

Cover Note

This report provides an overview of the Standing Committee on Attorney Well-Being from its inception in 2022, through its strategic planning phase. The intent of this report is to provide a both a tangible and transparent summary of how the committee will implement the recommendations from the 2021 Report from the Task Force on Attorney Well-Being.

The Committee on Attorney Well-Being reviewed this report and approved it for the House of the Delegates on May 31, 2024.

Title Page

Report Title:

- From Recommendation to Implementation: Attorney Well-Being 2022-2023 Strategic Planning Report.

Responsible Entity:

- New York State Bar Association Standing Committee on Attorney Well-Being

Listing Members:

- *Chair:* Kim Wolf Price, Esq.
- *Immediate Past Chairs:* The Honorable Judge Karen Peters and Elizabeth “Libby” Clark, Esq.
- *Members of the Drafting Committee:* Ann Lapinski, Kathryn Grant Madigan, Joseph Milowic, Dr. Carl Sgambati, Robert Herbst, Marta Ricardo, Lisa Podemski, Theresa Marangas, Anna Remet, Lillian Moy, Rosemary Queenan, Daniella Keller Dikeman, Eulas Boyd, Wendy Chaite, Rose Mary Bailly, Judge Stan Pritzker, Glenn Lau-Kee, Andrea Gray, Judge Patrick O'Sullivan, Robin Belleau, Kathleen Fyfe, Robert Goldman, David Gutowski, Daniel Lucasik, Dr. Kerry O'Hara, Niti Parthasarathy, Jarrod Reich, Amanda Smith, Lauren Sharkey, Joel Kosman, Matthew Lawrence, Cristian Cruzado, Cheryl Korman, Lynn Su, Jane Burke, Melinda Fithen, Alexis Gruttaduria, Joshua Hamlet, Erik Pinsonnault, Diane O'Connell, Debbie Machalow, Dennis Ellis, Stephanie Fedorka, Elizabeth Eckhardt, Eileen Travis, Kathy Suchocki, and Stacey Whiteley.

Relevant Links:

- [The Attorney Well-Being Program - New York State Bar Association](#)
 - Program webpage with additional information and content.
- [Committee on Attorney Well-Being - New York State Bar Association](#)
 - Committee roster with reports and plans.
- [The Report of the Task Force on Attorney Well-Being](#)
 - Approved by the House of Delegates on October 30, 2021

Acknowledgements

The Standing Committee on Attorney Well-Being recognizes the Lawyer Assistance Committee and the Judicial Wellness Committee for laying the groundwork and collaborating on a shared mission to support professionals in the legal field.

The work of this committee would not be possible without the thorough reporting and thoughtful recommendations by the Task Force on Attorney Well-Being.

This report was made possible in part by a grant from the New York State Bar Foundation.

A Message from the Chair

"The well-being of attorneys is critical to the effective practice of law, the protection of the public trust and the vibrancy of the culture of our profession."

– NYSBA 2021 Task Force Report on Attorney Well-Being

It is no secret that law is considered one of the most stressful professions. Beginning in law school, those seeking a juris doctor are met with curves, deadlines, and large amounts of work. But what if, instead of accepting this as the fate of all lawyers, we focused instead on providing resources and tools to assist lawyers in finding a healthier balance? Because, as the quote above from the 2021 Task Force Report on Well-Being reminds us, the well-being of attorneys is critical.

The Committee on Attorney Well-Being is a group of professionals dedicated to a healthier future for our field and, as importantly, for the individuals who make up the legal profession. Appointed by the NYSBA President, this committee, through its various sub-committees and the excellent work of Jennifer Clayton, LMSW, NYSBA Well-Being Program Manager, is working to change the conversation around mental health and well-being in the law. The committee members focus on everything from programming to Continuing Legal Education and the start of this journey, law school and law students.

NYSBA leadership is committed to positive change for lawyers. The Committee on Attorney Well-Being is proud to be part of that change. As the Chair, it is a privilege to work with this group, along with Jennifer Clayton and Stacey Whiteley, NYSBA Lawyer Assistance Program Director. I hope you will take the time to learn more about the Committee through this strategic plan and to participate in the dialogue to make lawyering a healthier profession.

-Kim Wolf Price, Esq.
Chair, Committee on Attorney Well-Being

Introduction

The [2021 Report and Recommendations](#) from the Task Force on Attorney Well-Being shown a spotlight on legal culture, taking a closer look at what the profession tolerates, accepts, and rewards. For decades, the Lawyer Assistance Program has provided a safety net, to catch individuals struggling with mental health and substance abuse, saving countless legal careers, and even lives. With the Task Force Report following a global pandemic, the profession was due for a change. In addition to strengthening the Lawyer Assistance Program, Attorney Well-Being works to shift the legal culture towards more well-rounded, sustainable approaches to success.

