



Episode 123: Mental Health in Law School and the Legal Profession (with Sarah Weinstein)

Lee Burgess: Welcome to the Law School Toolbox podcast. Today, we're talking about a very important topic, mental health in law school and the legal profession with special guest, lawyer turned therapist Sarah Weinstein. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify the law school and early legal career experience, so you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website, [CareerDicta](#). Alison also runs [The Girl's Guide to Law School](#).

If you enjoy the show, please leave a [review](#) on iTunes. And if you have any questions, don't hesitate to reach out to us. You can reach us via the [contact form on lawschooltoolbox.com](#), and we'd love to hear from you. And with that, let's get started.

Welcome back. Today, we are talking about a very serious and important topic; mental health in the legal profession. I'm sure, like many of our listeners, you've been saddened to read articles recently that tell stories of depression, alcoholism, and even suicide in law schools and in our legal profession. Because of this, we have reached out to attorney turned executive consultant and licensed psychotherapist Sarah Weinstein to talk about this issue.

Sarah, thank you for joining us on the podcast to talk about this somewhat heavy issue, but we're hoping that we can get some actionable items out of it, too. But thank you for joining us.

Sarah Weinstein: Yes. Thank you so much for having me.

Lee Burgess: And to get us kicked off, would you share a little bit about yourself, your legal career, and what led you to the work you are doing today?

Sarah Weinstein: Sure. I am an executive consultant and a licensed psychotherapist. I have a private practice in Rockridge, in Oakland, where I see primarily law students, lawyers, and physicians, and I'm also the external director of the Law School Wellness Project at Stanford Law. Before I went back to graduate school for psychology, I practiced law for over 10 years. I clerked on the Ninth Circuit after law school, and then I started my career at Morrison & Foerster in their New York and San Francisco offices, doing litigation and some technology transactions. And then I ended my legal career before going back to graduate school at Mayer Brown and the Supreme Court and appellate practice in Palo Alto.

In terms of what led to what is a fairly major career shift, I often say I was born to do this work. My mother is a psychologist and over our dinner table, most of our conversations were spent talking about her work and her clients. When I was working at my firms, there was kind of a running joke that there would always be a short line outside my door of colleagues, lawyers looking for advice or just to download the hazards of their afternoon. Over time, I found I was actually having trouble getting my legal work accomplished because there were so many people trying to talk to me, and I sort of attribute this, as I said, to having the psychology thing in my home life.

Lee Burgess: Yeah.

Sarah Weinstein: Over time, I realized I think I could ... I actually really enjoyed being a lawyer in a lot of ways, but I felt like I could just make a more unique contribution to the field if I went back, so I went back to school and got my graduate degree in psychology and did a ton of hours of clinical training, and here I am.

Lee Burgess: Great. Let's dive in and talk about mental health and the legal profession, because you got to see some of it firsthand when you were a lawyer, and also, you're working with law students and lawyers right now. Study after study seems to show that lawyers have increasingly high rates of depression and substance abuse. For some sobering statistics that I googled in preparation for this podcast, the [Dave Nee Foundation](#) reports that for law students, depression among law students is 8 to 9% prior to matriculation, then it goes up to 27% after one semester, 34% after two semesters, and then 40% after three years. It just hurts every time I read those, because it's so heartbreaking. And then stress among law students is 96% compared to 70% in med students and 43% in other graduate students. By entering law school, law students have a psychological profile similar to that of the general public, but after law school, 20 to 40% have a psychological dysfunction.

Okay. That doesn't sound so good. In the work that you're doing, do you see these statistics as being an accurate representation of what you see in your work, and should this frighten law students or people considering going to law school?

Sarah Weinstein: Those are certainly sobering statistics, and I can't of course speak to their accuracy, but just anecdotally from my personal life, I'm connected to a lot of lawyers, and of course in my private practice. I mean, yes; when we think of the law, and law students, and law school, there's a lot of anxiety and depression, and that's what people are coming into me for. But a lot of it, too, is other things going on in people's lives; their personal relationships, things left over from their childhood. And so, I think the statistics, on the one hand, it's the vibe that we get. Yes, lawyers are unhappy. But on the other hand, they're a little bit misleading. You know?

Lee Burgess: Yeah.

Sarah Weinstein: I don't think we can attribute all of it to law school or the legal profession. Though, as we can talk about later, certainly there are some attributes to the profession that-

Lee Burgess: Right.

Sarah Weinstein: ... you know, would make this more likely.

Lee Burgess: I've often found in my experience, working with law students and just being in law school myself, law school can almost be a pressure cooker in a lot of ways, that any issue or worry or thing that you had going on with you before law school seems to get magnified in the pressure cooker of law school. We've often found students who struggle with anxiety or depression, law school seems to make that worse if it was something manageable. Even folks often talk about having any sort of learning differences that they were able to manage pretty easily outside of law school. Law school feels like it makes them worse. And so, it could also just be that it is this pressure cooker environment that all this stuff we are able to cope with outside the law school environment, it becomes harder to cope with it in the law school environment.

Sarah Weinstein: Yeah, I think that's an excellent point. It's something that I try to really talk to people about. I mean, I think law school is initiation into a profession, where there's just a great pressure to conform.

Lee Burgess: Yeah.

Sarah Weinstein: And to keep up a façade of strength, and to limit acknowledging just common universal emotions that are readily acknowledged in other professions.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: I think what you're saying is true. People come in ... It's not like we change the minute we step into law school. People come in with all sorts of things, and it's actually normal. There's a continuum of emotions and mental health. You know, on the one side, you have, like you mentioned, there were suicides. That's on the very extreme side of the continuum.

Lee Burgess: Right.

Sarah Weinstein: On the other side, there's people who suffer very little anxiety or depression. But for the most part, we all fall somewhere in the middle.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: I think that's one of the passions that I have for the work that I do, is just to have more emotional nuance in the conversations that we have and to acknowledge we all fall in the middle.

Lee Burgess: Yeah.

