The background of the slide is a close-up, high-speed photograph of ocean waves. The water is a vibrant teal color, and the waves are captured in a way that creates a sense of motion and texture. The lighting highlights the crests and troughs of the waves, giving it a dynamic feel.

Western States Bar Conference 2023

Inroads on Lawyer Well-Being

Losing Our [Best] Minds: Addressing the Attrition Crisis of Women Lawyers in a Post-Pandemic World



- Authored by Bree Buchanan, Jodi Cleesattle and Katy Goshtasbi
- Joint project of California Lawyers Association and California Women Lawyers
- Available online:
<https://publication.calawyers.org/winter-2022/wellness-study-report>

Stress, Drink, Leave

- *Stress, Drink, Leave: An examination of gender-specific risk factors for mental health problems and attrition among licensed lawyers*
- Published in 2021
- Authored by Justin Anker, Ph.D., and Patrick R. Krill, J.D., LL.M., M.A.
- Survey of 2,863 California and D.C. lawyers



Key Takeaway



- 24.2% of women were considering leaving the legal profession due to mental health problems, burnout or stress compared to only 17.4% of men

Stress, Drink, Leave Study Methodology

Predictors Driving Attrition/Stress:

- Effort-Reward Imbalance
- Work Overcommitment
- Work-Family Conflict
- Likelihood of Promotion
- Workplace Permissiveness Toward Alcohol

Outcome Variables:

- Stress
- Substance misuse/
hazardous drinking
- Contemplating leaving the profession due to stress or burnout

Stress, Drink, Leave Study Findings



Women had significantly higher scores than men for:

- Effort-Reward Imbalance
- Overcommitment
- Work-Family Conflict

Men scored higher than women for:

- Perceived likelihood of promotion

Work-Family Conflict

- Most predictive factor for women contemplating leaving the legal profession
- Women with a high work-family conflict score were 4.5 times more likely to leave or consider leaving
- Significant factor for men, but less so



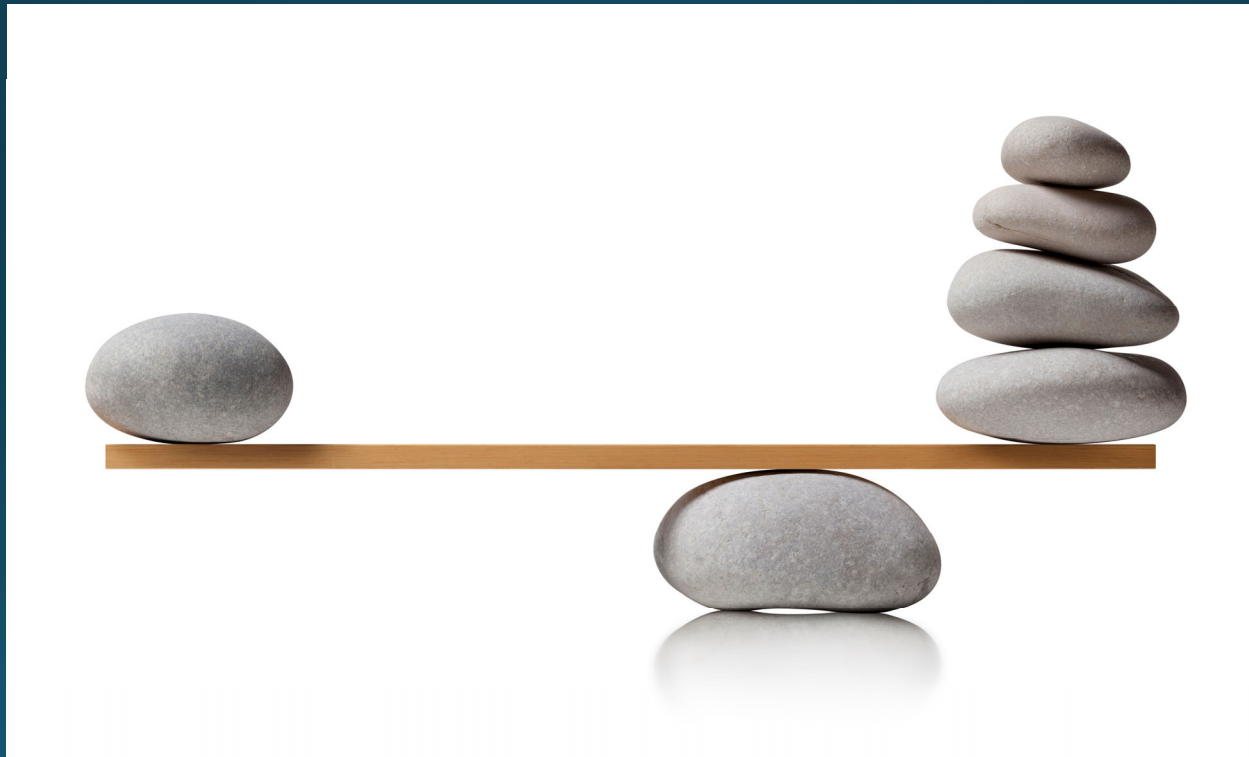
Work Overcommitment



- Associated with stress in lawyers surveyed, with the relationship strongest in women
- But, women were slightly less likely than men to leave the profession based on this factor
- For those experiencing high work overcommitment, men were more than twice as likely to contemplate leaving the profession, while women were 1.78 times more likely to consider leaving