From its inception, the Committee on Attorney Well-Being has spent time taking full stock of the infrastructure, reviewing the recommendations, and strategizing a plan for implementation. Supported by six subcommittees, the group aims to support the people within the profession to promote long, successful careers. This report aims to provide a transparent window into the work of the Committee on Attorney Well-Being through its strategic planning phase. A reproduction of the Report and Recommendations from the Task Force on Attorney Well-Being can be found in Appendix A.

The Committee on Attorney Well-Being Mission Statement:

- “Implement the Task Force recommendations from the Report.
- Examine the role of the current Lawyer Assistance Committee for cross-Committee initiatives.
- Develop outreach programming for attorneys who have been formally disciplined, with the goal of rehabilitation.
- Work with LAPs, bar associations and others to advocate to NYS CLE Board regarding possible modifications of CLE regulations including:
 - Skills development programs with CLE credit; currently, only presentations of theory offer credit;
- Include credit for solutions-based well-being programming, rather than focusing on the negative aspects of ill-being.
- Broaden well-being CLEs offering ethics credit to include public trust and ethics work, focusing on prevention rather than the need for diversionary programs.
- Develop online resources and materials on topics which support well-being and the importance of self-care.
- Develop and promote a “Law Firm Roadmap for Well-Being Best Practices” for law firms or other legal employers in offering social opportunities which enable people to enjoy shared physical activity.
- Collaborate with the court system (OCA) to create a referral network of clinicians with specific experience dealing with the legal profession, such as North Carolina’s Bar Cares program and Massachusetts’ LOMAP.”

Executive Summary

This strategic planning report provides a thorough overview of how the Standing Committee on Attorney Well-Being has thoughtfully summarized the 2021 Task Force Report and Recommendations. Through its strategic planning phase, members of the committee worked to break down the task force recommendations which organically fell into six subcommittees. These subcommittees take a systemic approach to the mission, supporting a cultural shift from the individual to the collective. All six subcommittees work to expand outreach, increase engagement, and provide resources across diverse target audiences. The sections of this report will explore how each subcommittee identified a *goal, thoughtfully summarized* the relevant Task Force recommendations, and *strategically planned* an approach for implementation. Recognizing the shift has begun, the Committee on Attorney Well-Being embarks on a strategic plan to provide wholistic support for the individual, while working to redefine how success is achieved in the legal field.

The Six Subcommittees:

- Program Planning and Resource Development¹
 - Defining the scope of the Attorney Well-Being Program, to ensure all efforts are uniquely tailored to the mission.
- Occupational Culture and Policy Enhancement²
 - Supporting a shift in the legal culture, to enhance standards that promote wellness across the profession.
- Judicial Advocacy and Support³
 - Acknowledging power with humility, to support attorney wellness from the bench.

- Law Education and Early Engagement⁴
 - Establishing well-being as an early priority, to provide both student and institutional support.
- CLE Integration and Expansion⁵
 - Incorporating wellness content into professional development, to increase awareness and promote prevention.
- Lawyer Assistance Support & Collaboration⁶
 - Recognizing the foundation of lawyer assistance efforts, to strengthen and expand the efforts.

Background

As a program, Attorney Well-Being recognizes Lawyer Assistance as its foundation. The Lawyer Assistance Program traces its origins back to 1977, with a gathering of lawyers seeking a community centered in recovery. By 1978, one of the founding members, Ray O’Keefe, was recruited by then President, Hon. Robert P. Patterson, Jr., to lead a new committee aimed at addressing lawyer alcoholism. This committee later evolved into the New York State Bar Association’s Committee on Lawyer Alcoholism and Drug Abuse, advocating for the establishment of similar committees at the county level and fostering collaborations with other bar associations.

In 1980, the committee gained significant momentum, achieving milestones such as advocating for amendments to disciplinary rules to safeguard privileged communications and forging liaisons with appellate departments and national bar leaders. Its outreach extended to law schools, character and fitness committees, and disciplinary counsels. In recognition of the growing need for professional support in addressing substance misuse issues within the legal profession, the New York State Bar Association allocated funds in 1989 for a full-time Executive Director for the Lawyer Assistance Program.

The establishment of the LAP marked a significant milestone, formalizing the committee's mission and recognizing statewide the existence of members in the profession requiring assistance. Since its inception, the LAP’s mission has expanded beyond aiding lawyers with substance misuse issues to encompass support for those grappling with emotional and mental health challenges as well.

Over the years, the LAP has rendered life-changing services to thousands of lawyers, law students, and judges. Its members have developed hundreds of hours of programming and produced numerous articles, reports, and interviews. In a bid to extend its outreach beyond the traditional LAP community, a Task Force on Attorney Well-Being was developed in 2020.

The Task Force on Attorney Well-Being, chaired by the Honorable Judge Karen Peters and Libby Clark, Esq., separated into a variety of working groups exploring the scope of lawyer wellness. A final report and recommendations by the Task Force were approved and adopted by NYSBA's House of Delegates in 2021, resulting in the Standing Committee on Attorney Well-Being.