Sarah Weinstein: Most people have ... It's very normal to have some anxiety. It doesn't mean you have an anxiety disorder. It's normal to have a couple of bad days. It doesn't mean you have a depressive disorder. I think that's what ... What I see is we need to open up the conversation a little bit.

Lee Burgess: Mm-hmm (affirmative). And we're going to try and do that here today. Okay, so first some more statistics fun, and then we'll leave the statistics. Once folks become lawyers, the statistics don't seem to get that much more positive because lawyers are now frequently referenced as the most depressed occupational group. I'm sorry. Lawyers are the most frequently depressed occupational group in the United States. Lawyers are 3.6 times more likely to suffer from depression than non-lawyers, and depression anxiety is cited by 26% of all lawyers who seek counseling. There are also additional statistics citing that lawyers are twice as addicted to alcohol as the general population as well. I liked the statistics where it's like, depression anxiety is cited by 26% of all lawyers who seek counseling. I'm like, of course they are. They're seeking counseling.

Sarah Weinstein: Right, exactly.

Lee Burgess: It's a self-selection of group. But I do think that, you know, that high number shows that a lot of lawyers who are concerned about their mental health are concerned about depression and anxiety.

Sarah Weinstein: Yes. As I was started to say before, the legal profession has ... There's so much uncertainty in it, I think. It's that uncertainty. There's obviously an adversarial nature. When we're thinking about the medical profession versus the legal profession, I work with lawyers and physicians and there's just such a great difference even in the way that they come into my office. Doctors are much more open to being cared for.

Lee Burgess: Interesting.

Sarah Weinstein: Lawyers come in ... Yeah, wanting to have results. Lawyers will often times after one or two sessions, want why am I not completely fixed? I feel like as I was saying before, there's just such a pressure to show no vulnerability. To manage huge amounts of uncertainty, intellectual complexity, the volume of work, and lawyers are supposed to keep up a façade that everything's okay.

Lee Burgess: Right.

Sarah Weinstein: All the time, and this is particularly true in big firms. So, I think this contributes a great deal to certainly the anxiety and also the depression that people are feeling.

Lee Burgess: Yeah. I think it is interesting. When I was in law school, I used to study at the UCSF medical center library, or I guess it's a medical school library, because it's close to where I lived. And at that time, to truly date myself, they did not have wi-fi that we could unlock.

Sarah Weinstein: Me either.

Lee Burgess: But that was great, because during finals, then you couldn't get distracted, because you just had to study. But it was fascinating to watch the residents and the medical students in the library, because the law students, we were very tuned up. There were a group of us that used to study there. Some of the med students would ask us what we were doing, and we'd talk about being in law school. The med students would sleep in the library, which was very interesting.

Sarah Weinstein: Wow. That is so interesting.

Lee Burgess: And I remember asking them ... Sometimes they would sleep, some of the residents would sleep, and I remember asking them once, "Why are you sleeping?" And they're like, "Well, because we have a break." I was like, wow. Maybe ... We often times hear about doctors having a hard time with self-care, but I'm like, "You guys maybe have something figured out," because no one was sleeping in the law library in the middle of the day. I don't know.

Sarah Weinstein: Yeah. Yeah, no, I think you're right. And I think law schools are catching up now, but medical schools, for many more years, have been concerned about self-care in a way that law schools really have not.

Lee Burgess: Yeah. I do think it's a conversation that some of the law schools are having, and I think that the work that you're doing at Stanford is opening that conversation up. I think there's a mindfulness movement in the legal community and in law schools that's also helping that, so more folks who are talking about how to manage this profession and not be miserable. This idea that most of us don't go to law school to become miserable people.

Sarah Weinstein: No, certainly not. And yeah, just opening the conversation. One of the things we're doing at the Stanford project is we're putting syllabi up on the website for ... There are a number of classes being taught around the country now at law schools. One is called the happy lawyer, there's another one about contemplative practices in lawyering, mindfulness and meditation. And one of our goals is just to collaborate with law schools around the country and get as many syllabi up as we can to create a model for more law schools to offer classes.

Lee Burgess: Yeah.

Sarah Weinstein: In my view, I mean, we teach legal writing and research as a mandatory class to law students, but why are we not teaching skills for resilience and how to

manage your emotional health once you get out into what's a very demanding profession?

Lee Burgess: Yes. I think that that is very true. Do you happen to know Judi Cohen, who is ... She runs [Warrior One](#).

Sarah Weinstein: Yeah.

Lee Burgess: Judy is a friend and mentor of mine, and I took her mindfulness for lawyer course for my CLE credit a while back.

Sarah Weinstein: Oh, it's a wonderful, wonderful class.

Lee Burgess: It is a wonderful class, and one of the things that really hit me, sitting in a room with a lot of people who were practicing –at the point I took that class, I was running the Law School Toolbox—was just how folks were really talking about how changing little things in their day seemed to be making a difference. Taking deep breaths before picking up the phone call when they could see who the phone call was from.

Sarah Weinstein: Yeah.

Lee Burgess: Or having some sort of mantra to say before they open an email that they know is going to be aggressive, or letting things sit for a little bit before responding. Because one of the interesting things that Judy said in one of our lectures which has always stuck with me is how technology has really changed the profession, not necessarily for the better, in the ways of conflict and intensity. She used the example of when you used to mail things back and forth, and that if opposing council or somebody wrote you a nasty letter, it would come through the mail, it'd go to your secretary, your secretary would open it, it would be delivered to your desk, you would sit down, decide you were going to go through your mail, you'd open it, you'd read it, you'd get angry, you'd fold it, you'd lay down, and then you would ...

Sarah Weinstein: Yes.

Lee Burgess: You know, come back, you would draft a response maybe, or you dictate it, then it would get put on letterhead. You often would read it again before you signed it, and there were all of these points in the profession that your reactions were able to get tempered, that cooler minds were able to prevail, and that hostility was able to just calm a little bit because you couldn't move that fast. You couldn't respond that fast. But now, that's really different because now you're responding to people on your smartphones and your emails are coming at all times of night. So, do you think this fundamental change in the profession based on technology is one of the things that's making it harder for people to cope?

