

# Law Trends & News

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HOME  
BUSINESS LAW

PRACTICE  
MANAGEMENT

FAMILY LAW

LITIGATION

REAL ESTATE

YOUNG LAWYERS

DOWNLOAD

ABOUT  
GP|SOLO

FEEDBACK

PAST ISSUES



## PRACTICE MANAGEMENT

### **Get Down to Business: Strategies to Manage in a Down Economy »**

*By Edward Poll*

### **The Role of Stress and Anxiety in Depression in the Legal Profession**

*By Dan Lukasik*

### **The Six Systems Every Small and Solo Firm Law Practice Owner Needs for Maximum Business Success »**

*By Alexis Martin Neely*

## **The Role of Stress and Anxiety in Depression in the Legal Profession**

By Dan Lukasik

Lawyers suffer from clinical depression at an alarming rate. I have been a litigator for more than 20 years and am one of them. In the beginning of my career, however, I didn't suffer from depression. But I did have trouble managing the stress of my practice. Over time, this constant stress developed into anxiety. I started feeling like I couldn't control everything. I would go to bed fearing what problems and disasters were to confront me the next morning. After years of this, the pendulum swung. I went, more and more, from states of anxiety to states of depression. Why did this happen? It took me a long time to understand.

Depression develops because of a complex interplay of genes, neurochemistry, emotional history, and personality. Recently, scientists have been focusing in on the connection between stress and anxiety and the role they play in producing and maintaining depression. This subject should be of great concern to lawyers who frequently report feeling stressed or burned out in their practices.

"Stress" is anything in our environment that knocks our bodies out of their homeostatic balance. The stress response is the physiological adaptations that ultimately reestablish balance. Most of the time, our bodies do adapt, and a state of balance is restored. However, Dr. Robert Sapolsky, an expert on stress-related illnesses, warns: "If stress is chronic, repeated challenges may demand repeated bursts of vigilance. At some point, this vigilance becomes overgeneralized leading us to conclude that we must always be on

guard—even in the absence of stress. And thus the realm of anxiety is entered.” (*Scientific American*, Robert Sapolsky, Ph.D., Volume 289, No. 3, September 2003 at p. 88.)

Stress went on too long in my own life as a litigator. I had, indeed, entered the realm of anxiety. For me, this anxiety felt like I had a coffee pot brewing 24/7 in my stomach. I became hypervigilant; each of the files on my desk felt like ticking time bombs about to go off. Over time, the litigation mountain became harder to climb as the anxiety persisted over a period of years.

Dr. Sapolsky states: “If the chronic stress is insurmountable, it gives rise to helplessness. This response, like anxiety, can become generalized: a person can feel they are at a loss, even in circumstances that she can actually master.” (*Ibid.*) Helplessness is a pillar of a depressive disorder. It becomes a major issue for lawyers because we aren’t supposed to experience periods of helplessness. We often think of ourselves as invulnerable superheroes who are the helpers and not the ones in need of help. Accordingly, lawyers often don’t get help for their depression and feel ashamed if they do.

Many lawyers do not appreciate this connection between their stress and anxiety and the risks they pose for the development of clinical depression. Indeed, the presence of comorbid anxiety disorders and major depression is frequent and, according to some studies, as high as 60 percent. Maybe this connection helps explain the studies that find such high rates of depression for lawyers. In many ways, we are too stressed and anxious too much of the time. The human body was not designed for such punishment. Dr. Richard O’Connor, author of the best-selling book, *Undoing Perpetual Stress: The Missing Connection Between Depression, Anxiety and 21st Century Illness* (Berkley Trade, 2006), states that depression “is stress that has gone on too long” and that many people with depression have problems dealing with stress because they are not “stress resilient.” Depression is not the result of some central character flaw or weakness, but because of a complex interplay between genetics and one’s experience over a lifetime. This interplay is played out daily for lawyers in how their bodies and brains deal with stress and anxiety.

Our bodies haven’t changed much in the last ten thousand years. We have a wonderful defense mechanism wired into our nervous system called the fight-or-flight response. Dr. Sapolsky, in his acclaimed book, *Why Zebra’s Don’t Get Ulcers* (Holt Paperback; 3rd edition, 2004), walks us through the connection between this ancient defense mechanism and depression. When confronted with a threat—whether real *or perceived*—this response kicks in and floods our bodies with powerful hormones that propel us into action. This was an essential survival device for our ancestors who lived in the wild and would have to flee beasts that were trying to eat them or fight foes that were trying to kill them.

Lawyers don’t face these types of real life-or-death threats. Instead, lawyers *perceive* life-or-death threats in their battles with opposing counsel while sitting in a deposition or sparring in the courtroom. Our bodies respond *as if*

they were being chased by that hungry lion. Accordingly, the stress response can be set in motion not only by a concrete event but also by mere anticipation. When humans chronically and erroneously believe that a homeostatic challenge is about to come, they develop anxiety.

Over time, this type of chronic anxiety causes the release of too much of the powerful fight-or-flight hormones, cortisol and adrenaline. Research has shown that prolonged release of cortisol damages areas of the brain that have been implicated in depression, the hippocampus (involved in learning and memory) and the amygdala (involved in how we perceive fear).

If we don't as litigators learn better ways to deal with stress and anxiety, we expose ourselves to multiple triggers that can cause or exacerbate clinical depression. It is in turning and facing those things that make us stressful and anxious that we provide ourselves with the best protection against depression.

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*Dan Lukasik helped form the partnership of Cantor Lukasik Dolce & Panepinto, P.C. Mr. Lukasik is currently a partner and represents plaintiffs in personal injury cases and civil rights matters in state and federal court. He is the recipient of the Distinguished Alumni Award for Community Service from the University at Buffalo Law School Alumni Association for his work in helping lawyers with depression. In addition, he and the Erie County Bar Association were given the New York State Bar Association's Award of Merit for the creation of the Committee to Assist Lawyers with Depression in Erie County. Please visit his website, [www.lawyerswithdepression.com](http://www.lawyerswithdepression.com).*

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