In 2022 the New York State Bar Association fulfilled the need for a position dedicated to supporting the Task Force recommendations and Committee initiatives. A Well-Being Program Manager was hired with a background in mental health to develop programming and resources. Looking at Lawyer Assistance as a foundation, with many legal professionals still falling through the cracks, the Attorney Well-Being program debuted its “Eight Pillars of Attorney Well-Being”. This model was designed to provide both a holistic and more strategic approach to wellness.

Both the Lawyer Assistance and Attorney Well-Being Program's work in collaboration to ensure the mental health and well-being of our entire legal community is supported. These programs are driven by the dedication of their committee members. As the Standing Committee on Attorney Well-Being strengthens the program's "Eight Pillars" (Program Planning & Resource Development¹), it simultaneously approaches the mission from all perspectives. By the profession (Occupational Culture & Policy Enhancement²), from the bench (Judicial Advocacy & Support³), in the beginning (Law Education & Early Engagement⁴), and through professional development (CLE Integration & Expansion⁵). Allies from statewide lawyer assistance programs contribute to a cohesive and aligned mission (Lawyer Assistance Support & Collaboration⁶).

Across these six subcommittees, the 2021 Task Force Report and Recommendations were *thoughtfully summarized*, and members *strategically planned* an approach for implementation. Each subcommittee identified a general *goal* to guide the continued efforts of the committee. The following sections of this strategic planning report will provide an in-depth overview of the six subcommittees of the Standing Committee on Attorney Well-Being, detailing the current projects and future initiatives.

Program Planning and Resource Development¹

Subcommittee Goal:

The Program Planning and Resource Development subcommittee supports NYSBA's Well-Being Program by defining the scope. This subcommittee navigates how NYSBA balances the focus on wellness in the legal profession. The goal is to provide an expansive network of accessible programs, specialized resources, and more to bring a diverse range of wellness benefits to legal professionals across New York.

Recommendations from the Task Force – Thoughtfully Summarized:

General considerations to be mindful of:

- Reducing stigma, encouraging help-seeking, and sharing resources.
- Programs tailored to the unique stressors experienced by marginalized populations.
- Opportunities to discuss professional identity, personal values, and self-awareness.
- The professional and ethical responsibility to practice healthy and competently.
- Increasing accessibility and continuously assessing member needs.
- Integrating wellness into CLE programming to expand professional development.
- Supporting the efforts to provide direct support and intervention through LAP.

Implementations from the Committee – Strategically Planned:

The Program Planning and Resource Development subcommittee is positively overwhelmed with creative ideas and valuable feedback that will define the scope of NYSBA's Well-Being Program. A standardized process has been identified to allow all external programs and resources to be vetted through the subcommittee. Thoughtful consideration of submitted proposals will allow for the subcommittee to choose unique programming, specialized resources, and additional opportunities that support member well-being.

The Well-Being Program has identified Eight Pillars of Attorney Wellness to create a tangible system of checks and balances. With external professionals providing programs to members at no cost, the Well-Being Program will grow an expansive list trusted advisors for

both individual and law firm utilization. Wellness experts in the legal field will support the Eight Pillars of Attorney Well-Being through free informational programming. Professionals interested in offering their expertise to the Well-Being Program may submit a completed proposal request here: [Well-Being Program - RFP](#)

Internally, the Program Planning and Resource Development Subcommittee will work with the Well-Being Program Manager, a licensed master social worker, to provide signature programming tailored specifically for NYSBA members. Hoping to expand programming to other NYSBA communities and beyond, this signature programming will be available for replication. The Well-Being Program is also regularly featured in NYSBA's Bridging the Gap series for newly admitted members, offering two options for programming on a monthly rotation. An overview of successful Well-Being Programming can be found in Appendix B.

Occupational Culture and Policy Enhancement²

Subcommittee Chair: Kathryn Grant Madigan, Esq.

Subcommittee Goal:

The Occupational Culture and Policy Enhancement subcommittee is dedicated to supporting the occupational shift in the legal field towards balance. This subcommittee works to advocate for best practices in the legal profession related to wellness and sustainable careers. The goal is to provide a universal standard of well-being for individuals working in the legal profession, from the top down.

Recommendations from the Task Force – Thoughtfully Summarized:

- Promote attorney well-being as a business imperative that serves as an ethical and professional obligation.
 - Recognize well-being as reducing turnover, increasing client satisfaction, productivity, and profitability.
 - Consider wellness when addressing a lawyer's Duty of Competence under the Rules of Professional Conduct.
- Develop a “Law Firm Roadmap” for Well-Being Best Practices that:
 - Expects law firms and employers to sign the ABA’s Well-Being Pledge
 - Suggests the maximum total of billable hours, with suggestions for alt. billing arrangements.
 - Encourages the use of time off, including mental health days and parental leave.
 - Supports sabbaticals and preventative personal leave.
 - Proposes a formal coverage system to meet client needs.
 - Emphasizes the importance of HR prevention and intervention relating to stress related misconduct.
 - Implements an HR assessment that supports individual employee wellness through period review.
 - Establishes discussion forums for confidential and safe conversations related to well-being issues.
 - Promotes groups with strong peer mentorship and sponsorship programs.
 - Identifies effective approaches to well-being programs.
 - Provides specific resources to small firms and solo practitioners with limited budgets.