Sarah Weinstein: Yes. I think that's an excellent point for so many different reasons. One of the ones that you just said was its immediacy to a response, and when we're agitated or we're angry and we didn't take a breath, we're not going to get the best reaction out of that. And the other thing is just lawyers ... I mean, that does contribute to so much of the anxiety I see. They cannot get a break.

Lee Burgess: Yeah.

Sarah Weinstein: You know? They're out with their families eating and they're getting emails and feeling the need to leave, and there literally is no time when they're allowed to just not be on, and I think that's very much contributing to a lot of the anxiety that I see in my private practice, for sure.

Lee Burgess: Yeah.

Sarah Weinstein: And an acronym I use with my clients, talking about when you were saying just changing some simple things, I talk to people about SWYM. The S is sleep, the W is water and also nutrition, and the Y is yoga, but that's because that's what I do, but it can also just be exercise.

Lee Burgess: Me too. We can be yogis together. Alison does yoga too.

Sarah Weinstein: Oh, great.

Lee Burgess: Yes, we love it.

Sarah Weinstein: And then the M is meditation, but I know there's a lot of resistance for that, so I also say people can just do music or some other contemplative thing that relaxes you.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: My point with that is not that you have to be doing all four. If you can do all four every day, you're absolutely at the top of your game.

Lee Burgess: Right.

Sarah Weinstein: But most people can't. So, I tell people, try to go for two.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: Even if you're doing sleep and water, you know?

Lee Burgess: Right.

Sarah Weinstein: You can kind of gauge. And clients tell me that it's very helpful, because they can kind of gauge when they're not doing well. They think, "Oh, well, gosh, I haven't even done even one of those things."

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: You know? Just to try ... Like I said, try to do two. And I'm recently thinking I'm going to add an R to the end of it, for relationships, and just keeping up our connections outside of social media and the internet. Just relationships are so important, and there's so much research on that.

Lee Burgess: I think that's true, and I've noticed in the nutrition healthcare world, I've seen a lot more discussion about relationships and community. I remember recently reading Robb Wolf, who's well-known in the paleo community. He had an interesting book that came out called Wired to Eat. I don't know if you have heard of that.

Sarah Weinstein: Yeah, I've heard of it. I've not read it.

Lee Burgess: Yeah. It's quite interesting in your quote unquote "free time".

Sarah Weinstein: Yeah.

Lee Burgess: But one of the things he talks about a lot in there is adding ... he calls it community, but adding that in as kind of a pillar of health. And that he hadn't really written about that in his previous work. I think more and more, people are realizing that without time to have relationships and community, that you really suffer. I mean, social media makes our lives just ... I'm a mom, and you're on social media, and you're like, nobody else's kid was screaming at them at bedtime last night, and then you realize everybody's kid was screaming at them. Or maybe not everybody, but a good chunk of parents were having kids scream at them, but that's not ... You know, we all posted Happy Halloween pictures of our kids smiling and grinning.

Sarah Weinstein: Yeah.

Lee Burgess: It's hard. You do have to remind yourself that the real world is a lot more complicated than the quick snapshots of it we see.

Sarah Weinstein: Yes, absolutely. And I do think that social media is contributing to the anxiety and depression that law students are feeling, also, because what used to be, for me, there was a lot of competition in law school, but I didn't get to see it as much all over the place.

Lee Burgess: Yeah.

Sarah Weinstein: You know? I was taking it in in a different way, and it definitely wasn't 24/7 like it is now, and people weren't posting about the amazing jobs they were getting, and all of that. I hear a lot about that in my practice.

Lee Burgess: Yeah. That's a very interesting point. I remember reading an article maybe last year or something. They said that shutting off social media increased happiness or something like that.

Sarah Weinstein: Yes.

Lee Burgess: It was very ... I can't remember, but it was literally like if you shut off Facebook, it increases your happiness and the more hours on Facebook that you consume, the lower your rates of happiness. Something along those lines.

Sarah Weinstein: Yes. I have to admit, I don't have Facebook, but I ... Another thing I think it's important to mention, I'm glad we're talking about this, is that people, when they have anxiety, one of the ways that it manifests is they use the internet more. I think you sort of alluded to this before, but there's ... I feel another issue right now is people are having a hard time focusing and studying-

Lee Burgess: So true.

Sarah Weinstein: ... with the bar results taking these dramatic downturns, and of course the causation is much more complicated, but people ... Anxiety and depression, people are often just ... There's this compulsion to check email and some of it is actually addictive behavior.

Lee Burgess: Right.

Sarah Weinstein: But I think it's an under-discussed issue that's going on now. Probably in other graduate schools as well.

Lee Burgess: I think that's a really good point. A yoga teacher ... Going back to yoga. We can just keep circling back and sounding as berry and granola as we can be, but my yoga teacher and I were talking about cell phone use, and she recommended an app that tracks your phone use, and she was like, "Run it for a while and see how many hours a day you think you're on your phone." So, I was like, "Okay." It's called Moment. You run it, it runs in the background. All of a sudden, you start to realize the hours of consumption. Now, I also work a lot off of my cell phone when I'm running around town and doing other things, but what was interesting, especially on the weekends when I was not working or running around on the phone, to really be conscious of the fact that maybe I should just put the phone down. Or if I'm watching television with my husband, why do I have my cell phone? You know?

Sarah Weinstein: Yes.

Lee Burgess: Toss it on the table. And I was able to consciously reduce the amount of consumption by tracking it, which I thought was kind of interesting.

Sarah Weinstein: Yes.

Lee Burgess: We talk with law schools about even tracking their study time. Not to become cuckoo crazy like you are when you're a private lawyer and you have to track every six minutes.

Sarah Weinstein: Right.

Lee Burgess: But to try and really ask themselves, how long are you really sitting and studying versus being interrupted? Because I think ... I know for me, the internet can just be a downward spiral into wasting time. And with the current news cycle and political stuff that's going on that is emotionally charged for all of us, all I need to do is click on the New York Times and I'm done for an hour.

Sarah Weinstein: Yeah. Yeah. It's so true. I recommend to my client who are having problems focusing an app called Freedom.

