40% of lawyers ages 35-44 report having depression, while about 36% of lawyers ages 45 to 54 said they felt depressed. Meanwhile, depression rates fell to 30% for ages 55 to 64 and 18% for lawyers over 65.

Almost 77% of lawyers under ages 25 to 34 have anxiety, that cohort reported, while anxiety rates fell to 63% for lawyers ages 55 to 64 and to 40% for lawyers over 65. Similar trends existed for feelings of detachment, cynicism, fatigue, irritability and hopelessness.

'Nobody Wants to Work Anymore'

It's human nature to believe that just because you toughed-out a challenging experience and figured things out for yourself, others should be able to do that, too. Granted, human memories are fallible.

"Once more experienced lawyers figure out things that new lawyers are trying to figure out, we tend to forget how hard it was to learn those things to begin with," said Laura Mahr, a law firm wellbeing consultant.

Still, plenty of seasoned attorneys in our survey had little sympathy for the plight of younger colleagues. "I'm sorry, but I completely disagree with the whole premise of this survey," said a male equity partner. "There is way more focus on mental health today than in the past. Associates and staff are coddled. Give me a break." Asked what needed to change in the profession to better support lawyers' mental health, another male equity partner said, "Stop victimization training. Support 100% dedication to client service."

In addition to taking issue with young lawyers' attitudes, other experienced attorneys cited a mismatch in dedication that risks breeding resentment. Asked what was hurting her mental health at work, a female nonequity partner cited "terrible associates who emphasize their own needs over everyone else's."

And besides feeling like younger lawyers have a lower work ethic, manager-level attorneys also spoke to young lawyers' lack of resilience. "Engrain stronger work ethic and mental toughness in law students in lieu of a constant focus on negatives and complaints," said a male equity partner over age 65. Several senior partners blamed young lawyers' parents for their children's lack of resilience. "Not all children get prizes in competition and children need to learn how to cope with failure/constructive feedback," said a labor and employment equity partner.

The trouble with resiliency is that most lawyers lack it regardless of age.

"Lawyers are remarkably, dramatically low in resilience compared to the general public," said Dr. Larry Richard, psychologist and lawyer who studies lawyer behavior. "I'm sorry, older generation, but you're just as low in resilience as the younger generation."

In Richard's research, nine out of 10 lawyers of all ages were more sensitive to criticism and worse at receiving feedback constructively than the general population. According to Richard, a lawyer's mindset and their relationships are the biggest determinants of their resiliency. Unfortunately, lawyers are predisposed to skepticism and score low in emotional vulnerability, meaning many spend more time in a negative mindset and closed off to human interactions that could help insulate them from the challenges of life.

"In other words, we're really guarded, private, awkward with relationships, uncomfortable with intimacy, and it hurts us," Richard said.

The Business Case for Better Mental Health

What older lawyers perceive as weakness in younger colleagues could be a catalyst for improving mental health in the profession for lawyers of all ages. But in a profit-driven industry, that will require law firms seeing the business case for mental health.

Change will likely require firms to sacrifice billable hours. While more firms offer "unlimited PTO" nowadays than in 2019, 36% of attorneys surveyed that year said they took all of their PTO. Now, just 29% use all of it, and 10% use none of it.

"Give associates billable credit for [X] hours of vacation, so you aren't penalized for taking vacation," suggested one associate. "Having vacation doesn't mean anything when you still have to hit 2,000 hours, because taking vacation just means you fall behind on your hours and have to make it up down the road."

Presently, lawyers acknowledge that their firms are trying harder and offering more mental health resources than they previously did. But lawyers who can scarcely take a day off amid billable requirements and client demands aren't leaping at firm-recommended mental health opportunities.

"Four years ago when I raised this issue, no Am Law 100 firm had a billable hour credit for mental health and well-being hours," said Jarrett Green, a law firm wellness consultant and former Skadden, Arps, Slate, Meagher & Flom attorney. "Now, I'm guessing five to eight firms have up to 25 hours of billable credit as standard for firm-sponsored mental health and wellbeing programs. It's a small step."

One strategy could be emphasizing the cognitive benefits of not being perpetually overwhelmed and overworked. "You could pitch to clients: We have more balanced attorneys because we really value their mental health," said Mike Lubofsky, lawyer and licensed psychotherapist who sees young lawyers. "And when a client deals with a younger attorney, they can see that this person seems healthy and balanced and not completely neurotic all of the time."

Regardless of how firms approach the issue, it'll take a clear association between mental health and profitability before firms truly allocate the time and resources required to improve things for every level of attorney.

"Until we make a cognitive shift that mental health and wellbeing have a positive impact on the bottom line, we're going to miss the mark," Mahr said.

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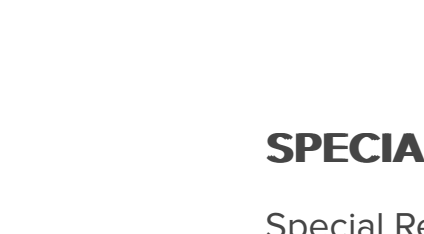
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