Implementations from the Committee – Strategically Planned:

The Occupational Culture and Policy Enhancement subcommittee interprets employee wellness as an ethical obligation of law practice managers and other legal employers. This subcommittee seeks to redefine success in the legal field sustainable design at the individual level and at the leadership levels. Members of the committees will work to create a survey to collect current wellness initiatives and assess current needs of legal employers. This survey is expected to be an annual review, with additional strategic planning performed upon review of the needs assessment. Law Firms with exceptional well-being ideas will be showcased by NYSBA's Attorney Well-Being Program as Wellness Innovators. The Occupational Culture and Policy Enhancement subcommittee will continuously work to support law firms and employers while advocating for positive change across the profession. Understanding that leadership is currently faced with the task of meeting employee needs, this committee will develop a "Best Practices Guide". The intention of this venture will be to standardize wellness programming in the legal field. A key takeaway from the final report will be a strategic approach to developing and employing resources.

Judicial Advocacy and Support³

Subcommittee Co-Chairs: The Honorable Karen Peters and The Honorable Stan Pritzker

Subcommittee Goal:

The Judicial Advocacy and Support subcommittee recognize how attorney well-being is impacted from behind the bench. This subcommittee works to address wellness in the legal field directly from the judiciary. The goal is to ensure the conversation on attorney well-being is addressed across the courtroom, to assess how wellness approaches can be integrated and supported.

Recommendations from the Task Force – Thoughtfully Summarized:

- In the courtroom:
 - Judiciary to seek attorney input when scheduling orders, reviewing requests for virtual appearances.
 - Standardize the Rules of Court within the Unified Court System (UCS).
 - Ensure attorneys with disabilities are accommodated, especially regarding virtual appearances.
 - Assign attorneys to highly charged arenas at the earliest point possible.
- Well-Being and Diversion:
 - Promote the use of diversion programs in all Appellate Divisions for disciplinary cases related to mental health or alcohol/substance misuse.
 - Take steps to minimize the potential for ignored complaints of professional misconduct/grievances.
 - Develop and implement mandatory pre-admission professionalism courses.
- Well-Being and Education:
 - Encourage OCA to join NYSBA in supporting the ABA's Tenets of Attorney Wellness
 - Encourage UCS to institutionalize policies and services related to well-being.
 - Provide judicial training related to positive working relations between judges and other legal professionals.

- Develop objects for court leaders to assign wellness liaisons who will meet throughout the districts and secure wellness funding.

Implementations from the Committee – Strategically Planned:

The Judicial Advocacy and Support subcommittee has developed a simple yet effective approach to gain perspective from members of the judiciary. An initial wave of surveys went out to judges in New York State, seeking their personal experiences supporting attorney well-being. When the survey has been completed in full, this subcommittee will have insight into the best practices regarding the judiciary’s approach to attorney wellness. Members of this committee remain humbled, recognizing the power to create positive change from behind the bench. The Judicial Advocacy and Support subcommittee honors the need to support attorney well-being in the legal field and will publish guidance for members of the judiciary looking to support the movement.

Law Education and Early Engagement⁴

Subcommittee Chair: Dean Rosemary Queenan, Esq.

Subcommittee Goal:

The Law Education and Early Engagement subcommittee targets the issue of professional wellness in the legal field from the start. This subcommittee works to develop best practices related to law education, pursuing wellness as an educational priority. The goal is to support well-being initiatives in the school setting while involving students in the discussion of sustainable, balanced careers.

Recommendations from the Task Force – Thoughtfully Summarized:

- Collaborate with New York State Law Schools to:
 - Connect with wellness liaisons to encourage well-being initiatives.
 - Create a wellness pledge specific to law schools.
 - Develop universal law school resources/support services.
 - Co-host wellness programs between law schools and their local bars.
- Outreach/Awareness:
 - Encourage legal professionals to share their experiences of prioritizing wellness to succeed.
 - Share the successful effort to remove mental health questions from the Bar Application.
 - Host programs and events related to specific awareness days.
 - Acknowledge lack of representation particularly with faculty composition.
 - Feature faculty speakers who can share their own experiences with the stressors of law school.
 - Address student debt and financial wellness especially related to public interest jobs.
- Training
 - Provide MH training focused on detecting the signs of a mental health crisis.
 - Offer peer support training and mentorship opportunities.
 - Implement systems for reporting wellness related concerns.
 - Collaborate with local law schools and professionals about financial burdens in the field.

- Curriculum
 - Support the requirement of wellness credits as a condition of graduation/licensure.
 - Incorporate well-being information and resources into professional responsibility courses.
 - Adopt learning outcomes/performance standards specific to wellness.
 - Incorporate wellness into the curriculum through credit/non-credit bearing courses.
 - Promote well-being in the classroom by considering alternative options to the Socratic method.