Lee Burgess: Okay.

Sarah Weinstein: I don't know if you've ever heard of it-

Lee Burgess: No.

Sarah Weinstein: ... but it's quite wonderful. If you put it on your phone, or your computer, actually, and you can block ... Whatever sites you enter into the app that you want to block, you can block those and for a particular amount of time.

Lee Burgess: Ooh.

Sarah Weinstein: You can block something for three hours if you're setting a goal for yourself for studying.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: There's certain sites you could block 24 hours, and just have it running all the time so you can never go on that site, like if you don't want to go on Facebook, you can block that for a certain amount of time. But I find that clients really ... Once they use it, it's quite helpful.

Lee Burgess: I think that's a really interesting app, and I'm going to have to check that out, because one of the things I used to do was just turn off my wi-fi to do what we call deep work. But now so much of our work is online-based that it becomes very hard-

Sarah Weinstein: Right, right.

Lee Burgess: ... to turn off your wi-fi, because then I can't communicate with team members or send things that I need to send.

Sarah Weinstein: Yes, yes.

Lee Burgess: So that's really interesting. I'm going to have to check that out.

Sarah Weinstein: Yes. Freedom.

Lee Burgess: I could see a lot of law students really enjoying that, because I'm a big proponent of study input in, make it get the most out of that study time.

Sarah Weinstein: Yes.

Lee Burgess: I don't like to waste time, and so if you're at the library and if you're sitting in the cold ... My library's always really cold. You're in the cold library and you're doing all this stuff, get in and get it done so you can go live the rest of your life.

Sarah Weinstein: Yes, rather than have it extend and be unproductive for 12 hours.

Lee Burgess: Right.

Sarah Weinstein: Just study a lot for two hours.

Lee Burgess: Exactly. That's always my goal. I feel like I'm so much more productive at this point in my life than I was back then. I always wish I could give some of my productivity tools to that person who is a 1L.

Sarah Weinstein: Yes, well, I think I read a statistic somewhere that mothers with young children are the most productive people at work because they just need to get the work done so they can go home.

Lee Burgess: Yeah, so they can go do their next thing, and then they are masters at multitasking-

Sarah Weinstein: Exactly.

Lee Burgess: ... because you're tracking things in your brain, and you're doing other things.

Sarah Weinstein: Exactly.

Lee Burgess: So, yes, I think that's true. Well, I love some of these suggestions on almost simplifying a little bit the law school experience, and then some of this could carry over into practice, because when you're practicing, the ability to focus and get your work done is key, I would assume, to reducing anxiety. Because one of

the things that folks ... I know I remember when I was practicing, get anxious about is the billable hour and being able to get all of your work done, and deadlines and things like that.

Sarah Weinstein: Yes, and another way anxiety manifests, unfortunately, is procrastination.

Lee Burgess: Oh, yes, good point.

Sarah Weinstein: And lack of focus. So, then it's like a snowball effect, because you're anxious so you procrastinate, and then you're more anxious because your project is going to be sooner and you got less of it accomplished.

Lee Burgess: Right.

Sarah Weinstein: Absolutely. What I always recommend for people is just to get a sense before you start your job, and before you start law school, too, or during law school, of how do you deal with anxiety or how does anxiety manifest for you? Because it's not if you're going to have anxiety. You are going to.

Lee Burgess: Right.

Sarah Weinstein: And that's kind of what I'm trying to get people to talk about. These are very normal emotions. It's not if you're going to have it. It's how you're going to deal with it. When you get anxious about something, just have some tools in place. We all deal with anxiety different. There's no one way that it can manifest.

Lee Burgess: Right. The other thing that ... Going back to your SWYM, or maybe someday SWYMR.

Sarah Weinstein: Yes, I think I can change it right now on your podcast.

Lee Burgess: Oh, look at that!

Sarah Weinstein: It's going to SWYMR.

Lee Burgess: It's going to SWYMR. But I liked with your meditation music, it doesn't match with the M, but we talk a lot about just breathing. Because especially in an exam scenario, whether we're talking about law school exams or the bar exam, I think, students often forget to breathe. And when I started really diving into some research around breath and of course I had mentors and teachers who have talked about the importance of mindfulness practice and things like that, I learned about the military using breathing exercises to calm nerves.

Sarah Weinstein: Yes.

Lee Burgess: That the snipers use tactical breathing exercises in order to be able to physically calm their bodies, and it was amazing to me, because you don't necessarily

think of the military doing anything woohoo. Maybe that's a bad stereotype, but that's not the first thing that comes to mind.

Sarah Weinstein: Yes, yes.

Lee Burgess: But the idea that even the military understands that the breath is that powerful, that they encourage folks in combat situation to be able to use breathing exercises to calm the nervous system. To me, that was like the tipping point of, hey, everybody needs to be paying attention to your breath. If you're in the bar exam and you're having a moment, looking up and starting to do breathing exercises that you've practiced during your study period can make a huge difference.

Sarah Weinstein: Yes, and I mean, I think the breathing is incorporated in the meditation of the M.

Lee Burgess: Right.

Sarah Weinstein: But you know, what I found, and other people have found this too, is that for whatever reason, the law student and lawyer population, there's a lot of skepticism about mindfulness and meditation, so I like ... Yeah, just call it breathing exercises.

Lee Burgess: Breathing.

Sarah Weinstein: Whatever works with you.

Lee Burgess: Whatever ... Right.

Sarah Weinstein: Whatever they can take in and that makes sense to them. I always say, it doesn't really matter what works for you in terms of mental health. You just have to find something.

Lee Burgess: Yeah.

Sarah Weinstein: Mediation is a big ... Everyone's talking about it now, but it doesn't work for everyone.

Lee Burgess: Right.

Sarah Weinstein: I mean, it doesn't work emotionally. It makes some people uncomfortable. So just call it whatever you want, you know?

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: But just learn to, like I said, get some tools in place that work for you, and you're going to be way better off when the stress hits.

