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Perspective

Misconceptions About Suicides

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In the wake of several attorneys' recent deaths by suicide, a number of articles in the national media have suggested that each of those deaths resulted from a particular disappointment or loss. Two of the attorneys had apparently been laid off, and another had recently lost a major case. But it is misguided to frame suicide as the direct result of a single stressful event.

Attorneys get laid off and lose cases every day, and yet those setbacks almost never result in suicide. This is because the fundamental and actual cause underlying nearly all suicide attempts is not a specific event, but rather, the disease of depression, which is associated with more than 90 percent of suicides.

Many lawyers are blessed with intelligence, but suffering from depression—a dangerous combination. Dave Nee, one of my closest friends in law school, possessed both of these traits. Dave was the one to whom we all turned for help during law school, whether we were trying to understand a legal principle, struggling through the New York Times crossword, or looking for something to do on a Friday night.

In our third year of law school, Dave missed a significant amount of school, and as a result, he did not graduate on schedule, in May 2005. One month later, he died by suicide. Missing graduation was a significant disappointment for Dave, but it did not cause his death. On the contrary, Dave's suicide had its origin in the depression from which he had been suffering—silently—for over a decade.

Unfortunately, this kind of silent struggle with depression is common among attorneys, beginning in law school. A study conducted by the Canadian Bar Association found that depression occurs among attorneys at a rate up to six times higher than it occurs among the general population. This is perhaps unsurprising, given that lawyers practice in a professional environment where depression can flourish: working long hours, often in isolation,

and under considerable time pressures.

In addition, attorneys tend to be intelligent, industrious, and competitive people who strive to succeed and are reluctant to admit to being fallible or needing help—all characteristics that exacerbate depression. Given the prevalence of depression in the legal profession, it is troubling to encounter suggestions in the

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media that recent suicides by attorneys were caused entirely by professional setbacks.

The lesson that lawyers should be taking away from those suicides is a heightened awareness of the susceptibility of lawyers to depression and suicide. Unfortunately, because attorneys are trained and paid to identify, articulate, and advocate clear positions in complex circumstances, it is tempting for us to adopt simplistic cause-and-effect rationales for suicide. Doing so allows us to distinguish our own particular circumstances from those attorneys who have died by suicide—my own practice is thriving, my own job is secure—and to convince ourselves that we are not at risk. Attorneys can cling to this misconception for a long time, even those who are suffering with depression and its attendant behaviors like alcoholism, drug abuse, and even suicide attempts.

News articles minimizing the role that depression may have played in suicides by attorneys are not fundamentally the problem.

Rather, such articles illustrate a broader difficulty within the profession to come to grips with the issue of depression among attorneys. This reluctance is codified in many states' professional responsibility rules, which can be interpreted to mean that seeing a therapist for depression or other mental illnesses may prevent an otherwise-qualified attorney from being granted a license to practice law.

Fortunately, some steps have already been taken to address the problem. Many states now offer confidential hotlines for depressed attorneys; the New York City Bar Association administers such a hotline at 212-302-5787. Additionally, attorneys can familiarize themselves with issues relating to depression through Web sites such as those run by Lawyers with Depression (www.lawyerswithdepression.com) and the Dave Nee Foundation (www.daveneefoundation.org).

Before we can take further action to address the problem of depression, we in the legal profession have to acknowledge the scope of the problem. The practice of law often asks attorneys to confront unpleasant truths. Depression and suicide among attorneys is an unpleasant truth, to be certain, but we owe it to ourselves and our profession to confront it.

ANDREW SPARKLER *is the president and a founding director of The Dave Nee Foundation—a non-profit corporation that seeks to support and encourage organizations devoted to preventing suicide among adolescents and young adults.*

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