Implementations from the Committee – Strategically Planned:

With a thorough list of recommendations, the Law Education and Early Engagement Subcommittee seeks to support the New York Law Schools in their efforts to support students. This subcommittee executed a survey of the NYS law schools, exploring current offerings to identify trending themes and current needs. Ten of the Fifteen law schools participated in the survey, and representatives came together on February 9th, 2024, for the first ever *Well-Being in Law School: Leadership Symposium*. Leaders in law school wellness and other related professions gather at Latham & Watkins LLP who graciously hosted a full day of programming.

The workshop hosted three separate sessions, hearing from various law schools and the New York City Bar Association’s LAP. Following the success of this workshop, the Law Education and Early Engagement Subcommittee intends to provide a thorough written summary of the day, including continued efforts to support the law school across New York. A second annual *Well-Being in Law School Leadership Symposium* is currently being planned for 2025.

CLE Integration and Expansion⁵

Subcommittee Chair: Ann Lapinski, Esq.

Subcommittee Goal:

The CLE Integration and Expansion subcommittee is dedicated to increasing NYSBA’s program offerings to provide professional development opportunities that support well-being. This subcommittee works to interpret the current CLE criteria to increase opportunities for wellness credits. Additionally, this subcommittee will work to integrate wellness across all NYSBA sections and committees, while advocating for more integrative programming. The goal is to increase the current well-being offerings from NYSBA while working to expand opportunities further.

Recommendations from the Task Force – Thoughtfully Summarized:

- Policy and Advocacy:
 - Integrate wellness into all NYSBA programming as a best practice.
 - Well-Being programs as a standard inclusion to Bridging-the-Gap.
 - Offer well-being programs offered on a regular cycle that offer CLE credit.
- CLE Development:
 - CLE programs for newly admitted attorneys.
 - Develop Signature CLE initiative designed for skills-development.

Implementations from the Committee – Strategically Planned:

The subcommittee on CLE Integration and Expansion is taking a thorough look at regulations across the country that support attorney well-being. Members are currently researching states that include mental health and wellness in the requirements for continuing legal education. This subcommittee will utilize this research to form a strategic plan that advocates for change within New York State. Recognizing the potential barriers and long-term planning of this project, the subcommittee has recently distributed a memo across all NYSBA sections and committees to encourage the integration of wellness content information in their current plans. This memo highlights that despite a requirement, the well-being of lawyers is a necessary piece of continued professional development. To support an attorney's well-being, is to improve the quality and longevity of their careers.

Lawyer Assistance Support and Collaboration⁶

Subcommittee Chair: David Gutowski, Esq., Chair of NYSBA's Lawyer Assistance Committee

Subcommittee Goal:

The Lawyer Assistance Support and Collaboration subcommittee of the committee on Attorney Well-Being honors Lawyer Assistance as the foundation to wellness. This subcommittee recognizes that assistance and wellness are both interpreted and categorized subjectively. The goal is to offer collaboration between the two programs, with an effort to support both missions harmoniously.

Recommendations from the Task Force – Thoughtfully Summarized:

- Recognize Lawyer Assistance Programs as founders of the well-being movement.
- Support and promote the employment of at least one clinician for each LAP in New York.
- Explore past and current funding to assess the sustainability of all three LAPs.
- Urge OCA to increase LAP funding throughout the state.

Implementations from the Committee – Strategically Planned:

The subcommittee on Lawyer Assistance Support and Collaboration plays an active role in defining NYSBA's representation of both LAP and Well-Being. To ensure that efforts are collaborative versus conflicting, this subcommittee mutually provides support, while assessing gaps in services. NYSBA's LAP provides intervention and support services to individuals experiencing significant effects of mental health, alcohol, and/or substance use. NYSBA's Well-Being Program is focused on maintaining balance and preventing the need for intervention. This subcommittee will work to ensure programming, resources, and offerings from each department are supported and funded to meet the needs of NYSBA's members.

Conclusion

The Standing Committee on Attorney Well-Being, established in 2022, emphasizes a long-term mission to prioritize a sustainable approach to legal success. Looking at what is currently tolerated, accepted, and rewarded in the legal profession, this committee engages in conversations to shift the culture. Bringing awareness to the negative impacts of stress and encouraging positive coping skills is applicable across all areas of practice. The Committee on Attorney Well-Being supports the people within the profession through the "Eight Pillars". From the individual to the collective, the six subcommittees approach all aspects of attorney well-being. Recognizing there are no shortcuts to success, the Committee on Attorney Well-Being

remains persistent in prioritizing overall wellness. This strategic planning report is intended to provide a roadmap for the long-term path towards attorney well-being.

Appendix A.