Lee Burgess: I think that's so true. What is it about the nature of law school and the legal profession that's leading down this road of anxiety and depression and unfortunately, in extreme situations, even things like suicide. I know in law school, we've already talked about there's competition, there's a huge amount of work, there's stress. But what other things do you think play into making it such an emotionally challenging experience?

Sarah Weinstein: Yeah, what I've seen a lot in my private practice recently is about jobs.

Lee Burgess: Oh, yeah.

Sarah Weinstein: The law school experience with jobs is really different than other professions. It's very front-loaded, up-front. If you don't get that first job in ... I think law schools are doing it now in July, is OCI.

Lee Burgess: Yeah, which is crazy.

Sarah Weinstein: After your first year. And people are feeling, and some of the career centers are contributing it, too, where they're saying, "Oh, you didn't get a job at a OCI. Well, that's kind of it." There just are not other professions where it's so all or nothing like that with jobs. It's so front-loaded. People are just starting to try to get used to law school and already, they're fearful that they're never going to get a job. They're going to have to drop out of law school. I mean, I have students tell me this all the time. That's definitely one thing that I notice.

Lee Burgess: That's a fairly interesting point. A lot of students need some time in law school to really excel.

Sarah Weinstein: Right.

Lee Burgess: I believe that law school can be a learned skill for a lot of folks-

Sarah Weinstein: Definitely.

Lee Burgess: ... and you may not hit your stride that first year.

Sarah Weinstein: Absolutely.

Lee Burgess: That may hurt your first ... you know, your summer associate prospects, I guess, if you were to say that. But it doesn't mean that you're not going to still get a position and have a very successful legal career. Some of the happiest, most successful lawyers I know are outside of the big firm world and didn't participate in any of that at all.

Sarah Weinstein: Right, absolutely. And I think that's the other thing, for people to just get an idea that think back to why you went to law school in the first place. Because I think there's a big disconnect there. A lot of people go into law school for one

reason, they had a certain passion about an area of injustice or some deeper issue, but when they got there, before they knew it, they found themselves with good grades and then they went to OCI and now they're at a big firm. I think people really should sort of not be lured into it as much.

Lee Burgess: Yeah.

Sarah Weinstein: Take your time. Just think about why did you go to law school and what do you want to do with your legal practice.

Lee Burgess: Yeah, I will be honest. I was exactly that person you're talking about. Did very well-

Sarah Weinstein: Certainly not alone.

Lee Burgess: I know, but who did well in law school and found myself at this big firm situation. Ironically, I had, prior to law school, been a consultant as Accenture in a large, stressful, corporate environment and hated it. So, one might ask why a few years later, I chose a similar work environment. Because it-

Sarah Weinstein: It's hard to pass up, it is.

Lee Burgess: I mean-

Sarah Weinstein: And they make it so easy.

Lee Burgess: They do. And you know, and it was prestigious, and the money is great, and things like that.

Sarah Weinstein: Right.

Lee Burgess: I felt very fortunate that I could exit out and start a different career path, but I did have some moments where I sort of reflecting on what was making me unhappy about the law firm life, and it was pretty much exactly what was making me unhappy about my consulting life prior to law school. So yeah.

Sarah Weinstein: Yeah. And you know, I just want to say, just to be fair, I have a lot of lawyers who really enjoy their jobs.

Lee Burgess: That's true.

Sarah Weinstein: And that come to me for other reasons, because I was a lawyer and they feel comfortable with me. But this doesn't get a lot of press, but some people are very energized by the law firm experience.

Lee Burgess: That's true.

Sarah Weinstein: And they enjoy ... You know, and I actually really was someone who I loved the intellectual environment, and my colleagues. Everyone was so intelligent and interesting. So, I do think it gets a little underplayed. But there really are plenty of people that enjoy their work quite a bit.

Lee Burgess: That's true. I have a rockstar mama friend who is a partner at a large law firm out of Chicago. Has three kids. Her husband is also a partner at the same law firm. I don't know how they do it, but she's happy and I find her life amazing.

Sarah Weinstein: Yeah.

Lee Burgess: I can honestly say I totally respect everything that she's done to build her business, everything that she's done to build a family. And I think you make a really good point. There are plenty of women who are successfully ... women and men, who are successful and happy in those positions. I think one of the ways you stay happy is you have to be honest about some of the challenges that come with that work, so you can figure out how to cope with it and you don't get pushed to a point where you're too overworked, you're too stressed out or you're too unhappy. That you can manage it. And some of that's luck, right? Some of it is who's your boss-

Sarah Weinstein: Yes.

Lee Burgess: ... who's your partner, what practice area you're in. Because I had a ... I remember when I was a first-year associate, I worked on a trial team, and the partner was divorced and didn't have a life outside of the law firm, and so he just told all of us that we were expected to work on the weekends because he didn't have a life, so why should we? And I remember us all looking around going, this is odd, right? This is kind of an odd conversation.

Sarah Weinstein: Yes, yes. I hear a lot about conversations like that.

Lee Burgess: Yeah. A lot of it is who's assigning you work, you know?

Sarah Weinstein: Yeah.

Lee Burgess: Are they sending it Friday at 5:00, wanting it by Monday morning? So, some of it is luck.

Sarah Weinstein: Yes.

Lee Burgess: But you're right. There are plenty of happy lawyers-

Sarah Weinstein: Yes.

Lee Burgess: ... in there. And I think part of it, too, is finding your tribe of support. I am a member of this ... Facebook I say a lot of bad things about, but one of the things

that keeps me on Facebook is this amazing ... It's a private group of lawyer moms, and there are now 9,000 of us that are members of this Facebook group.

Sarah Weinstein: Wow.

Lee Burgess: And it has become this very supportive tribe of women being able to ask all sorts of questions, but a lot of work-related questions and a lot of questions like, "Am I the only person feeling this way?" Or, "I'm having this struggle with work." I think it's interesting that as much as we boo-hoo social media, sometimes, it allows you to create a community that maybe you don't have.

Sarah Weinstein: Yes.

Lee Burgess: And I like to think that based on some of the interactions that happen in these groups, I think a lot of people do feel less alone, and maybe conversations are happening that aren't happening in the firms or in some homes because they're hard to have. In a way, social media is a safe place.