Effort-Reward Imbalance

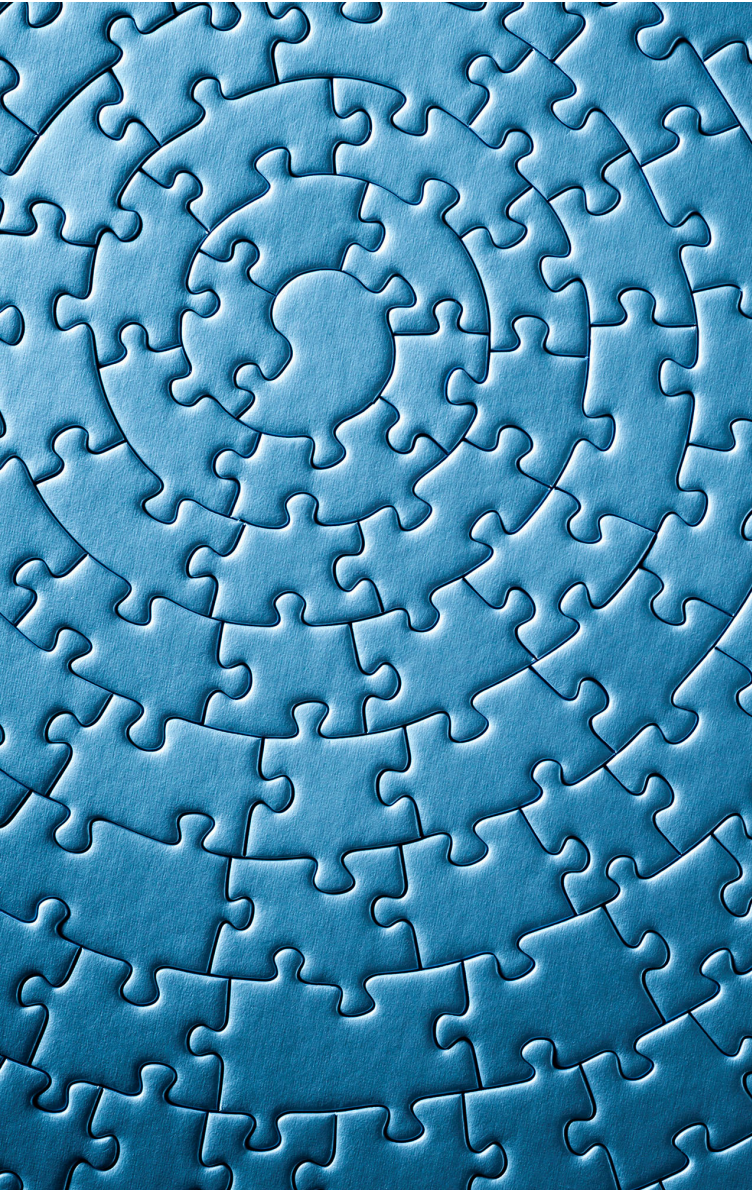
47.9% of women reported effort-reward imbalance, compared to 38.7% of men



Perceived Likelihood of Promotion

- This factor was associated with a lower likelihood of leaving or contemplating leaving the profession for men, but not for women
- Men with high scores on the perceived possibility of promotion were about 2.5 times less likely to leave the profession due to mental health
- But there was no such association for women
- Note: A 2019 study showed that 53% of women reported being denied or overlooked for promotion compared to only 7% of men





What to do?

- Recommendations for Legal Employers
- Recommendations for Lawyers
- Recommendations for Law Students

Recommendations for Legal Employers

- Adopt flexible employment practices
- Focus on employee well-being
- Provide professional development opportunities
- Promote connections
- Emphasize accountability



Flexible Employment Practices



- Scaled hours to match scaled compensation
- Transparent billable hours models
- Remote work

Focus on Employee Well-Being

- Form a well-being committee
- Adopt policies that promote well-being
- Communicate care for well-being
- Respect personal time
- Zero-tolerance of discrimination, harassment, bullying
- Review firm's mental health resources