This table was replicated from the [2021 Attorney Well-Being Task Force recommendations](#):

Recommendations for NYSBA	Suggested Considerations and Implementations
Formation of a NYSBA standing Committee on Attorney Well-Being	Tasked with (a) the development and implementation of wellbeing programs and initiatives for all New York attorneys and law students, (b) the state-wide coordination and advancement of well-being programs and resources for bar associations, the judicial system and employers, and (c) the encouragement of a “culture change” in which the stigma and other barriers to participation in well-being programs are lowered.
Well-Being Committee Composition NYSBA	<p>NYSBA President may consider the following criteria for appointment to a newly-formed Committee:</p> <ul style="list-style-type: none"> a. A representative from each New York State LAP. b. Representatives from diverse areas of New York State, including non-lawyer well-being professionals. c. Representatives from newly-admitted and senior attorneys. d. Other stakeholders such as OCA, NY law schools and other local and affinity bar association
Well-Being Committee Mission	<p>NYSBA may wish to consider the following initiatives for the work of the Committee on Well-Being:</p> <ul style="list-style-type: none"> a. Implementation of the Task Force recommendations from the Report. b. The role of the current Lawyer Assistance Committee for cross-Committee initiatives. c. Develop outreach programming for attorneys who have been formally disciplined, with goal of rehabilitation. d. Work with LAPs, bar associations and others to advocate to NYS CLE Board regarding possible modifications of CLE regulations including: <ul style="list-style-type: none"> i. Skills development programs with CLE credit; currently, only presentations of theory offer credit; ii. Include credit for solutions-based well-being programming, rather than focusing on the negative aspects of ill-being; and iii. Broaden well-being CLEs offering ethics credit to include public trust and ethics work, focusing on prevention rather than the need for diversionary programs. e. Develop online resources and materials on topics

	<p>which support well-being and the importance of self care.</p> <p>f. Develop and promote a “Law Firm Roadmap for Well-Being Best Practices” for law firms or other legal employers in offering social opportunities which enable people to enjoy shared physical activity.</p> <p>g. Collaborate with the court system (OCA) to create a referral network of clinicians with specific experience dealing with the legal profession, such as North Carolina’s Bar Cares program and Massachusetts’ LOMAP.</p>
<p>NYSBA Well-Being Priorities</p>	<p>As overall well-being policy and support, NYSBA may wish to consider:</p> <p>a. Member benefits which facilitate participation in physical activity and other means of self-care.</p> <p>b. Consideration of mentoring in professional liability areas and civility.</p> <p>c. Devote part of Law Practice Management programming to educating on the business case for lawyer wellness.</p> <p>d. Budget for participation in national programs and conferences on attorney well-being for the Committee.</p>
<p>NYSBA LAP Funding Advocacy</p>	<p>NYSBA House of Delegates should consider a resolution which establishes such a priority for NYSBA’s LAP and urges a similar commitment for other LAP programs and a commitment by OCA. The Committee should assist in addressing:</p> <p>a. The LAPs as the foundation of other well-being programs.</p> <p>b. Ensure access to at least one clinician at each LAP in New York.</p> <p>c. Examine past and current funding, sustainability of existing LAPs (NYSBA, NYC Bar, Nassau County Bar).</p> <p>d. Consider supporting Lawyer Assistance Programs in other New York bar associations.</p>

	<p>e. Develop and present CLE programming on attorney well-being, emphasizing well-being as a component of compliance with the Rules of Professional Conduct; maintain dedicated webpage to educate law firms and lawyers about mental health resources and develop free or low-cost counseling opportunities.</p>
NYSBA and CLE	<p>NYSBA could create a signature CLE initiative entitled “Reducing Stigma and Increasing Access” which would include:</p> <ul style="list-style-type: none">a. Free well-being, mental health and substance use disorder programs offering CLE on a regular cycle;b. Require incorporation of well-being programming as a “best practice” into NYSBA section and committee CLEs, as well as at section destination meetings;c. Make well-being CLE programming a standard inclusion in Bridging-the-Gap CLEs; andd. Develop a well-being CLE program as a standard offering for all newly-admitted attorneys.e. Expand NYSBA offerings CLE, such as workshops and retreats which allow attorneys to explore the complex issues of attorney well-being, as well as how well-being intersects with diversity, equity, inclusion, disability, etc.

NYSBA collaboration with New York law schools

NYSBA is in a leadership position to expand collaboration with all New York law school which may include:

- a. Meetings of wellness liaisons at law schools and legal employers.
- b. Co-host virtual programming across law schools and among State bar, law firms, public interest organizations, the judiciary and law schools.
- c. Develop a roundtable program (LAP) tailored to the law student audience; consider reintroducing NYSBA's toolkit.
- d. Host yearly meetings between NYSBA LAP and deans of students of all NY law schools to foster statewide collaboration in law school well-being.
- e. Offer mental health training focused on detection and response for law faculty, staff, administrators throughout the state (in collaboration with Mental Health First Aid).
- f. Create a wellness pledge for law schools and legal employers.
- g. Collaborate with law schools on programs to address student debt load and financial well-being, particularly within the context of pursuing public service or public interest positions in the State of New York.
- h. Convene quarterly meetings with affinity bar associations and the law schools in the State to discuss issues of diversity, equity and inclusion in legal education and the legal profession.