Sarah Weinstein: Yes. I'm so happy to hear that, because of course that goes to my whole passion again, which is just opening the field and being able to acknowledge what we all experience.

Lee Burgess: Yeah.

Sarah Weinstein: Like you said, people ... Everyone thinks they're alone with these feelings that lawyers are not experiencing anxiety and depression. But when you just open up the field a little bit, you see, oh wow, everyone is experiencing this.

Lee Burgess: Mm-hmm (affirmative).

Sarah Weinstein: And I think you're right. When it's on social media, there's a little bit more anonymity and it just feels more comfortable.

Lee Burgess: Yeah. All right, so what about legal jobs? You talked a little bit about this, but just to tick off a few of the things that you think really make legal jobs so challenging. One has to be the stress often times of taking on stress of clients, especially if you're working with a person as a client instead of a company as a client.

Sarah Weinstein: Yes, absolutely. That and I think one of the things that maybe doesn't get talked about enough is the hierarchy, and how that ... What I see is associates coming off of clerkships and did very well in law school, went to very challenging clerkships, they're at the top of their game intellectually and their legal analysis, and then they come into a firm, and because of the hierarchy, they're self-efficacy in a way gets stripped away. They're doing sometimes document review or they're people reviewing little tiny enclosure emails that they're sending, and

I think they just lose some confidence. To me, right when they start like that, I see a lot of people who are struggling to make sense of that hierarchy-

Lee Burgess: It's an interesting point.

Sarah Weinstein: ... in the profession.

Lee Burgess: Yeah.

Sarah Weinstein: That's something that I think ... Some of the other things are more commonly talked about, like the adversarial nature. Of course, you're always in these very challenging situations with opposing counsel, and internally there's a lot of competition between colleagues, and some partners are very demanding, and the clients are demanding to the partners. But I think that hierarchy is something that, like I said, it's not really talked about enough.

Lee Burgess: I think that's a really interesting point. I hadn't thought about that. I also think, going back to my story of just taking the big firm job, I think a lot of times in the law school experience, it can be hard to ask yourself questions like what is going to make me happy in my professional life? What do I want my life to look like? And is money going to solve all my problems? Because I still do think that that is somewhat of that carrot dangled out there. Take this job, make six figures, and a lot of these troubles go away. Which debt can go away from that, which is nice, but a lot of times, the money isn't going to necessarily get you where you need to be.

Sometimes we talk about needing to define your own definition of success, of what you want that to look like, I've already read make your own mission statement, so you know what you want to make decisions based on, but what do you recommend for students as they start thinking ahead? Or if they're a new lawyer, thinking ahead about what they want their career to look like.

Sarah Weinstein: Yes. I think what I talk to students about is very consistent with what you did. Just sort of unpack a little bit internally. For yourself, what is it that you want? Try to take away the salary, because later, that just becomes a trap.

Lee Burgess: Yeah.

Sarah Weinstein: You're going to start at 180 or whatever you're going to start at. I don't even know what it is now, but that's not something you're going to be able to walk away from easily.

Lee Burgess: Right.

Sarah Weinstein: If that's what you want to do, that's wonderful. But try to check in. And like I said, go back to what made you go to law school in the first place. Did you have an experience when you were younger where you found some injustice or ...

You know, people have all sorts of different reasons why they went. And also, what type of environment do you want to practice in? Do you want to do mainly trials? Sort of the normal questions. But the main thing is just, like you said, don't be afraid just to kind of take an internal assessment. I think a lot of times, people ... It's like they're afraid what they're going to find or something, if they take a look inside themselves to really try to figure it out.

Lee Burgess: Or that their definition of success is not going to meet the community's definition.

Sarah Weinstein: Right, exactly.

Lee Burgess: Whatever they decide their community's definition of success is. And I think that that is hard. You know?

Sarah Weinstein: Yes.

Lee Burgess: To be able to make a left turn and say, "I want something different, and I'm going to be happy doing that something different, even though other people would not appreciate your choices."

Sarah Weinstein: Right, and often, the hardest legal jobs to get are the ones that have reasonable hours and meaningful work. You know, I think meaning is something that we're talking a lot more about now, too.

Lee Burgess: That's true.

Sarah Weinstein: And just really what matters to you, and where do you find meaning? I wake up every day literally and rush to my office. I love my work, you know? That's why I changed professions, because I said I thought I could make a more unique contribution this way. People have to find what that is for them.

Lee Burgess: Yeah. And that's a really good point. Well, let's ... Now we've talked about a lot of the realities. We've talked about some good coping mechanisms, but one of the things I mentioned at the beginning of this podcast and that you and I talked about when planning this podcast is we have seen an increase in [news about suicides at law schools](#), suicides in the legal profession, often times linked to some sort of [substance abuse](#). If you're a student or young lawyer listening to this episode, what are the warning signs that someone should look for to signal that they need help? That they're not just unhappy for a couple of days? This has gotten to the point where they need to reach out to somebody.

Sarah Weinstein: Yeah. Okay, so first, I just want to start off by saying that suicide is, like I was saying about the continuum, suicide is on the extreme end.

Lee Burgess: Yeah.

Sarah Weinstein: And in order for that to happen, someone's going to have to have a pre-existing psychological, biological, or familial pre-disposition to it or pre-existing. This is not how the problems for most of us are going to manifest, so I don't want people to get scared about law school and suicide. But it also is [a reality that we have to talk about, too](#).

Lee Burgess: Yeah.

Sarah Weinstein: But the warning signs for suicide are a little bit different than the warning signs just for when you might want to check in with yourself about maybe needing to call a therapist. And what we typically see is people starting to isolate. You're not enjoying activities that you used to enjoy. If you're finding yourself ... some of your biological habits are changing, you're having trouble sleeping or you're sleeping more.

Lee Burgess: Yeah.

Sarah Weinstein: We often look for changes in sleep. Changes in eating. If suddenly you're not eating, or you're eating more. Extreme irritability in someone who that wasn't the way they presented before. As you said, an increased use of substances. If it's tied to anxiety and depression, absolutely, that's a way that it can ... People want to keep an eye out on that. Having trouble focusing is a way that depression can manifest.