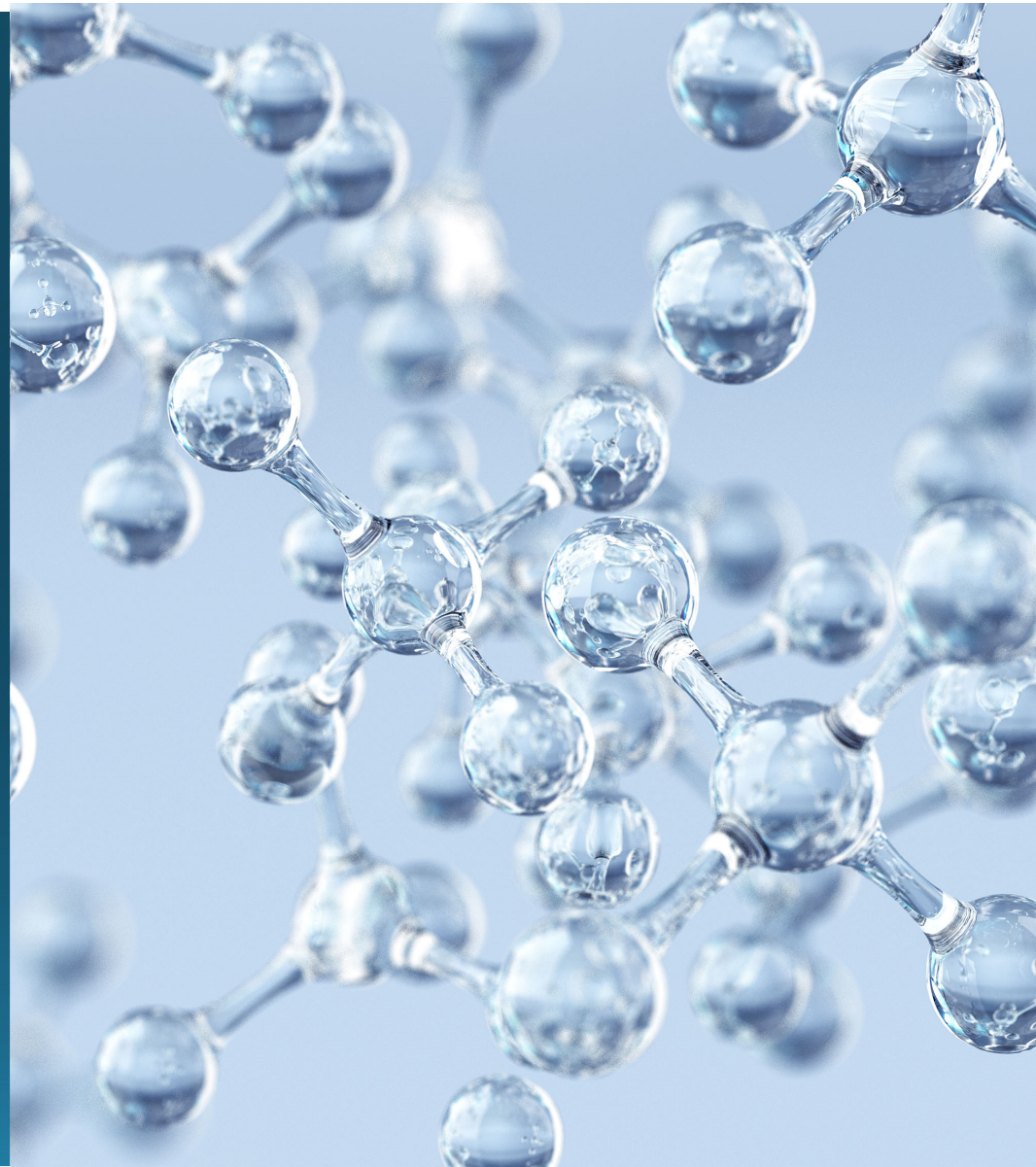


Professional Development & Leadership Training

- Provide training for leadership and supervisory personnel focused on empathetic communication
- Pay attention to and nurture the leadership capacity of women lawyers and lawyers of color
- Provide gender-inclusive leadership training
- Provide career or executive coaching

Promote Connection

- Create formal or informal development plans
- Encourage mentoring
- Offer check-ins
- Create intentional networks within the firm
- Encourage participation in the legal community
- Provide information about support



Emphasize Accountability



- Use internal surveys to identify and address well-being needs
- Include a review of well-being needs in the annual performance review process
- Sign on to the ABA's [Well-Being Pledge Campaign](#)

Recommendations for Lawyers & Law Students



- Learn about the well-being in law crisis
- Assess an employer's culture
- Advocate for well-being resources at law schools

Understand Well-Being in the Law

- Research the crisis of well-being in the law
- Identify your own needs for well-being
- Evaluate potential employers
- Learn about how the well-being in law crisis affects students





Assess an Employer's Culture

- Review a firm's website for a sense of the emphasis it places on well-being, as well as benefits and programs
- Review a firm's mission and values statement
- Talk to others about the firm and how it treats its employees
- Use resources such as NALP

Advocate for Well-Being Resources at Law Schools

- Incorporate well-being into the curriculum
- Conduct well-being surveys of students
- Provide confidential peer support groups
- Provide access to a mental health counselor
- Hold social events that do not center around alcohol
- Reduce the stigma associated with mental health & substance use problems



Resources

- ABA Well-Being Campaign,
https://www.americanbar.org/groups/lawyer_assistance/well-being-in-the-legal-profession/
- ABA Commission on Lawyer Assistance Programs,
https://www.americanbar.org/groups/lawyer_assistance/
- Institute for Well-Being in Law,
<https://lawyerwellbeing.net/>





Thank You

Jodi Cleesattle

President-Elect,
California Women Lawyers

Senior Assistant Attorney General,
California Department of Justice

jcleesattle@gmail.com

jodi.cleesattle@doj.ca.gov