Communication initiatives to include:

- a. Stories of members of the legal profession who are prioritizing their holistic health and well-being on state bar websites, programming, and materials.
- b. Educate the legal profession on NYSBA's effort to help eliminate mental health questions from the character and fitness application. Increase transparency for law schools and law students about how mental health diagnosis and treatment will affect bar admission through programming and information campaigns.

	<p>Curriculum initiatives to include:</p> <ul style="list-style-type: none"> a. Partner with leading faculty and practitioners statewide to develop a unit and/or teaching resources on wellness to be incorporated into professional responsibility courses required for graduation. b. Advocate for New York to become a national leader in by requesting that the Court of Appeals and Board of Law Examiners require completion of a course on wellness as a condition of graduation from a NY-accredited law school and/or as a condition of licensure. c. Provide and highlight no or low-cost well-being initiatives to address law schools’ resource limitations. d. Convene at least one meeting of the states’ law school deans a year about how NYSBA can assist with achieving representational diversity in faculty hiring, consistent with each school’s mission and goals, to address barriers to belonging that negatively impact student mental health.
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<p>Recommendations for Law Schools</p>	<p>Suggested Considerations and Implementations</p>
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<p><i>Collaboration Across the Profession:</i> Law student wellbeing is the collective responsibility of several constituencies: students, faculty, staff, the bench, and the practicing bar. The following recommended best practices can help each of these constituencies advance and achieve the collective goal.</p>	<ol style="list-style-type: none"> 1. Appoint a wellness liaison at each school to coordinate with NYSBA on issues of well-being. Liaisons to meet regularly to share current events, strategies, and program ideas. 2. Develop a list of providers, vendors, campus and community partners for wellness programming and resources, to share with students and counterparts throughout the State – especially critical for law schools in more remote parts of the State. 3. Collaboration with local law schools and professionals about financing a legal education, information that may serve to lessen the stresses relating to financial burdens. 4. Offer counseling services on site at the law school, if possible, preferably staffed by providers who have experience with the unique stressors of the law school experience. 5. Host an LAP program as early as Orientation to reduce stigma, encourage help-seeking behaviors, and introduce students to resources and mentors in the profession. 6. Develop programming focusing on marginalization of individuals of color, first-generation students, disabled students and students who are members of the
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	<p>LGBTQ+ community and the importance of diversifying the legal arena and having a sense of belonging. Work to eliminate the barriers to an affordable legal education that impact the numbers who make it to and through law school.</p> <p>7. Develop resources to support disabled students to lessen the negative impact on their mental state and wellness while in law school.</p> <p>8. Offer training to law students to support their fellow students, possibly in conjunction with legal employer professional development partners.</p> <p>9. Present wellness programs in partnership with members of NYSBA that reduce and address stigma, demystify the daily work of attorneys, and encourage and assist students in developing habits that help their health and well-being.</p>
<p><i>Communication on Well-being:</i> Reducing the stigma associated with mental health issues and giving law students and lawyers permission to make their well-being a priority are laudable aims that are more relatable and, thus, achievable when admired members of the profession share their personal stories of success and struggle.</p>	<ol style="list-style-type: none"> 1. Encourage law schools to have a dedicated page on their websites that identifies wellness resources. 2. Implement systems for students and faculty to share wellness concerns with responsible administrators or campus health professionals. For example, faculty awareness and reporting of excessive absences, which often signal an underlying wellness issue. 3. Host special events commemorating mental health awareness days. Address well-being during orientation and reorientation programs, including a wellness-focused perspective on law school and wellness resources. 4. Establish a culture of wellness throughout the institution – e.g., feature law faculty speakers at wellness-focused events, including faculty discussing their own struggles, would help remove the facade of perfectionism endemic to the culture of law.

<p><i>Curricular Innovations:</i> The role of faculty governance over law school curriculum cannot be underestimated. Through their empowered governance and leadership functions, law school faculty can greatly influence and shift the culture of legal education, demonstrating that wellness is a valued priority of the legal academy and profession as a whole, not an “add-on” to be sacrificed for academic success or client and supervising attorney needs.</p>	<ol style="list-style-type: none"> 1. Proactively incorporate wellness into the curriculum through for-credit or non-credit bearing courses. 2. Discuss mental health and substance use in Professional Responsibility courses as well as client counseling and clinical courses. 3. Develop opportunities to discuss professional identity formation to encourage students to be mindful of their individual values, strive for a career path aligned with those values and promote self-awareness. 4. Include lectures or a workshop series on wellness topics in both doctrinal and experiential courses throughout the curriculum. 5. Promote well-being in the classroom by mindful attention to use of the Socratic method and engaging in conversations that raise awareness on issues of diversity, equity and inclusion. 6. Acknowledge the impact of the lack of representational diversity at the podium, particularly in required doctrinal courses and commit to addressing this through examination of the composition of and charges to faculty appointments committees. 7. Adopt learning outcomes and, possibly, technical or essential performance standards, specific to wellness (e.g., tools needed to promote personal and professional well-being).
<p>Recommendations for Employment and Culture Change</p>	<p>Suggested Considerations and Implementations</p>
<p>Promote attorney well-being as an ethical and professional obligation of lawyers, as well as a business imperative.</p>	<p>Attorney well-being: (i) reduces expensive turnover, results in higher client satisfaction and loyalty, higher productivity and profitability; and (ii) it is a core to a lawyer’s Duty of Competence under the Rules of Professional Conduct; competent representation suffers when a lawyer’s health declines.</p>