Lee Burgess: Yeah.

Sarah Weinstein: Rumination. But the main thing is I think are you not enjoying your life? Are you noticing a change that you don't want to see friends? You're canceling activities.

Lee Burgess: Yeah. Goes back to that idea of isolating yourself, but yeah.

Sarah Weinstein: Yes, yes.

Lee Burgess: It's not just that you're studying for finals and you're unhappy because you're studying for finals. It's you're really unhappy.

Sarah Weinstein: Exactly. Exactly. Right.

Lee Burgess: Yeah. And I think it's probably worth mentioning that many law schools and universities have health centers that offer free counseling to law students, which I know some law schools do that, and so if you're worried about the cost of getting help, often times, you can use the resources at your university as a first line of defense to-

Sarah Weinstein: Yes, absolutely.

Lee Burgess: ... reach out to the schools.

Sarah Weinstein: Yes, that would be the first step. Hopefully there's not stigma. There is stigma, we know that.

Lee Burgess: Right.

Sarah Weinstein: But you need to get beyond that if you're having a serious mental health issue.

Lee Burgess: Right.

Sarah Weinstein: Please go. Do see someone, either at your school or outside.

Lee Burgess: Yeah. And I think some folks ... and I know I've been in this situation before. When you know a friend or somebody you care about is struggling, it can be very hard to help them move towards getting help. If you're listening to think and you're thinking, oh, this sounds just like so-and-so, I wonder ... You know, other than emailing them this podcast, what do you think folks can do to support others if they see people going down a path that is not going anywhere good?

Sarah Weinstein: Yeah, so obviously just to say at the outset, if you have a friend that you're concerned about suicide, one of the things we do is we see do they have a plan? Because sometimes suicidal ideation is one thing, but you want to see, do they have a plan? And obviously if this is serious, you have to call 911.

Lee Burgess: Of course.

Sarah Weinstein: This is very important. But if you're just concerned about someone and you think, oh, they're just not doing well, I would say stay connected to that person and maybe sometimes share your own feelings of vulnerability. It's okay to point out what you're seeing in them. But definitely stay connected, and recommend that they seek help in a way that doesn't make them feel too exposed. It's fine, people see therapists for all sorts of different reasons. You don't have to be in a dire mental health situation to see a therapist.

Lee Burgess: Right.

Sarah Weinstein: Also, if it's something that you're concerned about and you don't know quite how to handle it, you can see a therapist to go find out what's the best way to manage a friend. I've actually had that happen quite a bit in my practice.

Lee Burgess: Oh, that's interesting.

Sarah Weinstein: People will just come in because they want to handle it in a delicate way that's going to be helpful. I'm always happy to talk with people about that just for one session.

Lee Burgess: I think that a lot of people who have never met with a therapist or done any sort of therapy don't realize that therapy isn't just about talking about your problems. I think there can be a lot of really great guidance given by a quality therapist, because they have an expertise. People come to lawyers because we have an expertise about something. They might know something about divorce, but they are not going to know as much about divorce as your divorce lawyer. You know, I think conflict resolution or when you're struggling with any sort of interpersonal dynamics, or even something you're saying about, about dealing with a friend who's in crisis, therapists are experts at this stuff. They can tell you how to approach somebody or how to work through conflict. It's not just about being depressed and anxious. There can be a lot of great work done by talking to people who are making their whole career about helping people walk through life in a better way.

Sarah Weinstein: Of course, I agree with you 100%.

Lee Burgess: Well, of course you do, but ...

Sarah Weinstein: My view is that therapy is something everyone should do. I actually feel strongly about this in our current time, where it's hard even to get anyone to look at you in the eye or listen because they're on their phone the whole time.

Lee Burgess: Yeah.

Sarah Weinstein: So, I feel like therapy is going to make a big resurgence, because really. What I tell people is sometimes it just takes two minds to think one person's difficult thoughts, or just to sit with someone, even just to not even have me listen, which I do, but even just to sit with yourself in a quiet environment for 15 minutes and just talk and unpack some of the things going on. I mean, that is just invaluable for people. I have plenty of clients who don't have serious mental health issues. They just need a space to figure out what's going on with them in their marriage, or with their parents, or in school or work. It really is invaluable, and that's one of the reasons I'd like to de-stigmatize it also.

Lee Burgess: Absolutely. One of the most powerful things a therapist ever said to me is after I'd been going through a hard time and I just met this person, told them about this hard time, and then she said, "Wow, that was really a trauma." And I felt so justified. You know?

Sarah Weinstein: Exactly.

Lee Burgess: And she's like, "I don't think that there's anything that's wrong, but this was really traumatic. Let's talk about how we move past this." And I was like, just having somebody validate about why this thing was hard was so powerful. Something so simple-

Sarah Weinstein: Yes, exactly.

Lee Burgess: ... became so powerful. I think that really showed a different side of therapy for me, of just this acknowledgement that what you're going through is normal. You know?

Sarah Weinstein: Yes, yes.

Lee Burgess: That sometimes being unhappy or going through challenging times is very, very normal. And the same way that you go to a personal trainer if you want to spruce up your workout, or you see a nutritionist if you want to clean up your food, I think a good therapist can help you dust off the cobwebs and create some plans to move through whatever the stick situation is you're in right now.

Sarah Weinstein: Yes, and there's a lot of luxury in it, too, because when you're talking to a friend ... I mean, a therapist is very different than a friend in numerous ways. But one of the ways is that there's not an expectation of reciprocity. Right? You don't have to ask me about my life. In fact, if you do, I'm not going to tell you.

Lee Burgess: Right.

Sarah Weinstein: It's nice, because it's just for you. It's just a space where whatever is going on, you can talk about it.

Lee Burgess: Yeah.

Sarah Weinstein: And that's it. And the focus is on you. It's not on my phone, it's not on ... You know, I think people really don't understand the value of it until they come, so I appreciate this conversation.

Lee Burgess: Yay therapists! Well, we've talked a little bit about it, but I just want to pull together some ideas about how we start making this better, because I know this is something you're very passionate about with the work that you do. We at Law School Toolbox are very passionate about making the law school and bar exam experiences easier to manage, and we talk a lot about dealing with stress and anxiety. We've already discussed that encouraging the schools to offer courses and classwork around things like mindfulness, happiness, managing your life as a lawyer. You've got your podcast and the project you're doing at Stanford. What do you think we need to do to really start to shift change in the legal profession?

Sarah Weinstein: Broadly, I said this probably four times already, but I'm going to say it one more time.

Lee Burgess: That's okay, because for us to learn it, we have to say it so many times.

Sarah Weinstein: Right.

Lee Burgess: So just keep going.

Sarah Weinstein: I think we have to create a culture, really, a culture change where universal common emotions are acknowledged and accepted, and that we learn how to talk about it and manage it. And that's really going to go a long way. It's the first step. And without, that, it's very challenging to do anything else. That really has to be ... The legal profession has to be committed to that. And it's going to have to start in law school, because that's ... And fortunately, a lot of law students are being exposed to these concepts earlier. Even in elementary school, they're having mindfulness.

Lee Burgess: That's true.

Sarah Weinstein: So, I think going forward, students are going to be more versed in it than the professors are. So that's going to be helpful.

Lee Burgess: Yeah.

Sarah Weinstein: The other thing I think is very important is law students and lawyers need role models, and modeling is a huge tool. That's one of the things we do on our podcast, the [WellnessCast](#), is we start by asking our guests to share a hard emotional moment that they've had, just to get people to see that it's actually fine. It's fine to have had a hard emotional moment.

Lee Burgess: Yeah.

Sarah Weinstein: And modeling is really one of the best ways to teach. It's true for kids, too. You know, kids definitely follow what you do, not what you say.

Lee Burgess: Of course, yeah.

Sarah Weinstein: It's really the same thing in law school, I think to the extent that professors can be open about some of the anxieties that they've had in their career and how they managed it, and let's just kind of begin to talk about it from ... You know, if people up in higher positions begin to talk about it and model it, I just think that's going to go a long way, too.

Lee Burgess: Yeah. It's not a sign of weakness, it's just part of the human experience.

Sarah Weinstein: Right. Exactly. It's often, really, quite frankly a sign of strength. That people I know who are the strongest are the ones that are able to talk about their vulnerability and anxiety.

Lee Burgess: Yeah. Well, I think it's great. We'll link to the list that you have on the website, with the Stanford wellness project about the different classes that are offered. I think that's fantastic.

Sarah Weinstein: Right.

Lee Burgess: I'll also link to my friend Judi Cohen's work, who does mindfulness training for lawyers, because if you don't happen to be in a physical location where some of these classes are offered, she does those virtually, and I think she does an amazing job. And I think checking out your wellness cast, and encouraging your schools to start to have conversations about this. You know, I think law students have a lot of power. They are the ones who are in charge of clubs that bring in speakers, you know? Wouldn't it be great-

Sarah Weinstein: Yes.

Lee Burgess: ... hint hint, if most Bay area law schools had people like you come in and talk over pizza, which seems to be what they feed everybody at law school sometimes.

Sarah Weinstein: Yes.

Lee Burgess: But, you know, to talk about some of this stuff so people are talking about it earlier on. I think the students actually are able to bring these issues to light, especially if they're concerned about things that they're seeing in their law school community. It doesn't have to just come from the administration. It can come from the students.

Sarah Weinstein: Absolutely. I mean, I think like I was saying, students are the ones that can drive this more now, because they're being exposed to these concepts much more than the professors were, I think.

Lee Burgess: Yeah.

Sarah Weinstein: And there's more acceptance now. I feel like people in their twenties are more accepting of a whole range of emotions. I'm always actually very impressed with the student population that I see. They're much more willing to be open about some of this than I had seen in the past.

Lee Burgess: Mm-hmm (affirmative). Well, I think people are talking about it more and more, which is good. You know?

Sarah Weinstein: Yes.

Lee Burgess: And the one benefit of the internet, because we've been trashing the internet as part of this podcast, but one benefit of the internet is I do think folks are able to see that they're not alone. You know?

Sarah Weinstein: Yeah.

Lee Burgess: You can read other people's stories. I think people are talking about more things online now, and I think that that does have power. That is to be balanced with

the black hole that can become the internet, where you start reading about things that do not serve you. It's all a balance.

Sarah Weinstein: Yes, yes. I agree.

Lee Burgess: Well, with that, we're out of time, but thank you so much, Sarah. I think this has been such an incredibly important episode. And if any of the listeners would like to learn more about Sarah, the work that she does, her website, which will be linked to in the show notes, is sarahweinsteinterapy.com, and her podcast, which we'll also link to, is called the [WellnessCast](#).

If you enjoyed this episode of the Law School Toolbox podcast, please take a second to [leave a review or rating](#) on iTunes, because we'd really appreciate it. And be sure to subscribe so you don't miss anything. We typically release new episodes on Mondays. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at Lee@lawschooltoolbox.com or Alison@lawschooltoolbox.com, or you can always contact us via our [website contact form at LawSchoolToolbox.com](#)

Thanks for listening. Thanks for being thoughtful about this very challenging subject. Be in good mental health, take some deep breaths, be a SWYMR, and we'll talk soon.

Resources:

- [Sarahweinsteinterapy.com](http://sarahweinsteinterapy.com)
- [Lawyers & Depression \(Dave Nee Foundation\)](#)
- [WellnessCast](#)
- [Warrior One](#)
- [Above the Law, "Did Law School Bullying Contribute to a Recent Graduate's Suicide?"](#)
- [Above the Law, "Bar Exam Suicides Are Disturbingly Common Among Recent Law School Graduates."](#)
- [New York Times, "The Lawyer, the Addict: A high-powered Silicon Valley attorney dies. His ex-wife investigates, and finds a web of drug abuse in his profession."](#)
- [Business Insider, "We Need to Start Talking to Law Students About Depression and Suicide."](#)