<p>Develop a “Law Firm Roadmap” for Well-Being Best Practices</p>	<ol style="list-style-type: none"> 1. Creation of lawyer and staff well-being committees and strong mentoring programs and sponsorship programs; 2. Cap billable hours and bonus availability no higher than 1800 hours; consider alternative billing arrangements and client expectation of value; 3. Support taking full allotment of vacation time and parental leave/flexible work policies; actively encourage fathers to take parental leave; 4. Sign the ABA “Well-Being Pledge for Legal Employers.” 5. Develop best practices tailored to the firm and institutionalize periodic HR assessment of attorneys’ well-being, at least annually. 6. Actively manage client expectations; create a formal “coverage” system to avoid disruption of services to clients. 7. Establish discussion groups for confidential and safe forums for lawyers to discuss well-being issues. 8. Encourage sabbaticals; emphasize the importance of HR intervention or involvement. 9. Resources tailored to smaller firms and solo practitioners to developed by the NYSBA Well-Being Committee and LPM including coverage policies, programs on work/life balance, technology assistance, health/disability insurance affordability, student loan forgiveness, etc.
<p>Recommendations for Courts</p>	<p>Suggested Considerations and Implementations</p>
<p>In the courtroom</p>	<ol style="list-style-type: none"> 1. Judiciary should make a greater effort to seek attorney input when establishing scheduling orders, when requests for virtual appearances are made and must be more flexible when valid attorney concerns call into question the feasibility of that schedule; 2. Allow virtual appearances to continue for certain proceedings. 3. Standardize the Rules of Court for particular courts within the Unified Court System (UCS) as a whole, to the greatest extent possible. 4. Accommodations for attorneys with disabilities should include the opportunity to participate virtually. 5. Assign attorneys at the earliest possible point in the courts that are highly charged arenas – i.e., family court, criminal court and housing court.

Well-Being and Diversion	<ol style="list-style-type: none">1. All Appellate Divisions to use diversion programs when disciplinary proceedings are brought against attorneys engaging in conduct due to issues with mental health, substance and alcohol abuse.2. Take steps to minimize the potential for an ignored complaint of professional misconduct/grievance; and3. Develop and implement mandatory pre-admission professionalism courses.
Well-Being and Education	<ol style="list-style-type: none">1. OCA to join NYSBA in supporting the tenets of the following Attorney Wellness Policy Statement.2. UCS to institutionalize services and policies relating to substance use, mental health and other addiction disorders, including education, training, peer support and access to treatment.3. Judicial training programs should stress the importance of judges treating members of the bar with dignity and respect; the challenges of mental health challenges and substance use disorders prevalent in the profession; and the ethical obligations to avoid even the appearance of bias.4. Provide court system leaders with specific objectives including, but not limited to:<ol style="list-style-type: none">a. A commitment to establish “wellness liaisons” in every District to act as initial points of contact;b. A commitment to offer and encourage attendance at regularly scheduled wellness programming throughout each District; andc. A commitment to set aside funding in each District’s annual budget to ensure consistent provision of wellness programs

Appendix B.

Below is a list of the successful programming from the Attorney Well-Being Program. Signature programs were facilitated by members of the Committee on Attorney Well-Being and the Well-Being Program Manager. Plans have begun to expand these concepts further, and each program has the capacity to be replicated for future participation. The Attorney Well-Being Program has also welcomed an expansive directory of external speakers. Utilizing a diverse range of experts to provide a true holistic approach to attorney well-being.

Signature CLE Programs:

- “The Eight Pillars of Attorney Well-Being: Finding Balance in the Profession”
 - A deep dive exploration of the Eight Pillars of Attorney Well-Being.
 - Approved for CLE Credit
- “Balancing the Weight of the World: Addressing the Impact”
 - An effort to acknowledge the complexities of upholding professional standards despite all else.
 - Approved for CLE Credit
- “Navigating Stressors in the Legal Field: With Members of the Committee on Attorney Well-Being.”
 - An opportunity for members to share their experiences with stress management.
 - Approved for CLE Credit

Signature Practice Groups:

- “Mindful Moments: Meditation Series”
 - A brief, weekly meditation session with opportunity for community discussion.
- “Finding Focus: Co-working Group”
 - An effort to increase productivity and build connections by working independently as a group.

Signature Workshops:

- “Building Boundaries: Interactive Workshop”
 - A skill-building opportunity for participants to learn and grow together.

Programs from Guest Speakers:

- The Attorney Well-Being Program has offered over twelve free informational programs by external speakers to support the Eight Pillars of Attorney Well-Being. Programs are accessible to the public through our YouTube playlist: [Attorney Well-Being Playlist](#)